SUBJECT:-

A. Public Hearing on Zoning Text Amendment proposed by the City-County Planning Board staff to amend the Permitted Use Table to allow Residential Building, Duplex and Residential Building Twin Home in the PB Zoning District. (UDO-139).

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:-   X  YES     ___ NO

SIGNATURE: ___________________________ DATE:
<table>
<thead>
<tr>
<th>DATE:</th>
<th>July 20, 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM:</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
</tr>
</tbody>
</table>

**COUNCIL ACTION REQUEST:**

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

**SUMMARY OF INFORMATION:**

Zoning Text Amendment proposed by the City-County Planning Board staff to amend the Permitted Use Table to allow Residential Building, Duplex and Residential Building Twin Home in the PB Zoning District. (UDO-139).

**PLANNING BOARD ACTION:**

<table>
<thead>
<tr>
<th>MOTION ON PETITION:</th>
<th>APPROVAL</th>
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<tbody>
<tr>
<td>FOR:</td>
<td>UNANIMOUS</td>
</tr>
<tr>
<td>AGAINST:</td>
<td>NONE</td>
</tr>
<tr>
<td>SITE PLAN ACTION:</td>
<td>NOT REQUIRED</td>
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</tbody>
</table>
STAFF REPORT

DOCKET #: UDO-139
STAFF: Chris Murphy

REQUEST

This UDO text amendment is proposed by City-County Planning Board staff to add the uses “Residential Building, Duplex” and “Residential Building, Twin Home” to the PB zoning district as a “Z” (Zoning Officer Review) item.

BACKGROUND

Currently, the most common forms of residential uses, including single family, multifamily, and townhouse, are allowed in the Pedestrian Business zoning district. The uses “Residential Building, Duplex” and “Residential Building, Twin Home” are not allowed in the district. Although consistent with the Permitted Use Table adopted with the creation of the Unified Development Ordinances (UDO) in 1995, staff sees the omission of the above referenced uses as unnecessary and propose that they be allowed as permitted uses within the PB zoning district, subject to a “Z” (Zoning Officer Review).

Both Planning and Inspections staff became aware of this issue in relation to a proposed rezoning case where the developer could not physically attach his units in a configuration to meet the definitions of either a “Residential Building, Townhouse” or “Residential Building, Multifamily” but was requesting the PB zoning district. Planning staff suggested to the developer that they utilize either a Duplex or Twin Home use to make their site plan work; it was at this time that we discovered that the recommended uses were not available in the PB zoning district.

ANALYSIS

The purpose statement for the PB zoning district states that, “The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. This district is intended for application in Growth Management Areas 2 and 3.”

In analyzing the purpose statement, it makes it clear that the PB zoning district is intended to provide for a mix of commercial and office and higher density residential development. Staff believes that the product type, while important, is not as important as the overall design of the development project. For this reason, staff recommends adding the uses “Residential Building, Duplex” and “Residential Building, Twin Home” to provide greater flexibility in the product type and mix available for the development community when utilizing the PB zoning district.
RECOMMENDATION

APPROVAL.

PUBLIC HEARING

FOR:  None

AGAINST:  None

WORK SESSION

MOTION:  Clarence Lambe moved approval of the zoning text amendment.
SECOND:  Paul Mullican
VOTE:
   FOR:  Clark, Curtis, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Smith
   AGAINST:  None
   EXCUSED:  None

A. Paul Norby, AICP
Director of Planning
UDO-139
AN ORDINANCE AMENDING
CHAPTER B
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO ADD THE USES “RESIDENTIAL BUILDING, DUPLEX” AND “RESIDENTIAL BUILDING, TWIN HOME” TO THE PB ZONING DISTRICT

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 B, Table 2.6 PERMITTED USES is amended by adding a “Z” in the column under the PB classification for the uses “Residential Building, Duplex” and “Residential Building, Twin Home”.

Section 2. This ordinance shall be effective upon adoption.
UDO-139
AN ORDINANCE AMENDING
CHAPTER B
OF THE UNIFIED DEVELOPMENT ORDINANCES
TO ADD THE USES “RESIDENTIAL BUILDING, DUPLEX” AND “RESIDENTIAL BUILDING, TWIN HOME” TO THE PB 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, Table 2.6 PERMITTED USES is amended by adding a “Z” in the column under the PB classification for the uses “Residential Building, Duplex” and “Residential Building, Twin Home”.

Section 2. This ordinance shall be effective upon adoption.
UDO-139
AN ORDINANCE AMENDING
CHAPTER B
OF THE UNIFIED DEVELOPMENT ORDINANCES
TO ADD THE USES “RESIDENTIAL BUILDING, DUPLEX” AND “RESIDENTIAL
BUILDING, TWIN HOME” TO THE PB ZONING DISTRICT

Be it ordained by the Board of Aldermen of the Town of Kernersville, North Carolina, that the
Unified Development Ordinances is hereby amended as follows:

Section 1. Chapter B, Table 2.6 PERMITTED USES is amended by adding a “Z” in the column
under the PB classification for the uses “Residential Building, Duplex” and “Residential
Building, Twin Home”.

Section 2. This ordinance shall be effective upon adoption.
UDO-139
AN ORDINANCE AMENDING
CHAPTER B
OF THE Unified Development Ordinances
TO ADD THE USES “RESIDENTIAL BUILDING, DUPLEX” AND “RESIDENTIAL BUILDING, TWIN HOME” TO THE PB ZONING DISTRICT

Be it ordained by the Village Council of the Village of Clemmons, North Carolina, that the Unified Development Ordinances is hereby amended as follows:

Section 1. Chapter B, Table 2.6 PERMITTED USES is amended by adding a “Z” in the column under the PB classification for the uses “Residential Building, Duplex” and “Residential Building, Twin Home”.

Section 2. This ordinance shall be effective upon adoption.
UDO-139
AN ORDINANCE AMENDING
CHAPTER B
OF THE UNIFIED DEVELOPMENT ORDINANCES
TO ADD THE USES “RESIDENTIAL BUILDING, DUPLEX” AND “RESIDENTIAL BUILDING, TWIN HOME” TO THE PB ZONING DISTRICT

Be it ordained by the Board of Aldermen of the Town of Walkertown, North Carolina, that the Unified Development Ordinances is hereby amended as follows:

Section 1. Chapter B, Table 2.6 PERMITTED USES is amended by adding a “Z” in the column under the PB classification for the uses “Residential Building, Duplex” and “Residential Building, Twin Home”.

Section 2. This ordinance shall be effective upon adoption.
AN ORDINANCE AMENDING
CHAPTER B
OF THE UNIFIED DEVELOPMENT ORDINANCES
TO ADD THE USES “RESIDENTIAL BUILDING, DUPLEX” AND “RESIDENTIAL BUILDING, TWIN HOME” TO THE PB ZONING DISTRICT

Be it ordained by the Town Council of the Town of Lewisville, North Carolina, that the Unified Development Ordinances is hereby amended as follows:

Section 1. Chapter B, Table 2.6 PERMITTED USES is amended by adding a “Z” in the column under the PB classification for the uses “Residential Building, Duplex” and “Residential Building, Twin Home”.

Section 2. This ordinance shall be effective upon adoption.