ACTION REQUEST FORM

DATE: December 16, 2005
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Text Amendment (UDO 148) proposed by City-County Planning Board and Inspections Division staff

SUMMARY OF INFORMATION:

Zoning Text Amendment (UDO 148) proposed by City-County Planning Board and Inspections Division staff to amend various sections of the UDO to make grammatical, editorial, and non-substantive changes as follows:

Section 1.
Parts 1, 2 and 3. Amend Chapter A, Article II, Definitions, to amend the definition of “Convenience Store” to allow either a combination of gas only or gas with other items to be sold, to amend the definition of “Street” to exempt private streets for the purpose of front yard setbacks in multifamily developments, and amend the definition of “Structure” to exempt handicap ramps;

Section 2.
Part 1. Amend Chapter B, Article II, Section 2-1, Zoning districts, to make references in several office, commercial and MU-S Zoning Districts to other standards for residential lots in another section of the UDO;
Parts 2 and 3. Amend Chapter B, Article II, Section 2-1.4, Industrial Zoning Districts - Purpose Statements and Regulations to make references to other relevant sections of the UDO and to eliminate a conflict with accessory uses allowed in LI and GI Zoning Districts in other sections of the UDO;
Part 4. Amend Chapter B, Article II, Table 2.6, Table of Permitted Uses under the LI Zoning District by adding a “Z” for the uses “Health Services, Miscellaneous” and “Implement Sales and Service”;
Part 5. Amend Chapter B, Article II, Section 2-5.44, Manufactured Home, Class A, B and C, to eliminate the provision allowing up to 60 days to install skirting and to better define the type of foundation required for Class A Manufactured Homes allowed as an accessory dwelling unit on the same lot with an existing dwelling;

(CONTINUED ON NEXT PAGE)

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED
Part 6. Amend Chapter B, Article II, Section 2-5.58, Planned Residential Development, by clarifying the language regarding the density bonus provisions in the YR Zoning District and to eliminate a conflict in front yard setbacks for residential units;

Part 7. Amend Chapter B, Article II, Section 2-5.64, Residential Building, Urban, to require compliance with the building spacing requirements of Section 3-1.2(K);

Part 8. Amend Chapter B, Article II, Section 2-6.5, Other Accessory Uses, to make it clear that Farm Tenant Housing is only allowed on bona fide farms and not on other lots in the AG Zoning District;

Part 9. Amend Chapter B, Article III, Section 2-7.2, Temporary Uses, to allow one ninety (90) day permit for beneficial inert debris fill sites instead of one thirty (30) day permit that may be renewed twice;

Section 3.
Part 1. Amend Chapter B, Article III, Section 3-1.1, Other Dimensional Requirements, to amend corner and side setbacks for single family dwellings, duplexes and twin homes in the MU-S Zoning District;
Parts 2 and 3. Amend Chapter B, Article III, Section 3-1.2, Supplemental Dimensional Requirements, to allow above grade deck encroachments into front and rear yards similar to open porches and to exempt handicap ramps from setbacks as structures;
Part 4. Amend Chapter B, Article III, Section 3-2.1, Sign Regulations, to change several references to City Code Sections that were re-codified and changed in 1997;
Part 5. Amend Chapter B, Article III, Section 3-3.2, Off-Street Parking Requirements, to increase parking requirements for convenience stores with restaurant seating inside and outside the building, to increase parking requirement for restaurants that have outdoor seating, and to require less parking for restaurants that are “Take-Out Only”;
Part 6. Amend Chapter B, Article III, Section 3-3.3, Design Standards for Parking Areas, to allow parking to be located adjacent to private streets in multifamily, commercial and industrial developments;
Part 7. Amend Chapter B, Article III, Section 3-3.5, Alternatives and Incentives, to extend on-street parking credits to General Use PB and LB projects upon approval of either the Director of Public Works or NCDOT;

Section 4.
Amend Chapter B, Article V, Section 5-2.3, Expansions of a Nonconforming Use, to allow co-locations on existing nonconforming transmission tower sites if there is no change in the fenced in ground equipment area or bufferyard to reduce the need to construct new tower sites;

Section 5.
Parts 1 and 2. Amend Chapter B, Article VI, Section 6-1.4, Board of Adjustment, to clarify what type of dimensional requirements that may be granted a variance by the Board and when/where decisions of the Board are to be filed;
Section 6.
Amend Chapter B, Article X, Section 10-1.2, Board of Adjustment Establishment and Membership (City of WS - Board of Adjustment), to update references about residents of the Extraterritorial Zoning Jurisdiction (ETJ) serving on the Board that would make our ordinance conform to the requirements in the State Statutes;

Section 7.
Amend Chapter C, Article VII, Sections 7-7.2 and 7-7.4, Erosion Control, to clarify the length of time that graded slopes and terraces can be left without re-establishing ground cover which will make our ordinance conform to recent changes by the State and to change the word “minimum” to “maximum” when referring to 3:1 slopes which corrects an error in the previous adoption of the Erosion Control Ordinance; and

Section 8.
Amend Chapter B, Article III, Section 3-13 (Street Standards) to clarify the intent of UDO-142 regarding requirements for sidewalks, cul-de-sac length, connectivity index, and street trees to apply only to site and subdivision plans approved by the Planning Board or Elected Body after January 1, 2006.
REQUEST

Zoning text amendment proposed by the City-County Inspections and Planning staff to amend various sections of the Unified Development Ordinances as follows:

REPORT PER ITEM

Section 1. CHAPTER A – DEFINITIONS ORDINANCE; ARTICLE II - DEFINITIONS

Part 1:
Adding the words “or any combination of” to the list of items sold in a “Convenience Store” will eliminate a problem Inspections has had with classifying small gas only retail facilities. Under the current definitions, those facilities would have to be classified “Fuel Dealer” and only allowed in the HB, GB and several industrial zoning districts. These small retail gas facilities should be considered in the definition of “Convenience Store” and be allowed in all the business zoning districts which allow that use.

Part 2:
Within large multifamily or townhouse projects the current UDO would require a front yard setback off any streets, public or private, within the development. Inspections staff agrees that setbacks should be observed along public streets within the project but front yard setbacks would not be necessary along the private streets with parking within the development. To clear this up, the proposal is to add this exemption to the definition of “Street”.

Part 3:
An exemption for handicapped ramps is proposed to be added to the definition of “Structure”. By adding this exemption, these structures would not be required to meet principal building setbacks. In most cases these ramps are located at the front entrance to buildings and do encroach into front yard setbacks.

Section 2: CHAPTER B ZONING ORDINANCE; ARTICLE II – ZONING DISTRICTS, OFFICIAL ZONING MAPS, AND USES

Part 1:
In the Supplemental District Requirements for NO, LO, NB, PB and GB there needs to be a reference to Table 3.4 Other Dimensional Requirements in Section 3-1.1 for lot sizes for single family, duplexes, twin homes and multifamily developments. This table establishes other dimensional requirements for these uses in these zoning districts. This cross reference will make the UDO more user friendly and will also help reduce any oversight by the staff enforcing the ordinance.
Part 2.
The supplemental district requirements for LI and GI make a reference to allowing retail uses not to exceed 1,000 square feet or 15% of the floor area of the principal industrial building. These allowances for accessory retail uses are in direct conflict with the provisions in item 7. in Table 2.8, Uses Accessory to Certain Principal Uses, in Section 2-6.2. That section gives the LI and GI zoning districts the right to have up to 25% of the industrial building with retail uses. Staff recommends elimination of the 1,000 square foot or 15% provisions since the provisions to allow 25% in the accessory use section are the normal standards for accessory uses and were the standards in the previous zoning ordinance prior to the UDO.

Part 3:
Similar to Part 1 of this same section, the MU-S zoning district needs to have a reference to Table 3.4 Other Dimensional Requirements in Section 3-1.1 for lot sizes for single family, duplexes, twin homes and multifamily developments. This table establishes other dimensional requirements for these uses in this zoning district. This change was separated from Part 1 to keep this ordinance in chronological order with sections to be amended in the UDO.

Part 4:
There appears to have been an oversight in permitting “Health Services, Miscellaneous” and “Implement Sales and Service” in the LI zoning district. Both of these uses are permitted in the HB and GB zoning districts as well as two other industrial districts (CI and GI). If these uses are permitted in medium intensity business districts and the heaviest industrial district in the UDO, it makes sense to permit these uses in the LI zoning district which is a medium intensity industrial district. Adding “Health Services, Miscellaneous” to the LI zoning district will be beneficial to the research park development downtown since most of that property is zoned LI.

Part 5:
The current provisions in the UDO to allow Manufactured Homes Class A, B or C to install masonry foundation, masonry curtain wall or skirting within sixty (60) days after the set up of the home has caused the Inspections Division problems in the past. It is suggested that this provision be removed and that these requirements be met prior to the issuance of a Certificate of Occupancy (CO). Having to keep up with this 60 day provision is cumbersome on staff and causes additional cost having to send another inspector out to these units after the CO is issued. In some cases, the contractor has finished the unit and the home owner is reluctant to finish this work.

Part 6:
Density bonuses permitted in Section 2-5.58 for Planned Residential Developments has several very complicated formulas to compute. At the end of one of the subsections on “Limitation for Density Bonus” there is a statement that “In the YR District, the permitted density shall not exceed two (2) units per acre of developable land not restricted by floodplain or hillsides”. The YR zoning district requires a minimum of three (3) acre lots. Recently, this statement was misconstrued on a new subdivision to allow ½ acres lots on a substantial portion of the property in the YR zoning district by right. This statement is very confusing and is not needed to regulate density bonuses. Inspections staff recommends that the statement be deleted.
The same section also has two conflicting regulations for front setbacks from public or private streets. In section “(H) Development Standards” the opening paragraph says that no building shall be nearer a public street right-of-way than twenty (20) feet or a minimum of a thirty (30) foot setback from the centerline of a private street. The first subsection of that section “(a) Front to Front” says that no single family, duplex or twin home building can be located closer than ten (10) feet from the nearest right-of-way of a public street or private access easement. The Inspections Division has always allowed the ten (10) foot setback from public and private streets in Planned Residential Development for all residential uses. It is recommended that the conflicting provisions requiring the twenty (20) foot setback from public streets and the minimum thirty (30) foot setback from the centerline of private streets be deleted and replaced with a ten (10) foot setback for multifamily and townhouse buildings. This will make the front yard setback the same for all residential buildings in a PRD.

Part 7:
“Residential Buildings, Urban” do not have a reference to building spacing like the other multifamily building sections. This was probably an oversight and staff recommends that this section reference the same building spacing requirements in Section 3-1.2(K) that the other multifamily developments already reference.

Part 8:
Farm tenant housing is allowed on bona fide farms. There is also another statement in this same UDO section that says they are also allowed “on residential lots in the AG District”. This would infer that a one acres lot in AG could also have farm tenant housing which is not the intent of this section. Farm tenant housing would only be allowed on bona fide farms of three (3) acres or more used for farming purposes. This statement needs to be removed for clarity.

Part 9:
Temporary inert debris fill sites are allowed for thirty (30) days under a temporary use permit but may be renewed two times. Having the applicant come in every thirty (30) days and renew the permit is not very customer friendly. Staff proposes that this temporary use be permitted for a maximum of ninety (90) days so the permit can be issued one time and the customer would not have come into the Inspections office twice to have the permit renewed.

Section 3: CHAPTER B ZONING ORDINANCE; ARTICLE III – OTHER DEVELOPMENT STANDARDS

Part 1:
Table 3.4, Other Dimensional Requirements in Section 3-1.1 establishes additional lot and setback requirements for single family, duplex, twin home and multifamily dwellings in the NO, LO, NB, PB, GB and MU-S zoning districts. Changes were made in Parts 1 and 3 to make references to this table in these zoning districts. The table has some inconsistencies. Street (corner) setbacks for single family, duplexes and twin homes for MU-S are listed as 20 feet. The front yard setback for these is only 15 feet. This side street (corner) setback in MU-S should be reduced to 15 feet. It does not make sense to require more setback on the side against a street than the front yard on the other street. The other problem is the one side setback for MU-S for single family and duplexes listed as 0 feet. There should be at least a five (5) foot setback as the
closest setback allowed but not be allowed on the property line (0 feet). Combined side yards are 15 feet. This would allow 5 feet on one side and 10 feet on the other side at a minimum. Twin homes would not need this changed because the property line that splits a twin home between the units would be a 0 lot line.

Part 2:
Open porches in the current UDO and previous zoning ordinances have always been allowed to project into a required front or rear yard not more than ten (10) feet, provided that such projection does not reduce the remaining open portion of the yard to a depth of less than fifteen (15) feet. The same provision should also be allowed for unenclosed above ground decks at or below the main living level of a single family dwelling. A unenclosed deck in most cases is less intrusive than an open porch. Allowing this exception seems reasonable for those building additions.

Part 3:
Similar to Section 1 Part 3, this change recommends adding “handicap ramp” to the landscape feature exceptions permitted in required yards in this section of the UDO. This would make this section consistent with the definition of “Structure” in the definition section of the UDO.

Part 4:
There are several references in the Sign Regulations section to Chapters 20 and 21 of the City Code. The City Code was recodified in 1997 and these are now Chapters 70 and 74 of the City Code. This change would identify the new and correct reference to other regulations in the City Code for signs.

Part 5:
Convenience stores have changed quite a bit over the past few years. Today’s standard is to have accessory uses in them such as small eating facilities. Some even have outdoor seating for the eating business. The parking standards for a convenience store is 1 space per 200 square feet of gross floor area. This standard is not sufficient for the inside and outside restaurant areas which require 1 space per 75 square feet of floor or outside seating area. Staff recommends adding this parking requirement for this accessory use inside and outside of convenience stores. Inspections staff made this determination several years ago and have enforced this regulation since then. This will not change their interpretation but will help make the UDO more user friendly by putting this requirement in the ordinance.

The other change to the parking table is to allow a reduction in parking for restaurants with and without drive through service to one space per 200 square feet of gross floor area if the restaurant is take out only with no seating areas. Those types of restaurants do not need the one space per 75 square feet that is required for restaurants with seating.

Part 6:
Currently the UDO does not allow parking to be located directly off a street unless it can comply with special regulations in the parking section on projects that are reviewed by the Public Works Department. A street is defined as either a public or private means of access to abutting property. This regulation poses a problem in a multifamily development that uses private streets to access buildings. As we all know, the parking to the multifamily units is located directly
adjacent to these private streets. The Inspections staff has allowed that parking arrangement for a long time but it does not technically comply with the current language in the UDO. This change would clarify that interpretation for internal and external users of the ordinance.

Part 7:
The West End Village Project (formally Unity Place) brought about the need to revise the “On-Street Parking Supplements for Pedestrian Oriented Developments” section of the UDO. This site is zoned PB. Currently, this section only allows PB-S and LB-S Special Use Zoning Districts to meet some of the parking requirements on-street. This project was reviewed and approved by the Planning Board and the interdepartmental site plan committee with on-street parking. Staff recommends that this section be revised to include the PB and LB General Use Zoning Districts with approval by the Director of Public Works for the City of Winston-Salem or the NCDOT, whichever is applicable.

Section 4, CHAPTER B – ZONING ORDINANCE; ARTICLE IV – NONCONFORMING SITUATIONS

Nonconforming transmission towers are allowed up to three (3) additional co-locations by right. Each additional co-location above three must be issued a Special Use permit from the Zoning Board of Adjustment. Co-location on existing towers is preferred over building new tower sites. Inspections staff has seen some of the larger nonconforming towers go back to the Zoning Board of Adjustment for numerous co-locations. All of those co-locations occur within the original buffered, fenced-in ground equipment area. For that reason, staff has not encountered any opposition to those co-locations. It seems unwarranted to send these applications back to the Board each time if all the expansion is within the existing buffered, fenced-in area on the ground. The co-location antennae must be located on the existing nonconforming tower since the tower height cannot be expanded per the UDO. Staff proposes that nonconforming towers be allowed to have additional co-locations if those new users can fit within the existing buffered, fenced-in ground equipment area. If this new co-location cannot fit within the existing ground equipment area, a Special Use Permit must be issued by the Zoning Board of Adjustment.

Section 5, CHAPTER B – ZONING ORDINANCE; ARTICLE VI - ADMINISTRATION AND AMENDMENTS

Part 1:
Section 6-1.4 (B) (1) identifies the authority of the Zoning Board of Adjustment to grant variances and lists the specific areas of the UDO that the Board has the authority to entertain a variance request. This section is very important so that the correct applications can be considered by the Board according to state enabling laws. As an example, it is against state law for the Zoning Board of Adjustment to consider a use variance. A use variance would be like a convenience store in a RS-9 Zoning District. Establishing a commercial use in a residential zoning district would require a change of zoning by the Elected Body.

The first item in this section states “(a) Lot dimensions, lot areas, setbacks or yards, height, or impervious surface cover requirements;”. The legal interpretation of this section is that this is referring to the General Dimensional Requirements of each zoning district and not to other specific setbacks in the zoning ordinance like use conditions. An example of a use condition
would be the spacing (setback) requirements for “Adult Establishments”. They are required to be 1000 feet from residential zoning, churches, day cares, schools and from each other. It has been legally determined that this is not a setback requirement of the zoning district so the Board of Adjustment could not entertain a variance request for this use specific use condition.

To clear up this legal interpretation, staff proposes replacing the existing language with the following:

(a) General Dimensions Requirements for Zoning Districts listed in Sections 2-1.2, 2-1.3, 2-1.4 and 2-1.5 of this Ordinance and shall only include minimum zoning lot area and width, minimum setbacks, maximum impervious surface cover, or maximum height;

Part 2:
This City Attorney’s Office has recommended the insertion of a new section 6-1.4 (E) regarding the decisions of the Board of Adjustment and the filing of those decisions with the Secretary of the Board. This is important language to include in the UDO because it is the filing of the decision that starts a thirty (30) day appeal process to Superior Court.

Section 6. CHAPTER B – ZONING ORDINANCE; ARTICLE X – APPOINTED BOARDS

Section 10-1.2 (A) which creates the Winston-Salem Zoning Board of Adjustment still makes reference to “Board of Aldermen”. These references are recommended to be changed to “City Council”. Also it is recommended to reference G.S. 160A-362 which is the General Statute that enables the City Council to appoint members to the Board of Adjustment. And lastly, this section refers to members appointed “outside but within one mile of the limits of the City of Winston-Salem”. The state statute actually refers to that area as the “Extraterritorial Zoning Jurisdiction” of the municipality. It is recommended that this be replaced with that wording.

Section 7. CHAPTER C - ENVIRONMENTAL ORDINANCE; ARTICLE VII - EROSION CONTROL

There are two sections [(7-7.2 (A) and 7-7.4 (A)] in the Erosion Control Ordinance that establish the time limit a site may remain without stabilized slopes or with open cuts with no vegetative cover. The current limit is 15 working days or 30 calendar days of completion of any phase of grading, whichever period is shorter. The North Carolina Erosion Control and Sedimentation statutes have be amended to “twenty-one (21) calendar days of completion of any phase of grading, be planted or otherwise provided with ground cover, devices, or structures sufficient to restrain erosion”. This change in the state statutes must be implemented at the local level so this wording is recommended to be changed in these sections of the UDO.

Also recommended to be changed is the word “minimum” to “maximum” in Section 7-7.2 (A) when referencing slopes of three (3) to one (3:1). The word “minimum” is not the correct word and was an oversight on staff when the Erosion Control Ordinance was passed earlier this year.
Section 8. Chapter B, Article III, Sections 3-13 STREET STANDARDS GOVERNING VEHICLE AND PEDESTRIAN CIRCULATION

The proposed ordinance revisions are intended to clarify the scope of application for developments approved after January 1, 2006 (the effective date of UDO-142) compared to such developments approved prior to that date. The original intent of UDO-142 was to exempt developments approved by the Planning Board or Elected Body prior to January 1, 2006 from certain provisions of the ordinance, as cited below, which might present unexpected or undue hardships if required of such plans.

STAFF RECOMMENDATION

APPROVAL.

David Reed presented the staff report.

PUBLIC HEARING
FOR:

Jim McChesney, 3600 Country Club Road, Winston-Salem, NC 27104
  • I'd like to commend the staff on doing the housekeeping amendment.
  • I'd also like to speak in support of the dimensional requirements as it relates to the MU-S zone.

AGAINST: None

WORK SESSION

MOTION: Dara Folan moved approval of the zoning text amendment.
SECOND: Jerry Clark

VOTE:
  FOR: Clark, Curtis, Eickmeyer, Folan, Glenn, King, Lambe, Smith
  AGAINST: None
  EXCUSED: None

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A. Paul Norby, AICP
Director of Planning
Be it resolved, by the City Council of the City of Winston-Salem, North Carolina, that the Unified Development Ordinances (UDO) is hereby amended as follows:

**Section 1.** CHAPTER A – DEFINITIONS ORDINANCE; ARTICLE II - DEFINITIONS is hereby amended as follows:

**Part 1:**
CONVENIENCE STORE. Any retail establishment offering for sale any combination of gasoline, diesel fuel, kerosene, automotive products, prepackaged food products, household items, and/or other goods commonly associated with the same and having a gross floor area of less than five thousand (5,000) square feet.

**Part 2:**
STREET. A public right-of-way or private easement which affords traffic circulation and a means of access to abutting property. Exempt from this definition for the purposes of setbacks are private streets which serve duplex or multifamily residential units that are located on the same zoning lot or twin home, townhouse or urban residential units that are located in developments that have common open space areas owned by the same homeowners association. The term *street* includes road, avenue, place, way, drive, lane, boulevard, highway, and any facility principally designed for motor vehicle traffic, except an alley or an easement solely for utilities or pedestrians.

**Part 3:**
STRUCTURE. Anything constructed or erected which is above grade including a manufactured home and a storage trailer. For purposes of this Ordinance *structure* does not include landscape features, such as ornamental pools, planting boxes, sculpture, birdbaths, open terraces, at-grade bridges and walkways, at-grade slab patios, driveways, walls or fences, shelters for pets, playhouses, open stairs, recreational equipment, handicapped ramps, flagpoles, underground fallout shelters, air-conditioning compressors, pump houses, wells, mailboxes, privies, outdoor fireplaces, gate houses, burial vaults, cemetery markers or monuments, bus shelters, or wharves.

**Section 2.** CHAPTER B ZONING ORDINANCE; ARTICLE II – ZONING DISTRICTS, OFFICIAL ZONING MAPS, AND USES is hereby amended as follows:

**Part 1:**
2-1.3 COMMERCIAL ZONING DISTRICTS - PURPOSE STATEMENTS AND REGULATIONS

(A) NO Neighborhood Office District.

NOTE: Items to be removed are indicated with a strikethrough. Items to added are indicated with an underscore.
(3) Supplementary District Requirements. Minimum lot sizes for single family residences, duplexes, twin homes and multifamily developments must meet the requirements of Table 3.4 Other Dimensional Requirements (Section 3-1.1). Other supplemental district requirements are:

(B) LO Limited Office District.

(3) Supplementary District Requirements. Structures in the LO District shall not exceed thirty thousand (30,000) square feet in gross floor area.

(a) Structures in the LO District shall not exceed thirty thousand (30,000) square feet in gross floor area.

(b) Minimum lot sizes for multifamily developments must meet the requirements of Table 3.4 Other Dimensional Requirements (Section 3-1.1).

(E) NB Neighborhood Business District.

(3) Supplementary District Requirements. Minimum lot sizes for single family residences must meet the requirements of Table 3.4 Other Dimensional Requirements (Section 3-1.1). Other supplemental district requirements are:

(F) PB Pedestrian Business District

(3) Supplementary District Requirements. Structures in the LO District shall not exceed thirty thousand (30,000) square feet in gross floor area.

(a) Structures in the LO District shall not exceed thirty thousand (30,000) square feet in gross floor area.

(b) Minimum lot sizes for single family residences and multifamily developments must meet the requirements of Table 3.4 Other Dimensional Requirements (Section 3-1.1).

(J) GB General Business District.

(3) Supplementary District Requirements. Minimum lot sizes for multifamily developments must meet the requirements of Table 3.4 Other Dimensional Requirements (Section 3-1.1).

Part 2:
2-1.4 INDUSTRIAL ZONING DISTRICTS - PURPOSE STATEMENTS AND REGULATIONS

NOTE: Items to be removed are indicated with a strikethrough. Items to added are indicated with an underscore.
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(A) LI Limited Industrial District

(3) Supplementary District Requirements. Retail uses, including but not limited to show rooms and employee services, shall be permitted as accessory uses. Said accessory uses shall not exceed the greater of one-thousand (1,000) square feet or fifteen percent (15%) of the floor area of the principal industrial building, except restaurant uses permitted under Section 2-6.2, in which case the provisions of that section shall apply. All such retail use shall be conducted within the principal industrial building. See Section 2-6.2 for permitted accessory uses and limitations.

(C) GI General Industrial District

(3) Supplementary District Requirements. Retail uses, including but not limited to show rooms and employee services, shall be permitted as accessory uses. Said accessory uses shall not exceed the greater of one-thousand (1,000) square feet or fifteen percent (15%) of the floor area of the principal industrial building. All such retail use shall be conducted within the principal industrial building. See Section 2-6.2 for permitted accessory uses and limitations.

Part 3:

2-1.5 INSTITUTIONAL AND MIXED USE ZONING DISTRICTS - PURPOSE STATEMENTS AND REGULATIONS

(C) MU-S Mixed Use - Special Use District.

(3) Supplementary District Requirements. Minimum lot sizes for single family residences, duplexes, twin homes and multifamily developments must meet the requirements of Table 3.4 Other Dimensional Requirements (Section 3-1.1). Other supplemental district requirements are:

Part 4:

2-4.1 TABLE 2.6 (Permitted Uses Table) add a “Z” under the heading of LI for the use of “Health Services, Miscellaneous”.

2-4.1 TABLE 2.6 (Permitted Uses Table) add a “Z” under the heading of LI for the use of “Implement Sales and Service”.

Part 5:

2-5 USE CONDITIONS

2-5.44 MANUFACTURED HOME, CLASS A

(B) Foundation
The manufactured home shall be set up in accordance with the standards
established by the North Carolina Department of Insurance. In addition, a continuous, permanent, masonry foundation or masonry curtain wall constructed in accordance with the standards of the State Residential Building Code, unpierced except for required ventilation and access, shall be installed under the perimeter. Foundation or curtain wall shall be installed no later than sixty (60) days after set up of the home.

No continuous, masonry foundation or masonry curtain wall shall be required if the Manufactured Home, Class A is installed as a detached accessory dwelling on the same lot with a principle dwelling in accordance with Section 2-6.4(C) of this Ordinance.

2-5.45 MANUFACTURED HOME, CLASS B OR CLASS C

(B) Skirting
Each Class B or Class C manufactured home shall have skirting installed in accordance with the following requirements:

(5) Within Sixty (60) Days. Skirting shall be installed no later than sixty (60) days after the set up of the home.

(6) Maintenance. Skirting shall be properly maintained.

Part 6:

2-5.58 PLANNED RESIDENTIAL DEVELOPMENT

(G) Incentives for Density Bonus

(3) Limitation of Density Bonus. The density with the bonus density provision shall not increase by more than twenty-five percent (25%) the maximum density otherwise computed in Section 2-5.58(F) above without reference to this Section 2-5.58(G). In the YR District, the permitted density shall not exceed two (2) units per acre of developable land not restricted by floodplain or hillsides.

(H) Development Standards

A planned residential development shall meet the following standards:

(8) Lot Dimensional Requirements and Spacing of Structures. The lot and setback dimensional requirements of the zoning district for individual lots within the planned residential development are waived except for a minimum twenty (20) foot building setback from public rights of way and a minimum thirty (30) foot building setback from the centerline of private streets. Front yard setbacks for townhouse and multifamily structures shall be no closer than ten (10) feet from the nearest right-of-way line of a public street or private access easement. Minimum distances between
townhouse and multifamily structures shall be those set forth in Section 3-1.2(K). Minimum distances between single family, duplex, and twin home structures shall be as follows:

(a) Front facing front. The minimum distance between the front wall of structures oriented so as to face each other shall be not less than thirty (30) feet from one another, provided neither shall be closer than ten (10) feet from the nearest right-of-way line of a public street or private access easement.

Part 7:
2-5.64 RESIDENTIAL BUILDINGS, URBAN (W)

(H) Building Spacing Requirements. All multifamily residential buildings shall meet the building spacing requirements of Section 3-1.2(K).

Part 8:
2-6.5 OTHER ACCESSORY USES

(C) Farm Tenant Housing
Housing for farm workers on bona fide farms or on residential lots in the AG District is a permitted accessory use.

Part 9:
2-7.2 TEMPORARY USES PERMITTED

(N) Inert Debris Fill (F,W,K,L)
Fill of material on sites where the fill material consists only of inert debris strictly limited to concrete, brick, concrete block, uncontaminated soil, rock, gravel, and asphalt. Said permits may be issued for up to thirty (30) days, and may be renewed up to two times ninety (90) days and may not be renewed for at least one year after the previous permit has expired.

Section 3. CHAPTER B ZONING ORDINANCE; ARTICLE III – OTHER DEVELOPMENT STANDARDS is hereby amended as follows:

Part 1:
3-1.1 GENERAL REQUIREMENTS

(C) Dimensional Requirements. Table 3.4 (Other Dimensional Requirements) is amended as follows (highlighted changes only):
### Table 3.4
Other Dimensional Requirements

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Zoning Lot</th>
<th>Minimum Setbacks</th>
<th>Maximum Impervious Surface Cover (%)</th>
<th>Maximum Height (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Area (sf)</td>
<td>Width (ft)</td>
<td>Front (ft)</td>
<td>Rear (ft)</td>
</tr>
<tr>
<td>Single Family Residences in NO, NB, PB and MU-S Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NO, NB</td>
<td>6,000</td>
<td>50</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>PB</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>MU-S</td>
<td>5,000</td>
<td>40</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Duplexes in MU-S and NO Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MU-S</td>
<td>7,500</td>
<td>40</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>NO</td>
<td>--</td>
<td>--</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Twin Homes in MU-S and NO Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MU-S</td>
<td>5,000</td>
<td>40</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>NO</td>
<td>--</td>
<td>--</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Multifamily Developments in GB, CB, PB, MU-S, NO, and LO Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GB</td>
<td>20,000</td>
<td>100</td>
<td>20</td>
<td>--</td>
</tr>
<tr>
<td>CB</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>PB</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>MU-S</td>
<td>30,000</td>
<td>70</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>NO, LO</td>
<td>--</td>
<td>--</td>
<td>20</td>
<td>20</td>
</tr>
</tbody>
</table>

Part 2:

3-1.2 SUPPLEMENTARY DIMENSIONAL REQUIREMENTS

(B) Structures Which may Encroach into Required Yards

The following structures may encroach into required yards as follows:

(1) Open Porches and above Grade Decks in front and rear yards. An open porch or unenclosed above grade deck at or below the main living level of a single family dwelling may project into a required front or rear yard not

NOTE: Items to be removed are indicated with a strikethrough. Items to added are indicated with an underscore.

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more than ten (10) feet, provided that such projection does not reduce the remaining open portion of the yard to a depth of less than fifteen (15) feet.

Part 3:
3-1.2 SUPPLEMENTARY DIMENSIONAL REQUIREMENTS

(C) Improvements Permitted in Required Yards
The following improvements are permitted in required yards provided there is no interference with any recorded sight easement.

(1) Landscape Features. Landscape features, including, but not limited to, ornamental pools, planting boxes, sculpture, birdbaths, open terraces, walkways, handicapped ramps, walls, or fences; and,

Part 4:
3-2.1 SIGN REGULATIONS - CURRENT

(A) General Requirements

(3) Applicability of Other Sign Regulations. Any sign shall meet all other regulations applicable to signs, including those found in Chapters 20 and 24 of the City of Winston-Salem code for signs erected in that jurisdiction. (W)

(4) Prohibited Signs. The following signs or use of signs is prohibited.

(h) Banners Advertising Special Events or Sales. Banners advertising special events or sales are not permitted except within the City of Winston-Salem under the provisions of Section 20-13(e) Chapter 70 of the City of Winston-Salem code, if applicable. (W)

(E) On-Premises Signs - Awning Signs

(2) Attachment. Within the city limits of Winston-Salem, the awning sign must be attached to the building which it is advertising in accordance with Sections 21-61 and 21-62 Chapter 74 of the City of Winston-Salem code. (W)

Part 5:
3-3.2 OFF-STREET PARKING REQUIREMENTS

(A) Number of Spaces. Table 3.8 (Off-Street Parking Requirements) is amended as follows:
Table 3.8
OFF-STREET PARKING REQUIREMENTS

<table>
<thead>
<tr>
<th>PRINCIPAL USES</th>
<th>MINIMUM REQUIREMENTS</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience Store</td>
<td>1 space per 200 SF GFA* ; restaurant area including seating area inside or outside of the building – 1 space per 75 SF GFA*</td>
<td></td>
</tr>
<tr>
<td>Restaurant (without drive-through service)</td>
<td>1 space per 75 SF GFA* ; restaurants with take out service only (no seating) – 1 space per 200 SF GFA*</td>
<td>See stacking requirements, Section 3-3.3(F)</td>
</tr>
<tr>
<td>Restaurant (with drive-through service)</td>
<td>1 space per 75 SF GFA* ; restaurants with take out service only (no seating) – 1 space per 200 SF GFA*</td>
<td></td>
</tr>
</tbody>
</table>

Part 6: 3-3.3 DESIGN STANDARDS FOR PARKING AREAS

(A) General Requirements
All parking areas shall meet the following design standards:

(2) Access. All parking spaces in parking areas shall be designed to have access only from parking area driveways and not directly from public streets except as provided for in Section 3-3.5 of this Ordinance. In multifamily, commercial or industrial developments that utilize private streets for access to parking areas, parking may be provided along those private streets or private access easements unless otherwise restricted by the Public Works Department of the City of Winston-Salem or the North Carolina Department of Transportation (NCDOT).

Part 7: 3.3-5 Alternative and Incentives

(N) 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 3.8 may be permitted for sites in the PB and LB Special Use District Zoning Districts or 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:

NOTE: Items to be removed are indicated with a strikethrough. Items to added are indicated with an underscore.
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Section 4. CHAPTER B – ZONING ORDINANCE; ARTICLE IV – NONCONFORMING SITUATIONS is hereby amended as follows:

5-2.3 EXPANSION OF A NONCONFORMING USE

(E) Co-location of Transmission Towers

(1) Co-location Permitted. Three (3) additional transmission antennae or configurations of antennae with ground building, each up to 450 square feet in area, are permitted by right at existing tower sites which are legally nonconforming, as of the effective date of this Ordinance, except that the total area of ground buildings at the site shall not exceed 1,000 square feet. The Board of Adjustment shall have the authority to issue special use permits for additional transmission antennae and ground buildings up to 450 square feet in area (each) at existing tower sites which are legally nonconforming. There shall be no limitation as to the number of such additional antennae and ground buildings at existing nonconforming transmission tower sites as long as the co-location does not increase the existing fenced in area on the ground for the tower and equipment. Any increase in the fenced in ground area must be approved by a Special Use Permit from the Board of Adjustment and shall be subject to the expansion limitations set forth in Section 5-2.3 of this Ordinance.

Section 5. CHAPTER B – ZONING ORDINANCE; ARTICLE VI - ADMINISTRATION AND AMENDMENTS is hereby amended as follows:

6-1.4 BOARD OF ADJUSTMENT

Part 1:

(B) Variances

(1) Authority. No provision of this Ordinance shall be interpreted as conferring upon the Board of Adjustment the authority to approve an application for a variance of the conditions of a permitted use except with respect to the specific waiving of requirements as to:

(a) Lot dimensions, lot areas, setbacks or yards, height, or impervious surface cover requirements;

(a) General Dimensions Requirements for Zoning Districts listed in Sections 2-1.2, 2-1.3, 2-1.4 and 2-1.5 of this Ordinance and shall only include minimum zoning lot area and width, minimum setbacks, maximum impervious surface cover, or maximum height;
Part 2:
(E). Decisions. Decisions of the Board of Adjustment regarding special use permits, variances, appeals from the Zoning Officer, and any other question upon which the Board of Adjustment is authorized to pass, shall be filed in the office of the Secretary of the Board of Adjustment.

Section 6. CHAPTER B – ZONING ORDINANCE; ARTICLE X – APPOINTED BOARDS is hereby amended as follows:

10-1 BOARD OF ADJUSTMENT

10-1.2 ESTABLISHMENT AND MEMBERSHIP (CITY OF WINSTON-SALEM)

(A) Creation
A Winston-Salem Board of Adjustment, consisting of five (5) members, with two (2) alternate members, appointed by the Elected Body (Board of Aldermen) (City Council) has been created and is hereby continued; providing, however, that one additional regular member and one additional alternate member in accordance with G. S. 160A-362 are to be appointed by the Board of County Commissioners of Forsyth County, upon recommendation of the Board of Aldermen (City Council), from persons who reside outside but within one mile of the limits of the City of Winston-Salem the extraterritorial zoning jurisdiction of the City of Winston-Salem, said members to have the same powers, duties, and responsibilities as all other members.

Section 7. CHAPTER C - ENVIRONMENTAL ORDINANCE; ARTICLE VII - EROSION CONTROL is hereby amended as follows:

7-7.2 GRADED SLOPES, MECHANICALLY STABILIZED SLOPES AND FILLS

(A) Slope Specifications
No cut or fill greater than ten (10) vertical feet shall be made which creates a slope steeper than one and one-half (1.5) to one (1.5:1) unless approval is granted during plan review by the Director of Inspections. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. The angle for graded slopes and fills must be demonstrated to be stable. Stable is the condition where the soil remains in its original configuration, with or without mechanical constraints. Mechanically stabilized slopes, including but not limited to riprap, cribs, timber or masonry retaining walls, shall not exceed ten (10) feet in height without intervening terraces ten (10) feet in width with a minimum maximum slope of three (3) to one (3:1). In any event, slopes left exposed and such terraces will, within 15 working days or 30 calendar days of completion of any phase of grading, whichever period is shorter twenty-one (21) calendar days of completion of any phase of grading, be planted or otherwise provided with ground cover, devices, or structures sufficient to restrain erosion.
7-7.4 GROUND COVER AND REVEGETATION OF SLOPES

(A) Deadlines for Establishing Ground Cover
Whenever land disturbing activity is undertaken on a tract requiring a permit under Section 7-16, the person conducting the land disturbing activity shall install such sedimentation and erosion control devices and practices as are sufficient to retain the sediment generated by the land disturbing activity within the boundaries of the tract during construction upon and development of said tract, and shall plant or otherwise provide a permanent ground cover and slope revegetation sufficient to restrain erosion after completion of construction or development. Except as provided in Section 7-8.2(E) of this Ordinance, provisions for a ground cover sufficient to restrain erosion must be accomplished within fifteen (15) working days or thirty (30) calendar days following completion of construction or development, whichever period is shorter. twenty-one (21) calendar days of completion of any phase of grading.

Section 8. Chapter B, Article III, Sections 3-13 STREET STANDARDS GOVERNING VEHICLE AND PEDESTRIAN CIRCULATION

(A)(2) Sidewalk Requirement for Planning Board or Elected Body Approvals

(a) The following requirements shall apply to single family residential and non-residential preliminary subdivision approvals, Planning Board Review items, pursuant to UDO Section 6-1.3 and Special Use District Zoning items pursuant to UDO Section 6-2.2 in Winston-Salem and unincorporated areas of Forsyth County identified as outside Legacy Rural Growth Management Area:

(i) Unless the Planning Board or Elected Body approves an alternate walkway location, a conventional sidewalk shall be provided within the right-of-way along all new public streets with required curb and gutter as shown in the table below in accordance with the Winston-Salem Infrastructure Development Standards or NCDOT standards as applicable.

<table>
<thead>
<tr>
<th>Cul-de-sac</th>
<th>One Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Street</td>
<td>One Side</td>
</tr>
<tr>
<td>Collector</td>
<td>One Side</td>
</tr>
<tr>
<td>Minor Thoroughfare</td>
<td>Both sides</td>
</tr>
</tbody>
</table>

(ii) Sidewalks shall also be required along existing streets where subdivisions, Planning Board Review items, or Special Use District Zoning items abut streets proposed for sidewalks as identified in the adopted Winston-Salem Urban Area Sidewalk and Pedestrian Facilities Plan.
(iii) Except for sidewalks as required on approved site plans, additional sidewalks in accordance with this section shall not be required for properties with vested site plans in accordance with Chapter B, Article I, Section 1-5.2 Vested Rights.

(iv) Exemptions
Sidewalks are not required in locations where curb and gutter is not required for new public streets.

This subsection (a) shall not apply to developments approved prior to January 1, 2006.

(b) Alternate Sidewalk Requirement

(i) A pedestrian walkway may be provided outside the right-of-way within a public access easement when the Planning Board or Elected Body determines the walkway will have the same functionality as a conventional sidewalk required in Section 3-13 (A)(2) above.

(ii) A pedestrian walkway may be provided outside the right-of-way within a public access easement when the Planning Board or Elected Body determines that the construction of a conventional sidewalk within the right-of-way is impractical due to impending road widening or other physical limitations.

(iii) A developer may propose a sidewalk layout which varies from the strict application of the provisions of Section 3-13 (A)(2) above in order to accommodate the unique character of the site or to utilize innovative design. Alternative compliance may be granted by the Planning Board or Elected Body only upon a finding that the proposed alternative fulfills the intent of sidewalks to provide a logical and functional pedestrian network as well as or better than would strict compliance with the requirements of this ordinance.

(C)(1) Street Design

(g) Cul-de-sac Streets
Except in unusual circumstances such as terrain constraints or other hardships and as provided in (ii) herein, cul-de-sac streets shall not be longer than 800 feet (1,200 feet for developments approved prior to January 1, 2006) and shall be terminated by a circular right-of-way or an approved alternative turnaround in accordance with Winston-Salem Infrastructure Development Guidelines or NC DOT standards as applicable.
(i) The length of cul-de-sac streets shall be measured from the centerline of the bulb to the edge of pavement of the nearest through street intersection.

(ii) Cul-de-sac streets may be longer than 800 feet where the number of lots served by a cul-de-sac is fifteen (15) lots or fewer. This subsection shall not apply to developments approved prior to January 1, 2006.

(C)(2) Street Connectivity Requirements

An interconnected street system is necessary in order to promote orderly and safe development, ensure that streets function in an interdependent manner, provide adequate access for emergency and service vehicles, allow for alternate transportation routes, disperse traffic and thereby lessen traffic congestion, and provide continuous and comprehensible traffic routes.

(a) Connectivity Defined

Connectivity shall be defined by the ratio of links to nodes in any subdivision.

(i) The connectivity ratio shall be the number of street lengths divided by the number of nodes or end links, including cul-de-sac heads.

(ii) A link shall be any portion of a street, other than an alley, defined by a node at either end. Stub-outs to adjacent property shall be considered links. For the purpose of determining the number of links in a development, boulevards, median–divided roadways, and divided entrances shall be treated the same as conventional two-way roadways.

(iii) A node shall be the terminus of a street or the intersection of two or more streets.

[A] Any location where a street name changes (as reviewed and approved by the Director of Planning) shall be considered a node.

[B] A divided entrance shall only count as a single node.

This subsection (a) shall not apply to developments approved prior to January 1, 2006.
(b) Required Ratio

(i) The street network for any subdivision with internal roads or access to any public road shall achieve a connectivity index of not less than 1.2, measured within the subdivision.

(ii) Street links and nodes along a minor thoroughfare or higher classification street providing access to a proposed subdivision shall not be considered in computing the connectivity ratio.

(iii) The Connectivity Index requirement of 1.2 may be waived by the Approving Authority upon a finding that there is no practical alternative due to significant topographic constraints, existing development patterns, or other substantial physical limitation.

This subsection (b) shall not apply to developments approved prior to January 1, 2006.

(c) External Access Required

All subdivisions shall be designed to have interconnecting streets to adjoining developed and undeveloped properties outside the subdivision for a consistent development pattern. Interconnecting streets to adjacent public streets shall be required only where such adjacent streets have a minimum pavement width of eighteen (18) feet, or where the developer or the jurisdictional entity improves said streets to a minimum width of eighteen (18) feet. If a new subdivision would potentially connect to a street less than eighteen (18) feet in width, the Planning Board will consider technical input prior to deciding whether a connection is required. The technical input would include recommendations from the Director of Transportation concerning whether the additional traffic would create a safety or operational problem on the existing street system or nearby intersections. Additionally, a street connection shall not be required if the Director of Transportation determines that the connection would result in the traffic-carrying capacity of the street being exceeded. Additional traffic alone is not a criterion for disallowing said connections. A street connection is not required where a planned or funded roadway would result in a severed connection in the future, or where a connected street would not serve a practical value due to an existing transportation facility (limited access highway or railroad) which would prevent the continuation of the street. In cases where major streams or other physical barriers must be crossed to provide for interconnecting streets exemptions from this regulation shall be based on the length, costs, and construction difficulties of connecting streets and shall be decided by the Planning Board.
(C)(3) Other Standards

(d)(a) Street Names
Street names shall not duplicate nor closely approximate existing street names within the City of Winston-Salem or Forsyth County. Extensions of existing, named streets shall bear the existing street name. A complete list of previously used names shall be maintained by Planning staff. Street names shall be approved by the Planning staff and shall be shown on the preliminary subdivision plat. To change the street names after preliminary or construction plan approval, a request must be submitted to the Planning staff. Application requirements include a fee established by the Planning Board.

(e)(b) Street Sign and Markers

(i) Standard street name signs shall be installed at the corner of all streets intersections, including private streets. The size, design, materials, location, and installation of the signs shall be in accordance with City Public Works Department or NCDOT standards, as applicable.

(ii) Signs denoting the beginning and ending of public maintenance shall also be erected and maintained on private streets.

(f)(c) Street Lights
Street lighting, as required for traffic safety and property security, may be required to be installed in conformance with City Public Works Department or NCDOT policies, as applicable. The design, materials, location, and installation shall conform to all applicable City Public Works Department or NCDOT standards, and applicable public utility standards, including appropriate separation from street trees.

(g)(d) Street trees for new Residential Subdivisions approved under Chapter D, Section 4 MAJOR SUBDIVISIONS of the UDO
A minimum of one (1) deciduous, Large Variety Tree as specified under Chapter B, Section 3-4, LANDSCAPE STANDARDS, or as otherwise permitted or restricted by the City Director of Vegetation Management, shall be planted per lot prior to the issuance of a Certificate of Occupancy. For cul-de-sac, local residential, and collector streets having sidewalks, trees may be planted between the curb edge and the sidewalk a minimum distance of four (4) feet away from the back of curb. In all instances required street trees shall be planted in a manner not to conflict with safety or functional operations of the street in accordance with Winston-Salem Infrastructure Development Standards. Required Street Trees shall be a
minimum of ten (10) feet high at installation and shall have a caliper of at least two (2) inches measured six (6) inches above ground. This subsection shall not apply to developments approved prior to January 1, 2006 nor to streets approved exclusively by the North Carolina Department of Transportation.

Section 9. This ordinance shall become effective upon adoption.