

**ACTION REQUEST FORM**

**DATE:** February 17, 2010  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on UDO Text Amendment proposed by City-County Planning Board staff

**SUMMARY OF INFORMATION:**

UDO Text Amendment proposed by City County Planning Board staff to amend Chapter B of the *Unified Development Ordinances* to revise various ordinance standards to increase development flexibility. (UDO-214)

**PLANNING BOARD ACTION:**

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

## STAFF REPORT

**DOCKET #** UDO-214

**STAFF:** [Kirk Ericson](#)

### **REQUEST**

This UDO text amendment is proposed by City-County Planning Board staff to revise various ordinance standards to increase development flexibility. This text amendment is intended to relax certain standards which prevent the implementation of *Legacy* objectives and unnecessarily limit development potential.

### **BACKGROUND**

Planning staff has reviewed the UDO periodically for conflicts, difficulties, or inconsistencies since its adoption in 1995. Staff recognizes that certain outdated ordinance standards have prevented positive development from happening, and has proposed several text amendments over the past years intended to correct problems with the UDO as they are found. Various individual standards which negatively impact development flexibility have been collected in this text amendment.

### **ANALYSIS**

This text amendment eliminates existing building setbacks from commercial and office districts (except for setbacks in the Neighborhood Office and Neighborhood Business zoning districts), except where sites in these districts are adjacent to residential zoning. The existing UDO setback of forty feet between nonresidential and residential districts will still apply in these situations. Removing building setbacks will provide greater incentive to redevelop existing sites in commercial and office districts, and will also allow, but not require, an urban form with buildings located close to the street.

The UDO currently requires banks with drive-through windows, car washes, convenience stores, and restaurants with drive-throughs to be considered as industrial uses for the purpose of bufferyard requirements. Staff believes these uses are high intensity commercial in nature, rather than industrial, and this amendment would treat these uses the same as other high intensity commercial uses. This change should allow more flexibility in site design for such uses, particularly in certain situations where landscape buffers are currently required between compatible commercial uses. Additionally, this amendment would remove Corporate Park Office and General Office from the group of zoning districts considered high intensity commercial, and Central Industrial from the group of districts considered industrial for the purpose of bufferyard requirements. The impacts of sites in these zoning districts on adjacent properties are no greater than the impacts of those in the low intensity commercial group of zoning districts (LO, PB, LB, IP, and C). Therefore, staff proposes sites zoned CPO, GO, and CI should be viewed as low intensity commercial for the purpose of bufferyard determination.

A thirty percent parking reduction for sites with GB zoning is also proposed as part of this amendment. This reduction will allow GB zoned sites to better accommodate pedestrian oriented mixed use development, which requires less parking than conventional development. Additionally, this ordinance will reduce the current side street setback requirement in the RS-7 and RSQ zoning districts from twenty feet to fifteen feet. The current UDO front setback requirement in these districts is fifteen feet. Staff believes fifteen feet is an appropriate distance between a street and a residential structure, whether this street is adjacent to the front or the side of a structure.

Staff believes these revised standards will allow for increased development flexibility, particularly when redeveloping and intensifying existing sites. These standards should also better accommodate a pedestrian oriented urban form with an integrated mixture of uses, in accordance with *Legacy* principles.

## **RECOMMENDATION**

### **APPROVAL**

Kirk Ericson presented the staff report.

### **PUBLIC HEARING**

FOR:

Charles Miller, 430 Sherwood Forest Road, Winston-Salem, NC 27104

- I am in the commercial real estate business which as you know is very slow lately.
- I have used this time to volunteer for the Change of Use Task Force. Looking at some of the difficulties that we have in using and reusing old buildings.
- My purpose is to say that we are applauding to change the obstacles that do not allow the progress of business to move quickly and efficiently. We need more things like this.

AGAINST: None

### **WORK SESSION**

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

1. Wesley Curtis asked about reducing buffers if they are adjacent to residential property.
2. Kirk Ericson: It could apply in a variety of uses. Those uses are basically considered industrial right now. We considered those to be the same as other high intensity commercial uses. If they are viewed as industrial that could require anything from a Type IV bufferyard against single family to a Type I bufferyard next to light commercial. By changing it to a high intensity commercial, that

would require a Type III bufferyard against single family to a Type II against multifamily. What that change allows us is there is no longer a requirement to buffer one commercial use from another.

3. The difference between a Type III and a Type IV bufferyard is not necessarily that much. The main change that this affords us is that it takes away the requirement to buffer commercial from commercial.

MOTION: Paul Mullican moved approval of the zoning text amendment.

SECOND: Lynne Mitchell

VOTE:

FOR: Wesley Curtis, Arnold King, Arthur King, Darryl Little, Lynne Mitchell, Paul Mullican

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning

**UDO-214**  
**AN ORDINANCE AMENDING**  
**CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES***  
**TO REVISE VARIOUS ORDINANCE STANDARDS TO INCREASE**  
**DEVELOPMENT FLEXIBILITY**

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 – Zoning Districts, *Official Zoning Maps*, and Uses is hereby amended as follows:

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

**2-1 ZONING DISTRICTS**

**2-1.2 RESIDENTIAL ZONING DISTRICTS - PURPOSE STATEMENTS AND REGULATIONS**

**(1) RS-7 Residential Single Family District.**

**(2) General Dimensional Requirements - RS-7.**

Zoning District	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
			Front (ft) <sup>3,4</sup>	Rear (ft)	Side <sup>1</sup>				
	Area (sf)	Width (ft) <sup>2</sup>			One Side (ft)	Combined (ft)	Street (ft) <sup>4</sup>		
RS-7	7,000	50	15	20	5	15	<del>20</del> <u>15</u>	--	40

1. Where the main entrance to a single family residence is located on a side yard, the setback for the portion of the wall on which the door is located shall be equal to the front yard setback.
2. Cul-de-sac lots shall be exempt from lot width requirements.
3. Cul-de-sac lots may measure the front setback from a chord or straight line between front lot corners provided it does not decrease the front yard setback from the right-of-way of the cul-de-sac or turnaround more than ten (10) feet from the requirements of the zoning district in which the lot is located.
4. Residential structures in GMA 2 shall meet the requirements of Section B.3-8. **(W)**

**(J) RSQ Residential Single Family Quadrplex District.**

**(2) General Dimensional Requirements - RSQ.**

RSQ Zoning District/ Use	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft) <sup>2</sup>	Front (ft) <sup>3, 6</sup>	Rear (ft)	Side <sup>1</sup>				
					One Side (ft)	Combined (ft)	Street (ft) <sup>6</sup>		
Single Family	5,000	40	15	15	5	15	<del>20</del> <u>15</u>	--	40
Duplex	7,000	50	15	15	7	15	<del>20</del> <u>15</u>	--	40
Twin Homes	-- <sup>4</sup>	-- <sup>4</sup>	0 <sup>4</sup>	0 <sup>4</sup>	0 <sup>4</sup>	0 <sup>4</sup>	0 <sup>4</sup>	--	40
Triplex	9,000	60	15	15	10	20	<del>20</del> <u>15</u>	--	40
Quadraplex	11,000	60	15	15	10	20	<del>20</del> <u>15</u>	--	40
3- or 4- Unit Townhouse	-- <sup>5</sup>	-- <sup>5</sup>	0 <sup>5</sup>	0 <sup>5</sup>	0 <sup>5</sup>	0 <sup>5</sup>	0 <sup>5</sup>	--	40
Other	11,000	60	15	15	10	20	<del>20</del> <u>15</u>	--	40

1. Where the main entrance to a single family residence is located on a side yard, the setback for the portion of the wall on which the door is located shall be equal to the front yard setback.
2. Cul-de-sac lots shall be exempt from lot width requirements.
3. Cul-de-sac lots may measure the front setback from a chord or straight line between front lot corners provided it does not decrease the front yard setback from the right-of-way of the cul-de-sac or turnaround more than ten (10) feet from the requirements of the zoning district in which the lot is located.
4. Lot area, lot width and building setbacks for Twin Homes shall be the same as for Duplex in this same chart, however the land under units may be sold with no setbacks.
5. Lot area, lot width and building setbacks for 3- and 4-Unit Townhouses shall be the same as for Quadraplex in this same chart, however, the land under units may be sold with no setbacks.
6. Residential structures in GMA 2 shall meet the requirements of Section B.3-8. **(W)**

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

**(A) NO Neighborhood Office District.**

**(2) General Dimensional Requirements - NO.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>2</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft)		Front (ft) <sup>1</sup>	Rear (ft)	Side			
						Interior Side (ft)	Street (ft) <sup>1</sup>		
NO	6,000	65	--	20	25	7	20	60	40

1. Residential structures in GMA 2 shall meet the requirements of Section B.3-8. **(W)**

2. A zoning lot which has frontage on two (2) or more streets shall have at least one building wall located not more than fifteen (15) feet from one of those street frontages. There shall be no surface off-street parking or unloading spaces located between that building wall and the street or an extension of that building wall through the entire street frontage.

**(B) LO Limited Office District.**

**(2) General Dimensional Requirements - LO.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>1</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft)		Front (ft) <sup>2</sup>	Rear (ft)	Side			
						Interior Side (ft)	Street (ft) <sup>2</sup>		
LO	10,000	100	--	<u>20</u> --	<u>20</u> --	<u>5</u> --	<u>20</u> --	75	40

1. Whenever a lot in a nonresidential district other than the NB or NO Districts shares a common boundary line with a lot in a residential district (except RM-U), YR, AG, or H District with no intervening street or highway, the lot in the nonresidential district shall have a required setback along the shared boundary line of not less than forty (40) feet or shall have the required setback for the nonresidential district, whichever is greater.
2. Residential structures in GMA 2 shall meet the requirements of Section B.3-8. **(W)**

**(C) CPO Corporate Park Office District**

**(2) General Dimensional Requirements - CPO.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>2</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft) <sup>3</sup>
	Area (sf)	Width (ft)		Front (ft)	Rear (ft)	Side			
						Interior Side (ft)	Street (ft)		
CPO	-- <sup>1</sup>	250 <sup>1</sup>	10	<del>60</del> --	<u>40</u> --	<u>40</u> --	<u>40</u> --	80	60/ unlimited

1. For outparcels with internal access to the property provided, the minimum lot size is twenty thousand (20,000) square feet; the required minimum lot width is reduced to one hundred (100) feet; and the interior rear and side yard requirements are deleted, except that any side yard provided adjacent to an interior lot line shall not be less than twelve (12) feet. Negative access along external roads must be provided and on record.
2. Whenever a lot in a nonresidential district other than the NB or NO Districts shares a common boundary line with a lot in a residential district (except RM-U), YR, AG, or H District with no intervening street or highway, the lot in the nonresidential district shall have a required setback along the shared boundary line of not less than forty (40) feet or shall have the required setback for the nonresidential district, whichever is greater.
3. Height of structure above sixty (60) feet may be increased by one foot for each foot of additional setback beyond minimum required, if adjacent to property zoned RS, RM (except RM-U), YR, AG, or H.

**(D) GO General Office District.**

**(2) General Dimensional Requirements - GO.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>1</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft) <sup>3</sup>
	Area (sf)	Width (ft)		Front (ft)	Rear (ft)	Side			
						Interior Side (ft)	Street (ft)		
GO	10,000	75	--	<del>20</del> --	--	--	<del>20</del> --	80 <sup>2</sup>	60/ unlimited

1. Whenever a lot in a nonresidential district other than the NB or NO Districts shares a common boundary line with a lot in a residential district (except RM-U), YR, AG, or H District with no intervening street or highway, the lot in the nonresidential district shall have a required setback along the shared boundary line of not less than forty (40) feet or shall have the required setback for the nonresidential district, whichever is greater.
2. The eighty percent (80%) limit applies only to GMA 3.
3. There is no height limit unless adjacent to property zoned RS, RM (except RM-U), YR, AG, or H. Height of structure above sixty (60) feet may be increased one foot for each foot of additional setback beyond the forty (40) foot minimum required if adjacent to property zoned RS, RM (except RM-U), YR, AG, or H.

**(E) NB Neighborhood Business District.**

**(2) General Dimensional Requirements - NB.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>2</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft)		Front (ft) <sup>1</sup>	Rear (ft)	Side			
						Interior Side (ft)	Street (ft) <sup>1</sup>		
NB	6,000	65	-	10	25	7	20	60	40

1. Residential structures in GMA 2 shall meet the requirements of Section B.3-8. **(W)**
2. A zoning lot which has frontage on two (2) or more streets shall have at least one building wall located not more than fifteen (15) feet from one of those street frontages. There shall be no surface off-street parking or unloading spaces located between that building wall and the street or an extension of that building wall through the entire street frontage.

**(F) PB Pedestrian Business District**

**(2) General Dimensional Requirements - PB.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>1, 2, 4</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft) <sup>2</sup>
	Area (sf)	Width (ft)		Front (ft) <sup>3</sup>	Rear (ft)	Side			
						Interior Side (ft)	Street (ft) <sup>3</sup>		
PB	-	-	-	-	-	-	-	-	60

1. Whenever a lot in a nonresidential district other than the NB or NO Districts shares a common boundary line with a lot in a residential district (except RM-U), YR, AG, or H District with no intervening street or



highway, the lot in the nonresidential district shall have a required setback along the shared boundary line of not less than forty (40) feet or shall have the required setback for the nonresidential district, whichever is greater.

2. Whenever a residential use in the PB Zoning District shares a side yard boundary line with a lot in a residential district, the requirements of Section B.3-1.2(J)(2) shall apply.
3. Residential structures in GMA 2 shall meet the requirements of Section B.3-8. **(W)**
4. A zoning lot which has frontage on two (2) or more streets shall have at least one building wall located not more than fifteen (15) feet from one of those street frontages. There shall be no surface off-street parking or unloading spaces located between that building wall and the street or an extension of that building wall through the entire street frontage.

**(G) LB Limited Business District.**

**(2) General Dimensional Requirements - LB.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>1</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft)		Front (ft)	Rear (ft)	Side			
						Interior Side (ft)	Street (ft)		
LB	10,000	100	--	<u>20</u>	<u>5</u>	<del>0-5/12</del> <sup>2</sup>	<u>20</u>	75	40

1. Whenever a lot in a nonresidential district other than the NB or NO Districts shares a common boundary line with a lot in a residential district (except RM-U), YR, AG, or H District with no intervening street or highway, the lot in the nonresidential district shall have a required setback along the shared boundary line of not less than forty (40) feet or shall have the required setback for the nonresidential district, whichever is greater.
2. ~~Side yards are not required, however any side yard provided adjacent to an interior lot line shall be not less than twelve (12) feet in width. A space less than six (6) inches in width between an interior lot line and a building wall shall not be regarded as a side yard.~~

**(H) NSB Neighborhood Shopping Center Business District.**

**(2) General Dimensional Requirements - NSB.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>2</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft)		Front (ft)	Rear (ft)	Side			
						Interior Side (ft)	Street (ft)		
NSB	<del>--</del> <sup>1</sup>	<u>250</u> <sup>1</sup>	4	<u>40</u>	<u>40</u>	<u>40</u>	<u>20</u>	75	40

1. For outparcels with internal access to the property provided, the minimum lot size is twenty thousand (20,000) square feet; the required minimum lot width is reduced to one hundred (100) feet; and the interior rear and side yard requirements are deleted, except that any side yard provided adjacent to an interior lot line shall not be less than twelve (12) feet. Negative access along external roads must be provided and on record.
2. Whenever a lot in a nonresidential district other than the NB or NO Districts shares a common boundary line with a lot in a residential district (except RM-U), YR, AG, or H District with no intervening street or highway, the lot in the nonresidential district shall have a required setback along the shared boundary line of not less than forty (40) feet or shall have the required setback for the nonresidential district, whichever is greater.

**(1) HB Highway Business District.**

**(2) General Dimensional Requirements - HB.**

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks <sup>1</sup>				Maximum Impervious Surface Cover (%)	Maximum Height (ft)
	Area (sf)	Width (ft)		Front (ft)	Rear (ft)	Side			
						Interior Side (ft)	Street (ft)		
HB	20,000	100	--	<del>40</del> --	<del>20</del> --	<del>0.5/12</del> <sup>2</sup> --	<del>20</del> --	85	60

1. Whenever a lot in a nonresidential district other than the NB or NO Districts shares a common boundary line with a lot in a residential district (except RM-U), YR, AG, or H District with no intervening street or highway, the lot in the nonresidential district shall have a required setback along the shared boundary line of not less than forty (40) feet or shall have the required setback for the nonresidential district, whichever is greater.

~~2. Side yards are not required, however any side yard provided adjacent to an interior lot line shall be not less than twelve (12) feet in width. A space less than six (6) inches in width between an interior lot line and a building wall shall not be regarded as a side yard.~~

**Section 2.** Chapter B, Article III - Other Development Standards is hereby amended as follows:

## Chapter B - Zoning Ordinance

### Article III - Other Development Standards

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

##### 3-3.5 ALTERNATIVES AND INCENTIVES

**(D) Reductions in the NB, NO ~~and~~, PB and GB Districts**

**(1) In the NB, NO ~~and~~, PB and GB District:**

- (a) Amount Required. For any permitted use in the NB, NO ~~and~~, PB and GB District, the required amount of parking may be reduced by thirty percent (30%). This reduction shall not affect the required disabled parking or loading spaces for that use.
- (b) Off-Street Parking. Off-Street parking in the NB, NO and PB Districts shall meet the following location requirements:
  - (i) Single Street Frontage. A zoning lot which only has frontage on one street shall have a maximum of two (2) surface off-street parking and unloading spaces located between the building wall and the street or an extension of that building wall through the entire street frontage. Any additional surface off-street parking and unloading spaces shall be located to the sides or rear of that building wall as extended through the street frontage. The

provisions of this section shall not apply to zoning lots that do not have street frontage provided the zoning lot is located at least one hundred (100) feet from the street. Also exempt from these provisions are "flag" shaped zoning lots with fifty (50) feet or less of street frontage as long as the "pole" of the flag lot from the street is only used for access without parking and the remainder of the zoning lot to be used for building and parking purposes is located at least one hundred (100) feet from the street.

- (ii) Multiple Street Frontages. A zoning lot which has frontage on two (2) or more streets shall have at least one building wall located not more than fifteen (15) feet from one of those street frontages. There shall be no surface off-street parking or unloading spaces located between that building wall and the street or an extension of that building wall through the entire street frontage.
- (c) On-Street Parking. On-street parking may be permitted in accordance with Section B.3-3.5(M).
- (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.

**Section 3.** Chapter B, Article III - Other Development Standards is hereby amended as follows:

## **Chapter B - Zoning Ordinance**

### **Article III - Other Development Standards**

#### **3-5 BUFFERYARD STANDARDS**

##### **3-5.2 DETERMINATION OF BUFFERYARD**

**(A) Procedure**

The type of bufferyard required shall be determined as follows:

- (1) Identify the Zoning Type for the Proposed Project and all adjacent properties, excluding properties across a public right-of-way. The zoning types are defined as follows for the purposes of this section only.
  - (a) Single Family Residential (SFR) Zoning Types. Single family residential zoning types include the H, YR, AG, all RS Districts (including RSQ).
  - (b) Multifamily Residential (MFR) Zoning Types. Multifamily residential zoning types include all RM Districts and the MH District where a manufactured housing development is involved.

- (c) Low Intensity Commercial (LIC) Zoning Types. Low intensity commercial zoning types include the CI, CPO, GO, LO, PB, LB, IP, and C Districts.
- (d) High Intensity Commercial (HIC) Zoning Types. High intensity commercial zoning types include the ~~CPO, GO~~, NSB, HB, GB, CB, and MU-S Districts.
- (e) Industrial (IND) Zoning Types. Industrial zoning types include the LI, ~~and GI, and CI~~ Districts and certain uses which require outdoor storage, have high trip generation rates, or have the potential for nuisance to adjacent properties due to noise, light and glare, or typical hours of operations. The following list of specific uses identified in Table B.2.6 shall be classified as industrial zoning types for bufferyard purposes.
  - (i) ~~Banking and Financial Services, with Drive-Through Facilities;~~ Reserved
  - (ii) ~~Car Wash;~~ Reserved
  - (iii) ~~Convenience Store with Gasoline Sales;~~ Reserved
  - (iv) Implement Sales and Service;
  - (v) Kennels, Outdoor (**F**) (See Section B.2-5.39.1(B));
  - (vi) Outdoor Display Retail;
  - (vii) Motor Vehicle Repair and Maintenance;
  - (viii) Motor Vehicle Storage Yard;
  - (ix) Outdoor Display Retail;
  - (x) Recreational Vehicle Park;
  - (xi) Recreation Services, Outdoor;
  - (xii) ~~Restaurants (With Drive-Through Service);~~ Reserved
  - (xiii) Storage and Salvage Yard; and,
  - (xiv) Dirt Storage Sites (See Section B.2-5.27(E)).

**(2) Determine the Bufferyard Type (I, II, III, or IV) required for each adjacent zoning type from Table B.3.13.**

TABLE B.3.13  
Bufferyard Requirements

Zoning Type of Project	Zoning Type of Adjacent Property				
	SFR	MFR	LIC	HIC	IND
Single Family Residential (SFR)	*	*	*	*	*
Multifamily Residential (MFR)	II	*	*	I <sup>+</sup>	I <sup>+</sup>
Low Intensity Commercial (LIC)	II	I <sup>++</sup>	*	*	*
High Intensity Commercial (HIC)	III	II	*	*	*
Industrial (IND)	IV	IV	I	*	*

\* = No bufferyard requirement

- + = Type I bufferyard required if no bufferyard is provided on developed adjacent property designated as high intensity commercial (HIC) or industrial (IND) zoning types.
- ++ = Whenever a residential use in the PB Zoning District shares a side yard boundary line with a lot in a residential district, the requirements of Section B.3-1.2(J)(2) shall apply.

**Section 4.** This ordinance shall be effective upon adoption.