

Petition for Conditional Use Zoning

Town of Highlands, North Carolina

Application # CUZ-_____

Owner of Property _____ Date _____

Address _____ Phone _____

Location of Property _____

Parcel # _____ Size _____

Zoning Designation: Current _____ Requested _____

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Petitioner (if other than owner) (authorization form required) _____

Address _____ Phone _____

REQUIREMENT

A plat or survey of the property is required. It must be prepared by a licensed surveyor or engineer, legibly drawn to a scale of not less than two hundred (200) feet to one (1) inch, indicate the exact boundary lines of the parcel of property to be rezoned, list the names of the owners of adjoining properties, and show the location of any existing buildings on the subject property.

(1) Property may be rezoned to a conditional zoning district only in response to a petition executed and submitted by all the owners of all of the property to be included in the district. A petition for conditional zoning must include a site plan, drawn to scale, and supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to all predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided on the site plan, if applicable:

- (a) A boundary survey and vicinity map showing the property's total acreage, its zoning and watershed classification(s), the zoning setback lines, its general location in relation to major streets, the date, and north arrow;

- (b) The location of stands of old growth trees, streams, marshes, wetlands, bogs, rivers, impoundments, large rock outcroppings or other significant geological features on the subject property;
- (c) All existing easements, reservations, and rights-of-way;
- (d) Areas in which structures will be located;
- (e) Proposed use of all land and structures, including the number of residential units, the number of commercial buildings and the total square footage of any nonresidential development;
- (f) All yards, buffers, screening, and landscaping required by these regulations or proposed by the petitioner(s);
- (g) All existing and proposed points of access to public streets;
- (h) The location of existing and proposed storm drainage patterns and facilities intended to serve the proposed development;
- (i) Generalized traffic, parking, and circulation plans;
- (j) Proposed phasing, if any; and,
- (k) Project start and completion dates.

The Town of Highlands Zoning Ordinance and Zoning Map define the uses which may be made of property within the Town's zoning jurisdiction. Section 709 of the Ordinance states that the Map may be amended from time to time at the discretion of the Board of Commissioners. The procedure for petitioning for a change in the zoning designation of any parcel of property is as follows:

1. Preliminary Request to Board of Commissioners: The property owner makes a preliminary petition for re-zoning to the Board of Commissioners, asking the Town Clerk to place the matter on the agenda of the Board's next regular meeting. The property owner should submit this form and the following information:

The Board of Commissioners may deny or approve the petition, or they may refer it to the Town Planning Board for its recommendation.

2. Request to the Planning Board: If the petition is referred to the Planning Board for its recommendation, the Planning Board shall have thirty (30) days within which to submit its recommendation; if it fails to submit a report within that period, it shall be deemed to have recommended adoption of the requested amendment.

3. Public Hearing: Upon receiving the recommendation of the Planning Board, the Board of Commissioners shall schedule a public hearing to receive comments from the public on the proposed rezoning. Notice of the hearing must be given once a week for two (2) successive calendar weeks in The Highlander newspaper, and shall be published the first time not less than fifteen (15) days nor more than twenty-five (25) days before the date fixed for the hearing; the notice is prepared by Town staff.

4. Notification: In accordance with G. S. 160A-384, the owners of all parcels of land abutting the parcel of land to be rezoned, as shown in Macon County tax records, shall be mailed a notice of the proposed change in zoning designation by first class mail at the last address listed in the tax records, giving the time and place of the public hearing. Again, notification is normally prepared by Town staff, and certification that it has been given is presented at the public hearing.

5. Final Decision: A final decision on the rezoning petition will be made by the Board of Commissioners at the next regular meeting following the public hearing.

In no instance shall action be initiated for a Zoning Amendment affecting the same parcel of property, or any part thereof, more often than once every twelve (12) months (Section 706[A]).

* * *

I certify that all of the information in this application is accurate to the best of my knowledge, information, and belief.

SIGNATURE OF PETITIONER

PLEASE ATTACH PETITION FEE OF \$500.00.

DATE PAID: _____