

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: NOVEMBER 9, 2017 AGENDA ITEM NUMBER: 5

SUBJECT: ORDINANCE REVISING CHAPTER 23 OF THE FORSYTH COUNTY CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCES TECHNICAL CODE" (FORSYTH COUNTY ATTORNEY'S OFFICE)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION: See Attached

ATTACHMENTS: Yes No

SIGNATURE: *J. Dudley Watts, Jr.* DATE: November 8, 2017
COUNTY MANAGER

**ORDINANCE REVISING CHAPTER 23
OF THE FORSYTH COUNTY CODE ENTITLED,
"UNIFIED DEVELOPMENT ORDINANCES TECHNICAL CODE"
(FORSYTH COUNTY ATTORNEY'S OFFICE)**

BE IT ORDAINED by the Forsyth County Board of Commissioners that Chapter 23 of the Forsyth County Code, entitled, "Unified Development Ordinances Technical Code," consisting of Sections 23-1 through 23-2, is hereby revised as shown in the attached Sections 23-1 through 23-2.

BE IT FURTHER ORDAINED that this ordinance shall become effective upon final adoption.

Adopted this 9th day of November 2017.

Chapter 23

UNIFIED DEVELOPMENT ORDINANCES TECHNICAL CODE*

*State law reference- County power to zone, G.S. 153A-340 et seq.; subdivision regulation, G.S. 153A-330 et seq.

* Editors Note: Ord. No. 3-94, § 1, adopted May 23, 1994, repealed former Ch. 23, Zoning Ordinance, §§ 23-1–23-20, derived from the Zoning Resolution adopted Apr. 3, 1967, as subsequently amended. For complete derivation of former Ch. 23, the user's attention is directed to the Code Comparative Tables beginning on page 1753. Current provisions pertaining to zoning are set out in the Unified Development Ordinances Technical Code (UDO). Sec. 2 of Ord. No. 3-94 provided for the adoption of the Unified Development Ordinances Technical Code and has been designated by the editor as § 23-1. Sec. 3 of Ord. No. 3-94 provided that the ordinance shall become effective when the zoning maps necessary to implement the zoning ordinance portion of the UDO have been adopted; hence, §§ 1, 2 of Ord. No. 8-94, adopted Nov. 28, 1994, providing for the adoption of such maps has been included as § 23-2. However, it should be noted that §§ 3 and 4 of Ord. No. 8-94 provided for an adoption date of 12:01 a.m. local time on December 31, 1994.

Winston-Salem Forsyth County Unified Development Ordinance

Sec. 23-1. Adoption.

The Unified Development Ordinances, including the definitions ordinance, the zoning ordinance and the environmental ordinance, but excluding the subdivision regulations adopted by the City/County Planning Board, are hereby adopted; and they, including said subdivision regulations, shall be placed in a technical code. The publication of this technical code, its maintenance and supplementation, shall be the responsibility of the City/County Planning Board. Said City/County Planning Board is authorized to prepare supplements thereto to include amendments adopted from time to time by the Winston-Salem Board of Aldermen City Council and the Forsyth County Board of Commissioners, or either of them. Copies of this technical code shall be maintained for public inspection in the office of the Clerk to the Board.

(Ord. No. 3-94, § 2, 5-23-94)

Sec. 23-2. Zoning map, adoption by reference.

(a) In accordance with section 2-2, Official Zoning Maps of the Unified Development Ordinances Technical Code, the Official Zoning Maps for the Forsyth County Zoning Jurisdiction on file as set forth in subsection (b) below, and consisting of 427 maps titled "Official Zoning Maps for Forsyth County, Clemmons, Kernersville, Lewisville*, Rural Hall, Tobaccoville, Walkertown, and Winston-Salem, North Carolina" is hereby adopted and is included herein by reference.

* Editors Note: It should be noted that the Town of Lewisville has assumed jurisdiction for planning, zoning and subdivision regulation within its incorporated limits effective Nov. 1, 1995. See also the editor's note to § 1-1 of this Code.

(b) The original copies of these maps shall be placed on file in the office of the Clerk to the Board of County Commissioners. In accordance with section 2-2.1(B) of the Unified Development Ordinances Technical Code the Official Zoning Maps (original plus future amendments) shall be located in the offices of the City/County Planning Board and the Zoning Officer.

(Ord. No. 8-94, §§ 1, 2, 11-28-94)