

FORSYTH COUNTY
BOARD OF COMMISSIONERS

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

SUBJECT:-

- A. Public Hearing on a UDO Text Amendment proposed by Planning staff to amend various sections of the UDO to update transportation terminology to ensure consistency with the NCDOT Comprehensive Transportation Plan terminology (UDO-218).
- B. Approval of Ordinance

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the rezoning text amendment.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

STAFF REPORT

DOCKET # UDO-218

STAFF: [Margaret Bessette](#)

REQUEST

This text amendment is proposed by City-County Planning staff to amend Chapters A, B and C of the *Unified Development Ordinances* (UDO) to convert from terminology used in the *Thoroughfare Plan* to terminology used in the *Comprehensive Transportation Plan*.

BACKGROUND

Over the past few years, the North Carolina Department of Transportation (NCDOT) has required local jurisdictions to move from a *Thoroughfare Plan* to a *Comprehensive Transportation Plan* or “CTP.” The CTP is a more inclusive view of the transportation system and includes a series of five sheets: an Adoption Sheet; a Highway Map; a Public Transportation and Rail Map; a Bicycle Map; and, a Pedestrian Map. The Highway Map of the CTP replaces the *Thoroughfare Plan* Map.

Under the *Thoroughfare Plan*, roads were classified as “Minor Thoroughfare”, “Major Thoroughfare”, and “Freeway/Expressway.” The CTP expands the number of road classifications to five, by adding “Boulevard” and dividing Freeway/Expressway into separate classifications. Also, in the *Thoroughfare Plan*, roads were designated as “existing” or “proposed”: in CTP terminology, roads are classified as “existing”, “recommended” or “needs improvement” (meaning needs improvement to meet the standards of the classification).

The following chart shows the general pattern of conversion from *Thoroughfare Plan* terminology to CTP terminology for the Winston-Salem Urban Area:

<i>Thoroughfare Plan</i> Classification	CTP Classification
Minor Thoroughfare	Minor Thoroughfare
Major Thoroughfare	Other Major Thoroughfare Boulevard Expressway
Freeway/Expressway	Freeway

The UDO includes definitions for Freeway/Expressway; Thoroughfare; Thoroughfare, Major; Thoroughfare, Minor Thoroughfare; and *Transportation Plan*. The UDO uses road classifications to designate where certain types of zoning districts or uses are recommended or appropriate. For example, the purpose statement of the RM-18 (Residential Multifamily) District includes “...and the site has direct access to a minor or major thoroughfare.” The use conditions for a Community Scale Church require “(t)he site shall have direct access to a major or minor thoroughfare or a collector street.”

The definition for *Transportation Plan* in the UDO includes “(a) map adopted by each municipality, Forsyth County, the Transportation Advisory Committee, and the North Carolina

Department of Transportation...” This reference is out of date, as in recent years, the *Thoroughfare Plan*, and now the CTP Highway Map, has been considered for adoption only by the City-County Planning Board, the Transportation Advisory Committee, and the North Carolina Department of Transportation.

ANALYSIS

The UDO needs to be revised to reflect new CTP terminology and current plan adoption bodies. The primary purpose of the proposed text amendment is simply to convert from *Thoroughfare Plan* terminology to CTP terminology. It does not change the types of roads where zoning districts or uses are recommended or appropriate.

Specifically, this text amendment makes changes in the Definitions Ordinance (Chapter A) to divide freeways and expressways into separate road types; add boulevard; and define major thoroughfares to include roads identified in the CTP as expressways, boulevards, and other major thoroughfares. The amendment also updates the definition of *Transportation Plan* to reflect the new terminology and current adoption entities in the Definitions Ordinance (Chapter A) and in the definitions lists of the Salem Lake and Forsyth County Watershed Protection Ordinances (Chapter C). Other changes are minor revisions to various sections of the Zoning Ordinance (Chapter B) to eliminate unnecessary references to “expressways” and to change a reference from the *Thoroughfare Plan* to the *Transportation Plan*.

It should be noted that the CTP provides additional road types and at some point in the future, perhaps based on recommendations of the *Legacy Update*, we may want to use the new classifications to better coordinate land use and road type. However, the purpose of this text amendment is simply to convert to the new CTP terminology.

RECOMMENDATION

APPROVAL

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-218
SEPTEMBER 9, 2010**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Arnold King, Arthur King, Barry Lyons, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning

UDO-218
AN ORDINANCE PROPOSED BY CITY-COUNTY PLANNING STAFF
AMENDING VARIOUS CHAPTERS OF
THE UNIFIED DEVELOPMENT ORDINANCES (UDO)
TO CONVERT TO NEW TERMINOLOGY USED
IN THE TRANSPORTATION PLAN

Be it ordained by the Board of Commissioners of Forsyth County, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter A, Article II of the UDO is amended as follows:

Chapter A - Definitions Ordinance

Article II – Definitions

BOULEVARD. See Thoroughfare, Major

EXPRESSWAY. See Thoroughfare, Major

~~FREEWAY OR EXPRESSWAY.~~ A divided highway with full control of access and grade separation of all intersections.

THOROUGHFARE. An existing, needs improvement or recommended ~~or proposed~~ freeway^{1/2}, expressway, boulevard, other major thoroughfare, or minor thoroughfare as shown on the *Transportation Plan*.

THOROUGHFARE, MAJOR. ~~A category of streets identified on the Transportation Plan, which function as the primary traffic arteries of the community. These arteries function to move intra-city and inter-city traffic, yet they may also provide access to abutting property. Major thoroughfares range from two-lane streets carrying lower traffic volumes to major thoroughfares with four (4) or more traffic lanes. Parking normally is not permitted on major thoroughfares. Roads identified as expressways, boulevards, and other major thoroughfares in the Transportation Plan. These roads function as the primary traffic arteries of the community. They function to move intra-city and inter-city traffic, yet they may also provide access to abutting property. Major thoroughfares range from two-lane streets carrying moderate traffic volumes to major roads with four (4) or more traffic lanes.~~

TRANSPORTATION PLAN. ~~A map adopted by each municipality, Forsyth County, the Transportation Advisory Committee, and the North Carolina Department of Transportation, contained in Legacy as subsequently amended and showing the location of existing and proposed freeways/expressways, major thoroughfares and minor thoroughfares. The Highway Map of the Comprehensive Transportation Plan adopted by the City-County Planning Board, the Transportation Advisory Committee of the Winston-Salem Urban Area Metropolitan Planning Organization, and the North Carolina Department of Transportation showing the location of existing, needs improvement and recommended freeways, expressways, boulevards, other major~~

thoroughfares and minor thoroughfares. The *Transportation Plan* map is on file in the offices of the City-County Planning Board and the City of Winston-Salem Department of Transportation.

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

2-1 ZONING DISTRICTS

2-1.4 INDUSTRIAL ZONING DISTRICTS – PURPOSE STATEMENTS AND REGULATIONS

(D) CI Central Industrial District

(5) Supplementary District Requirements.

- (a) Sidewalks. Sidewalks shall be required along both sides of all streets and shall connect buildings with open space areas.
- (b) Screening. Loading, service and utility areas shall be visually screened or designed and located in a manner not to have an adverse visual impact from any adjoining street, excluding limited access interstates, ~~expressways~~ or highways.
- (c) Mechanically Stabilized Slopes. (W) See Section C.5-7(B)(3).

Section 3. 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

2-1.6 OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS – PURPOSE STATEMENTS AND REGULATIONS

(B) TO Thoroughfare Overlay District

(2) Overlay District Requirements.

- (c) Applicable Roads and Boundaries. The TO District shall consist of the public right-of-way and those lands within one hundred (100)

feet of either side of the right-of-way, including access ramps of all freeways and ~~expressways~~ and all roads in the Interstate System. Additional roads may be included in a TO District pursuant to Section B.2-1.6(B)(3). The TO District does not include land lying underneath bridges or elevated portions of roadways.

Section 4. Chapter B, Article III of the *UDO* is amended as follows:

Chapter B - Zoning Ordinance

Article III – Other Development Standards

3-1 DIMENSIONAL REQUIREMENTS

3-1.2 SUPPLEMENTARY DIMENSIONAL REQUIREMENTS

The following supplementary dimensional requirements shall apply to all buildings and structures not subject to the general dimensional requirements of Section B.3-1.1.

(L) Double Frontage Lots

Double frontage lots shall provide a front yard abutting each fronting street, in the depth as required in the applicable district, except where the second frontage is on a street without any access such as an interstate, ~~expressway~~ or other controlled access highway or roadway, or any road that will not be issued a driveway permit by local or state officials.

Section 5. Chapter B, Article III of the *UDO* is amended as follows:

Chapter B - Zoning Ordinance

Article III – Other Development Standards

3-13 STREET STANDARDS GOVERNING VEHICLE AND PEDESTRIAN CIRCULATION

(A) Pedestrian Transit and Bicycle Mobility

(1) General

- (a)** Sidewalk, walkway, on-road improvements, greenway easements, and trail systems sufficient to serve both existing and projected pedestrian, transit, and cyclist needs shall be indicated on all site and subdivision plans approved by the Planning Board or Elected Body. Such systems may include sidewalks along public or private streets, wide outside travel lanes, bike lanes on roadways, and walkways and trails in alternative locations as appropriate. Design, location, dimensions, dedications, easements, and reservations shall conform to applicable jurisdictional policies and adopted plans for sidewalks, bicycle routes, greenways and trails. Such plans include the Winston-Salem Urban Area Sidewalk and

Pedestrian Facilities Plan (W); the Winston-Salem Urban Area Comprehensive Bicycle Master Plan (W); the Greenway Plan, Winston-Salem and Forsyth County; and the ~~Winston-Salem Urban Area Thoroughfare Plan~~ Transportation Plan.

Section 6. Chapter C Article III of the *UDO* is amended as follows:

Chapter C – Environmental Ordinance

Article III– Salem Lake Watershed Protection

3-1 AUTHORITY AND GENERAL PROVISIONS

3-1.6 DEFINITIONS AND WORD INTERPRETATION

(B) List

TRANSPORTATION PLAN. ~~A map adopted by each municipality, Forsyth County, the Transportation Advisory Committee, and the North Carolina Department of Transportation, contained in *Legacy* as subsequently amended and showing the location of existing and proposed freeways/expressways, major thoroughfares and minor thoroughfares. The Highway Map of the Comprehensive Transportation Plan adopted by the City-County Planning Board, the Transportation Advisory Committee of the Winston-Salem Urban Area Metropolitan Planning Organization, and the North Carolina Department of Transportation showing the location of existing, needs improvement and recommended freeways, expressways, boulevards, other major thoroughfares and minor thoroughfares. The *Transportation Plan* map is on file in the offices of the City-County Planning Board and the City of Winston-Salem Department of Transportation.~~

Section 7. Chapter C Article IV of the *UDO* is amended as follows:

Chapter C – Environmental Ordinance

Article IV– Watershed Protection

4-1 AUTHORITY AND GENERAL PROVISIONS

4-1.8 DEFINITIONS

(B) List

TRANSPORTATION PLAN. ~~A map adopted by each municipality, Forsyth County, the Transportation Advisory Committee, and the North Carolina Department of Transportation, contained in *Legacy* as subsequently amended and showing the location of existing and proposed freeways/expressways, major thoroughfares and minor thoroughfares. The Highway Map of the Comprehensive Transportation Plan adopted by the City-County Planning Board, the Transportation Advisory Committee of the Winston-Salem Urban Area Metropolitan Planning Organization, and the North Carolina Department of Transportation showing the location of~~

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore.
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existing, needs improvement and recommended freeways, expressways, boulevards, other major thoroughfares and minor thoroughfares. The *Transportation Plan* map is on file in the offices of the City-County Planning Board and the City of Winston-Salem Department of Transportation.

Section 8. Appendix - Exhibits of the *UDO* is amended as follows:

Exhibit #5 - *Transportation Plan* Terminology Conversion

<i>Thoroughfare Plan Terminology</i>	<i>Comprehensive Transportation Plan Terminology</i>	UDO Terminology
Minor Thoroughfare	Minor Thoroughfare	Minor Thoroughfare
Major Thoroughfare	Other Major Thoroughfare Boulevard Expressway	Major Thoroughfare
Freeway/Expressway	Freeway	Freeway

Section 9. This ordinance shall be effective upon adoption.