

Legislative Process

Planning Board Meeting

Planning staff will present and provide a recommendation regarding the project. The Planning Board meeting is a public meeting where both the applicant and citizens are given the opportunity to speak. The applicant should plan to attend the meeting to answer any questions. The Planning Board is an advisory board made up of appointed citizen representatives. The role of this Board in the rezoning process is to consider what impact the desired zoning classification would have on the community. It is the Planning Board's duty to generate a recommendation for the City Council. The Planning Board may recommend approval, denial or may defer decision for up to 30 days. It is important to note that the Planning Board is not a decision making body. The City Council can vote to approve or deny the petition regardless of the Planning Board's recommendation.

Legal Ad & Adjacent Property Notification

Planning staff is required by State law for placing an ad in the local newspaper, notifying adjoining property owners and posting a zoning sign on the property of the public hearing date. The public hearing must be advertised in a paper with local circulation at least 10 days prior to the public hearing and no more than 25 days prior to the public hearing date. Additionally, staff is required to send letters through first-class mail to all property owners that are located within a minimum of 150 feet of the subject property of the public hearing. The notification must include the date, time and location of the public hearing.

Public Hearing & City Council Decision

The project must first be called, and then placed on the Council agenda for a public hearing. The City Council is the legislative body in the City of Monroe. Its decisions are law and can only be appealed in a court of law. The City Council has final say in all rezoning matters. Although the City Council must hear citizen input and the recommendation of the Planning Board they are not required to follow the recommendation or public opinion. If the City Council approves the rezoning petition, the property is officially rezoned at the time of that decision. If the City Council denies the petition, the current zoning classification remains.

Conditional Districts

Conditional zoning districts are established to provide for flexibility in the development of property while ensuring that the development is compatible with neighboring uses. Conditional zoning affords a degree of certainty in land use decisions not possible when rezoning to a general district. Additional standards and regulations may be attached to a proposed development to ensure compatibility with the surrounding uses and with applicable adopted plans.

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Conditional District Review Process



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Submittal Process

Submittal Process Continued

Details

Details required on the Plans

- 1) Submittal of Conditional District Application:
 - Complete application form
 - Fee-\$500.00
 - Plans- one digital plan (PDF) and one (1) full size (24"x36") site plans including landscape plans and elevations.
- 2) Applicant is strongly encouraged to notify the community in the form of a meeting or informative letter in order to receive input from the community. Meeting or notification must be a minimum of ten (10) days prior to the Planning Board meeting.
- 3) Project is routed to the various departments within the City and placed on the Technical Review Committee (TRC) agenda for review and comment.
- 4) Once all comments have been addressed and the project has received TRC approval it is then placed on the next available Planning Board agenda.
- 5) Planning Board will hold a meeting and provide a recommendation for the project. This is a public meeting where both the applicant and public may speak.
- 6) The project will be placed on the consent agenda at the next City Council meeting in order to call for a public hearing at a future date.
- 7) The City will advertise a legal ad in the newspaper at least ten (10) days prior to the public hearing, post a sign on the subject property, and notify all property owners at a minimum of 150 feet of the subject property of the public hearing.
- 8) Council will conduct a public hearing where both the applicant and public are given the opportunity to speak. At the conclusion of the public hearing, City Council will render a decision to approve or deny the request.

Site Plan: All applications must include a site plan, drawn to scale, and supporting text that, if approved, will become a part of the Ordinance amendment. The sealed site plan, drawn by an architect, landscape architect, professional surveyor, or engineer licensed to practice in North Carolina, shall include but not limited to right-of-ways existing and new, structures, easements, lot layout (if applicable), phasing (if applicable), landscaping, general comments provided by staff, zoning and parcel numbers of adjacent property owners supporting information and text that specifies the actual use or uses intended for the property.

Elevations: An elevation package is required to be included with a conditional district application. The submittal must be sealed and drawn by a licensed architect and delineate all sides of the proposed structure (s). Each elevation should clearly identify all dimensions and exterior building materials.

Notification Recommendations

The applicant is encouraged to inform the community of the proposal in coordination with planning staff at least ten (10) days prior to Planning Board meeting. The applicant can chose to hold a community meeting or mail out an informational letter in order to inform the community of the proposed development. The purpose of the notification is to encourage discussion and to provide an opportunity for resolving community concerns and issues.

If a letter is mailed the applicant is required to provide the Planning staff with a copy of the meeting notification letter and mailing list prior to the project going before the Planning Board. If a community meeting is held the applicant will be required to provide planning staff a copy of the meeting notification letter, mailing list, persons in attendance at the meeting and a summary of the meeting.

Who shall be Notified?

- Applicant will notify at a minimum all property owners within 150 feet of the petitioned property.
- Applicant will notify homeowner associations (if applicable).
- If a community meeting is being held notifications of the meeting shall be mailed by first class mail not less than ten (10) days prior to the date of the meeting.

What shall be included in the Notification?

- Date & time of the meeting
- Location of the meeting
- Address/Parcel number of the property petitioned for rezoning (location).
- Property owner names and applicant names (if different)
- Statement describing the purpose of the meeting/ purpose of the zoning request