

January 14, 2004

Stimmel Associates, PA
c/o Mark Geda, ASLA
601 N. Trade Street, Suite 200
Winston-Salem, NC 27101

RE: ZONING TEXT AMENDMENT UDO-111

Dear Mr. Geda:

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 Rice, 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 Rice, City Secretary

ACTION REQUEST FORM

DATE: January 14, 2004
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, AICP, Director of Planning

BOARD ACTION REQUEST:

Request for Public Hearing on Zoning Text Amendment proposed by SAPA, Inc.

SUMMARY OF INFORMATION:

Zoning Text Amendment proposed by SAPA, Inc. to reduce the width of a private access easement from twenty-five feet to twenty feet (UDO-111).

PLANNING BOARD ACTION:

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

STAFF REPORT

DOCKET #: UDO-111

STAFF: S. Chad Hall

REQUEST

Text amendment to the Zoning Ordinance of the *Unified Development Ordinances* (UDO) to revise width requirement for one-way private access easements from twenty-five feet (25') to twenty feet (20').

BACKGROUND

This text amendment is being requested by Stimmel Associates, PA, in conjunction with a multi-use shopping center on Hanes Mall Boulevard in the City of Winston-Salem, NC to accommodate future businesses. Staff notes, however, that any UDO text amendment applies to all applicable situations and not just to any one site.

The current private access easements width requirement is 25' for both one-way and two-way travel lanes. The request is to revise the private access easements width by adding language that would differentiate width requirements for one-way and two-way travel lanes. If approved, this UDO text amendment would lessen the amount of pavement required in the travel lane when accommodating associated parking.

ANALYSIS

Planning staff commonly encourages the reduction of any unnecessary impervious surface coverage on site plans whenever possible. Typically, this involves trying to reduce excessive parking areas, but has recently expanded to evaluate and potentially amend our current street standards regarding street width. Now, it has come to Planning staff's attention that there is yet another area where we can reduce some seemingly avoidable excessive impervious surface.

The current private access easement width requirement is twenty-five (25) feet for both one-way and two-way travel lanes. The proposed text amendment would reduce the width for a one-way access easement to twenty (20) feet, thereby reducing the amount of pavement of the travel lane that provides access to any associated angled and parallel parking. The reduction in width would only be permitted for Planning Board Review and Special Use Zoning developments.

In evaluating this request staff consulted with Winston-Salem Inspections, Public Works, Sanitation, Streets, and both City and County Fire Departments. All parties have yielded a common judgment in support for the proposed reduction to twenty (20) feet of an unobstructed one-way access easement as said reduction in easement would not hamper necessary actions for any of the aforementioned agencies.

RECOMMENDATION

Staff recommendation: **APPROVAL**.

Chad Hall presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: John Bost moved approval of the zoning text amendment.

SECOND: Jerry Clark

VOTE:

FOR: Bost, Clark, Eickmeyer, Glenn, King, Lambe, Mullican, Norwood

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning

UDO 111
AN ORDINANCE AMENDING
THE ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
RELATED TO WIDTH REQUIREMENTS FOR
ONE-WAY PRIVATE ACCESS EASEMENTS

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

Section 1. “Section 3-1.2 or current number SUPPLEMENTAL DIMENSIONAL REQUIREMENTS (N), WIDTH OF PRIVATE ACCESS EASEMENTS AND PRIVATE STREETS” is revised by amending said section by replacing the minimum width requirements entry by adding language for one-way access easements or private streets as follows:

“An access easement, or private street, connecting a public street or highway to principal uses which depend upon such easement for access, shall be not less than twenty-five (25) feet in width (F,W,WA,C)/thirty (30) feet in width (K) for two-way access and shall be recorded in the office of the Register of Deeds.

In lieu of the twenty-five (25) foot access easement for two-way access, developments that are approved through a Special Use zoning process or Planning Board Review process may elect to provide separate one-way ingress and egress access easements each not less than twenty (20) feet in width.

Any use abutting such easement shall be located on a zoning lot and shall comply with all dimensional requirements of the applicable district. No zoning permit shall be issued for a principal use not abutting upon a public street or a private street which complies with this provision. The width requirement does not apply to any driveway located on a zoning lot or to any alley”.

Section 2. This Ordinance shall be effective upon adoption.

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

UDO 111
AN ORDINANCE AMENDING
THE ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
RELATED TO WIDTH REQUIREMENTS FOR
ONE-WAY PRIVATE ACCESS EASEMENTS

Be it resolved, by the City County of the City of Winston-Salem, North Carolina, that the *Unified Development Ordinances* (UDO) is hereby amended as follows:

Section 1. “Section 3-1.2 or current number SUPPLEMENTAL DIMENSIONAL REQUIREMENTS (N), WIDTH OF PRIVATE ACCESS EASEMENTS AND PRIVATE STREETS” is revised by amending said section by replacing the minimum width requirements entry by adding language for one-way access easements or private streets as follows:

“An access easement, or private street, connecting a public street or highway to principal uses which depend upon such easement for access, shall be not less than twenty-five (25) feet in width (F,W,WA,C)/thirty (30) feet in width (K) for two-way access and shall be recorded in the office of the Register of Deeds.

In lieu of the twenty-five (25) foot access easement for two-way access, developments that are approved through a Special Use zoning process or Planning Board Review process may elect to provide separate one-way ingress and egress access easements each not less than twenty (20) feet in width.

Any use abutting such easement shall be located on a zoning lot and shall comply with all dimensional requirements of the applicable district. No zoning permit shall be issued for a principal use not abutting upon a public street or a private street which complies with this provision. The width requirement does not apply to any driveway located on a zoning lot or to any alley”.

Section 2. This Ordinance shall be effective upon adoption.

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

UDO 111
AN ORDINANCE AMENDING
THE ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
RELATED TO WIDTH REQUIREMENTS FOR
ONE-WAY PRIVATE ACCESS EASEMENTS

Be it resolved, by the Board of Aldermen of the Town of Kernersville, North Carolina, that the *Unified Development Ordinances* (UDO) is hereby amended as follows:

Section 1. “Section 3-1.2 or current number SUPPLEMENTAL DIMENSIONAL REQUIREMENTS (N), WIDTH OF PRIVATE ACCESS EASEMENTS AND PRIVATE STREETS” is revised by amending said section by replacing the minimum width requirements entry by adding language for one-way access easements or private streets as follows:

“An access easement, or private street, connecting a public street or highway to principal uses which depend upon such easement for access, shall be not less than twenty-five (25) feet in width (F,W,WA,C)/thirty (30) feet in width (K) for two-way access and shall be recorded in the office of the Register of Deeds.

In lieu of the twenty-five (25) foot access easement for two-way access, developments that are approved through a Special Use zoning process or Planning Board Review process may elect to provide separate one-way ingress and egress access easements each not less than twenty (20) feet in width.

Any use abutting such easement shall be located on a zoning lot and shall comply with all dimensional requirements of the applicable district. No zoning permit shall be issued for a principal use not abutting upon a public street or a private street which complies with this provision. The width requirement does not apply to any driveway located on a zoning lot or to any alley”.

Section 2. This Ordinance shall be effective upon adoption.

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

UDO 111
AN ORDINANCE AMENDING
THE ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
RELATED TO WIDTH REQUIREMENTS FOR
ONE-WAY PRIVATE ACCESS EASEMENTS

Be it resolved, by the Village Council of the Village of Clemmons, North Carolina, that the *Unified Development Ordinances* (UDO) is hereby amended as follows:

Section 1. “Section 3-1.2 or current number SUPPLEMENTAL DIMENSIONAL REQUIREMENTS (N), WIDTH OF PRIVATE ACCESS EASEMENTS AND PRIVATE STREETS” is revised by amending said section by replacing the minimum width requirements entry by adding language for one-way access easements or private streets as follows:

“An access easement, or private street, connecting a public street or highway to principal uses which depend upon such easement for access, shall be not less than twenty-five (25) feet in width (F,W,WA,C)/thirty (30) feet in width (K) for two-way access and shall be recorded in the office of the Register of Deeds.

In lieu of the twenty-five (25) foot access easement for two-way access, developments that are approved through a Special Use zoning process or Planning Board Review process may elect to provide separate one-way ingress and egress access easements each not less than twenty (20) feet in width.

Any use abutting such easement shall be located on a zoning lot and shall comply with all dimensional requirements of the applicable district. No zoning permit shall be issued for a principal use not abutting upon a public street or a private street which complies with this provision. The width requirement does not apply to any driveway located on a zoning lot or to any alley”.

Section 2. This Ordinance shall be effective upon adoption.

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

UDO 111
AN ORDINANCE AMENDING
THE ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
RELATED TO WIDTH REQUIREMENTS FOR
ONE-WAY PRIVATE ACCESS EASEMENTS

Be it resolved, by the Town Council of the Town of Lewisville, North Carolina, that the *Unified Development Ordinances* (UDO) is hereby amended as follows:

Section 1. “Section 3-1.2 or current number SUPPLEMENTAL DIMENSIONAL REQUIREMENTS (N), WIDTH OF PRIVATE ACCESS EASEMENTS AND PRIVATE STREETS” is revised by amending said section by replacing the minimum width requirements entry by adding language for one-way access easements or private streets as follows:

“An access easement, or private street, connecting a public street or highway to principal uses which depend upon such easement for access, shall be not less than twenty-five (25) feet in width (F,W,WA,C)/thirty (30) feet in width (K) for two-way access and shall be recorded in the office of the Register of Deeds.

In lieu of the twenty-five (25) foot access easement for two-way access, developments that are approved through a Special Use zoning process or Planning Board Review process may elect to provide separate one-way ingress and egress access easements each not less than twenty (20) feet in width.

Any use abutting such easement shall be located on a zoning lot and shall comply with all dimensional requirements of the applicable district. No zoning permit shall be issued for a principal use not abutting upon a public street or a private street which complies with this provision. The width requirement does not apply to any driveway located on a zoning lot or to any alley”.

Section 2. This Ordinance shall be effective upon adoption.

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

UDO 111
AN ORDINANCE AMENDING
THE ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
RELATED TO WIDTH REQUIREMENTS FOR
ONE-WAY PRIVATE ACCESS EASEMENTS

Be it resolved, by the Town Council of the Town of Walkertown, North Carolina, that the *Unified Development Ordinances* (UDO) is hereby amended as follows:

Section 1. “Section 3-1.2 or current number SUPPLEMENTAL DIMENSIONAL REQUIREMENTS (N), WIDTH OF PRIVATE ACCESS EASEMENTS AND PRIVATE STREETS” is revised by amending said section by replacing the minimum width requirements entry by adding language for one-way access easements or private streets as follows:

“An access easement, or private street, connecting a public street or highway to principal uses which depend upon such easement for access, shall be not less than twenty-five (25) feet in width (F,W,WA,C)/thirty (30) feet in width (K) for two-way access and shall be recorded in the office of the Register of Deeds.

In lieu of the twenty-five (25) foot access easement for two-way access, developments that are approved through a Special Use zoning process or Planning Board Review process may elect to provide separate one-way ingress and egress access easements each not less than twenty (20) feet in width.

Any use abutting such easement shall be located on a zoning lot and shall comply with all dimensional requirements of the applicable district. No zoning permit shall be issued for a principal use not abutting upon a public street or a private street which complies with this provision. The width requirement does not apply to any driveway located on a zoning lot or to any alley”.

Section 2. This Ordinance shall be effective upon adoption.

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