

FRANKLIN COUNTY
SPECIAL USE PERMIT APPLICATION

Consultation with planning staff is strongly recommended prior to filing of a special use permit application. The purpose of the consultation is to review the request, identify specific information that may need to be submitted, and discuss procedures and time frames.

Filing Deadline: Completed application must be received by 4:30 PM on the deadline date listed on the current hearing schedule. The hearing schedule is available online at <https://www.franklincountyva.gov/441/Planning-Commission>, or in person at the Franklin County Development Services suite.

Incomplete applications will not be accepted nor advertised.

APPLICANT MUST SUBMIT A COMPLETE APPLICATION CONSISTING OF THE APPLICATION FORM, LETTER OF APPLICATION, CONCEPT PLAN, AND ANY OTHER PERTINENT INFORMATION TO BE CONSIDERED BY THE PLANNING COMMISSION AND BOARD OF SUPERVISORS.

Application Requirements:

1. **Completed application form**, typed or printed in ink and signed by the applicant, including the property owner's consent and signature.
2. **Letter of application** stating in general terms:
 - a) The proposed use of the property
 - b) The reason for the request
 - c) The effect of the changes on the surrounding area
3. **Concept Plan** for property showing existing site features and any proposed development additions and/or improvements. See attached information for recommended contents of concept plans.

Fee Schedule:

Planned Development	\$300.00 + \$5.00 per acre
Residential/Agricultural	\$250.00 + \$5.00 per acre
Commercial & Industrial	\$250.00 + \$5.00 per acre

ALL required application fees must be paid at the time of application submittal. Applicant may pay by cash, check, or credit/debit card. Please be advised there will be an 3.5% convenience fee added to the total amount if paid by credit or debit card.

Posting of the Subject Property prior to Public Hearings:

Franklin County Department of Planning and Community Development will prepare and post a “Notice of Public Hearing” sign along any road that is adjacent to the property for which a special use permit is requested. The notice will be posted by the county at least fourteen (14) days prior to the scheduled Planning Commission hearing and will remain up until the Board of Supervisors have decided on the application. If no public road abuts the property, then notice signs shall be erected on at least two (2) boundaries of the property abutting land not owned by the applicant.

The signs are property of Franklin County and must not be removed by the applicant or property owners.

Legal Advertisement Costs:

Each special use permit request must be legally advertised in a newspaper of general circulation in accordance with established state and local regulations. Franklin County advertises hearings in the Franklin News Post. The Department of Planning and Community Development shall prepare the legal ads and shall send the ads to the newspaper for publication.

The cost of publishing the legal ad is the responsibility of the applicant. The newspaper will send an invoice to Planning staff, and staff will then notify the applicant of the cost of the legal ad. Please note that the Planning Commission legal ad and the Board of Supervisors legal ad are submitted separately, and thus the applicant will receive two (2) notices that will require payment. If payment is not received prior to the public hearing, the application may be tabled and delayed one (1) month until the next public hearing.

If the applicant requests that the public hearing be delayed after the publication of the legal ad, the applicant shall be responsible for all costs of re-advertisement. If the applicant requests to withdraw their application after the publication of the legal ad, the applicant will still be responsible for all costs of the advertisement.

Consideration for Granting Special Use Permits:

The planning Commission and the Board of Supervisors consider the following in reviewing requests for special use permits:

- The effect of the proposed use on the adjacent property
- The effect of the proposed use on the character of the existing zoning district
- The agreement of the proposed use with the purpose and intent of the zoning ordinance and other uses permitted by right in the district
- The effect of the proposed use on public health, safety and welfare

For Further Information Contact:

Department of Planning and Community Development
1255 Franklin Street, Suite 103
Rocky Mount, VA 24151

Phone: (540) 483-3027

Office Hours: Monday through Friday 8:00 AM to 4:30PM

*Except for approved County holidays & closures

FRANKLIN COUNTY SPECIAL USE PERMIT PROCESS

STEP 1- PRE-APPLICATION MEETING

- Applicant meets with planning staff to discuss request, obtain forms, review process and identify required materials for the request. An application for a special use permit must be filed by the property owner or with the property owner's written consent.

STEP 2- APPLICATION

- **Application:** Applicant submits complete application packet to the Department of Planning and Community Development. Application and plans are available for public review.
- **Posting of Property:** The County shall post public notice signs on the property at least fourteen (14) days prior to the scheduled Planning Commission public hearing. The sign will remain up until the Board of Supervisors has reached a decision on the application.
- **Notification of Property Owners:** Planning staff notifies adjoining property owners of the special use permit request and dates of public hearings. A letter of notification is mailed out approximately twenty (20) days prior to the Planning Commission public hearing.
- **Public Notice/Legal Advertisement:** Planning staff prepares required legal advertisement which is published in the local newspaper. Notification of requests and public hearings must appear in a local newspaper two (2) times within two (2) consecutive weeks prior to the public hearings. Applicant is responsible for the cost of *both* the Planning Commission and Board of Supervisors legal ad publications.

STEP 3- STAFF REVIEW

- Staff will visit the site listed on the special use permit application.
- The Development Review Team (DRT) reviews the application and discusses potential actions that would be required of the applicant if the special use application is approved.
- Planning staff prepares a written report for the Planning Commission and Board of Supervisors that considers the proposed district regulations, and Section 25-2 through 25-4 of the Franklin County Zoning Ordinance (Purpose and Intent; Relationship to Environment; and Relationship to the Comprehensive Plan adopted by the County.)

STEP 4- PLANNING COMMISSION REVIEW AND RECOMMENDATION

- Planning Commission visits each site prior to the scheduled public hearing.
- The applicant or a designated agent must attend the public hearing. During the public hearing, the applicant and/or their agent will address the Planning Commission. The applicant or agent may prepare a presentation.
- Any member of the public who wishes to comment on the application will be granted time to address the Planning Commission during the public hearing.
- Planning Commission must make a recommendation to the Board of Supervisors within 100 days of its first meeting date. The recommendation may include conditions on the use of the property to address specific

issues or concerns. Any conditions that are proposed by the developer must be submitted to the Planning Office no later than 4:30 PM six (6) days prior to the Board of Supervisors meeting.

- After action is taken by the Planning Commission, the request is scheduled for a public hearing with the Board of Supervisors. Even if the Planning Commission recommends denial, the application will still be heard by the Board of Supervisors. Planning staff immediately prepares legal advertisements and proceeds with newspaper publication. The applicant is responsible for the cost of legal ad publication.
- Please note that any request to withdraw or postpone an application must be requested in writing within two (2) days after the Planning Commission hearing in order to coordinate public notice requirements.

STEP 5- BOARD OF SUPERVISORS DECISION

- Planning Commission recommendation is forwarded in writing to the Board of Supervisors.
- The applicant or their agent must attend the public hearing.
- Board of Supervisors have the option to approve, deny or table the request. The Board of Supervisors may table the application to request more information from staff or the applicant. The Board of Supervisors may also refer the application back to the Planning Commission for additional review.
- The Board of Supervisors may impose conditions upon any special use permit, as provided for in Section 25-640 of the Zoning Ordinance and may require a bond or surety to ensure compliance with conditions.
- Special use permits are effective immediately after action by the Board of Supervisors.
- Special use permits expire in eighteen (18) months if there is no commencement of the use or related activity.

FRANKLIN COUNTY
SPECIAL USE PERMIT APPLICATION

I/We _____ as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Supervisors for a special use permit on the property described below:

Petitioner's Name: _____

Petitioner's Address: _____

Petitioner's Phone Number: _____

Petitioner's Email Address: _____

Property Owner's Name: _____

Property Owner's Address: _____

Property Owner's Phone Number: _____

Property Owner's Email Address: _____

Property Information:

A. Proposed Property Address: _____

B. Tax Map and Parcel Number: _____

C. Election District: _____

D. Size of Property: _____

E. Existing Zoning: _____

F. Existing Land Use: _____

G. Is the property located within any of the following overlay zoning districts:

___ Corridor District ___ Westlake Overlay District ___ Smith Mountain Lake Surface District

H. Is any land submerged under water or part of Smith Mountain Lake? ___ YES ___ NO

I. If yes, please explain: _____

Proposed Special Use Permit Information:

J. Proposed Land Use: _____

K. Size of Proposed Use: _____

L. Other Details of Proposed Use: _____

Checklist for Completed Items:

- Application Form
- Letter of Application
- Concept Plan
- Application Fee

I certify that this application for a special use permit and the information submitted is herein complete and accurate.

Petitioner's Name (Printed): _____

Petitioner's Signature: _____

Date: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Owner's consent, if petitioner is not property owner:

Owner's Name: _____

Owner's Signature: _____

Date: _____

Date Received by Planning Staff: _____

Concept Plans
Residential, Business, and Industrial Districts
Necessary Contents

Purpose of a Concept Plan:

A Concept plan is necessary for all special use permit applications. The purpose of the concept plan is to provide information on site conditions and general understanding of the proposed use of the property. Typically, a concept plan contains information on the property such as the property address, parcel boundaries, adjacent roads, natural features (including water courses) and neighboring properties. A concept plan also includes the locations of any proposed buildings, parking, streets, community facilities, buffering or screening, boat docks, signs, and lighting, as well as the proposed densities of development.

Concept Plan versus Site Development Plan:

A concept plan is not the same as a site development plan, which is more detailed to ensure compliance with development regulations and obtain construction permits. A concept plan may be the first step in creating a site development plan. It is important to note that the approval of a special use permit with a concept plan does not mean that a site development plan has been or will be approved.

Required Contents of the Concept Plan:

- ❖ Project title, name of applicant, project engineer/architect/surveyor/planner
- ❖ Plan Date
- ❖ North arrow and graphic scale
- ❖ Size of entire parcel and if applicable, size of portion of parcel requested for rezoning, accompanied by meets and bounds description
- ❖ Adjacent streets, railroads, natural features, historic sites, streams or bodies of water, floodplains, and other information that may help describe site conditions
- ❖ Locations, dimensions, and heights of all existing and proposed structures
- ❖ Locations and dimensions of proposed pedestrian and vehicular access points, driveways, parking areas/spaces and other facilities
- ❖ Natural areas or historic sites to be preserved
- ❖ Location and description of existing vegetation or any landscaping, screening or buffering proposed within the lot or along the perimeter of the development

- ❖ Location of proposed signs, including type of sign, size and height
- ❖ Lighting information, if applicable
- ❖ Building elevations or renderings of the proposed development, if available
- ❖ Accessory use information such as the location of storage yards, recreation spaces, refuse collection areas, septic drain fields, wells, or water tank locations, ETC
- ❖ Number, type, and size of dwellings proposed, and the residential density per acre
- ❖ Number and square footage of retail and office use proposed
- ❖ Location, size and type of recreational amenities, parking facilities, and utility information
- ❖ Other items that may be recommended by staff

CONCEPT PLANS MUST BE LEGIBLE

***NOTE* If you wish to display your concept plan or any other supporting materials during the Planning Commission or Board of Supervisors public hearings, there is an overhead projector available, as well as a computer projector. Applicants MUST bring a flash drive to display their presentation on the computer, or submit presentation materials to staff AT LEAST 24 HOURS in advance.**