

Pre-application Meeting (optional)

- Meetings with the Community Development Staff are recommended prior to submittal of a rezoning application. Please bring a plat to the meeting with a sketch of your proposal.

Application Submittal

- The application deadline is the first of the month for inclusion on the following month's agenda. If the first falls on a weekend or holiday, the application deadline will be the following business day.
- When submitting an application be sure to include the following: a complete application, plat of the subject property, legal description that includes metes and bounds, and supplementary information to support the request (such as conceptual plans and building elevations). Please note: incomplete applications will not be accepted and will be returned to the applicant.
- The application fee is due at time of submittal. (See Page 4)
- PLEASE NOTE: As per 106-520(C) of the City of Salem Zoning Ordinance no application shall be accepted for a lot or parcel that does not comply with the minimum lot area, width, or frontage requirements of the requested zoning district. A variance from the Board of Zoning Appeals must be obtained prior to the submission of a rezoning application.

Application Distribution for City Review

- Complete applications may be routed to City departments for review.

Staff/Applicant Meeting

- The staff may contact the applicant to schedule a meeting to discuss comments provided by reviewing agencies, to request additional information or plan revisions, and to negotiate proffers.

Planning Commission

- Revised conceptual plans and draft proffers must be submitted prior to the Planning Commission meeting. Proffers and conceptual plans may be revised in accordance with Staff's recommendations, and revisions incorporating the staff's recommendations must be submitted prior to the Planning Commission meeting.
- A staff report and recommendation is included in the Planning Commission packet. The packet is distributed approximately 1 week prior to the Planning Commission meeting.
- The Planning Commission meets on the 1st Wednesday after the 1st City Council meeting of the month.
- Following a public hearing on the rezoning case, the Planning Commission may recommend approval, approval with revisions to the proffers, denial, or deferral of the application.

City Council

- Signed and notarized final proffers must be submitted prior to the City Council meeting.
- A staff report containing the recommendation of the Planning Commission and Staff is sent to the City Council prior to the meeting.
- The City Council typically hears rezoning cases on the 4th Monday of every month. Cases are usually heard by Council at the meeting following the Planning Commission meeting.
- Following a public hearing on the case, the City Council may vote to approve, approve with proffered conditions, deny, defer the application to another meeting, or remand the application back to the Planning Commission for further consideration.

ATTACHMENTS - For ALL REQUESTS you must submit the following electronically:

- a. **A fully completed signed application.**
- b. **Acknowledgement of Application Fee Payment Procedure** (Page 4)
- c. **Signed Proffer Statement if applicable** (Pages 6 & 7)
- d. **A plat of the subject property**, which accurately reflects the current property boundaries, is drawn to scale, and shows existing structures. (Typically, available from the City Clerk's Office.)
- e. **Responses to questions on Page 5**
- f. **Historic Impact Information** (if any)
- g. **For applications requiring plans**, please submit electronically only. No hard copies will be accepted.
- h. **Check here** if the conceptual plan will serve as the preliminary plat.

NOTE: Elevations will be required with new development.

TO THE APPLICANT:

It is the policy of the City of Salem City Council, the City of Salem Planning Commission, and City of Salem Board of Zoning Appeals to require a property to be posted when a zoning action is being considered. Such a posting notifies the general public of an impending action and the location being considered.

It is incumbent on you, the applicant, to ensure the sign is in the proper location and remains there until an action has taken place. Consequently, the procedure for posting is as follows:

1. The Community Development Staff will post the sign on your property.
2. You should check the location of the sign to make certain it is in the right place on your property. If it is not, notify the Community Development Office as soon as possible.
3. You should check periodically to ensure the safety of the sign. If it is stolen or otherwise harmed, notify the Community Development Office as soon as possible.

In submitting this rezoning application, you hereby grant permission to the agents and employees of the City of Salem to enter the referenced property for the purposes of processing and reviewing the above application.

Should you have any questions regarding this policy, please contact a member of Community Development.

City of Salem Community Development Application

Request for REZONING or CONDITIONAL REZONING

Case #: _____

APPLICANT INFORMATION	
Owner: _____ Contact Name: _____ Address: _____	Telephone No. _____ Fax No. _____ Email Address _____
Applicant/Contract Purchaser: _____ Contact Name: _____ Address: _____	Telephone No. _____ Fax No. _____ Email Address _____

PARCEL INFORMATION	
For <u>multiple</u> parcels, please attach a page <input type="checkbox"/>	
(Tax ID #'s) _____ _____ Deed Book _____ Page _____ Subdivision _____ Location Description (Street Address, if applicable) _____ _____ _____	Total Area (acres/square feet) _____ Current Zoning _____ Requested Zoning _____ Requested Use _____ Current Use _____ _____ <input type="checkbox"/> Conditional Zoning Request: See Attached Proffer sheets

SIGNATURE OF OWNER <input type="checkbox"/> CONTRACT PURCHASER <input type="checkbox"/> <i>(attach contract)</i> <input type="checkbox"/>	
<p>As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I hereby grant permission to the agents and employees of the City of Salem to enter the property for the purposes of processing and reviewing this request.</p>	
Signature _____ Print Name _____	Date _____
Signature _____ Print Name _____	Date _____

QUESTIONS/ LETTERS/ SHOULD BE FORWARDED TO THE FOLLOWING**:	
Name _____ Address: _____ _____ _____	Telephone No. _____ Fax No. _____ Email Address _____ _____
<p>**It is the responsibility of the contact person to provide copies of all correspondence to other interested parties to the application.</p>	

ACKNOWLEDGEMENT OF APPLICATION FEE PAYMENT PROCEDURE

Application fees must be submitted at the time of submittal. I hereby acknowledge that this application is not complete until the payment for all applicable fees has been received by the City of Salem Community Development Department. I acknowledge that I am responsible for ensuring that such fees are received by the City of Salem. I further acknowledge that any application fee submitted after the deadline shall result in the application being considered filed for the next month's meetings.

Signature of applicant/authorized agent _____ Date: _____

Print Name: _____

Signature of applicant/authorized agent _____ Date: _____

Print Name: _____

If you would like your correspondence emailed and/or faxed, please make selections, and provide the information below:

Email _____ Fax: _____

FEES:	
All application fees must be paid at the time of submittal. Please make checks payable to the City of Salem:	
Rezoning application fee	\$1,000

FOR STAFF USE ONLY	
Staff Reviewer: _____	Application Complete? <input type="checkbox"/> YES <input type="checkbox"/> NO
Date: _____	

PLEASE RESPOND FOR ALL REZONING APPLICATIONS:

1. What is the Future Land Use Designation for the subject property? _____

2. Describe in detail the proposed use of the property. _____

3. List any sensitive environmental or unique features on the property. Are there any high voltage transmission lines, public utility lines, or others? _____

4. Is the subject property located within the Floodplain District? YES NO If yes, describe the proposed measures for meeting the standards of the Floodplain Ordinance. _____

5. Is the subject property listed as a historic structure or located within a historic district? YES NO
If yes, describe the proposed measures for meeting the standards of the Department of Historic Resources.

6. Have you provided a conceptual plan of the proposed development, including general lot configurations and road locations? Are the proposed lot sizes compatible with existing parcel sizes in the area? _____

PLEASE RESPOND FOR COMMERCIAL REZONING APPLICATIONS

1. What provisions will be made to ensure safe and adequate access to the subject property? _____

2. How will the traffic impact of this development be addressed? _____

3. Describe why the proposed use is desirable and appropriate for the area. What measure will be taken to assure that the proposed use will not have a negative impact on the surrounding vicinity? _____

4. What type of signage is proposed for the site? _____

5. Have architectural/building elevations been submitted with this application? _____

TAX MAP NO.: _____

This document prepared by:
(NAME AND ADDRESS): _____

Return to: Office of Community Development
21 South Bruffey Street
Salem, Virginia 24153

PROFFER STATEMENT

WHEREAS, _____, _____, _____,
("the Owner(s)") is/are the owner(s) of certain real property known as
_____ (*property description/location*) ("the Property") totaling approximately
_____ acres, located in the City of Salem, Virginia which is more particularly described as follows:

_____ (*legal description or an attachment containing a legal description. Also include tax map #*); and

WHEREAS, the Owner(s) has/have filed an application to rezone the Property from current zoning of _____ (*current zoning*) to _____ (*proposed zoning*), conditional, pursuant to the City of Salem Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, the Owner desires to proffer to the City of Salem (the "City") certain conditions in connection with the development of the Property that will protect the City and its citizens, provide for the orderly development of the Property, and offset the impacts of development; and

WHEREAS, the below-listed proffers are designed and intended to mitigate impacts that have been identified; and

WHEREAS, the Owner certifies that all below-listed proffers are voluntary, reasonable, and directly related to the rezoning applied for; and

WHEREAS, the City is authorized to accept these proffers pursuant to the Code of Virginia, and the Zoning Ordinance; and

WHEREAS, in the event that there is any conflict between these proffers and the Zoning Ordinance, the conflict shall be resolved by the City's Zoning Administrator, subject to appeal to the Board of Zoning Appeals and the courts as provided by law; and

WHEREAS, these proffers shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and assigns; and

WHEREAS, the Owner(s) acknowledges that impacts of development not offset by the below-listed proffers may be cause for denial of the rezoning request.

NOW, THEREFORE, the Owner(s) agrees to meet and comply with the following proffers in connection with the development of the Property should the Owner's application to rezone the property be approved:

PROFFERS

1. (proffer 1)
2. (proffer 2)
3. (proffer 3)
4. etc.

(Indicate if you intend the proffers to be offered as a group (i.e. "all or nothing". Otherwise, each will be considered to be individually offered for separate consideration by the City. The City does not have to accept proffers that are offered)

Once proffered and accepted as part of an amendment to the zoning ordinance, these conditions shall continue in full force and effect until a subsequent amendment changes the zoning on the property covered by these conditions; provided, however, that such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

WITNESS the following signature and seal:

By: _____

Owner

COMMONWEALTH OF VIRGINIA CITY OF SALEM, to wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____

by _____.

Owner

Notary Public

My commission expires: _____

Acceptance:

The Proffers herein have been accepted as follows: ("All" or list specific proffers accepted)

by action of the Council of the City of Salem on _____
Date

ATTEST:

Clerk of Council
Salem, Virginia