



PLAN COMMISSION

Change of Zoning Application

PROVISIONS FOR FILING

I) **Filing Requirements (required in order to file):**

A) *Application*

- 1) Applicant must submit a completed Change of Zoning Application.
- 2) This application must be signed prior to submission to the Planning and Zoning Administrator.

B) *Filing Fee*

- 1) Applicant must submit a filing fee of \$400. The filing fee is not refundable.
- 2) The Planning Department accepts cash, credit cards, or check. Please make checks payable to the "Town of Pendleton".
- 3) The filing fee cannot be paid until all materials required for review are received by the Planning Department. The Planning Department may waive certain materials if not relevant to the project. This will be communicated in written form from the Planning Department.

C) *Materials*

- 1) Legal Description: An accurate legal description of the property which is the subject of the request.
 - (a) Please provide the recording number and a copy of the most recent Deed of Record.

II) **Notice Requirements (required 10-30 days before public hearing):**

A) *Newspaper Publication*

- 1) A legal notice of the scheduled public hearing will be prepared and submitted by the Planning and Zoning Administrator to the Anderson Herald Bulletin in sufficient time to meet the notice deadlines. A portion of your filing fee will be used to pay for this publication.

B) *Certificate of Mailing or Certified Mail Notification*

- 1) Written notice shall be prepared by the Planning and Zoning Administrator.
- 2) The applicant is responsible for the following tasks prior to the public hearing:
 - (a) Identifying Affected Property Owners: The Planning Department will provide the applicant a list of the names and mailing addresses of all property owners within 300 feet of the subject property.
 - (b) Mailing Legal Notices
 - (i) The applicant shall mail the prepared notification letter, via certificate of mailing OR certified mail with return receipt, to all affected property owners at least 10 days before the public hearing.
 - (ii) The applicant is responsible for payment of certificate if mailing or certified mailing fees.
 - (c) Completion of Petitioner's Affidavit: An affidavit entitled "Petitioner's Affidavit of Notice of Public Hearing" is attached to this application. The affidavit shall be completed by the applicant and submitted to the Planning and Zoning Administrator prior to the scheduled public hearing, along with receipts/proof of mailing and any undeliverable letters (such letters should remain unopened). This document MUST be notarized.

III) **Public Hearing**

- A) Plan Commission meetings start promptly at 7 p.m. at the Pendleton Town Hall, located at 100 West State Street.
- B) Applicant may appear on their own behalf or be represented by counsel or an agent.
- C) The public hearing procedure is as follows:
 - 1) The Chairman gives a restatement of the case as an introduction to the item.
 - 2) The Staff presents evidence and offers a recommendation.
 - 3) The Commission members examine the Staff.
 - 4) The Applicant presents evidence and any necessary witnesses.
 - 5) The Commission members examine the Applicant and any witnesses.
 - 6) The Chairman asks for any Objectors to present evidence.

- 7) The Commission members examine the Objectors.
- 8) The Applicant is given a rebuttal period.
- 9) The Commission discusses information that has been presented and asks any additional questions.
- 10) The Commission votes on the agenda item.
- 11) The Commission submits its written recommendation, together with the petition, to the Town Council.

IV) Town Council Meeting

- A) The Town Council shall either adopt or reject the recommendation of the Plan Commission or adopt some modification of the recommendation of the Plan Commission.
- B) A zoning amendment adopted by Town Council shall become effective immediately upon adoption and approval by the Plan Commission.

**Plan Commission
2023 Meeting Schedule
7 p.m. at Town Hall**

PLAN COMMISSION	
1st Wednesday @ 7:00 p.m.	
<u>MEETING DATES</u>	<u>FILING DEADLINES</u>
January 4, 2023	December 5, 2022
February 1, 2023	January 3, 2023
March 1, 2023	January 30, 2023
April 5, 2023	March 6, 2023
May 3, 2023	April 3, 2023
June 7, 2023	May 8, 2023
July 5, 2023	June 5, 2023
August 2, 2023	July 3, 2023
September 6, 2023	August 7, 2023
October 4, 2023	September 5, 2023
November 1, 2023	October 2, 2023
December 6, 2023	November 6, 2023

