



# NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE  
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 Wilmington, North Carolina 28403  
 Telephone (910) 798-7165  
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[planningdevelopment.nhcgov.com](http://planningdevelopment.nhcgov.com)

## CONDITIONAL ZONING APPLICATION

This application form must be completed as part of a conditional zoning application submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.3 of the Unified Development Ordinance.



### 1. Applicant and Property Owner Information

<b>Applicant/Agent Name</b>	<b>Owner Name</b> (if different from Applicant/Agent)
<b>Company</b>	<b>Company/Owner Name 2</b>
<b>Address</b>	<b>Address</b>
<b>City, State, Zip</b>	<b>City, State, Zip</b>
<b>Phone</b>	<b>Phone</b>
<b>Email</b>	<b>Email</b>

## 2. Subject Property Information

Address/Location		Parcel Identification Number(s)	
Total Parcel(s) Acreage	Existing Zoning and Use(s)	Future Land Use Classification	

## 3. Proposed Zoning, Use(s), & Narrative

Proposed Conditional Zoning District:	Total Acreage of Proposed District:
<p>Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (attach additional pages if necessary). Note: Only uses permitted in the corresponding General Use District are eligible for consideration within a Conditional Zoning District.</p>	

## 4. Proposed Condition(s)

Note: Within a Conditional Zoning District, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding general use district regulations may be added. These conditions may assist in mitigating the impacts the proposed development may have on the surrounding community. Please list any conditions proposed to be placed on the Conditional Zoning District below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process.

## 5. Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Traffic Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

**ITE Land Use:**

**Trip Generation Use and Variable (gross floor area, dwelling units, etc.)**

**AM Peak Hour Trips:**

**PM Peak Hour Trips:**

## 6. Conditional Zoning District Considerations

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County 2016 Comprehensive Plan and the objectives outlined in the Unified Development Ordinance and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of dissimilar character where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community at-large.

**The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Zoning district meets the following criteria.**

- 1. How would the requested change be consistent with the County's policies for growth and development, as described in the 2016 Comprehensive Plan, applicable small area plans, etc.**

**2. How would the requested Conditional Zoning district be consistent with the property's classification on the 2016 Comprehensive Plan's Future Land Use Map.**

**3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?**

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Applications determined to be incomplete must be corrected in order to be processed for further review; Staff will confirm if an application is complete within five business days of submittal.

**Application Checklist**

**Applicant Initial**

- This application form, completed and signed \_\_\_\_\_
- Application fee:
  - \$600 for 5 acres or less
    - \$700 for more than 5 acres
    - \$300 in addition to base fee for applications requiring TRC review
- Community meeting written summary \_\_\_\_\_
- Traffic impact analysis (if applicable) \_\_\_\_\_
- Legal description (by metes and bounds) or recorded survey Map Book and Page Reference of the property requested for rezoning \_\_\_\_\_
- Conceptual Plan including the following minimum elements:
  - Tract boundaries and total area, location of adjoining parcels and roads
    - Proposed use of land, building areas and other improvements
      - For residential uses, include the maximum number, height, and type of units; area to be occupied by the structures; and/or proposed subdivision boundaries.
      - For non-residential uses, include the maximum square footage and height of each structure, an outline of the area structures will occupy, and the specific purposes for which the structures will be used.
    - Proposed transportation and parking improvements; including proposed rights-of-way and roadways; proposed access to and from the subject site; arrangement and access provisions for parking areas.
    - All existing and proposed easements, required setbacks, rights-of-way, and buffers.
    - The location of Special Flood Hazard Areas.
    - A narrative of the existing vegetation on the subject site including the approximate location, species, and size (DBH) of regulated trees. For site less than 5 acres, the exact location, species, and sized (DBH) of specimen trees must be included.
    - Approximate location and type of stormwater management facilities intended to serve the site.
    - Approximate location of regulated wetlands.
    - Any additional conditions and requirements that represent greater restrictions on development and use of the tract than the corresponding general use district regulations or additional limitations on land that may be regulated by state law or local ordinance
- One (1) hard copy of ALL documents and site plan. Additional hard copies may be required by staff depending on the size of the document/site plan. \_\_\_\_\_
- One (1) digital PDF copy of ALL documents AND plans \_\_\_\_\_

## 7. Acknowledgement and Signatures

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By my signature below, I understand and accept all of the conditions, limitations, and obligations of the Conditional Zoning District zoning for which I am applying. I understand that the existing Official Zoning Map is presumed to be correct. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and comments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

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**Signature of Property Owner(s)**

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**Print Name(s)**

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**Signature of Applicant/Agent**

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**Print Name**

Note: This form must be signed by the owner(s) of record. If there are multiple property owners, a signature is required for each owner of record.

*If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper, the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.*