

~~or representative shall attend a preapplication conference with Planning Staff concerning the proposed development of the site. The petitioner shall be required to produce a scaled sketch site plan showing the existing cultural, historic, and physical features of the site for review by the Planning Staff. Staff may ask for additional information such as the location of prime agricultural soils, historical structures, archeological/cultural elements, the depth of viewshed as seen from existing public rights-of-way, the location of rock walls and other "unique" features on site, and the location and general specifications of any proposed septic systems. The Planning Staff in consultation with other departments shall comment on which site features it recommends for preservation in writing within fifteen (15) days. The official plan of development shall be submitted to the Planning Board only after the completion of the preapplication conference and the written response.~~

- (C) Process...Planned Residential Development shall be processed and approved pursuant to section B.6-2.6 Zoning Map Amendment – Special Use District.

Section 4. Chapter B, Article VI, Section 6-1.2 Neighborhood Meeting

6-1.2(B) Applicability

- (1) ~~Zoning Map Amendments...Before an application for a zoning map amendment is heard by the Planning Board, the petitioner shall conduct a neighborhood meeting~~ except when the petitioner is the Village of Clemmons.
- (2) ~~Planning Director...Where not otherwise required, the Planning Director shall request a neighborhood meeting where it appears that the potential uses, size, scale, traffic impacts, or operating impacts of the proposed activity or development may materially affect the residents in the surrounding area.~~
 - (a) Where not otherwise required, the Planning Director shall request a neighborhood meeting where it appears that the potential uses, size, scale, traffic impacts, or operating impacts of the proposed activity or development may materially affect the residents in the surrounding area.
 - (b) Additional Neighborhood Meetings may be requested by the Planning Director where it appears that the potential uses, size, scale, traffic impacts, or operating impacts of the proposed activity or development have changed since it was submitted.

6-1.2(C) Notice

- (+) ~~Time and Place...The neighborhood meeting shall be held at a place that is convenient and generally accessible to neighbors that reside in proximity to the land subject to the application. The meeting shall be held in the evening or at a time of day when the maximum number of neighbors may attend.~~
 - (a) The neighborhood meeting shall be held at a place that is convenient and generally accessible to neighbors that reside in proximity to the land subject to the application.
 - (b) The meeting shall be held in the evening or at a time of day when the maximum number of neighbors may attend.
 - (c) Neighborhood meetings shall be **scheduled for** no less than sixty (60) minutes in duration.
 - (d) Neighborhood meetings shall be in person except for instances where a local state of emergency has been declared per G.S. 166A-8.

- (e) The Planning Director may approve a modification to the neighborhood meeting requirements in B.6-1.2(c)(1) as needed or if requested by the petitioner.

6-1.2(E) Automatic Continuance....If the petitioner fails to provide the required written summary to Planning staff at least eight (8) days prior to the date of the ~~Planning Board~~ applicable Appointed or Elected Body meeting for which the subject rezoning is scheduled, the subject request shall be automatically continued to the next scheduled ~~Planning Board~~ applicable Appointed or Elected Body public hearing meeting.

Section 5. Chapter B, Article VI, Section 6-1.5 Legislative & Evidentiary Hearings

6-1.5(C) Timeframe for Action

- (1) Regularly Scheduled Meeting...~~If this Ordinance~~ requires a hearing, then the hearing ~~shall~~ may not occur earlier than the next regularly scheduled meeting of the board, as applicable, following the publication of required notice.
- (2) ~~Approval Timeline...Where a legislative or quasi-judicial decision are required by a decision-making board or Elected Body, the decision shall be made within one hundred and eighty (180) days from the date an application is deemed complete, unless such dates are extended by mutual consent of the petitioner and the decision-making board or Elected Body. Such timeframe shall not begin to run until a determination of a complete application has been made.~~ Special and Emergency Meetings...At the discretion of the Decision-Making Board, Planning Board, or Elected Body, if this Ordinance requires a hearing, then the hearing may occur on a special or emergency meeting of the board, as applicable, following the publication of required notice.
- (3) Continuation of Legislative and Evidentiary Hearings.
 - (a) The Planning Board, Elected Body, or decision-making board may continue the hearing for its consideration of the application. ~~for a definite time not to exceed sixty (60) days, unless a longer period is agreed to by the petitioner or at a hearing.~~
 - (b) The continuance may be granted by the Planning Board, Elected Body, or decision-making board on its own initiative or at the request of the petitioner or affected property owners.
 - (c) The Planning Board, Elected Body, or decision-making board may also deny a request for continuation.

Section 6. Chapter B, Article VI, Section 6-2.5 Zoning Map Amendment – General Use District

6-2.5(D)(2)(d) Elected Body Authority

- (i) The Elected Body may change the existing zoning classification of the area covered by a petition, or any part or parts thereof, to the classification requested or to a ~~lower~~ different classification(s) without the necessity of withdrawal or modification of the petition.

Section 7. Chapter B, Article VI, Section 6-2.6 Zoning Map Amendment

Special Use District

6-2.6(C)(3)(d) Elected Body Authority

- (i) The Elected Body may change the existing zoning classification of the area covered by a petition, or any part or parts thereof, to the classification requested or to a ~~lower~~ different classification(s) without the necessity of withdrawal or modification of the petition.

Section 8. Chapter B, Article VI, Section 6-2.11 Appeals and Interpretations

6-2.11(A) Authority

- (1) ~~The Board of Adjustment shall hear and pass upon appeals from and shall review any decision made by the Zoning Officer or Designee. Appeals of administrative decisions and the Historic Resources Commission shall be made to the Board of Adjustment as provided in the *Unified Development Ordinances*.~~

Section 9. Chapter B, Article IX, Section 9-1.3 Board of Adjustment

9-1.3(E) Powers and Duties

- (3) Appeals and Interpretations... ~~The Board of Adjustment shall hear and pass upon appeals from and shall review any decision made by the Zoning Officer or designee per Section. Appeals of administrative decisions and the Historic Resources Commission shall be made to the Board of Adjustment as provided in the *Unified Development Ordinances*.~~

Section 10. Chapter B, Article IX, Section 9-1.2 Planning Board

9-1.2(B) Composition and Terms of Members

- (1) The Village of Clemmons Planning Board shall be comprised of ~~nine (9)~~ seven (7) members, who are residents of the Village, and who shall hold no other public office with the Village of Clemmons. The members of the Board shall be appointed by the Elected Body.
- (2) ~~The terms of the members first appointed shall be three (3) for three (3) years, three (3) for two (2) years, and three (3) for one year.~~ The term of members shall range from one (1) to three (3) years with three (3) years being the standard.
- (3) ~~The terms of the successors in the office shall be for three (3) years.~~ If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment as provided above for the unexpired term.
- (4) ~~If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment as above provided for the unexpired term.~~ Faithfully attending at least two-thirds ($\frac{2}{3}$) of all meetings of the Planning Board during any fiscal year is

considered a prerequisite for the maintenance of membership, and the Elected Body may remove and replace any member continually delinquent in their duty to attend and for other just cause. Members shall be eligible for reappointment for a maximum of two (2) consecutive full three (3) year terms at which point they will not be eligible for reappointment for at least one (1) year.

- (5) ~~Faithfully attending at least two-thirds (2/3) of all meetings of the Planning Board during any fiscal year is considered a prerequisite for the maintenance of membership, and the Elected Body may remove and replace any member continually delinquent in his or her duty to attend and for other just cause. Members shall be eligible for reappointment for a maximum of two consecutive full three-year terms at which point they will not be eligible for reappointment for at least one year.~~ Removal for Cause...The Elected Body may remove and replace any member of the Planning Board for cause upon written concerns.
- (6) ~~Removal for Cause...The Elected Body may remove and replace any member of the Planning Board for cause upon written concerns.~~ Reserved

Section 11. Chapter B, Article IX, Section 9-2.1 Enforcement Procedures

9-2.1(A) Notice of Violations

- (2) Appeals...Except as provided by G.S. 160D-1123 or G.S. 160D-1206 or otherwise provided by law, appeals of a notice of violation may shall be made ~~appealed~~ to the Board of Adjustment per Section B.6-2.11 Appeals and Interpretations.

Section 12. Chapter C, Article III, Section 3-1.8(B)(3) Civil Penalties & Remedies

3-1.8 CIVIL PENALTIES AND REMEDIES

- (B) Remedies...If the Watershed Administrator finds that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation, and ordering the action necessary to correct it. He shall order discontinuance of the illegal use of land, buildings or structures; removal of illegal buildings or structures, or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions. If a ruling of the Watershed Administrator is questioned, the aggrieved part or parties may appeal such ruling to the Watershed Review Board.
- (3) ~~Injunction, and Abatements, Etc...The Village Manager, with the written authorization of the Elected Body,~~ may institute an action in a court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement to correct a violation of this Ordinance. Any person violating this Ordinance shall be subject to the full range of equitable remedies provided in the General Statutes or at common law.

Section 13. Chapter C, Article III, Section 7-1.9(B)(3) Civil Penalties and Remedies

7-1.9 CIVIL PENALTIES AND REMEDIES

- (B) Remedies...If the Stormwater Administrator finds that any of the provisions of this Ordinance

are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation, and ordering the action necessary to correct it. He shall order discontinuance of the illegal use of land, buildings or structures; removal of illegal buildings or structures, or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions. Remedies may include, but shall not be limited to, the following. If a ruling of the Stormwater Administrator is questioned, the aggrieved party or parties may appeal such ruling to the Watershed Review Board.

- (3) Injunction and Abatements...~~The Village Manager, with the written authorization of the Elected Body,~~ may institute an action in a court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement to correct a violation of this Ordinance. Any person violating this Ordinance shall be subject to the full range of equitable remedies provided in the General Statutes or at common law.

Section 14. This ordinance shall be effective upon adoption

Approval this _____ day of _____, 2022.

Michael Rogers, Mayor

Attest:

Lisa Shortt, Village Clerk