

Article 2 Development Review Process

Part 1 Common Procedures

Any proposed land use or development shall comply with the procedures of this Code. **Table 2-1** summarizes the procedures and decision-makers involved in the development review process.

Section 2.01 Application Processes

A. Procedures

The following procedures apply to all applications, except as modified in **Part 2** and **Part 3** of this Article.

1. **Optional Pre-application Conference:** Applicants are encouraged to meet with Staff to discuss the nature of a proposed application, submittal requirements, and review procedures and standards. Staff may identify additional information needed to assess the project. The results of the pre-application conference shall be made part of the development file upon submittal of an application.
2. **Application Requirements:** Application materials shall be available in the office of the Planning Director. Applications shall be filed in advance of any required public hearing or public meeting. The Planning Director shall establish a schedule for filing any application requiring action by the TRC, Planning Board and/or the City Council.
3. **Application Review:** Staff shall review the application for completeness. Incomplete applications shall be returned to the applicant to be resubmitted in conformance with this Code. No incomplete application shall be processed and no timelines shall be applicable to incomplete applications.
4. **Staff Review:** All applications shall be reviewed by City staff and other appropriate agencies for compliance with applicable codes and policies. Review agencies may request additional time for review, which may be granted by the decision-maker if good cause is shown and if such request is made within the review time. The agencies' review is advisory and does not constitute approval or denial. Upon completion of staff review, staff will provide comments in writing to the applicant and applicable decision maker.
5. **Planning Director's Decision:** After the applicant has had the opportunity to respond to the comments of staff, committees and other agencies, the Planning Director shall:
 - a. Approve, approve with conditions, or deny applications for which s/he is the decision-maker; or
 - b. Recommend approval or denial of the applications for which the Planning Board or City Council is the decision-maker.
6. **Appeals:** Appeals of a Planning Director's decision shall be filed with the Planning Director within thirty (30) days of the date of the decision being appealed.
7. **Amendments:** A permit shall be amended through the process by which it was originally approved.
8. **Enforcement and Revocation:** The Planning Director may revoke any permit for failure to comply with the conditions of the permit.
9. **Drawing Standards:** All drawings submitted as part of an application must meet the following minimum standards:
 - a. All plans/drawings shall be drawn to scale, using such a scale that all features required to be shown on the plans are readily discernible.

- b. Final plats, site plans, site development plans and PUD plans shall be prepared by a Professional Engineer currently licensed and registered in the State of North Carolina by the NC Board of Examiners for Engineers and Surveyors, or by a Landscape Architect currently licensed and registered by the North Carolina Board of Landscape Architects, or Architect registered by the North Carolina Board of Architects.
- c. All plans/drawings shall include a title, contained within a title block giving the name(s) of the applicant(s), date, graphic scale, and the person or firm preparing the plan, a north arrow and a legend if necessary.
- d. The applicant shall provide an appropriate and reasonable number of copies (not to exceed 20) that the administrator deems necessary to expedite the review process and to provide necessary permanent records.

B. Notice

The content of public hearing notices and method of giving notice for public hearings shall conform to the requirements of this Code as well as state law. Hearings shall be held by the City Council, Planning Board, Historic Preservation Commission and/or Board of Adjustment in accordance with this Code and any rules established by said authorities.

1. **Timing of Notice:** Notice shall be published, mailed or posted within the timeframe established in **Table 2-1** or by State law.
2. **Published Notice:** Published notice in a newspaper having general circulation in the area shall appear as required by **Table 2-1**, setting forth the date, time, place and purpose of the hearing, the name of the applicant and identification of the subject property.
3. **Mailed Notice of Public Hearing:** Mailed notice shall be sent by first class U.S. mail as required by **Table 2-1**, to every property owner required by state law to receive such notice, delivered to the mailing address listed in the official records of the Iredell County Assessor.
 - a. **Form of Notice:** Mailed notice shall be in letter form stating the date, time and place of the hearing, a general description of the proposal, the location of the property that is the subject of the hearing, and other such requirements as further specified in this Code. The mailed notice must also include a statement explaining that members of the public may be heard at the public hearing.
 - b. **Receipt of Notice:** The failure of a property owner to receive notice by mail, if timely sent and properly addressed to the current owner of record, shall not be grounds for invalidating any action taken by the responsible decision-making body.
4. **Property Sign:** For rezonings, at least one sign shall be posted on or reasonably near to the subject property prior to the hearing, on or before the date of the public notice publication. At least one (1) sign shall be visible from each street abutting the subject property. The sign(s) shall remain posted on the property until after the close of the final public hearing.
5. **Agenda Notice:** The agenda shall be posted at the City offices at least forty-eight (48) hours prior to any public hearing.

C. Application Review Procedures

1. **Application Review:** All applications shall be reviewed in accordance with the processes described in **Table 2-1** and the applicable section of this Article.