



# TOWN OF ERWIN

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AN ORDINANCE OF THE TOWN OF ERWIN, NORTH CAROLINA  
AMENDING THE ZONING ORDINANCE FOR THE PURPOSE OF CLARIFYING SITE PLAN  
REQUIREMENTS AND LEGAL DESCRIPTION FOR VARIOUS APPLICATIONS WITHIN THE TOWN  
OF ERWIN PLANNING AND ZONING JURISDICTION  
ORD 2015-2016: 003

WHEREAS, the current language of the Town of Erwin Zoning Ordinance mentions plans, site plans, descriptions and legal descriptions in an inconsistent manner; and

WHEREAS, the Town of Erwin wishes to amend the language of the Erwin Zoning Ordinance in order to define time limitations for certificate of zoning compliance of the Town's Planning Jurisdiction.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Town of Erwin, North Carolina that *Article XX Administration and Enforcement, Section 36-579. – Certificate of zoning compliance and building permit required.* of the Town of Erwin Zoning Ordinance is amended as follows:

1. Add to *Article II. Definitions, Section 36-34. Definitions* the following:

*Site Plan (Site Specific Development Plan) means a plan submitted to the Town that describes existing conditions, proposed use, and improvements for parcel(s) of property to allow for verification that codes are being met. Such a plan is generally for the purpose of obtaining various zoning and floodplain permits or approvals, but not limited to, any of the following plans or approvals: preliminary or general development plan, zoning compliance permit, subdivision plat, conditional use permit, conditional use zoning district, planned unit development, or any other land use approval designation as may be utilized by the Town.*

2. Amend portions of *Article XIV Parallel Conditional Use, Section 36-394 Application* as follows:

Petitions for a zoning map amendment to establish a Parallel Conditional Use District shall be submitted in accordance with the provisions of this article. The Parallel Conditional Use District classification shall be considered only by application of the owner of the subject property or duly authorized agent. Such applications shall be accompanied by *a legal description*, written text specifying the use proposed, and by a site plan showing the following:

- (1) The *dimensions metes and bounds* and acreage of the site and its relation to surrounding properties.

(8) Title, north arrow, scale, names of owner, developer, surveyor, and the date of preparation of the plan. *Scale no smaller than one inch equals 100 feet (1"=100') on standard sheet sizes of 8.5" x 11", 8.5" x 14", 11" x 17" or 18" x 24". The applicant shall furnish an electronic or PDF copy of all site plan sheets larger than 8.5" x 14".*

3. Amend Article XX Administration and Enforcement Sec. 36-580. - Application procedures as follows:

(a) Each application for a certificate of zoning compliance shall be accompanied by two sets of plans drawn to an engineering scale *no smaller than one inch equals 100 feet (1"=100') on standard sheet sizes of 8.5" x 11", 8.5" x 14", 11" x 17" or 18" x 24"*, one of which shall be returned to the applicant upon approval. *The applicant shall furnish an electronic or PDF copy of all site plan sheets larger than 8.5" x 14"*. The plan shall show the following:

4. Amend Article XXII Conditional Uses, Sec. 36-642. - Application for conditional use as follows:

*a) Application for conditional use permits.* Application for the conditional use permit, signed by the applicant, shall be addressed to the board of commissioners and presented to the administrative official. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions. The application shall be forwarded to the board of commissioners and the administrative official shall notify the chairperson of the planning board of the application. *The site specific development plan shall include the following:*

(1) *The metes and bounds and acreage of the site and its relation to surrounding properties.*

(2) *The layout of the entire project including the proposed use and location of all buildings.*

(3) *The location and dimension of present and proposed streets and private drives, and pedestrian facilities.*

(4) *The location of points of entry and exit for motor vehicles and the internal vehicular circulation pattern.*

(5) *The location and layout of all off-street parking and loading spaces, including the number of spaces shown and required for each use.*

(6) *The location of existing and proposed plantings and screenings, including the type and size of each plant to be installed.*

(7) *The location and size of existing and proposed utility lines, water courses and drainage lines and easements.*

(8) *Title, north arrow, scale, names of owner, developer, surveyor, and the date of preparation of the plan. Scale no smaller than one inch equals 100 feet (1"=100') on standard sheet sizes of 8.5" x 11", 8.5" x 14", 11" x 17" or 18" x 24". The applicant shall furnish an electronic or PDF copy of all site plan sheets larger than 8.5" x 14".*



(9) *Proposed phasing, if any, and approximate completion time of the project.*

(10) *Any and all conditions and requirements of this article.*

5. Amend Article XXII Conditional Uses, Sec. 36-648. - Conditions for planned unit developments, condominiums and town homes as follows:

(13) *Submission requirements.*

b. Each applicant shall also provide a site plan drawn at a scale of at least one inch equals 50 feet *on standard sheet sizes of 8.5" x 11", 8.5" x 14", 11" x 17" or 18" x 24". The applicant shall furnish an electronic or PDF copy of all site plan sheets larger than 8.5" x 14". The site plan shall show ~~and showing~~* the following information:


c. The required site plan shall be prepared by a licensed architect, landscape architect, professional land planning consultant, or registered surveyor. *License or registration must be in the State of North Carolina.*

d. Each applicant shall provide building plans prepared by a *North Carolina* licensed architect and drawn at a scale of at least one-eighth-inch equals one foot which shall show the following:


6. Amend Article XXIII Changes and Amendments, Sec. 36-671. - Action by the applicant (This section includes text regulations and zoning district lines) as follows:

2. *Application.* Application for any change or amendment shall be filed with the administrative official at least 25 days prior to the planning board meeting at which the application is to be considered. The application shall contain a description of the proposed amendment, *a legal description if not a text amendment*, and the names and addresses of property owners, *per the Harnett County property records*, directly affected by the proposed change.

Adopted this the 2<sup>nd</sup> day of July 2015.

  
Patsy Carson  
Mayor

ATTEST:

  
Cynthia Patterson, CMC  
Town Clerk