

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:**

SUBJECT:-

Zoning Text Amendment proposed by the City-County Planning Board regarding setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home" (UDO-71).

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning Text Amendment proposed by the City-County Planning Board to amend Chapter B Table 2.6 "Permitted Uses"; Section 2-5.59 "Use Conditions: Residential Building, Multifamily"; and other sections of the *Unified Development Ordinances* (UDO) to clarify setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home" (UDO-71).

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

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

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ACTION REQUEST FORM

DATE: February 21, 2001
TO: The Honorable Mayor and Board of Aldermen
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on Zoning Text Amendment proposed by the City-County Planning Board regarding setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home" (UDO-71).

SUMMARY OF INFORMATION:

Zoning Text Amendment proposed by the City-County Planning Board to amend Chapter B Table 2.6 "Permitted Uses"; Section 2-5.59 "Use Conditions: Residential Building, Multifamily"; and other sections of the *Unified Development Ordinances* (UDO) to clarify setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home" (UDO-71).

PLANNING BOARD ACTION:

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

STAFF REPORT

DOCKET: UDO-71
STAFF: Glenn Simmons

REQUEST

Zoning text amendment of the City-County Planning Board to amend Chapter B Table 2.6 "Permitted Uses"; Section 2-5.59 "Use Conditions: Residential Building, Multifamily"; and other sections of the *Unified Development Ordinances* (UDO) to clarify setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home".

BACKGROUND

City-County Planning and Inspections staff have identified various inconsistencies in the *Unified Development Ordinances* (UDO) which technically prohibits the individual ownership of subdivided properties within townhomes, twin homes, and other multi-unit structures with shared interior walls. This limitation is the result of required setbacks from property lines between individual units whose common walls also serve as property boundaries. Whereas the intent of the UDO is to require appropriate setbacks from property lines for multi-unit structures and not for individual units within the larger structure, Planning and Inspections staff believes that a UDO text amendment is needed to avoid any possible conflicts or misinterpretations.

REQUEST

Modify various sections of the UDO to remove any inconsistencies, ambiguities, or other possible conflicts regarding building setback requirements for multifamily, townhouse, and twin home developments which share property boundaries along common interior walls within multi-unit structures.

ANALYSIS

Although the UDO intends to permit deeded ownership of property associated with individual residential units within multi-unit structures, technical requirements of the UDO prohibit such subdivisions of property from occurring. Although setbacks from property lines for the overall structure containing individual residential units are appropriate, the practical impossibility of providing setbacks for individual units within structures is not addressed by the UDO. Staff recommends that such practical inconsistencies be addressed by adopting modifications to the UDO as specified in the accompanying UDO text amendment.

RECOMMENDATION

Staff recommends **APPROVAL**.

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved approval of the zoning text amendment.

SECOND: James Rousseau

VOTE:

FOR: Johnson, King, Powell, Rousseau, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning

UDO-71
AN ORDINANCE AMENDING
ARTICLE II AND ARTICLE III OF CHAPTER B OF THE
UNIFIED DEVELOPMENT ORDINANCES
PERTAINING TO SETBACK REQUIREMENTS FOR
RESIDENTIAL BUILDING, MULTIFAMILY;
RESIDENTIAL BUILDING, TOWNHOUSE;
AND RESIDENTIAL BUILDING, TWIN HOME

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. Table 2.6 "PERMITTED USES" of Section 2-4 of Chapter B is revised by removing the use classifications "Twin Homes (C,K,L)" and "Townhouse (C,K,L)" under the column RESIDENTIAL USES and by removing "(F,W)" from the use classifications Twin Homes (F,W) and "Townhouse (F,W)" in the same column.

Section 2. Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" of Chapter B is merged with Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" of Chapter B to create a single new section to read:

"2-5.59 RESIDENTIAL BUILDING, MULTIFAMILY; RESIDENTIAL BUILDING, TOWNHOUSE; OR RESIDENTIAL BUILDING, TWIN HOME".

This is accomplished by deleting the entire Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" and revising Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" as follows:

- Delete "(F,W)" from existing Section 2-5.59 heading "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)".
- Revise Section 2-5.59 (B)(5) "Building Spacing Requirements" to read as follows: "Except in the RM-5 District, all multifamily, townhouse, or twin home residential buildings shall meet the requirements of Section 3-1.2 (K) Building Spacing Requirements for Multifamily Residential Buildings."
- Revise Section 2-5.59 (E) "Dimensional Requirements for Townhouse and Twin Home Units and Buildings" by removing "(F,W)" from the heading and replacing subsequent subsections (1) and (2) and adding new subsection (3) as follows:
 - "(1) Townhouse and Twin Home Units. Townhouse and twin home units developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of their respective Zoning Districts. Townhouse and twin

home units in other permitted zoning districts may be constructed and sold with no setback, lot area, or lot width requirements.

- (2) Townhouse or Twin Home Buildings. Development projects with townhouse and twin home buildings shall comply with the general dimensional and building spacing requirements of the applicable zoning district for the project as one zoning lot.
- (3) Townhouses developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of the applicable zoning district. Townhouses in other zoning districts shall adhere to the maximum height, maximum impervious coverage, and minimum street yard setback requirements of the applicable zoning district. (K)"

Section 3. Section 3-1.2 (K)(3) Other Spacing Requirements is replaced with the following paragraph:

"The spacing between buildings with attached units and automobile parking, private streets, and drives shall be provided as required in Section 2-5.55 (H)(7). Building spacing for twin home, townhouse, and three (3) and four (4) unit multifamily buildings may be reduced to a minimum of twenty (20) feet."

Section 4. The section reference in the heading at the top of page 311 pertaining to Residential Spacing Requirements is changed from Section 3-1.2 (J) to "Section 3-1.2 Building Spacing Requirements for Multifamily Residential Buildings".

Section 5. This ordinance shall be effective upon adoption.

STAFF REPORT

DOCKET: UDO-71
STAFF: Glenn Simmons

REQUEST

Zoning text amendment of the City-County Planning Board to amend Chapter B Table 2.6 "Permitted Uses"; Section 2-5.59 "Use Conditions: Residential Building, Multifamily"; and other sections of the *Unified Development Ordinances* (UDO) to clarify setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home".

BACKGROUND

City-County Planning and Inspections staff have identified various inconsistencies in the *Unified Development Ordinances* (UDO) which technically prohibits the individual ownership of subdivided properties within townhomes, twin homes, and other multi-unit structures with shared interior walls. This limitation is the result of required setbacks from property lines between individual units whose common walls also serve as property boundaries. Whereas the intent of the UDO is to require appropriate setbacks from property lines for multi-unit structures and not for individual units within the larger structure, Planning and Inspections staff believes that a UDO text amendment is needed to avoid any possible conflicts or misinterpretations.

REQUEST

Modify various sections of the UDO to remove any inconsistencies, ambiguities, or other possible conflicts regarding building setback requirements for multifamily, townhouse, and twin home developments which share property boundaries along common interior walls within multi-unit structures.

ANALYSIS

Although the UDO intends to permit deeded ownership of property associated with individual residential units within multi-unit structures, technical requirements of the UDO prohibit such subdivisions of property from occurring. Although setbacks from property lines for the overall structure containing individual residential units are appropriate, the practical impossibility of providing setbacks for individual units within structures is not addressed by the UDO. Staff recommends that such practical inconsistencies be addressed by adopting modifications to the UDO as specified in the accompanying UDO text amendment.

RECOMMENDATION

Staff recommends **APPROVAL**.

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved approval of the zoning text amendment.

SECOND: James Rousseau

VOTE:

FOR: Johnson, King, Powell, Rousseau, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning

UDO-71
AN ORDINANCE AMENDING
ARTICLE II AND ARTICLE III OF CHAPTER B OF THE
UNIFIED DEVELOPMENT ORDINANCES
PERTAINING TO SETBACK REQUIREMENTS FOR
RESIDENTIAL BUILDING, MULTIFAMILY;
RESIDENTIAL BUILDING, TOWNHOUSE;
AND RESIDENTIAL BUILDING, TWIN HOME

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

Section 1. Table 2.6 "PERMITTED USES" of Section 2-4 of Chapter B is revised by removing the use classifications "Twin Homes (C,K,L)" and "Townhouse (C,K,L)" under the column RESIDENTIAL USES and by removing "(F,W)" from the use classifications Twin Homes (F,W) and "Townhouse (F,W)" in the same column.

Section 2. Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" of Chapter B is merged with Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" of Chapter B to create a single new section to read:

"2-5.59 RESIDENTIAL BUILDING, MULTIFAMILY; RESIDENTIAL BUILDING, TOWNHOUSE; OR RESIDENTIAL BUILDING, TWIN HOME".

This is accomplished by deleting the entire Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" and revising Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" as follows:

- Delete "(F,W)" from existing Section 2-5.59 heading "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)".
- Revise Section 2-5.59 (B)(5) "Building Spacing Requirements" to read as follows: "Except in the RM-5 District, all multifamily, townhouse, or twin home residential buildings shall meet the requirements of Section 3-1.2 (K) Building Spacing Requirements for Multifamily Residential Buildings."
- Revise Section 2-5.59 (E) "Dimensional Requirements for Townhouse and Twin Home Units and Buildings" by removing "(F,W)" from the heading and replacing subsequent subsections (1) and (2) and adding new subsection (3) as follows:
 - "(1) Townhouse and Twin Home Units. Townhouse and twin home units developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of their respective Zoning Districts. Townhouse and twin

home units in other permitted zoning districts may be constructed and sold with no setback, lot area, or lot width requirements.

- (2) Townhouse or Twin Home Buildings. Development projects with townhouse and twin home buildings shall comply with the general dimensional and building spacing requirements of the applicable zoning district for the project as one zoning lot.
- (3) Townhouses developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of the applicable zoning district. Townhouses in other zoning districts shall adhere to the maximum height, maximum impervious coverage, and minimum street yard setback requirements of the applicable zoning district. (K)"

Section 3. Section 3-1.2 (K)(3) Other Spacing Requirements is replaced with the following paragraph:

"The spacing between buildings with attached units and automobile parking, private streets, and drives shall be provided as required in Section 2-5.55 (H)(7). Building spacing for twin home, townhouse, and three (3) and four (4) unit multifamily buildings may be reduced to a minimum of twenty (20) feet."

Section 4. The section reference in the heading at the top of page 311 pertaining to Residential Spacing Requirements is changed from Section 3-1.2 (J) to "Section 3-1.2 Building Spacing Requirements for Multifamily Residential Buildings".

Section 5. This ordinance shall be effective upon adoption.

STAFF REPORT

DOCKET: UDO-71
STAFF: Glenn Simmons

REQUEST

Zoning text amendment of the City-County Planning Board to amend Chapter B Table 2.6 "Permitted Uses"; Section 2-5.59 "Use Conditions: Residential Building, Multifamily"; and other sections of the *Unified Development Ordinances* (UDO) to clarify setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home".

BACKGROUND

City-County Planning and Inspections staff have identified various inconsistencies in the *Unified Development Ordinances* (UDO) which technically prohibits the individual ownership of subdivided properties within townhomes, twin homes, and other multi-unit structures with shared interior walls. This limitation is the result of required setbacks from property lines between individual units whose common walls also serve as property boundaries. Whereas the intent of the UDO is to require appropriate setbacks from property lines for multi-unit structures and not for individual units within the larger structure, Planning and Inspections staff believes that a UDO text amendment is needed to avoid any possible conflicts or misinterpretations.

REQUEST

Modify various sections of the UDO to remove any inconsistencies, ambiguities, or other possible conflicts regarding building setback requirements for multifamily, townhouse, and twin home developments which share property boundaries along common interior walls within multi-unit structures.

ANALYSIS

Although the UDO intends to permit deeded ownership of property associated with individual residential units within multi-unit structures, technical requirements of the UDO prohibit such subdivisions of property from occurring. Although setbacks from property lines for the overall structure containing individual residential units are appropriate, the practical impossibility of providing setbacks for individual units within structures is not addressed by the UDO. Staff recommends that such practical inconsistencies be addressed by adopting modifications to the UDO as specified in the accompanying UDO text amendment.

RECOMMENDATION

Staff recommends **APPROVAL**.

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved approval of the zoning text amendment.

SECOND: James Rousseau

VOTE:

FOR: Johnson, King, Powell, Rousseau, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning

UDO-71
AN ORDINANCE AMENDING
ARTICLE II AND ARTICLE III OF CHAPTER B OF THE
UNIFIED DEVELOPMENT ORDINANCES
PERTAINING TO SETBACK REQUIREMENTS FOR
RESIDENTIAL BUILDING, MULTIFAMILY;
RESIDENTIAL BUILDING, TOWNHOUSE;
AND RESIDENTIAL BUILDING, TWIN HOME

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. Table 2.6 "PERMITTED USES" of Section 2-4 of Chapter B is revised by removing the use classifications "Twin Homes (C,K,L)" and "Townhouse (C,K,L)" under the column RESIDENTIAL USES and by removing "(F,W)" from the use classifications Twin Homes (F,W) and "Townhouse (F,W)" in the same column.

Section 2. Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" of Chapter B is merged with Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" of Chapter B to create a single new section to read:

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- Delete "(F,W)" from existing Section 2-5.59 heading "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)".
- Revise Section 2-5.59 (B)(5) "Building Spacing Requirements" to read as follows: "Except in the RM-5 District, all multifamily, townhouse, or twin home residential buildings shall meet the requirements of Section 3-1.2 (K) Building Spacing Requirements for Multifamily Residential Buildings."
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home units in other permitted zoning districts may be constructed and sold with no setback, lot area, or lot width requirements.

- (2) Townhouse or Twin Home Buildings. Development projects with townhouse and twin home buildings shall comply with the general dimensional and building spacing requirements of the applicable zoning district for the project as one zoning lot.
- (3) Townhouses developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of the applicable zoning district. Townhouses in other zoning districts shall adhere to the maximum height, maximum impervious coverage, and minimum street yard setback requirements of the applicable zoning district. (K)"

Section 3. Section 3-1.2 (K)(3) Other Spacing Requirements is replaced with the following paragraph:

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Section 4. The section reference in the heading at the top of page 311 pertaining to Residential Spacing Requirements is changed from Section 3-1.2 (J) to "Section 3-1.2 Building Spacing Requirements for Multifamily Residential Buildings".

Section 5. This ordinance shall be effective upon adoption.

STAFF REPORT

DOCKET: UDO-71
STAFF: Glenn Simmons

REQUEST

Zoning text amendment of the City-County Planning Board to amend Chapter B Table 2.6 "Permitted Uses"; Section 2-5.59 "Use Conditions: Residential Building, Multifamily"; and other sections of the *Unified Development Ordinances* (UDO) to clarify setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home".

BACKGROUND

City-County Planning and Inspections staff have identified various inconsistencies in the *Unified Development Ordinances* (UDO) which technically prohibits the individual ownership of subdivided properties within townhomes, twin homes, and other multi-unit structures with shared interior walls. This limitation is the result of required setbacks from property lines between individual units whose common walls also serve as property boundaries. Whereas the intent of the UDO is to require appropriate setbacks from property lines for multi-unit structures and not for individual units within the larger structure, Planning and Inspections staff believes that a UDO text amendment is needed to avoid any possible conflicts or misinterpretations.

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Modify various sections of the UDO to remove any inconsistencies, ambiguities, or other possible conflicts regarding building setback requirements for multifamily, townhouse, and twin home developments which share property boundaries along common interior walls within multi-unit structures.

ANALYSIS

Although the UDO intends to permit deeded ownership of property associated with individual residential units within multi-unit structures, technical requirements of the UDO prohibit such subdivisions of property from occurring. Although setbacks from property lines for the overall structure containing individual residential units are appropriate, the practical impossibility of providing setbacks for individual units within structures is not addressed by the UDO. Staff recommends that such practical inconsistencies be addressed by adopting modifications to the UDO as specified in the accompanying UDO text amendment.

RECOMMENDATION

Staff recommends **APPROVAL**.

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved approval of the zoning text amendment.

SECOND: James Rousseau

VOTE:

FOR: Johnson, King, Powell, Rousseau, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning

UDO-71
AN ORDINANCE AMENDING
ARTICLE II AND ARTICLE III OF CHAPTER B OF THE
UNIFIED DEVELOPMENT ORDINANCES
PERTAINING TO SETBACK REQUIREMENTS FOR
RESIDENTIAL BUILDING, MULTIFAMILY;
RESIDENTIAL BUILDING, TOWNHOUSE;
AND RESIDENTIAL BUILDING, TWIN HOME

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. Table 2.6 "PERMITTED USES" of Section 2-4 of Chapter B is revised by removing the use classifications "Twin Homes (C,K,L)" and "Townhouse (C,K,L)" under the column RESIDENTIAL USES and by removing "(F,W)" from the use classifications Twin Homes (F,W) and "Townhouse (F,W)" in the same column.

Section 2. Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" of Chapter B is merged with Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" of Chapter B to create a single new section to read:

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This is accomplished by deleting the entire Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" and revising Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" as follows:

- Delete "(F,W)" from existing Section 2-5.59 heading "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)".
- Revise Section 2-5.59 (B)(5) "Building Spacing Requirements" to read as follows: "Except in the RM-5 District, all multifamily, townhouse, or twin home residential buildings shall meet the requirements of Section 3-1.2 (K) Building Spacing Requirements for Multifamily Residential Buildings."
- Revise Section 2-5.59 (E) "Dimensional Requirements for Townhouse and Twin Home Units and Buildings" by removing "(F,W)" from the heading and replacing subsequent subsections (1) and (2) and adding new subsection (3) as follows:
 - "(1) Townhouse and Twin Home Units. Townhouse and twin home units developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of their respective Zoning Districts. Townhouse and twin

home units in other permitted zoning districts may be constructed and sold with no setback, lot area, or lot width requirements.

- (2) Townhouse or Twin Home Buildings. Development projects with townhouse and twin home buildings shall comply with the general dimensional and building spacing requirements of the applicable zoning district for the project as one zoning lot.
- (3) Townhouses developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of the applicable zoning district. Townhouses in other zoning districts shall adhere to the maximum height, maximum impervious coverage, and minimum street yard setback requirements of the applicable zoning district. (K)"

Section 3. Section 3-1.2 (K)(3) Other Spacing Requirements is replaced with the following paragraph:

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Section 4. The section reference in the heading at the top of page 311 pertaining to Residential Spacing Requirements is changed from Section 3-1.2 (J) to "Section 3-1.2 Building Spacing Requirements for Multifamily Residential Buildings".

Section 5. This ordinance shall be effective upon adoption.

STAFF REPORT

DOCKET: UDO-71
STAFF: Glenn Simmons

REQUEST

Zoning text amendment of the City-County Planning Board to amend Chapter B Table 2.6 "Permitted Uses"; Section 2-5.59 "Use Conditions: Residential Building, Multifamily"; and other sections of the *Unified Development Ordinances* (UDO) to clarify setback requirements for the uses "Residential Building, Multifamily"; "Residential Building, Townhouse"; and "Residential Building, Twin Home".

BACKGROUND

City-County Planning and Inspections staff have identified various inconsistencies in the *Unified Development Ordinances* (UDO) which technically prohibits the individual ownership of subdivided properties within townhomes, twin homes, and other multi-unit structures with shared interior walls. This limitation is the result of required setbacks from property lines between individual units whose common walls also serve as property boundaries. Whereas the intent of the UDO is to require appropriate setbacks from property lines for multi-unit structures and not for individual units within the larger structure, Planning and Inspections staff believes that a UDO text amendment is needed to avoid any possible conflicts or misinterpretations.

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ANALYSIS

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RECOMMENDATION

Staff recommends **APPROVAL**.

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Steve Johnson moved approval of the zoning text amendment.

SECOND: James Rousseau

VOTE:

FOR: Johnson, King, Powell, Rousseau, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning

UDO-71
AN ORDINANCE AMENDING
ARTICLE II AND ARTICLE III OF CHAPTER B OF THE
UNIFIED DEVELOPMENT ORDINANCES
PERTAINING TO SETBACK REQUIREMENTS FOR
RESIDENTIAL BUILDING, MULTIFAMILY;
RESIDENTIAL BUILDING, TOWNHOUSE;
AND RESIDENTIAL BUILDING, TWIN HOME

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. Table 2.6 "PERMITTED USES" of Section 2-4 of Chapter B is revised by removing the use classifications "Twin Homes (C,K,L)" and "Townhouse (C,K,L)" under the column RESIDENTIAL USES and by removing "(F,W)" from the use classifications Twin Homes (F,W) and "Townhouse (F,W)" in the same column.

Section 2. Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" of Chapter B is merged with Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" of Chapter B to create a single new section to read:

"2-5.59 RESIDENTIAL BUILDING, MULTIFAMILY; RESIDENTIAL BUILDING, TOWNHOUSE; OR RESIDENTIAL BUILDING, TWIN HOME".

This is accomplished by deleting the entire Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY OR RESIDENTIAL BUILDING, TOWNHOUSE (C, K, L)" and revising Section 2-5.59 "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)" as follows:

- Delete "(F,W)" from existing Section 2-5.59 heading "RESIDENTIAL BUILDING, MULTIFAMILY (F,W)".
- Revise Section 2-5.59 (B)(5) "Building Spacing Requirements" to read as follows: "Except in the RM-5 District, all multifamily, townhouse, or twin home residential buildings shall meet the requirements of Section 3-1.2 (K) Building Spacing Requirements for Multifamily Residential Buildings."
- Revise Section 2-5.59 (E) "Dimensional Requirements for Townhouse and Twin Home Units and Buildings" by removing "(F,W)" from the heading and replacing subsequent subsections (1) and (2) and adding new subsection (3) as follows:
 - "(1) Townhouse and Twin Home Units. Townhouse and twin home units developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of their respective Zoning Districts. Townhouse and twin

home units in other permitted zoning districts may be constructed and sold with no setback, lot area, or lot width requirements.

- (2) Townhouse or Twin Home Buildings. Development projects with townhouse and twin home buildings shall comply with the general dimensional and building spacing requirements of the applicable zoning district for the project as one zoning lot.
- (3) Townhouses developed in the RSQ and RM-5 Districts shall adhere to the dimensional requirements of the applicable zoning district. Townhouses in other zoning districts shall adhere to the maximum height, maximum impervious coverage, and minimum street yard setback requirements of the applicable zoning district. (K)"

Section 3. Section 3-1.2 (K)(3) Other Spacing Requirements is replaced with the following paragraph:

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Section 4. The section reference in the heading at the top of page 311 pertaining to Residential Spacing Requirements is changed from Section 3-1.2 (J) to "Section 3-1.2 Building Spacing Requirements for Multifamily Residential Buildings".

Section 5. This ordinance shall be effective upon adoption.