



Goldilocks and the Three Zoning Bears

The City-County Planning Board, as part of its adopted work program, asked the Planning staff to develop a new zoning tool to complement General Use and Special Use Zoning. That tool is called Conditional Use District Zoning. Conditional Use Zoning is a “hybrid” between General Use and Special Use Zoning in that it is more restrictive than General Use, but less involved than Special Use. Conditional Use District Zoning provides an opportunity for a petitioner to limit permitted uses and place restrictive conditions on a property, which may help in gaining rezoning approval. General Use Zoning permits the development of all uses permitted by right in a particular zoning district, as long as all the basic requirements of the UDO are met. General Use Zoning does not require a site plan for rezoning approval.

In contrast, Special Use Zoning requires a petitioner to provide the most detail by specifying the uses being proposed and to submit a site plan showing the proposed development design. Various development conditions may be placed upon a Special Use Zoning request and agreed to



by the petitioner before rezoning approval is given. The development of a Special Use Zoned property is directly tied to the approved site plan and conditions. Any deviation, no matter how small, from the approved site plan requires a Site Plan Amendment or a Staff Change.

While Conditional Use Zoning is more involved than General Use Zoning, it does not require the site plan as required by Special Use Zoning. Instead, Conditional Use Zoning uses written conditions of approval in order to move a rezoning request forward. Example conditions could include an expanded bufferyard, an increased building setback, or limiting

permitted uses. Any conditions of a Conditional Use District rezoning can only be in written form.

A pre-application conference would be required for Conditional Use requests. The purpose of this conference is to determine whether Conditional Use Zoning is the most appropriate type of zoning for a particular request. In cases where conditions cannot be clearly explained and enforced through writing,

Special Use Zoning may be more appropriate. Conditional Use Zoning is a useful addition to our *Unified Development Ordinances*, and can be beneficial to all parties in the right circumstances. Staff anticipates that this type of zoning could reduce the number of Special Use Zoning cases heard by the Planning Board each month, and a reduction in the amount of time spent handling site plans amendments and staff changes. Conditional Use Zoning is hoped to be a desirable, simpler alternative to Special Use Zoning, particularly when petitioners may not fully know all the details, such as tenant(s), or building layout when the rezoning request appears before the Elected Body.



the next day...



a few weeks later...



a few more weeks later...



even more weeks later.



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Minor Subdivision Review Process Amended

The process for approving Minor Subdivisions has been changed effective January 1, 2007. Beginning in 2007, Minor Subdivisions will be processed as final plats rather than deed approvals.

Although Major Subdivisions go through the Planning Board for preliminary approval and later go through the final plat review process, Minor Subdivisions are approved through the deed approval process. Now, Minor Subdivisions will go through the final plat review process. And they will still be done without going to the Planning Board. Staff will continue the review of Minor Subdivisions. For some time, varying development review agencies have become more involved in the review of Minor Subdivisions. As an example, both the the County Fire Department and the Health Department have been reviewing Minor Subdivisions for over a year now. The Minor Subdivision or Summary Plat review process will allow

those agencies to review and comment on each Minor Subdivision prior to approval to help ensure access for necessary public services. The staff review time for this will be five working days and will include the address assignment.

The most dramatic change to the review process is the elimination of the property description. Instead of preparing a survey and then converting the metes and bounds description into written form, plats will be submitted for staff review. Benefits of platting include eliminating typographical errors that occur when the descriptions are written and a reduction in review fees at the Planning Office. Each Minor Subdivision deed review costs \$125 per lot. Summary plat review will cost \$125 for one to five lots, \$250 for six to ten lots, and so on. Another important advantage of Summary Plat review is that the plat map itself will be put on record, as opposed to deeds, which typically reference the survey used to create them but do not require that the survey itself be recorded.

Architectural Survey Update Underway!

In September 2006, Forsyth County and the City of Winston-Salem were awarded a matching grant from the North Carolina State Historic Preservation Office to begin an update of the comprehensive architectural survey of Forsyth County.

Forsyth County has experienced tremendous growth and change since the last survey was completed in the early 1980s. Historic Resources staff and a private consultant from Edwards-Pitman Environmental Inc. are working together in Phase One of this update to conduct a reconnaissance of all previously surveyed properties. The goal is to identify

originally surveyed properties that are no longer standing or have been altered considerably, and identify all historic properties and districts that should be further investigated in a future phase.

The survey information is being collected and entered into a new database system created by the State. At the end of the survey process, staff plans to create a user-friendly, on-line version, offering citizens the opportunity to review specific data about historic properties. The comprehensive update of the architectural survey will also support future planning efforts in the county and future National Register nominations. It is hoped to have all phases of the survey update completed by 2010.

Want more information?
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The City-County Planning newsletter is produced and written by Planning staff in order to spread the word on the variety of things that we do and all the people we work with.
If you have comments or questions, please contact us by phone or by email, GLYNISJ@cityofws.org