

July 22, 2009

Shugart Enterprises, LLC  
c/o Mike Gunnell  
221 Jonestown Road  
Winston-Salem, NC 27104

RE: ZONING TEXT AMENDMENT UDO-203

Dear Mr. Gunnell:

The attached report of the Planning Board to the Forsyth County Board of Commissioners and City of Winston-Salem City Council is sent to you at the request of the Commissioners and Council Members.

When the text amendment is scheduled for public hearing, you will be notified by the Clerk to the County Commissioners and the City Secretary, of the date on which the Commissioners and City Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP  
Director of Planning

Attachment

pc: County Manager's Office  
City Secretary

**ACTION REQUEST FORM**

**DATE:** July 22, 2009  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Text Amendment proposed by Shugart Enterprises, LLC

**SUMMARY OF INFORMATION:**

Zoning Text Amendment proposed by Shugart Enterprises, LLC to amend Chapter B, Article III, Section 3-3.3 (A) (3) to increase the number of units allowed to have back-out parking onto local streets (UDO-203).

**PLANNING BOARD ACTION:**

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

## STAFF REPORT

**DOCKET #** UDO-203

**STAFF:** [Aaron King](#)

### **REQUEST**

This text amendment is proposed by Shugart Enterprises, LLC to amend Chapter B, Article III, Section 3-3.3 (A)(3) of the UDO to increase the number of multifamily units allowed to have back-out parking onto local public streets.

### **BACKGROUND**

The UDO currently requires that all parking, loading, and maneuvering areas must occur within the off-street parking area or structure. The UDO does exempt certain uses from this requirement such as single family homes, twin homes, duplexes, and multifamily buildings with less than four units. The intent of this requirement is to discourage backing and maneuvering of vehicles within the public right-of-way that might interfere with the normal flow of traffic.

The petitioner is proposing to increase the allowed exemption for multifamily buildings from four units to six units. The proposed ordinance language also intends to restrict this provision to local streets. The current provisions for single family homes, twin homes, and duplexes will remain unchanged.

### **ANALYSIS**

As part of the review for this proposed UDO amendment, staff consulted with WSDOT to analyze potential impacts associated with this request. Planning and WSDOT staff both felt that the increased exemption from four to six units was reasonable; however, staff had concerns about where this exemption was applied and how the parking would be designed.

First, staff noted that the existing UDO language allows multifamily buildings of less than four units to have back-out parking on public streets regardless of their classification. This means that a four unit multifamily building could have back-out parking onto a collector, minor or major thoroughfare. The petitioner's request would limit the allowance for back-out to local streets. Planning and WSDOT staff support this proposed change.

Second, staff was concerned about how the back-out parking would be designed. The parking requirement for a multifamily building with six units would likely be 11-12 spaces. Staff was concerned with having one long (+/- 17.5' x 102') continuous sheet of concrete with nothing more than striping to delineate parking spaces. Staff modified the petitioner's request to add a provision that parking spaces can occur in increments of two and they have to be separated by a minimum two foot wide grass strip. Staff contacted the petitioner and he was agreeable with this modification. With these modifications, staff is supportive of the request.

**RECOMMENDATION**

**APPROVAL**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Paul Mullican moved approval of the zoning text amendment.

SECOND: Lynne Mitchell

VOTE:

FOR: Wesley Curtis, Arnold King, Arthur King, Clarence Lambe, Darryl Little,  
Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

---

A. Paul Norby, FAICP  
Director of Planning

**UDO-203**  
**AN ORDINANCE AMENDING**  
**CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES***  
**TO AMEND THE PARKING REGULATIONS FOR MULTIFAMILY**  
**DEVELOPMENTS**

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 III of the *UDO* is amended as follows:

**Chapter B - Zoning Ordinance**  
**Article III – Other Development Standards**

**3-3            PARKING, STACKING, AND LOADING AREAS**

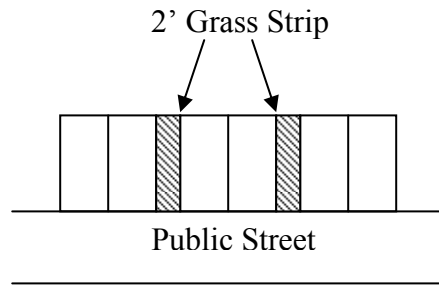
**3-3.3            DESIGN STANDARDS FOR PARKING AREAS**

**3-3.3(A)        General Requirements**

- (3)            **Maneuvering Area.** ~~Except for single family dwellings, twin homes, duplexes, and for multifamily developments of four (4) dwelling units or less, all maneuvers associated with parking and loading must occur in the off-street parking area or structure. Private alleys may be used to conduct parking maneuvers.~~

Except for the following types of development, all maneuvers associated with parking and loading must occur in the off street parking area or structure:

- (a) Single family dwellings;
- (b) Twin homes;
- (c) Duplexes; and
- (d) Multifamily developments of six (6) units or less located on a street that is not classified by the UDO as a collector, minor thoroughfare, or major thoroughfare. For multifamily developments of six (6) dwelling units or less, there shall be no more than two (2) contiguous parking spaces in a row. Townhouse or multifamily units with four bedrooms may have no more than three (3) contiguous parking spaces in a row with approval of the Director of Inspections in consultation with the Director of Planning. Each set of two (2) parking spaces shall be separated by a minimum two (2) foot wide grass strip as shown below.



Private alleys may be used to conduct parking maneuvers.

**Section 2.** This ordinance shall be effective upon adoption.