



# NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE  
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## SPECIAL USE PERMIT APPLICATION

This application form must be completed as part of a special use permit 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 10.3.5 of the Unified Development Ordinance.



\*If the proposed use is classified as intensive industry, the applicant shall conduct a community information meeting in accordance with Section 10.2.3, Community Information Meeting.

### 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

Please list the proposed use(s) of the subject property, and provide the purpose of the special use permit and a project narrative (attach additional pages if necessary).

## 4. Proposed Condition(s)

Please note: Within a special use permit proposal, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding zoning 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 included with this special use permit application below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process that meet or exceed the minimum requirements of the Unified Development Ordinance.

## 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. Criteria Required for Approval of a Special Use Permit

A use designated as a special use in a particular zoning district is a use that may be appropriate in the district, but because of its nature, extent, and external impacts, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings. The purpose is to establish a uniform mechanism for the review of special uses to ensure they are appropriate for the location and zoning district where they are proposed.

For each of the four required conclusions listed below, include or attach a statement that explains how any existing conditions, proposed development features, or other relevant facts would allow the Board of County Commissioners to reach the required conclusion, and attach any additional documents or materials that provide supporting factual evidence. The considerations listed under each required conclusion are simply those suggested to help the applicant understand what may be considered in determining whether a required conclusion can be met. Any additional considerations potentially raised by the proposed use or development should be addressed.

### 1. The use will not materially endanger the public health or safety if located where proposed and approved.

Considerations:

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersections with curb cuts;
- Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection;
- Soil erosion and sedimentation;
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater; or
- Anticipated air discharges, including possible adverse effects on air quality.

**2. The use meets all required conditions and specifications of the Unified Development Ordinance.**

**3. The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.**

Considerations:

- *The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc.).*
- *Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.*

**4. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the New Hanover County Comprehensive Land Use Plan.**

Considerations:

- *The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc.).*
- *Consistency with the Comprehensive Plan's goals, objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.*

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.

<b>Application Checklist</b>	<b>Applicant Initial</b>
<input type="checkbox"/> This application form, completed and signed	_____
<input type="checkbox"/> Application fee: <ul style="list-style-type: none"> <li>• \$500; \$250 if application pertains to a residential use (i.e. mobile home, duplex, family child care home).</li> </ul>	_____ _____
<input type="checkbox"/> Traffic Impact Analysis (if applicable)	_____
<input type="checkbox"/> Conceptual Site Plan including the following minimum elements: <ul style="list-style-type: none"> <li>• Tract boundaries and total area, location of adjoining parcels and roads</li> <li>• Proposed use of land, structures and other improvements               <ul style="list-style-type: none"> <li>○ For residential uses, this shall include number, height, and type of units; area to be occupied by each structure; and/or subdivided boundaries.</li> <li>○ For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy, and the specific purposes for which it will be used.</li> </ul> </li> <li>• 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.</li> <li>• All existing and proposed easements, required setbacks, rights-of-way, and buffering.</li> <li>• The location of Special Flood Hazard Areas.</li> <li>• The approximate location of regulated wetlands.</li> <li>• 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.</li> <li>• 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 Federal or State law or local ordinance.</li> <li>• Any other information that will facilitate review of the proposed special use permit (Ref. Section 10.3.5, as applicable)</li> </ul>	_____ _____
<input type="checkbox"/> Applications for uses in the intensive industry category must also submit: <ul style="list-style-type: none"> <li>• Community meeting written summary</li> <li>• A list of any local, state, or federal permits required for use</li> </ul>	_____ _____
<input type="checkbox"/> 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.	_____
<input type="checkbox"/> One (1) digital PDF copy of ALL documents AND plans	_____
<input type="checkbox"/> For wireless support structures or substantial modifications, the elements listed on the attached checklist	_____

## 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 special use permit for which I am applying. I understand that the existing Official Zoning Map is presumed to be correct. I understand that I have the burden of proving that the proposal meets the four required conclusions. 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;
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; and
4. Provide written consent to any and all conditions of approval.

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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.

**The land owner or their attorney must be present for the application at the preliminary forum and public hearing.**

*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.*

# Telecommunications Requirements Checklist

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## Requirements for Wireless Support Structures & Substantial Modifications

*Applicant  
Initial*

Affidavit certifying the construction and placement of wireless facilities meets the provisions of the Federal Communications Act, 47 U.S.C. § 332, as amended, section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. § 1455 (a), in accordance with the rules promulgated by the Federal Communications Commission (FCC), and all other applicable federal, state, and local laws.

\_\_\_\_\_

Simulated photographic evidence of the proposed appearance of the wireless support structure and wireless facilities from at least four (4) vantage points and a statement as to the potential visual and aesthetic impacts on all adjacent residential zoning district.

\_\_\_\_\_

Determination of No Hazard to Air Navigation, or other applicable determination by the Federal Aviation Administration (FAA) upon review of FAA Form 7460.

\_\_\_\_\_

For New Wireless Support Structures: Information or materials providing evidence that collocating new antennae and equipment on an existing wireless support structure or structures within the applicant's search ring is not reasonably feasible. Per NCGS 160D-933, collocation on an existing wireless support structure is not reasonably feasible if the collocation is technically or commercially impractical or the owner of the existing wireless support structure is unwilling to enter into a contract for such use at fair market value.

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