

# APPLICATION ACCEPTANCE POLICY

## REZONING, CONDITIONAL DISTRICT REZONING, SUP, LDC AMENDMENTS

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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

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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 high volume of applications, 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.

# SPECIAL USE PERMIT

# APPLICATION FOR SPECIAL USE PERMIT

City of Wilmington, NC  
Planning Division

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

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## **Section A.** *APPLICANT INFORMATION*

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Application is hereby made for a Special Use Permit to use the property at the address below for the indicated special use.

**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 Special Use Permit request:

**ADDRESS OF REQUESTED SITE:** \_\_\_\_\_

**NEW HANOVER CO. PROPERTY IDENTIFICATION # (PIN):** \_\_\_\_\_

**PROPOSED SPECIAL USE:** \_\_\_\_\_

**CURRENT ZONING DISTRICT(S):** \_\_\_\_\_

**TOTAL SITE ACRES/SQUARE FEET:** \_\_\_\_\_

Special Use Permits add flexibility to the Land Development Code. Subject to high standards of planning and design, certain property uses may be allowed in several districts where these uses would not otherwise be acceptable. By means of controls exercised through the special use permit procedures, property uses which would otherwise be undesirable in certain districts can be developed to minimize any adverse effects they might have on surrounding properties.

Authority to grant Special Use Permits is found in Section 18-79 of the Land Development Code pursuant to North Carolina General Statutes 160A-381. The Land Development Code requires that the City Council, when granting a Special Use Permit to find that all four of the following factors found in Section 18-85(6) exist. In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to convince the City Council that it can properly reach the four required conclusions:

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## **Section B.** SUBMITTAL INFORMATION AND PROCEDURE

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- (1) The request for a Special Use Permit must be reviewed by the Technical Review Committee of the City of Wilmington before the application can be considered by the Planning Commission. Please consider that review time when submitting the application.
  - (2) Supplementary Information is **REQUIRED** as part of the application. See Section C below for required information.
  - (3) 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 or Project Manager. If you do, your application may not be processed and your request may not be considered at the next Planning Commission meeting.
  - (4) A fee in accordance with the approved fee schedule, payable to the City of Wilmington, must accompany the application.
  - (5) The Planning Commission will consider the application, if properly completed, at the 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, 3<sup>rd</sup> 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. **Applications 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.
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## **Section C.** SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION

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- Agent form if the applicant is not the property owner;
  - Detailed project narrative describing the proposed site and request;
  - 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);
  - 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 City Planning Division's return address. All envelopes must have sufficient postage and **metered postage must be undated**. The Department account number, 2670-419, should be shown just below the return address. This will assure any returned letters will come to this Department.
  - Current to-scale copy of the NHC Tax Map delineating the subject property.
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**Section D. REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN**

- The present zoning classification(s) of the tract;
- Adjoining property lines;
- The location, height, size and location of structure(s);
- Proposed use of land and structures.
- Building elevation drawings;
- Proposed planting areas including walls and fences and the treatment of any existing natural features;
- The names and deed references of current adjoining property owners;
- All existing easements, reservations, rights-of-way and all yards required for the zoning district requested;
- General location of on-site utilities and proposed tie-in to existing public utilities (including water, sewer, culverts, drainage, etc);
- General location and type of stormwater facilities;
- Delineation of areas along streams on which the 100-year flood has been determined by the flood plain management regulations of the City of Wilmington;
  - For residential uses this shall include number of units and outline of area within which structures will be located.
  - For nonresidential uses, this shall include approximate square footage of structures and outline of area within which the structure(s) will be located;
  - Parking and circulation plan, showing location, arrangement and number of parking spaces and ingress and egress to adjacent areas;
- Proposed dimension and number of signs and their locations;
- Proposed phasing and approximate completion time of the project;
- Survey of regulated and significant trees and the number of those trees existing, proposed for removal and reasons why those trees will be removed;

**OWNER'S SIGNATURE\*:** *In filing this application for a Special Use Permit 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 \$:

## INFORMATION TO APPLICANTS

The Wilmington Planning Commission generally meets on the first Wednesday of each month at 6:00 p.m. in the City Council Chambers, City Hall, 3<sup>rd</sup> and Princess Streets, Wilmington, NC.

All applications for the Commission's review are due in the Planning Division, 305 Chestnut Street, 3rd Floor, **thirty (30) working days** prior to the meeting of the Planning Commission at which the application is to be considered. **Applications will not be accepted after 1:00 PM on deadline days.**

All applications must be accompanied by the following items - otherwise, they cannot be accepted.

- 1) A completed application form and an application fee in the form of a check made payable to the City of Wilmington. The application fee schedule is listed on the following page.
- 2) A list of the names of owners, their addresses and the tax parcel number of the properties within 100 feet of the subject property to the request, including the property owner(s) directly opposite the request, but separated by a street right-of-way. This information may be obtained from the New Hanover County Tax Appraisal Office located at 230 Market Place Drive (Market Place Mall), Wilmington, NC 28403.
- 3) Two sets of business size envelopes (approx. 4" x 9-1/2"). The envelopes are to be unsealed, stamped and addressed for mailing to the property owners within 100 feet you have listed, and bearing the return address of the Planning Division. The return address is:  
City of Wilmington  
Planning Division 419-2670  
PO Box 1810, 3rd Floor  
Wilmington, NC 28402-1810

The first set of envelopes is for notifying adjacent property owners for the Planning Commission's review. The second set is for notifying adjacent property owners of City Council's review.

- 4) Applicants proposing to alter or build non-residential structures exceeding a floor area of 10,000 sq. ft. on a tract of two acres or more shall also make application to the **City's Engineering Department** or the **City's Technical Review Committee** in accordance with Sec. 18-60(b)(4) of the City of Wilmington Land Development Code **prior to Planning Commission review.**
- 5) For special use permit and conditional zoning district applications, please provide a typed detailed narrative describing the site and proposed use, parking, landscaping, etc.
- 6) A current to-scale copy of the New Hanover County tax map delineating the site.
- 7) No special use permit or conditional zoning district application will be accepted unless accompanied by a sketch of the proposed plot plan drawn to scale which includes, at a minimum, the site and building information as indicated on the sample site plan. Ten (10) 24" x 36" copies and one (1) 11" x 17" copy of this sketch must be submitted with the application.

### **NOTE:**

**All special use permit and conditional zoning district applications MUST be scheduled for review by the Technical Review Committee prior to the Planning Commission submittal deadline.**

**List of Planning Commission Meeting Dates and Application Submittal Deadlines**  
**Applications will not be accepted after 1:00 PM on deadline days.**

<u>Meeting Date</u>	<u>Submission Deadline</u>	<u>Meeting Date</u>	<u>Submission Deadline</u>
Jan. 12, 2011	-----Nov. 30, 2010	Aug. 3, 2011	----- June 21, 2011
Feb. 2, 2011	----- Dec. 20, 2010	Sept. 7, 2011	----- July 26, 2011
Mar. 2, 2011	----- Jan. 19, 2011	Oct. 5, 2011	----- Aug. 23, 2011
Apr. 6, 2011	----- Feb. 23, 2011	Nov. 2, 2011	----- Sept. 21, 2011*
May 4, 2011	----- Mar. 22, 2011	Dec. 7, 2011	----- Oct. 21, 2011
June 1, 2011	----- Apr. 18, 2011	Jan. 4, 2012	----- Nov. 16, 2011
July 6, 2011	----- May 23, 2011	Feb. 1, 2012	----- Dec. 15, 2011

\*These dates are subject to change to the first Thursday of the month due to elections.

**Application Fee Schedule**

Rezoning/Special Use Permit/Conditional Zoning District:

R-20, R-15, R-10, R-7, R-5, R-3, HD, HD-O, HD-R, HD-MU, CEM .....	\$400.00 + \$20 per acre
CBD, MSMU .....	\$500.00 + \$20 per acre
MHP, MF-L, MF-M, MF-H, O&I-1, O&I-2. MF-MH, NB .....	\$600.00 + \$20 per acre
CB, RB, CS, PD, AI, LI, IND, MX.....	\$800.00 + \$20 per acre

**Note:** Acreage will be rounded to the nearest ¼ acre to determine the fees. For example, a 1.68 acre proposal to rezone to CB would cost an applicant \$835.00 at \$800 + 1.75 x 20 = \$835.00.

Projects located in the 1945 Corporate Limits shall be subject to the FY 2001-02 Fee Schedule related to Zoning Application Fees.

Text Amendment .....	\$200.00
Variance .....	\$500.00
Appeal to Board of Adjustment/ Building Appeals Board .....	\$500.00
Street Naming/Renaming .....	\$250.00 *
Street Closure .....	\$250.00 *
Mobile Home Park	
Less than 5 acres .....	\$ 50.00
5 or more acres .....	\$100.00
Plus \$1.00 per mobile home space.	
Land Use Plan Amendment .....	\$250.00
Vested Right Application .....	\$500.00

Annexation:

\$500.00 plus applicable rezoning fee listed above.

**\*Additional advertising fees will be billed to the applicant by the City Clerk. (Note: Please be advised that the additional advertising fee will be a minimum of \$900.00.)**

**LIST OF PROPERTIES WITHIN 100 FEET**

Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

**Property Owners:**

Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

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Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

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Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Please include a stamped envelope addressed to each adjacent property owner with the following return address:

City of Wilmington  
Planning Division  
PO Drawer 1810  
Wilmington, NC 28402-1810

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