

ZONING STAFF REPORT

DOCKET # UDO-166
STAFF: David Reed

REQUEST

UDO Text Amendment proposed by the Community Development/ Housing/General Government Committee (CDHGG) to amend Chapters A and B of the *Unified Development Ordinances* to amortize certain types of converted Single Family Residential buildings.

CONTINUANCE HISTORY

The case was continued from the November 9, 2006 Planning Board public hearing to allow for discussions with internal and external stakeholders.

BACKGROUND

UDO 96, which was approved on July 6, 2004, was adopted to stop future conversions of Single Family Residences into Rooming Houses. Amortizing existing Rooming Houses was discussed as part of UDO 96 but, instead of being included as part of the amendment, it was set aside as a second phase so the first phase could be approved swiftly. Since that time it has proven extremely difficult to determine when a Rooming House was established and therefore, it is necessary to move forward with the amortization element.

An interdepartmental committee made up of many of the people who worked on UDO 96 was reconvened in early 2006 to develop a strategy for the second phase of the amendment. The Inspections staff did an investigation of Rooming Houses in Single Family Zoning Districts. The investigation brought to light a large number of converted single family homes which were in part being used as Rooming Houses, and in part being used as apartment units. Because there is already a process in place to address apartment units in Single Family Zoning Districts, this text amendment was not intended to target apartment units. The lack of a mechanism to deal with structures that had been converted in part into apartment units and in part into rooming houses led staff to propose amortizing all structures that were originally built as single family homes and had since been converted into uses not allowed in Single Family Zoning Districts.

On October 17, 2006 a meeting was held with stakeholders who became aware of the draft text amendment through the Text Amendment Distribution List which is maintained by the Planning Office. At this stakeholders meeting, questions regarding the draft amendment were expressed by both operators of Rooming Houses and affected neighbors of Rooming Houses. The questions led to further meetings by the interdepartmental staff committee which continued to work towards a solution that addressed the concerns of the different stakeholders.

A follow-up meeting for the stakeholders was announced through the Text Amendment Distribution List and an amended draft ordinance was presented to the group on December 1, 2006. Because of the amount of time it was taking to negotiate the amendment language, staff

proposed extending the proposed registration period and, ultimately, the amortization period to allow time for proper notification after approval of the Text Amendment. At the December 1 meeting, representatives of local landlords were strongly opposed to amortizing all converted single family buildings and representatives of neighborhood groups were strongly opposed to extending the registration period.

The interdepartmental staff committee met two more times in December to craft language that the Inspections staff could enforce and that would address problems identified by citizens while minimizing negative effects on legally nonconforming dwelling units.

ANALYSIS

As mentioned in the Background section above, it is difficult to determine when a Rooming House was established and therefore, hard to prove in court that a new Rooming House was established after the adoption of UDO 96 on July 6, 2004. This, combined with the impacts of those Rooming Houses established prior to that date have left residents who live near or adjacent to poorly managed Rooming Houses with no relief. The proposed amendment would take away the burden of proof regarding when the use was established and make it easier to provide some relief to residents living in Single Family Zoning Districts.

It is important to clarify that the proposed amendment does not include single housekeeping units or legally conforming apartment units. Single housekeeping units are those dwelling units occupied by persons meeting the definition of Family, all of whom have access to the entire house. Houses that were converted into multiple apartment units without a Rooming House element are not affected by this text amendment. Those uses are already investigated on a case by case basis and have the opportunity to demonstrate their legally nonconforming status. Only structures in Single Family Zoning Districts which are used entirely or in part as Rooming Houses will be affected by this Text Amendment.

The only way staff could find a workable solution to the problem of structures that included both a Rooming House and apartment units was to require that any building in a Single Family Zoning District which has any Rooming House element is subject to the amortization. There is simply no way to amortize the Rooming House portion of the site without affecting the entire structure, even if apartment units in the structure could demonstrate they were legally nonconforming. This is because if the Rooming House portion of the site was amortized, that portion of the structure would become a nonconforming dwelling unit and would not meet the requirements for a legally nonconforming unit. The Homebuilders and Realtors Association representative indicated that as a group, those organizations were not opposed to the current draft Text Amendment language.

An additional change that is being proposed and which came out of the stakeholder meetings is a requirement that any Bed and Breakfasts located in RS Zoning Districts be owner occupied. The language proposed for this change is in Section 3 of the draft ordinance.

The proposed date to begin the registration period was pushed out from January 1, 2007 to January 1, 2008. The January 2007 date was proposed in a draft of the amendment written in October 2006 with the intent of the case being heard by the Planning Board in November 2006

and the City Council in December 2006. Although the delays in the schedule were necessary to solicit and consider the stakeholder input, the additional year was seen by some neighborhood advocates as extreme because some neighborhoods have been waiting for relief for several years. The reason staff is recommending the new date is in part because of the unknown element of when the amendment will ultimately get through the public hearing process due to its controversial nature. Once it is ultimately adopted, the Inspections staff will have to notify property owners of the registration period through multiple channels such as first class mail, legal advertisements, and messages mailed with the water bills. To be sure proper notification can be achieved, the January 1, 2008 date is recommended for commencement of the registration period.

In Section 5 of the draft ordinance, the cutoff date for properties to be eligible for the amortization period is different for the City and the County. This is because the City adopted UDO 96 on July 6, 2004 and the County has not adopted UDO 96. The County may choose to consider UDO 96 and UDO 166 at the same time. Also in Section 5, 5-2.9(D) is included to amortize any structures that may be out of compliance with the maximum number of unrelated persons living together in a Residential Building, Single Family.

In conclusion, the Text Amendment will serve as a tool to provide relief to long suffering neighborhoods in single family neighborhoods that have been living near or adjacent to poorly managed Rooming Houses.

STAFF RECOMMENDATION

APPROVAL.

David Reed presented the staff report. The Planning Board discussed the definitions and how different uses are classified. Charley Norton assisted in explaining the differences between different types of uses.

PUBLIC HEARING

FOR:

Robert Vorsteg, 3620 Marlowe Avenue, Winston-Salem, NC 27106

- Vice President of Neighborhood Alliance
- We are overall very pleased with this proposal. We highly commend the staff.
- We only have one concern as to the delay for the registration period. We understand the registration period takes into account an ample amount of time and concerns over how long the process might take.
- However, those concerns can be met by putting the delay from six months to July. If a situation should arise where more time is needed, that delay could easily be extended for another six months. Whereas once you fix it for a year, it's kind of fixed in stone and you might be extending it for even more time.
- The neighbors who are concerned about these problems have waited a long time for relief from the adverse impacts they have experienced.
- The residential character of a neighborhood is better preserved by having an owner/manager on site for these facilities. That requirement is a good one.

- Some of these older properties which are being converted to uses other than single family overload their electrical system. We would like to suggest that a one-time fire and electrical inspection be required of all grandfathered conversions.

Melynda Dunnigan, 1875 Mallard Lakes Drive, Winston-Salem, NC 27106

- Member of Neighborhood Alliance.
- In 2004, the City decided to eliminate rooming houses from established neighborhoods because of the number of problems these units were causing. Since then, the neighborhoods have not gotten any relief from this problem because the ordinance, as it stands, is impossible to enforce.
- It's very clear that amortization is necessary if the 2004 ordinance is to have any meaning whatsoever.
- We have a concern with one aspect of the draft. As it currently stands, the ordinance does not apply to houses converted to apartment units. My understanding is that conversion to apartments in single family neighborhoods is illegal without a permit from the Board of Adjustment, although pre-1968 conversions are legally nonconforming. Nevertheless, illegal apartments do exist in neighborhoods. I asked Ronnie Grubbs how many exist and he said that based on his investigation, there's quite a few of them. That's a problem because neighbors don't have a way to separate out those which are illegal from those which are legally nonconforming.
- We suggest that owners of apartments in single family neighborhoods be required to register their properties along with rooming house owners and to certify that they are legally nonconforming. This would provide the means to separate legal from illegal and go a long way toward addressing the concerns neighborhoods have regarding the exemption of apartments from the amortization requirement.

Stephen C. Foster, Jr., 500 Walnut, Winston-Salem, NC 27101

- Address on sign-up sheet is 316 Ralph Miller Road, Lexington, NC 27295
- We agree with everything the past two speakers have said.
- We're a little bit disappointed that the apartment conversions weren't included, but we understand. This is a good step.
- We've been fighting a lot of crime, traffic, prostitution, and drug sales associated with these boarding houses.
- We appreciate the amendment to help enforce illegal situations that lead to other illegal activities.

Nancy Gould, 195 Executive Park Blvd., Winston-Salem, NC 27103

- I represent the HomeBuilders and Realtors associations.
- I agree with Mr. Vorsteg.
- We compliment staff on the process and that they've worked closely with stakeholders.
- My role is not to present a position from the Homebuilders or Realtors. Rather, they have chosen not to take an official position on this issue, but have tried to do a really good job of informing their members and making sure that they come forward and speak up.
- I have heard two requests. We do agree that residents containing multiple dwelling units which are on single family zoned land and are legally nonconforming should not be part of this text amendment. There's been some confusion about wording in the text amendment. We would like additional wording in the text amendment that makes it clear that these types of uses would be exempted from this requirement.

- It's our understanding that the City Council at this point in time are particularly interested in boarding houses.
- We would like to have something like "Houses that were converted into multiple apartment units without a rooming house element are not affected by this text amendment."
- There is one stakeholder that you probably won't hear from and that's the folks living in these houses. If you've read the papers recently, homelessness is going to be a bigger problem. HAWS will no longer be able to provide funding for many of the people they help now. Homeowners and residents who live in neighborhoods have a right to live in a decent, safe place. We are not going to solve problems generated by poverty, drug and alcohol abuse, and mental illness by text amendments such as this one. We may think we are solving the problems, but we are really treating the symptoms and not the cause. We still need to house these people somewhere and hopefully provide programs that will help them improve their lives and our communities.
- I urge you to send the message to the elected officials that during this amortization period, something is specifically done to analyze the number of people who will be put out by this text amendment and work on ways of providing alternate good housing for them.

AGAINST:

Mark Sanders, 6243 Frye Bridge Road, Clemmons, NC 27012

- Most rooming house residents live on the edge of having or not having a home. The UDO text amendment has the potential to create a tragic and unnecessary mass of homeless persons.
- Enforcement of the existing ordinance and laws should be sufficient to govern compliance.
- Please do not add additional financial burden or negative impact to investors that would ultimately impact the residents.
- Not all of us are bad guys.
- Our units don't look like rental houses. We screen, we interview, we're in the houses a lot. My family depends on the income, but more importantly, I provide decent safe haven, a decent place to come home to at the end of the day, for quite a number of persons. They live week to week, paycheck to paycheck.
- Do you understand what \$5-6 an hour translates to at the end of every Friday. After the garnish, the taxes, the child support, there's barely enough money left over for the rent. We convince the bankers to believe in us. We go in the less desirable neighborhoods. I manage those residents' money so they can stay gainfully employed.
- We are not the problem. We are part of the solution.

David Archer, 1008 S. Hawthorne Road, Winston-Salem, NC 27103

- Boarding room houses have been a part of living arrangements for as long as housing has existed. If you remember, President Lincoln, when he was shot, was taken across the street to a rooming house where he laid until he died.
- It's the most affordable housing that exists in Winston-Salem.
- There are heat, air conditioning, water, and phone expenses.
- These properties are inhabited by the working poor and by people with disabilities who are on a fixed amount of income.

- If these properties do not exist as part of a baseline entry into housing, the City's going to have to come up with more housing for homeless people.
- Most of these residents are in their 40s. They aren't a lot of the drug dealers and such because those folks earn so much money they can live in your single family areas and rent single family homes.
- These are the poor people who are just struggling to get by.
- This type of housing exists all across the United States.
- We need to study how other cities are dealing with the problem.
- The agencies who assist these working poor, such as Salvation Army, Center Point, Sunnyside Ministries, should have a chance to present some things and I understand they have not been able to make it here today.
- The owners of these units are not absentee landlords. You have to be there continuously to maintain the property, watch over it, collect your rents.
- The problems are the absentee landlords who show up once a month to collect rent and whose properties are dilapidated, falling down, and criminally infected.
- Owners of rooming houses meet about once a month and talk about problems and how to deal with them, how to deal with criminal activity or difficult residents.
- In response to a question from the Planning Board, Mr. Archer stated that there are probably 800-2500 homes (not rooms) in Forsyth County.

Jim Crawford, P. O. Box 20965, Winston-Salem, NC 27120-0965

- I live at 1416 W. Fourth Street, Winston-Salem, NC 27101
- I'm in agreement with the last gentleman that spoke. The 800-2500 estimate is much too low. I have more than 100 myself which I manage, maintain, visit at least every other day.
- Read e-mail which was sent to Board members prior to the meeting.
- If this passes, there will be a lot of people on the street.
- I do things differently than a lot of other landlords. For instance, I rent to a person just coming out of jail who has no family and no place to go. I rent to him with very strict rules.
- One of the rules is that their rent begins the day they talk to me. Another is that they get a job. Their first pay check that comes, I cash. Out of that check, they're going to open a savings account. Some of them start with twenty-five cents every pay period.
- I'm not sure we have defined the problem.
- If there are any of my units causing problems, I want to know about it. I will take care of the problems. I work closely with the police. I work with the Red Cross and other agencies. I haven't heard anybody say what the problem really is other than that there are rooming houses in my area and I just don't like it.
- I urge you folks to vote no.
- If you want to visit any of my places, I'll be glad to take you to see them and answer any questions.

Barry Carlton, 1031 Van Hoy Avenue, Winston-Salem, NC 27104

- I have a five bedroom house with bedrooms that are 15 x 15 feet.
- Why shouldn't I be allowed to have five people living there?
- It has a huge living room and huge kitchen.

Richard Miller, 626 N. Trade Street, Winston-Salem, NC 27101

- I think this does create a new problem for the homeless. The Mayor's ten-year plan will become a fifty or seventy-five year plan.
- I'm glad self-contained units were removed.
- We need to remember to love our neighbors. Many of these people are on the edge of homelessness.
- Crime will always be with us. It won't disappear when rooming houses disappear.
- We need to look at the owners who are doing a good job.

Mr. Archer returned to the microphone and stated that RS zoning came into effect in 1968. Before that time, this was a legal use of property. A lot of the houses we have existed in the 40s and 50s with this same type of use.

WORK SESSION

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

1. When Ronnie Grubbs and Glynis Jordan toured a few of these sites, they found a wide range of conditions. Some units were clean and well-kept, providing a safe clean place for the resident while he or she got their feet back under them. Others were filthy and poorly kept.
2. Some of the complaints Inspections and Police have received about rooming houses include multiple cars parked in the yard, trash, neighborhood disturbances, loud music and use of extension cords in unsafe manner resulting in fire hazards.
3. Housing Services does go into these units and enforce the housing code, but they don't enforce how many people are living in there.
4. Arnold King expressed the need for more time to consider this amendment because of the excellent points expressed by both proponents and opponents.
5. When these places are providing a service to the community by providing safe, clean housing to fill these needs, they do have a place in the community.
6. Carol Eickmeyer: We're talking about single family neighborhoods. Within a single family neighborhood it is still possible for four unrelated persons to live together. At the same time, we need to provide relief for neighborhoods which are stressed by this kind of thing.
7. Glynis Jordan asked that if this is continued, staff be given some firm direction since they have struggled for months to find a solution to this situation.
8. Clarence Lambe asked that staff investigate the numbers that would be impacted, if that's feasible. Talk with the people who run the homeless shelters and find out if this is the path out of homelessness.

9. Jerry Clark: What is the problem? How many of these places are out there? The registration period would identify what that number is.
10. Paul Norby noted that the City Council has worked on this for several years. They have had departments go out and look at these situations and try to determine what the problems are. That is what has led them to ask us to do this second phase which has taken two and a half years to get to this point.
11. Derwick Paige, Deputy City Manager, stated that review of this issue has been underway for about seven years already. We've been all over the board looking for solutions. This amendment will not address all the problems. But it will address the ones that Council members get the most complaints about.
12. Arnold King expressed the opinion that this action looks too drastic. We could be creating a much bigger problem for our community by using this tool to solve one problem. He compared it to have a cavity in a tooth and pulling the tooth rather than looking at other options.
13. Lynne Mitchell asked what we would do differently if we did more research and had more data.
14. Arthur King: For me the real issue is that we don't have enough information. If this ordinance helps us to gather more information by way of the registrations, that might not be a bad way to start. The only way we will find a way out of this forest is to see where the light is and for me that's a matter of figuring out how big that population is, where these facilities are, how much of the problem of these facilities is created by where they are, and those kinds of issues. Perhaps continuing this won't do a whole lot for us, but if we at least start down the road we can make mid-course corrections. We have to get our hands on that information if we are going to make those decisions.
15. Clarence Lambe: This amendment would allow the elected officials to be responsive to the neighbors who've complained. You can pass it and see what kind of impact it has. If it puts 500 people on the street, you amend it.
16. Carol Eickmeyer: One result of this amendment would be a list of all the boarding houses within a year or year and a half. There's no possible way to get that now.
17. Arnold King: Why can't we have a registration period now? That would give the folks who are running legitimate places a chance to register and let us see what we've got. We might be better off to increase the number of inspectors who can enforce the regulations for these facilities than to approve a text amendment that may put people on the street.

18. Paul Norby: You're dealing with a piece of a much bigger problem that zoning tools cannot deal with. The City Council and other agencies can get into housing programs that this Planning Board can't. The Board if it wishes can send a message to the City Council that there's a bigger issue out there with housing resources that this text amendment may inadvertently exacerbate and that there needs to be a second look in conjunction with this at the plan to end homelessness or to look at what facilities could be provided within appropriate zoning districts to handle this issue. That would give the Council something to chew on in terms of looking at this as a piece and seeing that there are other things that could also be worked on.

MOTION: Carol Eickmeyer moved approval of the zoning text amendment with the provision that City Council use the amortization period to more fully address the potentially unintended consequence of putting these out of business and what will happen to the people who may not be able to continue to live where they are living now.

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Carol Eickmeyer, Arthur King, Lynne Mitchell

AGAINST: Jerry Clark, Arnold King, Clarence Lambe, Paul Mullican, Brenda Smith

EXCUSED: None

MOTION FAILED.

19. Charley Norton noted that many of these units will not be able to comply with the building codes of today and would therefore have to revert to single family. The cost of compliance would be cost-prohibitive.
20. We have to know how many people are involved in this situation and we cannot get that information without some threat of something bad happening to people who don't give us that information.
21. Brenda Smith: My concern is that you're making them all illegal, not just the ones that are operating poorly and causing problems.

MOTION: Arthur King moved continuance of the zoning text amendment to January 25, 2007 and asked that staff adjust the registration period to one year with enforcement after one year.

SECOND: Brenda Smith

VOTE:

FOR: Jerry Clark, Arnold King, Arthur King, Clarence Lambe, Paul Mullican, Brenda Smith

AGAINST: Wesley Curtis, Carol Eickmeyer, Lynne Mitchell

EXCUSED: None

**AN ORDINANCE AMENDING THE
UNIFIED DEVELOPMENT ORDINANCES (UDO)
TO AMORTIZE CONVERTED DWELLING UNITS
IN RS ZONING DISTRICTS**

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. Chapter A; Article II – Definitions Ordinance is hereby amended as follows:

**Chapter A - Definitions Ordinance
Article II – Definitions**

BED AND BREAKFAST. An owner-occupied or manager-occupied residential ~~structure~~ building providing rooms for overnight lodging, ~~or lodging and with meals,~~ for ~~more than three (3) but~~ not more than eight (8) transient patrons ~~guests on a paying basis.~~

~~BOARDING OR ROOMING HOUSE.~~ (F) An owner-occupied dwelling, or part thereof, in which lodging is provided to ~~more than three (3) but not more than eight (8) paying guests on a weekly or longer basis.~~

~~BOARDING OR ROOMING HOUSE.~~ (W) An owner-occupied ~~dwelling~~ residential building, or part thereof, in which lodging is provided to ~~more than one (1) but~~ not more than eight (8) residents guests occupying separate living units on a weekly or longer basis. (See also the definition of Rooming House)

HOTEL OR MOTEL. A building or group of buildings used principally to provide shelter, with or without meals, for ~~not fewer than four (4) paying guests~~ more than eight (8) transient patrons.

LIVING UNIT. An area or room(s) of a building which is used as a place for residents to live and sleep where residents do not have free access to all building areas and share one or more common bathrooms or kitchens.

ROOMING HOUSE. A residential building, or part thereof, in which lodging is provided to not more than eight (8) residents occupying separate living units on a weekly or longer basis. (See also the definition of Boarding House)

RESIDENTIAL BUILDING, CONVERTED. A residential building originally constructed as a detached single family dwelling unit which has been modified, expanded, reconfigured or reconstructed in part or in its entirety into one or more occupiable separate living units. This converted residential building does not meet the definition of Residential Building, Single Family and/or the residents would not meet the requirements in the definition of Family living together as a single housekeeping unit.

RESIDENTIAL BUILDING, MULTIFAMILY. A residential building which contains three (3) or more dwelling units and which occupies one zoning lot. ~~This term includes single room occupaney (SRO) facilities.~~

**Table B.2.6
PERMITTED USES**

Use Type	YR	AG	RS40	RS30	RS20	RS15	RS12	RS9	RS7	RSQ	RM5	RM8	RM12	RM18	RMU	MH	NO	LO	CPO	GO	NB	PB	LB	NSB	HB	GB	CB	MRB-S ⁴ (W)	LI	CPI	GI	CI	IP	C	MU-S	CONDS	
RESIDENTIAL USES																																					
Manufactured Housing Development																P																			Z	49	
Boarding or Rooming House													Z	Z	Z							Z			Z	Z	Z	Z								Z	10
Combined Use																	Z	Z			Z	Z	Z			Z	Z	Z				Z			Z	24	
AGRICULTURAL USES																																					
Life Care Community												P	P	P	P							P				P	P	Z						Z	Z	44	
Planned Residential Development	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P																			P		P	60
Rooming House													Z	Z	Z							Z			Z	Z	Z	Z								Z	10

Section 2. Chapter B; Article II - Table B.2.6 is amended as follows:

Section 3. Chapter B; Article II - Section 2-5 Use Conditions is hereby amended as follows:

2-5 USE CONDITIONS

2-5.9 BED AND BREAKFAST

(C) Owner Occupancy

All Bed and Breakfasts in RS Zoning Districts must be owner occupied.

Section 4. Chapter B; Article II – Section 2-6 Accessory Uses is hereby amended as follows:

2-6 ACCESSORY USES

2-6.4 USES WHICH MAY ONLY BE ACCESSORY TO PRINCIPAL USES

(D) Home Occupation

- (2) **Permits.** The Director of Inspections, in the issuance of a zoning permit for a home occupation, shall determine that all prescribed conditions are met. Such permit shall be revoked upon a finding that any home occupation established under this Ordinance fails at any time to meet the requirements prescribed herein.

(iii) ~~Lodging, or boarding and lodging, of not more than three (3) resident guests. (F)~~

Boarding House. Lodging, or boarding and lodging, of not more than three (3) residents ~~guests~~, where the owner is an occupant of the property. All lodging or boarding of ~~guests~~ residents under the home occupation provisions must be registered with the Director of Inspections when established. ~~(W)~~

Section 5. Chapter B; Article V – Section 5-2 Nonconforming Uses is hereby amended as follows:

5-2 NONCONFORMING USES

5-2.9 AMORTIZATION OF NONCONFORMING USES

- (A) See Sections B.3-2.1(H) and (I) for the amortization schedule of nonconforming signs.

(B) Amortization of Residential Building, Converted in all RS (Single Family) and RSQ Zoning Districts. (W)

(1) Any residential building modified, expanded, reconfigured or reconstructed before July 6, 2004 which meets the definition of Residential Building, Converted and is located in any RS (Single-Family) or RSQ Zoning District, shall be required to register with the City of Winston-Salem between January 1, 2008 and January 1, 2009. Within three (3) years after the end of the registration period (January 1, 2012), all these registered Residential Buildings, Converted shall be discontinued or brought into compliance with the definitions of Family and Residential Building, Single Family. Failure to register an existing Residential Building, Converted by January 1, 2009 shall constitute a violation of this ordinance and subject to the zoning enforcement provisions of Section B.9.

(2) Any residential building modified, expanded, reconfigured or reconstructed after July 6, 2004 which meets the definition of Residential Building, Converted and is located in a RS (Single Family) or RSQ Zoning District, shall constitute a violation of this ordinance and subject to the zoning enforcement provisions of Section B.9.

(C) Amortization of Residential Building, Converted in all RS (Single Family) or RSQ Zoning Districts. (F)

(1) Any residential building modified, expanded, reconfigured or reconstructed before the effective date of this ordinance which meets the definition of Residential Building, Converted and is located in any RS (Single-Family) or RSQ Zoning District, shall be required to register with the City of Winston-Salem between January 1, 2008 and January 1, 2009. Within three (3) years after the end of the registration period (January 1, 2012), all these registered Residential Buildings, Converted shall be discontinued or brought into compliance with the definitions of Family and Residential Building, Single Family. Failure to register an existing Residential Building, Converted by January 1, 2009 shall constitute a violation of this ordinance and subject to the zoning enforcement provisions of Section B.9.

(2) Any residential building modified, expanded, reconfigured or reconstructed after January 1, 2009 which would meet the definition of Residential Building, Converted and is located in any RS (Single Family) or RSQ Zoning District, shall constitute a violation of this ordinance and subject to the zoning enforcement provisions of Section B.9.

(D) Amortization of Certain Residential Buildings in all RS (Single Family) or RSQ Zoning Districts.

Any Residential Building, Single Family located in any RS (Single Family) or RSQ Zoning Districts, whose residents or occupants number more than four (4) unrelated persons eighteen (18) years or older and their children or stepchildren shall be required to register with the City of Winston-Salem between January 1, 2008 and January 1, 2009. Within three (3) years after the end of the registration period (January 1, 2012), all these registered residential buildings shall be discontinued or lowered to four (4) or fewer unrelated persons eighteen (18) years or older and their children or stepchildren. Failure to register an existing residential building that meets these provisions by January 1, 2009 shall constitute a violation of this ordinance and subject to the zoning enforcement provisions of Section B.9.

Section 6. This ordinance shall become effective upon adoption.