



Zoning Ordinance Text Amendment Application

D & D Services
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Morganton, NC 28655
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Fee: \$750.00
Fees are subject to change without notice

All pages must be completely filled out before application is accepted. For assistance filling out this application, contact Development & Design Services.

To the Planning & Zoning Commission and City Council of Morganton:

I, _____ do hereby make an application to change the Zoning Ordinance of the City of Morganton as herein requested.

Amend Article _____ Section _____ as follows: _____

PLEASE USE AN ATTACHEMENT IF NECESSARY

Applicant information

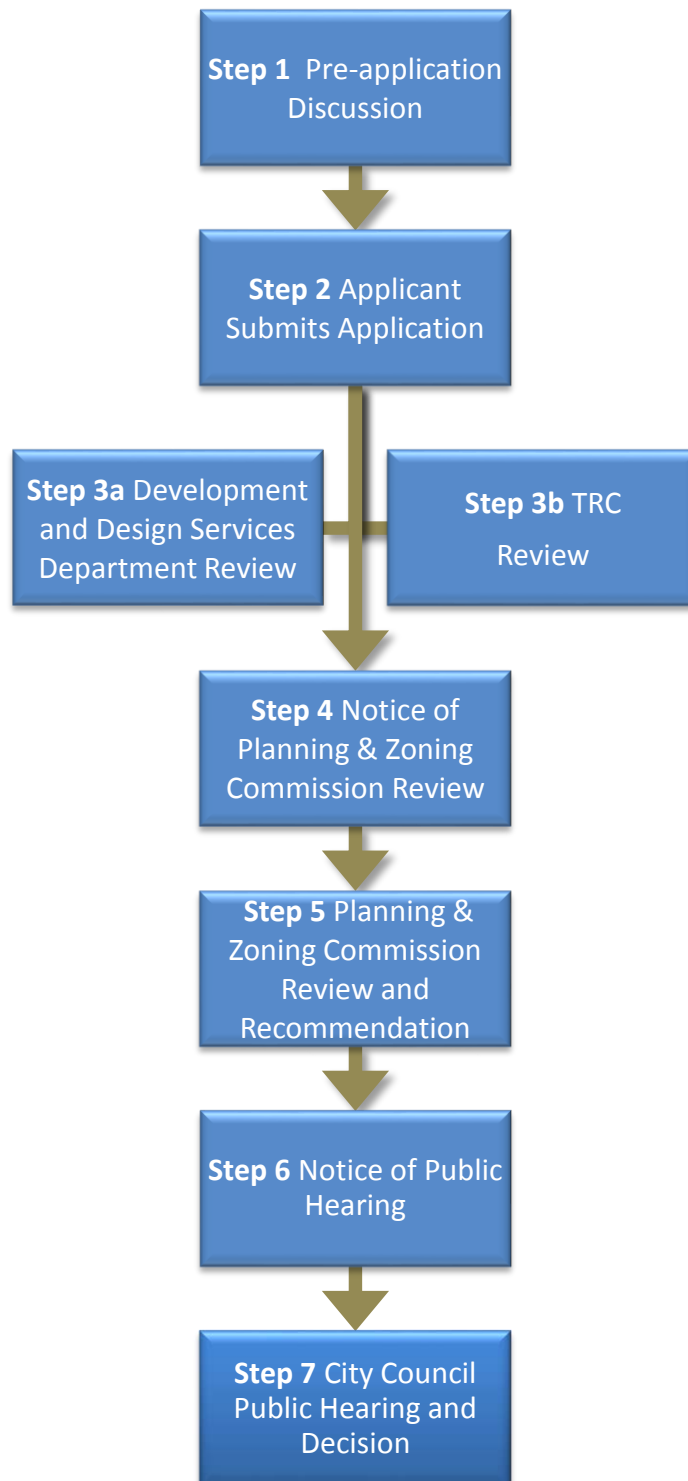
Name: _____ City/State/Zip: _____
Mailing Address: _____ Email: _____
Phone: _____
Alternate phone: _____ *Email addresses are only used by this office for correspondence with the applicant if needed.*

Consultant information

Name: _____
Address: _____
Phone: _____
Email: _____

2.2.9 Zoning Text Amendments

The City Council may amend, supplement or change the Zoning Ordinance according to the following procedure. The steps in the boxes below correspond with a detailed description of each step of the process on the following pages.



Step 1. Pre-Application Discussion

To minimize costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this Ordinance, pre-application consultation between the applicant and the Zoning Administrator concerning the proposed text amendment is required. The Zoning Administrator shall review the request and discuss it with the applicant.

Step 2. Applicant Submits Application

- (A) Applications to change, supplement or amend the Zoning Ordinance may be initiated by the City Council, the Planning & Zoning Commission, or anyone who owns property or resides in the area of jurisdiction of this Ordinance or the agent of such person.
- (B) The Zoning Administrator, before scheduling any text amendment for consideration by the Planning & Zoning Commission, shall ensure that it contains all the required information as specified below on the application form. Applications which are not complete, or otherwise do not comply with these provisions shall not be scheduled, but shall be returned to the applicant with a notation of the deficiencies in the application.
- (C) Completed applications shall be received a minimum of 28 days prior to the Planning & Zoning Commission meeting at which the proposed amendment is scheduled to be considered.
- (D) All applications for text amendments shall contain, at a minimum, a description of the proposed change, including the affected section numbers of the Zoning Ordinance and the proposed text.

Step 3a/3b. Development and Design Services Department/Technical Review Committee Review

- (A) The Zoning Administrator and Development and Design Services Department shall review the proposed text amendment and prepare a staff report with an assessment of how the text amendment relates to the Comprehensive Plan.

Step 4. Planning & Zoning Commission Recommendation and Review

- (A) The Development and Design Services department staff shall present any properly completed application for amendment to the Planning & Zoning Commission at a regularly scheduled meeting.

- (B) The Planning & Zoning Commission shall review on the proposed amendment and shall either recommend approval or denial of an amendment by simple majority vote of those present and voting. The Planning Board shall include with its recommendation a written statement regarding the consistency of the request with the Comprehensive Plan and other adopted City plans and policies and the surrounding area. A tie vote on a proposal shall be considered to be a recommendation for denial for such amendment. If the Planning & Zoning Commission should fail to act on any proposal amendment within 30 days after it is presented to the Commission such failure to act shall be considered to be a favorable recommendation for the purposes of this procedure. Any proposed amendment which fails to receive a favorable recommendation from the Planning & Zoning Commission shall be considered to have a recommendation for denial unless a person who has the authority to initiate that type of proposal appeals such denial within 10 days of such Commission action. Such appeal shall be in writing requesting the City Council to hold a public hearing on the matter and shall be filed with the Development and Design Services Department.

Step 5. Notice of Public Hearing

A notice shall be published in a newspaper having general circulation in the City once a week for two (2) consecutive weeks provided that the first notice is published not less than 10 days nor more than 25 days prior to the date established for the public hearing.

Step 6. City Council Public Hearing and Decision

- (A) The Development and Design Services Department staff shall transmit to the City Council a record of action taken by the Planning & Zoning Commission on the proposed amendment.
- (B) The City Council shall take such lawful action on such proposals as it may deem advisable provided that no zoning amendment shall be adopted until after a public hearing shall have been held.
- (C) The City Council shall include with its decision a written statement regarding the consistency of the request with the Comprehensive Plan and other adopted City plans and policies and the surrounding area.
- (D) Approval of a text amendment shall require a simple majority of City Council members present.

Step 7. Additional Approvals (as required)

Following the approval of a text amendment by the City Council, the applicant may need to obtain additional approvals which may include Zoning Permit and Building Permit approval before any work may begin.