

Motion and
Statement of Consistency with Comprehensive Plan
UDO-273

I move that the following statement be adopted in support of a *Motion to Approve* Zoning Text Amendment UDO-273.

The zoning text amendment, proposed by Rocky Oakes to revise Chapter B of Article II of the Unified Development Ordinances (UDO) to allow Veterinary Services in the Pedestrian Business (PB) Zoning District, is in conformance with the recommendations of the Legacy Comprehensive Plan and is reasonable and in the public interest because:

1. City/County Planning staff believe allowing the use Veterinary Services in the PB District in a manner similar to other comparable commercial zoning districts is appropriate and would correct an anomaly within the Permitted Use Table; and
2. The proposed text amendment would require Veterinary Services in the PB District to comply with all applicable setback requirements, including a minimum forty foot setback from adjacent residentially zoned land; and
3. The proposed text amendment would also require Veterinary Services in the PB District to be fully enclosed, which prohibits outdoor runs, which is consistent with how Veterinary Services are treated in comparable commercial zoning districts.

Based on the foregoing Statement, I move adoption of UDO-273.

Second:

Vote:

UDO-273
AN ORDINANCE AMENDING
CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO ALLOW VETERINARY SERVICES IN THE
PEDESTRIAN BUSINESS ZONING DISTRICT

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

Section 1. Chapter B, Article II of the UDO is amended as follows:

Chapter B – Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps and
Uses

2-4 PERMITTED USES

2-4.1 TABLE B.2.6

Table 2.6 displays the principal uses allowed in each zoning district and references uses conditions. Table B.2.6 should be read in conjunction with the definitions of principal uses and other terms in Section A.2. Land, buildings, and structures shall only be used in accordance with the districts shown on the Official Zoning Maps, and subject to all requirements and conditions specified in this Ordinance.

**Table B.2.6
PERMITTED USES**

Use Type	Y R	AG	RS 40	RS 30	RS 20	RS 15	RS 12	RS 9	RS 7	RS Q	R M5	R M8	R M1 2	R M1 8	R M U	M H	NO	LO	CP O	G O	NB	PB	LB	NS B	HB	GB	CB	M RB - S (W)	E	LI	GI	CI	IP	C	M U- S	CON DS
BUSINESS AND PERSONAL SERVICES																																				
Veterinary Services (LO)																		A			Z'	Z	Z	Z	Z	Z	Z	Z	Z			Z			Z	81

Section 2. Chapter B, Article II of the *UDO* is amended as follows:

Chapter B – Zoning Ordinance
Article II - Zoning Districts, *Official Zoning Maps*, and Uses

2-5 USE CONDITIONS

2-5.81 VETERINARY SERVICES AND ANIMAL SHELTER, PUBLIC

The following conditions apply to veterinary services in the PB District:

- (A) Location and Setbacks. The use Veterinary Services must comply with all setback requirements of the underlying zoning district where said use is located, including a minimum forty (40) foot setback from residentially zoned property.

- (B) Enclosure of Facilities. The Veterinary Services use shall be fully enclosed. There shall be no outside runs or exercise areas for animals or pets. Any outside use of the property for the animals or pets must be supervised and on leashes.

Section 3. This ordinance shall be effective upon adoption.



March 22, 2017

Rocky Oakes
551 Simpson Mill Road
Mounty Airy, NC 27030

Re: Zoning Text Amendment UDO-273

Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

Dear Petitioner

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioners' Office of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning and Development Services

pc: Clerk to the Board of Commissioners, Forsyth County Government Center - 5th Floor,
201 N. Chestnut Street, Winston-Salem, NC 27101



Call 311 or 336-727-8000
citylink@cityofws.org

City Council: Mayor Allen Joiner; Vivian H. Burke, Mayor Pro Tempore; Northeast Ward: Denise D. Adams; North Ward: Dan Besse; Southwest Ward: Robert C. Clark; West Ward: John C. Larson; South Ward: Jeff MacIntosh; Northwest Ward: Derwin L. Montgomery; East Ward: James Taylor, Jr.; Southeast Ward: City Manager: Lee D. Garnry

Forsyth County Commissioners: David R. Pyle, Chairman; Don Martin, Vice Chair; Ted Kaplan; Richard V. Linville; Walter Marshall; Gloria D. Whisenhunt; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan Younger, Vice-Chair; George M. Bryan, Jr.; Melynda Dunigan; Tommy Hicks; Clarence R. Lamb, Jr.; Darryl Little; Paul W. Mullican; Brenda J. Smith

STAFF REPORT

DOCKET # UDO-273
STAFF: Aaron King

REQUEST

Ordinance amendment proposed by Rocky Oakes amending Chapter B of the *Unified Development Ordinances* to allow Veterinary Services in the Pedestrian Business (PB) Zoning District.

BACKGROUND

The UDO currently allows the use Veterinary Services in the following zoning districts:

- Limited Office (LO)
- Neighborhood Business (NB)
- Limited Business (LB)
- Neighborhood Shopping Center Business (NSB)
- Highway Business (HB)
- General Business (GB)
- Major Retail & Business (MRB-S)
- Entertainment (E)
- General Industrial (GI)
- Mixed Use (MU-S)

Veterinary Services is not currently allowed in the Pedestrian Business (PB) zoning district which is located in between the NB and LB districts in the hierarchy of commercial zoning districts. The subject text amendment seeks to allow Veterinary Services in the PB district.

ANALYSIS

The proposed request would allow Veterinary Services in the PB district in a manner similar to the other comparable commercial zoning districts where it is currently allowed. Staff believes this use is appropriate for the PB zoning district. Staff is supportive of this request as it appears to correct an existing anomaly within the Permitted Use Table.

With respect to the Use Conditions for Veterinary Services, the proposed text amendment would require Veterinary Services in the PB district to comply with all setback requirements of the underlying zoning district including a minimum forty (40) foot setback adjacent to residentially zoned land. The text amendment would also require Veterinary Services in the PB district to be fully enclosed, essentially prohibiting outdoor runs. These two additions to the Use Conditions are consistent with how Veterinary Services are treated in comparable commercial zoning districts.

RECOMMENDATION

APPROVAL

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-273
MARCH 9, 2017**

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

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

SECOND: Paul Mullican

VOTE:

FOR: George Bryan, Melynda Dunigan, Arnold King, Clarence Lambe, Darryl Little,
Paul Mullican, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services