

Petition for Change of Zoning or Conditional Use Permit

An application for a change of zoning or conditional use permit may be made by returning the application form and required application submission information to the **City of Newport News, Department of Planning, 2nd Floor, City Hall, 2400 Washington Avenue, Newport News, Virginia 23607 (Telephone: 757-926-8761)**.

Prior to filing an application, the applicant is required to contact the Department of Planning to arrange for a preliminary review of his or her proposal. The purpose of the preliminary review is to establish what supporting information may be required with the application.

NOTE: APPLICATIONS WILL NOT BE PROCESSED IF THERE ARE DELINQUENT REAL ESTATE TAXES, NUISANCE CHARGES, STORMWATER MANAGEMENT UTILITY FEES OR ANY OTHER CHARGES OWED TO THE CITY AGAINST THE SUBJECT PROPERTY AND UNTIL ALL REQUIRED SUBMISSIONS ARE RECEIVED.

APPLICATION DEADLINE

Completed application forms (TOGETHER WITH ALL REQUIRED SUBMISSIONS) must be returned to the Department of Planning by the submission deadline indicated in the City Planning Commission Meeting/Deadline Schedule for the current calendar year.

CONDITIONAL USE PERMIT

All property in the City is within one of many zoning districts. Each district allows an individual to make use of his or her property in a manner permitted by the zoning district. Should a property owner desire to develop or redevelop land with a use only permitted by a conditional use permit, the property owner must obtain approval from the City Council.

If the permit is approved, the individual will be limited to the requested use (and the uses allowed by the property's existing zoning). In granting a conditional use permit, the City Council may impose reasonable conditions and safeguards on the particular use to protect the surrounding area. Conditional Use Permits must be exercised within two years of City Council approval, or they expire. Time extensions for permits may be granted by the City Council.

CHANGE OF ZONING

Whenever the public necessity or convenience, or general welfare, and good zoning practice requires, the city council may, by ordinance, amend, supplement or change the regulations, zoning district boundaries or classifications of property. Any such amendment may be initiated by resolution by City Council; by motion of the Planning Commission; or by petition submitted to the Director of Planning by the property owners or their agents.

A petition for a change of zoning may include and provide for the voluntary proffering in writing, by the owner, of reasonable conditions that are in conformity with the comprehensive plan. The conditions will be in addition to those regulations provided for in the zoning district.

If no voluntary proffering is provided, please provide a signed unconditional proffer statement.

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REVIEW PROCEDURES

After advertising and notifying adjacent property owners, the City Planning Commission will conduct a public hearing on the application. The City Planning Commission will make a recommendation on the application to the City Council. City Council will conduct a public hearing and make the final determination.

NOTE: ALL FILING FEES ARE NONREFUNDABLE - SEE SEC. 45-2704 AND 45-3404. ZONING ORDINANCE. FOR FURTHER DETAILS, SEE CITY CODE CHAPTER 45, ZONING ORDINANCE.

Submission Requirement Checklist

- Signed Application by property owner (or person having power of attorney with proper documentation). Provide signature Certification stating authorization of signatory.
- Ownership Disclosure. If property owner (and if applicant is different from owner) is an LLC or other type of corporate owner, the following must be provided:
 - (a) List of all stock holders, officers and directors and in any case the names and addresses of all real parties of interest (Does not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders)
 - (b) In the case of a condominium provide the name and address of the title owner, contract purchaser, or lessee if they own 10% or more of the units in the condominium
- Appropriate fee for advertising and processing the application (check payable to the City of Newport News)
- Written, legal, metes and bounds description of the property for which application is being made
- One (1) full size (24" x 36") scalable paper copy of the conceptual site plan of the proposed conditional use drawn to scale and one (1) 11" x 17" reduction of the site plan that is readable and suitable for reproduction to clearly show the following information:
 - (a) The actual dimensions and shape of the property;
 - (b) The size and location on the property of existing and proposed structures;
 - (c) The existing and proposed uses of all structures and open areas;
 - (d) The name of the owner, as well as the name of any other person preparing the plan, together with the north arrow, scale and number of sheets of the plan; and
 - (e) Such additional supporting information as may be deemed necessary, including but not limited to: topography, ingress and egress, vegetation, surrounding land use, proposed connections to existing or proposed water, sewer and drainage facilities, and existing or proposed easements on the property.
- One (1) full size (24" x 36") scalable paper copy of the conceptual landscape plan and one (1) 11" x 17" reduction of the landscape plan that is readable and suitable for reproduction
- Conceptual elevation drawings of new structures proposed for development on the property
- Conceptual freestanding sign rendering, if a freestanding sign is proposed
- Traffic impact study/analysis (TIA) or assessment if required (Note: if a TIA is required, acceptance of the TIA by the Department of Engineering is needed prior to application submittal.)
- A survey of existing conditions of the property is required
- A business plan stating proposed hours of operation, estimated employees, and general information of the business proposal
- One (1) electronic copy of all submitted documents in PDF file format
- Other documentation as required for specific site characteristics, such as wetlands delineation and environmental site assessment

FOR CHANGE OF ZONING (in addition to the above items)

- Copy of a fully signed and executed Conditioned Proffer Statement or Unconditioned Proffer Statement

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Office Use Only:

Tax Verification: _____
 Date Filed: _____
 Application#: _____
 Fee: _____

This application must be accompanied by a \$800.00 fee for a conditional use permit or a \$650.00 fee plus \$150.00 per acre (\$800.00 minimum charge) to a maximum of 100 acres for a change of zoning.

Address: _____
 Acreage: _____
 Tax ID Account No.: _____
 Present Use of the Property: _____

I, _____, the undersigned owner of the application indicated, do hereby petition the city of Newport News, Virginia to (check one of the following):



CHECK
BOX

Change the zoning classification of said property:

from the _____ District to the _____ District.

Proffer Statement:

- CONDITIONAL
- UNCONDITIONAL

Reasons for Change: _____



CHECK
BOX

Conditional use permit:

for this intended use: _____

Contact/Person Presenting Application:

Name: _____
 Street: _____
 City: _____ State: __ Zip: _____
 Email: _____
 Telephone: _____

Signature Property Owner(s):

Signature: _____
 Name: _____
 Street: _____
 City: _____ State: ____ Zip: _____
 Email: _____
 Telephone: _____

**Conditioned
Proffer Statement for Change of Zoning**

To: The Honorable Newport News City Council

Date: _____

Application Number: _____

In reference to the above request for a change of zoning:

Conditioned: "I hereby proffer that the development of the subject property shall be in accordance with the conditions set forth in this submission."

Owner or bona fide representative

**Unconditioned
Proffer Statement for Change of Zoning**

To: The Honorable Newport News City Council

Date: _____

Application Number: _____

In reference to the above request for a change of zoning:

Conditioned: "I hereby proffer that the development of the subject property shall not be subject to any additional conditions not otherwise provided for the requested zoning district by ordinance."

Owner or bona fide representative