

Pender County Planning and Community Development

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

Zoning Text Amendment Submission

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1. _____ **Pre-submittal Meeting**
Date of Meeting _____
2. _____ **Signed Application**
3. _____ **Payment**
\$250
4. _____ **Narrative**
A letter describing, in detail the intent and purpose of the amendment presented, meeting the approval criteria set forth in Section 3.18.5 of the Pender County UDO.
5. _____ **Digital Submission**
For all documents submitted in paper copy, please a digital copy with paper submission.

I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant _____

Date _____

Printed Name _____

Staff Initials: _____

Date: _____

Zoning Text Amendment



**Submit Completed Application
and Materials**



Planning Staff Review



**Planning Board Public Hearing for
recommendation**



**Board of County Commissioners Decision
Rendered**

| | | Meeting Date | Agenda Deadline | BOC Meeting Date |
|--|------------------|--------------|-----------------|------------------|
| Planning Board and Board of Commissioners | January | 11.21.19 | 1.7.20 | 3.16.20 |
| | February | 12.13.19 | 2.4.20 | 4.20.20 |
| | March | 1.17.20 | 3.3.20 | 5.18.20 |
| | April | 2.14.20 | 4.7.20 | 6.15.20 |
| | May | 3.13.20 | 5.5.20 | 7.6.20 |
| | June | 4.17.20 | 6.2.20 | 8.17.20 |
| | July | 5.15.20 | 7.7.20 | 9.21.20 |
| | August | 6.12.20 | 8.4.20 | 10.19.20 |
| | September | 7.17.20 | 9.1.20 | 11.16.20 |
| | October | 8.14.20 | 10.6.20 | 12.7.20 |
| | November | 9.18.20 | 11.3.20 | January 2021 |
| | December | 10.16.20 | 12.1.20 | February 2021 |

Complete Application Date: All documents must be received by 12PM on the deadline date to be considered a complete application.

Zoning Map Amendment Specific Requirements

1. Application Submittal

- Application
- Narrative: A letter describing, in detail the intent and purpose of the amendment presented, meeting the approval criteria set forth in Section 3.18.5 of the Pender County UDO.

2. Planning Board and Board of Commissioners Review Criteria (per Section 3.18.5)

- A. In evaluating any proposed Ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:
 - 1) The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
 - 2) The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
 - 3) Whether or not the proposed text amendment corrects an error in the Ordinance; and
 - 4) Whether or not the proposed text amendment revises the Ordinance to comply with state or federal Statutes or case law.
- B. In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents, the CAMA Land Use Plan, and the specific intent of this Ordinance.

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Planning Division

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TEXT AMENDMENT

A request to amend the text of this Ordinance may be initiated by the County Commissioners, Board of Adjustment, Planning Board, Administrator, or a citizen of Pender County.

Approval Criteria (*Section 3.18.5*)

In evaluating any proposed ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

- a. The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
- b. The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
- c. Whether or not the proposed text amendment corrects an error in the Ordinance; and
- d. Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.
- e. In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents, the CAMA Land Use Plan, and the specific intent of this Ordinance.

Action by the Planning Board

1. Before making any recommendation on a text amendment, the Planning Board shall consider any recommendations from the Administrator and shall conduct a public hearing where interested parties may be heard.
2. The Planning Board shall make a recommendation based on the approval criteria.
3. The Planning Board shall make its recommendation following the initial public hearing.

Action by County Commissioners

1. Before taking action on a text amendment, the County Commissioners shall consider the recommendations of the Planning Board and Administrator and shall conduct a public hearing.
2. The County Commissioners shall make a decision based on the approval criteria.
3. Following the public hearing, the County Commissioners may approve the text amendment, deny the amendment, or send the amendment back to the Planning Board or a committee of the County Commissioners for additional consideration.

In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents, the CAMA Land Use Plan, and the specific intent of this Ordinance.

APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE

| | | | |
|-----------------------------------|------------|---------------------|--|
| Application No. | ZTA | Date | |
| Application Fee | \$ | Receipt No. | |
| Pre-Application Conference | | Hearing Date | |

SECTION 1: APPLICANT INFORMATION

| | |
|-------------------------------|--|
| Applicant's Name: | |
| Applicant's Address: | |
| City, State, & Zip | |
| Phone Number: | |
| Email Address: | |

SECTION 2: UDO TEXT TO BE AMENDED

Current Text to be Amended (Please site accurate Article number referenced):

Proposed Text to be added:

SECTION 3: SIGNATURE

| | |
|------------------------------|--------------|
| Applicant's Signature | Date: |
|------------------------------|--------------|

NOTICE TO APPLICANT

If the applicant makes significant changes to the application for a text amendment after the Planning Board has made its recommendation, the Administrator may refer the modified request back to the Planning Board for an additional public hearing.

TEXT AMENDMENT CHECKLIST

| | |
|--------------------------|--|
| <input type="checkbox"/> | Signed application form |
| <input type="checkbox"/> | Application fee |
| <input type="checkbox"/> | A letter describing, in detail the intent and purpose of the amendment presented, meeting the approval criteria set forth in Section 3.18.5 of the Pender County UDO (shown on page 1 of this application) |

Office Use Only

| | | | |
|---|--|--|---|
| <input type="checkbox"/> ZTA Fees: \$250 | | Total Fee Calculation: | |
| Payment Method: | Cash : <input type="checkbox"/> \$ _____ | Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa | Check: <input type="checkbox"/> Check # _____ |
| Application Received By: | | Date: | |
| Application completeness approved by: | | Date: | |
| Dates Scheduled for Public Hearings: | <input type="checkbox"/> Planning Board: | <input type="checkbox"/> BOC: | |