

TEXT AMENDMENT STAFF REPORT



Hearing Date: 6-2-16

Case File #: TA-16-08

General Description: Amend Article 5, Section 5.02; "Pre-Application Meeting and Sketch Plan".

Town Initiated

Citizen Initiated

Applicant(s): Town of Sunset Beach

APPLICATION OVERVIEW:

The Sunset Beach Planning & Inspections Department has initiated an application to amend Article 5 in the UDO related to providing proof of ownership at times of pre-application meetings for permits. This request is being initiated a second time with amended language by Town Council for Planning Board consideration and recommendation. The concern from the Town Council was centered on the apparent need to provide proof of ownership of land before a permit would be issued to any applicant.

STAFF COMMENTARY

Staff has reviewed the UDO for the appropriate sections to incorporate this language in the current code. Staff believes the most appropriate location is to place the standard in Article 5, "Project Review Process" and amend Section 5.02(A).

Staff, with direction from Town Council, has provided the following proposed language for consideration of the Planning Board. This language is amended language from the previous proposal heard by the Planning Board on 4/21/16. It incorporates CAMA specifications for ownership for permits, as requested by Council.

The CAMA language referenced for the proposal is as follows (highlighted section emphasized):

DEPARTMENT OF PLANNING AND INSPECTIONS

15A NCAC 07J .0204 PROCESSING THE APPLICATION

(a) On receipt of a CAMA major development and/or dredge and fill permit application by the Department, a letter shall be sent to the applicant acknowledging receipt.

(b) Application processing shall begin when an application is accepted as complete. Before an application will be accepted as complete, the following requirements must be met;

- (1) a current application form must be submitted;
- (2) all questions on the application form must be completed or the letters "N/A" must be placed in each section that does not apply;
- (3) an accurate work plan as described in 15A NCAC 7J .0203 herein must be attached to all CAMA major development and/or dredge and fill permit applications;
- (4) a copy of a deed or other instrument under which the applicant claims title must accompany a CAMA major development and/or dredge and fill permit application;

Staff wishes to note that the CAMA requirements for requiring deeds or other such instrument is only required for major permits and for dredging/filling. Such requirement is not required for minor permits needed, for example, in single family home construction.

PROPOSAL

The proposed UDO language is as follows:

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:

PLANNING BOARD SUMMARY

Action:

The Planning Board finds that the proposed amendments to Unified Development Ordinance _____ is _____ is not consistent with the Sunset Beach Comprehensive Land Use Plan.

Passed _____ Denied _____ (For _____ Against _____ Abstained _____)

Commentary: