APPLICATION ACCEPTANCE POLICY

REZONING, CONDITIONAL DISTRICT REZONING, SUP, LDC AMENDMENTS

City of Wilmington
Development Services Department
Planning Division

PO Box 1810 | 305 Chestnut St.
Wilmington, NC 28402
Telephone 910.254.0900 | Fax 910.341.3264

The City of Wilmington understands that clear expectations make the application and development review processes easier for both applicants and staff. The policies outlined below will enable Planning Division staff to move the process along in a way that ensures that each application receives the attention it deserves. Staff desires to complete review of projects in an accurate and timely manner. Due to the volume of applications and public hearing schedules, working with incomplete materials detracts from the timely review of applications.

1. Applications are to be reviewed for completeness by staff prior to being officially accepted by the City for review. Applications that are dropped off or mailed in cannot be accepted without prior approval from the Planning Manager.

2. Checklists for each type of request are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted.

3. Upon determination by staff that an application is complete, it will be officially accepted by the Planning Division. Staff will complete an acceptance form and both staff and the applicant must sign the form. The application is not considered officially accepted until this form is signed by both the planner and the applicant. A copy of the signed form will be given to the applicant and a copy will be placed in the project file at the time of acceptance. Staff will not hold materials for incomplete applications.

4. Application fees must be paid at the time an application is submitted for acceptance.

5. In order to allow time to process fees, applications will not be accepted after 4:00 PM each day. On the deadline day for submittals for Planning Commission hearings, applications will not be accepted after 1:00 PM.

6. For your convenience, applicants may schedule an appointment with staff or may “walk-in” without an appointment. Please allow sufficient time to review the application package with staff.

The Planning Division staff looks forward to working with you during the application process. If you have questions or need further assistance, please call 254-0900.

CONDITIONAL DISTRICT REZONING

APPLICATION FOR CHANGE OF ZONING OF PROPERTY

City of Wilmington, NC
Planning Division

P. O. Box 1810, 305 Chestnut St, Wilmington, NC 28402
Telephone: (910) 254-0900 FAX: (910)341-3264

Section A. *APPLICANT INFORMATION*

The petitioner requests that the City of Wilmington Zoning Map be amended as indicated below:

NAME OF APPLICANT/PETITIONER:_____
MAILING ADDRESS OF APPLICANT: _____
PHONE NUMBER/E-MAIL OF APPLICANT: _____

PROPERTY OWNER INFORMATION (If different from the applicant):
Name(s) _____
Address:_____
_____ ZIP _____
Telephone: _____ FAX: _____
E-Mail Address: _____

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request:

ADDRESS OF SUBJECT SITE: _____

NEW HANOVER CO. PROPERTY IDENTIFICATION # (PIN): _____

CURRENT ZONING DISTRICT(S): _____ **PROPOSED ZONING DISTRICT(S):** _____

TOTAL SITE ACRES/SQUARE FEET: _____

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: _____

It is important that the applicant provide information to explain how the rezoning request satisfies the following questions. Please use attachments if necessary:

1. **What changed or changing condition(s) justifies the passage of the amendment?** (Discuss how circumstances have so changed since the property was last zoned).

2. **Explain how the map amendment would be consistent with the city's Future Land Use Plan and adopted special area plans (i.e. corridor plans, neighborhood plans, Vision 2020 Plan, etc).**

3. **Explain briefly the expected effect on the neighborhood if the proposed zoning map amendment is approved.**

4. **Other circumstances which tend to justify the amendment in the public interest.**

Section B. *SUBMITTAL INFORMATION AND PROCEDURE*

(1) Supplementary Information is **REQUIRED** as part of the application. See Section C below for required information.

(2) The petition **MUST** be reviewed by the Planning Division for completeness PRIOR to the acceptance of any application or petition. Please do not simply leave your application materials without speaking to a Planner. If you do, your application may not be processed and your request might not be considered at the next Planning Commission meeting.

(3) A fee in accordance with the approved fee schedule, payable to the City of Wilmington, must accompany the application.

(4) The Planning Commission will consider the application, if properly completed, at their next regular meeting. The petitioner or his/her agent should appear at the meeting. Meetings are held at 6:00 P. M. in the Council Chambers, City Hall, 3rd and Princess Streets, Wilmington, North Carolina, usually on the first Wednesday of each month. Petitioners will be informed of any change in date, time or location of meetings. **Petitions and the required supplementary information must be received** in the Planning Division, 305 Chestnut Street, Wilmington, NC 28401, **thirty (30) working days before the Planning Commission meeting** to allow time for processing and advertisement as required the North Carolina General Statutes.

(5) Before a public hearing may be held on the petition, **the applicant must file**, in the office of the City Clerk (a copy to the Planning Division), **a written report of at least one community meeting** held by the applicant. Please use the **attached "Report of Community Meeting"** for the report. **No other document will be accepted**. The community meeting **shall be held prior to** the to the Planning Commission's consideration of the petition. Written notice of such a meeting shall be given to the property owners and organizations entitled to notice as determined by policies approved by the City Council. The **report shall include**, among other things, a listing of those persons and organizations contacted about the meeting, a roster of the persons in attendance, a summary of issues discussed, and a description of any changes to the rezoning petition by the applicant as a result of the meeting. In the event the petitioner has not held at least one meeting as required, the applicant shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed shall be considered by the City Council but shall not be subject to judicial review.

Section C. *SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION*

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). *Please check the list below carefully before you submit:*

- ❑ Completed application form;
- ❑ Agent form if the applicant is not the property owner;
- ❑ Ten (10) 24" X 36" copies of the site plan and one (1) 11" X 17" of the site plan (See Section D below for the minimum amount of information required on the site plan);
- ❑ A boundary survey and vicinity map showing the property's total acreage, its zoning classification(s), the general location in relation to major streets, railroads, and/or waterways, the date and north arrow:
- ❑ Legal description of property requested for rezoning, by metes and bounds;
- ❑ Application fee (checks payable to the City of Wilmington);
- ❑ List of the names of owners, their addresses and the tax parcel numbers of the properties within 100 feet of the subject property, including those separated by a street right-of-way;
- ❑ Two sets of business-size envelopes pre-addressed to the property owners within 100 feet of the subject property with the Planning Division's return address. All envelopes must have postage and metered postage must be *undated*. The Department account number, 2670-419, must be shown just below the return address. This will assure any returned letters will come to this Department.
- ❑ Copy of the New Hanover Tax map which delineates the property requested for rezoning.

Section D. *REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN*

The following information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items below are not included on the site plan, reasons for excluding those requirements must be given.

- ❑ Approximate location on the site of proposed buildings, structures and other improvements;
- ❑ Approximate dimensions, including height of proposed buildings and other structures;
- ❑ All existing easements, reservations and rights-of-way;
- ❑ Proposed use of land and structures, including the number of residential units and the total square footage of any nonresidential development;
- ❑ All existing and proposed points of access to public streets;
- ❑ Generalized traffic, parking and circulation plans;
- ❑ Approximate location of all existing and proposed infrastructure on the site including water, sewer, roads and pedestrian walkways;
- ❑ All yards, buffers, screening, and landscaping required by the Land Development or proposed by the petitioner;
- ❑ Delineation of areas within the regulatory floodplain as shown on the official flood hazard boundary maps for the City of Wilmington; adjoining property lines;
- ❑ Tree survey, if required by the Land Development Code;
- ❑ Site Inventory as required by Land Development Code;
- ❑ Proposed phasing, if any;
- ❑ The names and deed references of current adjoining property owners;

Note that in the course of evaluating the proposal, staff, the Planning Commission or the City Council may request additional information from the applicant. The additional information may include the following:

- ▪ Proposed screening, buffers and landscaping over and above that required by the Land Development Code, as well as proposed treatment of any existing natural features;
- ▪ Existing and general topography, at four-foot contour intervals or less;
- ▪ The location of significant trees on the subject property;
- ▪ Scale of buildings relative to abutting property;
- ▪ Building elevations and exterior features of proposed development;
- ▪ Any other information needed to demonstrate compliance with the Land Development Code; and
- ▪ Proposed number and locations of signs.

OWNER'S SIGNATURE*: *In filing this application for a zoning map amendment, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate _____ to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.*

Signature/Date: _____

DATE RECD:

PLANNER:

CASE FILE #:

FEE PAID $:

REPORT OF COMMUNITY MEETING REQUIRED BY THE WILMINGTON CITY CODE FOR CD REZONINGS

To: Penelope Spicer-Sidbury, City Clerk

Case No.: _____

Location: _____

Proposed Zoning: _____

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail on (date) _____. A copy of the written notice is also attached.

The meeting was held at the following time and place: _____
_____

The persons in attendance at the meeting were: _____
_____
_____
_____

The following issues were discussed at the meeting: _____
_____
_____
_____
_____

As a result of the meeting, the following changes were made to the rezoning petition: _____
_____
_____
_____
_____
_____

Date: _____
Applicant: _____
By: _____

Please submit this Report to the Wilmington City Clerk's Office located at 102 North 3rd Street or mail it to Penelope Spicer-Sidbury, City Clerk, PO Box 1810, Wilmington, NC 28402-1810.