

meeting. Prior to the Public Hearing, the applicant will be directed to post a public hearing sign and send out adjacent property owner notices. After their recommendation the case is forwarded to the Town Council for a Public Hearing. The Town Council will then make a final decision on the rezoning application for approval or denial.

*How long is the process after review is complete?*

The process requires a minimum of 3 months, assuming the Planning Commission and the Town Council do not table the case. Typical cases range from 3 to 5 months.

*How long does a Rezoning remain in effect?*

The rezoning takes effect once it is approved by the Town Council, and will remain until the Town Council changes it. If proffers are included, the applicant will need to fulfill those obligations in conjunctions with any development of the land.

*How do I revise proffers approved with a Conditional Rezoning?*

A proffer amendment is treated the same as a rezoning, and follows the same process.

Congratulations, you have traversed your way through the Town of Stephens City Rezoning Process. If you have any other questions, please contact the Town Planner.

*Rezoning Application Review Team:*

- Town of Stephens City Planning:  
Town Planner:  
540-869-3087
- Town of Stephens City  
Consulting Engineer:  
540-336-0656
- Town of Stephens City  
Town Attorney:  
540-667-6400
- Stephens City Volunteer  
Fire Company 11  
540-869-4576
- Frederick County Planning Dept.:  
540-665-5651
- Frederick County Sanitation Authority  
540-868-1061
- Frederick County Health Dept.  
540-722-3480
- Frederick County Schools:  
540-667-5770
- VA Department of Transportation:  
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# RE-ZONING APPLICATION PROCESS

## The Rezoning Process

### What is Zoning?

Zoning is the method the Town uses to regulate land use. Land use and zoning districts and described in Zoning Ordinance. A rezoning is a change in the zoning designation of a property depicted on the Zoning Map. The rezoning process allows the Town Council to change the zoning designation of a property. The Town Council, Planning Commission, or any property owner can request a rezoning of their property.

All rezonings should be consistent with the Comprehensive Plan, unless the applicant can demonstrate a change in the character of an area warrants a departure from the Comprehensive Plan. There are two types of rezoning, conventional and conditional. A conventional rezoning is one where no proffers are offered. A conditional rezoning is one where proffers are voluntarily offered by the property owner. Proffers must be directly related to the rezoning to mitigate any possible impacts that arise from the rezoning.

### When do I need a Rezoning?

A rezoning allows the property owner to conduct land use different than those covered under the current designation on their property. If the desired use is inconsistent with the property's current zoning, a rezoning could be considered.

### Should I set up a Pre-Application Meeting and How many meetings do I have to attend?

Through the rezoning process within the Town of Stephens City, a pre-application meeting is required.

Generally, three meetings would be all that an applicant is required to attend. This would include a preliminary meeting to discuss your

case with the planning department, the first public hearing with the Planning Commission, and the second public hearing with the Town Council. Occasionally, the Planning Commission may ask the applicant to come to the Planning Commission work session to further discuss specific questions they may have with regard to your case. It is also possible, that the Town Council may make a similar request.

### How do I apply for a rezoning?

Submit a complete Rezoning Application, letter detailing the proposed rezoning, list of the surrounding property owners, disclosure of real parties interested, and fees to the Town of Stephens City.

If the materials submitted are incomplete they will be returned. The applicant will have 30 calendar days to submit complete materials or resubmittal will be required.

### What happens after the application is accepted?

Once the application is deemed as complete, the application will be sent to various departments and state agencies for comments. Once comments are received back, the Planning Staff will form a staff report. The Planning Staff will take the case to the Planning Commission for a working session and onto a Public Hearing at the following month's Planning Commission

