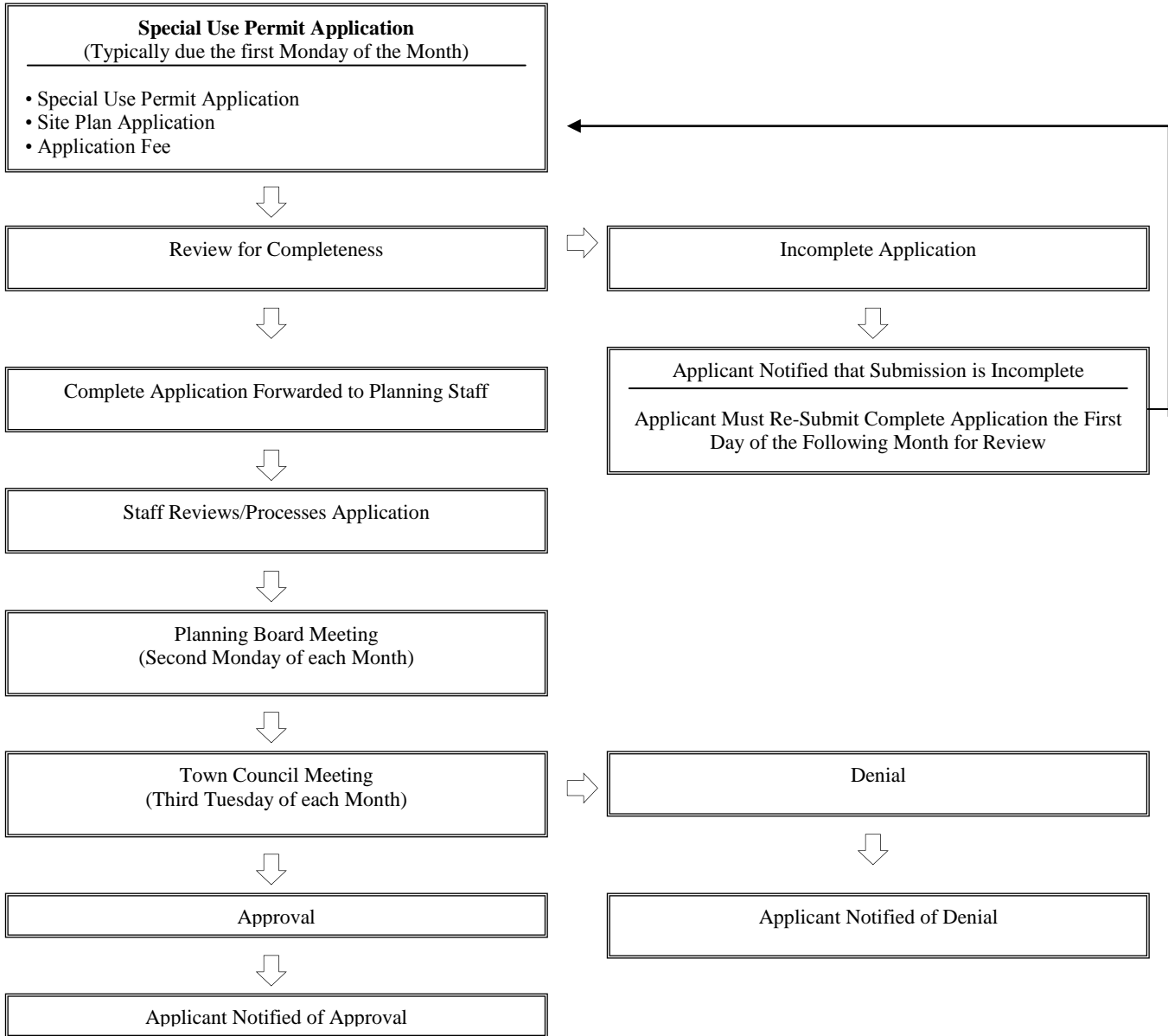


# SPECIAL USE PERMIT PROCESS



## **SPECIAL USE PERMIT PROCESS**

**TIMING OF APPROVAL:** The Special Use Permit should be submitted in conjunction with a Site Plan Application. A Minor Site Plan that requires a Special Use Permit will also follow the Major Site Plan Applicant Schedule. The Major Site Plan Applicant Schedule will be followed due to the public hearing notification requirements.

**COMPLETE APPLICATION:** The applicant must submit the following items before 5:00 P.M. on the submittal date listed on the Major or Minor Applicant Schedule (available at the Planning Department):

1. Complete Special Use Permit Application
2. Complete Site Plan Application
3. One Agent Authorization Form (if applicable)
4. Application Fee

**REVIEW FOR SUFFICIENCY:** Planning staff checks application for sufficiency. Incomplete applications will be returned to the applicant (typically within the week the application is submitted). Sufficiently complete applications are forwarded to the planning staff for review.

**REVIEW BY STAFF:** The planning staff reviews the application to determine compliance with the Unified Development Ordinance (UDO). If the application is determined not to be compliant with the UDO comments will be sent to the applicant. The applicant must address all staff comments before any public hearings are scheduled. Applications in compliance with the UDO will be forwarded to the Planning Board for a public hearing according to the Major Site Plan Applicant Schedule.

**NOTIFICATION REQUIREMENTS SUBMITTED BY APPLICANT:** The applicant must submit a signed affidavit with a certified list of owners of land subject to the application and owners of land within 300 feet of the land subject to the application. The addresses for property owners may be obtained from the current Wake County Tax Office, 300 S. Salisbury Street, Raleigh, North Carolina. The applicant must also submit **1 set** of envelopes addressed to each of the property owners of the land subject to the application, and all property owners within 300 feet of the land subject to the application. Each envelope must be affixed with a **first class stamp** (metered postage **will not** be accepted) and contain the following return address:

The Town of Apex – Planning Department  
P.O. Box 250  
Apex, North Carolina 27502

**PUBLIC HEARING NOTIFICATION:** Notification of the public hearing will take place by three different methods. A written notice will be sent to nearby property owners as required by the UDO, two notices will be published in the newspaper and a notice will be posted at the land subject to the application. The Planning Department will prepare written notifications for all property owners of the land subject to the application and all property owners within 300 feet of the land subject to the application. These notices will be postmarked at least 14 days prior to the Planning Board Meeting and the Town Council Meeting. A notice of the public hearing will be published in the newspaper once a week for two successive weeks prior to the public hearing. The first publication will be no less than 10 days and no more than 25 days prior to the public hearing. A notice will be posted on the land subject to the application at least 14 days prior to the public hearing.

## **SPECIAL USE PERMIT PROCESS**

**1<sup>ST</sup> PUBLIC HEARING/PLANNING BOARD MEETING:** The Planning Board will consider the application, relevant support materials, the Staff Report and public testimony given at the public hearing. After the public hearing the Planning Board will make a recommendation to the Town Council. The Planning Board may recommend approval, approval with conditions or disapproval. The application is then forwarded to the Town Council. The Planning Board meets at 4:30 P.M. in the Town Hall Board Room on the date indicated on the Major Site Plan Applicant Schedule (typically the second Monday of each month).

**2<sup>ND</sup> PUBLIC HEARING/TOWN COUNCIL MEETING:** The Town Council will consider the application, relevant support materials, the Staff Report, the Planning Board recommendation and public testimony given at the public hearing. After the public hearing the Town Council will vote to approve, approve with conditions or disapprove the Special Use Permit. The Town Council meets at 7:00 P.M. in the Town Hall Board Room on the date indicated on the Major Site Plan Applicant Schedule (typically the first or third Tuesday of each month).

**SPECIAL USE PERMIT APPLICATION**

**TOWN OF APEX  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

**Submittal Date:** \_\_\_\_\_

**Case #** \_\_\_\_\_  
(Assigned by Planning Staff)

**Special Use Permit** ----- \$600.00

Complete application must be submitted by **5:00 p.m.** on the submittal date listed on the Applicant Schedule. The submittal date is typically the **1<sup>st</sup> Monday** of the month (holidays change the submittal dates—see the Applicant Schedule).

The following **must** be submitted to the Planning Department to begin the review cycle:

- Two (2) copies of this application; one original and one copy.
- One (1) Certified list of property owners
- One (1) Agent Authorization Form
- One (1) Set of envelopes addressed to each property owner
- One (1) Completed site plan (see major or minor site plan application for requirements)
- Special Use Permit Application Fee

Owner/Applicant \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax # \_\_\_\_\_

E-mail Address \_\_\_\_\_

Project Name \_\_\_\_\_

Location \_\_\_\_\_

Property PIN \_\_\_\_\_

Acreage \_\_\_\_\_ Zoning \_\_\_\_\_

Town Limits: Inside/Outside (Circle One)

Special Use Permit Requested: \_\_\_\_\_

Proposed Hours of Operation:

Monday – Friday \_\_\_\_\_ to \_\_\_\_\_

Saturday \_\_\_\_\_ to \_\_\_\_\_

Sunday \_\_\_\_\_ to \_\_\_\_\_

Proposed number of employees: \_\_\_\_\_

Description of duties: \_\_\_\_\_

\_\_\_\_\_

Estimated number of daily clients/customers: \_\_\_\_\_

**SPECIAL USE PERMIT APPLICATION**

**Certified list of property owners subject to this application and all property owners within 300' of the land subject to this application. (You may refer to an attached list. Enter "attached list" on line # 1 and have signature below notarized).**

	Owners Names	PIN#
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____
16.	_____	_____
17.	_____	_____
18.	_____	_____
19.	_____	_____
20.	_____	_____

I, \_\_\_\_\_ certify that this is an accurate listing of all property owners and owners within 300' of the land subject to this application.

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

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

**TOWN OF APEX**

**SPECIAL USE PERMIT APPLICATION**

**AGENT AUTHORIZATION FORM**

\_\_\_\_\_ is the owner of the property for which the attached application is being submitted:

- \_\_\_\_\_ Land Use Amendment
- \_\_\_\_\_ Rezone
- \_\_\_\_\_ Site Plan
- \_\_\_\_\_ Subdivision Map
- \_\_\_\_\_ Variance
- \_\_\_\_\_ Other: \_\_\_\_\_

The property is located at: \_\_\_\_\_

The agent for this project is:

Name: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Signature(s) of Owner(s)

\_\_\_\_\_

Type or print name

\_\_\_\_\_

Type or print name

\_\_\_\_\_

**\*Owner of record as shown on the latest equalized assessment rolls of Wake County. (An option to purchase does not constitute ownership). If ownership has been recently transferred, a copy of the deed must accompany this authorization.**

## **SPECIAL USE PERMIT REQUIREMENTS**

The proposed special use must comply with Section 2.3.5.D of the Unified Development Ordinance. These standards are summarized in the following list.

1. \_\_\_\_ Consistent with the 2025 Land Use Plan and Land Use Plan Update.
2. \_\_\_\_ Compatibility. Appropriate for proposed location and compatible with the character of surrounding land uses.
3. \_\_\_\_ Compliant with Sec. 4.4, Supplemental Standards.
4. \_\_\_\_ Minimize adverse effects and impacts, including visual impact of the proposed use on adjacent lands.
5. \_\_\_\_ Minimize environmental impact and not cause deterioration of resources.
6. \_\_\_\_ No adverse impact of public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire, and EMS facilities.
7. \_\_\_\_ Compliant with the appropriate standards in Article 8: General Development Standards in the Unified Development Ordinance.
8. \_\_\_\_ Compliant with all standards imposed on it by all other applicable provisions of the Unified Development Ordinance.