

# Application Guide: Rezoning and Special Exceptions

## Prince George County

### **Application Form and Attachments**

The application forms collect basic information about the request and the request property, and contact information for the Applicant (the point of contact for the process / person submitting the application) and for the Property Owner (the person or entity that owns the land.)

Application forms also have a section specifying attachments to be provided. Additional information about attachments is provided below.

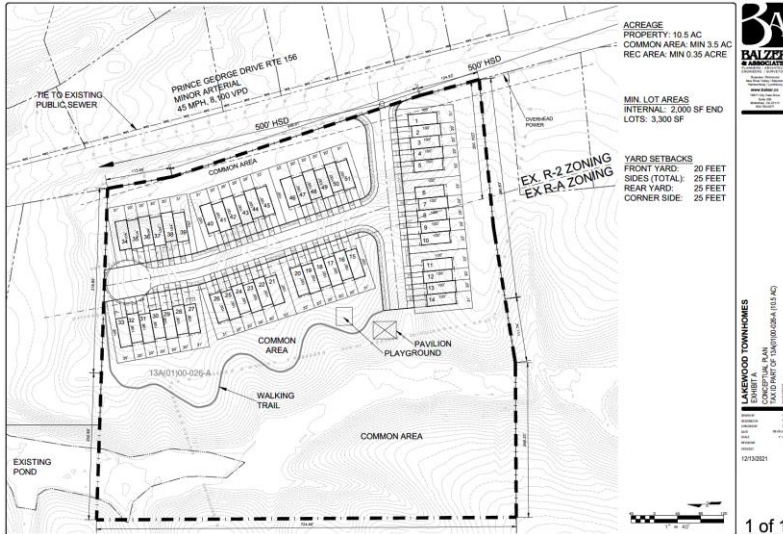
Keep in mind that documents that are submitted with a formal application are public information and will be available for viewing by the public throughout the process.

<b>Required Attachments</b>	
<p><b>Applicant Statement (Project Details)</b>            Provide formatted digital document(s) (e.g. Word Doc, PDF, etc.) summarizing pertinent information about how the property will be used, with sufficient details to understand your goals, such as:</p> <ul style="list-style-type: none"> <li>• Describe how the property will be used, indoors and outdoors</li> <li>• Explain parking plan, dropoff/pickup plan (if relevant), quantify parking spaces (if relevant)</li> <li>• Number of employees, customers anticipated</li> <li>• Number, size and use of any additional structures planned</li> <li>• Expected off-site impacts such as vehicle traffic, pedestrian traffic, noise, odor, etc.</li> <li>• Summary of a Community Meeting or other outreach efforts (if applicable)</li> <li>• Photos, maps, tables or other graphics if helpful for someone to understand what you propose</li> <li>• Any other information that would be helpful to understand the potential impacts on adjacent properties and roadways, and the greater community</li> </ul>	
<p><b>Conceptual Map or Layout</b>            If there will be changes to the property or use of outdoor areas, provide a to-scale map using a plat or satellite imagery, or high-quality illustration. The County website has an <a href="#">Online Interactive Maps</a> tool that may be useful for this purpose. Include details such as:</p> <ul style="list-style-type: none"> <li>• Property boundary lines</li> <li>• Location of any existing, or proposed structures</li> <li>• Outdoor features such as parking areas, entrances, landscaping, screening, etc.</li> <li>• Outline of project area if confined to an area smaller than property lines (For a rezoning request, if the entire property is not requested to be rezoned, then the Applicant shall provide a map delineating the area requested to be rezoned.)</li> </ul> <p style="text-align: center;"><i>Examples of conceptual maps are provided on the next page</i></p>	
<b>Optional Attachments</b>	
<p><b>Proffer Statement</b>            “Proffers” are conditions offered by a developer during a rezoning that serve to ensure that promises made by a developer are kept and implemented after the approval. Proffers are most appropriate if the proposed rezoning is likely to generate off-site impacts. If you wish to submit proffers, staff can provide a template and/or draft proffers upon request.</p>	<p><b>Proposed Conditions</b>            Staff generally drafts conditions for Special Exceptions and checks them with applicant during the review process; however, if you wish to offer conditions at the time of an application, you may do so.</p>

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### Examples of Conceptual Plans



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### General Process

<u>Stage</u>	<u>Details / What to expect</u>
<b>Scoping / Defining the request*</b>	<p>The Applicant contacts the County to discuss their plans, and provides Planning &amp; Zoning staff with enough information to understand the development goals. Staff may request more information, recommend additional actions, and/or provide application materials. <b>At the end of this stage, the Applicant will understand what next steps they can take to make progress on their project.</b>                      (Typical timeframe: 0-2 weeks from initially contacting the County to confirm next steps**)</p>
<b>(OPTIONAL) Preliminary Application Submittal and Review*</b>	<p>This optional process allows the Applicant to obtain feedback from county staff before they formally commit to a project. No fee is required for this review and it can help ensure a smooth path to a public hearing after an official application is submitted. County staff offer guidance on what processes will be required for the Applicant to achieve their goals, and what additional information would be helpful to provide as part of a final application package. <b>At the end of this stage, the Applicant will receive a Comment Letter summarizing Staff's feedback and recommendations.</b>                      (Typical timeframe: 3-4 weeks from application submittal to receiving a comment letter**)</p>
<b>Final (Official) Application Submittal and Review</b>	<p>The final application is a formal request to the County. A complete final application must include all required or necessary attachments, formatted and ready for public review. This information will be available to the public upon request and will be posted on the County website and sent to the review Boards prior to scheduled meeting dates. After a complete application package is received with the fee payment, Staff will review the application and confirm if any additional actions are necessary from the Applicant before it is ready to be considered by the Planning Commission (PC). <b>At the end of this stage, the public hearing date will be confirmed and the Applicant will receive a copy of the staff report.</b></p>
<b>Planning Commission Meeting / Public Hearing</b>	<p>Prior to the meeting date, Staff advertises the public hearing by posting a public notice in the local newspaper, mailing adjacent property owners, and may post a sign on the property. Staff will also prepare a staff report with relevant information about the request and recommendations for the PC to consider. At the meeting, the PC reviews the Staff Report and holds a Public Hearing to allow the public the opportunity comment on the request, and then recommends approval or denial, or postpones a decision if more information is needed. <b>At the end of this stage, the case will be forwarded to the Board of Supervisors with a recommendation.</b>                      (Typical timeframe: 2 months from application submittal to the PC public hearing date**)</p>
<b>Board of Supervisors Meeting / Public Hearing</b>	<p>Prior to the meeting, Staff advertises the public hearing to the public and provides the Staff Report to the Board of Supervisors (BOS) for review, including the PC recommendation. At the meeting, the BOS hears a summary from Staff and the Applicant, holds a Public Hearing, and then makes a decision to either approve or deny the request. Alternatively, if the BOS decides that additional review is necessary, it may postpone the decision, or send it back to the PC. <b>At the end of this stage, the Applicant will have a decision from the Board.</b>                      (Typical timeframe: 1 month from the PC public hearing date to the BOS public hearing date **)</p>
<b>Closeout</b>	<p>If the request is approved, then the project manager will provide the Applicant with documentation of the approval and Applicant will be eligible for approval of subsequent steps in the development process, such as subdivision, site plan review, building permits, etc.</p>

\* An optional **Pre-Application Meeting** may occur during either of these stages as recommended by Staff or requested by the Applicant. These meetings can be virtual or in-person. Meeting request forms are available on the County website.

\*\* Timelines may vary depending on factors such as scheduled meeting dates, advertising deadlines, and current caseload

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### Frequently Asked Questions

#### **WHAT IS ZONING DISTRICT?**

All land in the County is classified into one of the zoning districts listed in the Zoning Ordinance. For each distinct zoning district, there is a list of land uses that are permitted either “by-right” or by “Special Exception” in that district. Each district has additional rules such as minimum lot sizes and dimensions, minimum setbacks, building height limits, and more.

#### **WHAT IS A SPECIAL EXCEPTION REQUEST?**

A Special Exception Land Use is “a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.” In other words, uses that require a “Special Exception” are likely to have impacts on adjacent properties or the overall community, and those impacts often vary depending on the scale of activities occurring on the property. Under the right circumstances and conditions, these uses may be acceptable in certain locations. Special Exception requests are reviewed by County Staff and the Planning Commission, which submit their comments and recommendations to the Board of Supervisors. The Commission and the Board each hold a public hearing for each request, to listen to input from the public. If a Special Exception request is approved by the Board, the use becomes permitted on the property in accordance with the conditions approved with the case.

#### **WHAT IS REZONING REQUEST?**

A “Rezoning” request filed by a landowner, or at the direction of the Board, may lead to an official change of the zoning district that applies to a given property. Rezoning requests are reviewed by Staff and the PC, which submit their comments and recommendations to the Board. The Commission and Board each hold a public hearing for each request, to listen to input from the public. A rezoning request may include “proffers” volunteered by the applicant for the rezoning. Proffers are promises made by the developer which may specify additional requirements or restrictions on the future use of the land. If a Rezoning request is approved by the Board, the zoning of the property changes, and any proffers approved with the case will apply to the use of the property.

#### **WHAT IS A PUBLIC HEARING?**

A public hearing is an opportunity for the public to comment on a request that is before a review board. Generally, this term refers to the time period during a public meeting in which the public may speak directly to the board regarding a specific project. Before a public hearing date, at a minimum, the general public is notified by advertisement in the newspaper and any adjacent property owners are notified by U.S. mail. Depending on the size and scope of the request being considered, there may be additional notices made through other mediums.

#### **HOW DO I APPLY FOR A SPECIAL EXCEPTION OR REZONING REQUEST?**

Applicants may make requests by submitting an application (with attachments as specified on the form) to the Planning Department. Prior to submittal, applicants should contact the Planning Department to review their goals and discuss any questions they or the County may have. The Department will provide application materials and aid the applicant in preparing and submitting a complete application for review. Application deadlines are available on the County website or provided upon request.

#### **WHAT HAPPENS AFTER I APPLY?**

Once a completed application (either preliminary or final) has been submitted to the County, the application is distributed for comment and review to all appropriate County and State agencies and departments. Preliminary Applications will result in a comment letter being sent to the Applicant to provide comments for the applicant’s use in considering whether to proceed and for updating and submitting a final application. A “final” (official) application will lead to Public Hearings. Refer to page 3 of this guide for more information.