

October 22, 2003

Wake Forest University  
c/o J. Reid Morgan, VP & General Counsel  
Wake Forest University  
P. O. Box 7656  
Winston-Salem, NC 27109

RE: ZONING TEXT AMENDMENT UDO-103

Dear Mr. Morgan:

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 Jane Cole, Clerk to the County Commissioners and Renee Rice, City Secretary, of the date on which the Commissioners and City Council will hear this petition.

Sincerely,

A. Paul Norby, AICP  
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office  
Renee Rice, City Secretary  
David Friedman, 3505 Innisfail Court, Winston-Salem, NC 27012

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** \_\_\_\_\_ **AGENDA ITEM NUMBER:** \_\_\_\_\_

**SUBJECT:-**

- A. Public Hearing on Zoning Text Amendment proposed by Wake Forest University to create a new UDO use classification entitled “Academic Biomedical Research Facility” to be allowed in the Institutional Public and other zoning districts (UDO-103).
- B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map.

**COUNTY MANAGER’S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

See attached staff report.

After consideration, the Planning Board recommended approval of the zoning text amendment.

**ATTACHMENTS:-**     YES             NO

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ACTION REQUEST FORM**

**DATE:** October 22, 2003  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, AICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Text Amendment proposed by Wake Forest University

**SUMMARY OF INFORMATION:**

Zoning Text Amendment proposed by Wake Forest University to create a new UDO use classification entitled "Academic Biomedical Research Facility" to be allowed in the Institutional Public and other zoning districts (UDO-103).

**PLANNING BOARD ACTION:**

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

## STAFF REPORT

**DOCKET #:** UDO-103

**STAFF:** Suzy Galloway

### **REQUEST**

Zoning Text Amendment proposed by Wake Forest University to amend Table 2.6, Permitted Use Table of the UDO to create a new use classification entitled “Academic Biomedical Research Facility,” said use would be allowed in IP, CB, CI, C and MU-S Zoning Districts. The new use “Academic Biomedical Research Facility” is defined as follows:

Buildings and other facilities and improvements used by an accredited, academic non-profit organization for the conduct of biomedical research activities. Such research activities may involve plants, human subjects and/or animals.

### **BACKGROUND**

The current Wake Forest University Health Sciences biomedical research facility comprises a number of activities not specifically identified as a single use classification in the UDO. The Inspections Division considers the existing facility currently located in a rural residentially zoned area as a legally non-conforming use. Wake Forest University would like to expand their current facility. In order to do so they are required to rezone the property. Upon consideration of rezoning the Inspections Division determined that there was no use classification in the UDO that covered the activities of the facility. The only existing use classification pertaining to research is “Testing and Research Laboratory” which pertains to more intensive commercial testing services and research and which is required to be located in commercial zoning districts.

### **ANALYSIS**

As the economic face of Forsyth County changes, so do the development needs of the community. Biomedical research is a type of research growing rapidly throughout the country, as well as in our own community. Wake Forest University, with a major medical school is vitally involved in this type of research. Currently, the UDO does not have a use classification that is appropriate for the specific type of research conducted by Wake Forest University.

Adding the use classification “Academic Biomedical Research Facility” would allow for this type of facility in the Central Business, Central Industrial, Campus, Mixed Use-Special Use, and Institutional Public Zoning Districts. The “Academic Biomedical Research Facility” use would be allowed by right within the aforementioned zoning districts. As a protective measure to insure compatibility with adjacent residential classifications, there are additional use conditions that would be required within the IP Zoning District. A minimum (80) eighty-foot setback from any properties zoned AG, YR, RS or RM will be required as well as a minimum 20-acre site

size. The campus district also requires a minimum 20-acre lot size. The other Zoning Districts that the use would be allowed in are typically found within the downtown area, which could compliment plans for the Piedmont Triad Research Park downtown, as planned by Wake Forest University and Idealliance.

Parking requirements for this use shall be based upon the gross square footage of office or laboratory space. Storage and/or animal housing square footage shall not be factored into parking requirements. Parking requirements shall be one space per 400 square feet of gross floor area (GFA) of office and/or laboratory space.

Staff is of the opinion that, with the growth of the biotechnological industries and research, this is a use classification that shall be very important for our community and its educational resources. This would allow the use to continue at Wake Forest University's existing facility with an appropriate zoning of IP as well as allow "Academic Biomedical Research Facility" within the proposed downtown research park.

### **RECOMMENDATION**

#### **APPROVAL.**

Glenn Simmons presented the staff report.

#### **PUBLIC HEARING**

FOR:

David Friedman, 3505 Innisfail Court, Winston-Salem, NC 27012

- Academic Non-Profit describes American universities. Our goal was to create a zoning district and use (classification) that would not be widely used.

AGAINST: None

#### **WORK SESSION**

MOTION: Philip Doyle moved approval of the zoning text amendment.

SECOND: Dara Folan

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn, King, Lambe, Norwood

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning

**UDO-103**  
**AN ORDINANCE AMENDING**  
**CHAPTER A AND CHAPTER B**  
**OF THE *UNIFIED DEVELOPMENT ORDINANCES***  
**TO ACCOMMODATE A NEW USE CLASSIFICATION OF**  
**ACADEMIC BIOMEDICAL RESEARCH FACILITY**

Be it ordained by the Board of Commissioners of Forsyth County, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter A, Definitions Ordinance is amended by adding the following definition:

**ACADEMIC BIOMEDICAL RESEARCH FACILITY.** Buildings and other facilities and improvements used by an accredited, academic non-profit organization for the conduct of biomedical research activities. Such research activities may involve plants, human subjects and/or animals.

Section 2. Chapter B, Table 2.6 PERMITTED USES is amended by adding the new use classification of Academic Biomedical Research Facility under the column “USE TYPE” and under the subheading “INSTITUTIONAL AND PUBLIC USES.” Table 2.6 is further amended by adding a “Z” in the column under the following zoning classifications: CI, CB, C, IP and MU-S. Table 2.6 is further amended by adding the corresponding number under the CONDS. column.

Section 3. Chapter B, Section 2-5 USE CONDITIONS is amended by adding the following use conditions for Academic Biomedical Research Facility in the IP Zoning District

- (A) Minimum Size  
The minimum size for an Academic Biomedical Research Facility is twenty (20) acres.
- (B) Setbacks  
All buildings shall be a minimum of eighty (80) feet from any adjacent property zoned AG, YR, RS or RM.

Section 4. Chapter B, Table 3.8 OFF-STREET PARKING REQUIREMENTS is amended by adding the new use classification of Academic Biomedical Research Facility alphabetically under the column “INSTITUTIONAL AND PUBLIC USES.” Table 3.8 is further amended by adding 1 space per 400 SF GFA of Laboratory and Office space\*.

Section 5. This ordinance shall be effective upon adoption.

NOTE: Items to be added are indicated with an underscore.

**UDO-103**  
**AN ORDINANCE AMENDING**  
**CHAPTER A AND CHAPTER B**  
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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 A, Definitions Ordinance is amended by adding the following definition:

**ACADEMIC BIOMEDICAL RESEARCH FACILITY.** Buildings and other facilities and improvements used by an accredited, academic non-profit organization for the conduct of biomedical research activities. Such research activities may involve plants, human subjects and/or animals.

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Be it ordained by the Board of Aldermen of the Town of Kernersville, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter A, Definitions Ordinance is amended by adding the following definition:

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**ACADEMIC BIOMEDICAL RESEARCH FACILITY**

Be it ordained by the Town Council of the Town of Lewisville, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter A, Definitions Ordinance is amended by adding the following definition:

**ACADEMIC BIOMEDICAL RESEARCH FACILITY.** Buildings and other facilities and improvements used by an accredited, academic non-profit organization for the conduct of biomedical research activities. Such research activities may involve plants, human subjects and/or animals.

Section 2. Chapter B, Table 2.6 PERMITTED USES is amended by adding the new use classification of Academic Biomedical Research Facility under the column “USE TYPE” and under the subheading “INSTITUTIONAL AND PUBLIC USES.” Table 2.6 is further amended by adding a “Z” in the column under the following zoning classifications: CI, CB, C, IP and MU-S. Table 2.6 is further amended by adding the corresponding number under the CONDS. column.

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**ACADEMIC BIOMEDICAL RESEARCH FACILITY**

Be it ordained by the Village Council of the Village of Clemmons, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter A, Definitions Ordinance is amended by adding the following definition:

**ACADEMIC BIOMEDICAL RESEARCH FACILITY.** Buildings and other facilities and improvements used by an accredited, academic non-profit organization for the conduct of biomedical research activities. Such research activities may involve plants, human subjects and/or animals.

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**ACADEMIC BIOMEDICAL RESEARCH FACILITY**

Be it ordained by the Town Council of the Town of Walkertown, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter A, Definitions Ordinance is amended by adding the following definition:

**ACADEMIC BIOMEDICAL RESEARCH FACILITY.** Buildings and other facilities and improvements used by an accredited, academic non-profit organization for the conduct of biomedical research activities. Such research activities may involve plants, human subjects and/or animals.

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