

ACTION REQUEST FORM

DATE: July 14, 2015
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, Director of Planning and Development Services

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning text amendment proposed by City-County Planning and Development Services staff.

SUMMARY OF INFORMATION:

Zoning text amendment proposed by City-County Planning and Development Services staff to revise Chapter B of the *Unified Development Ordinances* to amend regulations for the Neighborhood Business District. (UDO-262).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED

STAFF REPORT

DOCKET # UDO-262

STAFF: [Walter Farabee](#)

REQUEST

This UDO text amendment is proposed by City-County Planning and Development Services staff to amend Chapter B of the *Unified Development Ordinances* (UDO) to amend regulations for the Neighborhood Business (NB) District.

BACKGROUND

The concept of a Low-Intensity Commercial land use has been discussed in Area Plans for the last fifteen years. *Legacy 2030*, adopted in 2012, also identified as an Action Agenda item the need for a low impact neighborhood-serving zoning district. Most recently the *South Central Area Plan Update* in 2014 identified Low-Intensity Commercial as the best land use for the Washington Park Activity Center (along Acadia Street) and a large parcel of land on Salisbury Ridge Road across from the West Salem Shopping Center. The plan stressed how Low-Intensity Commercial could aid in preserving the character of nearby established neighborhoods while accommodating needed services. These areas have the potential to be locations for an array of amenities including, but not limited to: day care, food/drug stores, furniture and home furnishing stores, post offices, veterinary services and retail. The *South Central Area Plan* also discussed a variety of housing types such as single-family, townhomes and twin homes which would fit in low-intensity commercial areas. There are other neighborhood environments in the City and County that could also benefit from such a limited commercial zoning district, which further supports the need for this text amendment.

ANALYSIS

Presently, the UDO has no existing zoning district that fully embraces the low-intensity commercial use. The most similar existing zoning district is the Neighborhood Business (NB) District which staff is proposing to modify to represent this use. The NB District has been selected because it is already intended to accommodate low impact office, retail and personal service uses within or adjacent to residential neighborhoods. Properties zoned NB are not intended for retail uses which attract customers from outside the neighborhood or which primarily cater to motorists. Currently, the district is lightly utilized and there are only approximately twenty properties and less than fifteen acres zoned NB in Forsyth County. These properties are highly dispersed and none are located adjacent to one another. Given that the district can be applied in Growth Management Areas (GMAs) 2 (Urban Neighborhoods), 3 (Suburban Neighborhoods), 4 (Future Growth Area) and 5 (Rural Area) makes it ideal to for low-intensity commercial uses. Unfortunately, the current district has several restrictions which limit its usefulness, such as significant gross floor area limitations for many uses, and regulations prohibiting NB zoned properties from being established within one half mile of each other.

The revised Neighborhood Business District accommodates neighborhood serving uses while demonstrating pedestrian orientation and a number of design elements intended to protect the character of surrounding neighborhoods. Such elements include allowing on-street parking and requiring off-street parking be located to the rear or side of principal structures, as well as

landscaping to buffer adjacent residentially zoned property. Signage height and size, as well as building floor area maximums have been established to limit the impact on the surrounding neighborhood. One freestanding sign at a height of four feet and maximum area of 20 square feet is permitted, in addition to attached signage [awning, projecting or wall] with a maximum area of 5% of the building wall on street facing facades. Building floor area has been limited to 5,000 square feet per floor. Design enhancements include requiring building entrances facing the street, minimum ground floor transparency requirements and pedestrian-oriented architectural features such as façade articulation, windows, awnings and other similar features. Lastly, screening of mechanical equipment, the enclosure of trash facilities and signage limitations are also included for the district.

Over the past months, staff has engaged the public in the NB revision process by holding discussions and providing presentations to citizen groups such as the Washington Park Neighborhood Association, the Winston-Salem Neighborhood Alliance and the Realtors Commercial Alliance of the Winston-Salem Regional Association of Realtors. In response to citizen input and the list of low-intensity commercial uses included in Area Plans, the permitted uses in the revised NB District are limited to prohibit undesirable uses from disrupting nearby residences. Prohibited uses in GMAs 1, 2 and 3 include motor vehicle repair/maintenance, convenience stores, gasoline sales and retail stores specializing in automobile supply. Boarding houses, car washes, drive-through restaurants and clubs are prohibited in NB Districts in all GMAs.

Overall, the revised Neighborhood Business District is intended to accommodate what other current zoning districts do not, which is the quintessential neighborhood retail that supplies the needs of area residents in a walkable and inviting environment while prohibiting highway-oriented commercial. At this time, this new district is not intended to cater to or be utilized by any particular neighborhood but will add a new tool for creating desirable low-intensity commercial areas to the UDO. Although this text amendment by itself will not create more NB zoned properties, adoption of these changes puts in place the regulations that will allow petitioners to request rezoning of properties to NB. Staff believes that newly zoned NB Districts will encourage smart development of mixed uses that protect the character and integrity of neighborhoods.

RECOMMENDATION

APPROVAL

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-262
JUNE 11, 2015**

Walter Farabee presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

The height limit for the NB District is 40'.

You have to have 50% transparency of the ground floor street-facing building façade even in GMA3.

This is a district designed to be neighborhood and pedestrian friendly.

This is a very good proposal. Sometimes you will get people from outside the neighborhood which may require looking into providing adequate parking, etc., but we'll figure that out as we go along.

The process used by the City to get different input about this item was positive and healthy.

MOTION: Clarence Lambe moved approval of the text amendment.

SECOND: Allan Younger

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services

UDO-262
AN ORDINANCE REVISING
CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES
TO AMEND REGULATIONS FOR THE NEIGHBORHOOD BUSINESS DISTRICT

Be it ordained by the City Council of the City of Winston-Salem, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter B, Article II of the *UDO* is amended as follows:

Chapter B - Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps, and Uses

2-1.3 COMMERCIAL ZONING DISTRICTS - PURPOSE STATEMENTS AND REGULATIONS

(E) NB Neighborhood Business District

(1) **Purpose.** The NB District is primarily intended to accommodate ~~very~~ low intensity office, retail, and personal service uses close to or within residential areas. The district is established to provide convenient locations for businesses which serve the everyday household needs of nearby residents without disrupting the character of the neighborhood. The district should demonstrate pedestrian oriented design through elements such as on-street parking, façade articulation, storefront display windows, awnings and building entrances facing the street. The district is not intended to accommodate retail uses which attract customers from outside the neighborhood or which primarily cater to motorists. This district is intended for application in GMAs 2, 3, 4 and 5.

(2) General Dimensional Requirements - NB.

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks ^{2 3}				Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft)		Front (ft) ¹	Rear (ft)	Side			
						Interior Side (ft)	Street (ft) ¹		
NB	6,000	65	-	10 0	25	7	20	60 -	40

1. Residential structures in GMA 2 shall meet the requirements of Section B.3-8. (W)
2. A zoning lot which has frontage on two (2) or more streets shall have at least one building wall located not more than fifteen (15) feet from one of those street frontages. There shall be no surface off-street parking or unloading spaces located between that building wall and the street or an extension of that building wall through the entire street frontage.
3. A zoning lot that is adjacent to another non-residential lot may have minimum setbacks for interior side and side street of zero (0).

(3) **Supplementary District Requirements.** ~~Minimum lot sizes for single family residences must meet the requirements of Table B.3.4. Other supplemental district requirements are:~~ [Reserved]

- (a) ~~Size and Location.~~ Individual NB Districts shall conform to the following requirements: [Reserved]
 - (i) ~~Size.~~ The district shall comprise not more than one acre of contiguous site area. [Reserved]
 - (ii) ~~Proximity to other NB District.~~ A NB District shall not be established within one half mile of another NB District, measured in a straight line from the closest points on the boundary lines of the two (2) districts. [Reserved]
- (b) ~~Floor Area Limitation.~~ The following uses are limited to a maximum gross floor area of two thousand five hundred (2,500) square feet: [Reserved]
 - (i) ~~Banking/Financial Services;~~ [Reserved]
 - (ii) ~~Convenience Store;~~ [Reserved]
 - (iii) ~~Drug Store;~~ [Reserved]
 - (iv) ~~Food Store;~~ [Reserved]
 - (v) ~~Government Office;~~ [Reserved]
 - (vi) ~~Offices;~~ [Reserved]
 - (vii) ~~Neighborhood Organization Office; and~~ [Reserved]

Floor Area Limitation. New development is limited to a maximum gross floor area of five thousand (5,000) square feet per floor. Proposed development exceeding five thousand (5,000) square feet per floor requires Special Use District Zoning.

- (c) Prohibited Uses. The following uses are not permitted in GMAs 1, 2 and 3:
 - (i) Motor Vehicle Repair and Maintenance;
 - (ii) Convenience Store with Gasoline Sales;
 - (iii) Retail Store Specializing in Automobile Supply;
 - (iv) ~~Hardware Store; and,~~ [Reserved]

(v) ~~Veterinary Service.~~ [Reserved]

(d) Prohibited Activities.

(i) No drive-through or in-car service shall be permitted.

(ii) No gasoline sales shall be permitted in an NB District in GMAs 1, 2 and 3.

(e) Motor Vehicle Storage Yard. A motor vehicle storage yard with a maximum enclosed storage area of three thousand (3,000) square feet shall be permitted as an accessory use to a motor vehicle repair and maintenance facility, where permitted in accordance with Section B.2-1.3(E)(3)(c). Such yard shall meet all use conditions applicable to motor vehicle storage yards, Section B.2-5.55.

(f) Automatic Teller Machines. Automatic teller machines shall be permitted as an accessory use if not constructed as a drive-through facility.

(g) Parking Requirements. The following parking requirements apply in the NB District. Districts located within GMAs 1, 2 or 3 must meet the additional requirements of Section B.2-1.3(E)(3)(n)(iii).

(i) Reductions. ~~Off-street parking requirements contained in Section B.3-3.5(D) are reduced thirty percent (30%).~~ As per Section B.3-3.5(D), off-street parking requirements are reduced thirty percent (30%).

(ii) Location. All off-street parking shall be provided to the rear or to the side of the principal structure with the exception of two (2) parking spaces which may be located in front of the structure. The side parking area may be no closer to the street than the principal structure.

(h) Landscaping, Bufferyard and Streetyard Standards. ~~The following landscaping and bufferyard standards apply in the NB District.~~ Rear parking and side parking areas shall be buffered by a type II bufferyard, as defined in Section B.3-5, if adjacent to residentially zoned property.

(i) Front Yard. ~~Ten (10) feet of the front yard in the NB District shall be landscaped with plant materials.~~ [Reserved]

(ii) Rear Parking. ~~Parking area shall be buffered by a type I bufferyard, as defined in Section B.3-5, adjacent to residentially zoned property.~~ [Reserved]

- (iii) Side Parking. ~~Type I plantings will be provided in the required streetyard. A type II bufferyard, as defined in Section B.3-5, shall be provided if side parking abuts residentially-zoned property. [Reserved]~~
- (i) Signage. (F) ~~Only one sign per structure will be permitted in NB Districts. This sign may be a ground sign, projecting sign, roof sign, or wall sign. This sign will be limited to four (4) square feet as defined in Section B.3-2. Freestanding and attached signs are permitted in NB Districts. One freestanding sign with a maximum height of four (4) feet and a maximum area of twenty (20) square feet is permitted. Attached signage may include awning, projecting or wall signs with a maximum area of five percent (5%) of the building wall. Attached signage may only be installed on street facing facades. Internally illuminated signs are prohibited. The sign(s) shall meet the requirements of Section B.3-2.~~
- Signage. (W) ~~Only one sign per structure will be permitted in NB Districts. This sign may be a freestanding sign, projecting sign, roof sign or wall sign. This sign shall meet the requirements of Section B.3-2. Freestanding and attached signs are permitted in NB Districts. One freestanding sign with a maximum height of four (4) feet and a maximum area of twenty (20) square feet is permitted. Attached signage may include awning, projecting or wall signs with a maximum area of five percent (5%) of the building. Attached signage may only be installed on street facing facades. Internally illuminated signs are prohibited. The sign(s) must meet the requirements of Section B.3-2.~~
- (j) Trash Facilities. Dumpsters shall be enclosed on three (3) sides with walls at least eight (8) feet high and constructed of a material similar to the principal building on the zoning lot; the fourth side of the enclosure may be a permanent gate of wood or other opaque material.
- (k) Exterior Lighting. Exterior lighting on the property shall not be installed at a height of more than twenty-five (25) feet above the finished grade and shall utilize full cut off fixtures so as to cast no direct light upon adjacent property.
- (l) On-Street Parking. Some on-street parking may be permitted to satisfy off-street parking requirements in accordance with Section B.3-3.5(M).
- (m) Screening Mechanical Equipment. All on-site mechanical equipment shall be screened in accordance with Section B.3-4.6.

- (n) Design Enhancements. The following design enhancements are required in GMAs 1, 2 and 3:
- (i) Building Entrance Orientation. All buildings in the NB District shall have at least one principal building entrance oriented to the street. There shall be at least one entrance per one hundred (100) linear feet of street frontage, on one or more street-facing façades.
 - (ii) Ground Floor Transparency of Non-residential Structures
 - a. No less than fifty percent (50%) of the ground floor (between two (2) and ten (10) feet above street level) street-facing facades of structures within the NB District shall consist of transparent windows, doors, or opening in the façade.
 - b. Where walls, fences or other similar features exist between the public right-of-way and the street-facing façade, a minimum of fifty percent (50%) of such feature shall consist of transparent openings.
 - (iii) No surface off-street parking or unloading spaces, except a maximum of two (2) spaces in accordance with Section B.3-3.5(D)(1)(b)(i), shall be located between the building wall and the street or an extension of that building wall through the entire street frontage. Parking reductions and location must be in accordance with the requirements of Section B.2-1.3(G).
 - (iv) Building Walls With Street Frontage. Building walls with street frontage shall emphasize pedestrian-oriented architectural features such as facade articulation, windows, awnings, porticoes and similar features.
 - (o) Multifamily development is permitted only in combined use buildings at a maximum density of four units not located on the ground floor. Additional units may be permitted through Special Use District Zoning.

Section 2. Chapter B, Article II of the *UDO* is amended as follows:

Chapter B – Zoning Ordinance

Article II - Zoning Districts, *Official Zoning Maps*, and Uses

2-4 PERMITTED USES

2-4.1 TABLE B.2.6

Table 2.6 displays the principal uses allowed in each zoning district and references uses conditions. Table B.2.6 should be read in conjunction with the definitions of principal uses and other terms in Section A.2. Land, buildings, and structures shall only be used in accordance with the districts shown on the *Official Zoning Maps*, and subject to all requirements and conditions specified in this Ordinance.

Table B.2.6
Permitted Uses

Use Type	NB	CONDS
Residential Uses		
Residential Building, Single Family (Lo)	Z	65
Residential Building, Duplex (Lo)	<u>Z</u>	
Residential Building, Townhouse (Lo)	<u>P</u>	64
Residential Building, Twin Home (Lo)	<u>Z</u>	64
Residential Building, Multifamily (Hi)	<u>P</u>	64
Manufactured Home, Class A (Lo)		46
Manufactured Home, Class B (F) (Lo)		47
Manufactured Home, Class B (W) (Lo)		47.1
Manufactured Home, Class C (F) (Lo)		47
Manufactured Home, Class D (Lo)		48
Manufactured Housing Development (Lo)		49
Boarding or Rooming House (Lo)		10
Combined Use (Lo)	Z	24
Family Group Home A (Lo)		28
Family Group Home B (Hi)		28
Family Group Home C (Hi)		29
Fraternity or Sorority (Hi)		31
Life Care Community (Lo)		44
Planned Residential Development (Lo)		60

AGRICULTURAL USES		
Agricultural Production, Crops (W)(Lo)		
Agricultural Production, Livestock (W) (Lo)		
Agricultural Production, Crops (F) (Lo)	Z	
Agricultural Production, Livestock (F) (Lo)	Z	
Agricultural Tourism (F) (Lo)		5.1
Animal Feeding Operation (Hi)		7
Fish Hatchery (Lo)		
RETAIL AND WHOLESALE TRADE		
Arts and Crafts Studio (Lo)	Z	
Building Materials Supply (Hi)		
Bulk Storage of Petroleum Products (Hi)		
Convenience Store (Hi)	Z1	
Food or Drug Store (Hi)	Z1	
Fuel Dealer (Hi)		
Furniture and Home Furnishings Store (Lo)	Z	
Motor Vehicle Dismantling and Wrecking Yard (Hi)		53
Motorcycle Dealer (Hi)		
Nursery, Lawn and Garden Supply Store, Retail (Hi)		
Outdoor Display Retail (Hi)		57
Restaurant (without drive-through service) (Hi)	Z	
Restaurant (with drive-through service) (Hi)		
Retail Development Larger than 125,000 sf (W) (Hi)		
Retail Store (Hi)	Z1	66
Shopping Center (Hi)		72
Shopping Center, Small (Hi)		72.1
Storage Trailer (Hi)		
Wholesale Trade A (Hi)		
Wholesale Trade B (Hi)		
BUSINESS AND PERSONAL SERVICES		
Adult Establishment (F) (Hi)		5
Adult Establishment (W) (Hi)		5
Banking and Financial Services (Hi)	A1	
Bed and Breakfast (Lo)	A	9
Building Contractors, General (Hi)		
Building Contractors, Heavy (Hi)		
Car Wash (Hi)		12
Entertainment Facility, Large (Hi)		
Funeral Home (Lo)		
Hotel or Motel (Hi)		

Kennel, Indoor (Hi)		39
Kennel, Outdoor (F) (Hi)		39.1
Motor Vehicle, Rental and Leasing (Hi)		
Motor Vehicle, Re- pair and Maintenance (Hi)	Z1	54
Motor Vehicle, Body or Paint Shop (Hi)		54
Motor Vehicle, Storage Yard (Hi)		55
Offices (Lo)	Z	
Services, A (Lo)	Z	
Services, B (Hi)		70
Signs, Off-Premises (Hi)		73
Storage Services, Retail (F) (Lo)		
Storage Services, Retail (W) (Lo)		76
Testing and Re- search Lab (Lo)		
Veterinary Services (Lo)	Z1	81
Warehousing (Hi)		
RECREATIONAL USES		
Fishing, Fee Charged (Lo)		30
Golf Course (Lo)		32
Recreation Services, Indoor (Lo)	Z	63
Recreation Services, Outdoor (Hi)		63
Recreation Facility, Public (Lo)	Z	
Recreational Vehicle Park (Hi)		62
Riding Stable (Lo)		67
Shooting Range, Indoor (F) (Hi)		
Shooting Range, Outdoor (F) (Hi)		71
Swimming Pool, Private (Lo)		77
Theater, Drive-In (Hi)		78
Theater, Indoor (Hi)		
INSTITUTIONAL AND PUBLIC USES		
Academic Biomedical Research Facility (Lo)		1
Academic Medical Center (Hi)		
Adult Day Care Center (Lo)	P	3
Adult Day Care Home (Lo)	Z	4
Animal Shelter, Public (Hi)		81
Cemetery (Lo)		13
Child Care, Drop- In (Lo)	Z	15
Child Care Institution (Lo)		16
Child Care, Sick Children (Lo)	A	17
Child Day Care Center (Lo)	A	18

Child Day Care, Large Home (Lo)	P	19
Child Day Care, Small Home (Lo)	Z	20
Church or Religious Institution, Community (Lo)		21
Church or Religious Institution, Neighborhood (Lo)	Z	22
Club or Lodge (Hi)		23
College or University (Hi)		
Correctional Institution (Hi)		26
Dirt Storage (Hi)	A	27
Government Offices, Neighbor- hood Organization, or Post Office (Lo)	Z ¹	
Group Care Facility A (Hi)		34
Group Care Facility B (Hi)		34
Habilitation Facility A (Lo)		35
Habilitation Facility B (Lo)		36
Habilitation Facility C (Lo)		36
Hospice and Palliative Care (Lo)		
Hospital or Health Center (Hi)		
Institutional Vocational Training Facility (Hi)		
Landfill, Construction & Demolition (F) (Hi)		40
Landfill, Construction & Demolition (W) (Hi)		40
Landfill, Land Clearing/Inert Debris, (W) (Hi)	A	41
Landfill, Land Clearing/Inert Debris, 2 acres or less (F) (Hi)	A	41
Landfill, Land Clearing/Inert Debris, greater than 2 acres (F) (Hi)		41
Landfill, Sanitary (W) (Hi)		42
Landfill, Sanitary (F) (Hi)		42
Library, Public (Lo)	Z	43
Limited Campus Uses (Lo)	P	45
Museum or Art Gallery (Lo)	Z	
Nursing Care Institution (Lo)		56
Police or Fire Station (Hi)	Z	61
Postal Processing Facility (Hi)		
Recycling Center (Hi)		
School, Private (Hi)		68
School, Public (Hi)		69
School, Vocational or Professional (Lo)		
Shelter for Home- less (Lo)		70.1
Solid Waste Transfer Station (Hi)		74
Stadium, Coliseum, or Exhibition Bldg (Hi)		

MANUFACTURING AND MINING		
Manufacturing A (Hi)		49.1
Manufacturing B (Hi)		49.1
Manufacturing C (Hi)		
Asphalt and Concrete Plant (F) (Hi)		
Asphalt and Concrete Plant (W) (Hi)		8
Borrow Site (Hi)	A	11
Hazardous Waste Management Facility (Hi)		37
Meat Packing Plant (Hi)		50
Mining, Quarry, or Extractive Industry (Hi)		52
Recycling Plant (Hi)		
Storage and Salvage Yard (Hi)		75
TRANSPORTATION AND UTILITIES		
Access Easement, Private Off-Site (Lo)	E ⁵	25
Airport, Private (Hi)		6
Airport, Public (Hi)		
Heliport (Hi)		38
Helistop (Hi)		38
Park and Shuttle Lot (Lo)	A	58
Parking, Commercial (Lo)		
Parking, Off-Site, for Multifamily or Institutional Uses		59
Terminal, Bus or Taxi (Hi)		
Terminal, Freight (Hi)		
Transmission Tower (Hi)		79
Utilities (Hi)	P	80

Z = Permit From Zoning Officer

A = Board of Adjustment Special Use Permit

¹See Section B.2-1.3(E)(3)

P - Planning Board Review

E - Elected Body Special Use Permit

²See Section B.2-1.3(G)(3)

³See Section B.2-5.67

The number in the CONDS column references the subsection of Section B.2-5 (i.e., 23 refers to Section B.2-5.23)

⁴Per Section B.2-1.3(L), Major Retail & Business District (MRB-S)

This Table should be used in conjunction with Sections B.2-4.1 through B.2-4.6.

⁵SUP not required if requirements of Section B.2-5.2(A) are met

(Lo) following a use indicates the use is a low-intensity use. (Hi) following the use is a high-intensity use.

⁶See Section B.2-5.65

Section 3. Chapter B, Article II of the *UDO* is amended as follows:

Chapter B – Zoning Ordinance

Article II - Zoning Districts, *Official Zoning Maps*, and Uses

2-5 USE CONDITIONS

2-5.64 RESIDENTIAL BUILDING, MULTIFAMILY; RESIDENTIAL BUILDING, TOWNHOUSE; OR RESIDENTIAL BUILDING, TWIN HOME (F)

- (F) NB District Multifamily development is permitted in the NB District only in combined use buildings at a maximum density of four units not located on the ground floor. Higher density may be permitted with special use zoning.

2-5.64 RESIDENTIAL BUILDING, MULTIFAMILY; RESIDENTIAL BUILDING, TOWNHOUSE; OR RESIDENTIAL BUILDING, TWIN HOME (W)

- (F) NB District Multifamily development is permitted in the NB District only in combined use buildings at a maximum density of four units not located on the ground floor. Higher density may be permitted with special use zoning.

Section 4. Chapter B, Article III of the *UDO* is amended as follows:

Chapter B - Zoning Ordinance

Article III - Other Development Standards

3-1 DIMENSIONAL REQUIREMENTS

Table B.3.2
Nonresidential Districts General Dimensional Requirements^{1, 2}

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks ^{8, 12}				Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft)		Front (ft) ¹¹	Rear (ft)	Side			
						Interior Side (ft)	Street (ft) ¹¹		
NO	6,000	65	—	20	25	7	20	60	40
LO	10,000	100	—	—	—	—	—	75	40
CPO	—	250 ⁴	10	—	—	—	—	80	60/unlimited ³
GO	10,000	75	—	—	—	—	—	80 ⁵	60/unlimited ³
NB ¹³	6,000	65	—	40 0	25	7 ¹³	20 ¹³	60 :	40

Duplexes in MU-S, PB, <u>NB</u> and NO Districts									
MU-S	—	—	—	—	—	—	—	—	—
PB ² , <u>NB</u>	—	—	—	—	—	—	—	—	—
NO	—	—	20	20	10	25	20	—	—
Twin Homes in MU-S, PB, <u>NB</u> and NO Districts									
MU-S	—	—	—	—	—	—	—	—	—
PB ² , <u>NB</u>	—	—	—	—	—	—	—	—	—
NO	—	—	20	20	0	25	20	—	—
Multifamily Developments in GB, CB, PB, MU-S, NO, and LO Districts									
GB	20,000	100	—	—	—	—	—	85	60
CB	—	—	—	—	—	—	—	—	—
PB ² , <u>NB</u>	—	—	—	—	—	—	—	—	—
MU-S	—	—	—	—	—	—	—	—	—
NO, LO	—	—	20	20	10	25	20	—	—

1. These dimensional requirements are subject to additional provisions in Section B.3-1.2; Section B.2-5; Section B.2-1; Section B.3-4; Section B.3-5; and Section B.3-8.
2. Whenever a residential use in the PB Zoning District shares a side yard boundary line with a lot in a residential district, the requirements of Section B.3-1.2(J)(2) shall apply.
(UDO-185(W), §§ 12, 16, 4-7-08; UDO-185(F), § 16, 7-11-08; UDO-188(W), § 2, 7-7-08; UDO-191, § 3, 12-1-08; UDO-195, § 5, 2-2-09; UDO-211, § 5, 3-1-10; UDO-232(W), § 3, 11-5-12)

Section 5. Chapter B, Article III of the *UDO* is amended as follows:

Chapter B - Zoning Ordinance

Article III - Other Development Standards

3-2 SIGN REGULATIONS

3-2.1 SIGN REGULATIONS (W)

Table B.3.6
On-Premises Freestanding Sign Provisions

Zoning Districts ^(e)	Uses (as listed in UDO Table B.2.6 Permitted Use Table)	Maximum Height (feet)	Maximum Area (square ft)	Maximum Number of Signs Per Street Frontage	
				<300 ft	>300 ft
NSB, HB, GB, LI, GI, C, MRB-S	All permitted uses ^(a)	15	75	1	2 ^{(d)(g)(h)}
LB, CI, GO, CPO, IP	All permitted uses ^(a)	8	50	1	2 ^{(d)(g)(h)(i)}
LO, CB, PB, E	All permitted uses ^(a)	6	36	1	2 ^{(d)(h)(i)}
NB ^(e)	All permitted uses ^(a)	6 4	Total freestanding and attached signs: 8 in GMA 1, 2, 3 18 in GMA 4 or 5 20	1	1

NO ^(e)	All permitted uses ^(a)	6	Total freestanding and attached signs: 8		1	1
MU-S ^(b)	All permitted uses ^{(a)(b)}	(b)	(b)		(b)	
All RS and RM Districts, MH, YR, AG ^(e)	<ul style="list-style-type: none"> Church or Religious Institution, Community or Neighborhood; School, Private or Public 	6	Lot frontage < 100 ft	Lot frontage ≥ 100 ft	1	2 ^(d)
			36	50		
	All Recreational Uses	6	36		1	2 ^(d)
	<ul style="list-style-type: none"> Residential Subdivision; Multifamily Development; Planned Residential Development; Manufactured Housing Dev.; Congregate Care Facility; Life-care Community 	6	36		2 Signs at each principal entrance, not to exceed 2 per street frontage ^(f)	
	All individual residential uses	X	X		X	X
All other permitted uses	6	18		1	1	

- X An attached freestanding sign not permitted, unless provided for elsewhere in the Ordinance.
- (a) See Section B.3-2.1(H)(6) Exceptions.
- (b) Provisions for the MU-S District will be determined on an individual project basis.
- (c) Additional provisions may apply in the NCO, H, HO, TO and AO zoning districts. See applicable district provisions.
- (d) An on-premises freestanding sign is permitted only at a primary entrance, with a minimum separation of two hundred (200) feet between any two (2) permitted on-premises freestanding signs on the lot.
- (e) No Internal Illumination.
- (f) In situations where two (2) signs are used, each sign shall have a single face.
- (g) Where two (2) signs are permitted, one sign shall be a maximum of six (6) feet high and have a maximum area of thirty-six (36) square feet.
- * See footnotes (h) and (i) next page (B-III:31).
- (h) A pair of single-faced signs located at a primary development entrance may be used as an alternative to a single two-faced sign. Where a pair of signs is used, each sign shall be permitted fifty percent (50%) of the total sign area allowed for a single two-faced sign and each sign shall have a maximum height of eight (8) feet.
- (i) In the LO, GO and CPO Districts, one freestanding sign shall be allowed per building or per three hundred (300) linear feet of frontage, whichever is greater. In situations where more than one sign per street frontage is utilized, each additional sign shall be a maximum of six (6) feet high and have a maximum area of thirty-six (36) square feet.

Table B.3.6b
On-Premises Attached Sign Provisions

Zoning Districts	Uses - As listed in UDO Table B.2.6 Permitted Uses	Maximum Area (square feet) ^{(a)(b)(c)(d)(e)}	Conditions ^(d)
RS, RM, MH, YR, AG	Individual residential units or manufactured homes	X	X
	All other residential uses and nonresidential uses	5% of wall	Internally illuminated signs are prohibited. Only one freestanding or attached sign is permitted.
NO	All permitted uses	Total for freestanding and attached signs = 8	Internally illuminated signs are prohibited

NB	All permitted uses	Total for freestanding and attached signs = 8, GMA 1,2,3 18, GMA 4,5 5% of wall ^(f)	Internally illuminated signs are prohibited
LO, GO, CPO, IP	All permitted uses	10% of wall	Theater, Recreational Services, Indoor, Limited to SIC 792 (Theatrical Producers), Stadium, Coliseum, and Exhibition Building. A Theater, Stadium, Coliseum, or Exhibition Building may apply a changeable copy and/or an electronic message sign to a freestanding and/or attached sign, with the total area of freestanding and attached changeable copy and/or electronic message signage not to exceed two hundred (200) square feet.
PB, LB, CB, HB, GB, E, NSB, LI, GI, CI, C, MRB-S	All permitted uses	15% of wall	
MU-S	All permitted uses	Individual basis	Individual basis

- X An attached sign is not permitted, unless provided for elsewhere in the Ordinance.
- (a) Total square footage for all attached signs, unless otherwise noted in chart.
- (b) Multiple Tenant Buildings. The total permitted attached sign area shall be allocated to tenants based on the building frontage of each individual tenant. See Section B.3-2.1(I)(2).
- (c) For the purpose of calculating the percentage of a building wall that may be covered with attached signage, fourteen (14) feet per story shall be the standard measurement used to calculate the vertical surface of a building wall. See Section B.3-2.1(I)(2).
- (d) See Section B.3-2.1(I)(8) Additional Requirements for Specific Types of Attached Signs.
- (e) Maximum sign area per building wall shall be calculated according to the standards above for buildings of three (3) stories or less. Buildings of four (4) or more stories shall follow the requirements of Section B.3-2.1(I)(9)(a) below.
- (f) An attached sign is only permitted on street facing facades.

3-2.1 SIGN REGULATIONS (F)

Table B.3.6
Permitted Districts for Signs

	R M	N O	L O	C P O	G O	N B	P B	L B	N S B	H B	G B	C B	L I	G I	C I	I P	C	M U S
Off-Premises Signs																		
Ground Sign										Z			Z	Z	Z			
On-Premises Signs																		
Ground Sign	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Awning		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Projecting Sign	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z	Z
Roof Sign			Z	Z	Z		Z	Z	Z	Z			Z	Z	Z	Z	Z	Z
Wall Sign	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z			Z	Z	Z	Z	Z	Z

(D) On-Premises Signs - Awning Signs

- (1) **Zoning Districts.** Awning signs are permitted only in the districts as shown in Table B.3.6.
- (2) **Reserved.**
- (3) **Illumination.** No background illumination of an awning sign is permitted.
- (4) **CB District Restriction.** In the CB District, printed information, limited to the name, street number, and address, or logo of the establishment(s) occupying the building to which the awning is attached, may be printed on the outside surface area

of the awning. Printed information and/or logo shall not exceed one square foot per linear foot of building frontage on the street or thirty percent (30%) of the total outside surface area of the awning, whichever is less.

- (5) ~~Restrictions in NO District and NB Districts~~ **NO District Restriction.** In the ~~NO District and NB Districts~~, only one of the following signs is permitted for each business: awning, ground (on-premises), projecting, or wall.
- (6) **NB District Restriction.**In the NB District, one ground sign (on-premises) and one of the following attached signs is permitted for each business: awning, projecting, or wall. Attached signs are permitted only for street-facing facades.

(E) On-Premises Signs - Ground Signs, Projecting Signs

- (1) **Zoning Districts.** Ground signs (on-premises) and projecting signs are permitted only in the districts as shown in Table B.3.6 or as specified in Section B.3-2.1(E)(9).

(2) Location and Setbacks.

- (a) All parts of ground signs (on-premises) must be completely out of the right-of-way.
- (b) A projecting sign may extend a maximum of eighteen (18) inches into the right-of-way.
- (c) Ground signs (on-premises) shall be set back a minimum of one linear foot per square foot of sign area from any structure used exclusively as a residence.

(3) Sign Measurement.

- (a) **Area Calculation.** Sign area shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof, which will encompass the entire advertising copy excluding architectural embellishments or structural supports. Any such measurements shall be taken on only one face of the sign; however, informational or advertising matter may be displayed on both faces of any permitted sign.
- (b) **Maximum Sign Area.** The maximum sign area of ground (on-premises) and projecting signs shall be limited in area to two and a half (2.5) square feet of sign area per linear foot of lot frontage for each type of sign with the following maximums:
 - (i) In the HB, LI, GI, and NSB Districts, sign size shall be limited to one hundred fifty (150) square feet;
 - (ii) In the LB, PB, GB, CI, CPO, C, and MU-S Districts, sign size shall be limited to seventy-five (75) square feet, except that in the LB District in GMAs 4 and 5, sign size shall be limited to thirty-six (36) square feet;
 - (iii) In the CB District, no projecting signs are allowed and ground signs are limited to a maximum of fifty (50) square feet;

- (iv) In the GO, LO and IP Districts, sign size shall be limited to thirty-six (36) square feet;
 - (v) In the NO District, sign size shall be limited to eight (8) square feet;
 - (vi) In the NB District, sign size shall be limited to ~~four (4)~~ twenty (20) square feet for ground signs (on-premises) and a maximum area of five percent (5%) of the building wall for the following attached signs: awning, projecting and wall signs;
 - (vii) In any RM District, sign size shall be limited to eighteen (18) square feet; and
- (c) **Height.** The maximum height of a ground (on-premises) or projecting sign shall be thirty-five (35) feet, except fifteen (15) feet maximum in any RM District, measured from the road to which the sign is oriented or grade of the site, whichever is higher. Where a sign interferes with pedestrian clearance or sight distance, the lowest part of the sign shall be a minimum of nine (9) feet from the grade of the site on which the sign is located. Sign height shall be measured from the highest portion of the sign, including any molding, trim, border, or frame designed to attract attention, excluding any extensions.
- (4) Number of Faces.** Ground signs (on-premises) which contain two (2) faces may contain up to the maximum sign area as computed under size requirements in this section. Signs with three (3) faces shall contain a minimum of fifteen percent (15%) less sign area for each face than the standard maximum. A sign with four (4) faces shall contain a minimum of thirty percent (30%) less sign area for each face than the standard maximum.
- (5) Number.**
- (a) **Maximum.** Each zoning lot frontage of less than two hundred fifty (250) feet shall be limited to one ground (on-premises) and one projecting sign per street or right-of-way frontage. If the lot frontage contains more than two hundred fifty (250) feet, then two (2) signs of each type may be used on that street frontage, except in any RM District, with a minimum separation of one hundred twenty-five (125) feet between these two (2) signs or between them and any other ground signs on the lot.
 - (b) ~~Restrictions in NO and NB Districts~~ **NB District Restriction.** In the NO District and NB Districts, only one of the following signs is permitted for each business: awning, ground (on-premises), projecting, and wall.
 - (c) NB District Restriction. In the NB District only one ground sign (on-premises) and one of the following attached signs is permitted for each business: awning, projecting, or wall. Attached signs are permitted only for street-facing facades.

(F) On-Premises Signs - Roof Signs, Wall Signs

- (1) Zoning Districts.** Roof and wall signs are permitted only in the districts as shown in Table B.3.6 or as specified in Section B.3-2.1(F)(5).
- (2) Size.**
 - (a) **Maximum Size.** There shall be no maximum size restriction, but in no case shall a wall sign extend horizontally beyond the main wall of a building more than twelve (12) inches.
 - (b) **Restrictions in NO and NB Districts.** In the NO District, sign size shall be limited to eight (8) square feet; in the NB District, sign size area shall be limited to ~~four (4) square feet~~ five percent (5%) of the wall.
- (3) Height.**
 - (a) **Flat Roof Building.** On a flat roof building, no roof signs are allowed. No wall sign shall project more than fifty percent (50%) of its height above the wall on which it is placed, but in no case shall extend more than two (2) feet above the wall.
 - (b) **Peaked Roof Building.** Signs on a peaked roof building shall not extend above the peak of the roof.
- (4) Number.**
 - (a) **Maximum Number.** There shall be no restriction on the number of roof and wall signs.
 - (b) ~~Restrictions in NO and NB Districts~~ **NB District Restriction.** In the NO ~~District and NB Districts~~, only one of the following signs is permitted for each business: awning, ground (on-premises), projecting, and wall.
 - (c) **NB District Restriction.** In the NB District, one of the following attached signs is permitted for each business: awning, projecting, or wall. Attached signs are permitted only for street-facing facades.
- (5) Wall Signs in the YR, AG, MH, and RS Districts.** Wall signs are allowed with the following uses in the YR, AG, and MH Districts, and in any RS District:
 - (a) Agriculture production
 - (b) Cemetery, licensed or unlicensed
 - (c) Church or Religious Institution, Neighborhood or Community
 - (d) Child day care center accessory to a church or school
 - (e) Fish hatchery
 - (f) Golf course
 - (g) Manufactured housing development
 - (h) Park and shuttle lot
 - (i) Planned residential development

- (j) Riding stable
 - (k) Shooting range, outdoor
 - (l) Utilities
- (6) **Rooftop Penthouses or Unenclosed Screening.** No signage is permitted on either roof top penthouses or unenclosed screening of roof top mechanical equipment.

Section 6. Chapter B, Article III of the *UDO* is amended as follows:

Chapter B - Zoning Ordinance

Article III - Other Development Standards

3-5 BUFFERYARD STANDARDS

3-5.2 DETERMINATION OF BUFFERYARD

- (A) **Procedure** The type of bufferyard required shall be determined as follows:
- (1) Identify the zoning type for the proposed project and all adjacent properties, excluding properties across a public right-of-way. The zoning types are defined as follows for the purposes of this section only.
 - (a) **Single Family Residential (SFR) Zoning Types.** Single family residential zoning types include the H, YR, AG, all RS Districts (including RSQ).
 - (b) **Multifamily Residential (MFR) Zoning Types.** Multifamily residential zoning types include all RM Districts and the MH District where a manufactured housing development is involved.
 - (c) **Low Intensity Commercial (LIC) Zoning Types.** Low intensity commercial zoning types include the CI, CPO, GO, LO, PB, LB, IP, ~~and~~ C and NB Districts.
 - (d) **High Intensity Commercial (HIC) Zoning Types.** High intensity commercial zoning types include the NSB, HB, GB, CB, E, and MU-S Districts.
 - (e) **Industrial (IND) Zoning Types.** Industrial zoning types include the LI and GI Districts and certain uses which require outdoor storage, have high trip generation rates, or have the potential for nuisance to adjacent properties due to noise, light and glare, or typical hours of operations. The

following list of specific uses identified in Table B.2.6 shall be classified as industrial zoning types for bufferyard purposes.

- (i) Reserved;
- (ii) Reserved;
- (iii) Reserved;
- (iv) Implement Sales and Service;
- (v) Kennels, Outdoor (**F**) (See Section B.2-5.39.1(B));
- (vi) Outdoor Display Retail;
- (vii) Motor Vehicle Repair and Maintenance;
- (viii) Motor Vehicle Storage Yard;
- (ix) Reserved;
- (x) Recreational Vehicle Park;
- (xi) Recreation Services, Outdoor;
- (xii) Reserved;
- (xiii) Storage and Salvage Yard; and,
- (xiv) Dirt Storage Sites (See Section B.2-5.27(E)).

- (2) Determine the Bufferyard Type (I, II, III, or IV) required for each adjacent zoning type from Table B.3.13.

Section 7. This ordinance shall be effective upon adoption.

Chris Frye

From: Robert Leak <newsouthcommunitycoalition@gmail.com>
Sent: Thursday, June 11, 2015 4:12 AM
To: Chris Frye
Cc: Walter Farabee, Jr.
Subject: New South Community Coalition urges approval of UDO-262: Neighborhood Business District

Dear Members of the City-County Planning Board:

The New South Community Coalition (NSCC) encourages the approval of **UDO-262: Neighborhood Business District** at today's City-County Planning Board meeting.

The New South Community Coalition (NSCC) has supported city neighborhoods in several recent zoning cases where too intense commercial zoning was proposed directly next to these urban neighborhoods. To date, the NSCC has not seen real neighborhood-friendly commercial zoning as outcomes in these zoning cases.

It is the hope of the NSCC that the currently proposed **UDO-262** for a revised **Neighborhood Business District** will begin to balance the needs of our city neighborhoods with real neighborhood-friendly business zoning.

Regards,

Robert Leak III
President, New South Community Coalition
newsouthcommunitycoalition@gmail.com
(336) 552-4538, robertleakiii@gmail.com

Chris Frye

From: Carolyn A. Highsmith <konnoak_hills@outlook.com>
Sent: Thursday, June 11, 2015 3:53 AM
To: Chris Frye
Cc: Walter Farabee, Jr.
Subject: Konnoak Hills Community Assoc. SUPPORTS Approval of UDO 262-Neighborhood Business District

Dear City-County Planning Board Members:

The Konnoak Hills Community Association (KHCA) supports the approval of the **UDO-262 text amendment for the "Neighborhood Business District"** and encourages the Members of the City-County Planning Board to approve this text amendment at the June 11th City-County Planning Board meeting.

The Konnoak Hills Community has had to deal with several zoning cases over the past few years where out-dated commercial zoning requirements directly adjacent to our residential neighborhood areas were contested with amended zoning--none of which really improved the zoning in a neighborhood friendly manner and were still out-of-character with our urban neighborhood.

As such, the KHCA believes that **UDO-262** for a revised **Neighborhood Business District** is a great step towards zoning that will meet the commercial needs of an urban neighborhood while still helping to maintain the character of that neighborhood.

Sincerely,

Carolyn A. Highsmith
President, Konnoak Hills Community Association, konnoak_hills@outlook.com
336-788-9461; carolyn_highsmith@outlook.com

To the Planning Board and Planning staff:

The Winston-Salem Neighborhood Alliance supports UDO 262 to modify Neighborhood Business district zoning. WSNA members believe this will benefit local neighborhoods.

Thank you,

Eric Bushnell
on behalf of the Winston-Salem Neighborhood Alliance



Washington Park Neighborhood Association

P.O. Box 20783, Winston-Salem, NC 27120-0783

www.washingtonparkneighbors.org www.facebook.com/washingtonparkneighbors

June 11, 2015

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Communications

Charlie Watkins

Dear Mr. Paul Norby and Members of the City-County Planning Board,

The Washington Park Neighborhood Association supports UDO-262 that amends regulations for the Neighborhood Business (NB) District. We appreciate Planning Staff's outreach for public input. We particularly acknowledge the inclusion of a number of enhanced design elements that focus on pedestrian orientation and limitations on building floor square footage.

We believe this revised Neighborhood Business District provides a reasonable and balanced approach to creating smart development of mixed uses in low-intensity commercial areas while protecting the character and integrity of surrounding neighborhoods.

Thank you.

Sincerely,

Leslie Wakeford
President, Washington Park Neighborhood Association

Leslie Kamtman
Past President, Washington Park Neighborhood Association