

APPLICATION

SPECIAL USE PERMIT

Instructions

_____ Filing Fee
_____ Filing Deadline
_____ Planning Commission Hearing
_____ City Council Hearing

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REQUIREMENTS FOR MAILING NOTICES:

Applicants must send written notice of public hearings by certified or registered mail to all abutting property owners at least 10 days prior to the Planning Commission hearing and not more than 30 days prior to the City Council hearing. See detailed instructions on "Notice Requirements".

Mail certified or registered notice of hearings between _____ and _____.
Return notice materials to Department of Planning and Zoning by _____.

Application Check List: Check-off items submitted to Department of Planning and Zoning below:

- _____ Completed, signed application (in black ink)
- _____ Site Plan Package
- _____ Plot Plan, with parking layout
- _____ Interior Floor Plan
- _____ Draft notice language
- _____ Child Care Supplemental Application (*if applicable*)
- _____ Restaurant Supplemental Application (*if applicable*)
- _____ Auto Oriented Use Supplemental Application (*if applicable*)
- _____ Freestanding Signs Supplemental Application (*if applicable*)
- _____ Parking Reduction Supplemental Application (*if applicable*)

HOW TO SUBMIT AN APPLICATION FOR A SPECIAL USE PERMIT:

1. Contact staff of the Department of Planning and Zoning regarding the proposal. Staff will provide appropriate applications and fill out *Work Sheet* dates.
2. Complete the *Special Use Permit Application* form. (For instructions, refer to *Special Use Permit Application Instructions*.)
3. If you are applying for one of the following, complete a supplemental application:
 - Restaurant
 - Automobile repair, service or sales
 - Freestanding sign
 - Child care home or center
 - Parking reduction
4. Provide the required notice to adjacent property owners by certified or registered mail and provide certification of notice. (For instructions refer to *Notice Requirements*.)
5. Attend the public hearing before both the Planning Commission and City Council.

THE DEPARTMENT OF PLANNING AND ZONING
MAY BE REACHED AT (703) 838-4666.

Instructions for Special Use Permit Applications

A Special Use Permit is issued for certain uses of property in the City. If approved, the permit may require that special conditions be imposed to assure the health, safety and welfare of the surrounding area. Applications for special use permit approval are considered by the Planning Commission and City Council.

Who May Apply for a Special Use Permit: Only an owner, a contract purchaser, a lessee, or another party with a legal interest in the property may apply for a special use permit.

Filing Deadline: The normal processing time for a Special Use Permit application is between 42 and 82 days. Filing deadlines vary according to the type of application. Call the Planning Department at (703) 838-4666 to obtain the proper filing date. Failure to submit all required information and plans by the filing deadline will result in the deferral of the application to a later hearing date.

Application Forms: All parts of the forms titled "Special Use Permit Application" must be completed in black ink or type. Applicants must sign the form and include a daytime telephone number. The section "Narrative Description" must describe fully the nature of the proposal. Failure to adequately complete this section in detail will result in the application being returned to the applicant and a delay of a month or more in processing the application. Applicants requesting special use permit approval of child care facilities, restaurants, auto oriented uses freestanding signs, and parking reductions must fill out the appropriate supplemental application form.

Plans: Applicants for development must submit a Site Plan Package consistent with the Development Special Use Permit Checklist. All other applicants must submit a plot plan with parking layout of the proposed use and an interior floor plan for uses within buildings. Such plans are not required to be prepared by a professional; however, they must be legible and drawn to scale, showing the subject property, existing and proposed buildings or additions, and the special use requested. One copy of the plan is required for plans that are no larger than 8½" x 14". Large sized plans or plans that cannot be easily reproduced require the submission of 28 copies, individually folded to a maximum size of 9" x 14" and in such manner that the lower right corner of the plan with the plan title is displayed. Rolled plans will not be accepted. Check with staff to determine what plans are necessary for your application.

Filing Fee: Please see current fee schedule.

Property Owner Notification: The applicant must provide written notice to all adjoining and facing property owners. See attached detailed instructions.

Public Hearings - Planning Commission and City Council: Special Use Permit requests are normally considered by the Planning Commission on the first Tuesday of each month in the City Council Chambers, City Hall, at 7:30 P.M. Special Use Permits are subsequently considered by the City Council on the second Saturday following the Planning Commission hearing in the City Council Chambers, City Hall, at 9:30 A.M. Meeting dates may change and should be verified by the applicant at the time of filing the application. Please note that the applicant or a representative must attend the meetings. Failure to attend the Planning Commission hearing may result in denial or dismissal of the application.

Staff Report: Planning staff will prepare a report and recommendation to the Planning Commission. The report is typically made available 11 days prior to the hearing in the Department of Planning and Zoning.

Issuance of the Special Use Permit Certificate: The City Council may grant a Special Use Permit if it finds that:

- 1) The use for which a Special Use Permit is sought will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
- 2) The use will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood;
- 3) The use will be in accord with the purposes of the master plan of the City; and
- 4) The applicant will comply with all regulations and provisions of law.

Conditions of Approval: In granting a Special Use Permit, the City Council may impose such conditions in connection with the use as will ensure that the use will not adversely affect the surrounding area.

Deferrals and Referrals: New written notice is required for each and every public hearing, including hearings for deferred or continued items or items referred back to the Planning Commission by the City Council.

Denial of a Special Use Permit Request: If a Special Use Permit is denied by City Council, it will not be considered again by the Planning Commission or City Council for a period of one year. If a new application differs in a substantial and material respect from the application denied, the request may be considered after a period of six months.

Revocation and Suspension: A special use permit may be revoked or suspended upon proof that the conditions set forth or any regulations or laws are not being followed.

Effective Period of Special Use Permit Approval: Construction or operation must be commenced within 18 months of the date the Special Use Permit is granted or the permit becomes void, unless an application to extend the permit is filed prior to the expiration date.

Special Use Permit Appeal: Persons aggrieved by a decision made by the City Council may appeal that decision to the Circuit Court of the City.

Intensifications: Any future enlargement, expansion, or intensification of a special use requires separate special use permit approval.

FOR ASSISTANCE WITH ANY OF THESE PROCEDURES
CALL THE DEPARTMENT OF PLANNING & ZONING
AT (703) 838-4666