

MIDDLESEX COUNTY

Department of Planning and Community Development
P.O. Box 427, Saluda, VA 23149
Phone: 804-758-3382 Fax: 804-758-0061

REZONING SUBMISSION REQUIREMENTS

In order to expedite the review of Rezoning applications, please be sure that all of the following items have been included in your Rezoning application. Please return this completed checklist with the application to assure that all items have been addressed. All Rezoning applications must adhere to the regulations found in the Middlesex County Zoning Ordinance.

- Completed rezoning / ordinance amendment application.
- Rezoning application fee of \$250 plus \$5 per acre.
- A vicinity map showing property lines, streets and roads and existing and proposed zoning.
- For conditional rezoning applications, any proffers for consideration must be submitted in writing and attached to this completed application in a format acceptable to the Planning Director and County Attorney.
- All applications for rezoning to the MH District must include a site plan showing the layout of the internal park improvements required by Article 13 of the Zoning Ordinance.
- Any other information which the Zoning Administrator may reasonably determine to be necessary for the proper evaluation of the application.

CERTIFICATION:

I hereby certify that the attached plans and this completed application form contain all the required information for a Rezoning application in accordance with the Middlesex County Zoning Ordinance. I understand that the submission of incomplete or inaccurate information may delay the processing of this Rezoning application.

Applicant's Signature

SAMPLE PROFFERS

FOR A COMMERCIAL DEVELOPMENT PROJECT:

For a commercial development project, an applicant should consider proffering some of the items shown below in conjunction with their rezoning application. The applicant may choose to submit additional proffers based on the unique characteristics of the property and proposed development. In addition, the applicant should consider proffering a master plan or site plan for development to be included as a part of the proffer document.

1. Exterior Materials: All buildings constructed on the property shall have exposed exterior walls (above finished grade) consisting of brick, stone, dryvit, vinyl siding, hardiplank and glass, unless the Planning Commission specifically approves different architectural treatment and/or materials at time of Major Site Plan Review.
2. Use Restrictions: The following uses shall not be permitted on the property: **(insert uses)**.
3. Buffer Area: A **(insert width)** foot vegetated buffer shall be provided around the perimeter of property. Landscaping in the buffer shall consist of **(insert vegetation species types)**, and shall be approved by the Planning Commission at the time of Site Plan Review.
4. Signs: No on-premises sign shall exceed **(insert height)** feet in height or **(insert square footage)** square feet in size. No internally illuminated signs shall be located on the property.
5. Building Size: No building on the property shall exceed **(insert height)** feet in height or **(insert number of stories)** stories, whichever is less. No building on the property shall exceed **(insert square feet)** square feet in size.
6. Ingress and Egress: All lots in the proposed development shall gain ingress and egress via **(insert number of entrances)** entrances from **(insert right-of-way name)**.
7. Underground Utilities: Except for junction boxes, meters and existing overhead utility lines, all utility lines shall be underground.
8. Screening: All trash receptacles and outside storage of equipment and work materials shall be fully screened from the view of all right-of-ways.
9. Lighting: Any new exterior site lighting in parking areas and sidewalks shall be limited to fixtures which are horizontally mounted on light poles not to exceed **(insert height)** feet in height and/or other structures and shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, as defined by applicable Virginia law and regulations, shall extend outside the property lines.
10. Mechanical Equipment Screening: All HVAC and mechanical equipment shall be screened from public view at the ground level at the property lines.
11. Severance: The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

FOR A RESIDENTIAL DEVELOPMENT PROJECT:

For a residential development project, an applicant should consider proffering some of the items shown below in conjunction with their rezoning application. The applicant may choose to submit additional proffers based on the unique characteristics of the property and proposed development. In addition, the applicant should consider proffering a master plan or site plan for development to be included as a part of the proffer document.

1. **Density:** In no event shall the maximum number of dwelling units within the development exceed **(insert number of dwelling units)** dwelling units.
2. **Minimum Dwelling Unit Size:** The minimum size of any house constructed on the property shall be **(insert square footage)** square feet of finished floor area.
3. **Exterior Materials:** The exterior portion of the building below the first floor elevation, which is visible above grade, shall be finished with brick, stone, dryvit, vinyl siding, hardiplank and glass.
4. **Use Restrictions:** The following uses shall not be permitted on the property: **(insert uses)**.
5. **Flag Lots:** There shall be no stem lots or flag lots developed on the property.
6. **Central Water and Sewer:** All dwelling units within the development shall be connected to a central water system and central sewer system, as defined by the County Zoning Ordinance.
7. **Underground Utilities:** Except for junction boxes, meters and existing overhead utility lines, all utility lines shall be underground.
8. **Open Space:** Common open space in the amount of **(insert percentage)**% of the total acreage of the property shall be provided. Common open space shall be utilized for the following purposes: **(insert purpose here)**. All common open space shall be owned in fee by the homeowners association, as hereinafter defined, and the homeowners association shall be responsible for the use and maintenance of the common open space and improvements thereon pursuant to the terms, covenants and conditions to be recorded among the land records of the County, binding upon every lot and all common open space within the development and continue in perpetuity thereafter.
9. **Garages:** **(Insert percentage)**% of the dwelling units in the development shall employ a garage located behind the front building line of the dwelling unit
10. **Buffer Area:** A **(insert width)** foot vegetated buffer shall be provided around the perimeter of property. Landscaping in the buffer shall consist of **(insert vegetation species types)**, and shall be approved by the Planning Commission at the time of Subdivision Review..
11. **Low Impact Development Techniques:** Development shall employ one or more low impact development techniques, as appropriate, such as, but not limited to: double silt fence for all sensitive and highly erodible soil areas; storm water management (SWM) facilities; best management practice (BMP) facilities; bio-retention ponds; rain barrels; stilling basins; level spreaders; conservation areas; and pervious berms.
12. **Restrictive Covenants:** Prior to or concurrent with the conveyance of property, restrictive covenants describing development controls and maintenance of property shall be recorded in the Clerk's Office of Middlesex County. In addition, there shall be a homeowner's association of the property owners within the subdivision that shall be responsible for the enforcement of restrictive covenants, including maintenance of lots, roads and unit exteriors.
13. **Cash Proffer:** Prior to the release of each Zoning Permit, a cash proffer according to the cash proffer policy adopted by the Middlesex County Board of Supervisors and as acceptable to the proposed residential development shall be paid per dwelling unit to the extent needed to mitigate the development's impact on public facilities. The amount of the case proffer shall not exceed **(insert cash proffer amount)**. Cash proffers not used for the purposes specified in this proffer and/or the County's adopted policy shall be returned to the payor fifteen (15) years after the receipt.
14. **Severance:** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

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REZONING / ORDINANCE AMENDMENT APPLICATION

OFFICE USE ONLY

Application #: _____

Ordinance Amendment Classification/Fee: Rezoning (\$250 + \$5 per acre): _____
 Ordinance Amendment (\$250)

Tax Query: Current Delinquent

Planning Commission Hearing Date: _____ Recommendation: Approved Denied

Board of Supervisors Hearing Date: _____ Decision: Approved Denied

Conditions/Comments: _____

Zoning Administrator Signature

Date

APPLICANT INFORMATION

Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

PROPERTY OWNER INFORMATION

Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

PROPERTY INFORMATION

Parcel Number(s): _____ E911/Street Address: _____

Magisterial District: _____ Lot Size (in Acres): _____

Existing Land Use: _____

Proposed Land Use (If Rezoned): _____

REZONING / ORDINANCE AMENDMENT REQUEST

Pursuant to Articles 15A and 20 of the Middlesex County Zoning Ordinance, I, (We) _____,
do hereby petition the Middlesex County Board of Supervisors with the following request:

- Text amendment modifying Section(s) _____ of the Middlesex County Zoning Ordinance.
- Text amendment modifying Section(s) _____ of the Middlesex County Subdivision Ordinance.
- Map amendment modifying the Zoning District Classification of parcel(s) or portions of parcel(s) _____
from the _____ zoning district to the _____ zoning district.
- Map amendment modifying the approved proffered conditions of parcel(s) or portions of parcel(s) _____

Why is the rezoning / ordinance amendment being requested? _____

What is the relationship of the proposed rezoning / ordinance amendment to the Middlesex County Comprehensive Plan? _____

APPLICANT STATEMENT

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Middlesex County Zoning Ordinance as written and also with the description contained in this application.

Applicant's Signature (if not Property Owner)

Date

Applicant's Signature (if not Property Owner)

Date

PROPERTY OWNER(S) STATEMENT

I hereby certify that I/we own the above described property, that the information given is complete and correct to the best of my knowledge, that development and/or construction will conform with the regulations as set forth in the Middlesex County Zoning Ordinance as written and also with the description contained in this application, and that the above person(s), group, corporation or agent has the full and complete permission of the undersigned owner(s) to make application for a rezoning / ordinance amendment as set forth in the Middlesex County Zoning Ordinance as written.

Property Owner's Signature

Date

Property Owner's Signature

Date

CONDITIONS

1. This permit application is not valid unless all property owner(s) signatures are affixed and dated.
2. All permit application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted. All checks for payment should be made payable to Middlesex County.
3. For conditional rezoning applications, any proffers for consideration must be submitted in writing and attached to this completed application in a format acceptable to the Planning Director and County Attorney.
4. The property owner states that no application for substantially the same change in zoning district classification of the above property has been acted on by the Board of Supervisors within twelve (12) months prior to the date of this application.