

## **GENERAL LAND USE ENTITLEMENT PROCESS**

*(The following is not specific to any town, city, county or other municipality)*

During the land use entitlement phase of a land development project, the owner and/or developer of a property works with the local municipality to receive the approvals necessary to develop the property. This process, including the time involved, varies depending on the location and the approvals being sought. The process can take a few months and up to several years. The process generally involves the following steps:

### **1. Pre-Application/Design Phase:**

- The developer and its consultants (e.g., engineer, surveyor, land design, architect, attorneys) research a property's existing entitlements to determine how the property can be used currently and what changes may be needed to build the intended project.
- The developer's consultants assist with an initial, conceptual design of the intended project.
- The developer and its consultant meet with the local planning department and/or staff to discuss the intended project, the conceptual design, and what steps may be needed to accomplish the project.
- Necessary entitlements may include rezoning the property to a zone that permits the intended project, applying for a conditional use permit, submitting a site plan showing the intended use, and/or other approvals required by the jurisdiction.

### **2. Application Submission:**

- The developer and its consultant prepare the applicable application to the local municipality seeking the necessary project approvals.
- The application generally includes a project plan depicting the project, building elevations, any required studies (e.g., traffic studies, environmental studies, etc.), and applicable fees.
- Once received, the municipality's staff reviews the application to make sure the developer has submitted everything required.

### **3. Public Notification and Hearings:**

- Depending on the approvals being sought, the municipality's staff may give public notice of the submitted application.
- Notice may be given with physical signs located on the property, letters distributed to neighbors located a certain distance from the property, in the local newspaper, and/or online.
- There will be at least one public hearing at the planning and zoning body and one public hearing before the municipality's council.
- Members of the public are invited to provide their comments as to the project at these meetings.

### **4. Planning & Zoning Decision (if applicable):**

- After public comment, the planning and zoning authority will make a recommendation to the council as to the project.

### **5. Council Decision:**

- Following the planning and zoning authority's recommendation, if applicable, and after public comment, the municipality's body (generally a legislative body or council consisting of elected officials) will make a decision to approve or deny the application.