

Special Use Permits

REFERENCE TO THE UNIFIED DEVELOPMENT ORDINANCE

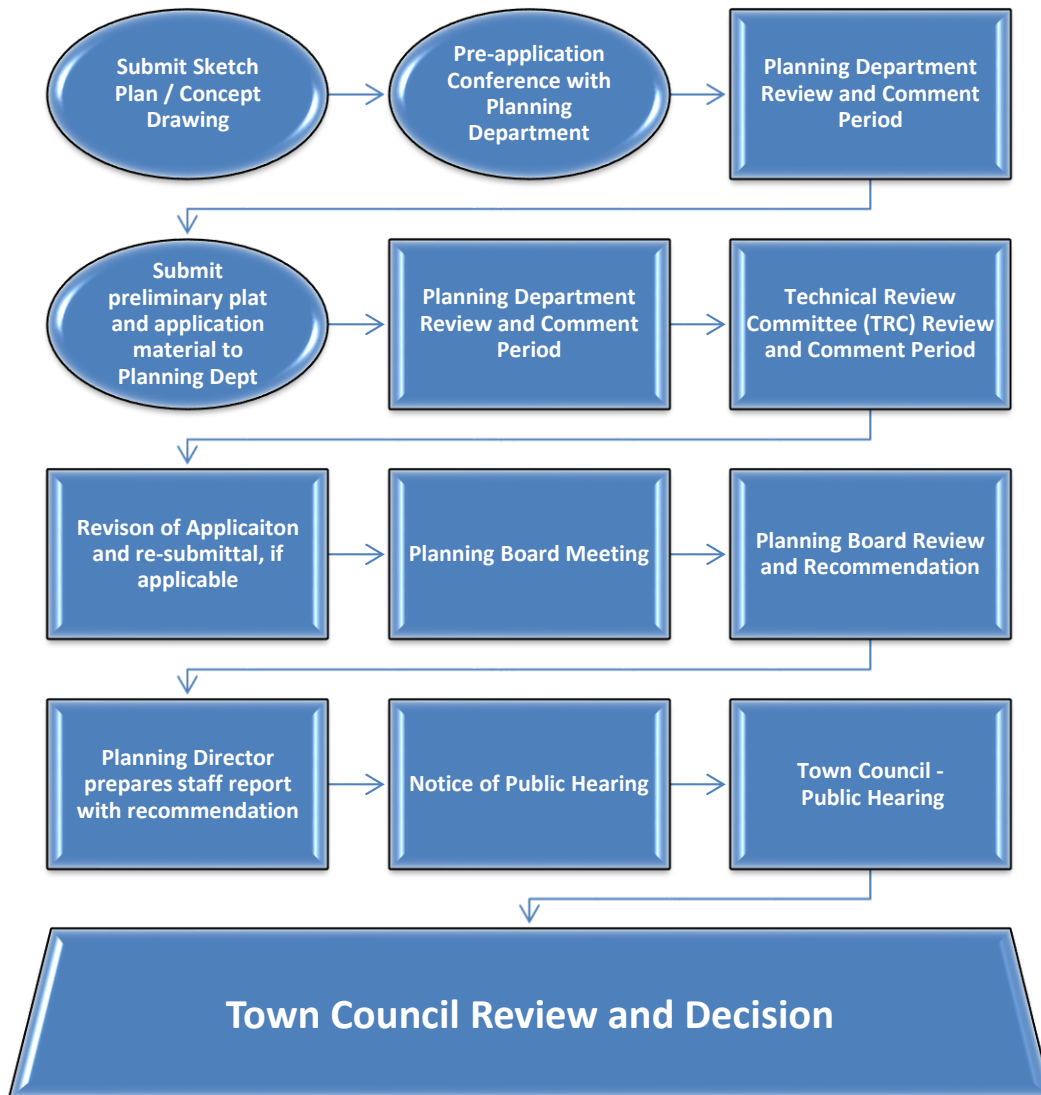
Regulations relating to Special Use Permits can be found in Section 3.8 of the Unified Development Ordinance.

GENERAL DESCRIPTION

A special-use permit is required for development within special-use district; a district with no uses permitted by right. A special-use permit is also required for certain uses that require special consideration. Special Use Permits may be submitted when the use is designated 'Special Use' in the Permitted Use Table found in Section 5.1 of the Unified Development Ordinance. The permits often are filed for projects seeking annexation and initial zoning. A special-use permit filed in conjunction with a rezoning request to a special-use district allows the town to apply development conditions and to understand the specific development being considered.

REVIEW PROCESS

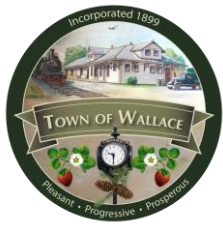
The following chart and list explain the process of review for Special Use Permit applications.



1. Applicants submit the Sketch Plan.
2. Following the submittal of the Sketch Plan, applicants are encouraged to meet with the Planning Director for a pre-application conference. At this meeting applicants should present the basic proposal and the Planning Director will provide specific comments on the Sketch Plan and permit and application requirements as well as deadlines for the application.
3. Applicants submit the application materials to the Planning Director.
4. Once the application is deemed complete by the Planning Director the item will be placed on the next available Technical Review Committee agenda. The Technical Review Committee will review the submittal to make sure various requirements are met. If there are comments or questions, the item will be tabled to the next available Technical Review Committee agenda to allow the applicant to respond. The Technical Review Committee may attach conditions to the approval. Staff will compile comments from the TRC members and present them to the applicant within 10 working days after the TRC meeting.
5. If the applicant chooses to make revisions to the application, it must be re-submitted to the Planning Director for review. Once the application is deemed complete by the Planning Director the item will be placed on the next available Planning Board Meeting.
6. The Planning Board will review the proposal and make recommendations to the Town Council to approve, approve with conditions, or deny the Special Use Permit.
7. In conjunction with other qualified representatives of the town and other agencies, the Planning Director will prepare, for the Town Council, a staff report which analyzes the proposal to determine conformity of the proposed project to the UDO, Land Use Plan, Comprehensive Plan, and any other applicable regulations.
8. The Town Council will schedule the Public Hearing and proper notice will be made per *Section 3.8(I), PUBLIC HEARING*.
9. The application will be heard by the Town Council at the scheduled public hearing. The public hearing is closed by a motion and vote of the board members present at the hearing.
10. The Town Council will make a final decision in separate motions. The Town Council shall not consider the approval of the Special Use Permit until thirty (30) days after the date the Planning Board was notified of the application or until the Planning Board makes its recommendation, whichever comes first. The Town Council may attach conditions to the approval.
11. Notice of the Town Board decision will be made by the Planning Director within 10 working days of the Town Council's decision. If the Special Use Permit is issued, the applicant must record it with the Duplin County Register of Deeds within 90 calendar days of the decision.

THINGS TO KNOW ABOUT SPECIAL USE PERMITS

1. At any point during the application process an applicant may withdraw an application for a Special Use Permit by written notice to the Planning Director. If the withdrawal occurs after the notice for public hearing has been published, there will be a one year waiting period before the town will accept a similar application affecting the same parcel.
2. An aggrieved party may appeal a decision by the Town Board on an application for a Special Use Permit to the Superior Court within the time provided by North Carolina General Statutes.
3. After a Special Use Permit has been issued, the Planning Director is authorized to approve minor changes to the project. Modifications to the project are referred to the Town Council for review and approval. Criteria used for determining whether the change constitutes a minor change or modification can be found in Section 3.8(O) of the UDO.
4. An approved Special Use Permit expires 24 months from the date of approval if construction has not begun.



Special Use Permits are reviewed by the Planning Director, Technical Review Committee, and Planning Board before a Public Hearing is held and a decision is made by the Town Council.

Schedule of Meetings

Technical Review Committee	As Needed
Planning Board	Fourth Monday of Month
Town Council	Second Thursday of Month

- Initial Applications for Special Use Permits must be submitted at least 2 weeks prior to Planning Board Meeting.
- Special Use Permit Minor Changes may be submitted to the Planning Department at any time.

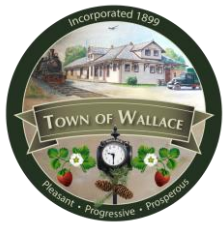
Fee Schedule

Special Use Permit: \$250.00

Submittal Requirement Checklist for Special Use Permits

Staff may determine that some requirements are not applicable to all applications.

- Complete Application form
- Complete Site Plan, 10 copies (see Site Plan requirements **Appendix E**)
- Survey of property boundaries
- Legal documents indicating unified control over the site, such as a deed or a contract to purchase
- Land suitability analysis including topography, steep slopes, soil types, hydrology, and vegetated areas
- Environmental protection plan indicating how items in the land suitability analysis will be protected
- For each building, a list of the following information:
 - a. List of anticipated uses for each building (from permitted use table)
 - b. Expected number of employees
 - c. Hours of operation
 - d. Phase of construction
 - e. Setbacks
 - f. Impervious surface
 - g. Number of parking spaces
 - h. Number of signs
 - i. Height of signs
 - j. Building height



Town of WALLACE North Carolina

APPENDIX L Application Packet for Special Use Permit

- Traffic Impact Statement that shows the following:
 - a. Internal traffic flow
 - b. Impacts of external connections
 - c. Impacts on and improvements to existing facilities

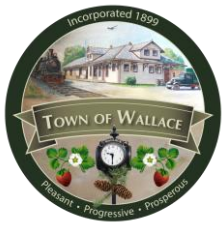
Projects requiring a traffic impact statement will be reviewed by the traffic engineer of the town's choice. The applicant shall reimburse the town for the cost of the statement in lieu of submitting a statement by a consultant of their choice as part of the application. An applicant always has the option to submit a traffic impact statement by the consultant of their choice in addition.

- A statement as to the applicant's expected water use for the daily operations of the site upon completion.
- A statement as to how the proposal satisfies the findings found in Section 3.8(C) (General Standards/Finds of Fact)
- Reviews by Other Agencies – submit confirmation of approval or their comments
 - o Fire Chief/Marshal
 - Fire Code compliance
 - Ability to protect
 - o NCDOT
 - Driveway permit
 - Off-site road improvements

- Fee

Submittal Requirement Checklist for Special Use Permit Modification or Minor Changes

- Complete application form
- An amended to-scale site plan exhibiting the proposed changes
- A written statement outlining, in detail, the changes proposed
- To-scale building elevations exhibiting any proposed building façade changes
- Fee (if applicable)



Town of
WALLACE
North Carolina

APPENDIX L
Application Packet for
Special Use Permit

Project Title: _____

Parcel #: _____

Project Address: _____

Name of Applicant: _____

Applicant's Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Name of Property Owner: _____

Owner's Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Surveyor/Engineer: _____

Surveyor/Engineer Mailing Address: _____

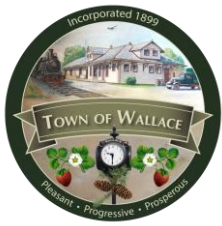
City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Expected Uses:	
Expected Employees:	
Hours of Operation:	
Setbacks:	
Impervious Surface:	

Parking Spaces:	
Number of Signs	
Height of Signs	
Building Height	
Phases	

CONTINUED →



Town of WALLACE North Carolina

APPENDIX L Application Packet for Special Use Permit

PROPERTY INFORMATION ----->

Current Zoning District(s): _____ Total Parcel Acreage: _____

Adjacent Zoning District(s): _____

Water Service: Public Water Well Sewer Service: Public Sewer Septic Tank

Existing Structures: _____

Proposed Structures: _____

Critical Areas:

- Floodplain
- Drainage/Stream
- Easements
- Historic
- Pond/Lake
- Cemetery
- Steep Slopes
- Other: _____

*I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information, and belief. **APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE FROM PROPERTY OWNER.***

Applicant's Signature

Date

Property Owner's Signature

Date