



Rezoning/PUP Application Process

What are the Steps?

Step 1. Contact the Comprehensive Planning Division Staff and Schedule a Mandatory Preliminary Review Meeting.

Section 24-2202 of the Zoning Ordinance requires that all prospective applicants meet with County staff to discuss development trends, appropriate zoning in accordance with proposed use, and the County's Comprehensive Plan. Meetings can be scheduled with planning staff via our website at: <https://henrico.gov/services/pre-application-meeting-for-rezoning-and-provisional-use-permits/> or by contacting our Department:

Henrico County Department of Planning
4301 E. Parham Road,
Richmond, Virginia 23228
(804) 501-4602 or Email at planning@henrico.gov

The preliminary review meeting allows customers to discuss their proposal with County staff to ascertain any additional information required to file a complete application. The Preliminary Review Meeting will provide customers early input of whether a proposed development will require a submission packet to the Virginia Department of Transportation (VDOT) in accordance with Code of Virginia §15.2-2222.2 and 24 VAC 30-155 effective July 1, 2007.

The request should be received in the Comprehensive Planning Division no less than **2 weeks prior** to the requested meeting date.

Step 2. Traffic Impact Analysis and Scope of Work Meeting.

Development projects that will generate more than 4,000 vehicle trips per day will require the submission of a Traffic Impact Analysis (TIA) to the County with your application. The Virginia Department of Transportation (VDOT) will not be required to be a part of the analysis review if the vehicle trips do not impact a state-controlled highway that is located within 3,000 feet of any parcel boundary. This TIA is not a Chapter 527 TIA as required by VDOT.

Development projects located within 3,000 feet of a state-controlled highway that generate 5,000 additional vehicle trips per day compared to the existing comprehensive plan will require the submission of a Chapter 527 TIA to VDOT with your application.

All TIA reports will require a VDOT Pre-Scope of Work Meeting prior to the submission of the TIA. VDOT will need to attend if the proposed development will impact a state-controlled highway.

Step 3. Complete and Submit Application to Henrico County and VDOT.

Applications for rezonings, conditional rezonings, amendment to existing proffers, and provisional use permits are submitted via Build Henrico at <http://build.henrico.gov>. Please review the Rezoning/PUP Application **Checklist** to ensure all the materials are available in electronic form prior to beginning your application. In addition please submit:

- Supplementary information and materials identified in the Rezoning/PUP Application Checklist and during the Preliminary Review Meeting. **Incomplete applications will not be accepted or placed on the Planning Commission agenda.**
- Filing fee, which is required for all applications and will be paid via Build Henrico. New applications must be submitted and fees paid prior to the adopted filing deadline. (See **fee schedule** and **filing deadline schedule**).

For those projects requiring VDOT review, as detailed in Step 3, the VDOT Cover Sheet will be prepared during the Preliminary Review Meeting. Please bring the Cover Sheet and Preliminary Review Meeting Form to the Permit Center when filing an application with the County. County staff will complete the shaded bottom portion of the Cover Sheet to confirm to VDOT an application has been filed and to confirm the submittals to the County and VDOT are the same. After filing the application with the County, **it is the responsibility of the applicant to deliver copies of the application package (2 sets) and associated fees directly to VDOT. The County will not hold or accept fees for VDOT review.** The VDOT Residency Office is located at the following:

Virginia Department of Transportation
Ashland Residency Office
523 N. Washington Highway
Ashland, VA 23005
(804) 585-3600

Step 4. Review of Proposal (Application) and Staff Report.

The Planning Department will review all applications submitted via Build Henrico to ensure their completeness. **Complete** applications will be scheduled according to the filing deadline and corresponding Planning Commission Agenda. Complete applications are routed to County departments for comments. The County departments and divisions that comment on proposals include but are not limited to:

County Attorney's Office
Deputy County Manager of Community Development
Department of Planning
Department of Community Revitalization
Department of Finance
Department of Public Safety, Fire Division
Department of Public Safety, Special Services – Police Division
Department of Public Utilities, Design Division
Department of Public Works, County Engineer
Department of Public Works, Traffic Engineering Division
Department of Public Works, Design Division
Department of Recreation and Parks
School Board of Education, Administrative Services Division

A review committee consists of representatives from the aforementioned County Departments. This is not a public hearing. The review committee discusses the proposed projects (filed applications) and evaluates the project's compliance with the Comprehensive Plan and potential impacts on the area and County services. Information derived from this meeting is shared with the applicants to resolve potential issues and may be incorporated within the staff report.

Other sources for comments include but are not limited to the Capital Region Airport Commission, the National Park Service, and the Virginia Department of Transportation. For those applications requiring a VDOT submission, a review period may take between 45 and 120 days. During this period, the County or Applicant may wish to table (postpone) the rezoning request pending comments from VDOT.

Step 5. Community Meeting.

The County encourages applicants to contact property owners, residents, business owners and relevant community groups within the vicinity of the proposed development early in the application process. Meeting with relevant community groups increases the applicant's understanding of community issues and concerns and their ability to address such issues in the design of the proposed development. While community meetings are generally held prior to the release of the project staff report and the Planning Commission Public Hearing, the applicant should consider holding community meetings prior to submitting their application. If community meetings were held prior to filing, the dates, locations, and attendees should be submitted with your application. A list of neighborhood groups and representatives is available from the Department of Public Relations and Media Services. Please call (804) 501-4257 or visit <http://www.henrico.gov/pr/> for more information regarding community groups.

Step 6. Staff Reports.

The Department of Planning drafts a staff report and distributes to the Planning Commission. Staff reports are available to the public after receipt by the Planning Commissioners, approximately 6 weeks after the submission deadline and approximately 2 weeks prior to the Planning Commission meeting date. Current staff reports are published online at <https://henrico.gov/pdfs/planning/meetnext.pdf> and may be emailed to applicants upon request. Archived agendas can be found at <https://henrico.gov/planning/planning-commission-rezoning-provisional-use-permits/actions/>.

Step 7. Revisions.

Changes to a proposal can be made prior to the scheduled Planning Commission hearing provided:

- ☑ The zoning classification is not more intensive in use. For example, an original request for R-2 (Single-family Residence) zoning can not be modified to R-5 (General Residence) without amending the application. In this case, the request would need to be re-advertised as part of the public hearing process.
- ☑ The revisions are submitted prior to **10:00 a.m.** on the **Monday before** the scheduled Planning Commission hearing. This will allow staff time to review the changes and incorporate pertinent information within the staff presentation at the public hearing. If revisions are requested after this time, the applicant must request a minimum one month deferral, unless otherwise waived by the Planning Commission.
- ☑ Revised proffers must be submitted on proffer forms and include the property owner's or authorized agent's signature, date of revisions, and case reference number. In addition, a separate set of *blacklined* proffers must accompany the revised proffers. Blacklines shows all changes to the proffer language from the previous set.

Example of revised blacklined proffer:

Original proffer:

Proffer 1: A minimum two acres of open space will be provided in a centralized location. A club house will be provided on the property.

Blackline for revised proffer:

Proffer 1: A minimum two acres of open space will be provided in a centralized location. A 1,200 square foot club house will be provided on the property within the designated open space.

Step 8. Planning Commission Public Hearing.

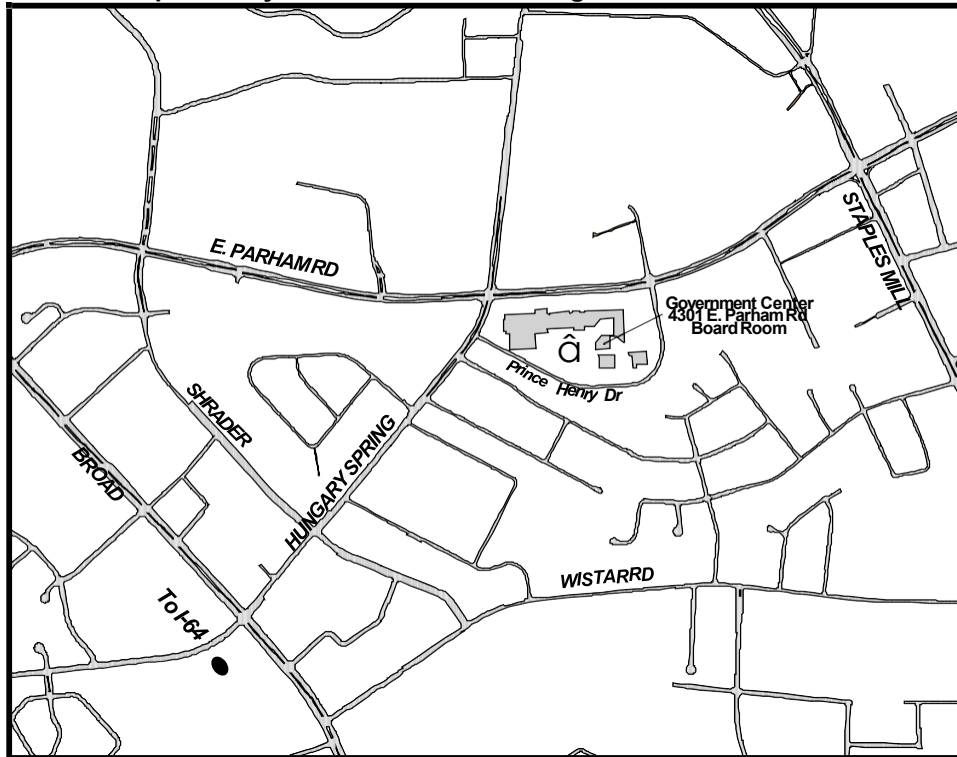
Planning Commission hearings for Rezoning, Conditional Rezoning, Amendments to Proffers, and Provisional Use Permits are *generally* held the second Thursday of each month at 6:00 p.m. Two notices of the scheduled hearing and agenda are published twice in the Richmond Times Dispatch prior to the Planning Commission hearing. Individual notices are also sent to the adjacent property owners of the subject property by the Planning Department. The Planning Commission schedule can be found on the internet at www.henrico.gov/planning. Public hearings are held in the Board Room of the County Administration Building, located at 4301 E. Parham Road.

At the Public Hearing, County staff provides a brief review of the development being proposed and makes a recommendation to the Commission. The applicant or authorized representative is required to attend and is usually expected to make a presentation. There is a ten-minute time limit for the applicant's presentation. An aggregate time limit of ten minutes is allotted to those who wish to speak in opposition. The Planning Commission may waive the time limits based on the merits of the situation.

The Planning Commission will take one of the following actions for each agenda item:

- Vote to approve a request for deferral (deferrals may be requested by a Planning Commissioner or by the applicant);
- Vote to deny a request for deferral (in which case one of the two actions below will occur);
- Vote to recommend approval to the Board of Supervisors; or
- Vote to recommend denial to the Board of Supervisors.

Map: County Administration Building at 4301 E. Parham Rd.



Step 9. Board of Supervisors Public Hearing.

Once the Planning Commission makes a recommendation for approval or denial, the proposal is generally placed on the agenda for the Board of Supervisors for the following month. Advertising, notification, staff reports, and presentations follow the same procedures as for the Planning Commission. The vote of the Board of Supervisors is final.

If a request is denied by the Board of Supervisors or withdrawn by the applicant, the request or a substantially similar request cannot be heard for one year.