CONDITIONAL ZONING APPLICATION

For additional information, please review Articles VIII and IX of the City of Elizabeth City’s Unified Development Ordinance.

SECTION A – APPLICATION INFORMATION

The applicant must submit the complete application packet on or before the first Friday of each month, the Technical Review Committee submittal date. A complete application packet consists of the following:

- Applicant must schedule a pre-application meeting with Planning Staff to discuss the plan and appropriate conditions. For properties located within the historic district, a pre-application meeting with the Historic Preservation Committee is required.
- Completed Conditional Zoning Application. Fax and e-mail submittals are not accepted.
- $600 Application Fee (non-refundable). Submittal deadline is the 1st Friday of the month for the Technical Review Committee (TRC) meeting (4th Tuesday of the month)
- After TRC, the Planning Commission (PC) submittal deadline is 21 working days prior to meeting date (1st Tuesday of the month)
- A community meeting report shall be submitted with the PC application package.
- A boundary survey with metes and bounds legal description of the proposed area to be rezoned.
- A master plan drawn to scale (no smaller than 1”=100’) showing the location of proposed uses including the number of residential units and total square footage of any non-residential development; number, height and general location of all structures; generalized traffic, parking, and circulation plans; screening and buffering; street and right-of-way improvements; public utility and storm drainage improvements; and provision for open or recreational spaces.
- Detailed narrative that specifies the actual use(s) intended for the property describing any conditions placed on the use and the development to ensure compatibility with the surrounding neighborhood; how the project will minimize adverse impacts to adjacent properties, City utilities and services including EMS, police and fire. How the Conditional Zoning (CZ) District uses are appropriate for it’s proposed location and it’s consistency with purposes, goals and objectives of the Joint Land Use Plan.
- Number of Copies to be Submitted for TRC
  - 23 Copies of application with 18” x 24” folded copies of the Master Plan
  - 23 Hard copies of ALL documents
- Number of Copies to be Submitted for PC
  - 12 Copies of application with 11” x 17” copies of the Master Plan and all documents
  - PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents
  - 2 sets of #10 envelopes addressed to adjacent property owners within 100’ of the site
SECTION B – APPLICANT INFORMATION

Applicant/Developer: ________________________________________________________________
Address: __________________________________________________ Mailing Address, City, State, Zip Code
Phone Number: ___________________________ Email Address: ________________________________

Property Owner(s) (if different from applicant): __________________________________________
Address: __________________________________ __________________________________ Mailing Address, City, State, Zip Code
Phone Number: ___________________________ Email Address: ________________________________

Representative: _____________________________________________________________________
Address: __________________________________ __________________________________ Mailing Address, City, State, Zip Code
Phone Number: ___________________________ Email Address: ________________________________

Applicant’s Name* ___________________________________________________________________
Applicant’s Signature ___________________________ Date ___________________________

Property Owner(s) Name __________________________________________________________________
Owner(s) Signature ___________________________ Date ___________________________

*Please note that if the applicant is not the owner of the property, than each property owner’s signature shall be notarized.

SECTION C – PROPERTY INFORMATION

Property Location: _________________________________________________________________
Tax Map Number:_________ Block: _______ Lot(s): _______ Parcel Area: ______________________
    Is the entire parcel(s) being rezoned? Yes / No (If no - attach written legal description and survey)

Current Zoning District _____________________ Proposed Zoning District _____________________
Overlay District (if applicable) ___________________________________________________________
Current Land Use: ___________________________________________________________________
Uses to be allowed: ___________________________________________________________________
    ____________________________________________________________
    ____________________________________________________________
    ____________________________________________________________

Conditions to apply to the conditional zoning _____________________________________________
    ____________________________________________________________
    ____________________________________________________________
    ____________________________________________________________

Page 2 of 10
SECTION D – NOTIFICATION

COMMUNITY MEETING:

All property owners, including the president of the Property Owners/Homeowners Associations, within 500 feet of the property to be rezoned shall be notified by the applicant of the community meeting to be held at least 30 but no more than 60 days, prior to the Planning Commission application submittal date. The applicant shall submit a list of these property owners.

PLANNING COMMISION MEETING:

It is Planning Staff’s responsibility to notify all property owners within 100 feet of the subject property at least 10 days prior to the Planning Commission and City Council meeting dates. Applicant shall provide two sets of stamped #10 envelopes for each property owner with the following return address:

City of Elizabeth City
Planning Department
PO Box 347
Elizabeth City, NC 27909.

The most up-to-date property owner information may be obtained from the Pasquotank County Tax Department.
SECTION E – COMMUNITY MEETING

The applicant must hold at a minimum one community meeting. The meeting is to be at least 30 but no more than 60 days prior to the Planning Commission meeting. The purpose of the meeting is to allow neighbors to ask questions about the request as well as allow the applicant to gather feedback about the concerns of the community. Coordination of the community meeting is the responsibility of the applicant. The meeting shall be held in proximity of the proposed request.

At least 14 days prior to the scheduled community meeting, the applicant shall mail invitations to the following property owners and organizations:

- The current tax owner of each property within 500 feet, excluding street right-of-ways, of the proposed rezoning request and the City of Elizabeth City Planning Department
- Property owner or homeowner associations located within 500 feet of the proposed rezoning request

The invitation shall include the following:

- Property owner and applicant names and contact information. (if different)
- Date, time, and location of the meeting.
- Address/Tax Map number of the proposed rezoning.
- Statement describing the purpose of the meeting and zoning request
- A copy of the proposed conceptual plan

A report of the community meeting shall be prepared by the applicant and submitted with the Planning Commission package. At a minimum, the report shall include the following information:

- The manner, date, time, and location of the meeting.
- List of property owners and associations contacted about the meeting,
- Copy of the invitation, and method of notification
- A roster of the persons in attendance at the meeting
- A summary of issues discussed at the meeting.
- A description of any changes to the rezoning application made by the applicant as a result of the meeting.
List of Property Owners within 500 feet to be notified of Community Meeting

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<th>Tax Map &amp; Parcel</th>
<th>Owner’s Name</th>
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*If more space is needed, please provide an attachment and state you are doing so on this page*
REPORT OF REQUIRED COMMUNITY MEETING
FOR CONDITIONAL ZONING DISTRICTS

Date: ________________________________

File No.: ________________________________

Location of Meeting: ________________________________

Property to be Rezoned: ________________________________

Proposed Zoning: ________________________________

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the property owners within 500 feet of the proposed rezoning as set forth on the attached list by first class mail on (date) ______________________. A copy of the written notice is also attached.

The meeting was held at the following time and place: __________________________________________

________________________________________________________________________________________

Attach a roster of persons in attendance of the meeting

The following issues were discussed at the meeting: __________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

As a result of the meeting, the following changes were made to the rezoning petition: ______________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

Date: ________________________________

Applicant: ________________________________

Consultant: ________________________________
Date

Developer/Applicant Name
Developer Address
Developer Address

Re: Community Input Meeting for the proposed development, ____________________________ (Project Name) located at ____________________________ (Location of Project) on _________________.

Dear Adjacent Property Owner:

We are proposing a new development near your property. This letter is to invite you to a community meeting regarding this ____________________________ (commercial or mixed use) project. The development will be situated on a ________ acre parcel of land located at ____________________________ (address). An informal community meeting will be held on ________________ (date) beginning at ________ (time) at ____________________________ (location of meeting to be proximate to project site). The purpose of the meeting is to present our proposed project and gather comments from the community in regards to making the project compatible with the surrounding neighborhood. You will have the opportunity to voice your concerns and ask questions of people knowledgeable with the details of the project. It is anticipated that the meeting will last approximately ________ hour(s). Attached you will find a copy of the proposed master plan for the project. The plans for the proposed development may be revised based on your input before we submit to the City.

This meeting is required as part of the City’s Conditional Zoning process; however, City staff will not participate in the meeting. We are planning to submit our official plans to the City Planning Department within the next 30 to 60 days.

We would appreciate your attendance and input at the community meeting. If you have questions before the meeting you may contact the person noted below. A copy of the map showing our proposed project is attached.

Respectfully,

For More Information, Please Contact:

Name
Phone Number
Email Address
List of Property Owners within 100 feet to be notified of Planning Commission & City Council Meetings

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*If more space is needed, please provide an attachment and state you are doing so on this page*
REQUESTED CONDITIONAL ZONING AMENDMENT
PROJECT INFORMATION FOR AMENDMENTS AND REVISIONS ONLY

Project Title: ________________________________

Project Location: ____________________________

List all uses that are prohibited by the current Conditional District ordinance:

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

Provide total commercial square footage approved by the Conditional District ordinance: __________

Provide total number of residential units and/or lots approved by the Conditional District Ordinance:

Total # subdivided lots: __________________________

Total # residential units: _________________________

Approved overall density (du/ac.): __________

Has build-out of the Conditional District Master Plan commenced? ☐ Yes ☐ No

If yes, describe development completions to date:

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

Answer all of the following:

Is land area being added/removed? ☐ Yes ☐ No

• How many acres or square feet (SF) __________

Requesting changes to conditions, design standards, etc.? ☐ Yes ☐ No

Requesting change in land use or development type? ☐ Yes ☐ No

Is new vehicular access being introduced? ☐ Yes ☐ No

Requesting an increase in total # of dwelling units or lots? ☐ Yes ☐ No

• How many additional units or lots? __________

Requesting an increase in commercial square footage (SF)? ☐ Yes ☐ No

• What is the increase in area? __________

Brief description of proposed changes to the plan (please print clearly):

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________
1. Applicant files a complete Rezoning Application, following the instructions listed above, along with the requisite fee.

2. The application is presented to the Technical Review Committee for review and comments.

3. 30 to 60 days prior to the Planning Commission submittal date, the applicant holds a Community Meeting to discuss the merits of the proposed rezoning and uses with the adjoining property owners.

4. Planning Commission (PC) application is submitted and a meeting date is set.

5. Adjoining property owners will be notified of the PC meeting and a sign will be posted on the property.

6. The PC hears the proposed change, taking into consideration the expressed opinions of the applicant, affected property owners, interested citizens, and the Zoning Administrator. The PC then makes a recommendation to the City Council concerning the proposed change.

7. The Clerk to Council will advertise and provide public notice of a Call for Public Hearing at a Regular Meeting of Council.

8. At the designated date and time, Council will hold a Public Hearing. At the Public Hearing, Council will receive the Planning Commission and Zoning Administrator recommendations and render their decision concerning the proposed rezoning or amendment request.

9. The Zoning Administrator will provide the applicant and/or property owner with official notification of the decision and any conditions attached thereto.

10. Applicant records the approved conditions and master plan for the new district with the Pasquotank County Register of Deeds.

**PROCEDURAL STEPS FOR CONDITIONAL REZONING PETITION REVIEW & PUBLIC HEARING**

**SUBMITTAL**
Applicant files rezoning request along with the required application fee to the Zoning Administrator by the 1st Friday of the month to be scheduled for a Technical Review Committee (TRC) Meeting.

**COMMUNITY MEETING**
Applicant holds a community meeting 30 to 60 days prior to the PC submittal date and submits meeting summary to Staff.

**PRE-APPLICATION MEETING**
Applicant schedules and conducts a pre-application meeting with Planning Staff (and the Historic Preservation Committee if property is located within the local historic districts) to discuss the plan and appropriate conditions.

**REVIEW**
The PC is provided a Staff Analysis, including TRC comments and receives comments from the applicant and the public; forwards recommendation to the Council.

**CALL FOR PUBLIC HEARING**
(Meeting No.1)
Clerk advertises and Council calls for a public hearing.

**PUBLIC HEARING**
(Meeting No.2)
Council holds a public hearing.

**REVIEW AND DECISION**
(Meeting No.2)
Council deliberates merits of petition request, Plan recommendations and Public response; renders decision on petition.

**FILING**
Applicant records the approved conditions and master plan with the Pasquotank Register of Deeds.