



Orange County Planning and Inspections Department

Zoning Atlas Amendment
Application Checklist

The purpose of the Zoning Atlas Amendment checklist is to provide direction to the general public on 'what' is necessary to submit a complete application package for review and processing by the Orange County Planning Department (hereafter 'Staff') consistent with the procedural requirements embodied within the Unified Development Ordinance (UDO), which can be accessed utilizing the following link:

<https://www.co.orange.nc.us/DocumentCenter/View/8305/Unified-Development-Ordinance-PDF>.

Questions on required submittal elements can be handled by staff identified below:

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PART 1: SUBMITTAL INSTRUCTIONS:

<p>SUBMIT TO: Orange County Planning and Inspections 131 West Margaret Lane – Suite 201 PO Box 8181 Hillsborough, NC 27278</p>
<p>SUBMITTAL: Applications for Zoning Atlas Amendments are accepted during normal business hours.</p>
<p>PLAN SUFFICIENCY REVIEW: Per Section 2.2.6 of the UDO, staff has 5 business days to determine if an application complies with all submittal requirements.</p> <p>Staff shall notify the applicant, in writing (i.e. e-mail or formal letter), of any deficiencies and invite the applicant to revise the application package, correcting identified deficiencies. Incomplete or deficient applications shall not be processed until identified issues are addressed.</p> <p>If and/or when the atlas amendment applicaiton complies with all submittal requirements as detailed within the UDO, Staff shall formally accept the application and notify the applicant of its acceptance.</p>

REQUIREMENTS: As detailed within the Zoning Atlas Amendment application package, and Section 2.8 of the UDO, submittals are required to contain:

1. A completed/signed Zoning Atlas Amendment application;
2. A map, at a legible scale, showing the land proposed for rezoning;
3. A detailed narrative denoting the following:
 - a. The existing zoning of the subject property and the requested zoning as defined in Article 3 of the UDO;
 - b. The current land use designation of the subject property consistent with the Orange County Comprehensive Plan and Future Land Use Map (FLUM), which can be accessed utilizing the following link:
 - c. The alleged error in the Zoning Atlas (if any) that will be corrected by the proposed request;
 - d. The changed, or changing, conditions (if any) that makes the proposed amendment reasonable necessary to promote the public health, safety, and general welfare;
 - e. How the proposed amendment is consistent with, or carries out the intent and purpose of, the Orange County Comprehensive Plan.
4. Plan review fee(s) consistent with the adopted Orange County Fee Schedule.

PART 2: SUBMITAL CHECKLIST – GENERAL ZONING ATLAS AMENDMENTS:

REQUIREMENT:	INCLUDED:	NOT APPLICABLE:
1. Map of the subject property including the boundary of the lot(s) subject to the atlas request.		
2. The name, address, and phone number of the: <ol style="list-style-type: none"> a. Applicant and the property owner (if different); b. Surveyor responsible for completing/sealing the site plan. 		
3. Contact information for utility providers (i.e. power company, gas company, telecommunications, etc.) anticipated serving the project. PLEASE NOTE: This is required so County staff can coordinate review/approval of proposed utility line locations.		
4. Adjacent right-of-way widths with road names and numbers.		
5. Adjacent parcel information (i.e. Zoning of adjacent property, Existing land uses, Legal information on adjacent property (i.e. owner, PIN number, Deed/Plat references), etc.) PLEASE NOTE: Most of this information can be obtained from the County’s on-line GIS Mapping System, which can be accessed utilizing the following link:		

CONDITIONAL ZONING:

Step 1: Pre-Application Conference

In order to assist applicants through the variance process, applicants are highly encouraged to attend a pre-application conference prior to application submittal. The purpose of the pre-application conference is to provide the applicant an opportunity to become familiar with the submittal requirements and procedures of the application.

Step 2: Application Submittal

Applications must be received by the Planning and Inspections Department within 30 days of the date of the decision or interpretation being appealed. A complete application consists of the items detailed in the submittal checklist provided in this application.

Step 3: Staff Review

Upon receiving a completed application, staff may distribute it to certain departments and agencies for review. County Planning staff shall review the application, and prepare a staff report for the Zoning Board of Adjustment.

Step 4: Zoning Board of Adjustment Review and Action

The New Hanover County Zoning Board of Adjustment shall consider the application at a public hearing. Public hearings for appeal applications are conducted in a quasi-judicial manner and include additional standards for the testimony and evidence presented during the hearing. The property owner, or their attorney, must be present for the meeting.

A majority of the Board shall be necessary to reverse or modify the decision or interpretation that was appealed. The Board's decision on the application may be appealed to Superior Court within 30 days of the decision. An appeal of a notice of violation or other enforcement order stays enforcement action unless it is determined that a stay would cause imminent peril to life or property, or because the violation is transitory in nature and a stay would seriously interfere with enforcement of the ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order granted by a court of record in New Hanover County. If enforcement proceedings are not stayed, the appellant may file a request for an expedited hearing of the appeal, and the Board shall meet within 15 days after such request is filed.

The Planning and Inspections Department shall notify the public of the hearing in accordance with standards of the Zoning Ordinance. This includes sending mailed notice to nearby residents, posting a sign on the subject property, and advertising the hearing in a local newspaper.