



Certified Recommendation

Raleigh Planning Commission

CR# 11606

Case Information: TC-1-15 / Published Notifications for Large-Scale Zoning Map Amendments

Comprehensive Plan Guidance

<i>Applicable Policy Statements</i>	Not applicable
<i>Action Items</i>	Not applicable

Summary of Text Change

<i>Summary</i>	Amends Sections 10.2.1.C.5.a of the Part 10A Raleigh Unified Development Ordinance to amend published notice requirements for zoning map amendments that directly affect more than 50 properties owned by a total of at least 50 different property owners. This text change also amends the name of the Department and Department Head in this section of the Code so that they align with the forthcoming City organizational realignment.
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Summary of Impacts

<i>Impacts Identified</i>	<p><u>Adoption of TC-1-15:</u></p> <ol style="list-style-type: none"> The adoption of the text change exempts the required published notice for zoning map amendments that directly affect more than 50 properties owned by a total of at least 50 different property owners from the requirement to include the address or Parcel Identification Number of the subject properties. The adoption of TC-1-15 would reduce the published advertising costs associated with these types of large-scale rezonings. <p><u>No Action:</u></p> <ol style="list-style-type: none"> The time and cost associated with zoning map amendments that directly affect more than 50 properties owned by a total of at least 50 different property owners would increase substantially (approximately \$200,000 for the citywide UDO zoning map amendment published advertisement).
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Public Meetings

<i>Submitted</i>	<i>Committee</i>		<i>Planning Commission</i>	
1-20-15				

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Attachments

1. Draft Ordinance

Planning Commission Recommendation

<i>Recommendation</i>	Approval
<i>Findings & Reasons</i>	That the time and costs associated with notifications for zoning map amendments of this scale are substantial and that the notifications still occur, albeit in a modified fashion, it is reasonable to allow a different approach to notifying the public about zoning map amendments of this type.
<i>Motion and Vote</i>	Motion: Fleming Second: Braun In Favor: Braun, Buxton, Fleming, Fluhrer, Schuster, Sterling-Lewis, Swink, Terando and Whitsett

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

	Date		Date
Planning Director		Planning Commission Chairperson	01/27/15

Staff Coordinator: Eric Hodge: eric.hodge@raleighnc.gov



Zoning Staff Report – TC-1-15

Published Notifications for Large Scale Zoning Map Amendments

Request

<i>Section Reference</i>	Part 10A §10.2.1.C.5.a Published Notice Requirements
<i>Basic Information</i>	Amends the UDO to amend published notice requirements for zoning map amendments that directly affect more than 50 properties owned by a total of at least 50 different property owners so that the published notice is exempted from including the address or Parcel Identification Number of the subject properties.
<i>PC Recommendation Deadline</i>	April 28, 2015

Comprehensive Plan Guidance

<i>Applicable Policies</i>	Not applicable
<i>Action Items</i>	Not applicable

Contact Information

<i>Staff Coordinator</i>	Eric Hodge: eric.hodge@raleighnc.gov ; 919.996.2639
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History/Overview

This text change was initiated by the City Staff to reduce the costs associated with these types of large-scale zoning map amendments.

Purpose and Need

This text change would greatly reduce the costs to the City when a large-scale zoning map amendments of this type is initiated. The upcoming Citywide UDO zoning map amendment project is triggering the urgency of this text change.

Alternatives Considered

None

Scoping of Impacts

Potential adverse impacts of the proposed text change have been identified as follows:

None.

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

The published advertising cost to the City for these types of large-scale zoning map amendments would increase.

Impacts Summary

Adoption of Proposed Text Change

The adoption of this text change will result in a decrease in the cost to the City for these types of large-scale zoning map amendments.

No action

The status quo will be maintained and the published notice costs of the pending Citywide UDO zoning map amendment would cost approximately \$200,000 more than if this text change were approved.

**ORDINANCE NO. (2015) 407 TC 363
TC-1-15**

AN ORDINANCE TO REVISE THE UNIFIED DEVELOPMENT ORDINANCE PUBLISHED NOTICE REQUIREMENTS FOR ZONING MAP AMENDMENTS THAT DIRECTLY AFFECT MORE THAN 50 PROPERTIES OWNED BY A TOTAL OF AT LEAST 50 DIFFERENT PROPERTY OWNERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA that:

Section 1. Section 10.2.1.C.5.a; Part 10A of the Raleigh Unified Development Ordinance, Content of Notice, is hereby amended by the insertion of the following underlined provisions and deleting the language shown with a strike-through:

a. Published, Web or Mailed Notice

The content of required published, web or mailed notice shall be as follows:

- i. A case number;
- ii. The address or Parcel Identification Number of the subject property (if available). **Zoning map amendments that directly affect more than 50 properties owned by a total of at least 50 different property owners are exempted from this specific content requirement;**
- iii. The general location of the land that is the subject of the application, which may include a location map;
- iv. A description of the action requested and nature of the questions involved;
- v. The time, date and location of the public hearing, public meeting or the neighborhood meeting if applicable and the name of the reviewing body;
- vi. A phone number and e-mail address to contact ~~Planning and Development~~ **the Department of City Planning;**
- vii. The address for the City's web portal;
- viii. A statement that persons may appear at the public hearing, public meeting or at the neighborhood meeting if applicable or make written comments to the ~~Planning and Development Officer~~ **Planning Director** as applicable; and
- ix. A statement that more specific information is available at ~~Planning and Development~~ **the Department of City Planning.**

Section 2. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

Section 3. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

Section 4. This text change has been reviewed by the Planning Commission and recommended for approval as presented at the City Council public hearing.

Section 5. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council following a recommendation of the Planning Commission.

Section 6. This ordinance has been provided to the North Carolina Capital Commission as required by law.

Section 7. This ordinance shall be enforced by law as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty dollar limit in G.S. 14-4(a) or similar limitations.

Section 8. This ordinance shall become effective five (5) days following its adoption.

ADOPTED: March 3, 2015

EFFECTIVE: March 8, 2015

DISTRIBUTION: Planning – Bowers, Crane, Hodge
City Attorney – Botvinick, Hargrove
Department Heads
Transcription Svcs – Taylor