

ARTICLE 16. - AMENDMENTS

16-1. - ~~Generally.~~

The regulations, restrictions and boundaries established in this ordinance may, from time to time, be amended, supplemented, changed, modified, or repealed by the board of supervisors, provided:

16-1-1. The planning commission shall hold at least one public hearing on such proposed amendment after notice as required by law, and may make appropriate changes in the proposed amendment to the board of supervisors together with its recommendations and appropriate explanatory materials. Such public hearing may be held jointly with the board of supervisors at its public hearing, held in accordance with section 16-1-2.

16-1-2. Before approving and adopting any amendment, the board of supervisors shall hold at least one public hearing thereon, pursuant to public notice as required by law after which the board of supervisors body may make appropriate changes or corrections in the proposed amendment; provided, however, that no additional land may be zoned to a different classification than was contained in the public notice without an additional public hearing after notice required by law. An affirmative vote of at least a majority of the members of the board of supervisors shall be required to amend the zoning ordinance.

16-1-3. Amendments to this ordinance may be initiated by resolution of the board of supervisors, by motion of the planning commission or by application of any property owner.

16-1-4. Substantially the same zoning application for amendment or change shall not be reconsidered within one year of any final action thereon by the board of supervisors.

16-2. - Conditional zoning.

As part of an application to rezone property and amend the official zoning maps, the property owner may include a voluntary proffering in writing placing certain conditions and restrictions on the use and development of such property, and the administrator shall be vested with all necessary authority to administer and enforce such conditions and restrictions, all in accordance with Code of Virginia, §§ 15.2-2296—15.2-2303, as amended, and such sections are incorporated herein as a part hereof to the same extent and purpose as though such sections were herein fully set out at length.

(Ord. of 11-28-05(1))

Sec. 16-3. - Plan of development (commercial, industrial and residential apartment rezonings).

All applications by a property owner or his agent for an amendment to change the zoning classification of any property to a commercial, industrial or multifamily land use classification shall contain a proposed plan of development prepared in accordance with this article. Such proposed plan of development shall be signed by the property owner and the applicant and may be approved or modified by the board of supervisors as part of its approval of the land use classification change. Any approved plan of development shall be a condition of the zoning classification change and shall thereafter be binding upon the property and all use thereof unless modified as herein provided. No structure, accessory or support facility, including access roads, parking areas and buffers shall thereafter be constructed or located on the property except in conformity with such approved or properly modified plan of development. The filing and approval of a plan of development shall not alleviate the requirements to file a site plan for such development pursuant to Article 22 of the Lancaster County zoning ordinance.

Submission requirements.

The proposed plan of development shall meet the requirements for site plans contained in Section 22-3 of the Lancaster County zoning ordinance and shall contain the following information:

- (a) Location of tract or parcel by a vicinity map at a scale of not less than one inch equals 2,000 feet, indicating scaled coordinates referred to in the U.S. Coast and Geodetic Survey, state grid north, and landmarks sufficient to properly identify the location of the property.
- (b) A boundary survey of the tract or site plan limit, with an error of closure within the limit of one in 10,000, related to the true meridian, showing the location and type of boundary evidence.
- (c) Certificate signed by the surveyor or engineer setting forth the source of title of the owner of the tract, the place of record of the last instrument in the chain of title (including deed book and page number), and a legal description showing subdivision lot, block, and section number, where applicable, or a legal property description.
- (d) Name and address of the development. Name and address of the owner or owners of record and the applicant, if different. The tax map identification number(s) of all parcels shown on the plat.
- (e) Name, address, telephone number, signature and registration number of the professional preparing the plan.

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- (f) Current zoning and proposed zoning of the tract and total land area, as well as the approximate land area of any separate parcels of land contained in the subject tract.
 - (g) Date, graphic scale, north point, number of sheets.
 - (h) All building restriction lines, highway setback lines, easements, covenants, reservations, and rights-of-way of record.
 - (i) Existing or proposed public and private water and wastewater lines and systems and natural and existing and proposed artificial watercourses, located in relationship to the boundaries of the property;
 - (j) All existing improvements, structure and accessory and support facilities including utilities, located in relationship to the boundaries of the property;
 - (k) Location of proposed landscaping, access and internal roads and buffering improvements including type of surface for the parking areas and roads, located in relationship to the boundaries of the property;
 - (l) The location, dimension, size and height of the following whether existing or proposed, and located in relationship to the boundaries of the property:
 - (1) Sidewalks, streets, alleys, easements, and utilities.
 - (2) Buildings and structures, including number of floors, distance between buildings, floor area, height and location of each building, and proposed general use for each building. If single-family attached or multifamily, the number, size, and type of dwelling units shall be shown.
 - (3) All off street parking and parking bays, loading spaces and walkways indicating type of surfacing, size.
 - (m) All other proposed improvements to the property, located in relationship to the boundaries of the property.
- (Ord. of 9-30-99)