

December 18, 2002

Hospice & Palliative Care Center  
c/o JoAnn E. Davis, Chief Executive Officer  
1100-C South Stratford Road  
Winston-Salem, NC 27103

RE: ZONING TEXT AMENDMENT UDO-95

Dear Ms. Davis:

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

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 Aldermen will hear this petition.

Sincerely,

A. Paul Norby, AICP  
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office  
Renee Rice, City Secretary

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

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

**SUBJECT:-**

Request for Public Hearing on UDO Text Amendment proposed by Hospice of  
Winston-Salem/Forsyth County, Inc.

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

**SUMMARY OF INFORMATION:-**

UDO Text Amendment proposed by Hospice of Winston-Salem/Forsyth County,  
Inc. to create a use "Hospice and Palliative Care" for application in the IP, C, LO,  
GO, and MU-S Zoning Districts (UDO-95).

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

**ATTACHMENTS:-**     YES         NO

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

**ACTION REQUEST FORM**

**DATE:** December 18, 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 of Hospice of Winston-Salem/Forsyth County, Inc.

**SUMMARY OF INFORMATION:**

UDO Text Amendment proposed by Hospice of Winston-Salem/Forsyth County, Inc. to create a use "Hospice and Palliative Care" for application in the IP, C, LO, GO, and MU-S Zoning Districts (UDO-95).

**PLANNING BOARD ACTION:**

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

## STAFF REPORT

**DOCKET #:** UDO-95

**STAFF:** Suzy Galloway

### REQUEST

Text amendment proposed by Hospice of Winston-Salem/Forsyth County, Inc. to create a new use classification of "Hospice and Palliative Care" for application in the IP zoning district. Planning staff recommends that the new use also be applicable in the C, LO, GO and MU-S districts. This would amend Chapter A, Article II - Definitions, and Chapter B, Article II, Table 2.6 Permitted Uses and Table 3.8 Off Street Parking of the *Unified Development Ordinances* (UDO).

### BACKGROUND

This proposed text amendment was submitted by Hospice of Winston-Salem/Forsyth County, Inc. to create a new UDO use classification of "Hospice and Palliative Care" for application in the IP zoning district. Currently the residential care aspect of the Hospice facility operates under the provisions of RM-12-S zoning which permits the use "Nursing Care Institution." While this classification accommodates the treatment of patients in a residential setting, it does not allow for the consolidation of other complementary functions such as family counseling, outpatient treatment, and administrative offices. Staff understands from our discussions with Hospice representatives that these ancillary activities are integral to the overall Hospice operation whose mission is to serve the needs of persons with life limiting illnesses and their families.

### ANALYSIS

The current Winston-Salem Hospice treatment facility is located within a RM-12-S zoning district which is approved for a Nursing Care Institution as defined in the UDO as follows:

“A home for persons aged, ill or handicapped in which two (2) or more persons not in the immediate family of the owner or manager of said home are provided with food, shelter, and nursing care. The term *nursing care institution* includes convalescent home, home for the aging, sanitarium, home for the blind, rest home, or any similar establishment.”

While the UDO definition "Nursing Care Institution" supports extended, inpatient treatment of individuals by skilled nursing professionals, it does not address the complementary needs for outpatient care, family counseling, and administrative office functions. Since no single zoning classification, other than the more intensive office and retail commercial districts supports all of the Hospice and palliative

care functions, Hospice proposes the following “Hospice and Palliative Care” use as an available alternative in the IP district. The proposed definition is as follows:

“HOSPICE AND PALLIATIVE CARE. A facility which specializes in the extended inpatient care and treatment of individuals by skilled nursing professionals as defined by the North American Industry Classification System codes 623110 (Nursing Care Facilities) and 62161 (Home Health Care Services). Ancillary services such as outpatient treatment, education, counseling, in-home nursing care programs, and administrative office functions may also be conducted on the same zoning lot.”

According to the UDO purpose statement for the Institutional Public zoning district, “The IP District is intended to accommodate public and institutional uses which have a limited land use impact or traffic generation potential upon surrounding uses.” Based on Planning staff’s understanding of the overall Hospice operation and its limited impacts, staff believes that such a facility could be appropriately supported under this description. Additionally, staff recommends that the proposed new use also be available as use by right in the Campus (C), Limited Office (LO), General Office (GO), and Mixed Use - Special Use Only (MU-S) Districts.

### **RECOMMENDATION**

Staff recommends **APPROVAL**.

Suzy Gallaway presented the staff report.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

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

SECOND: Philip Doyle

VOTE:

FOR: Avant, Bost, Clark, Doyle, Folan, Glenn, King, Powell

AGAINST: None

EXCUSED: None

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A. Paul Norby, AICP  
Director of Planning

**UDO-95**  
**AN ORDINANCE AMENDING**  
**CHAPTER A AND CHAPTER B OF THE**  
**UNIFIED DEVELOPMENT ORDINANCES**  
**REGARDING THE ADDITION OF A USE**  
**"HOSPICE AND PALLIATIVE CARE"**  
**TO BE APPLIED IN THE**  
**IP, C, LO, GO, AND MU-S ZONING DISTRICTS.**

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 A-Definitions Ordinance, Article II- Definitions is hereby amended by adding alphabetically to the list of definitions the following new definition:

“HOSPICE AND PALLIATIVE CARE. A facility which specializes in the extended inpatient care and treatment of individuals by skilled nursing professionals as defined by the North American Industry Classification System codes 623110 (Nursing Care Facilities) and 62161 (Home Health Care Services). Ancillary services such as outpatient treatment, education, counseling, in-home nursing care programs, and administrative office functions may also be conducted on the same zoning lot.”

Section 2. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is further amended by adding a new use classification of "Hospice and Palliative Care" under the column USE TYPE and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES.

Section 3. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is hereby amended by adding a "Z" under the IP, C, LO, GO, and MU-S columns for the following new use classification: "Hospice and Palliative Care."

Section 4. Table 3.8 "OFF-STREET PARKING REQUIREMENTS" Chapter B, Article III, "Other Development Standards" is hereby amended by adding a new principal use of "Hospice and Palliative Care" under the column PRINCIPAL USES and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES. Additionally, under the column MINIMUM REQUIREMENTS and adjacent to the new row "Hospice and Palliative Care" "1 space per 500 SF GFA\*" shall be added.

Section 5. 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-95**  
**AN ORDINANCE AMENDING**  
**CHAPTER A AND CHAPTER B OF THE**  
**UNIFIED DEVELOPMENT ORDINANCES**  
**REGARDING THE ADDITION OF A USE**  
**"HOSPICE AND PALLIATIVE CARE"**  
**TO BE APPLIED IN THE**  
**IP, C, LO, GO, AND MU-S ZONING DISTRICTS.**

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 A-Definitions Ordinance, Article II- Definitions is hereby amended by adding alphabetically to the list of definitions the following new definition:

“HOSPICE AND PALLIATIVE CARE. A facility which specializes in the extended inpatient care and treatment of individuals by skilled nursing professionals as defined by the North American Industry Classification System codes 623110 (Nursing Care Facilities) and 62161 (Home Health Care Services). Ancillary services such as outpatient treatment, education, counseling, in-home nursing care programs, and administrative office functions may also be conducted on the same zoning lot.”

Section 2. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is further amended by adding a new use classification of "Hospice and Palliative Care" under the column USE TYPE and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES.

Section 3. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is hereby amended by adding a "Z" under the IP, C, LO, GO, and MU-S columns for the following new use classification: "Hospice and Palliative Care."

Section 4. Table 3.8 "OFF-STREET PARKING REQUIREMENTS" Chapter B, Article III, "Other Development Standards" is hereby amended by adding a new principal use of "Hospice and Palliative Care" under the column PRINCIPAL USES and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES. Additionally, under the column MINIMUM REQUIREMENTS and adjacent to the new row "Hospice and Palliative Care" "1 space per 500 SF GFA\*" shall be added.

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**TO BE APPLIED IN THE**  
**IP, C, LO, GO, AND MU-S ZONING DISTRICTS.**

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 A-Definitions Ordinance, Article II- Definitions is hereby amended by adding alphabetically to the list of definitions the following new definition:

“HOSPICE AND PALLIATIVE CARE. A facility which specializes in the extended inpatient care and treatment of individuals by skilled nursing professionals as defined by the North American Industry Classification System codes 623110 (Nursing Care Facilities) and 62161 (Home Health Care Services). Ancillary services such as outpatient treatment, education, counseling, in-home nursing care programs, and administrative office functions may also be conducted on the same zoning lot.”

Section 2. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is further amended by adding a new use classification of "Hospice and Palliative Care" under the column USE TYPE and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES.

Section 3. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is hereby amended by adding a "Z" under the IP, C, LO, GO, and MU-S columns for the following new use classification: "Hospice and Palliative Care."

Section 4. Table 3.8 "OFF-STREET PARKING REQUIREMENTS" Chapter B, Article III, "Other Development Standards" is hereby amended by adding a new principal use of "Hospice and Palliative Care" under the column PRINCIPAL USES and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES. Additionally, under the column MINIMUM REQUIREMENTS and adjacent to the new row "Hospice and Palliative Care" "1 space per 500 SF GFA\*" shall be added.

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**"HOSPICE AND PALLIATIVE CARE"**  
**TO BE APPLIED IN THE**  
**IP, C, LO, GO, AND MU-S ZONING DISTRICTS.**

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 A-Definitions Ordinance, Article II- Definitions is hereby amended by adding alphabetically to the list of definitions the following new definition:

“HOSPICE AND PALLIATIVE CARE. A facility which specializes in the extended inpatient care and treatment of individuals by skilled nursing professionals as defined by the North American Industry Classification System codes 623110 (Nursing Care Facilities) and 62161 (Home Health Care Services). Ancillary services such as outpatient treatment, education, counseling, in-home nursing care programs, and administrative office functions may also be conducted on the same zoning lot.”

Section 2. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is further amended by adding a new use classification of "Hospice and Palliative Care" under the column USE TYPE and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES.

Section 3. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is hereby amended by adding a "Z" under the IP, C, LO, GO, and MU-S columns for the following new use classification: "Hospice and Palliative Care."

Section 4. Table 3.8 "OFF-STREET PARKING REQUIREMENTS" Chapter B, Article III, "Other Development Standards" is hereby amended by adding a new principal use of "Hospice and Palliative Care" under the column PRINCIPAL USES and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES. Additionally, under the column MINIMUM REQUIREMENTS and adjacent to the new row "Hospice and Palliative Care" "1 space per 500 SF GFA\*" shall be added.

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**IP, C, LO, GO, AND MU-S ZONING DISTRICTS.**

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. Chapter A-Definitions Ordinance, Article II- Definitions is hereby amended by adding alphabetically to the list of definitions the following new definition:

“HOSPICE AND PALLIATIVE CARE. A facility which specializes in the extended inpatient care and treatment of individuals by skilled nursing professionals as defined by the North American Industry Classification System codes 623110 (Nursing Care Facilities) and 62161 (Home Health Care Services). Ancillary services such as outpatient treatment, education, counseling, in-home nursing care programs, and administrative office functions may also be conducted on the same zoning lot.”

Section 2. Table 2.6 "PERMITTED USES", Chapter B, Article II, "Zoning Districts, Official Zoning Maps, and Uses" is further amended by adding a new use classification of "Hospice and Palliative Care" under the column USE TYPE and alphabetically listed under the subheading INSTITUTIONAL AND PUBLIC USES.

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