



MONTGOMERY COUNTY, VIRGINIA

Planning & GIS Services

SPECIAL USE PERMIT APPLICATION PROCESS AND PROCEDURES

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Montgomery County Planning & GIS Services

Special Use Permit Process & Procedures

Step 1. Contact Planning & GIS Staff.

It is recommended 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 by contacting Montgomery County Planning & GIS by phone: (540) 394-2148 or by email: mcplan@montgomerycountyvva.gov

Step 2. Preliminary Review Meeting

A preliminary review meeting allows customers to discuss his/her 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. Please contact the Planning Department to determine if a review meeting is required and/or to schedule a Preliminary Review Meeting. If a review meeting is required, the Preliminary Review Meeting Form (pg. 8) must be received no less than **2 weeks prior** to the meeting date.

Step 3. Traffic Impact Analysis and Scope of Work Meeting.

Development projects located within 3,000 feet of a state-controlled non-limited access highway or to a connection to a state-controlled limited access highway may require the submission of a Traffic Impact Analysis to the Virginia Department of Transportation (VDOT) with your application. If the proposed SUP generates the following number of vehicle trips, a Traffic Impact Analysis will be required:

Residential	More than 100 vehicle trips per peak hour
Commercial, Office, Industrial	More than 250 vehicle trips per peak hour or 2,500 vehicle trips per day
Mixed-Use	More than 100 vehicle trips per peak hour from only the residential portion OR more than 250 vehicle trips per peak hour or 2,500 vehicle trips per day from the entire proposal

Additionally, if the proposal would generate more than 1,000 vehicle trips per peak hour, VDOT will require a Scope of Work Meeting prior to submission of the Traffic Impact Analysis. The Traffic Impact Analysis, if required must be completed and submitted at the time of filing an application for a special use permit.

Step 4. Complete and Submit Application to Montgomery County Planning

The Special Use Permit Application Form (pg. 10) is required. Please refer to and complete the Special Use Permit Checklist (pg. 6-7) to ensure all the materials are submitted. Incomplete applications will not be accepted or placed on the Planning Commission agenda.

Step 5. Review of Proposal (Application)

The Planning Department will review the application for completeness in accordance County ordinances. If the application is found to be incomplete, the Planning Department will return the application, site plans, and filing fee to the applicant or agent, with a description of the manner and areas in which the application is incomplete.

Once an application is determined to be complete, the Planning Department distributes the application and exhibits to various County departments and outside agencies, when applicable, for review. Development review departments include Building and Inspections, Public Service Authority, Montgomery County Public Schools, Emergency Services, Zoning, Environmental Services, VDOT, and Planning. The departments

review the proposed development for conformity with the Comprehensive Plan, its effect on the area, its demand on services/infrastructure, and conformity with the County's development ordinances and standards.

Applicants and/or their agents will attend a meeting with all the Development Review Committee at its next scheduled meeting. After receiving comments from the Committee, a revised application and/or site plan, if required, will be requested if necessary. Notwithstanding any initial determination of completeness, the Planning Director, the Planning Commission, or the Board of Supervisors may at any time during the review process find that essential information is lacking and may deem the application incomplete.

APPLICATIONS THAT DO NOT MEET APPLICATION REQUIREMENTS OR HAVE OUTSTANDING ISSUES THAT NEED TO BE ADDRESSED WILL NOT BE CERTIFIED FOR PUBLIC HEARING.

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, 1 week prior to the Planning Commission meeting date. Staff reports may be sent, emailed, or held for pick up upon request.

Step 7. Revisions.

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

- The proposed use remains unchanged
- The revisions are submitted ten (10) business days prior to 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. Minor proffer revisions may be accepted up until noon on the day of the meeting.

Step 9. Planning Commission Public Hearing.

Planning Commission public hearings are *generally* held the second Wednesday of each month at 7:00 p.m. Two notices of the scheduled hearing and agenda are published in the local newspaper 2 weeks 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 is included in this package and can also be found on the Montgomery County website.

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. A time limit of three minutes is allotted to those who wish to speak regarding the request. 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.

Step 10. 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. 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.



Special Use Permit Application Checklist

The applicant shall submit ten (10) copies of all required materials listed below. Applications will **NOT** be accepted without the following attachments:

- **Application Form (pg 10).** The application form must be signed by all of the property owners. If ownership is in the name of any type of legal entity or organization including, but not limited to, a name of a corporation, partnership, or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing the application has the authority to do so. If the application is submitted by an agent of the owner, the agent shall sign the application as well.
- **Comprehensive Plan Justification.** References should be made to the Comprehensive Plan Policy sections in the text portion of the plan. The Comprehensive Plan map provides an overview of the future land use policy areas, but does not provide a guide to the specific land use policies adopted by Montgomery County.

Land use policies are articulated in the Planning and Land Use portion of [Montgomery County, 2025](#) (chapter 2). available at the Planning & GIS Services Department or on the web. If the proposed development, rezoning, or special use permit is located in a village or village expansion area not covered by an adopted village plan, then the proposal needs to be consistent with the overall Comprehensive Plan.

Villages and Village Expansion Areas. If the proposed development, rezoning, or special use permit is located in a village or village expansion area covered by an adopted Village Plan, the proposal needs to be consistent with both the overall county Comprehensive Plan and with the village plan.

Information that must be addressed concerning the County Comprehensive Plan when submitting special use permit applications includes:

- a) Compliance with required lot minimums, district minimums, and availability of water and sewer
 - b) Describe, in specific detail, how the request fits with the land use policies included under the appropriate land use policy area. There are seven land use policy areas: Resource Stewardship (PLU 1.2), Rural (PLU 1.3), Rural Communities (PLU 1.4), Residential Transition (PLU 1.5), Villages (PLU 1.7), Village Expansion Areas (PLU 1.6), and Urban Expansion Areas (PLU 1.8). Each area has specific policies covering land uses, community design, and community facilities and utilities.
 - c) If the proposed request requires an E and S permit (land disturbance of more than 10,000 square feet) or with large areas of impervious surface (paved parking areas, etc.), the proposal will need to address groundwater, surface water, and stormwater runoff concerns included in the Environmental Resources Chapter. (ENV6.5, ENV5.6)
- **Concept Development Plan.** Required for all special use permit requests. A concept plan is an initial plan, which shows the general nature of the land use change or development, which is intended. It differs from the final site plan, or, plot plan, which is required prior to the issuance of zoning approval and a building permit.

The level of needed detail may vary depending on the nature, size and complexity of the proposed project; however, the following items shall be addressed with a concept plan submittal:

Existing Site Features:

- a) Name of all landowners, applicant (if different), developer, engineer/ party preparing the plans.

- b) Date, revision date(s), scale and north point of plan.
- c) Lot size in acres and/or square feet, property lines and dimensions and any easements.
- d) Zoning and existing use of property and all adjoining properties.
- e) All existing buildings, and streets and/or other adjacent improved or unimproved rights-of-way.
- f) All existing physical features such as tree cover, natural watercourses, recorded drainage easements, and 100-year floodplain limits.

Proposed Site Features:

- g) Location of proposed access areas, loading zones, SWM facilities and streets or other rights-of-way.
- h) Structures: dimensions, use and the general types of exterior materials.
- i) Outside lighting: general location, height and type, and shielding.
- j) General landscaping plan. Existing trees and shrubs are recommended to be maintained wherever possible.
- k) General location and type of screening (fences, walls, vegetation), signs and trash enclosures.

- Filing Fee.** The application fee shall be paid when the application is submitted. Fees are determined by the current fee schedule. Contact Planning & GIS staff for assistance calculating fees. Checks should be payable to “Treasurer of Montgomery County”.

Please note: In addition to the application fee, an invoice will be sent to the applicant/owner for fees associated with legal advertisements as required by the Commonwealth of Virginia.

- Digital Submission of Application and all exhibits.** Applications will not be considered complete until digital items are received. An Adobe PDF document format is preferred for compatibility.
- Ensure all applicable items identified in “Special Use Permit Requirements” (pg 11) are addressed in the application package (concept plan, justification statement, etc).** It may be necessary to attach additional documentation.
- Completed Preliminary Review Meeting Application & Preliminary Review Meeting-Application Checklist Forms (pg 8-9 if required).**
 - Items determined necessary in Preliminary Review Meeting (pg 9)**



Preliminary Review Meeting Request

Special Use Permit

Montgomery County, Virginia

755 Roanoke St. Suite 2A, Christiansburg, VA 24073
 540-394-2148 | mcplan@montgomerycountyva.gov

Contact Information: Owner Contract Purchaser Other _____

Name:	Address:
Telephone:	Email:

Subject Property Description:

Location: (Describe in relation to nearest intersection)		
Address: (if applicable)	Existing Zoning:	Acreage:
Parcel ID Number(s):		Property Owner(s):
Existing Use:		

Description of Proposed Development and Uses:

The requested information below MUST be submitted

A. Proposed Use(s):
B. Proposed Use Details (check all that applies):
<input type="checkbox"/> Residential Total Single Family # of Units: _____ Total Multi-Family # of Units: _____
<input type="checkbox"/> Commercial Use _____ S.F. _____ Use _____ S.F. _____ Use _____ S.F. _____

Applicant Signature: _____ **Date:** _____



Special Use Permit Application Form

Montgomery County, Virginia

755 Roanoke St. Suite 2A, Christiansburg, VA 24073
540-394-2148 | mcplan@montgomerycountyva.gov

Applicant Information: (PLEASE PRINT – if additional owners, please attach additional sheets)

Owner of Record (attach separate page for add'l owners):	Address:
Telephone:	Email:

Applicant Name: Owner Contract Purchaser/Lessee	Address:
Telephone:	Email:

Representative Name and Company:	Address:
Telephone:	Email:

Property Description:

Location or Address: <i>(Describe in relation to nearest intersection)</i>		
Parcel ID Number(s):	Acreage:	Existing Zoning:
Comprehensive Plan Designation:	Existing Use:	

Description of Request: (Please provide additional information on attached sheet if necessary)

Proposed Use(s) including acreage:

I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

Owner 1 Signature	Date
Owner 2 Signature (for add'l owners please attach separate sheet)	Date
Applicant Signature	Date
Representative/Agent Signature	Date

Additional Special Use Permit Requirements

The applicant for special use permit shall provide a statement of justification to address the following items in the application materials to demonstrate what impact the proposed request will have on the County's resources and how the request complies with Montgomery County's comprehensive plan.

Section 10-54(3)(g), Montgomery County Zoning Ordinance

(g) Issues for Consideration. In considering a Special Use Permit application, the following factors shall be given reasonable consideration. The application shall address all the following in its statement of justification or Special Use Permit plat unless not applicable, in addition to any other standards imposed by this Ordinance:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan (Addressed under "3. Comprehensive Plan Justification").
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.
3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.
5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.
7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.
9. The timing and phasing of the proposed development and the duration of the proposed use.
10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.
13. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of Montgomery County.
14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services.
15. The effect of the proposed Special Use Permit on groundwater supply.
16. The effect of the proposed Special Use Permit on the structural capacity of the soils.
17. Whether the proposed use will facilitate orderly and safe road development and transportation.
18. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

19. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.
20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth.
21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County.
22. The location, character, and size of any outdoor storage.
23. The proposed use of open space.
24. The location of any major floodplain and steep slopes.
25. The location and use of any existing non-conforming uses and structures.
26. The location and type of any fuel and fuel storage.
27. The location and use of any anticipated accessory uses and structures.
28. The area of each use; if appropriate.
29. The proposed days/hours of operation.
30. The location and screening of parking and loading spaces and/or areas.
31. The location and nature of any proposed security features and provisions.
32. The number of employees.
33. The location of any existing and/or proposed adequate on and off-site infrastructure.
34. Any anticipated odors, which may be generated by the uses on site.
35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.