

ACTION REQUEST FORM

DATE: April 23, 2008
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Text Amendment proposed by City County Planning Board staff (UDO-187).

SUMMARY OF INFORMATION:

Zoning Text Amendment proposed by City County Planning Board staff to amend Chapter B of the *Unified Development Ordinances* to revise setback and parking requirements for the GB zoning district (UDO-187).

PLANNING BOARD ACTION:

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

STAFF REPORT

DOCKET # UDO-187
STAFF: [Kirk Ericson](#)

REQUEST

This UDO text amendment is proposed by City-County Planning staff to amend Chapter B, Articles II and III of the *Unified Development Ordinances* to revise setback and parking requirements for the GB Zoning District.

BACKGROUND

The GB District is a high-intensity commercial district which is generally found along the older urban commercial corridors of Winston-Salem. This district currently requires a minimum twenty foot front setback, which limits redevelopment opportunities for properties with this type of zoning. Removing this front setback requirement would allow greater flexibility in redeveloping GB zoned property and would promote more pedestrian and transit-friendly commercial infill development in accordance with *Legacy* principles.

ANALYSIS

Many properties with existing GB zoning are located in GMA 2 and Activity Centers, locations which are ideal for developments with an urban form. Developments with an urban form include buildings which address the street with little or no front setback and include parking located to the side or the rear of the building. To better accommodate this type of development, staff believes it would be beneficial to eliminate the front setback requirements for the GB District. Additionally, it would be appropriate to include GB in the current ordinance provision allowing pedestrian oriented developments in the PB and LB districts to satisfy up to 35 percent of their parking requirements through on-street parking, with approval of the Director of Public Works for the City of Winston-Salem or the North Carolina Department of Transportation.

While commercial development with an urban form could also be achieved through the requirements of the PB zoning district, staff believes it would be unnecessary to require owners of GB zoned property to petition for a rezoning of their property to implement good urban design. Additionally, while the PB District has no front setback requirements, it is mainly intended for locations adjacent to downtown Winston-Salem and less intense Activity Centers and is better suited for urban mixed-use development than for the large-scale commercial development often found in the GB district. Staff believes these changes will make underutilized urban properties with GB zoning along transportation and transit corridors more desirable for infill and redevelopment in accordance with *Legacy* recommendations.

RECOMMENDATION

APPROVAL.

Kirk Ericson presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Carol Eickmeyer moved approval of the zoning text amendment.

SECOND: Wesley Curtis

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning

UDO-187
AN ORDINANCE PROPOSED BY CITY-COUNTY PLANNING STAFF AMENDING
CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO REVISE SETBACK AND PARKING REQUIREMENTS FOR THE GB ZONING
DISTRICT

Section 1. Chapter B, Article II - Zoning Districts, *Official Zoning Maps*, and Uses is hereby amended as follows:

2-1 ZONING DISTRICTS

2-1.3 COMMERCIAL ZONING DISTRICTS - PURPOSE STATEMENTS AND REGULATIONS

(J) GB General Business District.

- (1) Purpose.** The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2 and 3 and Metro Activity Centers.

(2) General Dimensional Requirements - GB.

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

- 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.
- 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 by 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.

- (3) Supplementary District Requirements.** Minimum lots sizes for multifamily developments must meet the requirements of Table B.3.4.

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

3-3 PARKING, STACKING, AND LOADING AREAS

3-3.5 ALTERNATIVES AND INCENTIVES

(M) On-street Parking Supplements for Pedestrian Oriented Developments

The pedestrian nature of a site can be enhanced by permitting on-street parking connected to exterior and interior sidewalks.

(1) On-street parking satisfying the parking requirements of Table B.3.8 may be permitted for sites in the GB, PB and LB Special Use District Zoning Districts or GB, PB and LB General Use Zoning Districts with approval by the Director of Public Works for the City of Winston-Salem or North Carolina Department of Transportation, whichever is applicable, MU-S zoning district, all Multifamily Residential Districts and Planned Residential Developments, if the following requirements are met:

- (a) Sites eligible for the credit shall not generally be located on streets classified as collectors or thoroughfares see Section B.3-3.5(M)(1)(d). However, the City of Winston-Salem, North Carolina Department of Transportation (NCDOT), or other applicable agency may consider locations on collectors or thoroughfares on a case by case basis;
- (b) Parking shall be located on road frontage contiguous to the site;
- (c) All parking shall be angled or parallel meeting the requirements of Table B.3.9, and must be approved by the Public Works Department of the City of Winston-Salem, the NCDOT, or other agency, whichever is applicable;
- (d) Credit for on-street parking shall not exceed thirty-five percent (35%) of the total off-street parking requirements of the site;
- (e) Sidewalks meeting the requirements in this section shall be constructed immediately adjacent to, or on the opposite side of a planting strip, on-street parking spaces and connected to a well defined interior pedestrian system;
- (f) No off-street parking shall be located between a building and any on-street parking except as approved for temporary parking for an earlier phase of a multi-phase development;
- (g) Developer shall dedicate public right-of-way or public road maintenance easements necessary to meet the requirements of Table B.3.9 and must be approved either by the Public Works Department of the City of Winston-Salem or the North Carolina Department of Transportation, whichever is applicable;
- (h) Owner shall construct all required improvements within public rights-of-way to applicable public design standards;

- (i) All buildings shall face the street and provide the principal entrance to the structure from the front or side of the structure; and,
- (j) All buildings shall front on at least one side preferably the entrance side of the building, on a street with no intervening parking area.

Section 3. This ordinance shall be effective upon adoption