

REZONING APPLICATION PACKAGE



Frederick County, Virginia

Department of Planning and Development
107 North Kent Street, 2nd Floor
Winchester, Virginia 22601
Telephone: (540) 665-5651

Website: www.fcva.us

(Revised September 2025)

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Please read all instructions carefully.

*If you have any questions regarding this application or your rezoning, please
feel free to contact us at (540) 665-5651.*

REZONING INSTRUCTIONS

To rezone a parcel of land in Frederick County, an application for rezoning must be submitted to the Department of Planning and Development. It is the responsibility of the applicant to gather all information and materials that make up the application. Rezoning applications are ultimately approved or denied by the County Board of Supervisors. This package contains instructions which must be followed to complete an application.

REZONING APPLICATION CHECKLIST

The following materials must be submitted to the Department of Planning and Development.

1. **Digital copy of all application materials.** Electronical materials may be provided on a flash drive, client FTP site, or using the County's [Plan Application Portal](#). Digital copies are preferred for preliminary comments.
2. **A completed application form** (the form is attached). Digital signatures acceptable.
3. **A survey or plat of the entire parcel** with the location of all proposed zoning boundary lines.
4. **A copy of the deed to the property** verifying current ownership. This may be obtained from the Frederick County Clerk of the Circuit Court (Joint Judicial Center, 5 North Kent Street, Winchester, VA 22601).
5. **A statement verifying that taxes have been paid.** This may be obtained from the Treasurer's Office (107 North Kent Street, Winchester, VA 22601).
6. **A complete listing of adjoining property owners**, including addresses and property identification numbers. These can be obtained from Frederick County's GIS [Interactive Maps](#).
7. **Impact Analysis Statement.** Information concerning the projected impacts of the proposed rezoning following the specifications beginning on Page 4.
8. **Proffer Statement.** Specific conditions to be volunteered as part of the application. See explanation and instructions on Page 10. Copies with notarized original signatures are required for formal submissions prior to scheduling a public hearing.
9. **Agency comment sheets.** Comments sheet is attached for reference only. Planning and Development staff will distribute requests for agency comments. It may not be

required that all agencies comment on each application.

10. **Fees.** See Development Review Fee Schedule below. Planning and Development staff will confirm the fee amount prior to final submission. Checks should be made payable to "Treasurer of Frederick County." Fee check should only be submitted with the formal submission prior to scheduling a public hearing.

APPLICATION STEPS

In order to apply for a rezoning, the following procedural steps must be completed.

- A. **Pre-Application Meeting.** Before a rezoning application can be considered, the applicant must schedule a meeting with the planning staff to discuss the proposed rezoning and the necessary application materials. During this meeting, the Planning and Development staff will discuss the proposal, application process, and advise the applicant as to which agency review comments will be needed and whether a review by the Historic Resources Advisory Board (HRAB) is needed.
- B. **Provide all materials (digitally) as specified and included in the “Rezoning Application Checklist” on page 4 for preliminary comments.** Once the application is reviewed by Staff and deemed complete, Planning and Development will determine which agency review comments are required after receiving the rezoning application and supporting materials (digital and hard copy). Planning staff will distribute digital copies of all application materials and a comment sheet to the required review agencies for comments electronically. Comments are to be returned to Planning electronically, and will be compiled with other agency comments, including Planning and Development, and distributed to the applicant within 30 days if possible. It is the responsibility of the applicant to fully engage with the agencies and understand the requirements and/or possible improvements to the site that are being required by the responding agencies. The Historic Resources Advisory Board (HRAB) meets monthly to provide their recommendation on applications that may impact historic resources. The applicant or their representative must be present at the meeting. Meeting details will be provided once the application is submitted.

Typical Review Agencies (varies based on scope and location):

- Frederick County (FC) Public Works
- FC Fire Marshal
- FC Parks and Recreation
- FC Attorney
- Frederick Water
- Virginia Department of Transportation (VDOT)
- Virginia Department of Health (VDH)
- Historic Resources Advisory Board (HRAB)
- Winchester Regional Airport
- City of Winchester
- Town of Middletown
- Town of Stephens City

- Frederick County Public Schools (FCPS)

Each applicable review agency will review the rezoning application to determine if it has all the necessary information. If information is missing or incomplete, the review agency will contact the applicant directly and copy Planning and Development staff. Subsequent reviews may be required to ensure agency comments are fully addressed. Resubmissions will be provided to all agencies regardless of comment status to ensure agency approval remains "valid."

- C. **Formal submission of the application for public hearing.** Following receipt of all agency comments and confirmation by Planning and Development of "completeness," the application form, a location map, survey, proffer statement (with original signature and notary), applicant's impact statement, appropriate review agency comments, power of attorney, fee check and any other necessary application materials must be submitted to Planning and Development. Once the application is submitted, Planning and Development will review and "accept" the application for public hearing before placing notice in the local newspaper indicating the nature of the rezoning and the hearing date. Rezoning must be advertised according to the requirements of §15.2-2204 of the Code of Virginia. In addition, all property owners of land adjoining the property to be rezoned will be notified by Planning and Development of the public hearing by mail. The applicant will also be notified of the time and place of the hearing.
- D. **Obtain a public notice sign.** Upon submittal of your completed application and fee and staff acceptance, a yellow public hearing sign will be provided to the applicant. The public notice sign shall be posted on the land to be rezoned so that it is visible from adjoining roads and property. It must be posted at least seven (7) days before the public hearing and maintained to be visible from adjoining roads and property until after the public hearing. Failure to post the sign may result in your application being tabled.
- E. **Planning Commission Public Hearing.** Planning Commission public hearings are held on the first and third Wednesdays of the month at 7:00 P.M. in the Board Room of the Frederick County Administration Building, 107 North Kent Street, Winchester, Virginia. The applicant must be present or represented at the hearing and will be expected to present the proposal in a thorough, professional, and concise manner and to respond to questions from Planning Commissioners. The Planning Commission makes a recommendation to the Frederick County Board of Supervisors concerning whether the rezoning should be approved. The Planning Commission is not required to act at the public hearing but must make a recommendation within ninety (90) days of the initial public hearing.
- F. **Board of Supervisors Public Hearing.** Before the Board of Supervisors can act on a rezoning, a public hearing must be held according to the requirements of §15.2-2204 of

the Code of Virginia. Once a recommendation on the rezoning has been made by the Planning Commission, staff will schedule the Board of Supervisors Public Hearing for the next available meeting. The staff will advertise the hearing for the date set by the Board and will notify adjoining property owners and the applicant of the time and place of the Board hearing. The sign must remain posted or be re-posted at least seven (7) days before the Board hearing. The Board of Supervisors meetings are held on the second and fourth Wednesdays of each month at 7:00 P.M in the Board of Supervisors Meeting Room of the Frederick County Administration Building, 107 North Kent Street, Winchester, VA 22601. The applicant or their representative must be present at the Board of Supervisors hearing. The Board of Supervisors makes the final decision concerning the approval or denial of the rezoning request. The Board does not have to act at their public hearing; however, they must act within one year of the date the completed application was received by the planning staff. The applicant will be notified in writing of the final action of the Board of Supervisors.

APPLICATION CONTENTS

A. Impact Analysis Statement

Each rezoning applied for will require the submission of an impact analysis statement ([§165-102.05\(D\)](#)). The impact analysis statement shall include the following:

1. The use of surrounding land and potential economic, physical, visual, nuisance and other impacts on surrounding properties.
2. The anticipated increase in traffic to be generated as a result of the rezoning, anticipated entrance locations, anticipated changes in traffic patterns and turning movements on public streets and anticipated impacts on the capacity and efficiency of existing and planned public roads.
3. The anticipated methods by which sewer and water facilities will be provided to the site.
4. The anticipated increase in potential population resulting from the rezoning, including the potential increase in population in various age groups.
5. The projected additional demand for school facilities, public parks and recreational facilities, solid waste facilities, emergency services facilities and other public facilities.
6. Anticipated stormwater impacts.
7. The location of important environmental features on the site and anticipated environmental impacts.
8. The location of historic structures and sites in relation to the site and impacts on those historic structures and sites.
9. Other impacts as necessary.

**The Director of Planning and Development may waive this requirement for certain rezoning requests such as small areas of land which will involve negligible impacts.*

B. Proffer Statement

The Frederick County Code ([§165-102.06](#)) allows applicants for rezoning to offer conditions (proffers) to be placed on the land as a part of the rezoning application. If accepted by the Board of Supervisors, such proffers will become regulations applying to the land rezoned in addition to normal zoning regulations. The existence of such conditions will be notated on the zoning map and will apply to the land, regardless of changes in ownership, unless or until the conditions are changed through a subsequent rezoning process.

In determining what types of proffers to offer, the applicant should consider the possible impacts identified by the impact analysis statement. The applicant should also consider policies in the Frederick County Comprehensive Plan. The Frederick County Zoning Ordinance

discusses proffers and lists some of the types of proffers that might be offered.

Proffer statements must identify the facilities for which contributions and dedications are to be made. A detailed description of the methodology used to determine which contributions and dedications will be made should be clearly specified by the applicant. The County's adopted Capital Impact Model (described below) can be used as a baseline.

The applicant may choose to proffer a generalized development plan (or GDP) in order to detail the layout of the property and uses graphically, while demonstrating how the text proffers interface with the property and uses.

Proffers shall be submitted as a part of the initial application package. A final, signed and notarized version of the proffer statement must be received prior to the staff's mailing of the Planning Commission agenda for the meeting that the rezoning application will be heard.

All proffer statements must be submitted to the County Attorney for review. No application package containing proffers will be considered complete unless the proffers have been reviewed by the County Attorney and the appropriate review agencies.

A proffer statement shall contain the following information:

- Name of the development.
- Property Identification Number(s).
- Total acreage proposed to be rezoned.
- Current zoning district and proposed zoning district.
- Record Owner and applicant.
- Original proffer date.
- Revision date(s).
- Statement of Preliminary Matters (*ask staff for sample if desired*).
- Each condition proffered should be numbered, separately listed, and clearly stated.
- Only conditions that are clearly enforceable and not already required by local, State or Federal regulations should be proffered.

**Sample proffers may be provided by Planning and Development.*

If accepted, the requirements in the proffers shall constitute amendments to the Frederick County Code applying to the land to be rezoned.

Proffer Revisions

Revisions to proposed proffers may be received at any time. However, significant changes to submitted proffers may be required to be reviewed by relevant agencies, at the discretion of the Director of Planning and Development. Significant changes to proffers after the original advertisement may require re-advertisement prior to public hearing(s). Proffer amendments,

signed and submitted, must be received prior to any scheduled public meeting to-be-considered.

C. Capital Impact Model (CapIM)

On October 9, 2024 the Frederick County Board of Supervisors approved the use of the Capital Impact Model (CapIM) to project the capital impacts that would be associated with any rezoning petitions containing residential development. The Capital Impact Model was created by an economic consultant who evaluated and analyzed development within the County to assist the County in planning for future capital facility requirements. Critical inputs to the model are reviewed and updated annually to ensure that the projections accurately reflect County capital needs.

The Capital Impact Model projects that, on average, residential development has a negative near-term impact on the County's capital needs. As such, all rezoning petitions with a residential component submitted after model adoption are expected to demonstrate how the proposal will mitigate the following projected capital facility impacts:

- Public Schools
- Parks and Recreation
- Public Safety:
 - Sheriff
 - Fire and Rescue
 - Animal Protection

Applicants will need to provide the County with the location of the project, the total number and type of residential units are proposed (single family detached or attached, multifamily). Staff will then provide the Applicant with the model outputs that show the proposed impacts that would be generated by the residential development.



**REZONING APPLICATION
FREDERICK COUNTY, VIRGINIA**

Submittal Deadline	_____
P/C Meeting	_____
BOS Meeting	_____

1. Property Owner(s) (please attach additional page(s) if more than two owners):

Name: _____

Specific Contact Person if Other than Above: _____

Address: _____

Telephone: _____ Email: _____

Name: _____

Specific Contact Person if Other than Above: _____

Address: _____

Telephone: _____ Email: _____

2. Other Interested Parties (such as a contract purchaser) (please attach additional page(s) if necessary):

Name: _____

Specific Contact Person if Other than Above: _____

Address: _____

Telephone: _____ Email: _____

3. Law firm, engineering firm, or other person, if any, serving as the primary contact person for this application:

Firm Name: _____

Specific Contact Person at Firm: _____

Address: _____

Telephone: _____

Email: _____

**Please note that, if a law firm, engineering firm, or other person, other than the owner of the property, will be acting on behalf of the owner and/or executing papers on behalf of the owner in connection with the rezoning, the owner will need to execute a power of attorney form granting the firm or person such authority.*

4. Project Name: _____

5. Property Information:

Property Identification Number(s):	
Total acreage of the parcel(s):	
Total acreage of the parcel(s) to-be-rezoned:	
Current zoning designation(s) and acreage(s) in each designation:	
Proposed zoning designation(s) and acreage(s) in each designation:	
Magisterial District(s):	

Location - the property is located at (give street address(es) if assigned or otherwise exact location based on nearest road and distance from nearest intersection, using road names and route numbers):

Is this property within ½ miles of the Town of Stephens City, the Town of Middletown, the City of Winchester, Clarke County, or Shenandoah County (specify which):

Adjoining Properties:

	Zoning:	Use:
North:		
South:		
East:		
West:		

6. Disclosure of real parties in interest.

Virginia Code § 15.2-2289 provides that localities may by ordinance require any applicant for a zoning amendment to make complete disclosure of the equitable ownership of the real estate to be affected including, in the case of corporate ownership, the name of stockholders, officers, and directors, and in any case the names and addresses of all real parties of interest. Frederick County has, by County Code § 165-101.09, adopted such an ordinance.

For each business entity that is an owner or contract purchaser of the property, **please list the name and address of each person owning an interest in, or who is an officer or director of, any entity that is an owner or contract purchaser of the property** (you need not indicate the amount or extent of the ownership interest). Please note that this requirement does not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.

Please attach additional page(s) if necessary.

7. Signature(s):

I (we), the undersigned, do hereby respectfully make application and petition the Frederick County Board of Supervisors to amend the zoning ordinance to change the zoning map of Frederick County, Virginia. I (we) authorize Frederick County officials to enter the property for site inspection purposes.

I (we) understand that the sign issued when this application is submitted must be placed at the front property line at least seven days prior to the Planning Commission public hearing and the Board of Supervisors public hearing and maintained so as to be visible from the road right-of-way until the hearing.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Owner: _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

Owner: _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

Other Applicant Party (if any): _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

If additional signature lines are necessary, such as if more than two people are owners, please use additional copies of this page.

**A signed Power of Attorney form is required if someone is signing on the owner(s) behalf.*

Adjoining Property Owners

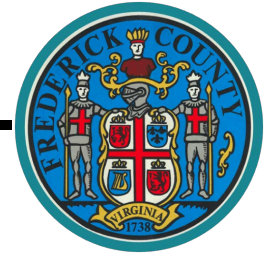
Owners of property adjoining the land will be notified of the Planning Commission and the Board of Supervisors meetings. For this application, adjoining property is any property abutting the requested property on the side or rear or any property directly across a public right-of-way, a private right-of-way, or a watercourse from the requested property. The applicant is required to obtain the following information on each adjoining property including the parcel identification number. These can be obtained from Frederick County's GIS [Interactive Maps](#).

**The Town of Stephens City, Middletown, the City of Winchester, Clarke County, or Shenandoah County shall be notified if the proposal is within ½ mile of their boundary.*

[illegible]

Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	

REQUEST FOR REZONING COMMENTS



Project Name: _____

Acreage: _____

PIN(s): _____

Address (or general location):

Existing Zoning District: _____

Proposed Zoning District: _____

Staff Name (Email Address): _____

Agency Name Completing Comments (select one):

- ☐ Frederick Water
- ☐ Virginia Department of Transportation
- ☐ Winchester Regional Airport
- ☐ Virginia Department of Health
- ☐ Historic Resources Advisory Board
- ☐ Frederick County (FC) Public Schools
- ☐ FC Public Works
- ☐ FC Inspections
- ☐ FC Fire Marshal
- ☐ FC Parks & Recreation
- ☐ FC County Attorney
- ☐ Other (Specify): _____

Reviewer Name (Email Address): _____

Review Agency Comments:

**Comments that may not fit in the box should be attached to the cover sheet on agency or department letterhead.*

Resubmission to address comments requested? Y _____ or N _____

**FREDERICK COUNTY
DEVELOPMENT REVIEW FEES**

Revised - 03/21/2023

COMPREHENSIVE PLAN AMENDMENT

\$3,000 non-refundable

REZONING

\$1,000 – Proffer amendments not requiring a public hearing

\$5,000 base + \$100/acre – 2 acres or less

\$10,000 base + \$100/acre

More than 2, less than 150

\$10,000 base + \$100/acre first 150

+ \$50/acre over 150 acres

SUBDIVISION

Non-Residential \$1,000 base

Design Plan \$200/lot

Plat \$100/lot

Residential (RP, R4, R5)

Design Plan \$2,500/base \$100/lot

Plat \$200/lot to 50 lots

\$100/lot over 50 lots

Rural Areas (RA)

Sketch (Design) \$2,500 base \$200/acre

Plat \$200/lot

Rural Areas (RA)

Minor – 3 lots or less \$200/lot

Lot Consolidation \$200/lot

Boundary Line Adj. \$200/lot

VARIANCE \$400

BZA APPEAL \$250

ZONING CERTIFICATION LETTER \$250

ZONING DETERMINATION LETTER \$100

**SUBDIVISION ORDINANCE
EXCEPTION** \$500

MASTER DEVELOPMENT PLAN

\$3,000 base + \$100/acre for first 150

+\$50/acre over 150 acres

CONDITIONAL USE PERMIT

Cottage Occupation \$75

Telecommunication Tower greater than 50-FT in height \$750

Other \$750

ADMINISTRATIVE TOWERS PER 165-204.19

Up to five facilities/structures \$100

Each additional facility \$50

Small Cell Facilities \$50

Co-location on an existing wireless structure \$50

SITE PLAN

Non-residential: \$2,500 base
\$200/acre to 5 acres
\$100/acre over 5 acres

Residential: \$3,500 base
\$300/unit to 20 units
\$100/unit over 20 units

Minor Site Plan: \$500 for a new site plan that does not exceed 10,000 SF of disturbed area and/or that increases existing structure area by 20% or less.

POSTPONEMENT of any Public Hearing or Public Meeting by Applicant after Advertisement, to include Applicant requests to **TABLE** an agenda item \$750/occurrence.

THIRD & SUBSEQUENT PLAN REVIEWS

(Including County Attorney review) for a single development application \$500/review.

BOND MANAGEMENT

Establishment of bond \$ 500

Reduction/Release \$ 300

Replacement \$ 300

TDR PROGRAM

TDR Application Review \$300

(*Review includes TDR Letter of Intent)

TDR Certificate \$200

Certificate Ownership Transfer \$50

Receiving Property Approval \$200

Review of Sending Property

Deed Covenant \$100

Review of Deed of Transfer (Extinguishment Document)

\$100

CHAPTER 161 FEES

Installation License \$300

Septic Haulers Permit \$200

Residential Pump and Haul \$50

Commercial Pump and Haul \$500

SHORT-TERM LODGING (STL)

Permit \$200

STL Permit Renewals \$100



Request for Postponement or to Table a Development Application

County of Frederick, Virginia
Frederick Planning Web Site: www.fcva.us

Department of Planning & Development, County of Frederick, Virginia,
107 North Kent Street, Suite 202 Winchester, Virginia 22601
Facsimile 540-665-6395 Phone 540-665-5651

Date: _____
Application Number: _____

In connection with the development application known as _____,
I hereby request a _____ month/day (*circle one*) postponement of the Planning Commission
/ Board of Supervisors' consideration of the application.

Please be advised that this is a voluntary request on my part, and I will not contest the fact that the Planning Commission may not make a recommendation to the Board of Supervisors within 100 days, as is otherwise required by Section 15.2-2285(B) of the Code of Virginia, to the extent that any delay is the result of the postponement/tabling per this request. If this is a rezoning matter, I also will not contest the fact that the Board of Supervisors may not act on my application within one year, as is otherwise provided by Section 15.2-2286(A)(7) of the Code of Virginia and Section 165-11 of the County Code, to the extent that any delay is the result of the postponement/tabling per this request.

I acknowledge that the Planning Commission / Board of Supervisors are not obligated to grant the postponement / tabling which I have requested. I also understand that if my request is granted and if the County has already incurred a financial obligation for advertising the matter for public hearing/meeting, a \$750.00 fee is due and shall be promptly paid to the Department of Planning and Development. This fee covers the County's additional costs incurred in publishing advertisements of the rescheduled public hearing/meeting date(s), which advertisements are required under state law.

Sincerely,

If applicant is other than Owner, the Special Limited Power of Attorney Form must be submitted with this application.