

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on Zoning Text Amendment proposed by the City-County Planning staff to amend various sections of the UDO.
- To make grammatical, editorial, and non-substantive changes throughout the UDO Chapter B "Zoning Ordinance"
 - Amend Section 2-1.3 (F) (3) Supplementary District Standards to allow for wider streetyard in the PB District in GMA 1.
 - Amend Section 2-1.3 (C) MU-S District to eliminate minimum lot size and width.
 - Amend Section 3-1.2 to exempt utilities and transmission tower zoning lots from minimum lot area and width requirements.
 - Amend Section 2-5 Planned Residential Development to exempt bufferyard requirements where lots front on existing public streets. (UDO-101).
- B. Ordinance amending the Forsyth County Zoning Ordinance.

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____
County Manager

ACTION REQUEST FORM

DATE: June 25, 2003
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 proposed by the City-County Planning staff to amend various sections of the UDO.

SUMMARY OF INFORMATION:

Zoning Text Amendment proposed by the City-County Planning staff to amend various sections of the UDO.

- To make grammatical, editorial, and non-substantive changes throughout the UDO Chapter B “Zoning Ordinance”
- Amend Section 2-1.3 (F) (3) Supplementary District Standards to allow for wider streetyard in the PB District in GMA 1.
- Amend Section 2-1.3 (C) MU-S District to eliminate minimum lot size and width.
- Amend Section 3-1.2 to exempt utilities and transmission tower zoning lots from minimum lot area and width requirements.
- Amend Section 2-5 Planned Residential Development to exempt bufferyard requirements where lots front on existing public streets. (UDO-101).

PLANNING BOARD ACTION:

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

STAFF REPORT

DOCKET #: UDO-101

STAFF: Gary Roberts

REPORT PER ITEM

The following UDO Text Amendments have been prepared and recommended by the City-County Planning Board Staff and the City-County Inspections Division Staff to accommodate grammatical, editorial, nonsubstantive changes, and clarifications throughout the UDO as specified in the attached ordinance.

CHAPTER B "ZONING ORDINANCE"

REQUEST

1. To amend Section 3-1.2(B)(6) regarding the projection of Canopies into side street yards.

ANALYSIS

Canopies are allowed to project 10 feet into the required front yard and should also be allowed to project in the corner side yard against the street.

STAFF RECOMMENDATION: APPROVAL.

REQUEST

2. To amend Section 3-2.1(A)(3) "Applicability of Other Sign Regulations" regarding City of Winston-Salem Code references.

ANALYSIS

Reference should be made to Section 70 of the City Code for Signs instead of incorrect reference to City Code Sections 20 and 21.

STAFF RECOMMENDATION: APPROVAL.

REQUEST

3. To amend Section 3-2.1 (A)(4)(h) "Banners Advertising Special Events or Sales" regarding City of Winston-Salem Code references.

ANALYSIS

Reference should be made to Section 70-14 of the City Code instead of incorrect Section 20-13(e).

STAFF RECOMMENDATION: APPROVAL.

REQUEST

4. To amend Section 3-2.1 (E)(2) "On-Premises Signs- Awning Signs" regarding City of Winston-Salem Code references.

ANALYSIS

Reference should be made to Section 74-94 of the City Code instead of incorrect Section 21-61 and 21-62.

STAFF RECOMMENDATION: APPROVAL.

REQUEST

5. To amend Section 3-3.2 Table 3.8 regarding parking for Adult Establishments.

ANALYSIS

Parking for Adult Establishments has been determined to be inadequate. The City-County Inspections Division has determined that current parking requirements are inadequate and should be similar to restaurants at one Off-Street Parking space per 75 square feet of building floor area instead of one space per 200 square feet of building floor area.

STAFF RECOMMENDATION: APPROVAL.

REQUEST

6. To amend Section 3-3.2 Table 3.8 regarding Off-Street Parking requirements for restaurants with take-out service only.

ANALYSIS

Parking for Restaurant (without drive-through service) and Restaurant (with drive-through service) needs a separate standard that would allow a "Take-Out" only restaurant to meet a parking standard of 1 space per 200 square feet instead of the current standard of 1 space per 75

square feet for all restaurants. The City-County Inspections Division has determined that the current parking standard is excessive for this type of operation and that the reduced parking standard would be sufficient

STAFF RECOMMENDATION: APPROVAL.

REQUEST

7. To amend Section 2-1.5(O)(2) General Dimensional Requirements for the MU-S (Mixed Use- Special Use District) to eliminate minimum lot area and width requirements.

ANALYSIS

The MU-S zoning district was revised in April of 2002 (UDO 86) to reduce the minimum total zoning lot acreage from thirty to fifteen acres. This change, as well as other modifications were approved to make the MU-S district most attractive for prospective new mixed use developments in keeping with *Legacy* recommendations. By definition, the MU-S District requires that a site plan be reviewed and approved by the elected body. On this basis, staff is of the opinion that a minimum lot size and width requirement is unnecessary and potentially restrictive to certain types of development. For example business and residential condominiums or townhouse development on small lots which may be part of a mixed-use development may not need, or benefit from, the currently required 5,000 sf minimum lot size or 60 foot wide minimum lot width. Staff therefore recommends that these minimum requirements be eliminated provided that the overall minimum acreage for a MU-S district remains at the current fifteen acre minimum.

STAFF RECOMMENDATION: APPROVAL.

REQUEST

8. To amend Section 2-1.3(F)(3) Supplementary District Standards for the PB (Pedestrian Business District) in GMA 1 to correct minor clerical omissions from the recently approved UDO text amendment (UDO-98).

ANALYSIS

On May 5, 2003 the City Council approved modifications to the PB District to accommodate taller structures in the City Center (GMA1) area. The attached amendment provides technical clarifications, which were previously recommended for approval by the City-County Planning Board, but failed to be included with documentation presented to the Council. The only substantive change is a clarification of the provision to allow a limited amount of parking in the front of buildings facing the street. Currently the ordinance states that parking may be allowed in the fronts of buildings provided that the parking does not extend more that sixty-one feet from the *right-of-way*. The corrected version recognizes that the sixty-one feet should instead be

measured from the *provided street yard*. This corrected language will accommodate additional landscape planting which may be restricted or eliminated under the previously approved ordinance language.

STAFF RECOMMENDATION: APPROVAL.

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: Philip Doyle

VOTE:

FOR: Bost, Clark, Doyle, Eickmeyer, Folan, Glenn, King, Lambe

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning

**AN ORDINANCE AMENDING
CHAPTER B, ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
REGARDING MULTIPLE CLARIFICATIONS AND TECHNICAL CHANGES**

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 B Zoning Ordinance: Article III – Section 3-1.2(B)(6) “Canopy” under the category “Structures Which may Encroach into Required Yards” is hereby amended as follows:

- (6) Canopy. Canopies, either attached or detached, used in conjunction with retail uses in business, office, or industrial districts, may project into a required front or side street yard, provided that such projection does not reduce the remaining open portion of such yard to a depth of less than ten (10) feet.

Section 2. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(3) “Applicability of Other Sign Regulations” under the category “General Requirements” for Sign Regulations is hereby amended as follows:

- (3) Applicability of Other Signs Regulations. Any sign shall meet all other regulations applicable to signs, including those found in ~~Chapters 20 and 21~~ Section 70 of the City of Winston-Salem code for signs erected in that jurisdiction (W).

Section 3. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(4)(h) “Banners Advertising Special Events or Sales” under the category “General Requirements” for Sign regulations is hereby amended as follows:

- (h) Banners advertising special events or sales are not permitted except within the City of Winston-Salem under the provisions of ~~Section 20-13(e)~~ Section 70-14 of the City of Winston-Salem code, if applicable. (W)

Section 4. Chapter B Zoning Ordinance: Article III – Section 3-2.1(E)(2) “On-Premises Signs – Awning Signs” is hereby amended as follows:

- (2) Attachment. Within the city limits of Winston-Salem, the awning sign must be attached to the building which is advertising in accordance with ~~Sections 21-61 and 21-62~~ 74-94 of the City of Winston-Salem code. (W)

Section 5. Chapter B Zoning Ordinance: Article III – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by replacing under the “Notes” column opposite the Principal Use classification “Adult Establishments” with the following: 1 space per 75 SF GFA* for establishment with live entertainment.

Section 6. Chapter B Zoning Ordinance: Article II – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by adding a new provision under the “Notes” column opposite the Principal Use classifications “Restaurant (without drive-through service)” and “Restaurant (with drive-through service)” the following provision:

1 space per 200 SF GFA minimum is required for Take-Out Only restaurants

Section 7. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (C)(2) “General Dimensional Requirements-MU-S” is hereby amended by eliminating the current minimum lot size requirement under the column “Minimum Zoning Lot” from ~~5,000 (sf)~~ to 0 (sf) and eliminating the minimum lot width from ~~30~~ feet to 0 feet.

Section 8. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (F)(3)(C) “Pedestrian Business District, Supplementary District Standards in GMA 1” is hereby amended as follows:

- (i) General Dimensional Requirements. Except as specified in this section, there are no general dimensional requirements for the PB District within GMA1, provided that each additional foot of height in excess of sixty (60) feet shall be set back a minimum of four (4) feet from properties zoned RS, RSQ, or H. A minimum forty (40) foot setback from any residential district (except RMU) shall be required in accordance with Section 3-1.2 Supplementary Dimensional Requirements. Under no circumstances shall the heights of structures exceed one hundred and fifty (150) feet.
- (ii) Parking and Loading. A comprehensive off-street parking and loading study which includes shared parking may be approved by the Director of Public Works in lieu of the standard parking and loading requirements as specified in UDO Section 3-3.2.
- (iii) Parking may be allowed in front of the principal building provided that no parking area shall extend into the site from the ~~right-of-way~~ streetyard more than sixty-one (61) feet.
- (iv) Streetyard. Refer to Section 3-4.3(B)(6) for streetyard requirements applicable in the PB District within GMA 1.”

Chapter B Zoning Ordinance: Article III- Section 3-4.3(B) Streetyards is hereby amended by amending subsection 6 as follows:

- (6) PB District. In the PB District within GMA 1, a minimum two (2) foot wide strip planted with trees and shrubs in accordance with this section shall be provided. Any required or provided trees within the streetyard shall be located within a minimum seven (7) foot wide, fifty (50) square foot planting area.”

Section 9. This ordinance shall be effective upon adoption.

**AN ORDINANCE AMENDING
CHAPTER B, ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
REGARDING MULTIPLE CLARIFICATIONS AND TECHNICAL CHANGES**

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. Chapter B Zoning Ordinance: Article III – Section 3-1.2(B)(6) “Canopy” under the category “Structures Which may Encroach into Required Yards” is hereby amended as follows:

- (6) Canopy. Canopies, either attached or detached, used in conjunction with retail uses in business, office, or industrial districts, may project into a required front or side street yard, provided that such projection does not reduce the remaining open portion of such yard to a depth of less than ten (10) feet.

Section 2. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(3) “Applicability of Other Sign Regulations” under the category “General Requirements” for Sign Regulations is hereby amended as follows:

- (3) Applicability of Other Signs Regulations. Any sign shall meet all other regulations applicable to signs, including those found in ~~Chapters 20 and 21~~ Section 70 of the City of Winston-Salem code for signs erected in that jurisdiction (W).

Section 3. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(4)(h) “Banners Advertising Special Events or Sales” under the category “General Requirements” for Sign regulations is hereby amended as follows:

- (h) Banners advertising special events or sales are not permitted except within the City of Winston-Salem under the provisions of ~~Section 20-13(e)~~ Section 70-14 of the City of Winston-Salem code, if applicable. (W)

Section 4. Chapter B Zoning Ordinance: Article III – Section 3-2.1(E)(2) “On-Premises Signs – Awning Signs” is hereby amended as follows:

- (2) Attachment. Within the city limits of Winston-Salem, the awning sign must be attached to the building which is advertising in accordance with ~~Sections 21-61 and 21-62~~ 74-94 of the City of Winston-Salem code. (W)

Section 5. Chapter B Zoning Ordinance: Article III – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by replacing under the “Notes” column opposite the Principal Use classification “Adult Establishments” with the following: 1 space per 75 SF GFA* for establishment with live entertainment.

Section 6. Chapter B Zoning Ordinance: Article II – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by adding a new provision under the “Notes” column opposite the Principal Use classifications “Restaurant (without drive-through service)” and “Restaurant (with drive-through service)” the following provision:

1 space per 200 SF GFA minimum is required for Take-Out Only restaurants

Section 7. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (C)(2) “General Dimensional Requirements-MU-S” is hereby amended by eliminating the current minimum lot size requirement under the column “Minimum Zoning Lot” from ~~5,000 (sf)~~ to 0 (sf) and eliminating the minimum lot width from ~~30~~ feet to 0 feet.

Section 8. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (F)(3)(C) “Pedestrian Business District, Supplementary District Standards in GMA 1” is hereby amended as follows:

- (i) General Dimensional Requirements. Except as specified in this section, there are no general dimensional requirements for the PB District within GMA1, provided that each additional foot of height in excess of sixty (60) feet shall be set back a minimum of four (4) feet from properties zoned RS, RSQ, or H. A minimum forty (40) foot setback from any residential district (except RMU) shall be required in accordance with Section 3-1.2 Supplementary Dimensional Requirements. Under no circumstances shall the heights of structures exceed one hundred and fifty (150) feet.
- (ii) Parking and Loading. A comprehensive off-street parking and loading study which includes shared parking may be approved by the Director of Public Works in lieu of the standard parking and loading requirements as specified in UDO Section 3-3.2.
- (iii) Parking may be allowed in front of the principal building provided that no parking area shall extend into the site from the ~~right-of-way~~ streetyard more than sixty-one (61) feet.
- (iv) Streetyard. Refer to Section 3-4.3(B)(6) for streetyard requirements applicable in the PB District within GMA 1.”

Chapter B Zoning Ordinance: Article III- Section 3-4.3(B) Streetyards is hereby amended by amending subsection 6 as follows:

- (7) PB District. In the PB District within GMA 1, a minimum two (2) foot wide strip planted with trees and shrubs in accordance with this section shall be provided. Any required or provided trees within the streetyard shall be located within a minimum seven (7) foot wide, fifty (50) square foot planting area.”

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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. Chapter B Zoning Ordinance: Article III – Section 3-1.2(B)(6) “Canopy” under the category “Structures Which may Encroach into Required Yards” is hereby amended as follows:

- (6) Canopy. Canopies, either attached or detached, used in conjunction with retail uses in business, office, or industrial districts, may project into a required front or side street yard, provided that such projection does not reduce the remaining open portion of such yard to a depth of less than ten (10) feet.

Section 2. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(3) “Applicability of Other Sign Regulations” under the category “General Requirements” for Sign Regulations is hereby amended as follows:

- (3) Applicability of Other Signs Regulations. Any sign shall meet all other regulations applicable to signs, including those found in ~~Chapters 20 and 21~~ Section 70 of the City of Winston-Salem code for signs erected in that jurisdiction (W).

Section 3. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(4)(h) “Banners Advertising Special Events or Sales” under the category “General Requirements” for Sign regulations is hereby amended as follows:

- (h) Banners advertising special events or sales are not permitted except within the City of Winston-Salem under the provisions of ~~Section 20-13(e)~~ Section 70-14 of the City of Winston-Salem code, if applicable. (W)

Section 4. Chapter B Zoning Ordinance: Article III – Section 3-2.1(E)(2) “On-Premises Signs – Awning Signs” is hereby amended as follows:

- (2) Attachment. Within the city limits of Winston-Salem, the awning sign must be attached to the building which is advertising in accordance with ~~Sections 21-61 and 21-62~~ 74-94 of the City of Winston-Salem code. (W)

Section 5. Chapter B Zoning Ordinance: Article III – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by replacing under the “Notes” column opposite the Principal Use classification “Adult Establishments” with the following: 1 space per 75 SF GFA* for establishment with live entertainment.

Section 6. Chapter B Zoning Ordinance: Article II – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by adding a new provision under the “Notes”

column opposite the Principal Use classifications “Restaurant (without drive-through service)” and “Restaurant (with drive-through service)” the following provision:

1 space per 200 SF GFA minimum is required for Take-Out Only restaurants

Section 7. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (C)(2) “General Dimensional Requirements-MU-S” is hereby amended by eliminating the current minimum lot size requirement under the column “Minimum Zoning Lot” from ~~5,000 (sf)~~ to 0 (sf) and eliminating the minimum lot width from ~~30~~ feet to 0 feet.

Section 8. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (F)(3)(C) “Pedestrian Business District, Supplementary District Standards in GMA 1” is hereby amended as follows:

- (i) General Dimensional Requirements. Except as specified in this section, there are no general dimensional requirements for the PB District within GMA1, provided that each additional foot of height in excess of sixty (60) feet shall be set back a minimum of four (4) feet from properties zoned RS, RSQ, or H. A minimum forty (40) foot setback from any residential district (except RMU) shall be required in accordance with Section 3-1.2 Supplementary Dimensional Requirements. Under no circumstances shall the heights of structures exceed one hundred and fifty (150) feet.
- (ii) Parking and Loading. A comprehensive off-street parking and loading study which includes shared parking may be approved by the Director of Public Works in lieu of the standard parking and loading requirements as specified in UDO Section 3-3.2.
- (iii) Parking may be allowed in front of the principal building provided that no parking area shall extend into the site from the ~~right-of-way~~ provided streetyard more than sixty-one (61) feet.
- (iv) Streetyard. Refer to Section 3-4.3(B)(6) for streetyard requirements applicable in the PB District within GMA 1.”

Chapter B Zoning Ordinance: Article III- Section 3-4.3(B) Streetyards is hereby amended by amending subsection 6 as follows:

- (8) PB District. In the PB District within GMA 1, a minimum two (2) foot wide strip planted with trees and shrubs in accordance with this section shall be provided. Any required or provided trees within the streetyard shall be located within a minimum seven (7) foot wide, fifty (50) square foot planting area.”

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**AN ORDINANCE AMENDING
CHAPTER B, ZONING ORDINANCE,
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REGARDING MULTIPLE CLARIFICATIONS AND TECHNICAL CHANGES**

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. Chapter B Zoning Ordinance: Article III – Section 3-1.2(B)(6) “Canopy” under the category “Structures Which may Encroach into Required Yards” is hereby amended as follows:

- (6) Canopy. Canopies, either attached or detached, used in conjunction with retail uses in business, office, or industrial districts, may project into a required front or side street yard, provided that such projection does not reduce the remaining open portion of such yard to a depth of less than ten (10) feet.

Section 2. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(3) “Applicability of Other Sign Regulations” under the category “General Requirements” for Sign Regulations is hereby amended as follows:

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- (h) Banners advertising special events or sales are not permitted except within the City of Winston-Salem under the provisions of ~~Section 20-13(e)~~ Section 70-14 of the City of Winston-Salem code, if applicable. (W)

Section 4. Chapter B Zoning Ordinance: Article III – Section 3-2.1(E)(2) “On-Premises Signs – Awning Signs” is hereby amended as follows:

- (2) Attachment. Within the city limits of Winston-Salem, the awning sign must be attached to the building which is advertising in accordance with ~~Sections 21-61 and 21-62~~ 74-94 of the City of Winston-Salem code. (W)

Section 5. Chapter B Zoning Ordinance: Article III – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by replacing under the “Notes” column opposite the Principal Use classification “Adult Establishments” with the following: 1 space per 75 SF GFA* for establishment with live entertainment.

Section 6. Chapter B Zoning Ordinance: Article II – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by adding a new provision under the “Notes” column opposite the Principal Use classifications “Restaurant (without drive-through service)” and “Restaurant (with drive-through service)” the following provision:

1 space per 200 SF GFA minimum is required for Take-Out Only restaurants

Section 7. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (C)(2) “General Dimensional Requirements-MU-S” is hereby amended by eliminating the current minimum lot size requirement under the column “Minimum Zoning Lot” from ~~5,000 (sf)~~ to 0 (sf) and eliminating the minimum lot width from ~~30~~ feet to 0 feet.

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- (i) General Dimensional Requirements. Except as specified in this section, there are no general dimensional requirements for the PB District within GMA1, provided that each additional foot of height in excess of sixty (60) feet shall be set back a minimum of four (4) feet from properties zoned RS, RSQ, or H. A minimum forty (40) foot setback from any residential district (except RMU) shall be required in accordance with Section 3-1.2 Supplementary Dimensional Requirements. Under no circumstances shall the heights of structures exceed one hundred and fifty (150) feet.
- (ii) Parking and Loading. A comprehensive off-street parking and loading study which includes shared parking may be approved by the Director of Public Works in lieu of the standard parking and loading requirements as specified in UDO Section 3-3.2.
- (iii) Parking may be allowed in front of the principal building provided that no parking area shall extend into the site from the ~~right-of-way~~ streetyard more than sixty-one (61) feet.
- (iv) Streetyard. Refer to Section 3-4.3(B)(6) for streetyard requirements applicable in the PB District within GMA 1.”

Chapter B Zoning Ordinance: Article III- Section 3-4.3(B) Streetyards is hereby amended by amending subsection 6 as follows:

- (9) PB District. In the PB District within GMA 1, a minimum two (2) foot wide strip planted with trees and shrubs in accordance with this section shall be provided. Any required or provided trees within the streetyard shall be located within a minimum seven (7) foot wide, fifty (50) square foot planting area.”

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CHAPTER B, ZONING ORDINANCE,
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REGARDING MULTIPLE CLARIFICATIONS AND TECHNICAL CHANGES**

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

Section 1. Chapter B Zoning Ordinance: Article III – Section 3-1.2(B)(6) “Canopy” under the category “Structures Which may Encroach into Required Yards” is hereby amended as follows:

- (6) Canopy. Canopies, either attached or detached, used in conjunction with retail uses in business, office, or industrial districts, may project into a required front or side street yard, provided that such projection does not reduce the remaining open portion of such yard to a depth of less than ten (10) feet.

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- (h) Banners advertising special events or sales are not permitted except within the City of Winston-Salem under the provisions of ~~Section 20-13(e)~~ Section 70-14 of the City of Winston-Salem code, if applicable. (W)

Section 4. Chapter B Zoning Ordinance: Article III – Section 3-2.1(E)(2) “On-Premises Signs – Awning Signs” is hereby amended as follows:

- (2) Attachment. Within the city limits of Winston-Salem, the awning sign must be attached to the building which is advertising in accordance with ~~Sections 21-61 and 21-62~~ 74-94 of the City of Winston-Salem code. (W)

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- (ii) Parking and Loading. A comprehensive off-street parking and loading study which includes shared parking may be approved by the Director of Public Works in lieu of the standard parking and loading requirements as specified in UDO Section 3-3.2.
- (iii) Parking may be allowed in front of the principal building provided that no parking area shall extend into the site from the ~~right-of-way~~ streetyard more than sixty-one (61) feet.
- (iv) Streetyard. Refer to Section 3-4.3(B)(6) for streetyard requirements applicable in the PB District within GMA 1.”

Chapter B Zoning Ordinance: Article III- Section 3-4.3(B) Streetyards is hereby amended by amending subsection 6 as follows:

- (10) PB District. In the PB District within GMA 1, a minimum two (2) foot wide strip planted with trees and shrubs in accordance with this section shall be provided. Any required or provided trees within the streetyard shall be located within a minimum seven (7) foot wide, fifty (50) square foot planting area.”

Section 9. This ordinance shall be effective upon adoption.

**AN ORDINANCE AMENDING
CHAPTER B, ZONING ORDINANCE,
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
REGARDING MULTIPLE CLARIFICATIONS AND TECHNICAL CHANGES**

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. Chapter B Zoning Ordinance: Article III – Section 3-1.2(B)(6) “Canopy” under the category “Structures Which may Encroach into Required Yards” is hereby amended as follows:

- (6) Canopy. Canopies, either attached or detached, used in conjunction with retail uses in business, office, or industrial districts, may project into a required front or side street yard, provided that such projection does not reduce the remaining open portion of such yard to a depth of less than ten (10) feet.

Section 2. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(3) “Applicability of Other Sign Regulations” under the category “General Requirements” for Sign Regulations is hereby amended as follows:

- (3) Applicability of Other Signs Regulations. Any sign shall meet all other regulations applicable to signs, including those found in ~~Chapters 20 and 21~~ Section 70 of the City of Winston-Salem code for signs erected in that jurisdiction (W).

Section 3. Chapter B Zoning Ordinance: Article III – Section 3-2.1(A)(4)(h) “Banners Advertising Special Events or Sales” under the category “General Requirements” for Sign regulations is hereby amended as follows:

- (h) Banners advertising special events or sales are not permitted except within the City of Winston-Salem under the provisions of ~~Section 20-13(e)~~ Section 70-14 of the City of Winston-Salem code, if applicable. (W)

Section 4. Chapter B Zoning Ordinance: Article III – Section 3-2.1(E)(2) “On-Premises Signs – Awning Signs” is hereby amended as follows:

- (2) Attachment. Within the city limits of Winston-Salem, the awning sign must be attached to the building which is advertising in accordance with ~~Sections 21-61 and 21-62~~ 74-94 of the City of Winston-Salem code. (W)

Section 5. Chapter B Zoning Ordinance: Article III – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by replacing under the “Notes” column opposite the Principal Use classification “Adult Establishments” with the following: 1 space per 75 SF GFA* for establishment with live entertainment.

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

Section 6. Chapter B Zoning Ordinance: Article II – Section 3-3.2, Table 3.8 “Off-Street Parking Requirements” is hereby amended by adding a new provision under the “Notes” column opposite the Principal Use classifications “Restaurant (without drive-through service)” and “Restaurant (with drive-through service)” the following provision:

1 space per 200 SF GFA minimum is required for Take-Out Only restaurants

Section 7. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (C)(2) “General Dimensional Requirements-MU-S” is hereby amended by eliminating the current minimum lot size requirement under the column “Minimum Zoning Lot” from ~~5,000 (sf)~~ to 0 (sf) and eliminating the minimum lot width from ~~30~~ feet to 0 feet.

Section 8. Chapter B Zoning Ordinance: Article II – Section 2-1.3 (F)(3)(C) “Pedestrian Business District, Supplementary District Standards in GMA 1” is hereby amended as follows:

- (i) General Dimensional Requirements. Except as specified in this section, there are no general dimensional requirements for the PB District within GMA1, provided that each additional foot of height in excess of sixty (60) feet shall be set back a minimum of four (4) feet from properties zoned RS, RSQ, or H. A minimum forty (40) foot setback from any residential district (except RMU) shall be required in accordance with Section 3-1.2 Supplementary Dimensional Requirements. Under no circumstances shall the heights of structures exceed one hundred and fifty (150) feet.
- (ii) Parking and Loading. A comprehensive off-street parking and loading study which includes shared parking may be approved by the Director of Public Works in lieu of the standard parking and loading requirements as specified in UDO Section 3-3.2.
- (iii) Parking may be allowed in front of the principal building provided that no parking area shall extend into the site from the ~~right-of-way~~ streetyard more than sixty-one (61) feet.
- (iv) Streetyard. Refer to Section 3-4.3(B)(6) for streetyard requirements applicable in the PB District within GMA 1.”

Chapter B Zoning Ordinance: Article III- Section 3-4.3(B) Streetyards is hereby amended by amending subsection 6 as follows:

- (11) PB District. In the PB District within GMA 1, a minimum two (2) foot wide strip planted with trees and shrubs in accordance with this section shall be provided. Any required or provided trees within the streetyard shall be located within a minimum seven (7) foot wide, fifty (50) square foot planting area.”

Section 9. 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.