

SPECIAL USE APPLICATION



Spotsylvania County Planning Department

**Merchants Square Office Building
9019 Old Battlefield Boulevard, Suite 320
Spotsylvania, Virginia 22553**

Phone (540) 507-7434

www.spotsylvania.va.us

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OVERVIEW OF THE SPECIAL USE APPLICATION PROCESS

The Special Use process involves analysis of the layout of the site and adjoining properties to assess the compatibility of the intended use with the adjacent and nearby land uses and whether the Special Use is consistent with the Comprehensive Plan. The process includes review of the Special Use Application by Planning staff along with appropriate County departments, State and Federal agencies. Planning staff will report their findings and make recommendations to the Planning Commission and the Board of Supervisors at public hearings. In accordance with Section 23-4.2.1 of the Zoning Ordinance, planning staff arranges for public hearing notices to appear in the local newspaper twice prior to each public hearing and sends notices to each adjacent landowner. The Board of Supervisors' vote on the issuance of the Special Use may include conditions as it deems necessary to ensure that the proposed use meets the standards set forth in Section 23-4.5.7 of the Zoning Ordinance and to prevent or minimize adverse impacts on nearby properties and/or the County. The Special Use process typically takes a minimum of three (3) months, but may take up to one (1) year after the Application is determined to be complete.

THE SPECIAL USE APPROVAL PROCESS

STEP 1: PRE-APPLICATION CONFERENCE

A Pre-Application Conference is strongly encouraged prior to the submission of a Special Use Application. Contact the Planning Department to schedule a Pre-Application Conference prior to submitting the Application. The purpose of the conference is to help identify, early in the process, those issues that should be addressed by the Application. Staff will determine the level of detail required for review of the Application in accordance with the minimum submission standards included in this packet. Please provide the following information:

- Pre-Application Meeting Request form, see attached, with a general plan of development or Concept Plan;
- More items may be brought to the conference; such as: a full-sized copy of the generalized plan of development, topographic maps, or architectural renderings, or any of the items that may provide additional information.

During the conference, the Applicant will be asked to provide a brief overview of the proposal. Then staff will assist in identifying those relevant items that will need to be addressed. As part of the review of the impacts of a proposed development, staff must consider the potential effects on public facilities, the area of the proposal and if the project will meet the Standards identified in Section 23-4.5.7. Staff will also determine which submission requirements are necessary to evaluate the request and staff may also suggest additional items.

The Pre-Application Conference is an opportunity for the Applicant/Engineer to receive assistance from the planning staff and other review agencies on matters related to the Application. Please, review the contents of the Application packet prior to the conference, and if necessary, prepare a list of questions for staff. Contact the Planning Department (540) 507-7434.

STEP 1A: COMMUNITY MEETING

The County encourages that applicants host a community meeting prior to submission. See "Spotsylvania County Community Meeting Recommended Guidelines" on the County's Planning website: www.spotsylvania.va.us.

STEP 2: INITIAL APPLICATION SUBMISSION

Complete all required items listed in the Basic Submission Requirements. Submit these items along with the appropriate fees to the Community Development Intake Counter at: **9019 Old Battlefield Boulevard, Spotsylvania, VA 22553.**

Basic Submission Requirements

The term "Basic Submission" is used to describe the minimum graphic and Narrative information necessary to review an Application for Special Use. Additional submission information is preliminarily identified at the Pre-Application Conference and confirmed after the submittal. However, the Planning Department or other review agencies may seek additional information after the submittal. The omission of any of the Basic Submission materials or any of the additional information may result in the case being determined incomplete.

The following items must be submitted as part of the Application:

- **Standard Application Form** (signed, 1 copy)
- **Special Power of Attorney Affidavit** (if needed, 1 copy)
If Applicant is not the owner, attach documentation of notarized Owner's consent
- **Adjacent Property List** (1 copy)
At your Pre-Application meeting, a planner will assist you in compiling a list of all property adjoining, abutting or across the street from the property.
- **Fees** (See pg. 16 or the current Unified Fee Schedule)
- **General Warranty Deed** (1 copy)
- **Accurate Plat** (may be combined with the GDP, 1 copy)
- **Generalized Development Plan-Narrative** (1 copy & digital format)
- **Generalized Development Plan-Graphic** (5 folded copies & digital format)
- **Illustrative / Concept Plan and/or Architectural Renderings**
- **Traffic Impact Study** (5 copies & digital format & appropriate fee)
- **Conceptual Stormwater Management Plan**

A. Submission Requirements:

1. Applications shall be submitted for electronic review with the submission of a paper application, a CD that contains a full application and all of the supporting application materials in PDF format along with 5 full size GDP sets (24x36) and an 11x17 paper plan set.
2. Please place an approval block in the same place on each page of the GDP.

STEP 3: QUALITY CONTROL

A case planner will be assigned to the case. The case planner will be the contact with the County throughout the Special Use process and the case planner will review the submission package for completeness within ten (10) working days of submission of an Application. Omissions in the submission package, including items identified in the Pre-Application Conference, may result in the Application being determined incomplete. A letter identifying all incomplete items and revisions will be sent to the Applicant. Further processing of the Application will cease pending submission of the requested items. Once the case planner has determined the Application complete, the Application will be sent for staff review.

STEP 4: STAFF REVIEW AND COMMENT

After the Application is determined complete, staff will transmit the Application to the relevant review agencies. During this time, the review agencies will perform a substantive analysis of the Application and will provide comments on issues identified during their review. The Applicant/Engineer will have a chance to address issues raised during the review process in a technical review meeting.

STEP 5: SCHEDULING

A public hearing will be scheduled when the Application addresses issues noted during the review process. Submit five (8) copies of the GDP (folded) and any color renderings for the Planning Commission public hearing. Once the case is scheduled, any new information must be submitted to the case planner, consistent with the agreed upon processing schedule for the case. Planning staff will schedule the case for the next available Planning Commission public hearing, arrange for public notices in the local newspaper, and will send notification of the hearing to the adjacent property owners. Fifteen (15) days prior to the public hearing date, the Applicant must post notices on the property indicating the upcoming public hearing and identifying the appropriate case number for the pending Application. The Planning Department will provide the public notice signs. General posting instructions are included in this packet (See Posting of Public Notice Signs). Parcel specific instructions for posting the property will be handled by the case planner. Once the signs are posted, a notarized Sign Posting Affidavit must be submitted to the Planning Department.

STEP 6: PLANNING DEPARTMENT REPORT AND RECOMMENDATION

The case planner will prepare the staff report and recommendation. A copy of the staff report and recommendations will be forwarded to the Applicant when the Planning Commission packets are delivered to the members of the Commission.

STEP 7: PLANNING COMMISSION PUBLIC HEARING

At the public hearing, the case planner will provide an overview of the Application and present the staff report and recommendation. The Applicant will then be given ten (10) minutes to speak on behalf of the Application and to answer questions from the Planning Commission. The Applicant may display graphic materials during the presentation or use them in response to questions. Oversized materials should be reduced prior to the hearing in order to be included in the case file. Following the Applicant's presentation, the public hearing will be opened and citizens desiring to comment on the proposal are invited to speak. The Planning Commission may make their recommendation to the Board of Supervisors at the initial public hearing meeting or defer action on the proposal in accordance with Zoning Ordinance Section 23-4.5.5.

STEP 8: SUBMISSION OF THE GDP FOR THE BOARD OF SUPERVISORS HEARING

After the Planning Commission has acted on the Application, the Applicant must submit the Applicant must submit the GDP and color renderings on a disk in PDF format. Upon receipt of the GDP the case will be scheduled for the next available Board of Supervisors public hearing and an e-mail/letter will be sent to the Applicant with this date. After the public hearing before the Planning Commission, the Applicant may submit any additional information or modifications that have been specifically recommended by motion of the Planning Commission or by the Planning Director; provided, however, that any amendments recommended by the Planning Director must relate to issues identified in the staff report considered by the Planning Commission at the public hearing or discussed at the public hearing before the Planning Commission.

STEP 9: BOARD OF SUPERVISORS PUBLIC HEARING

The Applicant will be responsible for ensuring that the signs are posted at the property at least fifteen (15) days prior to the public hearing and that a notarized Sign Posting Affidavit is submitted to the Planning Department. The Board hearing presentations are conducted in the same manner as the Planning Commission. Board actions may occur in accordance with Section 23.4.5.6 of the Zoning Ordinance.

Once approved, establishment of the Special Use must be pursued within eighteen (18) months, or the approval becomes null and void.

GENERALIZED DEVELOPMENT PLAN (GDP) NARRATIVE

The Zoning Ordinance requires both graphic and written information which addresses part of the basic submission narrative to include a written description of the relationship of the proposal to the relevant components of the Comprehensive Plan or other materially relevant issues to be reviewed for its consistency in each Application. Assistance with the identification of these relevant components will be provided at the Pre-Application Conference or during the initial agency review and should also be included in the Narrative. The narrative should note how the proposed use will satisfy the Standards of review of Section 23-4.5.7 in the Zoning Ordinance.

GENERALIZED DEVELOPMENT PLAN (GDP)

The processing of an Application for Special Use involves analysis of the layout of the site and adjoining sites to assess the compatibility of the intended use with the adjacent and nearby land uses. The staff must review the design of the site and the existing and proposed site features. The Special Use/Generalized Development Plan (GDP) is a schematic plan developed in accordance with the Spotsylvania County Zoning Ordinance and the associated Design Standards Manual.

If the proposed Special Use has an existing structure and the proposed activity will be conducted within the structure, a GDP may not be required. Planning staff will outline the specific requirements at the Pre-Application Conference.

GRAPHIC SUBMISSIONS:

Parcel Information

An accurate plan of the property prepared by a licensed architect, engineer or surveyor shall include the following:

- Vicinity map at one (1) inch equals two thousand (2,000) feet.
- Owner and project name.
- Property lines with bearings and distances and existing and proposed zoning district lines.
- Area of land proposed for consideration, in square feet or acres.
- Scale, scale graphic and north arrow.
- Names of boundary roads or streets and width of existing rights of way.
- Easements and encumbrances, if applicable.

Generalized Development Plan Graphic

The graphic portion of the Special Use GDP submission shall be prepared with a scale of not less than one (1) inch equals fifty (50) feet and a sheet size not to exceed twenty-four (24) inches by thirty-six (36) inches. Reasonable exceptions to the scale and sheet size will be made on a case by case basis. If prepared on more than one (1) sheet, match lines shall be clearly indicated where the sheets join. All sheets shall be folded to a size not greater than nine (9) inches by twelve (12) inches.

The GDP shall depict existing conditions and proposed features. A checklist is provided on page 9 that outlines the basic GDP requirements. This checklist is the same as the one used by planning staff in determining whether the Application is complete. These required items are also listed in Section 23-4.5.3 of the Zoning Ordinance. In addition to the Basic Submission Requirements for the GDP, additional information may be required.

Architectural Renderings

Architectural renderings shall be submitted for any proposed buildings. Color renderings are preferred at a maximum size of eleven (11") inches by seventeen (17") inches and on the CD. One set of elevations shall be submitted with the Application and five (5) copies will be required for the Planning Commission public hearings.

**Spotsylvania County
Special Use Application
Generalized Development Plan Checklist**

Case Number: _____ **Project Name:** _____

NOTE: THIS CHECKLIST IS USED BY STAFF TO DETERMINE COMPLIANCE WITH COUNTY CODE, SEC. 23-4.5.3. IT IS PROVIDED TO PROFESSIONAL PLAN PREPARERS FOR INFORMATIONAL PURPOSES.

The generalized development plan (GDP) shall include the following information unless the submission requirements have been waived or modified by the Director of Planning due to the scope and nature of the proposed project:

- ___ (1) A title block denoting the type of application, name of project, tax map reference and street address;
- ___ (2) The name, address and phone number of the applicant;
- ___ (3) The name, address, phone number, signature and registration number of the plan preparer, and the preparation date of the plan;
- ___ (4) Vicinity map, 1" = 2000', a north arrow, scale and scale graphic;
- ___ (5) The identification of and distance to all major intersections within one-half mile of the proposed development;
- ___ (6) The boundary of the entire parcel with courses and distances;
- ___ (7) Any existing and proposed parcel lines, easements, or rights-of-way within the subject parcel;
- ___ (8) The present zoning and principal use of the subject parcel and all contiguous properties;
- ___ (9) The boundaries of any overlay zoning districts described in Article 6 of the Zoning Ordinance;
- ___ (10) A table (with computations) stating the types of proposed uses, the number of residential dwelling units and densities, and the gross and net floor areas of nonresidential structures;
- ___ (11) The general locations, dimensions, height, number of floors and setbacks of all existing and proposed buildings, structures and other improvements;
- ___ (12) A table (with computations) estimating the lot coverage ratio and impervious surface ratio;
- ___ (13) The boundaries of any lakes, rivers, streams, ponds or wetlands;

- ___ (14) A generalized landscape plan showing existing vegetation, proposed clearing limits, and indicating the location, and types of vegetation to be installed under the landscaping and bufferyard requirements of Article 5, Division 5 of the Zoning Ordinance;
- ___ (15) The general location, and material descriptions of all other existing and proposed screens, bufferyards or landscaping;
- ___ (16) The location and dimensions of existing and proposed parking and loading areas and any other impervious surfaces, such as driveways, streets (and names), cement sidewalks, and playing surfaces;
- ___ (17) The location and description of all points of access including all proposed interparcel connections;
- ___ (18) The estimated daily vehicular trips generated by the proposed development on each road segment shown on the plan;
- ___ (19) The location and dimensions of on-site pedestrian walkways or bicycle paths and any connection to adjacent property;
- ___ (20) The location and dimensions of existing water and sewer mains serving the site of the proposed development, points of connection to public water and sewer and/or location of wells and septic systems and reserve drainfields;
- ___ (21) Topographic contour lines at ten-foot (10') intervals using United States Geologic Survey 7.5 minute quadrangles for the existing site;
- ___ (22) The location and dimensions of on-site and off-site facilities for the retention or detention of stormwater;
- ___ (23) The size, location and boundaries of any common open spaces, recreation areas and recreation facilities, including a statement of whether such open areas are to be dedicated to the public;
- ___ (24) For large scale, phased developments, identification of the location and timing of each phase of the development;
- ___ (25) Any known historic buildings or features;
- ___ (26) Any known places of burial;
- ___ (27) Floodplains and resource protection areas;
- ___ (28) Signature and seal of professional person certifying the plan;

County of Spotsylvania
Department of Planning
9019 Old Battlefield Blvd, Suite 320
Spotsylvania, Virginia 22553
Phone: (540) 507-7434



Pre-Application Meeting Request

Property Owner(s): _____

Developer/Applicant: _____

Phone #: _____ Cell # _____ *Email: _____

Tax Map#: _____ Existing Zoning: _____ Proposed Zoning: _____ Disturbed Zoning: _____ Parcel Acreage: _____

Parcel Address: _____

Type of Application
(Rezoning, Special Use, Site Plan): _____

Existing Public Water: Yes No Existing Public Sewer: Yes No

Are there active permits under review with the County or have there been any prior approvals? Yes No

If yes, list: _____

Brief description of proposed development:

Signature of Applicant: _____ Date: _____

***Please submit the completed request form with a general development plan or concept plan to Shannon Fennell, at sfennell@spotsylvania.va.us, to be scheduled on the next available Technical Review Committee (TRC) Agenda**



SPECIAL USE APPLICATION
(Please type or print)

07/01/2019

Date: _____ Case: _____

110-0000-316-16-08 (395)	Mailing	\$ _____
260-0000-318-99-14	Intake	\$ <u>65.00</u>
	Process. Fee	
110-0000-316-16-08 (395)	Planning	\$ _____
110-0000-316-16-10 (334)	GIS	\$ <u>190.00</u>
260-0000-313-03-45	Zoning	\$ <u>455.00</u>
Total Filing Fee:		_____

Applicant's Name _____

Agent's Name (Point of Contact for Application) _____

Applicant's Address _____

Agent's Address _____

City, State, Zip Code _____

City, State, Zip Code _____

Applicant's E-mail Address _____

Agent's E-mail Address _____

Applicant's Telephone No. _____

Agent's Telephone No. _____

Property Owner Information:

If Applicant is not the owner, attach documentation of owner's consent

Name _____

Address _____ City, State, Zip Code _____ Telephone No. _____

Parcel Location: _____

Tax Map Parcel Number: _____ Acreage: _____

Zoning District: _____ Overlay District: _____

Proposed Use: _____

To: The Board of Supervisors of Spotsylvania County, Virginia. The above named applicant(s) hereby petition(s) for the approval indicated above for the described property and as shown on the attached materials made a part of this Application.

I hereby certify by my signature below that I am the owner of record of the named property or that I am authorized to act on behalf of all the owners of record of the named property to execute this application. I further certify that all information I have provided thereon is complete and accurate. I agree on behalf of myself and all owners to conform to the Zoning Ordinance, Subdivision Ordinance, Virginia Uniform Statewide Building Code, Erosion Ordinance, Chesapeake Bay Preservation Ordinance, the Water and Sewer Construction Specifications of Spotsylvania County, and all other applicable laws and regulations of this jurisdiction.

Signature of Owner or Agent with POA* _____ Date _____ Print Name _____

Signature of Owner or Agent with POA* _____ Date _____ Print Name _____

**I have read this Application, understand its intent and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission for Spotsylvania County Officials and other authorized government agents on official business to enter the property to process this Application.*

Voting District: _____ Census Tract: _____ Traffic Analysis Zone: _____
(To be completed by the Planning Department after submission)

SPECIAL POWER OF ATTORNEY AFFIDAVIT

**COMMONWEALTH OF VIRGINIA
COUNTY OF SPOTSYLVANIA**

This _____ day of _____, 20_____, I, _____, the owner/contract purchaser (circle one) of _____ (describe land by tax map number) make, constitute, and appoint _____, my true and lawful attorney-in-fact, and in my name, place and stead giving unto said _____ full power and authority to do and perform all acts and make all representation necessary, without any limitation whatsoever, to make Application for said Special Use Application.

The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on _____, 20_____, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of Spotsylvania County stating that the terms of this power have been revoked or modified.

Given under our hands this _____ day of _____ 20_____.

Owner/Contract Purchaser/Authorized Agent (Circle One)

COMMONWEALTH OF _____

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me by

_____, the Owner of said property, this _____ day of _____, 20_____.

My commission expires:

_____ Notary Public

_____ Registration Number

OFFICE USE ONLY
File/Case Number _____ Date Accepted _____, 20_____

POSTING PUBLIC NOTICE SIGNS

Public notice signs must be posted at least fifteen (15) days prior to each public hearing.

Sign(s) required for posting must be obtained from the Planning Department. At least one (1) sign is required for all properties. Additional signs are required for property that abuts more than one (1) public street and property with more than (200) feet of road frontage. Properties without public street frontage are required to post at least one (1) sign on the property and at least one (1) sign along a nearby street.

Signs shall be posted to ensure greatest public visibility in accordance with the following:

- Signs shall be posted adjacent to the street right-of-way abutting the site, no more than ten (10) feet from the edge of the right-of-way.
- Signs shall be posted for optimum visibility for traffic traveling on the public road.
- Properties with more than one (1) street frontage shall be posted with at least one (1) sign along each street.
- Properties with more than (200) feet of street frontage shall be posted with one (1) sign for each (200) feet of frontage, spaced at least (200) feet apart.
- If a property has no road frontage, the Planning Department will determine the number and location of signs to be posted. At least one (1) sign will be required to be posted on the actual property, and at least one (1) sign will be required to be posted along a nearby street, with a note giving distance and direction to the property.

After posting the property, the Applicant must return the Sign Posting Affidavit to the Planning Department within three (3) days of the date of posting. Failure to notify the Planning Department within three (3) days may result in the case being removed from the scheduled public hearing.

Until the public hearing, the Applicant must maintain all signs posted in good condition. If a sign is damaged or destroyed, a replacement sign must be secured from the Planning Department and posted as soon as practical.

If a property is not posted at least fifteen (15) days prior to the hearing, if it is improperly posted, if damaged or destroyed signs are not replaced, if a sign posting affidavit is not filed with the Planning Department within three (3) days of posting, or if other inconsistencies with Section 23-4.2.1 of the Zoning Ordinance occur; the public hearing may be deferred for reasons of improper public notice. If deferred, the property will have to be reposted in accordance with these instructions. The Applicant should also note that improper public notice may be grounds for invalidating an approved Application after approval has been granted.

Signs must be removed within ten (10) days after Board of Supervisors action and returned to the Planning Department.

SIGN POSTING AFFIDAVIT

I, _____, hereby certify that on the _____ day of _____, 20____, a sign(s) stating that zoning action was pending on the property described below was/were posted on the property and that the sign(s) was/were easily visible from all public streets and public ways abutting the property.

Property Description:

Given under my hand this _____ day of _____, 20_____.

Applicant / Agent

COMMONWEALTH OF _____

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me by _____, the Owner of said property, this _____ day of _____, 20_____.

My commission expires:

_____ Notary Public

_____ Registration Number

Return From To:
Spotsylvania County Planning Department
9019 Old Battlefield Blvd., Suite 320
Spotsylvania, VA 22553

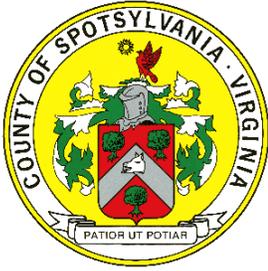
Attn: _____

Case# _____

OFFICE USE ONLY

File/Case Number _____ Date Accepted _____, 20_____

SPECIAL USE APPLICATION FEE CALCULATION SHEET



Application No: **SUP** _____

Date Received: _____

STEP 1- CALCULATE THE PLANNING FEE:

- | | | |
|--------------------------|---|------------|
| <input type="checkbox"/> | Special Use (New Development) | \$6,560.00 |
| <input type="checkbox"/> | Special Use (Minor- No New Development) | \$4,035.00 |
| <input type="checkbox"/> | Special Use Condition- Amendment | \$2,385.00 |
| <input type="checkbox"/> | Special Use with a Rezoning Request | \$2,335.00 |

STEP 2- COMPLETE APPLICATION WORKSHEET:

260-0000-318-99-14	Intake Processing Fee	\$	65.00
110-0000-316-16-08 (395)	Mailing Fee**:	\$	
110-0000-316-16-08 (395)	Planning Fee:	\$	
110-0000-316-16-10 (334)	GIS Fee:	\$	*190.00
260-0000-313-03-45	Zoning Fee:	\$	455.00

APPLICATION TOTAL: \$

*GIS fee not applied to Applications that do not require a Generalized Development Plan (GDP)
 **Equation: (# project parcels + # of adjacent parcels) x 1st class postage x 2 meetings = \$(Mailing Fee)

Refunds (Planning) – All refunds must be requested in writing to the Planning Director. Refunds will be issued in the following circumstances: 95% of Planning fees if application is withdrawn within two (2) business days of submission; 80% of Planning fees if application is withdrawn during the initial review period (time varies depending on application type); 40% of Planning fees if application is withdrawn within ten (10) business days after initial review comments are issued. **