

# APPLICATION ACCEPTANCE POLICY

## DEVELOPMENT AGREEMENT

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  
[www.wilmingtonnc.gov](http://www.wilmingtonnc.gov)

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 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.

# APPLICATION FOR DEVELOPMENT AGREEMENT

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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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Version 4/9/2018

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

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The applicant requests that the City of Wilmington enter into a Development Agreement as indicated below:

**NAME OF APPLICANT:** \_\_\_\_\_

**MAILING ADDRESS OF APPLICANT:** \_\_\_\_\_

**PHONE NUMBER OF APPLICANT:** \_\_\_\_\_

**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:** \_\_\_\_\_

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

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- (1) Supplementary Information is **REQUIRED** as part of the application. See Section C below for required information.
  - (2) The application **MUST** be reviewed by the Planning Division for completeness PRIOR to acceptance. 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.
  - (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 if possible but not later than sixty (60) days after receipt of the application. The applicant or his/her agent **MUST** 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. Applicants 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.
  - (5) Before a public hearing may be held on the application, City Staff must present a written report and presentation of at least one community meeting held by the applicant to City Council. The community meeting **shall be held prior to** the to the Planning Commission's consideration of the application. 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.
  - (6) Conceptual site plan review by the city's Technical Review Committee is required for all Development Agreement applications. To avoid potential processing and scheduling delays, applicants are advised to have completed a conceptual review with the city's Technical Review Committee (TRC) prior to application submittal. If a conceptual review has not occurred at time of application, planning staff will automatically schedule the item for conceptual review at the next available Technical Review Committee meeting.
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## **Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION**

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**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;
- ☐ One digital copy (pdf) of the site plan, drawn to scale, that includes, at minimum, the site and proposed building information as indicated in Section D below;
- ☐ 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);
- ☐ An invoice will be emailed for the mailing fee at a cost of \$0.85 per notice. Note that this cost will include two mailings, one mailing notifying property owners for planning commission review and a second mailing notifying property owners of city council review. Payment must be made within 5 business days of the invoice.
- ☐ Copy of the New Hanover Tax map which delineates the property requested for rezoning.

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

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**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.**

- ☐ 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.
- ☐ A conceptual land area plan showing the location of all major land use types and the proposed maximum square footage for each use.
- ☐ Maximum building heights shall be delineated on the conceptual land area plan.
- ☐ The plan shall indicate all external access points.
- ☐ Conceptual internal traffic circulation plan.
- ☐ The plan shall indicate proposed buffers.
- ☐ Generalized open space areas and stormwater facilities shall be indicated.
- ☐ The applicant shall submit a text narrative indicating how the proposed plan conforms to conditions of any adopted area plan, corridor plan, or other long-range plan, including the comprehensive plan.
- ☐ A traffic impact analysis shall be submitted based on the generalized land uses proposed.
- ☐ Maximum trip generation impacts shall be established as part of the plan.
- ☐ 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;
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- 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.

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**OWNER'S SIGNATURE\*:** *In filing this application for a Development Agreement, 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  
DEVELOPMENT AGREEMENTS**

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 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 application: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_  
Applicant: \_\_\_\_\_  
By: \_\_\_\_\_

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