

Motion and
Statement of Consistency with Comprehensive Plan
UDO-241

I move that the following statement be adopted in support of a **Motion to Approve** Zoning Text Amendment UDO-241.

The zoning text amendment, proposed by City/County Planning Board staff to amend Chapter B, Article VI of the Unified Development Ordinances (UDO) to revise the requirements for property descriptions submitted with zoning map amendments, is in conformance with the recommendations of the Legacy Comprehensive Plan and is reasonable and in the public interest because:

1. When a rezoning request includes a portion of a tax lot, the UDO requires that a metes and bounds description of the property be included in order to accurately depict where new zoning lines will be located; and
2. A metes and bounds description usually also requires a professional survey of the property, which is then translated into a written metes and bounds description, making the process more difficult for the applicant and staff and more expensive for the applicant; and
3. The City/County Planning Board staff believes it is beneficial to provide applicants the option of submitting a sealed survey of the property instead of a metes and bounds description of the property when a rezoning request includes a portion of a tax lot; and
4. This proposed text amendment would make the zoning map amendment application process easier and less expensive for applicants and reduce the amount of staff time involved in manually entering property descriptions into the GIS zoning layer.

Based on the foregoing Statement, I move adoption of UDO-241.

Second:

Vote:

STAFF REPORT

DOCKET # UDO-241
STAFF: Aaron King

REQUEST

Zoning text amendment proposed by the City-County Planning Staff to amend Chapter B of the *Unified Development Ordinances* to revise the requirements for property descriptions submitted with zoning map amendments (UDO-241).

BACKGROUND

When a rezoning request is submitted to the Planning Department for review, the subject property of the rezoning must be adequately described. For rezoning requests that involve only whole tax lots, the property can be described on the rezoning application and ordinance by simply listing the Parcel Identification Numbers (PINs). When a rezoning request includes a portion of a tax lot, the UDO requires that a metes or bounds description of the property be included in order to accurately depict where new zoning lines might be located.

Rezoning requests that include portions of tax lots are often more difficult for the applicant and staff. Applicants commonly describe property with a metes and bounds description which usually requires a professional survey of the property. For staff, the property description has to be manually entered into the GIS zoning layer. This process is usually time consuming and often ends with multiple revisions to the property description being required.

ANALYSIS

Over the past few years, staff has received feedback from customers and surveyors regarding how partial lot rezonings are processed. Staff believes this text amendment will: (1) make the application process easier and less expensive for applicants, and (2) reduce the staff time involved in mapping these requests.

To provide more flexibility for the applicant, staff believes that it is beneficial to provide the option of submitting a sealed survey of the property. Staff believes UDO-241 will make the rezoning process less expensive and easier for future applicants to navigate. It will also reduce the amount of staff time dedicated to mapping these types of requests.

RECOMMENDATION

APPROVAL

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-241
MAY 9, 2013**

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

When zoning requests come in for partial lots, they can be very difficult to process. This amendment would allow a perimeter survey of a property boundaries to suffice for the property description, thereby reducing work for petitioner and staff.

MOTION: Wesley Curtis moved approval of the text amendment.

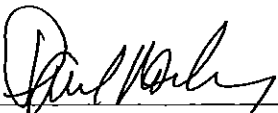
SECOND: Lynne Mitchell

VOTE:

FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Lynne Mitchell, Paul Mullican, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None



A. Paul Norby, FAICP
Director of Planning

UDO-241
**A UDO TEXT AMENDMENT PROPOSED BY CITY-COUNTY PLANNING
BOARD STAFF TO AMEND CHAPTER B OF THE *UNIFIED DEVELOPMENT
ORDINANCES* TO REVISE THE REQUIREMENTS FOR PROPERTY
DESCRIPTIONS SUBMITTED WITH ZONING MAP AMENDMENTS**

Be it ordained by the Board of Commissioners of Forsyth County, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter B, Zoning Ordinance, Section 6-2.1(K) of the UDO is amended as follows:

Chapter B – Zoning Ordinance

6-2 ORDINANCE AMENDMENTS: ZONING TEXT AND OFFICIAL ZONING MAPS

6-2.1 GENERAL USE DISTRICTS

(K) Property Description

A description of the property for which rezoning is requested shall be included with the petition. Such description shall be by reference to the latest available parcel identifier as maintained by the Forsyth County Tax Assessor's GIS database, and shall include reference to a recorded plat if available. If a portion of a lot(s) is included in the petition, the property description shall be: (1) a written metes or bounds description from a field survey or computed description; or (2) a sealed survey clearly depicting the property included in the rezoning request. The description or survey shall be consistent with submittal requirements.—no older than 5 years from the date of submittal shall be submitted; said description shall be based on 1983 North American Datum (NAD) and shall define a closed polygon. A copy of the most current deed of the property to be rezoned shall also be submitted.

Section 2. This ordinance shall be effective upon adoption.