

## Special Exception (SPE) Application Procedure

A Special Exception is a use that is only permitted within a specific zone when the nature, extent, and external effects are found to be compatible with its location, design, and method of operation. A Special Exception requires a site plan showing all proposed improvements in order to deem the use appropriate in the zone and compatible with its surroundings. A Special Exception must also conform to a unique set of requirements defined in the Zoning Ordinance.

**A Special Exception must follow the process for both the Pre-Application Conference as well as the Pre-Application Neighborhood Meeting. Please follow process guidelines:**

- a. Pre-Application Conference ([Section 27-3401](#))
- b. Pre-Application Neighborhood Meeting ([Section 27-3402](#))

**Each applicant should complete the following actions and include at a minimum the following documents via CD or direct digital file share link with files in PDF format:**

- a. One typed [application form](#) signed by all owners of record.
- b. Statement of Justification - A typewritten Statement of Justification signed by the applicant or the designated correspondent that demonstrates:
  - How the property conforms to the requirements of the Ordinance, including all conditions of approval in any development approvals and permits to which the Special Exception is subject.
  - How the proposed design preserves and restores the regulated environmental features in a natural state to the fullest extent possible, in accordance with the requirements of Subtitle 24: Subdivision Regulations
  - How any land intended for public use, but not proposed to be in public ownership, will be held, owned, and maintained for the indicated purpose (including any proposed covenants or other documents)
  - How the development proposed in the special exception can exist as a unit capable of sustaining an environment of continuing quality and stability
- c. Map or Plat - One (1) copy of an accurate plat prepared, signed and sealed by a registered engineer or land surveyor, with the subject property outlined in red.
- d. Site Plan - One (1) copy of a site plan (drawn to scale) showing all existing and proposed improvements and uses with the subject property outlined in red. The site plan shall be of sufficient detail so that a determination can be made that the proposal complies with the Zoning Ordinance.
- e. Landscape Plan - One (1) copy of a detailed landscape plan with the subject property outlined in red. Landscape plans need not be separately prepared drawings, but may be superimposed on the site plan.
- f. Zoning Sketch Map - One (1) copy of a zoning sketch map with the property outlined in red.
- g. Informational Mailing letter, list of addresses, affidavit and Receipt from the MNCPPC Information Counter
- h. Documentation on Previous Approvals for the Site.
- i. State Ethics Commission Affidavit(s).

- j. A Type 2 Tree Conservation Plan prepared in conformance with Division 2 of Subtitle 25 and The Woodland and Wildlife Habitat Conservation Technical Manual, or a Standard Letter of Exemption.
- k. An approved stormwater management concept plan and approval letter, and any other documentation relating to any stormwater management facilities located off-site of the proposed development, but which will serve the proposed development.

Refer to [Sections 27-3604, 27-5400](#) (Special Exception Standards), and other applicable Sections for more information.

**\*Note: No payment for application fees should be submitted until requested by staff.**

**ONLY DIGITAL PDF COPIES OF PLANS AND APPLICATIONS WILL BE ACCEPTED. ALL DOCUMENTS SAVED ON A CD OR DIRECT DIGITAL LINK USING THE [NAMING CONVENTION](#).**

Applications should be submitted to the Development Review Division via email to [DRDApplications@ppd.mncppc.org](mailto:DRDApplications@ppd.mncppc.org). If you have any questions concerning submittal requirements, processing procedures or the status of your project application, please call 301-952-3530.

**Figure 27-3604(c): Special Exception Procedure (Illustrative)**

↓	27-3401	Pre-Application Conference	Required
↓	27-3402	Pre-Application Neighborhood Meeting	Required
↓	27-3403	Application Submittal	To Planning Director, concept plan required
↓	27-3404	Determination of Completeness	Planning Director makes determination
↓	27-3406	Staff Review and Action	Planning Director prepares Technical Staff Report
↓	27-3407	Scheduling Public Hearing and Public Notice	ZHE schedules hearing, provides notice
↓	27-3409	Review and Decision by Decision-Making Body or Officer	ZHE holds public hearing, makes decision (conditions allowed)
↓	27-3416	Notification	ZHE notifies
↓	27-3417	Appeal	Optional (to District Council)
→		Election	Optional. District Council may elect to review ZHE's decision