



**DOCKET #:** W2889

**PROPOSED ZONING:**  
City of Winston-Salem  
Zoning

**EXISTING ZONING:**  
Forsyth County Zoning

**PETITIONER:**  
City of Winston-Salem

**SCALE:** 1" represents 2.5 mi

**STAFF:** Murphy

**GMA:** 3

**ACRE(S):** 13850



October 25, 2006

City of Winston-Salem  
c/o Lee Garrity, Manager  
P. O. Box 2511  
Winston-Salem, NC 27102

RE: ZONING MAP AMENDMENT W-2889

Dear Mr. Garrity:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary's Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP  
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102

**ACTION REQUEST FORM**

**DATE:** October 25, 2006  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Map Amendment of City of Winston-Salem for property owned by others

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of City of Winston-Salem for property owned by others from County zoning jurisdiction to City zoning jurisdiction: NOTE - for more information, please refer to the ½ page display ads in the Thursday September 28, 2006 and Thursday October 5, 2006 editions of the Winston-Salem Journal (Zoning Docket W-2889).

**PLANNING BOARD ACTION:**

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

CITY ORDINANCE - GENERAL USE

Zoning Petition of City of Winston-Salem for  
property owned by others, Docket W-2889

AN ORDINANCE AMENDING THE WINSTON-SALEM  
CITY ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF THE CITY OF  
WINSTON-SALEM, N.C.

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BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from County Zoning Jurisdiction to equivalent City Zoning Jurisdiction for the areas identified on maps in the Zoning Docket W-2889 as "A", "B", "C", "E", "F", "G", "H", "I", and "Q".

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD DRAFT  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-2889
<b>Staff</b>	Aaron King
<b>Petitioner(s)</b>	City of Winston-Salem
<b>Owner(s)</b>	Various owners
<b>Subject Property</b>	Multiple properties
<b>Type of Request</b>	Zoning jurisdiction conversion
<b>Proposal</b>	The petitioner is requesting to amend the Official Zoning Maps for the subject properties <b>from</b> County Zoning Jurisdiction <b>to</b> City Zoning Jurisdiction, pursuant to City annexation effective September 30, 2006.
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	Various locations
<b>Jurisdiction</b>	City of Winston-Salem
<b>Analysis</b>	<p>The review for this case focuses on the zoning conversion from County zoning jurisdiction to Winston-Salem zoning jurisdiction triggered by the recent annexation of the subject properties. The Planning Board's role in reviewing this petition pertains only to the zoning jurisdiction. The decision to annex the property was made by the Winston-Salem City Council and affirmed by the courts through an appeal process. Under state statutes, a municipality has sixty days after annexation to establish zoning for the land annexed. The City's practice has been to simply transfer the identical zoning districts as they were mapped for the County to City jurisdiction.</p> <p>This proposal will not change the permitted uses of the subject properties, but will reclassify the newly incorporated land from its Forsyth County zoning classification to the equivalent City of Winston-Salem zoning classification. If a specific use is legally established within the County as of September 30, 2006, it will be allowed to continue operation in the City as a legally nonconforming use in accord with Article V (Nonconforming Situations) of the UDO. The adopting ordinance will reference the various annexation area maps and will state that the properties located within the identified areas will transfer from County to City zoning.</p>

**STAFF RECOMMENDATION: APPROVAL**

**NOTE:** These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

## W-2889

The following sixteen land uses are allowed in different zoning districts in the City and the County. Some minor differences between some zoning district regulations and use conditions also exist. If a specific use is legally established within the County as of September 30, 2006, and is made nonconforming due to any differences in regulations or use conditions, it will be allowed to continue operation in the City as a legally nonconforming use in accord with Article V (Nonconforming Situations) of the UDO.

### Residential Building, Urban

- Not allowed in the County jurisdiction. Allowed in the following districts in the City: (RSQ, RM-5, RM-8, RM-12, RM-18, RMU, PB, GB, CB, MRB-S, MU-S)

### Manufactured Home, Class B

- Allowed in the County jurisdiction in the following districts: (YR, AG, RS-40, RS-30, RS-20, MH)
- Allowed in the City in the following district: (MH)

### Manufactured Home, Class C

- Allowed in the County jurisdiction in the following districts: (YR, AG, RS-40, RS-30, MH)
- Allowed in the City jurisdiction in the following district: (MH)

### Agricultural Production, Crops

- Allowed in the County jurisdiction in the following districts: (All residential districts, NB, PB, LB, NSB, HB, GB, CB, LI, GI, CI, MU-S)
- Allowed in the City jurisdiction in the following districts: (YR, AG, RS-40, RS-30, RS-20, RS-15)

### Agricultural Production, Livestock

- Allowed in the County jurisdiction in the following districts: (All residential districts, NB, PB, LB, NSB, HB, GB, CB, LI, GI, CI, MU-S)
- Allowed in the City jurisdiction in the following district: (AG)

### Retail Developments Larger than 125,000 sf.

- Only applicable in the City jurisdiction in the following district: (MRB-S)

### Adult Establishment

- Allowed in the County jurisdiction in the following districts: (GB, GI, CI, MU-S)
- Allowed in the City jurisdiction in the following districts: (GB, GI, CI)

### Storage Services, Retail

- Allowed in the County jurisdiction in the following districts: (HB, GB, LI, GI, CI, MU-S)
- Allowed in the City jurisdiction in the following districts: (PB, HB, GB, LI, GI, CI, MU-S)

### Shooting Range, Indoor

- Allowed in the County jurisdiction in the following districts: (PB, HB, GB, CB, GI)
- Allowed in the City jurisdiction in the following districts: (MRB-S, GI)

### Landfill, Construction and Demolition

- Allowed in the County jurisdiction in the following districts: (HB, GB, LI, GI)
- Allowed in the City jurisdiction in the following districts: (AG, RS-40, RS-0, RS-20, HB, GB, LI, GI, CI)

### Landfill, Land Clearing/Inert Debris

- Allowed in the City jurisdiction in the following districts: (All districts except YR, CB, MRB-S, CPI)

Landfill, Land Clearing/Inert Debris, 2 acres or less

- Allowed in the County jurisdiction in the following districts: (All districts except YR, RSQ, MRB-S, CPI)

Landfill, Land Clearing/Inert Debris, 2 acres or more

- Allowed in the County jurisdiction in the following districts: (HB, GB, LI, GI)

Landfill, Sanitary

- Allowed in the County jurisdiction in the following districts: (HB, GB, LI, GI)
- Allowed in the City jurisdiction in the following districts: (RS-40, RS-30, GI)

Asphalt and Concrete Plant

- Allowed in the County jurisdiction in the following district as a use by right: (GI)
- Allowed in the City jurisdiction in the following district with approval of a special use permit approved by the City Council: (GI)

kennel, Outdoor

- Not allowed in the City jurisdiction. Allowed in the County jurisdiction in the following districts: (YR, AG, RS-40, RS-30, RS-20, LO, LB, NSB, HB, GB, LI, GI)

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

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

SECOND: Jerry Clark

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Clarence Lambe,  
Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning