

FORSYTH COUNTY
BOARD OF COMMISSIONERS

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

SUBJECT:-

Request for Public Hearing on Zoning Text Amendment proposed by the City-County Planning Board

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning Text Amendment proposed by the City-County Planning Board to amend Chapter B of the UDO regarding changes to the Permitted Use Table for the Central Business District (UDO-62).

After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

ACTION REQUEST FORM

DATE: September 20, 2000
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

SUMMARY OF INFORMATION:

Zoning Text Amendment proposed by the City-County Planning Board to amend Chapter B of the UDO regarding changes to the Permitted Use Table for the Central Business District (UDO-62).

PLANNING BOARD ACTION:

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

ZONING STAFF REPORT

DOCKET: UDO-62

STAFF: Judy Hunt

REQUEST

Text amendment to the *Unified Development Ordinances* (UDO) to amend Chapter B Table 2.6 "Permitted Uses" for the Central Business District.

BACKGROUND

Over the past several years, planning staff has been involved with the City of Winston-Salem's Development Office and the Downtown Development Corporation (DDC) in revitalization efforts for downtown Winston-Salem. The *New Century Plan*, adopted in 1998, provided the groundwork for this revitalization. In 1999, the mayor invited a team of urban design professionals lead by Ralph Lerner, Dean of the School of Architecture at Princeton, to do a design charette for downtown Winston-Salem. That study has been translated into a vision for the future development of downtown which may soon be adopted as an amendment to the *New Century Plan*.

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The purpose of reviewing and revising the PUT is two-fold: 1) providing flexibility for the variety of pedestrian-oriented uses we are encouraging in the downtown including housing, and 2) prohibiting or regulating uses which may be a deterrent to economic development.

The changes proposed to the PUT for the CB District have been reviewed by a number of people including the Development Office, the DDC, Ralph Lerner, John Elkington, and participants in the June 15 downtown public forum. Staff has only received positive comments on the changes.

Although this text amendment has been initiated in response to development issues in downtown Winston-Salem, CB zoning is also present in the downtown area of the Town of Kernersville. Some of the issues raised may be applicable in Kernersville, and this text amendment will be forwarded to the Town for consideration.

FEATURES

Table 2.6, Permitted Uses, is proposed to be revised by making the following changes:

Remove the "Z" (Permit from Zoning Officer) designation from the CB District for the following uses in the Permitted Use Table: Fraternity or Sorority House; Convenience Store; Motorcycle Dealer (W); Restaurant with Drive-through Service; Adult Establishment (W); Building Contractor, General; Car Wash; Funeral Home; Repair and Maintenance (automotive) (W); Storage Yard; Services, Business B; Warehousing; Recreation Services, Outdoor.

Remove the "P" (Planning Board Review) designation from the CB District for the following uses in the Permitted Use Table: Child Care Institution; Group Care Facility B (W); Landfill, Construction and Demolition (W); Landfill, Land Clearing / Inert Debris (W); Transmission Tower (W).

Remove the "A" (Board of Adjustment Special Use Permit) designation from the CB District for the following uses in the Permitted Use Table: Dirt Storage; Borrow Site.

Remove the "Z" (Permit from Zoning Officer) Designation from the CB District and replace with an "A" (Board of Adjustment Special Use Permit) for the following uses in the Permitted Use Table: Motor Vehicle Renting and Leasing (W); and Postal Processing.

Remove the "P" (Planning Board Review) Designation from the CB District and replace with an "E" (Elected Body Special Use Permit) for the following use in the Permitted Use Table: Correctional Institution.

Add a "Z" (Permit from Zoning Officer) Designation to the CB District for the Following use in the Permitted Use Table: Swimming Pool, Private.

Remove the "P" (Planning Board Review) Designation from the CB District and replace with a "Z" (Permit from Zoning Officer) for the following uses in the Permitted Use Table: Residential, Multi-family (W); Residential, Townhouse (W).

ANALYSIS

The proposed changes to the PUT for the CB District are in three categories: 1) deleting uses from the district, 2) adding uses to the district, and 3) changing the approval process for certain uses allowed in the district.

Deleted Uses: Uses recommended for removal may be "nuisance" uses, unsightly uses, or uses requiring large amounts of land not available in a downtown setting. Staff is of the opinion that the uses listed here are better suited for other zoning districts away from the core area.

Added Uses: One use is recommended to be added to the district, Private Swimming Pools. This addition helps provide the opportunity for an aquatics center downtown.

Changing Approval Process: It is recommended that two uses, Motor Vehicle Renting and Leasing and Postal Processing, require approval of the Board of Adjustment instead of "by right" in the district, giving tighter control of these uses. Stricter controls for Correctional Institutions are also recommended, changing final approval from simple Planning Board review to a special use permit by the Board of Aldermen. Finally, less stringent requirements are being proposed for Multi-family Residential and Townhouses, replacing Planning Board approval with "by right" designation for the district. This provides more flexibility and less restrictions for housing development downtown.

Staff feels the above recommendations provide a better climate for attracting economic development and protecting the investments of those currently developing or proposing development in the downtown core.

RECOMMENDATION

Staff recommends the changes to the Table 2.6, Permitted Uses, of the "Zoning Ordinance" of the UDO as proposed.

Tim Gauss presented the staff report.

PUBLIC HEARING

FOR:

Jack Steelman, City Development Office, P. O. Box 2511, Winston-Salem, NC 27102

Our review of the *New Century Plan* included the statement that we needed to revisit Table 2.6 "Permitted Uses" of the UDO. This amendment is a well-balanced group of suggestions which has been endorsed by downtown groups and we would appreciate your support. It will make our jobs easier.

AGAINST: None

WORK SESSION

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

1. The map in the agenda book is the current CB District boundaries. Those boundaries will be revisited to see if any changes need to be made.
2. There are a couple of auto repair businesses in the northern corner of the CB District and they would become legally nonconforming.

MOTION: Kem Schroeder moved approval of the zoning text amendment.

SECOND: James Rousseau

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning

UDO-62
AN ORDINANCE
AMENDING CHAPTER B "ZONING ORDINANCE"
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
REGARDING CHANGES TO THE PERMITTED USE TABLE
FOR THE CENTRAL BUSINESS DISTRICT

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

Section 1. Table 2.6 "Permitted Uses" (PUT) of Chapter B is revised by making the following changes:

Remove the "Z" (permit from Zoning Officer) designation from the CB District for the following uses in Table 2.6 "Permitted Uses": Fraternity or Sorority House; Convenience Store; Motorcycle Dealer (W); Restaurant (with drive-through service); Adult Establishment (W); Building Contractor, General; Car Wash, Funeral Home, Repair and Maintenance (automotive) (W); Storage Yard; Services, Business B; Warehousing; Recreation Services, Outdoor

Remove the "P" (Planning Board review) designation from the CB District for the following uses in Table 2.6 "Permitted Uses": Child Care Institution; Group Care Facility B (W); Landfill, Construction and Demolition (W); Landfill, Land Clearing/ Inert Debris (W); Transmission Tower (W).

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Section 2. This ordinance shall be effective upon adoption.

ZONING STAFF REPORT

DOCKET: UDO-62

STAFF: Judy Hunt

REQUEST

Text amendment to the *Unified Development Ordinances* (UDO) to amend Chapter B Table 2.6 "Permitted Uses" for the Central Business District.

BACKGROUND

Over the past several years, planning staff has been involved with the City of Winston-Salem's Development Office and the Downtown Development Corporation (DDC) in revitalization efforts for downtown Winston-Salem. The *New Century Plan*, adopted in 1998, provided the groundwork for this revitalization. In 1999, the mayor invited a team of urban design professionals lead by Ralph Lerner, Dean of the School of Architecture at Princeton, to do a design charette for downtown Winston-Salem. That study has been translated into a vision for the future development of downtown which may soon be adopted as an amendment to the *New Century Plan*.

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The purpose of reviewing and revising the PUT is two-fold: 1) providing flexibility for the variety of pedestrian-oriented uses we are encouraging in the downtown including housing, and 2) prohibiting or regulating uses which may be a deterrent to economic development.

The changes proposed to the PUT for the CB District have been reviewed by a number of people including the Development Office, the DDC, Ralph Lerner, John Elkington, and participants in the June 15 downtown public forum. Staff has only received positive comments on the changes.

Although this text amendment has been initiated in response to development issues in downtown Winston-Salem, CB zoning is also present in the downtown area of the Town of Kernersville. Some of the issues raised may be applicable in Kernersville, and this text amendment will be forwarded to the Town for consideration.

FEATURES

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ANALYSIS

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Changing Approval Process: It is recommended that two uses, Motor Vehicle Renting and Leasing and Postal Processing, require approval of the Board of Adjustment instead of "by right" in the district, giving tighter control of these uses. Stricter controls for Correctional Institutions are also recommended, changing final approval from simple Planning Board review to a special use permit by the Board of Aldermen. Finally, less stringent requirements are being proposed for Multi-family Residential and Townhouses, replacing Planning Board approval with "by right" designation for the district. This provides more flexibility and less restrictions for housing development downtown.

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RECOMMENDATION

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Tim Gauss presented the staff report.

PUBLIC HEARING

FOR:

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AGAINST: None

WORK SESSION

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AGAINST: None

EXCUSED: None

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FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Snelgrove, Williams

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EXCUSED: None

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