



Department of Community Development
777 Lynn Street
Herndon, Virginia 20170-4602

APPLICATION FOR A
COMPREHENSIVE PLAN AMENDMENT

Submittal of this form with original signatures is required. PLEASE PRINT OR TYPE (Unless otherwise indicated.)

Street address of the subject property:

Tax Map Reference Number:

Name and role of principal contact for this application: (property owner, agent authorized to act on behalf of property owner, or contract purchaser):

Mailing address:

E-mail address Telephone # FAX #

The undersigned hereby applies for an Amendment to the Town of Herndon Comprehensive Plan.

I hereby affirm and certify that:

- The information provided on this form is true and correct to the best of my knowledge.
The requirements associated with this application have been read and are understood.

Signature of Applicant (Property Owner, Contract Purchaser, or Authorized Agent) Date

Will the proposed amendment affect the adopted Comprehensive Plan Map? No Yes

Existing land use designation(s):

Proposed land use designation(s):

Will the proposed amendment affect the text in the adopted Comprehensive Plan? No Yes

List of affected sections and page numbers

Current zoning of subject property:

TO BE SUBMITTED WITH THIS APPLICATION

- _____ Name and title of all Co-Applicants (Property Owner(s), Contract Purchasers, and Agents Authorized to Act on Behalf of the Property Owner) with respective mailing addresses, telephone numbers, fax numbers, and e-mail addresses;
- _____ A statement from the landowner(s) authorizing an agent to act on their behalf (if applicable);
- _____ If proposing to amend the Comprehensive Plan Map, detailed description of the proposal;
- _____ If proposing to amend the Comprehensive Plan text, a detailed description of the proposed language. (An electronic red line version of proposed text amendment is recommended);
- _____ A receipt or other documentation indicating that taxes have been paid on lands subject to the application (may be obtained when application is filed);
- _____ Completion of VDOT Chapter 527 Review Process Applicability Certification (notarized);
- _____ Application Fee.

Certification, in a form prescribed by the Zoning Administrator, that public notification regarding a public hearing has been given in accordance with § 78-201.9, Public Notice, shall be submitted upon completion of proper notification by the applicant.

For Office Use Only

Application Received by:	Case No.:
Confirm Tax Map Reference:	Status of Taxes: <input type="checkbox"/> Paid <input type="checkbox"/> Delinquent
Fee paid:	Date:



VDOT Chapter 527 Review Process Applicability Certification

Certification

The following certification must be completed and submitted at the time of, or prior to, the initial submission of a land development application to the Department of Community Development (*check the appropriate box below*):

I, the undersigned, do hereby certify that the VDOT Chapter 527 review process as referenced in § 15.2-2222.1 of the Code of Virginia and 24 VAC 30-155 of the VDOT regulations

is not applicable

is applicable

to the attached land development application listed below. If applicable, I do further agree to present a receipt from VDOT certifying that the required materials and fees specified in 24 VAC 30-155 of the VDOT regulations have been submitted. I understand that I will not receive a response to the land development application before the verification is presented.

Applicant Name (Print or Type)

Applicant Signature

Name of Land Development Application

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, in the Town/City/County of _____, in the Commonwealth of _____.

Notary Public
My Commission expires: _____

VDOT Northern Virginia District Contact Information:

14685 Avion Parkway
Chantilly, VA 20151-1104
Paul Kraucunas, Project Manager
(703) 383-VDOT
E-mail: NOVAinfo@vdot.virginia.gov

<http://www.virginiadot.org/projects/chapter527/>

VDOT Certification of Receipt

All materials and fees required for the Traffic Impact Analysis have been received by this office.

Signed _____

Name (print) _____

Date _____

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Chapter 527 Traffic Impact Analysis Requirements

Process		Threshold	Review Process*	Fee**
Comprehensive Plan and Plan Amendments		5,000 Vehicles Per Day on state-controlled highways, or Major change to infrastructure / transportation facilities	Application submitted to VDOT for review and comment VDOT may request a meeting with the locality within 30 days Review to be completed in 90 days or later if mutually agreed	\$1000 covers first and second review (No fee if initiated by locality or other public agency)
Rezoning	Residential	100 Vehicles Per Hour on state-controlled highways, or 100 VPH on locality maintained streets AND within 3000 feet of a state maintained highway, or 200 VPD AND more than doubles current traffic volume on a state controlled highway	TIA and Application submitted to VDOT for review and comment VDOT may request a meeting with the locality and applicant within 45 days Review to be completed in 45 days if no meeting is scheduled or within 120 days otherwise NOTES: 1. When a related comprehensive plan revision and rezoning proposal are being considered concurrently for the same geographical area, then only a rezoning TIA package is required.	For first and Second review: \$500 - 100 VPH or less \$1000 - more than 100 VPH (No fee if initiated by locality or other public agency)
	All Other Land Uses ***	250 VPH or 2500 VPD on state-controlled highways, or 250 VPH or 2500 VPD on locality maintained streets AND within 3000 feet of a state maintained highway		
Subdivision Plat, Site Plan, or Plan of Development	Residential	100 VPH on state-controlled highways, or 100 VPH on locality maintained streets AND within 3000 feet of a state maintained highway, or 200 VPD AND more than doubles current traffic volume on a state controlled highway	TIA and Application and Plans submitted to VDOT for review and comment. VDOT may request a meeting with the locality and applicant within 30 days Review to be completed in 30 days if no meeting is scheduled or within 90 days otherwise NOTES: 1. Not required IF assumptions and conclusions remain valid in the Rezoning TIA submitted to VDOT in accordance with Chapter 527 (must include copy of previous TIS if rezoning approval is more than 2 years old) 2. Required IF a Rezoning TIA was NOT submitted to VDOT in accordance with Chapter 527 3. Required IF conditions analyzed in Rezoning TIA submitted to VDOT in accordance with Chapter 527 have materially changed such that adverse impacts to state-controlled highways have increased	For first and Second review: \$500 - 100 VPH or less \$1000 - more than 100 VPH (No fee if initiated by locality or other public agency)
	All Other ***	250 VPH or 2500 VPD on state-controlled highways, or 250 VPH or 2500 VPD on locality maintained streets AND within 3000 feet of a state maintained highway		

* For proposals generating less than 1000 VPH the locality and/or applicant may request a Scope of Work Meeting with VDOT. For proposals generating 1000 VPH or more the locality and/or the applicant shall hold a Scope of Work Meeting with VDOT.

** Third or subsequent submissions require additional fee as though they were an initial submission.

*** For mixed use developments, a proposal is deemed to have significant impact if the trips associated with the residential component exceed 100 VPH, or if the total trips generated exceed either 250 VPH, or 2500 VPD.

**Comprehensive Plan or Plan Amendment Package Checklist
Traffic Impact Analysis Regulations: 24 VAC 30-155-50**

For a comprehensive plan or a transportation plan, the locality shall provide:

- **A COVER SHEET**, containing:
 - **CONTACT INFORMATION** for the locality, and
 - **SUMMARY OF MAJOR CHANGES** made to the comprehensive plan or transportation plan;
- **THE PROPOSED COMPREHENSIVE PLAN OR TRANSPORTATION PLAN** and the following elements:
 - **INVENTORY** – An inventory (written or graphic) of the existing transportation network, which shall include at a minimum all roadways within the Federal Aid system (any roadway classified as a Major or Urban Collector or higher functional classification or is included within the Federal Highway Administration’s [National Highway System](#)). VDOT Residency staff can provide assistance regarding which roadways must be included in the inventory.
 - **ASSUMPTIONS** – Planning assumptions directly influence the demand placed on the transportation system. Details on the planning assumptions shall include, but need not be limited to population growth, employment growth, and location of critical infrastructure such as water and sewer facilities.
 - **NEEDS ASSESSMENT** – Written or graphic evaluation of the transportation systems current and projected performance and conditions.

This evaluation should compare the existing transportation system with the future land use policies and maps in order to determine how future growth will affect the transportation system.

The needs assessment will identify specific deficiencies based on current conditions as well as future improvements to serve the quantity, type, location, and density of anticipated development based on the future land use policies and maps.

It is not necessary to have the identification of specific deficiencies prepared by a transportation professional. It could be a list of transportation facilities that, in the experience of the citizens, Planning Commission, or governing board, are deficient.
 - **RECOMMENDATIONS** – Proposed improvements or additions to transportation infrastructure.

Recommendations should be specific so that the need, location and nature of the proposed improvements are clear and understandable. The recommendations should address some or all of the needs identified in the needs assessment step, above.

Proposed transportation improvements and additions should be consistent with the future land use policies and map.

Localities are encouraged to include pedestrian, bicycle, transit, rail and other multi-modal recommendations as they deem appropriate.
 - **MAP** - The transportation plan shall include a map showing road and transportation improvements, taking into account the current and future needs of residents in the locality while considering the current and future needs of the planning district within which the locality is situated.
 - **COST ESTIMATES** - Recommended improvements shall include cost estimates as available from VDOT.
- **FEES**
 - A \$1,000 fee paid by the applicant for the initial or if necessary the second review of a comprehensive plan and transportation plan, not initiated on behalf of the locality.

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - continued

- For a third or subsequent submission of a comprehensive plan and transportation plan, not initiated on behalf of the locality, that is requested by VDOT on the basis of the failure of the applicant to address deficiencies previously identified by VDOT, the fee is \$1,000.

For an amendment to a comprehensive plan or transportation plan, the locality shall provide:

- **A COVER SHEET**, containing:
 - **CONTACT INFORMATION** for the locality;
 - **SUMMARY OF PROPOSED AMENDMENT** or amendments to the comprehensive plan or transportation plan; and
 - **OVERVIEW** of reasoning and purpose for amendments.
- **APPLICATION FORMS** and documentation presented to or prepared by the local jurisdiction,
- **ASSOCIATED MAPS OR NARRATIVES** that depict and detail the amendment under consideration,
- **ANY CHANGES** to the planning assumptions associated with the amendment, and
- **LOCAL ASSESSMENT** of the potential impact it may have on the transportation system.
- **ELEMENTS IDENTIFIED ABOVE** (4th checkbox) that VDOT determines are needed in order to review and comment on impacts to state-controlled highways.
- **FEES**
 - A \$1,000 fee paid by the applicant for the initial or second review of an amendment to a comprehensive plan and transportation plan, not initiated on behalf of the locality.
 - For a third or subsequent submission of an amendment to a comprehensive plan and transportation plan, not initiated on behalf of the locality, that is requested by VDOT on the basis of the failure of the applicant to address deficiencies previously identified by VDOT, the fee is \$1,000.

Regulations for Implementation of Traffic Impact Analysis

REGULATIONS

24 VAC 30-155-20. Authority.

Section 15.2-2222.1 of the Code of Virginia requires localities to submit comprehensive plans and amendments to comprehensive plans that will substantially affect transportation on state-controlled highways to VDOT in order for the agency to review and provide comments on the impact of the item submitted. This section also requires localities to submit traffic impact statements along with proposed rezonings, site plans, subdivision plats, and subdivision development plans that will substantially affect transportation on state-controlled highways to VDOT for comment by the agency. Chapter 527 of the 2006 Acts of Assembly directs VDOT to promulgate regulations for the implementation of these requirements.

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§ [15.2-2222.1](#) (Effective July 1, 2007) Coordination of state and local transportation planning

- A. Prior to adoption of any comprehensive plan pursuant to § [15.2-2223](#), any part of a comprehensive plan pursuant to § [15.2-2228](#), or any amendment to any comprehensive plan as described in § [15.2-2229](#), the locality shall submit such plan or amendment to the Department of Transportation for review and comment if the plan or amendment will substantially affect transportation on state controlled highways as defined by regulations promulgated by the Department. The Department's comments on the proposed plan or amendment shall relate to plans and capacities for construction of transportation facilities affected by the proposal. Within 30 days of receipt of such proposed plan or amendment, the Department may request, and the locality shall agree to, a meeting between the Department and the local planning commission or other agent to discuss the plan or amendment, which discussions shall continue as long as the participants may deem them useful. The Department shall make written comments within 90 days after receipt of the plan or amendment, or by such later deadline as may be agreed to by the parties in the discussions.
- B. Upon submission to, or initiation by, a locality of a proposed rezoning under § [15.2-2286](#), [15.2-2297](#), [15.2-2298](#), or [15.2-2303](#), the locality shall submit the proposal to the Department of Transportation within 10 business days of receipt thereof if the proposal will substantially affect transportation on state-controlled highways. Such application shall include a traffic impact statement if required by local ordinance or pursuant to regulations promulgated by the Department. Within 45 days of its receipt of such traffic impact statement, the Department shall either (i) provide written comment on the proposed rezoning to the locality, or (ii) schedule a meeting, to be held within 60 days of its receipt of the proposal, with the local planning commission or other agent and the rezoning applicant to discuss potential modifications to the proposal to address any concerns or deficiencies. The Department's comments on the proposed rezoning shall be based upon the comprehensive plan, regulations and guidelines of the Department, engineering and design considerations, any adopted regional or statewide plans and short and long term traffic impacts on and off site. The Department shall complete its initial review of the rezoning proposal within 45 days, and its final review within 120 days, after it receives the rezoning proposal from the locality.
- C. When a locality receives a subdivision plat pursuant to § [15.2-2258](#) or [15.2-2260](#), or a site plan or plan of development pursuant to subdivision A 8 of § [15.2-2286](#), the locality shall submit such plat or plan to the Department of Transportation in accordance with § [15.2-2260](#) within 10 business days if the plat or plan substantially affects transportation on state-controlled highways as defined by regulations promulgated by the Department. Such plat or plan shall include supplemental traffic analysis if required by local ordinance or resolution or pursuant to regulations promulgated by the Department. Within 30 days of its receipt of such plat or plan, the Department shall either (i) provide written comment on the plat or plan, or (ii) schedule a meeting, to be held within 60 days of the Department's receipt of the plat or plan, with members of the local planning commission or other agent of the locality to discuss potential modifications to the plat or plan to address any concerns or deficiencies. The Department's comments on the plat or plan shall be based upon the comprehensive plan, regulations or guidelines of the Department, engineering and design considerations, any adopted statewide or regional plans and short and long term traffic impacts on and off site. The Department shall complete its final review within 90 days after it receives such plat or plan from the locality. The submission of the application to the Department shall toll all times for local review set out in this chapter until the locality has received the Department's final comments.
- D. If a locality has not received written comments within the timeframes specified in subsections B or C, the locality may assume that the Department has no comments.
- E. The review requirements set forth in this section shall be supplemental to, and shall not affect, any requirement for review by the Department of Transportation or the locality under any other provision of law. Nothing in this section shall be deemed to prohibit any additional consultations concerning land development or transportation facilities that may occur between the Department and localities as a result of existing or future administrative practice or procedure, or by mutual agreement.

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- F. The Department shall impose fees and charges for the review of applications, plans and plats pursuant to paragraphs A, B, and C, and such fees and charges shall not exceed \$1,000 for each review.
- G. Until July 1, 2008, the Department shall not be subject to the requirements of the Administrative Process Act (§ [2.2-4000](#) et seq.) in promulgating regulations pursuant to this section, and the Commonwealth Transportation Commissioner may phase the implementation of regulations promulgated pursuant to this section as he may deem appropriate.

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+15.2-2222.1>