



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

Project Name/Location

Project Name: _____ Date: _____

Property Address: _____ Tax Map #: _____

Fee: _____ Total area of affected site in acres: _____
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: _____

Existing Use: _____

Is this property subject to any previous land use cases? _____

- Yes No

If Yes, please list the Ordinance Number: _____

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Applicant/Contact Person: _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _(_____)_____ Fax: _(_____)_____

Email: _____

Property Owner: _____

If Business Entity, name and title of authorized signee: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _(_____)_____ Fax: _(_____)_____

Email: _____

Property Owner Signature: _____

(The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**)

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)



Review & Approval Process: **SPECIAL USE PERMIT**

In instances where it has been determined that underlying zoning regulations cannot be met, a special use permit may be granted by City Council to provide relief from zoning regulations.

Special use permit applications are reviewed for compliance with the City's Master Plan to ensure the proposal is compatible with the surrounding area and that it is an appropriate use for the site. Specifically, applications are reviewed to ensure that the City Charter conditions for granting special use permits have been met. The City Charter requires that prior to City Council approval; it must be shown that the proposed special use will **not**:

1. be detrimental to the safety, health, morals and general welfare of the community involved;
2. tend to create congestion in streets, roads, alleys and other public ways and places in the area involved;
3. create hazards from fire, panic or other dangers;
4. tend to cause overcrowding of land and an undue concentration of population;
5. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or
6. interfere with adequate light and air.

*Applicants **are encouraged** to schedule a pre-application conference with the Division of Land Use Administration staff to review related Master Plan, land use and other issues that may be involved prior to making application. Please call (804) 646-6304 to schedule an appointment with the staff. Staff will review submitted applications to ensure all required materials and information are provided. If the application is not acceptable, the required information must be provided prior to formal staff review.*

Applicants should also discuss the proposed special use permit with area civic associations, property owners, residents, and the area Council Representative prior to submitting an application. Letters from the associations and property owners stating their position in regards to the request should be submitted with the application.

The Division of Land Use Administration circulates the special use permit application materials to appropriate City agencies as determined necessary. City agencies reviewing the proposal may include: Public Works, Building Permits & Inspections, Public Utilities, Water Resources, Zoning Administration, and Fire and Emergency Services. The Division of Land Use Administration will coordinate responses by City agencies. Written comments will be provided generally within 30 days of the application submittal date.

After review by these agencies and by the Division of Land Use Administration, the staff will confer with the applicant regarding suggested conditions to be included in the ordinance and any suggested changes to the plans. If the property is located in a City Old and Historic District and the request involves exterior alterations, additions or new construction, the plans should also be reviewed by the Commission of Architectural Review prior to an ordinance being introduced in City Council. Once the plans are in final form, an ordinance is drafted and the plans are attached to and are made a part of the ordinance. The staff will forward a copy of the ordinance to the applicant for review and approval.

The ordinance is then reviewed by the City Attorney's office and the City Administration. Once their review is complete, the ordinance is introduced to City Council and a public hearing is scheduled, usually thirty days after introduction. During this thirty-day period, public notice of the hearing is posted on the site and in a daily newspaper. Notices are also mailed to the owners of all properties within 150 feet of the subject property. One week prior to the City Council public hearing, the Planning Commission, after receiving a report from the Department of Planning and Development Review, considers the proposed special use permit and forwards a recommendation to City Council. The Planning Commission welcomes information submitted prior to the meeting and may ask questions of proponents and opponents during the course of its deliberation on the ordinance. Six affirmative votes of City Council are required to adopt a special use ordinance. Please note that there is a fee of \$250 for each continuance caused by the applicant.

If the special use ordinance is adopted by City Council, the applicant has a specified time period in which to apply for a building permit to implement the special use permit. Building permit plans must be substantially in accordance with the adopted special use permit plans, otherwise a building permit will not be issued. In general, the approval process for special use permits takes between 120 to 180 days. However, depending on the complexity of the proposed special use permit, more or less time may be required. The City Planning Commission considers approval of special use permits at its regular meetings on the first and third Monday of each month. ***Incomplete submissions or major modifications to the plan during the review process may cause delays in the schedule.***



Filing Procedures: **SPECIAL USE PERMIT**

FILING

Special use permit applications are filed with the:

Department of Planning and Development Review
Land Use Administration Division, Room 511
City Hall, 900 East Broad Street, Richmond, Virginia 23219
Telephone (804) 646-6304

APPLICATION REQUIREMENTS

The application for a special use permit must include the following, each part of which is explained below.

Application must be submitted in both hard copy and electronic format (PDF).

- 1) **Application form, including a completed checklist;**
- 2) **Application fee;**
- 3) **Applicant's report;**
- 4) **Plans; and**
- 5) **Survey plat.**

- 1) **Application Form:** All the owners of the property must sign the application form. If a legal representative signs for a property owner, a copy of an executed power of attorney is required. Faxed or photocopied signatures will not be accepted.
- 2) **Application Fee:** The appropriate fee must accompany the application. Checks should be made payable to the "**City of Richmond**". The fees are determined from the following schedule:

Application Type	Fee Required
Initial Application	\$1,800.00 + \$100 per acre*
Amendment	\$1,200.00 + \$100 per acre*

*\$100 for each acre or fraction thereof over the first acre (fee is not prorated by acreage)

- 3) **Applicant's Report:** ***A written report must be submitted describing the proposed use.*** For non-residential development, the description should include the anticipated number of employees, hours of operation, and an estimate of the amount of vehicular traffic that will be generated by the use. The report should point out the specific features of the special use that will ensure that it will be compatible with the surrounding area, and that it is an appropriate use for the site. In addition, the City Charter specifies certain conditions that must be met before City Council can approve a special use permit. It must be shown that the proposed special use will **not**:
 1. be detrimental to the safety, health, morals and general welfare of the community involved;
 2. tend to create congestion in streets, roads, alleys and other public ways and places in the area involved;
 3. create hazards from fire, panic or other dangers;
 4. tend to cause overcrowding of land and an undue concentration of population;
 5. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or
 6. interfere with adequate light and air.

The report must indicate the reasons why the applicant feels these conditions will be met (e.g., features of the plan, characteristics of the proposed use or surrounding area). **Please note that the above materials will be forwarded to the City Planning Commission and City Council along with the special use permit ordinance.**



Filing Procedures: **SPECIAL USE PERMIT**

4) **Plans:** Initially, nine (9) sets of the following plans are required to provide sufficient detail to permit the staff to make a determination of the compatibility of the proposed project with surrounding development. Each set of plans should be bound, **folded** and include a title page with index to all of the included sheets. Preferred size of plans is six (6) full size sets (24"x36") and three (3) 11"x17" sets. Plans must be properly scaled and include a scale bar.

1. Site Plan
2. Elevation Plans
3. Floor Plans
4. Landscape Plans
5. Signage Plan & Details
6. Lighting Plan & Details

Electronic Plans (PDF and/or JPG) are also required with the initial application and any subsequent resubmissions. Electronic plans may be submitted on a disk or via email at: DCDLanduseadmin@richmondgov.com.

An additional fourteen (14) 11"x17" sets of plans will be required at a later date for distribution to City Planning Commission members.

In the case of special use applications for the conversion of existing buildings where there are no alterations or changes in exterior appearance, the typical elevation drawings will not be required.

For items required on the submitted plans, please see the attached "Checklist of Plan Requirements".

5) **Survey Plat:** A copy of a survey plat showing the property and including metes and bounds is required. The plat should show existing physical features of the property, including:

1. North arrow, scale, property address, the distance to nearest public street, preparer of plat, date, revision dates, area of site;
2. Existing structures, buildings, paved areas, fences, streets, alleys, easements, and limits of the 100 year flood plain, Chesapeake Bay Preservation Area limits, wetlands, and streams.



Checklist of Plan Requirements: **SPECIAL USE PERMIT**

The following checklist of information must be shown on the plans:

STANDARD PLAN NOTES:

- Name of project, developer, and preparer of plans;
- North arrow and bar scale;
- Vicinity sketch;
- Plan date and revision dates;
- Dimensions and bearings of property lines taken from deed or survey;
- Area of site;
- Zoning and existing use of subject property and all adjacent properties;

EXISTING FEATURES:

- Existing physical features, including water bodies, structures, buildings, paved areas; fences, signage, curbs, gutters, fire hydrants, streets, alleys, easements, or other improved or unimproved rights-of-way in or adjacent to the subject property;
- Limits of the 100-year flood plain;
- Limits of Chesapeake Bay Preservation Areas;
- Trees and other significant vegetative material;

PROPOSED FEATURES:

- Existing and proposed public and private utility services, including: location, type, and size of service; location of poles, manholes and vaults; locations and types of related facilities, (e.g. transformers, back-flow preventers, grease and oil traps, detention or retention basins, etc.)
- Proposed streets, alleys, easements or other rights-of-way including proposed improvements to existing rights-of-way;
- Proposed parking area layout and landscaping, including dimensions for parking spaces, aisle width, and stacking and loading spaces;
- Proposed sidewalks, curbs, gutters, driveways, and access, loading and other paved areas, with a description of the materials to be used;
- Proposed structures with dimensions and a description of the exterior materials and colors to be used;
- Location and type of proposed outside lighting;
- Height, location and character of proposed screening (fences, walls, vegetation);
- Major landscaping features including existing vegetation to be retained;
- Type, location and screening of trash containers;
- Location, height, size, content and method of illumination of all signs;
- Grading plan and/or cross-section drawings (if deemed necessary by the staff for evaluation of site drainage and conservation of natural features);
- Calculations for total gross floor area of all buildings, total land area covered by buildings, amount of open space on the site, amount of paved area (vehicular) on the site, and number of parking spaces proposed and the number required by normal zoning regulations; and
- For residential developments, a unit schedule with the number and size of all unit types.



Sign Posting Requirement

It shall be the responsibility of the applicant to post on the property that is the subject of the proposal, a sign(s) notifying interested parties of the application and pending public hearings. Such sign(s) shall comply with the following requirements:

- **TIMING:** The sign(s) shall be posted at least 15 days prior to the scheduled planning Commission public hearing on the application, shall remain on the property until final disposition of the application by City Council, and shall be removed from the property within ten days after final action by City Council.
- **CONTENT:** The sign(s) shall contain the words "Zoning Application Pending" together with the words "For Planning Commission and City Council Public Hearings Information Call (804) 646-6304."
- **LOCATION:** The sign(s) shall be posted within five feet of the right-of-way of the street along each street frontage of the property, and shall be located at approximately the mid-point of the street frontage in such manner as to be readable from the street.
 - In the case of street frontages greater than 1000 feet in length, in addition to the foregoing requirement, signs shall be posted at approximately 500-foot intervals. The required number and/or location of signs may be adjusted by the Secretary of the Planning Commission in case where the applicant can present sufficient justification to warrant such adjustment, provided that the spirit and intent of the notice requirements are met.
- **SIZE AND MATERIAL:** The sign(s) shall be of wood or metal material, 36" by 48" in size, with black lettering at least three inches in height on a white background. The top edge of such sign(s) shall not be greater than six feet in height as measured from the adjacent ground level.
- **SUPPORT:** The support element for such sign(s) shall be a four-inch by four-inch wood post fastened securely in the ground.
- **ILLUMINATED:** The sign(s) shall not be illuminated.
- **MAINTENANCE:** The applicant shall be responsible for maintaining the sign(s) in a sound and legible condition. Any sign which is the subject of theft or damage shall immediately be replaced or repaired.
- **AFFIDAVIT AND PHOTO:** The applicant shall submit the following affidavit to the secretary of the Planning Commission not less than ten days prior to the scheduled Planning Commission public hearing attesting to the fact that the sign(s) is posted on the property as required. The applicant shall also submit a photo of the sign(s) verifying that the sign(s) is posted as required.



Affidavit for Sign Posting

I, _____, _____ do hereby certify that
 Name Title
notice of Ordinance No. _____, was posted on the subject
property(ies) on this _____ day of _____, 20 ____, in
conformance with the notice requirements of City of Richmond Code .

Signature

Witness Name

Witness Signature

Secretary of the City Planning Commission

Date Received