

## STAFF REPORT

**DOCKET #** UDO-238

**STAFF:** [Aaron King](#)

### **REQUEST**

UDO Text Amendment proposed by City County Planning Board staff to amend Chapter B of the *Unified Development Ordinances* to modify the parking requirements for Pedestrian Business (PB) zoning within Growth Management Area 1 (UDO-238).

### **BACKGROUND**

The Pedestrian Business (PB) zoning district was created during the 1995 UDO conversion process. The intent of the PB district was to create a district that provided for uses, buildings, and site design which contribute to a pedestrian-friendly environment. This is particularly important in urban areas which are built with mixed uses and higher densities as found in Growth Management Areas 1 (City/Town Centers) and 2 (Urban Neighborhoods).

In 2003, the City Council adopted UDO-98 which allowed for up to 60 feet of off-street parking area to be located in front of buildings zoned PB and located within GMA 1 (without any approval by the Planning Board or City Council). At the time, the former Unity Place development was being contemplated near Fourth and Broad Streets. The project was deemed to need an exception to the strict application of the PB district standards with respect to parking. That project never materialized, and the development in its place now is designed to fit the normal PB district standards.

The provision mentioned above has remained in the UDO; however left in place, this “loophole” used on other developments could circumvent the intent of the PB district and the street activity it is intended to promote.

### **ANALYSIS**

Staff views the PB district as an important tool in building the type of streetscape and design that is promoted and mentioned on several occasions in *Legacy*. Having buildings pulled up to the street with parking located to the side or rear are part of the design criteria that make downtown different than other parts of the City. Staff views the current PB parking provision for GMA1 as a feature that inadvertently allows suburban-style development within the City’s downtown core without any discretionary approval. As such, staff recommends removing said provision from the UDO.

It is important to note that if this text amendment is approved, Section 2-1.3(F)(3)(i) will still remain in the UDO:

- (i) Alternative Compliance (PB-S Districts). Alternative site plans which deviate from the strict application of the supplementary district standards in Section B.2-

1.3(F)(3), but which adhere to the PB purpose statement, may be approved through the Special Use District zoning process in Section B.6-2.2.

This existing section of the UDO would still allow parking to be placed in front of a building. The difference is that the site must be reviewed on a case-by-case basis through the Special Use District rezoning process and approved by City Council to do so. Staff believes that having an alternative compliance provision for the PB district is logical and should be part of the UDO. Staff also believes that the ability to grant an exception to the PB parking requirements in GMA 1 should be handled through the rezoning process rather than being simply an allowed ordinance provision by right.

## **RECOMMENDATION**

## **APPROVAL**

**UDO-238**  
**A UDO TEXT AMENDMENT PROPOSED BY CITY-COUNTY  
PLANNING BOARD STAFF TO AMEND CHAPTER B OF THE UNIFIED  
DEVELOPMENT ORDINANCES TO MODIFY THE PARKING REQUIREMENTS  
FOR PEDESTRIAN BUSINESS (PB) ZONING WITHIN GROWTH MANAGEMENT  
AREA 1.**

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**

**2-1 ZONING DISTRICTS**

**2-1.3 COMMERCIAL ZONING DISTRICTS – PURPOSE STATEMENTS AND  
REGULATIONS**

**(F) PB Pedestrian Business District**

**(3) Supplementary District Standards**

**(c) Within GMA 1.**

**(iii) ~~Parking. See Section B.3-3.5(D)(1)(d).~~ Reserved.**

**Chapter B - Zoning Ordinance**  
**Article III – Other Development Standards**

**3-3 PARKING, STACKING, AND LOADING AREAS**

**3-3.5 ALTERNATIVES AND INCENTIVES**

**(D) Reductions and Locations in the NB, NO, and GB District:**

- (d) ~~PB Districts Within GMA 1. Parking may be allowed in front of the principal building provided that no parking area shall extend into the site from the provided streetyard more than sixty one (61) feet.~~ Reserved.**

**Section 2.** This ordinance shall be effective upon adoption.