



March 22, 2017

Rocky Oakes
551 Simpson Mill Road
Mounty Airy, NC 27030

Re: Zoning Text Amendment UDO-273

Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

Dear Petitioner:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary's Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning and Development Services

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102



Call 311 or 336-727-8000
citylink@cityofws.org

City Council: Mayor Allen Joiner; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: David R. Plyler, Chairman; Don Martin, Vice Chair; Ted Kaplan; Richard V. Linville; Walter Marshall; Gloria D. Whisenhunt; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan Younger, Vice-Chair; George M. Bryan, Jr.; Melynda Dunigan; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Paul W. Mullican; Brenda J. Smith

ACTION REQUEST FORM

DATE: March 22, 2017
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, Director of Planning and Development Services

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Text Amendment proposed by Rocky Oakes

SUMMARY OF INFORMATION:

- A. Zoning Text Amendment proposed by Rocky Oakes amending Chapter B of the *Unified Development Ordinances* to allow Veterinary Services in the Pedestrian Business (PB) Zoning District (UDO-273).
- B. Ordinance amending the *Unified Development Ordinances* of Winston-Salem/Forsyth County.

PLANNING BOARD ACTION:

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

STAFF REPORT

DOCKET # UDO-273
STAFF: [Aaron King](#)

REQUEST

Ordinance amendment proposed by Rocky Oakes amending Chapter B of the *Unified Development Ordinances* to allow Veterinary Services in the Pedestrian Business (PB) Zoning District.

BACKGROUND

The UDO currently allows the use Veterinary Services in the following zoning districts:

- Limited Office (LO)
- Neighborhood Business (NB)
- Limited Business (LB)
- Neighborhood Shopping Center Business (NSB)
- Highway Business (HB)
- General Business (GB)
- Major Retail & Business (MRB-S)
- Entertainment (E)
- General Industrial (GI)
- Mixed Use (MU-S)

Veterinary Services is not currently allowed in the Pedestrian Business (PB) zoning district which is located in between the NB and LB districts in the hierarchy of commercial zoning districts. The subject text amendment seeks to allow Veterinary Services in the PB district.

ANALYSIS

The proposed request would allow Veterinary Services in the PB district in a manner similar to the other comparable commercial zoning districts where it is currently allowed. Staff believes this use is appropriate for the PB zoning district. Staff is supportive of this request as it appears to correct an existing anomaly within the Permitted Use Table.

With respect to the Use Conditions for Veterinary Services, the proposed text amendment would require Veterinary Services in the PB district to comply with all setback requirements of the underlying zoning district including a minimum forty (40) foot setback adjacent to residentially zoned land. The text amendment would also require Veterinary Services in the PB district to be fully enclosed, essentially prohibiting outdoor runs. These two additions to the Use Conditions are consistent with how Veterinary Services are treated in comparable commercial zoning districts.

RECOMMENDATION

APPROVAL

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-273
MARCH 9, 2017**

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning text amendment.

SECOND: Paul Mullican

VOTE:

FOR: George Bryan, Melynda Dunigan, Arnold King, Clarence Lambe, Darryl Little,
Paul Mullican, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services

UDO-273
AN ORDINANCE AMENDING
CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO ALLOW VETERINARY SERVICES IN THE
PEDESTRIAN BUSINESS ZONING DISTRICT

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 B, Article II of the UDO is amended as follows:

Chapter B – Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps and
Uses

2-4 PERMITTED USES

2-4.1 TABLE B.2.6

Table 2.6 displays the principal uses allowed in each zoning district and references uses conditions. Table B.2.6 should be read in conjunction with the definitions of principal uses and other terms in Section A.2. Land, buildings, and structures shall only be used in accordance with the districts shown on the Official Zoning Maps, and subject to all requirements and conditions specified in this Ordinance.

**Table B.2.6
PERMITTED USES**

Use Type	Y R	A G	R S4 0	R S3 0	R S2 0	R S1 5	R S1 2	R S9	R S7	R S Q	R M 5	R M 8	R M 12	R M 18	R M U	R M H	N O	N O L O	C P O	G O B	N B	P B	L B	N S B	H B	G B	C B	M R B-S (W)	E L I	G I	C I	I P	C	M U-S	CON DS		
BUSINESS AND PERSONAL SERVICES																																					
Veterinary Services (LO)																			A		Z'	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	81	

NOTE: Items to be deleted are indicated with a strikethrough; items to be added are indicated with an underscore.
UDO-273 March 2017

Section 2. Chapter B, Article II of the *UDO* is amended as follows:

Chapter B – Zoning Ordinance

Article II - Zoning Districts, *Official Zoning Maps*, and Uses

2-5 USE CONDITIONS

2-5.81 VETERINARY SERVICES AND ANIMAL SHELTER, PUBLIC

The following conditions apply to veterinary services in the PB District:

- (A) Location and Setbacks. The use Veterinary Services must comply with all setback requirements of the underlying zoning district where said use is located, including a minimum forty (40) foot setback from residentially zoned property.

- (B) Enclosure of Facilities. The Veterinary Services use shall be fully enclosed. There shall be no outside runs or exercise areas for animals or pets. Any outside use of the property for the animals or pets must be supervised and on leashes.

Section 3. This ordinance shall be effective upon adoption.