

# Understanding the Redevelopment Approval Process

Before redevelopment can occur on a property, an owner must typically obtain permission from the City in one form or another. Sometimes, an owner must seek approval from the City Council, Planning Commission, or Board of Zoning Appeals; other times, an owner merely needs to receive approval from one or more of the City's administrative agencies, such as the Department of Development Services.

Depending on the complexity of the owner's proposal, this process can be simple or extensive. The process can last weeks to a year or longer. The approval process with large redevelopment is frequently a political one as well, which involves uncertainty and often extensive negotiation and concessions in order to secure the necessary approvals and permits.

Some redevelopment is "by-right," which means they are permitted under their current zoning rules, approved administratively, and do not require any legislative action or public hearings by the City Council, Planning Commission, or Board of Zoning Appeals.

Most redevelopment proposals, even by-right proposals, will require a site plan, which is a schematic representation of the development proposal. The site plan review process requires Planning Commission approval, which typically occurs within 60 days from the date of submission. A Planning Commission public hearing will be held on the site plan, and minor changes may be made before the Planning Commission takes action. Depending on the request, the public hearing is often advertised in the newspaper as well as with placards posted on the property. The public hearing occurs in the City Council Chambers at City Hall, and its purpose is to obtain public input on the request.

## Get To Know: The Planning Department

The Planning Division provides development review for site plans of commercial, townhouse, and multi-family projects, special exceptions, subdivisions, and rezonings. This includes many redevelopment proposals. The Department also develops and implements long-range planning efforts, including the Comprehensive Plan, the Zoning Ordinance, fiscal impact modeling, and traffic calming policies.

If you are seeking information on a particular development proposal or application, take a look at the current development projects link on the Planning Department's website ([www.fallschurchva.gov/404/Planning](http://www.fallschurchva.gov/404/Planning)). If the development proposal or application is or has been scheduled for review by the Planning Commission, then there may be information available in an agenda. If you are unable to find the information desired, please contact the Planning Division at (703) 248-5040.

More common in redevelopment proposals is the rezoning or special exception, both of which are discretionary approvals by the City Council. In this context, the entire process from the acceptance of the applications to the City Council vote, takes approximately one year to fifteen months (or longer). The application will undergo extensive staff review prior to being scheduled

for a public hearing before the Planning Commission and may be permitted by the City Council after assessing the specifics of the proposed use and determining whether there would be any impacts created by the use requiring mitigation.

The City Council exercises discretion when approving or denying applications and evaluates rezoning and special exception applications using specific enumerated criteria in the City Code. These criteria include, but are not limited to, conformity with the adopted Plan recommendations, whether the proposed development adds significant commercial square footage and allows for a mix of uses, whether the proposed use provides substantial positive revenue to the City, and whether the proposal will promote the health, safety, and welfare of City residents.

Before submitting an application, an applicant often meets with City staff to introduce the project, makes one or more presentations to the City's Economic Development Committee ("EDC"), which is a small committee comprised of a subset of City Council members, the chairs of the City's Economic Development Authority, and the Planning Commission. Both the staff and the EDC meetings will serve as an informal way to gauge initial thoughts on the proposal.

Following these initial meetings, the formal application is prepared and submitted to the Department of Planning in accordance with specific submission requirements set forth in the Zoning Ordinance. When the completed applications are accepted for processing, the applications will be assigned to a staff coordinator who will review and evaluate the submission.

The applications will also be distributed to, and evaluated by, various City agencies, and may be referred by the Council to City boards and commissions, including the Architectural Advisory Board, the Historical Commission, the Economic Development Authority, the Housing Commission, the Environmental Services Council, the Citizens Advisory Committee on Transportation, and the Recreation and Parks Advisory Board. During this process, the applicant will be asked to respond to staff, agency, or community comments and refine its development concept. Following staff review, the staff coordinator will consolidate comments from these agencies into a staff report and may suggest modifications to the submission.

## What's Coming Down The Pike? Look To Planning Documents

When anticipating redevelopment or looking for relocation space, it may be good to consult the City's Comprehensive Plan. It is a policy document which is used to guide growth over a 20-year period. Topics include land use, economic development, community character, natural resources, parks and recreation, transportation, and housing.

Understanding both documents can be a good predictor of the potential for redevelopment. Additionally, one should consult the City's various "Small Area Plans," which define visions for redevelopment in certain small areas of the City.

Under Virginia law, the Comprehensive Plan serves as an important guide to development decisions. The Comprehensive Plan may be accessed online at [www.fallschurchva.gov/412/Comprehensive-Plan](http://www.fallschurchva.gov/412/Comprehensive-Plan), and Small Area Plans may be found at [www.fallschurchva.gov/1557/Small-Area-Plans](http://www.fallschurchva.gov/1557/Small-Area-Plans). Whether a particular application is in conformance with the Comprehensive Plan is often a major criterion in determining whether or not to approve a legislative application.

## Get To Know: The Planning Commission

The Planning Commission studies and recommends changes to the city's Comprehensive Plan and reviews all site plans to ensure consistency with the Plan. Annually, the Commission prepares and revises a five-year capital improvements program, including capital budget recommendations. It also makes recommendations on the preservation of historical landmarks, and design of public bridges, street fixtures, and other public structures and appurtenances. Additionally, the Commission makes recommendations to the City Council regarding rezonings and special exceptions.

Planning Commission meetings occur on the first and third Monday of each month at 7:45 p.m. at City Hall. More information can be found online at [www.fallschurchva.gov/PlanningCommission](http://www.fallschurchva.gov/PlanningCommission).

## Get To Know: The City Council & Government

Falls Church operates under the "Council-Manager" form of government in which the City Council has control over certain laws, and appoints a City Manager to run the city's day-to-day activities and preparing the City's budget.

The City Council is comprised of seven at-large members. The Council enacts ordinances and resolutions, approves City budgets, sets tax rates, and establishes policy. The Council also reviews all legislative approvals for redevelopment, including rezonings and special exceptions.

City Council meetings occur on the second and fourth Monday of each month at 7:30 p.m. at City Hall. City Council work sessions occur on the first and third Monday of each month at 7:30 p.m. at City Hall. More information can be found on the Council's website, located at [www.fallschurchva.gov/1404/About-City-Council-Meetings](http://www.fallschurchva.gov/1404/About-City-Council-Meetings). The City Manager's office may be contacted at (703) 248-5004 and online at [www.fallschurchva.gov/246/City-Manager](http://www.fallschurchva.gov/246/City-Manager).

The staff coordinator will also request that the applicant submit a list of proffers or “Voluntary Concessions and Community Benefits,” both of which are intended to mitigate any impacts associated with the proposal. These commitments may include things like affordable dwelling units, design, undergrounding utilities and streetscape improvements, bus stop shelters, transportation upgrades, electric vehicle charging stations, bicycle parking and storage, public art, emergency power system, as well as school, library, and recreation capital contributions/improvements.

A staff report summarizing the application will be made public approximately two weeks before the Planning Commission public hearing and will recommend either approval of the application with proffers, conditions and/or voluntary concessions (depending on the nature of the request), or denial. Following publication of the staff report, the Planning Commission will hold a public hearing on the application.

The Planning Commission will make a recommendation to the City Council, which will both introduce the proposed ordinance to approve the application and hold a second and final public hearing on the application. The Planning Commission and City Council may hold a joint public hearing after public notice. After the conclusion of the City Council public hearing, the proposed ordinance is then read a second time and the City Council will act on the proposal. Following approval of the rezoning and/or special exception, the applicant would then file a site plan, which would be reviewed before the Planning Commission (as noted above).

### **Redevelopment Approvals May Not Mean Construction**

Oftentimes in redevelopment projects, a developer will enter into a contract with an owner to purchase the property only after the receipt of any necessary approvals needed to fulfill the developer’s intended uses (e.g., new apartments, new stores, etc.). Even where zoning approvals are received, however, an approved project may never come to fruition. Issues such as a lack of financing, unfavorable market conditions, difficulties with post-zoning engineering, financially infeasible development commitments, and developer financial challenges, among others, may result in delays or the cancellation of a project, or the developer never purchasing the property.