

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** \_\_\_\_\_ **AGENDA ITEM NUMBER:** \_\_\_\_\_

**SUBJECT:-**

Request for Public Hearing on Zoning Text Amendment proposed by the City-County Planning Board to make corrections to the General Dimensional Requirements of the RM-5 Residential Multifamily District, Section 2-1.2 (K) (UDO-89).

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

Zoning Text Amendment proposed by the City-County Planning Board to make corrections to the General Dimensional Requirements of the RM-5 Residential Multifamily District, Section 2-1.2 (K) (UDO-89).

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

**ATTACHMENTS:-**     YES         NO

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ACTION REQUEST FORM**

**DATE:** July 22, 2002  
**TO:** The Honorable Mayor and Board of Aldermen  
**FROM:** A. Paul Norby, AICP, Director of Planning

**BOARD ACTION REQUEST:**

Request for Public Hearing on Zoning Text Amendment regarding corrections to the General Dimensional Requirements of the RM-5 Residential Multifamily District.

**SUMMARY OF INFORMATION:**

Zoning Text Amendment proposed by the City-County Planning Board to make corrections to the General Dimensional Requirements of the RM-5 Residential Multifamily District, Section 2-1.2 (K) (UDO-89).

**PLANNING BOARD ACTION:**

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

## STAFF REPORT

**DOCKET #:** UDO-89

**STAFF:** Glenn Simmons

### **REQUEST**

Zoning text amendment of the City-County Planning Board to amend Chapter B “Zoning Ordinance”, Article II, Section 2-1.2 (K)(2) “General Dimensional Requirements” and other applicable sections of the *Unified Development Ordinances* (UDO) to correct and clarify the minimum lot size and setback requirements for the RM-5 Residential Multifamily District.

### **BACKGROUND**

This text amendment was proposed by the City County Planning Board to correct and clarify the table which specifies minimum lot size and setback requirements for the RM-5 Residential Multifamily District. Currently, the UDO permits Single Family, Duplex, Twin Homes, Triplex Multifamily, Quadraplex Multifamily, and 3-4 Unit Townhouse units in the RM-5 zoning district provided that the overall density of development does not exceed five units per acre. However, the General Dimensional Requirements table shows incorrectly only one 8,000 square foot minimum lot size for all types of uses. Although a previous UDO text amendment, UDO 36, provided for townhomes up to four contiguous units to be built in the RM-5 district, the general dimensional table was not fully amended at that time to accommodate differences in minimum lot size requirements. Moreover, UDO 71 which clarified the distinction between the zero setback requirements for individual townhome *units* in contrast to the setback requirements for multifamily *buildings*, also did not address the unique dimensional requirements of the RM-5 District. This ambiguity has limited the application of the district in certain situations where the RM-5 district would be most appropriate. Staff believes that the proposed revisions are necessary to make the district more usable and understandable in accordance with the district’s intended purpose.

### **REQUEST**

Modify the General Dimensional Requirements table of the RM-5 zoning district to be consistent with the minimum lot size and setback requirements for Single Family, Duplex, Twin Homes, Triplex Multifamily, Quadraplex Multifamily, and 3-4 Unit Townhouse uses currently allowed in RM-5.

### **ANALYSIS**

The RM-5 Residential Multifamily zoning district is an important zoning district which bridges the gap between traditional multifamily and single family zoning districts. Especially given that RM-5 is comparable in density to the RS-9 zoning classification which yields 4.84 units per acre, the district can serve as an appropriate district in certain circumstances where low density attached housing is desirable. Staff intends to correct and clarify the district for easier and more precise use by both the development community and by the City-County Inspections Division.

Staff believes that the proposed revisions are clearly in accordance with the district's intended purpose.

Currently, the General Dimensional Requirement table specifies only one 8,000 square foot minimum lot size for the RM-5 district. The intent, however, is for the RM-5 District to have a graduated lot size requirement consistent with the type and scale of building size. For example, a minimum 5,000 square foot lot area is proposed for a single family home in RS-5, but 11,000 square feet would be required for a four unit quadraplex. This standard is very similar to the RSQ zoning district, but unlike RSQ, the RM-5 does not require quadraplex units to exist on individual lots. Staff notes that the proposed changes are nearly identical to the requirements which have been previously adopted by Kernersville, Clemmons, and Lewisville. Adopting these changes would further unify the UDO with respect to the RM-5 district.

As part of the above mentioned clarifications, this text amendment also proposes to change the existing side streetyard setback to from 20 feet to 15 feet to be consistent with the current required front yard setback. This change is consistent with other zoning classifications in which the side streetyard setback is equal to or less than the required front yard setback.

By clarifying the minimum lot size and dimensional requirements for various uses already permitted within the RM-5 district staff believes that the dimensional ambiguity concerns expressed by the City-County Inspections staff and the development community can be resolved.

### **RECOMMENDATION**

Staff recommends **APPROVAL**.

Glenn Simmons presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Philip Doyle moved approval of the zoning text amendment.

SECOND: Dara Folan

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, Kennedy-Sloan, King, Norwood, Powell

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning

**UDO-89**  
**AN ORDINANCE AMENDING**  
**THE UNIFIED DEVELOPMENT ORDINANCES**  
**REGARDING THE CLARIFICATION OF GENERAL DIMENSIONAL**  
**REQUIREMENTS IN THE RM-5 RESIDENTIAL MULTIFAMILY DISTRICT**

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

Section 1. Chapter B, Section 2-1.2 (K) General Dimensional Requirements - RM-5 is amended by deleting the following items indicated with a ~~strikeout~~ (as ~~indicated here~~) and adding those items indicated with an underscore (as indicated here).

(2) ~~General Dimensional Requirements - RM-5. (F,W)~~

Zoning District	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
			Front (ft)	Rear (ft)	Side				
	Area (sf)	Width (ft)			One Side (ft)	Combined (ft)	Street (ft)		
RM-5	8,000	70	15	15	7	20	20	65	40

(2) ~~General Dimensional Requirements - RM-5. (C,K,L)~~

Zoning District/ Use	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
			Front (ft)	Rear (ft)	Side				
	Area (sf)	Width (ft)			One Side (ft)	Combined (ft)	Street (ft)		
Single Family	5,000	40	15	15	5	15	<del>20</del> <u>15</u>	40	
Duplex	7,000	50	15	15	7	15	<del>20</del> <u>15</u>	40	
Twin Homes	-	25	0 <sup>1</sup>	0 <sup>1</sup>	0	15	<del>20</del> <u>15</u>	40	
Triplex Multifamily	9,000	60	15	15	10	20	<del>20</del> <u>15</u>	40	
Quadruplex Multifamily	11,000	60	15	15	10	20	<del>20</del> <u>15</u>	40	
3- or 4-Unit Townhouse	-	0	0 <sup>1</sup>	0 <sup>1</sup>	0 <sup>2</sup>	0 <sup>2</sup>	<del>20</del> <u>0<sup>1</sup></u>	40	

Zoning District/ Use	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
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	Area (sf)	Width (ft)			One Side (ft)	Combined (ft)	Street (ft)		
Other	11,000	60	15	15	<del>10(C)</del> <del>20(L)</del> <u>10</u>	20	<del>20</del> <u>15</u>		40

1. Buildings must be set back minimum 15' off front, rear, and street side property lines.
2. Buildings must be set back minimum 10' off side property line, combined side property lines 20 feet.

(3) **Supplementary District Requirements.** Minimum lot sizes for single family, two family, and multifamily residential buildings on small lots must meet the requirements of Table 3.3 (Section 3-1.1).

~~(4) **One Principal Building per Zoning Lot.** Only one residential building shall be placed on a zoning lot or lot of record, except as permitted under Section 2-6.4(C).~~

~~(5) **Permitted Uses.** Residential buildings permitted in the RM-5 District include single-family, duplex, twin home, multifamily buildings with three (3) or four (4) units, and townhouses buildings with three (3) or four (4) units. (F,W)~~

(4) No multifamily or other residential buildings exceeding four units will be allowed in the RM-5 district.

Section 2. Chapter B, Section 2-5.59(B)(5) Residential Building, Multifamily - Building Spacing Requirements is revised as shown by deleting items indicated with a strikeout (as indicated here) and adding items indicated with an underscore (as indicated here):

(5) **Building Spacing Requirements.** Except in the RM-5 District, all All multifamily, townhouse, or twin home residential buildings shall meet the requirements of Section 3-1.2(K) Building Spacing Requirements for Multifamily Residential Buildings.

Section 3. This ordinance shall be effective upon adoption.

**UDO-89**  
**AN ORDINANCE AMENDING**  
**THE UNIFIED DEVELOPMENT ORDINANCES**  
**REGARDING THE CLARIFICATION OF GENERAL DIMENSIONAL**  
**REQUIREMENTS IN THE RM-5 RESIDENTIAL MULTIFAMILY DISTRICT**

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, Section 2-1.2 (K) General Dimensional Requirements - RM-5 is amended by deleting the following items indicated with a ~~strikeout~~ (as ~~indicated here~~) and adding those items indicated with an underscore (as indicated here).

(2) ~~General Dimensional Requirements - RM-5. (F,W)~~

Zoning District	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
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	Area (sf)	Width (ft)			One Side (ft)	Combined (ft)	Street (ft)		
RM-5	8,000	70	15	15	7	20	20	65	40

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Zoning District/ Use	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
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Single Family	5,000	40	15	15	5	15	<del>20</del> <u>15</u>	40	
Duplex	7,000	50	15	15	7	15	<del>20</del> <u>15</u>	40	
Twin Homes	-	25	0 <sup>1</sup>	0 <sup>1</sup>	0	15	<del>20</del> <u>15</u>	40	
Triplex Multifamily	9,000	60	15	15	10	20	<del>20</del> <u>15</u>	40	
Quadruplex Multifamily	11,000	60	15	15	10	20	<del>20</del> <u>15</u>	40	
3- or 4-Unit Townhouse	-	0	0 <sup>1</sup>	0 <sup>1</sup>	0 <sup>2</sup>	0 <sup>2</sup>	<del>20</del> <u>0<sup>1</sup></u>	40	



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Other	11,000	60	15	15	<del>10(C)</del> <del>20(L)</del> <u>10</u>	20	<del>20</del> <u>15</u>		40

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(3) **Supplementary District Requirements.** Minimum lot sizes for single family, two family, and multifamily residential buildings on small lots must meet the requirements of Table 3.3 (Section 3-1.1).

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**AN ORDINANCE AMENDING**  
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**REGARDING THE CLARIFICATION OF GENERAL DIMENSIONAL**  
**REQUIREMENTS IN THE RM-5 RESIDENTIAL MULTIFAMILY DISTRICT**

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, Section 2-1.2 (K) General Dimensional Requirements - RM-5 is amended by deleting the following items indicated with a ~~strikeout~~ (as ~~indicated here~~) and adding those items indicated with an underscore (as indicated here).

(2) ~~General Dimensional Requirements - RM-5. (F,W)~~

Zoning District	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
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Twin Homes	-	25	0 <sup>1</sup>	0 <sup>1</sup>	0	15	<del>20</del> <u>15</u>	40	
Triplex Multifamily	9,000	60	15	15	10	20	<del>20</del> <u>15</u>	40	
Quadruplex Multifamily	11,000	60	15	15	10	20	<del>20</del> <u>15</u>	40	
3- or 4-Unit Townhouse	-	0	0 <sup>1</sup>	0 <sup>1</sup>	0 <sup>2</sup>	0 <sup>2</sup>	<del>20</del> <u>0<sup>1</sup></u>	40	

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(3) **Supplementary District Requirements.** Minimum lot sizes for single family, two family, and multifamily residential buildings on small lots must meet the requirements of Table 3.3 (Section 3-1.1).

~~(4) **One Principal Building per Zoning Lot.** Only one residential building shall be placed on a zoning lot or lot of record, except as permitted under Section 2-6.4(C).~~

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**REQUIREMENTS IN THE RM-5 RESIDENTIAL MULTIFAMILY DISTRICT**

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, Section 2-1.2 (K) General Dimensional Requirements - RM-5 is amended by deleting the following items indicated with a ~~strikeout~~ (as ~~indicated here~~) and adding those items indicated with an underscore (as indicated here).

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Quadruplex Multifamily	11,000	60	15	15	10	20	<del>20</del> <u>15</u>	40	
3- or 4-Unit Townhouse	-	0	0 <sup>1</sup>	0 <sup>1</sup>	0 <sup>2</sup>	0 <sup>2</sup>	<del>20</del> <u>0<sup>1</sup></u>	40	

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**REQUIREMENTS IN THE RM-5 RESIDENTIAL MULTIFAMILY DISTRICT**

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:

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(2) ~~General Dimensional Requirements - RM-5. (F,W)~~

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3- or 4-Unit Townhouse	-	0	0 <sup>1</sup>	0 <sup>1</sup>	0 <sup>2</sup>	0 <sup>2</sup>	<del>20</del> <u>0<sup>1</sup></u>	40	

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Section 3. This ordinance shall be effective upon adoption.