

**ARTICLE 5.**  
**PROJECT REVIEW PROCESS**

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## ARTICLE 5. PROJECT REVIEW PROCESS

### **SECTION 5.01 PURPOSE AND APPLICABILITY**

The purpose of this article is to establish an orderly process to develop land within the Town of Sunset Beach. It is also the intent of this article to provide a clear and comprehensible **development** process that is fair and equitable to all interests including the petitioners, affected neighbors, Town staff, related agencies, the **Planning Board**, Board of Adjustment, and the **Town Council**. Approved plans shall be the guiding documents for final approval and permitting.

The project review process applies to all new **developments** within the Town of Sunset Beach. The provisions of this article shall be applicable for all Minor and Major **Site Plans**. The **UDO Administrator** or designee may waive the required **development** review process only in the following cases when he/she determines that the submission of a **development** plan in accordance with this article would serve no useful purpose:

- (A) **Accessory structures.**
- (B) Any enlargement of a **principal building** by less than twenty percent (20%) of its existing size provided such enlargement will not result in parking or **landscaping** improvements.
- (C) A change in principal use where such change would not result in a change in **lot** coverage, parking, or other site characteristics.

### **SECTION 5.02 PRE-APPLICATION MEETING AND SKETCH PLAN**

- (A) The **applicant** shall schedule a pre-application meeting with the **UDO Administrator** to review a Sketch Plan of the proposed **development**. The **UDO Administrator** shall require a copy of a deed or other instrument under which the applicant claims title before issuing any permits for new construction. Structural improvements, renovations, remodeling or additions to existing structures are exempt from this requirement. The sketch plan shall include the following:
  - (1) A scale, preferably the same scale as required for **development** plan submittal.
  - (2) Property boundaries and total acreage.
  - (3) Major topographical and physical features such as creeks, slopes, buildings, **streets**, and the like.
  - (4) Proposed **streets**, buildings, and/or **lot** arrangements.

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- (5) Existing and proposed land use with brief project description including building sizes, unit sizes, *lot* sizes, *open space*, amenities and the like.
  - (6) Name, address, and telephone number of *applicant* and persons (firm) preparing the *development* plan.
  - (7) Adjacent *street* names, numbers, and right-of-way widths.
  - (8) *Zoning* district classification of site and surrounding properties, including those across *streets*.
- (B) The *UDO Administrator* will advise the *applicant* of all applicable Town *regulations* and policies, suggest *development* alternatives, application procedures, and fees. The Sunset Beach *Town Council* will adopt annually as part of the budget approval process, a schedule of fees for application and approval processing as specified in this Ordinance. The pre-application meeting is a non-binding and informal review of a *development* proposal intended to provide information to the *applicant* on the procedures and policies of the Town of Sunset Beach and does not confer upon the *applicant* any *development* rights. The *UDO Administrator* may submit a Sketch Plan to other departments or agencies for input and recommendations. After a reasonable review of the Sketch Plan, the *UDO Administrator* shall forward all appropriate comments to the *applicant*.
- (C) The *applicant* is encouraged to incorporate the recommendations of the *UDO Administrator* or authorized staff reviewer into the *development* plan before submittal. The Sketch Plan is only a courtesy intended to inform the *applicant* of the approval criteria prior to submittal of the *development* plan; furthermore, Sketch Plan review does not constitute approval of the *development* plan and may not be substituted for any required approvals.

### SECTION 5.03 SITE PLAN PROCEDURES

- (A) *Minor Site Plans*. Projects requiring minor *site plan* approval:
- § *Single-family dwellings*.
  - § Multi-family *developments* not exceeding two (2) units.
  - § *Temporary uses*.

Minor *site plans* follow the Administrative Approval process and shall comply with the requirements outlined in Section 5.03(C), unless otherwise specified by the *UDO Administrator*. Minor *site plan* approval is required prior to the issuance of a *zoning* permit.

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(B) *Major Site Plans.* Projects requiring major *site plan* approval:

- § Multi-family *developments* with more than two (2) units.
- § Nonresidential *developments*.
- § Mixed use *developments*.

Major *site plans* follow the *Planning Board* approval process and shall comply with the requirements outlined in Section 5.03(C), unless otherwise specified by the *UDO Administrator*. The Major *site plan* shall be reviewed by the *UDO Administrator* using the Technical Review Procedure for completeness, compliance with this Ordinance, and soundness of design. The plan shall then be forwarded to the *Planning Board* for review and approval. Major *site plan* approval is required prior to the issuance of a *zoning* permit.

(C) *Site Plan Requirements.*

- (1) *Information to be Shown on Site Plan.* The *site plan* shall be prepared by a professional engineer, registered land surveyor, or architect and shall be drawn to scale of not less than one (1) inch equals thirty (30) feet. The *site plan* shall be based on the latest tax map information and shall be of a size as required by each individual *site plan*. The *UDO Administrator* may waive some of the required elements listed below at his/her discretion. The *site plan* shall contain the following information:
  - (a) A key map of the site with reference to surrounding areas and existing *street* locations.
  - (b) The name and address of the owner and *site plan applicant*, together with the names of the owners of all contiguous land and of property directly across the *street* as shown by the most recent tax records.
  - (c) *Lot line* dimensions.
  - (d) Location of all structures, *streets*, entrances, and exits on the site and on contiguous property directly across the *street*.
  - (e) Location of all existing and proposed structures, including their outside dimensions and elevations.
  - (f) *Building setback*, side line, and *rear yard* distances.

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- (g) Topography showing existing and proposed contours at two (2) foot intervals. All reference benchmarks shall be clearly designated.
  - (h) Parking, loading, and unloading areas shall be indicated with dimensions, traffic patterns, **access** aisles, and curb radii per the requirements of Article 9, Part II.
  - (i) Improvements such as roads, curbs, bumpers, and sidewalks shall be indicated with cross-sections, design details, and dimensions.
  - (j) **Landscaping** and **buffering** plan showing what will remain and what will be planted, indicating names of plants, trees, and dimensions, approximate time of planting, and maintenance plans per the requirements of Article 10.
  - (k) Lighting plan indicating type of standards, location, radius of light, and intensity in foot candles per the requirements of Article 9, Part III.
  - (l) Location, dimensions, and details of **signs** per the requirements of Article 11.
  - (m) North arrow.
  - (n) Public **access** shall be provided in accordance with the recommendations of the Town's land use plan and **access** plan or the present amount of public **access** and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public **access**, including parking, shall govern.
  - (o) Location of all 404 **wetland** areas, areas of environmental concern as defined by 15A NCAC 7H, and shoreline **development** boundaries.
  - (p) A rendering or drawing of the proposed building shall be provided which shows all sides of the structure. For commercial structures, exterior design shall comply with Article 9, Part I.
- (2) *Performance Standards.* In reviewing any **site plan**, the **Planning Board** and the **Town Council** or Board of Adjustment, as appropriate, shall consider:
- (a) Pedestrian and vehicular traffic movement within and adjacent to the site with particular emphasis on the provision and layout of parking areas, off-street loading and unloading, movement of people, goods, and vehicles from **access** roads, within the site, between buildings, and between buildings and

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vehicles. The approval authority shall ensure that all ***parking spaces*** are usable and are safely and conveniently arranged. ***Access*** to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.

- (b) The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection, impact of surrounding ***development***, and contiguous and adjacent buildings and lands.
- (c) Adequate lighting, based upon the standards set forth in Article 9, Part III, shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be a type approved by the ***Planning Board***.
- (d) ***Landscaping*** shall be provided as part of the overall site design and integrated into building arrangements, topography, parking, and ***buffering*** requirements in accordance with Article 10.
- (e) ***Signs*** shall be designed so as to be harmonious with other ***signs*** on the site and located so as to achieve their purpose without constituting hazards to vehicles and pedestrians (refer to Article 11).
- (f) ***Storm drainage***, sanitary waste ***disposal***, water supply, and garbage ***disposal*** shall be reviewed and considered. Particular emphasis shall be given to the adequacy of existing systems, and the need for improvements, both on-site and off-site, to adequately carry run-off and sewage, and to maintain an adequate supply of water at sufficient pressure.
- (g) Environmental elements relating to soil erosion, preservation of trees, protection of water courses, and resources, noise, topography, soil, and animal life shall be reviewed, and the design of the plan shall minimize any adverse impact on these elements. Particular reference shall be made to areas of environmental concern as designated by the ***Coastal Area Management Act*** and the Coastal Resources Commission.

### **SECTION 5.04 ADMINISTRATIVE APPROVAL**

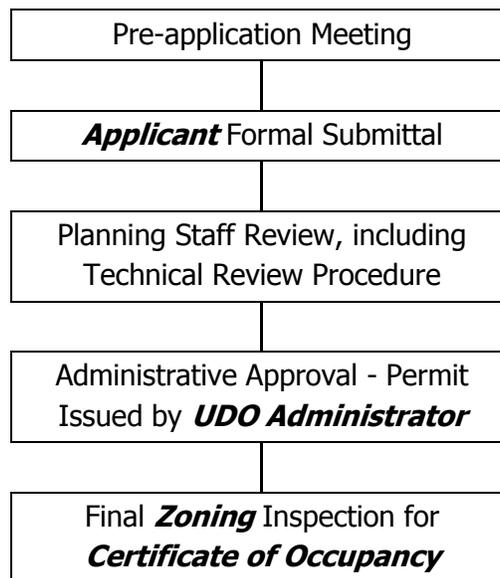
Administrative approval includes:

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§ Minor **Site Plans** (this involves **single-family dwellings**, multi-family **developments** not exceeding two (2) units, and **temporary uses**).

NOTE: A sketch plan and/or pre-application meeting is not required for a **final plat** submittal.

(A) *Administrative Approval Flowchart.*



(B) *Application for Review.* A plan of the proposed **development** shall be submitted and shall be accompanied by a completed application and payment of a fee as adopted by the **Town Council**, in accordance with Section 2.16. Two (2) complete copies of the **site plan** and accompanying materials shall be submitted to the **UDO Administrator**.

(C) *Planning Staff and TRC Review.* The **UDO Administrator** or his/her designee will review the **site plan** and may require the Technical Review Procedure as specified in Article 3, Part II, if deemed necessary. The plan will be reviewed for compliance with this Ordinance and all related plans and policies.

(D) *Permit Issued.* If the **site plan**, engineering drawings, or **final plat** is found to meet all of the applicable **regulations** of this Ordinance, then the **UDO Administrator** shall issue a **zoning** permit for **site plans**.

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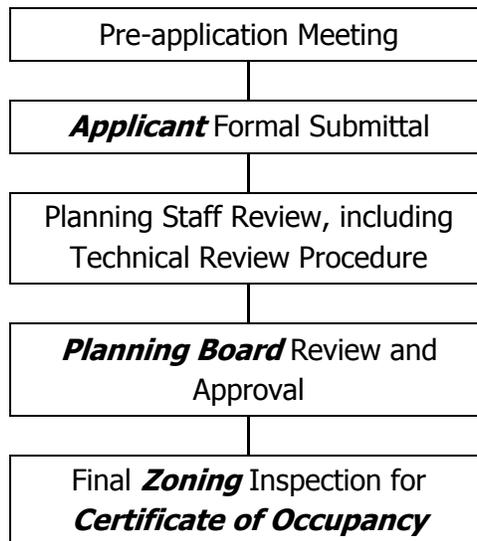
- (E) **Zoning Inspections and Certificates of Occupancy.** Prior to the issuance of a **Certificate of Occupancy** by Sunset Beach Building Inspections, the **UDO Administrator** or his/her designee shall conduct a final **zoning** inspection to ensure that the approved plan has been followed and all required improvements have been installed to Town standards.

### **SECTION 5.05 PLANNING BOARD REVIEW AND APPROVAL**

**Planning Board** review and approval applies to the following:

§ Major **Site Plans** (this includes multi-family **developments** with more than two (2) units, nonresidential **developments**, and mixed use **developments**).

- (A) **Planning Board Review and Approval Flowchart.**



- (B) **Application for Review.** All major **site plans** shall be submitted and shall be accompanied by a completed application and payment of a fee as adopted by the **Town Council**, in accordance with Section 2.16. Eight (8) copies of the **site plan** and accompanying materials shall be submitted to the **UDO Administrator**.

- (C) **Planning Staff Review/Technical Review Procedure.**

- (1) The **UDO Administrator** or his/her designee will review the **site plan** and may require the Technical Review Procedure as specified in Article 3, Part II, if deemed necessary. The plan will be reviewed for compliance with this Ordinance and all related plans and policies.

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- (2) The **UDO Administrator** shall submit all recommendations and comments resulting from the Technical Review Procedure at least five (5) days prior to the **Planning Board** meeting at which the **site plan** is to be considered. Failure to submit a written recommendation and comment shall be deemed as a favorable review of the **site plan**.
- (D) **Planning Board Approval.**
- (1) Following a complete review by the Planning Staff/Technical Review Procedure, the **UDO Administrator** shall schedule the application for review by the **Planning Board** at the next regularly schedule meeting.
  - (2) The **Planning Board** shall have up to thirty (30) days from the date of referral by the **UDO Administrator** to recommend approval, approval with conditions, or denial of the request.
  - (3) For all rezoning requests, the **Planning Board** shall include with its recommendation a written statement regarding the consistency of the request with adopted Town plans and policies and the surrounding area.
  - (4) Following denial by the **Planning Board**, the **applicant** may file a new application and associated fee. Unless the **Planning Board** explicitly states conditions that must be met prior to the resubmission of an application, the **applicant** shall not submit a new application for the same property within one (1) year of the date of denial by the **Planning Board** unless the application is significantly different from the previously denied application. All applications shall be resubmitted for full review unless the application is resubmitted to address conditions set forth by the **Planning Board** for reapplication.
- (E) **Permit Issued.** If the **site plan** is found to meet all of the applicable **regulations** of this Ordinance, then the **Planning Board** shall approve issuance of a **zoning** permit for the project.
- (F) **Zoning Inspections and Certificates of Occupancy.** Prior to the issuance of a **Certificate of Occupancy** by the **UDO Administrator**, the **UDO Administrator** or his/her designee shall conduct a final **zoning** inspection to ensure that the approved plan has been followed and all required improvements have been installed to Town standards.