City Council – Action Request Form

Date: March 14, 2023

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Aaron King, Assistant City Manager
       Chris Murphy, Planning and Development Services Director

Council Action Requested:
Request for Public Hearing on an ordinance amendment to the Unified Development Ordinances (UDO) to reflect current North Carolina General Statute language regarding sight distance triangles. (UDO-CC21).

Strategic Focus Area: Livable Neighborhoods
Strategic Objective: N/A
Strategic Plan Action Item: N/A
Key Work Item: N/A

Summary of Information:

In 2021 as part of House Bill 489, the North Carolina legislature adopted new language in Section 160A-306 specifying that measurements for sight distances at intersections, including sight triangles, must begin within the right-of-way or edge of pavement. The current UDO language states that measurements for sight triangles shall begin at the edge of right-of-way.

To comply with the new State Statute, the amendment will revise the definition of a sight triangle, as listed in Section 11, to state that measurements shall begin at edge of pavement. Section 3 will be amended to remove the current graphic and add a new graphic depicting the State-mandated measurement.

The Planning Board held a public hearing on the ordinance amendment on February 9, 2023, and unanimously recommended approval. Staff will be available to present UDO-CC21 at the March Public Works Committee meeting.

Committee Action:

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<th>Committee</th>
<th>Action</th>
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<td>For</td>
<td>Against</td>
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Remarks:
Be it ordained by the ________________________________, that the Unified Development Ordinances are amended as follows:

**Section 1.** Chapter 3 PROCEDURES of the UDO is amended as follows:

**FIGURE 3.2.9.D.4: SIGHT EASEMENTS**

Existing Figure 3.2.9.D.4 shall be replaced with the revised figure below.

NOTE: Items to be removed are indicated with a strikethrough; items to be added are shown as highlighted. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.
Section 2. Chapter 11 MEASUREMENT & DEFINITIONS of the UDO is amended as follows:

<table>
<thead>
<tr>
<th>TABLE 11.2.2: DEFINITIONS</th>
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<tr>
<td><strong>SIGHT EASEMENT TRIANGLES (W)</strong></td>
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Section 3. This Ordinance shall be effective upon adoption.
REQUEST

Text amendment to Section 3 and 11 of the *Unified Development Ordinances* to reflect current North Carolina General Statute language regarding sight distance triangles.

BACKGROUND

In 2021 as part of House Bill 489, the North Carolina legislature adopted new language in Section 160A-306 specifying that measurements for sight distances at intersections, including sight triangles, must begin within the right-of-way or edge of pavement. Prior to the adoption of this new language, municipalities handled sight triangles at their own discretion through various methodologies.

ANALYSIS

The current UDO language states that measurements for sight triangles shall begin at the edge of right-of-way. To comply with the new State Statute, the amendment will revise the definition of a sight triangle, as listed in Section 11, to state that measurements shall begin at edge of pavement. Furthermore, staff propose changing the definition from a City-only definition to a County-wide definition to promote regulatory consistency across the City and County jurisdictions. Section 3 will be amended to remove the current graphic and add a new graphic depicting the State-mandated measurement.

This amendment will have no impact on current development review practices as staff has already incorporated the statutory changes into our processes.

RECOMMENDATION: Approval
Amy Crum presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe recommended approval of the ordinance amendment.
SECOND: Jason Grubbs
VOTE:
  FOR: George Bryan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak,
  Salvador Patiño, Brenda Smith, Jack Steelman
  AGAINST: None
  EXCUSED: None

Chris Murphy, AICP/CZO
Director of Planning and Development Services