

## STAFF REPORT

**DOCKET #** UDO-192

**STAFF:** [David Reed](#)

### **REQUEST**

This UDO text amendment is proposed by City-County Planning Board staff to simplify the zoning application procedures as stated in Chapter B Article IV by eliminating the requirement that petitioners obtain a certified copy of the ownership information from the Tax Assessors Office.

### **BACKGROUND**

The North Carolina General Statutes require advertisement in the newspaper before adopting, amending, or repealing the text or maps of the UDO. The specific statutes are GS 160A-364 (for Cities and Towns) and GS 153A-323 (for Counties). These requirements are met when the public hearing before the respected elected bodies are advertized.

The UDO requires the Planning Board submit a report and recommendation to the Elected Body for zoning map amendments and UDO text amendments. The Planning Board holds an advertized public hearing prior to making their recommendation. Although the General Statutes only require that the elected board give notice of their public hearing, the Planning Board places a newspaper ad, posts signs on the property, and sends letters to adjoining property owners to give notice of the Planning Board public hearing. At present, the petitioner is required to obtain ownership information from the Tax Assessor's Office as part of a rezoning application. The requirement that the property ownership information be certified by the Tax Assessors Office has been a part of the regulations at least since the adoption of the City and County Zoning Ordinances in 1968 and 1967 respectively.

This Text Amendment would change the way Planning Staff obtains the information used to notify adjoining property owners by eliminating the requirement that the petitioner obtain the information. Instead, Planning staff will obtain the information from Geo-Data Explorer and continue to do the same notification as is done now.

### **ANALYSIS**

Staff proposes eliminating the requirement that the petitioner obtain adjoining property owner information certified by the Tax Office. In consultation with Tax Office personnel, Planning staff determined the data now available on Geo-Data Explorer is adequate for the purpose of collecting property ownership information and there is no longer a need for the petitioner to obtain paper copies of the information from the Tax

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Office. Furthermore, the Geo-Data software allows staff to generate mailing labels of property owners which will improve efficiency in the Planning Office.

The benefits to the petitioner alone make this Text Amendment worthwhile. Additionally, Tax Office staff will no longer be asked to generate the property owner lists which is a second benefit. Finally, Planning staff will be able to more efficiently create mailing lists using Geo Data Explorer which will relive staff from the need to check the Tax Office information while accepting a rezoning application and then typing a list of mailing labels from that information.

## **RECOMMENDATION**

## **APPROVAL**

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**UDO-192**  
**AN ORDINANCE AMENDING**  
**CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES***  
**TO SIMPLIFY THE ZONING APPLICATION PROCEDURES.**

Be it ordained by the \_\_\_\_\_, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

**Section 1.** Chapter B - Zoning Ordinance, Article VI – Administration and Amendments:

**Chapter B - Zoning Ordinance**  
**Article VI – Administration and Amendments**

**6-2 Ordinance Amendments: Zoning Text and Official Zoning Maps**

**6-2.1 GENERAL USE DISTRICTS**

**(D) Application and Fee**

Application and Fee Each petition shall be accompanied by a completed application form and a fee as specified by the Planning Board. Proposals to change the zoning of property to more than one new zoning district may be processed as a single application, including the application and fee requirements of this section, if all proposed zoning districts are contiguous and together constitute a unified development proposal. ~~As part of any petition to amend a zoning classification, a current copy of the tax map shall be filed showing all parcels of land included in the petition and all parcels of land abutting those parcels included in the petition (including those properties directly across a street from those parcels included in the petition), with the name and address of each owner of each such parcel as certified by the Office of the Tax Assessor.~~ For amendments to the zoning text, the sections of the Ordinance to be amended and the new or revised language of the Ordinance proposed shall be submitted.

**Section 2.** This ordinance shall be effective upon adoption.

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