

Waynesville Land Development Standards Text Amendments for 160D Compliance		
Chapter 160D Applicable Changes	Changes in LDS	Reference
Replace references to 160A with 160D	16 references to be changed in LDS	UNC School of Government Cross-Over Chart: 160A to 160D
Align ordinance terminology with Chapter 160D terminology	Conditional Use Permit to Special Use Permit Historic District Guidelines to Historic District Standards Quasi Judicial Hearing to Evidentiary Hearing	160D
Update ordinance definitions	Align the following definitions with 160D definitions: "dwelling," "administrative hearing," "legislative hearing," "evidentiary hearing," and "development."	160D NC State Building Code
Adopt broadened conflict-of-interest standards for governing, advisory board, and staff. Must incorporate new staff conflict-of-interest standards into ordinance or policy.	Has already been done in Boards and Commissions Manual; need to add to LDS section 14.6.7.	160D UNC School of Government Checklist
Update Notices of Violation (NOVs) in compliance with statutory procedures. NOVs can be delivered by hand, e-mail, or first-class mail; may be posted on site administrator to certify NOV for the file.	E-delivery is acceptable for NOVs, in addition to delivery by hand, first-class mail, or being posted on site.	160D-404(a)
Permit choice If an applicant submits an application for development and the rule changes before the application gets approved, the applicant can choose whether his application will be judged under old or new rule. Under 160D, the permit choice rule extends to all applicable permits associated with the project, and the permit choice extends for 18 months beyond the approval of the initial application. A jurisdiction must not make an applicant wait for final action on the proposed change before proceeding if an applicant chose prior rules.	Add to Chapter 15 of LDS	160D-108
Vested Rights clarified and collected. Vested rights are different from permit choice. If the rule changes after the application has been approved, the project may continue under old rule as initially approved. Under 160D, it is recommended to define "substantially commenced work." Multi-phase developments are recognized as long-term projects of at least 25 acres with vesting up to 7 years.	Clarify and re-write sections on vested rights in LDS: (sections 15.16.1-15.16.3)- seeking legal counsel.	160D-108
Municipalities need to be clear about their types of procedures.	1. Administrative process is best suited for Major Site Plans and Major Subdivisions. If the project meets the required standards by the ordinance, it can be an administrative procedure. The discretionary review elements that make these processes quasi-judicial will be eliminated: - whether the project meets the character of neighborhood - substantial damage to property values - detrimental to use of adjacent properties. 2. Clarify and update chapter 16 on civil penalties (seeking legal counsel). 3. Replace Protest Petition section 15.14.3 with 160D-603 Citizen Comments.	160D UNC School of Government UNC School of Government Cross-Over Chart: 160A to 160D
A performance guarantee can be issued by a Letter of Credit (in addition to surety performance bond or cash). The duration of performance guarantee shall initially be one year, unless the developer knows that it will take longer.	Slight modification to section 6.12.2(A) of LDS.	160D-804.1 (1a)
Clarify the language.	Possible changes throughout LDS.	UNC School of Government