

# Town Plan Amendment Process



## Instructions and Application



Adopted September 26, 2006



## *The Town of Leesburg*

### Town Plan Amendment Process

#### Contents of this Package:

- 1) Instruction sheet containing application requirements
- 2) Summary Flowchart
- 3) Application
- 4) Disclosure Statement

#### For Assistance contact:

Town of Leesburg  
Department of Planning, Zoning & Development  
25 West Market Street  
Leesburg, VA 20178  
703.771.2765

## **TOWN PLAN AMENDMENT PROCESS**

### **Description and Application Instructions**

The following describes the Town of Leesburg's process for Town Plan amendments and provides instructions for applications for parcel-specific Plan amendments.

#### **Description of the two types of Plan amendments**

There are two general types of Plan amendments. One involves general or town-wide issues. Examples of such issues include, but are not limited to, the provision of affordable housing, road widths, or the extension of utilities outside the Town boundary. These are typically public policies, related closely to the general welfare of the Town. This type of Plan amendment is initiated by the Town Council. Under the proposed process, if the Planning Commission, in addition to the Town Council, thinks the Town Plan requires an amendment, they can request that the Council initiate the application for an amendment, as is currently the procedure with zoning amendment requests. There is no application or fee required for this type of amendment.

The other type of Plan amendment involves changes directly related to private development of specific parcels. These types of amendments are also closely related to zoning and the specific ability of a landowner to develop a parcel of land. Typically, a Town Plan Amendment of this type accompanies a rezoning request. A Town Plan amendment initiated by a property owner requires the following:

1. Pre-application meeting
2. An application that provides:
  - a. The name and address of the property owner and their representative(s).
  - b. A description of the property that would be affected by the proposed Plan amendment. This should include at a minimum the official property identification number contained in Loudoun County records.
3. A Statement of Justification that includes:
  - a. Description and analysis
  - b. Fiscal analysis
  - c. Transportation analysis
4. An application fee

Further information regarding the requirements for addressing items associated with the Statement of Justification is provided below.

#### **Criteria for Plan amendment applications**

All stakeholders should have the same expectation when the Town considers amending the Town Plan. Therefore, criteria have been established to evaluate a proposed Plan amendment that will be addressed within a Statement of Justification to be provided as

part of an application for a plan amendment. When considering a plan amendment, the Statement of Justification should address the following:

- How the amendment better realizes a Plan goal or objective (e.g., to provide a more compatible land use pattern; better transitions between land uses).
- How the amendment may rectify conflicting Plan goals or objectives.
- How the amendment may clarify the intent of a Plan goal or objective.
- How the amendment may provide more specific Plan guidance.
- How the amendment might adjust the Plan as a necessary result of a significant change in circumstance unforeseen by the Plan at the time of adoption.
- How the amendment might adjust the Plan as a necessary result of a significant change in circumstances unforeseen by the Plan at the time of adoption.

In addition to addressing the above criteria, the Statement of Justification that accompanies an application for a parcel-specific amendment will need to provide the Town with the following additional information in order to justify an amendment:

- **Description and analysis** of how the requested amendment and associated development will comply with Elements of the Town Plan, as well as their associated goals and objectives. These include, but may not be limited to, natural resources, parks and recreation, heritage resources, community design, land use, housing, economic development, transportation, and community facilities and services.
- **Fiscal analysis** that compares General Fund revenues, costs of services and required capital facilities improvements generated by development associated with the requested amendment. The comparison shall also analyze the current Town Plan land designation and allowable development associated with current designations.
- **Transportation analysis** that shows how the amendment will address the objectives of the Town Plan's Transportation element, including mode choice, community integrity (as related to adjacent land uses), coordination of the transportation network and funding and scheduling for implementing improvements.

**NOTE:** Upon denial by the Town Council of any application for a Town Plan amendment, a new application that is substantially the same application that was denied, shall not be reconsidered within twelve (12) months of the date of denial.

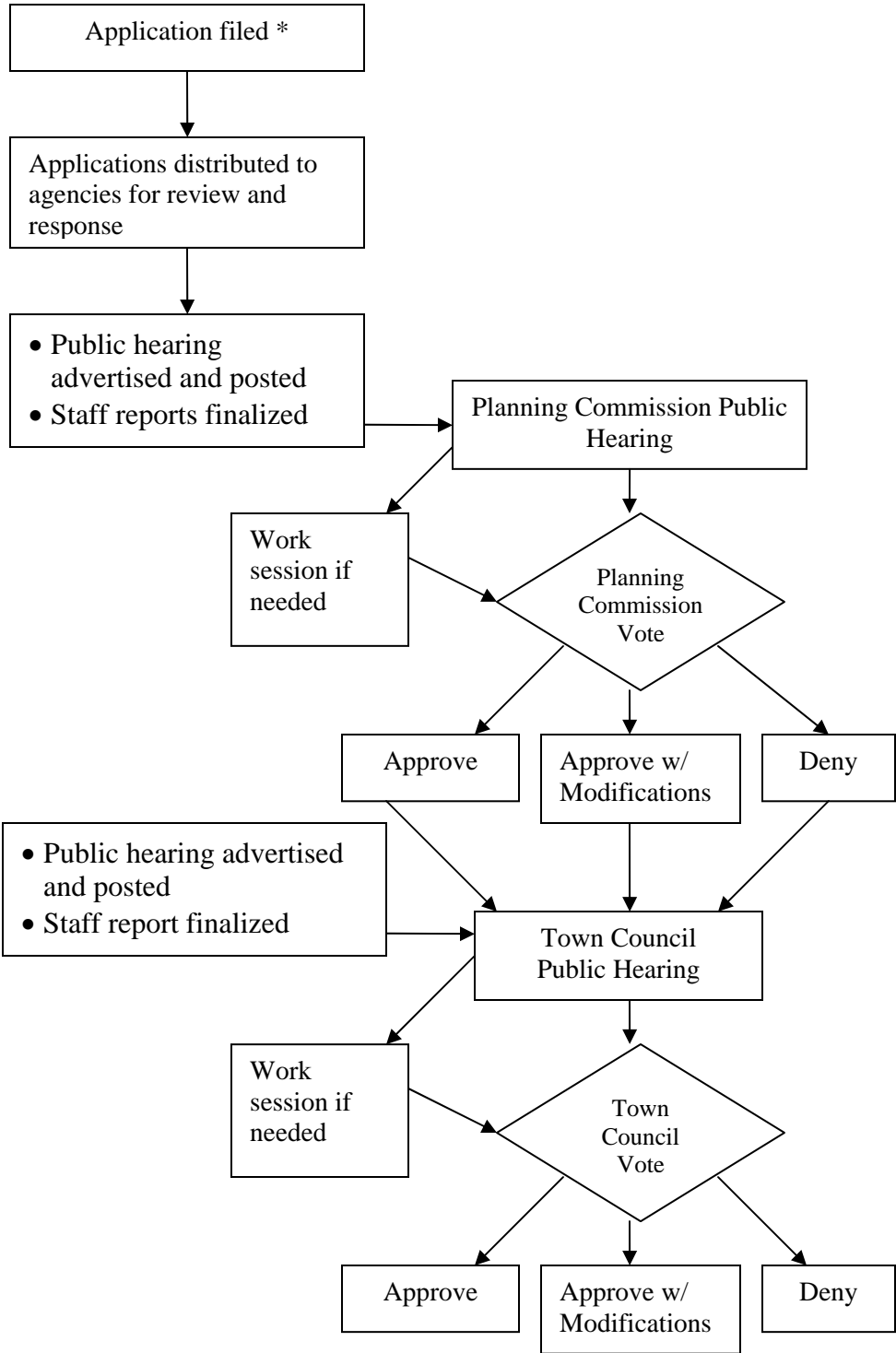
### **Instructions for filing a Plan amendment application**

1. Schedule a pre-application meeting with Planning staff
2. Fill out an application form (attached).
3. Complete the supporting materials (statement of justification; application).
4. File application form, supporting materials, and fee with the Department of Planning, Zoning and Development.

If there are any questions regarding the application for a Town Plan amendment, please contact:

Town of Leesburg  
Department of Planning, Zoning and Development  
P.O. Box 88 (25 West Market Street)  
Leesburg, Virginia 20178

# Summary of Town Plan Amendment Process



\*For Town-sponsored amendments, no application form or fee is required. Town staff will prepare all other information to comply with submittal requirements of the Town Plan Amendment Ordinance. Otherwise, all other aspects of this flow chart will apply to Town-sponsored amendments.



Department of Planning, Zoning and Development  
25 West Market Street, PO Box 88  
Leesburg, Virginia 20178  
Phone: 703-771-2724 FAX: 703-771-2774  
www.leesburgva.gov

# TLTA _____
Name: _____
<b>Office Use Only</b>

## Town Plan Amendment Application

### Applicant Information

Owner(s): \_\_\_\_\_ Telephone: \_\_\_\_\_  
Contact: \_\_\_\_\_ Fax: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Contact: \_\_\_\_\_ Fax: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_

Consultant: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Contact: \_\_\_\_\_ Fax: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_

Correspondence to be sent to:  owner,  applicant,  consultant

### Property Information

Address of Property: \_\_\_\_\_  
PIN #: \_\_\_\_\_  
Current Land Use Policy Map Category: \_\_\_\_\_  
(e.g., Regional Office, Low Density Residential)  
Current use of the property: \_\_\_\_\_

### Proposed Amendment

Proposed Land Use Policy Map Category: \_\_\_\_\_  
Related Policy Map or Text Amendments: \_\_\_\_\_  
\_\_\_\_\_

### Attachments

- Statement of justification (see instructions for required information)
- Service by public facilities and/or utilities
- Map of area affected by the amendment

### Signature

I have read this completed application and understand its intent. The information provided is accurate to the best of my knowledge. I understand that the Town of Leesburg may deny, approve, or approve with modifications this application. Furthermore, I grant permission to members of the Town of Leesburg staff and their agents to enter the subject property and conduct investigations necessary to evaluate this application.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Receipt and Acceptance

Fee Received: \_\_\_\_\_ Application Accepted: \_\_\_\_\_  
Amount Date Date Initials



Department of Planning, Zoning and Development  
25 West Market Street, PO Box 88, Leesburg Virginia 20178  
(703) 771-2765 / Fax (703) 771-2724

**DISCLOSURE OF REAL PARTIES IN INTEREST**

The following constitutes a listing of names and addresses of all “real parties in interest” in the real estate, which is the subject of this application, including the names and addresses of all persons who hold a beneficial interest in the subject property.

**NAME**

**ADDRESS**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NOTE:** As used in this section, “real parties in interest”, shall include all sole or joint property owners; parties who have a legal interest in the protection of the property, such as a trustee or executor; parties who have an equitable or beneficial interest in the property such as beneficiaries of a trust; and, in the case of corporations, all stockholders, officers and directors. The requirement of listing names of stockholders, officers and directors, shall not apply to a corporate stock, which is traded on a national or local stock exchange and having more than 500 share holders.

**WITNESS** the following signature, this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_\_

\_\_\_\_\_  
Applicant: Name and Title (type or print) (signature)

The above affidavit was subscribed and confirmed by the oath or affirmation before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_

In the County of \_\_\_\_\_, in the State of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature

My Commission expires: \_\_\_\_\_

**Seal of Notary**