

# Hanover County

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Application and Procedures for

## CONDITIONAL USE PERMIT

*\*\*See Page 6 for Fee Submittal Procedure*



County of Hanover Department of Planning  
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P.O. Box 470  
Hanover, VA 23069  
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[www.hanovercounty.gov](http://www.hanovercounty.gov)

Rev. September 2022

# Approval Process for Conditional Use Permit Applications

## **Preapplication Meeting (optional)**

- Meetings with the Planning Staff are recommended prior to submittal of a Conditional Use Permit application. Please bring a plat along with a sketch of your proposal to the meeting.

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## **Application Submittal**

- The application deadline is the first Monday of every month. If the first Monday falls on a holiday, the application deadline will be the following business day.
- When submitting an application be sure to include a complete application, plat of the subject property, sketch plans, building elevations, and other supplementary information to support the request. Please note: Incomplete applications will not be accepted and will be returned to the applicant.
- The applicant will be notified to submit the required fees, all application fees must be submitted by the Tuesday the week following the application deadline. (See Page 6)

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## **Application Distribution to County Review Agencies**

- Complete applications are routed to County and State review agencies within five (5) days of the application deadline.

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## **Agency Review Zoning Staff Meeting**

- Complete applications are reviewed and discussed at the Zoning Staff meeting held on the 3<sup>rd</sup> Wednesday of the month of submittal.
- Written comments will be provided to the applicant.

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## **Staff/Applicant Meeting**

- The staff may contact the applicant to schedule a meeting to discuss comments provided by reviewing agencies and to discuss additional information or plan revisions. At this meeting, the staff may also discuss recommended conditions of approval. These conditions are included to help address potential impacts of the proposed use.
- At this time, it may also be recommended that the applicant schedule a community meeting. A community meeting guide is attached (see page 14 &15).

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## **Planning Commission**

- Revised sketch plans must be submitted 21 days prior to the Planning Commission meeting.
- A staff report and recommendation is mailed to the Planning Commission and applicant at least 1 week prior to the meeting.
- The Planning Commission meets on the 3<sup>rd</sup> Thursday of every month.
- Following a public hearing on the case, the Planning Commission may recommend approval, approval with revisions to the conditions, denial, or deferral of the application.

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## **Board of Supervisors**

- A staff report containing the recommendation of the Planning Commission and Staff is sent to the Board of Supervisors and applicant at least 1 week prior to the meeting.
- The Board of Supervisors hears CUP cases during their 4<sup>th</sup> Wednesday meeting of every month; typically, the month following the Planning Commission.
- Following a public hearing on the case, the Board of Supervisors may vote to approve, deny, defer the application to another meeting, or remand the application back to the Planning Commission for further consideration.

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## **Approval**

- A Board of Supervisors' letter of approval is sent to the applicant that includes all conditions of approval.
- The next step is to submit an application for site plan approval.

## **Denial as Submitted**

- A Board of Supervisors' letter of denial is sent to the applicant, which includes reasons for denial.
- The applicant may not submit a substantially similar application until one year following the previous denial.

## Hanover County Planning Department Application

### Request for a Conditional Use Permit

Case #: \_\_\_\_\_

Please type or print in **black ink**.

APPLICANT INFORMATION	
Owner/Applicant: _____ Contact Name: _____ Address: _____ _____	Telephone No. _____ Fax No. _____ Email Address _____ _____

PARCEL INFORMATION	For <u>multiple</u> parcels, please also complete Page 4 [ ]
GPIN(s)(Tax ID #'s) _____ _____ Total Area (acres/square feet) _____ Magisterial District _____ Location Description (Street Address, if applicable) _____ _____ _____	Total CUP Area (acres/square feet) _____ Current Zoning _____ In accordance with Article 3, Division ____ Section ____ § _____ of the Ordinance the following use is requested: _____ _____ _____

SIGNATURE OF OWNER <input type="checkbox"/> POWER OF ATTORNEY <input type="checkbox"/> CONTRACT PURCHASER <input type="checkbox"/> <i>(attach contract)</i>
<p><b>As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives' entry onto the property for purposes of reviewing this request.</b></p> <p>Signature _____ Date _____</p> <p>Print Name _____</p> <p>Signature _____ Date _____</p> <p>Print Name _____</p>

QUESTIONS/ LETTERS/ REPORTS SHOULD BE FORWARDED TO THE FOLLOWING**:	
Name _____ Address: _____ _____ _____	Telephone No. _____ Fax No. _____ Email Address _____ _____
<p><small>**It is the responsibility of the contact person to provide copies of all correspondence to other interested parties to the application.</small></p>	

**FOR APPLICATIONS WITH MULTIPLE PARCELS, PLEASE LIST:**

GPIN	Property Owner(s)	Deed Book and Page Number	Area (acres/square feet)	Current Zoning	Requested Zoning
	Print				
	Sign				
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**REQUIREMENTS/ ATTACHMENTS FOR ALL REQUESTS you must submit the following:**

- a. **Signature of Property Owner or Contract Purchaser** (Page 3) – If the contract purchaser signs the application, please provide a copy of the signed contract, with all sensitive information redacted.
- b. **Acknowledgement of Application Fee Payment Procedure** (Page 6)
- c. **Adjacent property owners, Board of Supervisors, and Planning Commissioner notification form** (Page 7) – please list all property owners including those across roadways, watercourses, and/or railroads as well as the members of the Board of Supervisors and Planning Commission for the magisterial district in which the property is located. Adjacent property owners, Board members, and Planning Commissioners must be notified prior to submittal of this application. The form must include owners' names, address, and GPINs for all adjacent property owners. (This information is available from the County website or can be obtained from the Planning Department.) The form on Page 9 may be used to notify these property owners.
- d. **A plat of the subject property**, which accurately reflects the current property boundaries. If the full-size plat is larger than 8 ½" x 11", the plat must be folded no larger than 9"x12", and a reduction of the plat must be submitted which is 8 ½" x 11" in size. (Typically available from the County Clerk's Office in the Circuit Court building.)
- e. **Responses to questions on Page 10**
- f. **Historic Impact Information** (Page 11) (This information is available on the County website or may be obtained from the Planning Department.)
- g. **Traffic Impact Analysis Certification Form** (Page 12) In compliance with VDOT's new Traffic Impact Analysis Regulations (24 VAC 30-155 *et seq.*, commonly known as "Chapter 527"), Conditional Use Permits that meet certain thresholds require Traffic Impact Analyses (TIAs). The process for submitting TIAs is as follows: (1) you must submit the number of copies of the TIA required by VDOT to the Hanover County Planning Department with your comprehensive plan amendment/rezoning/conditional use permit submittal; (2) the Hanover County Planning Department will stamp "received" on all copies of the TIA, and will keep a copy for its files; and (3) you must deliver the remaining copies of the TIA to VDOT and pay the necessary TIA review fee directly to VDOT.
- h. **Sketch Plan Checklist (Page 13) and ten (10) copies of the sketch plan and architectural elevations**, folded no larger than 9" x 12", and **1 - 8 ½" x 11" reduction**. Individual sheets should be no larger than 24" x 36". For Filling and/or Grading CUP Applications, a plan should be submitted that meets the Public Works Department's requirements for an Erosion and Sedimentation Control (E&S) Plan. However, please note that submittal of this plan will not be considered as a submittal of an E&S plan application. For a checklist of items to be included on this plan, please contact Public Works at (804) 365-6181.
- i. For CUP applications for telecommunication facilities, a **Telecommunications application** must be completed and include all of the required attachments.
- j. **Community Meeting Guide** (Check the box if you have read and understand Pages 14 & 15. **Please note that applicants that schedule community meetings without coordinating with the staff may be required to reschedule the meeting, which may cause the application process to be delayed.**)

**ACKNOWLEDGEMENT OF APPLICATION FEE PAYMENT PROCEDURE**

Application fees are not accepted at the time of submittal. I hereby acknowledge that this application is not complete until the payment for all applicable application fees has been received by the Hanover County Planning Department. The Hanover County Planning Department shall notify me by mail, at the address listed below, (as well as by email and/or fax, if selected below) of the applicable fee(s) at such time that they determine that the application is complete and acceptable. I acknowledge that I am responsible for ensuring that such fees are received by the Hanover County Planning Department by the Tuesday the week following the application deadline. I further acknowledge that any application fee submitted after this date shall result in the application being considered filed for the next application deadline.

Should the applicable fees not be submitted within forty-five (45) days of the date of the notification letter, it shall be my responsibility to arrange for the retrieval of all application materials. The application and any supplementary materials for incomplete applications that are not retrieved within forty-five (45) days of the date of the notification letter shall be destroyed by the Hanover County Planning Department.

Should my application be accepted, my fee payment will be due by \_\_\_\_\_. (To be filled in by a Planning Staff member.)

Signature of applicant/authorized agent \_\_\_\_\_ Date \_\_\_\_\_  
 Print Name \_\_\_\_\_

Signature of applicant/authorized agent \_\_\_\_\_ Date \_\_\_\_\_  
 Print Name \_\_\_\_\_

Address to which notification letter is to be sent:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If you would like your letter emailed and/or faxed, please make selections, and provide the information below:

Email \_\_\_\_\_  Fax \_\_\_\_\_

**FEES**

After application is accepted for review, make checks payable to Treasurer, Hanover County:

Conditional Use Permit	\$1500 + \$75/acre*
Amendment (after final approval)	\$1500

\*Fractions of acreage are rounded up to the nearest whole number

Please note: Applicants who request tax-exempt status may have their application fee waived upon presentation of official documentation of such status.

**FOR STAFF USE ONLY:**

Fees:           Base Fee \_\_\_\_\_  
                   Acreage Fee \_\_\_\_\_  
                   **TOTAL** \_\_\_\_\_

Accepted by: \_\_\_\_\_  
 HTE #: \_\_\_\_\_

**NOTIFICATION OF ADJOINING PROPERTY OWNERS, BOARD OF SUPERVISORS, AND PLANNING COMMISSIONERS**

**Applicant's Statement:**

I hereby certify that I have notified all adjacent property owners to the property, which is the subject of this request as well as the members of the Board of Supervisors and Planning Commission for the magisterial district in which the property is located. Adjacent property includes all property across roadways, watercourses, railroads, and/or municipal boundaries. I further certify that the names and addresses below are those of the adjacent property owners as listed in the tax records of the Commissioner of Revenue of Hanover County.

**Applicant's Signature:** \_\_\_\_\_

COMMONWEALTH OF VIRGINIA )

COUNTY OF HANOVER ) to-wit:  
)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ (Name of Applicant).

My commission expires:

\_\_\_\_\_ Notary Public

**Board of Supervisors Representative:**

**Planning Commission Representative:**

**List of Adjacent Property Owners:**

GPIN	Name	Address

**NOTIFICATION OF ADJOINING PROPERTY OWNERS continued**

List of Adjacent Property Owners:

<b>GPIN</b>	<b>Name</b>	<b>Address</b>



**NOTIFICATION OF ZONING APPLICATION SUBMITTAL**

**TO:** Adjacent Property Owner

**FROM:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

The following application will be submitted for review to the Hanover County Planning Department:

- Rezoning
- Conditional Use Permit
- Special Exception

Applicant: \_\_\_\_\_

Property Location: \_\_\_\_\_

GPIN(s): \_\_\_\_\_

Requested Zoning District: \_\_\_\_\_

Requested Use/Exception: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

The application will be available for viewing at the Hanover County Planning Department. The Planning Department shall notify all adjacent property owners of the time, day, and place of the public hearings to be held on this application. Should you have any questions or comments, please contact the Planning Department at (804) 365-6171.

**EXPLANATION: (Attach additional sheets, if necessary)**

1. What type of use is being requested? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
2. Briefly describe how you plan to develop the property for the proposed use and any associated uses. \_\_\_\_\_  
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3. Describe why the proposed use is desirable and appropriate for the area. What measures will be taken to assure that the proposed use will not have a negative impact on the surrounding vicinity? (For example, this may include traffic or environmental impacts.) \_\_\_\_\_  
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4. Are there any deed restrictions concerning the type of use proposed? If so, provide the date the said restrictions expire. (You may attach a copy of the restrictions.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
5. Is the subject property located in a Dam Break Inundation Zone?  Yes  No (Please contact the Department of Planning or Public Works for assistance in addressing this question.) If yes, please contact the Department of Public Works for further information.

**HISTORIC SITE IMPACT ANALYSIS**

Please identify any **known or suspected historic resources on both the subject property and adjacent properties**, to include both structural and non-structural resources, such as trenches, cemeteries, and archeological sites. Please include the GPIN (Tax Parcel Number) associated with the resource. Please attach additional sheets, if necessary. Should you need assistance completing this form, please contact the Planning Staff.

- 1. Historic Resource/File No. \_\_\_\_\_ GPIN \_\_\_\_\_
- 2. Historic Resource/File No. \_\_\_\_\_ GPIN \_\_\_\_\_
- 3. Historic Resource/File No. \_\_\_\_\_ GPIN \_\_\_\_\_

If you have identified known or suspected historic resources on the subject property or adjacent property, please provide the following information on each site:

- a) Is the historic site listed as a National or State Registered Landmark? \_\_\_\_\_
- b) Is the historic site open to the public? \_\_\_\_\_
- c) Describe the impact the proposed request will have on the identified historic resources with regard to noise, traffic, dust, vibration, visual impact, and air pollution. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- d) Describe voluntary measures that will be undertaken to help mitigate the impact that the proposed use may have on the identified historic resources. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

If there are no known or suspected historic resources on the subject property or immediately adjacent, including structural and non-structural resources, trenches, cemeteries, and archeological sites, please sign and date.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## COMPLIANCE WITH VDOT & COUNTY TRAFFIC IMPACT ANALYSIS REQUIREMENTS

**The following must be completed for all applications:** The selection below is based on a projected daily trip generation of \_\_\_\_\_ vehicles per day and a site peak hour trip generation of \_\_\_\_\_ vehicles per hour, based on the stipulations of 24 VAC 30-155. The \_\_\_\_\_ edition (latest edition) of the ITE Trip Generation Manual was used in determining the trip generation (Code Number \_\_\_\_\_ and Page Number \_\_\_\_\_).

**Choose one of the two options below:**

- I certify that this proposal **DOES NOT EXCEED** 380 vehicle trips per day that would require submittal of a Traffic Impact Analysis.
- I certify that this proposal **DOES EXCEED** 380 vehicle trips per day that would require a Traffic Impact Analysis be submitted.

**Choose one of the two options below:**

- I certify that this proposal **DOES NOT MEET** any of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application.
- I certify that this proposal **MEETS** at least one of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application. A Traffic Impact Analysis, prepared in accordance with the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155), has been prepared and will be submitted to VDOT the same day.

\_\_\_\_\_  
(Signature of Applicant/Applicant's Representative)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Applicant/Applicant's Representative – Print Name)

## SKETCH PLAN CHECKLIST

Use this checklist to prepare the required sketch plan for submittal with this application. Place a mark next to each item to verify its inclusion on the sketch plan. Please make sure the information listed below is shown on the sketch plan. Failure to include all necessary information may result in the application not being accepted for processing.

Applicant:		Staff:
<input type="checkbox"/>	1. The proposed title of the project, the name of the developer, and the name of the preparer of the plan.	<input type="checkbox"/>
<input type="checkbox"/>	2. The north point, scale, and date. The required scale of the sketch plan shall be as follows: a) For projects containing more than 200 acres, not more than 1" = 200' b) For projects containing 50 acres to 200 acres, not more than 1" = 100' c) For projects containing 10 acres to 50 acres, not more than 1" = 50' d) For projects containing 10 acres or less, not more than 1" = 30'	<input type="checkbox"/>
<input type="checkbox"/>	3. Existing zoning and zoning district boundaries. (Available on County zoning maps.)	<input type="checkbox"/>
<input type="checkbox"/>	4. The boundaries of the property involved; County and/or town boundaries; property lines; existing streets, buildings, and/or waterways; Chesapeake Bay Resource Protection Areas (see Department of Public Works); and major tree masses.	<input type="checkbox"/>
<input type="checkbox"/>	5. Topography of the project area, with contours of five (5) feet or less. (Maps are available in the Planning Department.)	<input type="checkbox"/>
<input type="checkbox"/>	6. Proposed changes in zoning, if any.	<input type="checkbox"/>
<input type="checkbox"/>	7. The general location and character of construction of proposed streets, alleys, driveways, curb cuts, entrances, and exits.	<input type="checkbox"/>
<input type="checkbox"/>	8. Location(s) of all proposed buildings and structures, accessory and main; major excavations; and the use category for each building.	<input type="checkbox"/>
<input type="checkbox"/>	9. General location, height, and material for all fences, walls, screen plantings, berms, and landscaping. The required perimeter buffer, if any, shall be shown.	<input type="checkbox"/>
<input type="checkbox"/>	10. Architectural elevation(s) for the proposed structures on site, which provide detail on the proposed building materials.	<input type="checkbox"/>
<input type="checkbox"/>	11. Location(s) of any known or suspected historic resources, including cemeteries, trenches, and archeological sites as reflected in available County records.	<input type="checkbox"/>

## **Community Meeting Guidelines**

It is often recommended that applicants who file a zoning application for Rezoning, Conditional Use Permit, Special Exception Permit, or a Comprehensive Plan Amendment arrange a community meeting with surrounding property owners. These meetings are particularly necessary for complex rezoning applications or cases with significant community interest.

### **What is the purpose of a community meeting?**

A community meeting allows the applicant the opportunity to present their case to the community and also obtain feedback from citizens who may have questions, concerns, or comments about the proposal.

### **When should the meeting be scheduled?**

The applicant is responsible for scheduling the meeting. It should be scheduled at least one month prior to the date the application is scheduled to be heard by the Planning Commission or Board. This timeframe should allow the applicant time to make any necessary changes to the application following the meeting and still meet the 21-day Planning Commission or Board deadline. The Planning Staff recommends that applicants schedule the meeting after all agencies have conducted their initial review of the application.

### **Who should be contacted to arrange for the meeting time?**

The applicant should coordinate with their Planning Commissioner, Board of Supervisors representative, and Planning Staff to arrange the meeting time and location. After the meeting has been scheduled, the remaining Planning Commissioners should also be invited and notified of the meeting time and location.

### **Where and at what time of day should the meeting be held?**

The applicant is responsible for finding a location to hold the meeting. Potential locations often include churches, fire stations, and libraries.

The meeting should be held in the evening, Monday through Thursday, beginning around 6:00 pm or 7:00 pm. Meetings typically last from one to two hours, depending on the complexity of the case. It is recommended that applicants prepare an agenda for the meeting, setting aside time for staff comments, a presentation by the applicant, and a question and answer period. A sample agenda is attached.

### **Who should be notified about the meeting?**

The applicant should start by sending written notices to adjacent property owners. At times, it may be appropriate to notify all of the residents within the subdivision (if the property is within a subdivision). The applicant should also ask the assigned planner if he or she has been contacted by other interested parties who may want to attend the meeting. If so, those parties should be notified of the meeting. It is helpful to include a copy of the proposed sketch plan or conceptual plan with the notice. This will allow citizens who may not be able to attend the meeting the opportunity to educate themselves about the nature of the project. Property owner information may be obtained from the County's website. (Directions for using this website are attached). It may also be necessary to notify representatives of nearby communities, such as the president of a homeowners association.

**Sample  
Community Meeting Agenda  
Date  
Location  
Hanover County Rezoning Case Number C-xx-xx (c)  
Applicant: XXXX  
Project name: XXXX**

1. Introductory Comments: Supervisor and/or Planning Commissioners name
2. Review Process – Staff
3. Zoning Proposal - Applicant
  - a. Project Introduction
  - b. Project Description
  - c. Project Design Concepts
  - d. Project Impact Mitigation Measures
4. Question and Answer – Supervisor/Planning Commissioner/Applicant/Staff as appropriate
5. Closing Comments – Supervisor/Planning Commissioner/Applicant

**TO THE APPLICANT:**

It is the policy of the Hanover County Board of Supervisors, the Hanover County Planning Commission, and Hanover County Board of Zoning Appeals to require a property to be posted when a zoning action is being considered. Such a posting notifies the general public of an impending action and the location being considered.

**It is incumbent on you, the applicant, to ensure the sign is in the proper location and remains there until an action has taken place.** Consequently, the procedure for posting is as follows:

1. The Planning and Zoning Staff will post the sign on your property.
2. You should check the location of the sign to make certain it is in the right place on your property. If it is not, notify the Planning Office as soon as possible.
3. You should check periodically to insure the safety of the sign. If it is stolen or otherwise harmed, notify the Planning Office as soon as possible.
4. On the day of the final public hearing on your case, you may bring the sign with you and leave it in the Planning Office. Make sure the return of your sign is noted by a member of the Planning Staff.
5. All presentations from applicants/citizens must be emailed in advance of the Planning Commission and Board of Supervisors meetings.

Should you have any questions regarding this policy, please contact a member of the Planning Staff.

<b>Ashland, Rockville and Mechanicsville</b>	<b>(804) 365-6171</b>
<b>Old Church</b>	<b>(804) 730-6171</b>
<b>Hanover and Doswell</b>	<b>(804) 537-6171</b>
<b>Beaverdam and Montpelier</b>	<b>(804) 227-3377</b>
<b>FAX</b>	<b>(804) 365-6232</b>