

AN ORDINANCE TO AMEND CHAPTER 180 OF THE WARREN COUNTY CODE (ZONING ORDINANCE) TO AMEND THE APPLICATION FEE AMOUNT FOR MODIFICATION OF A CONDITIONAL USE PERMIT.

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Section 180-63G of the Warren County Code (Zoning Ordinance) be amended and re-ordained as follows:

Chapter 180. Zoning
Article VI. Administration
§180-63 Conditional use.

A. Intent; general conditions for approval; preexisting uses.

(1) This section is to provide for the granting of conditional use permit by the governing body of Warren County as a legislative process pursuant to §§ 15.2-2286 through 15.2-2288 and 15.2-2203, Code of Virginia 1950, as amended.
[Amended 10-21-2008]

(2) The Board of Supervisors may approve a conditional use permit under the provisions of this article when it is concluded that the proposed use complies with all specified standards and that such use will be compatible with existing or planned development in the general area. In addition, in approving a conditional use permit, the Board may stipulate such conditions and restrictions, including but not limited to those specifically contained herein, to ensure that the use will be compatible with the area in which it is proposed to be located. Where such cannot be accomplished or it is determined that the use is not in accordance with all applicable standards of this chapter, the Board shall deny the conditional use.

(3) Conditional use permits approved prior to the effective date of this chapter shall be permitted to continue as conditional uses under the conditions imposed by the Board and under this chapter standards in effect at the time of approval unless otherwise provided in Article IV. Changes in imposed conditions or revocation of approval may be accomplished under procedures of this chapter.

...

G. Modification of conditions and permitted uses. The governing body may modify previously imposed conditions or permitted uses on conditional use permits. No material changes in permit conditions or uses shall be approved until a public hearing is held on the proposal. Such hearing shall be advertised and adjacent property owners notified in accordance with § 15.2-2204, Code of Virginia. "Material change," as used in this subsection, shall mean any change which could reasonably be expected to result in a substantial change in the appearance, operation or general character of the permitted use or its effects upon other persons or properties. If the governing body determines that the proposed change

in permitted use is of such a nature that it should appropriately be treated as a new application, the request will be returned to the applicant for submission to the County as a new application pursuant to § 180-64. Any petitioner requesting a material change in conditions or uses will be required to pay an application fee of **\$75 in accordance with the current fee schedule as adopted by the Board of Supervisors.**

DRAFT