

O - 2004 - 002

A MORATORIA ORDINANCE FOR THE ORDERLY TRANSITION OF PLANNING AND ZONING DUTIES TO INCLUDE A MORATORIUM ON CERTAIN TYPES OF DEVELOPMENT ACTIVITIES FROM THE PERIOD BEGINNING AT 8:00 A.M. ON OCTOBER 6, 2004 AND CONTINUING UNTIL 8:00 A.M., FEBRUARY 1, 2005

WHEREAS, the Town Council of the Town of Summerfield is concerned with the orderly transition of planning and zoning duties from the existing contracted Guilford County Planning and Development Department to a Town Planning Department; and

WHEREAS, the Town Council of the Town of Summerfield recognizes that it is important to provide appropriate time for the effective review of, and to make any necessary and attendant amendments to the Town Development Ordinance, to accommodate the transition process, and to insure or effect the following: (1) insure legal sufficiency, (2) clarity to the user, and (3) changes to reflect the Summerfield Long Range Plan, the Summerfield Commercial Needs Assessment, and to incorporate the opinions and suggestions from the efforts of various town Committees working to insure that high quality, sustainable development continues within the Towns jurisdiction; and

WHEREAS, the Town Council of the Town of Summerfield recognizes the rights of private property owners to use their property in manners reasonable and consistent with established development patterns and the Summerfield Long Range Plan; and

WHEREAS, after a duly-advertised public hearing pursuant to G.S. 160A-364, this Moratoria Ordinance in amendment of the Summerfield Development Ordinance was heard by the Summerfield Town Council at its regularly scheduled and advertised public meeting on October 6, 2004.

NOW, THEREFORE, BE IT RESOLVED by action of the Town Council of the Town of Summerfield:

By adoption of the following amendments to Article 3, Permits and Procedures of the Town of Summerfield Development Ordinance, that moratoria on the following types of development requests shall be enforced beginning at midnight on October 6, 2004 and continuing until February 1, 2005:

Article 3, Section 1 Permit Required is amended by adding new language at the end thereof as follows:

3-1.1 Moratoria. Beginning at 8:00 a.m. on October 6, 2004 and continuing in effect until 8:00 a.m. February 1, 2005 unless otherwise modified or extended by action of the Town Council of the Town of Summerfield, a Moratorium shall be enforced on each of the following types of development requests:

- 1. All zoning map amendments (rezonings) for all zoning districts;**
- 2. All major subdivisions, with the exception of developments of four (4) lots or less that require a waiver to the existing development standards;**
- 3. All new non-residential site plans for buildings larger than 7,500 square feet gross floor area, or lots greater than 2 acres in size;**
- 4. All watershed modifications, except in association with exempted projects as indicated within this moratoria amendment.**
- 5. All grading permits in association with any of the above activities.**

Specifically excluded by this moratoria amendment to the Summerfield Development Ordinance are the following:

- 1. Minor subdivisions of four (4) lots or less, meeting the ordinance definition of a Minor Subdivision;**
- 2. Revisions to existing approved major subdivisions, unless requiring a change to the existing zoning district, including Conditional Use Districts and Open Space Residential Districts;**
- 3. Revisions to approved non-residential site plans provided they do not require rezoning, and new site plans for buildings less than 7,500 square feet gross floor area or lots less than 2 acres in size;**
- 4. Individual residential building permits;**
- 5. Non-residential permits for developments that have already received site-plan approval;**
- 6. Governmental projects, including local, state, and federal;**
- 7. Sign permits for existing approved residential developments, non-residential developments, and individual businesses, provided that the permit meets all requirements of the current sign standards of the Summerfield Unified Development Ordinance.**
- 8. Grading permits in association with any exempted activity; and**
- 9. Other permit exemptions as provided for in Section 3-2.**

This Ordinance shall become effective on October 6, 2004 and continue in effect until February 1, 2005, unless otherwise modified or extended by action of the Town Council of the Town of Summerfield.

Adopted on motion of Council Member Bob Williams seconded by Council Member Mark Brown, and carried on a vote of 4 in favor and 0 against.

This the 5th day of October, 2004.

ATTEST

TOWN OF SUMMERFIELD



Dianne Laughlin, Town Clerk



Dena Barnes, Mayor