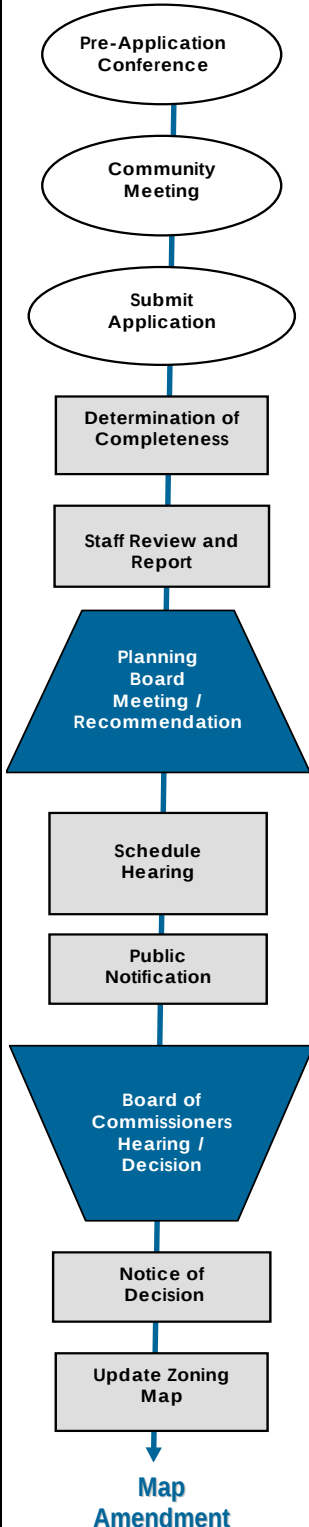




# Zoning Map Amendment Review Process



## Contact Information

Town of Red Cross  
Planning and Community Development  
176 East Red Cross Road  
Oakboro, NC 28129

Phone: 704-485-2002  
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Website: <https://www.townofredcross.com/planning-zoning>

## Step 1: Pre-application Conference

The purpose of a pre-application conference is to provide an opportunity for the applicant to determine the submittal requirements and the procedures and standards applicable to an anticipated development application. A pre-application conference is also intended to provide an opportunity for county staff to become familiar with, and offer the applicant preliminary comments about, the scope, features, and impacts of the proposed development, as it relates to the Town of Red cross Zoning Ordinance.

The applicant may submit conceptual drawings that show the location, general layout, and main elements of the development to be proposed as part of the application to the Planning and Community Development Department at least three business days before the pre-application conference.

## Step 2: Community Meeting (only when more intense base zoning district is proposed)

The purpose of the community meeting is to inform owners and occupants of nearby lands about the application for a conditional rezoning that is going to be reviewed under the Town of Red Cross Zoning Ordinance, and to provide the applicant an opportunity to hear comments and concerns about the application as a means of resolving conflicts and outstanding issues, where possible.

Community meetings are opportunities for informal communication between applicants and the owners and occupants of nearby lands, and other residents who may be affected by the application.

The community meeting shall comply with the following procedures:

### 0 Time and Place

- ☐ The meeting shall be held at a place that is convenient and accessible to neighbors residing in close proximity to the land subject to the proposed zoning map amendment application.

### 0 Notification

- ☐ Mailed Notice
  - The applicant shall mail notice of the meeting a minimum of ten days in advance of the meeting to the Planning Director and to:
    - i. All owners of the land subject to the application;
    - ii. All owners of land within 500 feet of the property lines of land subject to the application (including owners of land located outside the county) whose address is known by reference to the latest ad valorem tax records; and
    - iii. Commanders of military bases located within five miles of the subject application when the development proposal affects the type of uses allowed.

- ☐ Posted Notice
  - The applicant shall post notice of the community meeting on the land subject to the application for at least ten days before the date fixed for the meeting, in a form established by the Planning Director. Signs used for posted notice shall have a minimum size of six square feet per side.
- ☐ Notice Content
  - The notice shall state the time and place of the meeting and general nature of the zoning map amendment application.
- 0 **Conduct of Meeting**

At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to question and concerns neighbors raise about the application, and propose ways to resolve conflicts and concerns.
- 0 **Staff Attendance**

County staff shall attend the meeting for purpose of advising attendees about the applicable provisions of the Town of Red Cross Zoning Ordinance and the land use plan, but shall not serve as facilitators or become involved in discussions about the proposed zoning map amendment.
- 0 **Written Summary of Community Meeting**

The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments, discuss issues related to the zoning map amendment application, and any other information the applicants deems appropriate. The meeting summary shall be included with the application materials and be made available to the public for inspection.
- 0 **Response to Summary**

Any person attending the community meeting may submit a written response to the applicant's meeting summary to the Planning Director within 30 days after the application is determined complete. The response may state their understanding of attendee comments, discuss issues related to the development proposal, and include any other information they deem appropriate. All written responses to the applicant's summary of the community meeting shall be transmitted to the applicant, included with the application materials, and made available to for public inspection.

### Step 3: Application Submittal and Acceptance

The applicant must submit a complete application packet on or before the application submittal date. Zoning map amendment applications may be initiated by the Board of Commissioners, Planning Board, the Planning Director, or other party with recognized property interest. A complete application packet consists of the following:

- 0 Completed Town of red Cross Zoning Map Amendment Application.
- 0 Application Fee (1-5 Acres \$300 Over 5 acres \$400 plus \$15 for each acre)
- 0 Written Summary of Community Meeting, if applicable.
- 0 A site plan or map drawn to scale that includes the following, unless otherwise waived by the administrator:
  - ☐ Lot/parcel dimensions;
  - ☐ Zoning designation;
  - ☐ All existing physical features (structures, buildings, streets, roads, etc.); and,
  - ☐ Location and dimensions of any proposed construction.
- 0 A copy of the metes and bounds of the proposed area to be rezoned [if the request does not include entire parcel(s)].
- 0 Number of Copies Submitted:
  - ☐ 2 Copies of plans or maps
  - ☐ 2 Hard copies of ALL documents
  - ☐ 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents

On receiving an application, staff shall, within ten business days, determine whether the application is complete or incomplete. A complete application contains all the information and materials listed above, and is in sufficient detail to evaluate and determine whether it complies with appropriate review standards. If an application is determined to be incomplete, the applicant may correct the deficiencies and resubmit the application for completeness determination. Failure to resubmit a complete application within 45 calendar days after being determined incomplete will result in the application being considered withdrawn.

#### Step 4: Staff Review and Action

Once an application is determined complete, it will be distributed to the appropriate staff for review. Staff shall review the application, prepare a staff report, and provide a recommendation on the application. The report will also include any outstanding concerns with the application.

#### Step 5: Advisory Body Review and Recommendation

After staff prepares the report and provides a recommendation on the application, staff shall schedule the application for a public meeting with the Planning Board. At the public meeting, the Planning Board shall consider the application, relevant support materials, staff report, and any public comments. It shall then recommend approval, approval subject to additional conditions, or denial, and clearly state that factors considered in making the recommendation. The Planning Board shall provide a recommendation on an application it reviews within two months from the date of its initial meeting to consider the application.

#### Step 6: Public Hearing Scheduling and Public Notification

After the Planning Board provides a recommendation on the application, staff shall ensure that the public hearing on it is scheduled for a regularly scheduled Board of Commissioners meeting or a meeting specially called for by the Board of Commissioners. The required public hearing with the Board of Commissioners shall be scheduled so there is sufficient time for a staff report to be prepared and for the public notification requirements to be satisfied under state law.

The application shall meet the following public notification requirements:

**O Published Notice**

Staff shall publish a notice of the hearing once a week for two successive calendar weeks in a newspaper having general circulation in the county. The first time notice is published, it shall not be less than 10 days nor more than 25 days before the date fixed for the hearing.

**O Mailed Notice**

Staff shall be responsible for preparing and mailing a written notice between 10 and 25 days before the public hearing. Notice shall be mailed to:

- ☐ All owners of the land subject to the application;
- ☐ The applicant, if different from the land owner;
- ☐ All owners of land within 500 feet of the property lines of land subject to the application (including owners of land located outside the county) whose address is known by reference to the latest ad valorem tax records; and
- ☐ Commanders of military bases located within five miles of the subject application when the development proposal affects the type of uses allowed.

Mailed Notice shall not be required when a zoning map amendment includes more than 50 lots or tracts, owned by at least 50 different landowners, provided the county publishes a map (occupying at least one-half of a newspaper of general circulation once a week for two successive calendar weeks, with the first notice published not less than ten days nor more than 25 days before the date fixed for a public hearing. Affected land owners residing outside the newspaper circulation are shall be notified via first class mail.

**O Posted Notice**

At least 10 days before the public hearing, posted notice shall be made by staff. A sign shall be placed in a conspicuous location as to be clearly visible to the traveled portion of the respective street. Where the land subject to the notice does not have frontage on a public street, the sign shall be erected on the nearest street right-of-way with an attached notation generally indicating the direction and distance to the land subject to the application.

#### Step 7: Public Hearing Procedures, and Decision-Making Body Review and Decision

The applicant must be in attendance at the public hearing. During the public hearing, the Planning Director will present the staff report and any review body findings and recommendation to the Board of Commissioners. The applicant will then have the opportunity to present any information they deem appropriate. The burden of demonstrating that an application complies with applicable review and approval standards of the Town of Red Cross Zoning Ordinance is on the applicant. The public may be permitted to speak in accordance with the Board of Commissioners rules of procedure, or at their discretion, as appropriate, in support of or in opposition to the application. The applicant and Planning Director may respond to any comments, documents, or materials presented.

The Board of Commissioners shall make one of the following decisions on the application:

- 0 Approval of the map amendment as submitted;
- 0 Approval of the map amendment with a reduction in the area proposed to be rezoned;
- 0 Approval of a map amendment to more restricted base zoning district; or
- 0 Denial of the map amendment application.

A zoning map amendment is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny a zoning map amendment application, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the application:

- 0 Is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of the Town of Red Cross Zoning Ordinances;
- 0 Is in conflict with any provision of the Town of Red Cross Zoning Ordinances, or the County Code of Ordinances;
- 0 Is required by changed conditions;
- 0 Addresses a demonstrated community need;
- 0 Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land;
- 0 Adversely impacts nearby lands;
- 0 Would result in a logical and orderly development pattern;
- 0 Would result in significant adverse impacts on the natural environment including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
- 0 Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities.);
- 0 Would not result in significantly adverse impacts on the land values in the surrounding area; and
- 0 Would not conflict with the public interest, and is in harmony with the purposes and intent of the Town of Red Cross Zoning Ordinance.



## Zoning Map Amendment Application

### OFFICIAL USE ONLY:

Case Number: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_

### Contact Information

#### APPLICANT:

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

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

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

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

#### PROPERTY OWNER:

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

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

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

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

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: \_\_\_\_\_

### Property Information

Physical Street Address: \_\_\_\_\_

Location: \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Total Parcel(s) Acreage: \_\_\_\_\_

Existing Land Use of Property: \_\_\_\_\_

### Request

Current Zoning of Property: \_\_\_\_\_ Proposed Zoning District: \_\_\_\_\_

Total Acreage for Rezoning: \_\_\_\_\_ Are you rezoning the entire parcel(s): Yes/No

Metes and Bounds Description Provided: Yes/No

### Community Meeting, if Applicable

Date Meeting Held: \_\_\_\_\_ Meeting Location: \_\_\_\_\_

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

\_\_\_\_\_  
Property Owner(s)/Applicant\*

\_\_\_\_\_  
Date

**\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.**

### Zoning Map Amendment Design Standards and Submittal Checklist

The table below depicts the design standards of the site plan or map for a zoning map amendment application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

## Zoning Map Amendment

### Site Plan Design Standards and Submittal Checklist

Date Received: \_\_\_\_\_

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

Applicant/Property Owner: \_\_\_\_\_

| Site Plan or Map Design Standards Checklist |                                                                               |  |
|---------------------------------------------|-------------------------------------------------------------------------------|--|
| 1                                           | Lot/parcel dimensions.                                                        |  |
| 2                                           | Zoning designation.                                                           |  |
| 3                                           | All existing physical features (structures, buildings, streets, roads, etc.). |  |
| 4                                           | Location and dimensions of any proposed construction.                         |  |

### Zoning Map Amendment Submittal Checklist

Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

| Zoning Map Amendment Submittal Checklist |                                                                                              |  |
|------------------------------------------|----------------------------------------------------------------------------------------------|--|
| 1                                        | Complete zoning map amendment application                                                    |  |
| 2                                        | Application fee (1-5 Acres \$300 over 5 acres \$400 plus \$15 for each acre or part thereof) |  |
| 3                                        | Community meeting written summary, if applicable                                             |  |
| 4                                        | Site plan or map                                                                             |  |
| 5                                        | Metes and bounds survey, if applicable                                                       |  |
| 6                                        | 2 copies of plans or maps                                                                    |  |
| 7                                        | 2 hard copies of ALL documents                                                               |  |
| 8                                        | 1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)     |  |

### For Staff Only

#### Pre-application Conference

Pre-application Conference was held on \_\_\_\_\_ and the following people were present:

\_\_\_\_\_  
\_\_\_\_\_

#### Comments

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_