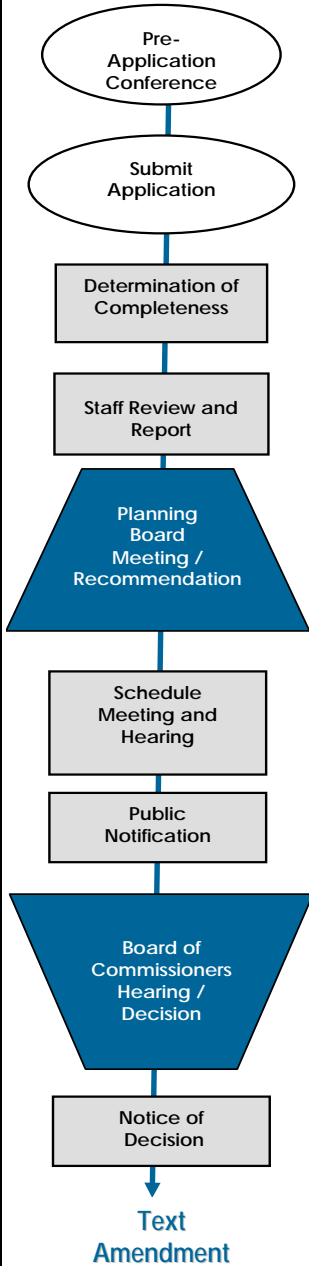




# Text Amendment Review Process



## Contact Information

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

Phone: 704-485-2002  
 Fax: 704-485-2015

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 text amendment 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 text amendment, as it relates to the standards in the Town Zoning Ordinance.

The applicant shall submit a written description of the nature and purpose of the text amendment to the Planning and Community Development Department during the pre-application conference.

## Step 2: Application Submittal and Acceptance

The applicant must submit a complete application pack on or before the application submittal date. Applications may be initiated by the Board of Commissioners, the Planning Boards, the Planning Director, the TRC, or any other interested party. A complete application packet consists of the following:

- Completed Town of Red Cross Text Amendment Application.
- Application Fee (\$175)
- Number of Copies Submitted:
  - 2 Hard copies of ALL documents
  - 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all documents

On receiving an application, staff shall 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. Incomplete applications will not be processed.

## Step 3: Staff Review and Action

After accepting the text amendment application, staff shall review it, prepare a written report, and provide a recommendation on the application. The recommendation may include a second option that will include text to address conflicts with the existing ordinance or adopted plans.

## Step 4: Advisory Body Review and Recommendation

After the staff prepares a staff 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 of a modified version, 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 5: 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:

○ **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.

#### Step 6: 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. The applicant will then have the opportunity to present any information they deem appropriate. 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:

- Adoption of the text amendment as proposed;
- Adoption of a revised text amendment;
- Denial of the text amendment; or
- Remand of the text amendment application back to the Planning Board for further consideration.

A text 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 conditional rezoning, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the application:

- 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 Ordinance;
- Is in conflict with any provision of the Town of Red Cross Zoning Ordinances, or the County Code of Ordinances;
- Is required by changed conditions;
- Addresses a demonstrated community need;
- Is compatible with the purpose and intent of the zoning district in the Town of Red Cross Zoning Ordinance, or would improve compatibility among uses and ensure efficient development within the county;
- Would result in a logical and orderly development pattern; and
- 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;



# Text Amendment Application

OFFICIAL USE ONLY:	
Case Number:	_____
Date Filed:	_____
Amount Paid:	_____

## Contact Information

APPLICANT:

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

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

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

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

## Request

I, the undersigned, do hereby make application to change the Town of Red Cross Zoning Ordinance as herein requested. \_\_\_\_\_

Amend Chapter(s) \_\_\_\_\_ Section(s) \_\_\_\_\_ as follows: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Request may be attached on separate paper if needed.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Date

**Text Amendment Submittal Checklist**

Staff will use the following checklist to determine the completeness of your application. Only complete applications will be accepted.

# Text Amendment Submittal Checklist

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

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

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

Text Amendment Submittal Checklist		
1	Complete Text Amendment application	
2	Application fee (\$175)	
3	2 hard copies of ALL documents	
4	1 PDF digital copy of all 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**

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