(1) Approval. The proposal meets all requirements of this Chapter and other statutes, ordinances and regulations of the County as submitted and is approved. If the site plan is approved by the TRC the applicant may proceed with other requirements necessary to obtain a building permit.

(2) Conditional Approval. The proposal exhibits only minor deficiencies with regard to this Chapter and other statutes, ordinances and regulations of the County and, after corrections have been made, can be approved. If the site plan is granted conditional approval by the TRC the applicant shall revise and resubmit the site plan to the Zoning Administrator. The Zoning Administrator shall review the revised site plan and, if it meets the approval conditions and is otherwise substantially unaltered, shall signify on the plan the change from conditional approval to approval. The Zoning Administrator has the right to resubmit the revised site plan to the TRC for complete review if deemed necessary. If the site plan is not revised within 60 days to meet the approval conditions, or the applicant notified the Zoning Administrator of unwillingness to revise the site plan, it shall be deemed denied.

(3) Denial. The proposal cannot be approved as it exhibits deficiencies and/or is not in compliance with this Chapter or other statutes, ordinances and regulations of the County which make it completely ineligible for revision and resubmittal. If the TRC denies the site plan, reasons for the denial shall be stated in writing and the site plan may be revised and resubmitted.

C. Permit Validity. No permit shall be issued by the TRC; however, no permit for any use requiring a major site plan may be issued without proof of TRC review and approval.

§200A-332. Reserved
§200A-333. Reserved
§200A-334. Reserved

Subpart B. Soil Erosion and Sedimentation Control Plan Review and Approval

§200A-335. Soil Erosion and Sedimentation Control Plan Review and Approval (See §42-256 (Erosion and Sedimentation Control Plans))

Subpart C. Subdivision Review and Approval

§200A-336. General
All subdivision applications, plans and plats shall contain all applicable information as required in this Subpart and shall adhere to the applicable review and approval process.

§200A-337. Review for Minor and Nonstandard Subdivisions
A. Approval Authority. Subdivision Administrator.
B. Application.

1. Application. Each applicant shall submit an application to the Subdivision Administrator. Applications may be modified by the Subdivision Administrator as necessary, who may require the applicant to supply additional information. Development plans are required for minor or phased minor subdivisions where six (6) to ten (10) lots and new right-of-way are proposed. Development plans must be submitted to the Subdivision Administrator pursuant to §42-112 (Minor Subdivisions). Where development plan review is not required the applicant shall submit a final plat in mylar form and a blue line copy of the final plat along with all application materials (see Article III (Subdivision Regulations)). The final plat must be prepared in conformance with the final plat requirements provided by the Planning Department, (§42-343 (Final Plat Review)) and provisions of this Chapter.

2. Fees. Any application fee established by the Board of Commissioners shall be submitted with the application.

C. Staff Review. The Subdivision Administrator shall review all minor subdivisions and nonstandard subdivisions and development plans (when applicable) in conformance with Article III (Subdivision Regulations). The Subdivision Administrator may refer any minor subdivision or nonstandard subdivision for review by the Planning Board in accordance with this Chapter.

§200A-338. Review for Major Residential Subdivisions and Conservation Subdivisions of Eleven (11) to Thirty-Four (34) Lots and any Commercial, Office Institutional, Industrial or Mixed-Use Subdivisions of Thirty-Four (34) or Fewer Lots

A. Approval Authority. Technical Review Committee (TRC).

B. Application.

1. Pre-application Conference. Each applicant shall meet with the Subdivision Administrator in a pre-application conference at least 15 days prior to the submission of any subdivision reviewed in accordance with this section. The purposes of the conference are to: (1) acquaint the applicant with the application process, (2) review the sketch of the proposed development, (3) allow for the free exchange of information between the applicant and the Subdivision Administrator, (4) explore how the applicant intends to design the development, and (5) identify contemplated density levels, areas proposed for preservation and existing nature features on the property to be subdivided. The applicant should be prepared to discuss the development plans for the entire tract and any adjacent property under the same ownership. Each applicant shall bring to the pre-application conference a site analysis sketch which shall:

a. Be prepared based on aerial photography, visual observations and an on-site inspection of the tract and which may be prepared (at the applicant’s request) with the general guidance of Planning Staff or professionally (although neither is required);
b. Be at a scale which is clearly legible and provides sufficient detail to
describe the general location of proposed development and the stated
features for discussion purposes; and

c. Identify (for the entire tract) the following features: streams, creeks,
ponds, reservoirs, floodplains, wetlands, steep slopes (those greater than
60 percent), unique natural areas, rock outcroppings, farmland,
pastureland and wooded/forested areas.

2. Applications. Applications, including all application materials, master plan(s) (see
§42-341 (Master Plans)) and/or development plan(s) (see §42-342 (Development
Plans)) shall be submitted on or before the deadline date required by the Planning
Department for review at the TRC meeting. In the opinion of the Subdivision
Administrator, if an application is incomplete, the Subdivision Administrator may
return the application to the applicant identifying the specific omissions, without
invoking the review time requirement. The applicant shall have the automatic
right to withdraw the application at any time until the applicant has concluded
comments regarding the project before the TRC.

3. Fees. Any review fee established by the Board of Commissioners shall be
submitted with the application.

C. Staff Review. The Subdivision Administrator shall preliminarily review the application
and schedule the matter for consideration by the TRC and notify (in writing) the applicant
of that time. Formal review of the subdivision shall not begin until the Subdivision
Administrator has verified that the application is complete. Such verification should,
when possible, be made within three (3) business days of its receipt.

D. Formal Review. The Subdivision Administrator shall prepare a recommendation on the
application and supply a copy of the recommendation to the applicant before review by
the TRC. All members of the TRC shall sign off on the application for approval. Any
approval or denial of the request must be in writing and be permanently filed in the office
of the TRC as a public record. The TRC shall take action within 30 days of reviewing the
application. The Subdivision Administrator shall notify the applicant (in writing) of the
decision by the TRC and any conditions imposed on the development within ten (10)
business days of the decision. The TRC may refer any subdivision reviewed in
accordance with this section for review by the Planning Board in accordance with this
Chapter. The TRC may take the following action when reviewing an application:

1. Approval. The proposal meets all requirements of this Chapter and other statutes,
ordinances and regulations of the County as submitted and is approved.

2. Conditional Approval. The proposal exhibits only minor deficiencies with regard
to County regulations and other statutes, and is approved subject to the
completion of certain conditions. If the plan is approved with conditions the
Planning Staff is given administrative responsibility to grant formal approval
upon satisfaction of imposed conditions. The Subdivision Administrator has the
right to resubmit any revised master plan and/or development plan and
subdivision application to the TRC for complete review if deemed necessary. If
the application is granted conditional approval by the TRC, then said conditions
must be met before a **final plat** can be approved, unless specified otherwise. If the master plan and/or development plan is not revised to meet the approval conditions, or the **applicant** notified the Planning Department of unwillingness to meet the conditions, it shall be deemed denied and a **final plat** cannot be approved.

3. **Denial.** The proposal cannot be approved as it exhibits deficiencies and/or is not in compliance with this Chapter or other statutes, ordinances and regulations of the County. If the **TRC** denies the application, reasons for the denial shall be provided (in writing) to the **applicant.**

§200A-339. **Review for Major Subdivisions and Conservation Subdivisions of Thirty-Five (35) to Two Hundred Ninety-Nine (299) Lots**

A. **Approval Authority.** Planning Board.

B. **Application.**

1. Pre-application Conference. Each **applicant** shall meet with the **Subdivision Administrator** in a pre-application conference at least 15 days prior to the submission of any **major subdivision** application of 35 to 299 lots. The purposes of the conference are to: (1) acquaint the **applicant** with the application process, (2) review the sketch of the proposed development, (3) allow for the free exchange of information between the **applicant** and the **Subdivision Administrator,** (4) explore how the **applicant** intends to design the development, and (5) identify contemplated density levels, areas proposed for preservation and existing nature features on the property to be subdivided. The **applicant** should be prepared to discuss the development plans for the entire tract and any adjacent property under the same ownership. Each **applicant** shall bring to the pre-application conference a site analysis sketch which shall:

   a. Be prepared based on aerial photography, visual observations and an on-site inspection of the tract and which may be prepared (at the applicant’s request) with the general guidance of Planning Staff or professionally (although neither is required);

   b. Be at a scale which is clearly legible and provides sufficient detail to describe the general location of proposed development and the stated features for discussion purposes; and

   c. Identify (for the entire tract) the following features: streams, creeks, ponds, reservoirs, floodplains, wetlands, steep slopes (those greater than 60 percent), unique natural areas, rock outcroppings, farmland, pastureland and wooded/forested areas.

2. Application. Applications, including all application materials, master plan(s) (see §42-341 (Master Plans)) and/or development plan(s) (see §42-342 (Development Plans)) shall be submitted on or before the date required by the Planning Department for review at the next Planning Board meeting. In the opinion of the **Subdivision Administrator** if an application is incomplete, the **Subdivision Administrator** may return the application to the **applicant** identifying the specific omissions, without invoking the review time requirement.
3. Fees. Any review fee established by the Board of Commissioners shall be submitted with the application.

C. Staff Review. The Subdivision Administrator shall preliminarily review all application materials, master plan and/or development plan(s) and schedule the matter for consideration by the Planning Board and notify the applicant (in writing) of that time. The Subdivision Administrator shall schedule the matter for consideration by the TRC and notify (in writing) the applicant of that time. Formal review of the subdivision shall not begin until the Subdivision Administrator has verified that the application is complete. Such verification should, when possible, be made within three (3) business days of its receipt.

D. Formal Review. Major subdivisions of 35 to 299 lots that do not meet the conservation subdivision standards (see §42-88 Conservation Subdivisions (Option)) shall follow the procedures of §42-340 (Review for Major Subdivisions and Conservation Subdivisions of Three Hundred (300) or More Lots) or seek development agreement approval through the Board of Commissioners.

The Subdivision Administrator shall prepare a recommendation on the application and supply a copy of this recommendation and the recommendation of the TRC to the applicant before review by the Planning Board. The Planning Board shall take action within 90 days from the date of its first consideration of the application. The Subdivision Administrator shall notify the applicant (in writing) of the decision by the Planning Board and any conditions imposed on the development within ten (10) business days of the decision. The Planning Board may refer any subdivision to the Board of Commissioners for review after giving due notice to the applicant. Reasons for such referral may include, but are not limited to, the size of the subdivision, location within the County, impact on the community, impact on infrastructure, or particular environmental features that make this subdivision substantially unique form other proposed subdivisions. The Planning Board may take the following action when reviewing an application:

1. Approval. The proposal meets all requirements of this Chapter and other statutes, ordinances and regulations of the County as submitted and is approved.

2. Conditional Approval. The proposal exhibits only minor deficiencies with regard to County regulations and other statutes, and is approved subject to the completion of certain conditions. If the plan is approved with conditions the Planning Staff is given administrative responsibility to grant formal approval upon satisfaction of imposed conditions. The Subdivision Administrator has the right to resubmit the revised plan(s) to the Planning Board for complete review if deemed necessary. If the application is granted conditional approval by the Planning Board, then said conditions must be met before a final plat can be approved, unless specified otherwise. If the master plan and/or development plan are not revised to meet the approval conditions or the applicant notified the Planning Department of unwillingness to meet the conditions, it shall be deemed denied and a final plat cannot be approved.
3. Denial. The proposal cannot be approved as it exhibits deficiencies and/or is not in compliance with this Chapter or other statutes, ordinances and regulations of the County.

E. Public Notification. Public notification of the Planning Board meeting shall comply with the provisions outlined in §42-370 (Legislative Process Standards) B(5) (Posted Notice), for posted notices. Planning Staff shall be responsible for all necessary public notifications.

§200A-340. Review for Major Subdivisions and Conservation Subdivisions of Three Hundred (300) or More Lots

A. Approval Authority. Board of Commissioners.

B. Approval Type. Map Amendment approval as a Conditional Zoning District.

C. Application.

(1) Pre-application Conference. Each applicant shall meet with the Planning Director in a pre-application conference at least 15 days prior to the submission of any application for a major subdivision of 300 or more lots and accompanying map amendment application. The purposes of the conference are to: (1) acquaint the applicant with the application process, (2) review the sketch of the proposed development, (3) allow for the free exchange of information between the applicant and the Planning Director; (4) explore how the applicant intends to design the development, and (5) identify contemplated density levels, areas proposed for preservation and existing nature features on the property to be subdivided. The applicant should be prepared to discuss the development plans for the entire tract and any adjacent property under the same ownership. Each applicant shall bring to the pre-application conference a site analysis sketch which shall:

   a. Be prepared based on aerial photography, visual observations and an on-site inspection of the tract and which may be prepared (at the applicant’s request) with the general guidance of Planning Staff or professionally (although neither is required);

   b. Be at a scale which is clearly legible and provides sufficient detail to describe the general location of proposed development and the stated features for discussion purposes; and

   c. Identify (for the entire tract) the following features: streams, creeks, ponds, reservoirs, floodplains, wetlands, steep slopes (those greater than 60 percent), unique natural areas, rock outcroppings, farmland, pastureland and wooded/forested areas.

(2) Application. Applications, including all application materials (subdivision and map amendment), master plan(s) (see §42-341 (Master Plans)) and/or development plan(s) (see §42-342 (Development Plans)) shall be submitted on or before the date required by the Planning Department for review at the next Planning Board meeting. The map amendment application shall also include: (1) the name(s) and address(es) of the owner(s) of the property in question; (2) the
location of the property; (3) the PIN as shown on the County tax listing; (4) a description/statement of the present and proposed district; (5) a description of the property in question sufficient to unequivocally describe and identify said property (such description may take the form of a property survey, a legal description or a legible copy of a County cadastral or composite tax map clearly annotated with district lines which follow political boundaries, geographical features or property lines); and where an applicant chooses to appoint an agent to speak on their behalf, (6) an agent form. In the opinion of the Planning Director if an application is incomplete, the Planning Director may return the application to the applicant identifying the specific omissions, without invoking the review time requirement. The Planning Director may modify applications as necessary. Incomplete applications must be resubmitted on or before the date required by the Planning Department for review at the next Planning Board meeting.

(3) Review Schedule. Applications for major subdivisions of 300 or more lots shall have a minimum 45 day processing period for review by the Planning Director before the first consideration by the Planning Board. Applications involving more than one (1) parcel not under common ownership by the applicant shall be forwarded to the Board of Commissioners at its first regularly scheduled monthly meeting. (The Board of Commissioners will review the application and determine if it should proceed or, due to the size of the area, number of parcels or number of property owners, if the scope of the application will require a Small Area Zoning Study. If the Board of Commissioners agrees that the application calls for a Small Area Zoning Study, a directive for such will be issued by the Commissioners and direction will be provided as to how to proceed with the amendment application).

(4) Withdrawal of Application. Each application for a major subdivision of 300 or more lots which is withdrawn by the applicant after the first newspaper notice appears, shall not be considered for a map amendment within the following six (6) months.

(5) Application Resubmittal. The Planning Board and the Board of Commissioners will not consider an application (by a property owner or owner’s agent) when, within the previous 12 months, the map amendment request was denied by the Commissioners.

(6) Fees. Any review fee established by the Board of Commissioners shall be submitted with the application.

D. Staff Review. The Planning Director shall: (1) process and review the subdivision application, master plan and/or development plan(s), and map amendment request; (2) present the application to the TRC for its comments and recommendations; (3) schedule the matter for consideration by the Planning Board and notify the applicant (in writing) of that time; (4) forward a copy to any review agency for information purposes or for comment; and (5) prepare a recommendation on the proposed amendment. Formal review of the major subdivision of 300 or more lots shall not begin until the Planning Director has verified that the application is complete. Such verification should, when possible, be made within three (3) business days of its receipt.
E. Formal Review. The Planning Director shall prepare a recommendation on the application and supply a copy of the recommendation to the applicant before review by the Planning Board. Prior to amending the Official Zoning Map, the Commissioners shall consider the Planning Board’s recommendation which must be in writing and must address consistency with the Comprehensive Plan. The Planning Board shall have 45 days after the first consideration of an application for a major subdivision of 300 or more lots to submit its written recommendation to the Commissioners. Failure of the Planning Board to submit a written recommendation within the 45 day period shall constitute a favorable recommendation, except that, if by agreement of the Planning Board and the applicant that 45 days is insufficient due to the size of the area, the complexity of the request or similar circumstances, the Planning Board shall have 60 days to submit its written recommendations.

F. Public Hearing. Prior to amending the zoning map the Commissioners shall hold a public hearing on the amendment in accordance with NCGS §153A-323, as amended (See §42-370 (Legislative Process Standards)).

G. Public Notification. Public notification of the Planning Board meeting shall comply with the provisions outlined in §42-370 (Legislative Process Standards) B(5) (Posted Notice), for posted notices. Public notification of the Commissioners public hearing shall comply with the provisions of NCGS §153A-323 and §153A-343, as amended (See §42-370 (Legislative Process Standards)). Planning Staff shall be responsible for all necessary public notifications.

H. Amendment Validity. The amendment is effective immediately following the decision of the Commissioners. The Commissioners shall issue a written statement on all map amendment decisions (both adoptions and rejections) addressing reasonableness, consistency with the Comprehensive Plan, and public interests furthered. Subsequent development plans shall be reviewed and approved by the Board of Commissioners. However, the Commissioners may delegate this approval authority, on a project by project basis, to the Planning Board or Subdivision Administrator provided all conditions of approval are met and the development plan is consistent with the approved master plan. Development plans shall meet all requirements of this Chapter. Final plats shall be reviewed following the processes and procedures outlined in §42-76 (Approval for Subdivision Plats) and §42-343 (Final Plat Review).

§200A-341. Master Plans

A. Plan Preparation. Master plans must be prepared in conformance with this subpart and master plan requirements provided by the Planning Department. A master plan is required during review of all major subdivisions. The applicant shall submit four (4) full-sized copies and one (1) reduced-sized copy of the master plan, at a scale appropriate to clearly depict the proposed project. Reduced size copies should be legible and reproducible. If a reduced size copy of the plan (no larger than 11 inches by 17 inches in size) cannot be provided, at least 30 large copies shall be submitted in its place. The master plan may consist of multiple sheets, if needed. Applicants proposing single section or phased subdivisions may submit a combined master plan and development plan (“master/development plan”) that shall be prepared in conformance with this subpart and
the requirements of a development plan provided by the Planning Department and §42-342 (Development Plans).

B. Purpose of the Plan. The master plan is intended to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of the County, environmental quality, land values, natural features identified on the site analysis sketch and the County’s roads and governmental services.

C. Review of the Plan. During review of the master plan for a major subdivision application, the reviewing agency shall take into consideration: (1) applicable recommendations of the Comprehensive Plan, (2) the potential use of the land to be subdivided and (3) the impact of the subdivision and proposed use whether residential, commercial or industrial.

D. Revisions to the Plan. If during the development of the project, the master plan is revised to affect any of the following: increase the number of lots to be created or units to be constructed; create a substantive change in the subdivision configuration, road layout, etc.; substantially change the use of any portion of the tract; develop or build in areas that were identified as features in the site analysis sketch (see Article III (Subdivision Regulations) and Article XI (Review Processes and Procedures) Subpart C (Subdivision Review and Approval)) and that were identified in the master plan as open spaces or protected areas, the applicant shall then submit a revised master plan for the reviewing agency to review in accordance with Article III (Subdivision Regulations) and the applicable review process as outlined in this Article XI (Review Process and Procedures) Subpart C (Subdivision Review and Approval).

E. Land Disturbing and Improvement Activities. The applicant may only proceed with the establishment of erosion and sedimentation control measures, clearing and other land-disturbing activities and improvement activities associated with the project upon receipt of approval of the development plan (See §42-342 (Development Plans).

F. Approval Validity. Master plan approval is valid for two (2) years and shall be annotated on the plan. If, at the completion of the two-year period, no development plan has been submitted, the applicant must reapply under the current applicable requirements. Upon completion of a development plan, where no new development plan had been submitted for a period of four (4) years, the applicant must reapply under the current applicable requirements for the remainder of the project.

§200A-342. Development Plans

A. Plan Preparation. Development plans must be prepared in conformance with this subpart and development plan requirements provided by the Planning Department. Development plan(s) are required during review of all major subdivisions. The development plan may be submitted for the entire subdivision or any section thereof. The applicant shall submit four (4) full-sized copies and one (1) reduced-sized copy of the development plan, at a scale appropriate to clearly depict the proposed project. Reduced size copies should be legible and reproducible. If a reduced size copy of the plan (no larger than 11 inches by 17 inches in size) cannot be provided, at least 30 large copies shall be submitted in its place. The development plan may consist of multiple sheets, if needed.

B. Purpose of the Plan. A development plan is a graphic representation or map of the tract of land to be developed indicating all proposed divisions of land, their uses,
improvements and other information as may be required to fully disclose the applicant's intentions. The purpose of the plan is to provide general and specific information and is not intended to be a recordable document.

C. Review of the Plan. Upon approval of the master plan and the development plan of the first section of a subdivision by the reviewing agency, if successive sections are submitted for review (and (1) each substantially conforms with the master plan, (2) no new lots are created, and (3) all technical requirements and development standards have been met) the Subdivision Administrator may approve the development plans for all major subdivisions for successive sections administratively. Under such review, the action deadlines for the reviewing agency shall be the same for the Subdivision Administrator.

D. Land Disturbing and Improvement Activities. The applicant may, only upon receipt of approval of the development plan proceed with the establishment of erosion and sedimentation control measures, clearing and other land-disturbing activities and improvement activities associated with the project.

E. Approval Validity. Development plan approval is valid for two (2) years and shall be annotated on the plan. The approving agency may, for just cause, grant up to two (2) one-year extensions for development plan approval. If, at the completion of the first one-year extension period, less than 50 percent of improvements are complete, the applicant must reapply under the current applicable requirements. If more than 50 percent of improvements are complete after the one-year extension period, the applicant may apply for a single additional one-year extension and thereafter must reapply under current applicable requirements.

§200A-343. Final Plat Review

A. Final Plat Review for Minor and Nonstandard Subdivisions.

(1) Approval Authority. Subdivision Administrator.

(2) Purpose. A final plat must be prepared and approved pursuant to this subpart and final plat requirements provided by the Planning Department, whenever a subdivision of land occurs.

(3) Staff Review. If the subdivision complies with the standards set forth herein the Subdivision Administrator shall provide approval in writing on the face of the final plat and shall retain a "blue line" copy for departmental records. Once the plat has been approved, the final plat must be recorded in a timely manner.

B. Final Plat Review for All Major Subdivisions.

(1) Approval Authority. Subdivision Administrator.

(2) Purpose. A final plat must be prepared and approved pursuant to this subpart and final plat requirements provided by the Planning Department, whenever a subdivision of land occurs.

(3) Staff Review. The Subdivision Administrator shall review the final plat and determine its completeness, finding that the regulations of this Chapter that set forth specific standards have been met for final plats. The Subdivision
Administrator shall review the final plat for conformance with all applicable standards and conformance to any associated master plans and development plans. The final plat may be approved administratively if the plat meets all requirements of the Chapter and satisfies all conditions imposed by the reviewing agency. Upon approval, and before any lots are transferred, the applicant shall record the final plat at the office of the Register of Deeds. Incidental changes to the final plat, which do not in any way affect the character of the development, may be submitted prior to, or after, recordation and may be approved for re-recording by the Subdivision Administrator. No lots governed by this Chapter may be conveyed until a final plat is approved and recorded in the office of the Register of Deeds of Henderson County.

Subpart D. Amendment Processes

§200A-344. General

Amendment requests/applications may run concurrently with permit applications, site plan review or other applications for approvals required for the particular development. Amendments to the Comprehensive Plan and this Chapter shall adhere to the applicable review and approval process as outlined in this Article.

§200A-345. Comprehensive Plan Amendments

A. Purpose. The Comprehensive Plan Amendment process is designed to allow for: (1) regularly scheduled amendment evaluation; (2) consistency in how amendments are handled; (3) the consideration of the current plan and the proposed amendment to the plan concurrently, with an evaluation of the consequences of each; (4) the consideration of land use changes in a countywide context by simultaneous amendment review; (5) the separation of land use issues from specific zoning issues; (6) thorough staff and board analysis and evaluation; and (7) meaningful public input. All actions taken to amend, supplement, change or repeal the Comprehensive Plan shall follow the appropriate process as outlined below.

B. Administrative Amendments.

(1) Approval Authority. Board of Commissioners.

(2) Initiation. The Commissioners, County Manager, Planning Board and Planning Staff may submit administrative amendments to the Planning Director.

(3) Staff Review. The Planning Director drafts submitted amendments and provides them to the County Manager for review, consideration and action by the Commissioners.

(4) Review Schedule. As needed.

(5) Public Hearing. None required.

(6) Public Notification. None required.

(7) Amendment Validity. The amendment is effective immediately following the decision of the Commissioners.