January 25, 2005

Wake Forest University Health Science
c/o Legal Department
P. O. Box 7656
Winston-Salem, NC  27109

RE:  ZONING TEXT AMENDMENT UDO-127

Dear Sirs:

The attached report of the Planning Board to the Forsyth County Board of Commissioners and City of Winston-Salem City Council is sent to you at the request of the Commissioners and Council Members.

When the text amendment is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners and Renee Henderson, City Secretary, of the date on which the Commissioners and City Council will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

Attachment

pc:  Jane Cole, County Manager's Office
     Renee Henderson, City Secretary
MEETING DATE: _______________________ AGENDA ITEM NUMBER: __________

SUBJECT:-

A. Request for Public Hearing on Zoning Text Amendment by Wake Forest University Health Sciences to add Academic Biomedical Research Facility use classification to the CPO, PB, HB, GB, LI, CPI, and GI zoning classifications. (Zoning Docket UDO-127).

B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map.

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached.

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

ATTACHMENTS:-   X YES    __ NO

SIGNATURE: ____________________________  DATE:
**ACTION REQUEST FORM**

<table>
<thead>
<tr>
<th>DATE:</th>
<th>January 25, 2005</th>
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<tbody>
<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
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<tr>
<td>FROM:</td>
<td>A. Paul Norby, AICP, Director of Planning</td>
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</table>

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Text Amendment by Wake Forest University Health Sciences

**SUMMARY OF INFORMATION:**

Zoning Text Amendment by Wake Forest University Health Sciences to add Academic Biomedical Research Facility use classification to the CPO, PB, HB, GB, LI, CPI, and GI zoning classifications. (Zoning Docket UDO-127).

**PLANNING BOARD ACTION:**

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

UDO text amendment to Chapter B, Table 2.6 PERMITTED USES requested by Wake Forest University Health Sciences to add the current use of “Academic Biomedical Research Facility” to the CPO, PB, HB, GB, LI, CPI, and GI zoning districts.

BACKGROUND

In the fall of 2003 Wake Forest University Health Sciences initiated a UDO text amendment (UDO 103) to create a new UDO use classification of “Academic Biomedical Research Facility”. The use is currently defined in the UDO as follows:

Buildings and other facilities and improvements used by an accredited, academic non-profit organization for the conduct of biomedical research activities. Such research activities may involve plants, human subjects and/or animals.

The new use designation was intended to recognize the unique circumstances under which academic-based biomedical research is conducted and to distinguish it from commercially-based “Testing and Research Lab” operations which may be more intensive, and potentially less compatible with adjacent land uses. Primarily, the Academic Biomedical Research Facility use was created for application in the IP (Institutional Public) zoning district with specific use conditions such as a minimum twenty (20) acre lot size and a minimum eighty (80) foot building setback from residentially zoned properties. The use was also approved as a “use by right” in the CI, CB, C, IP and MU-S zoning classifications. Associated parking standards were established at a rate of one space per 400 sf of gross floor area (GFA) of laboratory and office space.

ANALYSIS

When the above referenced text amendment created the new use of “Academic Biomedical Research Facility” the primary focus was on its application in the IP zoning district and other zoning classifications such as the Campus District which might be generally expected to accommodate non-profit, academic research. Since that time Wake Forest University Health Sciences has recognized a need to operate such facilities in other zoning districts which currently permit commercial testing and research laboratories, but do not allow “Academic Biomedical Research Facility”. Such include the CPO, PB, HB, GB, LI, CPI, and GI zoning districts. For this reason Wake Forest Health Sciences is requesting that Academic Biomedical Research Facility also be allowed in the above listed zoning classifications.
Ideally such zoning districts would have been included in the original text amendment which created the new academic research classification. However, given that “Testing and Research Lab” is already allowed in the CPO, PB, HB, GB, LI, CPI, and GI zoning districts, Planning staff is of the opinion that “Academic Biomedical Research Medical Facility” should also be permitted in such districts as well. Essentially this amendment would allow “Academic Biomedical Research Facility” in all the zoning districts which currently allow “Testing and Research Lab” while still preserving the unique circumstances under which academic research would be allowed in the IP zoning district.

Additionally the petitioner requests that parking requirements for Academic Biomedical Research Facility be reduced from one space per 400 sf gross floor area (GFA) to one space per 1,000 sf gross floor area (GFA). This reduction would make it the same as the parking requirement for “Testing and Research Lab”. This parking ratio seems adequate for such operations and the City-County Inspections Division has not identified any parking problems associated with the current one space per 1,000 sf GFA.

Based on the above findings Planning staff is supportive of the text amendment request.

RECOMMENDATION

APPROVAL

Glenn Simmons presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning text amendment.

SECOND: Carol Eickmeyer

VOTE:

FOR: Clark, Eickmeyer, Folan, Glenn, King, Lambe, Norwood, Smith

AGAINST: None

EXCUSED: None

______________________
A. Paul Norby, AICP
Director of Planning
UDO-127
AN ORDINANCE AMENDING
CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES
TO ADD ACADEMIC BIOMEDICAL RESEARCH FACILITY AS A PERMITTED USE
IN THE CPO, PB, HB, GB, LI, CPI, AND GI ZONING DISTRICTS

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 row Academic Biomedical Research Facility under the zoning classification columns: CPO, PB, HB, GB, LI, CPI, and GI.

Section 2. Chapter B, Table 3.8 OFF-STREET PARKING REQUIREMENTS is further amended by substituting in Table 3.8 under the use category “Academic Biomedical Research Facility”: 1 space per 400-1,000 SF GFA of Laboratory and Office space*.

Section 3. This ordinance shall be effective upon adoption.

NOTE: Items to be deleted are indicated with a strikeout; items to be added are indicated with an underscore.
UDO-127
AN ORDINANCE AMENDING
CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES
TO ADD ACADEMIC BIOMEDICAL RESEARCH FACILITY AS A PERMITTED USE
IN THE CPO, PB, HB, GB, LI, CPI, AND GI ZONING DISTRICTS

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 row Academic Biomedical Research Facility under the zoning classification columns: CPO, PB, HB, GB, LI, CPI, and GI.

Section 2. Chapter B, Table 3.8 OFF-STREET PARKING REQUIREMENTS is further amended by substituting in Table 3.8 under the use category “Academic Biomedical Research Facility”: 1 space per 400 1,000 SF GFA of Laboratory and Office space*.

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IN THE CPO, PB, HB, GB, LI, CPI, AND GI ZONING DISTRICTS

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 row
Academic Biomedical Research Facility under the zoning classification columns: CPO, PB, HB, GB, LI, CPI, and GI.

Section 2. Chapter B, Table 3.8 OFF-STREET PARKING REQUIREMENTS is further amended by substituting in Table 3.8 under the use category “Academic Biomedical Research Facility”: 1 space per 400 1,000 SF GFA of Laboratory and Office space*.

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IN THE CPO, PB, HB, GB, LI, CPI, AND GI ZONING DISTRICTS

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 row Academic Biomedical Research Facility under the zoning classification columns: CPO, PB, HB, GB, LI, CPI, and GI.

Section 2. Chapter B, Table 3.8 OFF-STREET PARKING REQUIREMENTS is further amended by substituting in Table 3.8 under the use category “Academic Biomedical Research Facility”: 1 space per 400 1,000 SF GFA of Laboratory and Office space*.

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IN THE CPO, PB, HB, GB, LI, CPI, AND GI ZONING DISTRICTS

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 row
Academic Biomedical Research Facility under the zoning classification columns: CPO, PB, HB, GB, LI, CPI, and GI.

Section 2. Chapter B, Table 3.8 OFF-STREET PARKING REQUIREMENTS is further amended by substituting in Table 3.8 under the use category “Academic Biomedical Research Facility”: 1 space per 400 SF GFA of Laboratory and Office space*.

Section 3. This ordinance shall be effective upon adoption.

NOTE: Items to be deleted are indicated with a strikeout; items to be added are indicated with an underscore.
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TO ADD ACADEMIC BIOMEDICAL RESEARCH FACILITY AS A PERMITTED USE
IN THE CPO, PB, HB, GB, LI, CPI, AND GI ZONING DISTRICTS

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 row Academic Biomedical Research Facility under the zoning classification columns: CPO, PB, HB, GB, LI, CPI, and GI.

Section 2. Chapter B, Table 3.8 OFF-STREET PARKING REQUIREMENTS is further amended by substituting in Table 3.8 under the use category “Academic Biomedical Research Facility”: 1 space per 400 - 1,000 SF GFA of Laboratory and Office space*.

Section 3. This ordinance shall be effective upon adoption.

NOTE: Items to be deleted are indicated with a strikeout; items to be added are indicated with an underscore.