

Ordinance #24-0020
 2024 Ordinance Book, Page 10

UDO-CC25

AN ORDINANCE AMENDMENT PROPOSED BY PLANNING AND DEVELOPMENT SERVICES STAFF MODIFYING CHAPTER 4 AND CHAPTER 5 OF THE *UNIFIED DEVELOPMENT ORDINANCES (UDO)* TO INCREASE THE MAXIMUM NUMBER OF UNITS ALLOWED PER BUILDING IN THE RM-5 RESIDENTIAL MULTIFAMILY DISTRICT; TO INCREASE THE MAXIMUM BUILDING HEIGHT ALLOWED IN THE RM-8, RM-12, AND RM-18 RESIDENTIAL MULTIFAMILY DISTRICTS; AND TO REVISE THE THRESHOLD FOR REQUIRED BUFFERYARD STANDARDS

Be it ordained by the _____, that the Unified Development Ordinances are amended as follows:

Section 1. Section 4.5 of the UDO is amended as follows:

4 ZONING DISTRICTS

4.5 GENERAL RESIDENTIAL ZONING DISTRICT STANDARDS

4.5.11 RM-5 RESIDENTIAL MULTIFAMILY DISTRICT

A. PURPOSE

1. The RM-5 District is primarily intended to accommodate low density, pedestrian-oriented sites and communities containing duplexes and twin homes, in addition to multifamily; and townhouse residential buildings with **containing between** three ~~or four~~ **and six** units, and similar residential uses at a maximum overall density of five units per acre.
2. This district is intended for GMAs 2 and 3 and may be suitable for GMA 4 and Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.

B. GENERAL DIMENSIONAL REQUIREMENTS

TABLE 4.5.11: GENERAL DIMENSIONAL REQUIREMENTS IN THE RM-5 DISTRICT									
ZONING DISTRICT/ USE	MINIMUM ZONING LOT [8]		MINIMUM SETBACKS					MAXIMUM IMPERVIOUS SURFACE COVER (%)	MAXIMUM HEIGHT (FT)
	AREA (SF)	WIDTH (FT) [4]	FRONT (FT) [5] [7]	REAR (FT)	SIDE [1]				
					ONE SIDE (FT)	COMBINED (FT)	STREET (FT) [7]		
Single Family	5,000	40	15	15	5	15	15	No Limit	40

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

Duplex	7,000	50	15	15	7	15	15	No Limit	40
Twin Homes	None	None	0 [2]	0 [3]	0 [3]	0 [3]	0 [2]	No Limit	40
Triplex Multifamily	9,000	60	15	15	10	20	15	No Limit	40
Quadraplex Multifamily	11,000	60	15	15	10	20	15	No Limit	40
3- to 4-6-Unit Townhouse	None	None	0 [2]	0 [6]	0 [6]	0 [6]	0 [2]	No Limit	40
Other	11,000	60	15	15	10	20	15	No Limit	40

NOTES:

- [1] Where the main entrance to a single family residence is located on a side yard, the setback for the portion of the wall on which the door is located shall be equal to the front yard setback.
- [2] Buildings must be set back minimum fifteen (15) feet off front and side street right-of-way.
- [3] buildings must be spaced a minimum of fifteen (15) feet from side to side, fifteen (15) from side to rear and thirty (30) feet from rear to rear; however, the land under units may be sold with no setbacks.
- [4] Cul-de-sac lots shall be exempt from lot width requirements.
- [5] Cul-de-sac lots may measure the front setback from a chord or straight line between front lot corners provided it does not decrease the front yard setback from the right-of-way of the cul-de-sac or turnaround more than ten (10) feet from the requirements of the zoning district in which the lot is located.
- [6] Buildings must be spaced a minimum twenty (20) feet from side to side, twenty (20) feet from side to rear and forty (40) feet from rear to rear; however, the land under units may be sold with no setbacks.
- [7] Residential structures in GMA 2 shall meet the requirements of **Section 6.4.2., Supplementary Standards For Residential Development in GMA 2 (W)**.
- [8] In no case shall any RM-5 development exceed an overall density of five (5) dwelling units per acre.

C. SUPPLEMENTARY DISTRICT REQUIREMENTS

No multifamily or other residential buildings exceeding ~~four~~ **six (6)** units will be allowed in the RM-5 district.

4.5.12 RM-8 RESIDENTIAL MULTIFAMILY DISTRICT

B. GENERAL DIMENSIONAL REQUIREMENTS

TABLE 4.5.12: GENERAL DIMENSIONAL REQUIREMENTS IN THE RM-8 DISTRICT				
MINIMUM ZONING LOT	MINIMUM SETBACKS			MAXIMUM IMPERVIOUS
			SIDE [1]	

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underline are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

ZONING DISTRICT/ USE	AREA (SF)	WIDTH (FT) [2]	FRONT (FT) [3] [4]	REAR (FT)	ONE SIDE (FT)	COMBINED (FT)	STREET (FT) [4]	SURFACE COVER (%)	MAXIMUM HEIGHT (FT)
RM-8	8,000	70	25	25	7	20	20	70	40 48

NOTES:

[1] Where the main entrance to a single family residence is located on a side yard, the setback for the portion of the wall on which the door is located shall be equal to the front yard setback.

[2] Cul-de-sac lots shall be exempt from lot width requirements.

[3] Cul-de-sac lots may measure the front setback from a chord or straight line between front lot corners provided it does not decrease the front yard setback from the right-of-way of the cul-de-sac or turnaround more than ten (10) feet from the requirements of the zoning district in which the lot is located.

[4] Residential structures in GMA 2 shall meet the requirements of **Section 6.4.2, Supplementary Standards For Residential Development In GMA 2 (W)**.

C. SUPPLEMENTARY DISTRICT REQUIREMENTS

~~1. MINIMUM LOT SIZES~~

~~Minimum lot sizes for single family, two family, and multifamily residential buildings on small lots must meet the requirements of the zoning district where located (see **Section 4.4, General Zoning Districts Established**).~~

~~2. THREE STORY STRUCTURES~~

~~Three-story structures with a height greater than forty (40) feet shall must be set back a minimum of fifty (50) feet from adjacent properties zoned for single family residential development.~~

4.5.13 RM-12 RESIDENTIAL MULTIFAMILY DISTRICT

B. GENERAL DIMENSIONAL REQUIREMENTS

TABLE 4.5.13: GENERAL DIMENSIONAL REQUIREMENTS IN THE RM-12 DISTRICT									
ZONING DISTRICT/ USE	MINIMUM ZONING LOT		MINIMUM SETBACKS					MAXIMUM IMPERVIOUS SURFACE COVER (%)	MAXIMUM HEIGHT (FT)
			FRONT (FT) [3] [4]	REAR (FT)	SIDE [1]				
	AREA (SF)	WIDTH (FT) [2]			ONE SIDE (FT)	COMBINED (FT)	STREET (FT) [4]		
RM-12	7,000	70	25	25	15	30	20	75	45 60

NOTES:

[1] Where the main entrance to a single family residence is located on a side yard, the setback for the portion of the wall on which the door is located shall be equal to the front yard setback.

[2] Cul-de-sac lots shall be exempt from lot width requirements.

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

[3] Cul-de-sac lots may measure the front setback from a chord or straight line between front lot corners provided it does not decrease the front yard setback from the right-of-way of the cul-de-sac or turnaround more than ten (10) feet from the requirements of the zoning district in which the lot is located.
 [4] *Residential structures in GMA 2 shall meet the requirements of **Section 6.4.2, Supplementary Standards For Residential Development In GMA 2 (W)**.*

C. SUPPLEMENTARY DISTRICT REQUIREMENTS

~~Minimum lot sizes for single family, two family, and multifamily residential buildings on small lots must meet the requirements of the zoning district where located (see **Section 4.4, General Zoning Districts Established**).~~

Structures with a height greater than forty (40) feet shall be set back a minimum of fifty (50) feet from adjacent properties zoned for single family residential development.

4.5.14 RM-18 RESIDENTIAL MULTIFAMILY DISTRICT

B. GENERAL DIMENSIONAL REQUIREMENTS

TABLE 4.5.14: GENERAL DIMENSIONAL REQUIREMENTS IN THE RM-18 DISTRICT									
ZONING DISTRICT/ USE	MINIMUM ZONING LOT		MINIMUM SETBACKS					MAXIMUM IMPERVIOUS SURFACE COVER (%)	MAXIMUM HEIGHT (FT)
	AREA (SF)	WIDTH (FT) [2]	FRONT (FT) [3] [4]	REAR (FT)	SIDE [1]				
					ONE SIDE (FT)	COMBINED (FT)	STREET (FT) [4]		
RM-18	5,000	70	25	25	15	30	20	80	60 72

NOTES:
 [1] Where the main entrance to a single family residence is located on a side yard, the setback for the portion of the wall on which the door is located shall be equal to the front yard setback.
 [2] Cul-de-sac lots shall be exempt from lot width requirements.
 [3] Cul-de-sac lots may measure the front setback from a chord or straight line between front lot corners provided it does not decrease the front yard setback from the right-of-way of the cul-de-sac or turnaround more than ten (10) feet from the requirements of the zoning district in which the lot is located.
 [4] *Residential structures in GMA 2 shall meet the requirements of **Section 6.4.2, Supplementary Standards For Residential Development In GMA 2 (W)**.*

C. SUPPLEMENTARY DISTRICT REQUIREMENTS

~~Minimum lot sizes for single family, two family, and multifamily residential buildings on small lots must meet the requirements of the zoning district where located (see **Section 4.4, General Zoning Districts Established**).~~

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underline are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

Structures with a height greater than forty (40) feet shall be set back a minimum of fifty (50) feet from adjacent properties zoned for single family residential development.

4.5.17 SUMMARY DIMENSIONAL STANDARDS TABLE – RESIDENTIAL DISTRICTS

The dimensional standards for the residential districts are summarized in the table below.

TABLE 4.5.17: RESIDENTIAL DISTRICT DIMENSIONAL STANDARDS SUMMARY TABLE [1] [2] [3]									
ZONING DISTRICT	MINIMUM ZONING LOT		MINIMUM SETBACKS [4]					MAXIMUM IMPERVIOUS SURFACE COVER (%)	MAXIMUM HEIGHT (FT)
	AREA (SF)	WIDTH (FT) [3]	FRONT (FT) [9]	REAR (FT)	SIDE [8]				
					ONE SIDE (FT)	COMBINED (FT)	STREET (FT) [9]		
YR [6]	130,680	300	45	50	20	50	30	---	40
AG [6]	40,000	150	45	50	20	50	30	---	40
RS-40	40,000	100	35	40	10	25	20	---	40
RS-30	30,000	100	35	35	7	20	20	---	40
RS-20	20,000	95	30	30	7	20	20	---	40
RS-15	15,000	85	25	25	7	20	20	---	40
RS-12	12,000	75	20	25	7	20	20	---	40
RS-9	9,000	65	20	25	7	20	20	---	40
RS-7	7,000	50	15	20	5	15	15	---	40
RSQ [5]	---/ 11,000	---/ 60	0/ 15	0/ 15	0/ 10	0/ 20	0/ 20	---	40
RM-5 [5]	---/ 11,000	---/ 60	0/ 15	0/ 15	0/ 10	0/ 20	0/ 15	---	40
RM-8 [7]	8,000	70	25	25	7	20	20	70	45 48
RM-12	7,000	70	25	25	15	30	20	75	45 60
RM-18	5,000	70	25	25	15	30	20	80	60 72
RM-U	5,000	70	10	10	10	10	10	85	---
MH	10,000	70	30	20	10	25	20	---	40

NOTES:
[1] These dimensional requirements are subject to additional provisions in **Section 4.1.4C, Additional Standards; Section 5.2, Use-Specific Standards; Section 4.9, Overlay and Special Purpose Districts; Section 6.2.2, Landscaping Standards – Forsyth County**, and **Section 6.2.1, Landscaping and Tree Preservation Standards – Winston-Salem; Section 6.3, Bufferyard Standards; and Section 6.4.2, Supplementary Standards For Residential Development In GMA 2 (W)**.

NOTE: Items to be removed are indicated with a strike through; items to be added are shown as **highlighted**. Items with a single underline are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

- [2] Larger lot width, depth, or area may be required by the Public Health Department for the installation of septic systems.
- [3] Additional dimensional requirements for residential uses in other districts are listed in the section for the appropriate zoning district in **Section 4.5.18, Minimum Lot Sizes in the RM Districts**, and **Section 4.8.5, Additional Dimensional Requirements by Use Type in the Nonresidential Districts**.
- [4] No setback is required for twin homes; all other uses must be set back a minimum of five (5) feet.
- [5] Ranges of requirements for RSQ and RM-5 are listed; dimensional requirements are based on use in the district. See **Section 4.5.10, RSQ Residential Single Family Quadraplex District**; and **Section 4.5.11, RM-5 Residential Multifamily District**.
- [6] Nonconforming lots in the YR and AG Districts meeting the provisions of **Section 9.3.2, Combination of Nonconforming Vacant Lots and Nonconforming Vacant Lots Approved Prior to 12/31/1994**, must meet the minimum setback requirements of the RS-20 zoning district.
- [7] Three story structures in RM-8 must be setback a minimum of fifty (50) feet from adjacent properties zoned for single family residential development.
- [8] Where the main entrance to a single family residence is located on a side yard, the setback for the portion of the wall on which the door is located shall be equal to the front yard setback.
- [9] *Residential structures in GMA 2 shall meet the requirements of **Section 6.4.2, Supplementary Standards For Residential Development In GMA 2 (W)**.*

Section 2. Section 5.2 of the UDO is amended as follows:

5 USE STANDARDS

5.2 USE-SPECIFIC STANDARDS

5.2.70 RESIDENTIAL BUILDING, MULTIFAMILY; TOWNHOUSE; OR TWIN HOME (F)

B. STANDARDS

With the exception of multifamily development located in the RSQ District, all multifamily residential buildings shall comply with the following:

4. DEVELOPMENTS ON SMALLER LOTS

Developments of residential multifamily buildings subject to the minimum lot size requirements of **Table 4.5.18** shall meet the following requirements:

a. IMPERVIOUS SURFACE COVER

- i. For new construction on vacant lots, impervious surface cover is limited to a maximum of Sixty percent (60%).**
- ii. Impervious surface cover is otherwise limited to seventy percent (70%).**

b. BUILDING HEIGHT

No building shall exceed a height of forty (40) feet.

c. BUFFERYARD

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

Bufferyard requirements of **Section 6.3, Bufferyard Standards**, must be met for multifamily developments ~~containing more than four (4) units~~ **greater than one (1) acre in size.**

d. OFF-STREET PARKING

i. NUMBER OF SPACES

Off-street parking for multifamily uses shall meet the standards for efficiency units, if applicable, or urban residential building in **Table 6.1.2A., Motor Vehicle and Bicycle Parking Space Requirements.**

ii. PARKING IN REAR

All off-street parking shall be provided to the rear of the principal building(s) unless the Planning Board determines that, due to lot size, shape or topographic features, some or all parking cannot be placed to the rear.

iii. REDUCTION IN BUFFERYARD

A side or rear bufferyard which may be reduced to allow a driveway to the rear of the property which accesses the off-street parking if the provisions of **Section 6.3.4C, Reduction for Driveway to Rear Parking Areas**, are met.

iv. LANDSCAPED SEPARATION FROM BUILDING

A minimum three and one-half (3.5) foot wide landscaped area shall be provided between any parking area and building wall providing access into the unit(s).

e. VEHICULAR USE LANDSCAPING REQUIREMENTS

Vehicular use landscaping requirements of **Section 6.2.2, Landscaping Standards – Forsyth County**, must be met for multifamily developments containing more than four (4) units or nonresidential uses.

f. ROOFS

Pitched roofs are required on all buildings.

D. RM-5 DISTRICT **RESERVED**

~~Three and four unit buildings are the only type of multifamily or townhouse residential buildings permitted in the RM-5 Zoning District.~~

5.2.71 RESIDENTIAL BUILDING, MULTIFAMILY; TOWNHOUSE; OR TWIN HOME (W)

B. STANDARDS

With the exception of multifamily development located in the RSQ District, all multifamily residential buildings shall comply with the following:

4. DEVELOPMENTS ON SMALLER LOTS

*Developments of residential multifamily buildings subject to the minimum lot size requirements of **Table 4.5.18** shall meet the following requirements:*

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

a. IMPERVIOUS SURFACE COVER

For new construction on vacant lots, impervious surface cover is limited to a maximum of Sixty percent (60%). Impervious surface cover is otherwise limited to seventy percent (70%).

b. BUILDING HEIGHT

No building shall exceed a height of forty (40) feet.

c. BUFFERYARD

*Bufferyard requirements of **Section 6.3, Bufferyard Standards**, must be met for multifamily developments ~~containing more than four (4) units~~ **greater than one (1) acre in size.***

d. OFF-STREET PARKING

i. NUMBER OF SPACES

*Off-street parking for multifamily uses shall meet the standards for efficiency units, if applicable, or urban residential building in **Table 6.1.2A., Motor Vehicle and Bicycle Parking Space Requirements.***

ii. PARKING IN REAR

All off-street parking shall be provided to the rear of the principal building(s) unless the Planning Board determines that, due to lot size, shape or topographic features, some or all parking cannot be placed to the rear.

iii. REDUCTION IN BUFFERYARD

*A side or rear bufferyard which may be reduced to allow a driveway to the rear of the property which accesses the off-street parking if the provisions of **Section 6.3.4C, Reduction for Driveway to Rear Parking Areas**, are met.*

iv. LANDSCAPED SEPARATION FROM BUILDING

A minimum three and one-half (3.5) foot wide landscaped area shall be provided between any parking area and building wall providing access into the unit(s).

e. VEHICULAR USE LANDSCAPING REQUIREMENTS

*Vehicular use landscaping requirements of **Section 6.2.1, Landscaping and Tree Preservation Standards – Winston-Salem**, must be met for multifamily developments containing more than four (4) units or nonresidential uses.*

f. ROOFS

Pitched roofs are required on all buildings.

D. RM-5 DISTRICT **RESERVED**

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

Winston-Salem City Council
APPROVED
February 19, 2024

Three and four unit buildings are the only type of multifamily or townhouse residential buildings permitted in the RM-5 Zoning District

Section 3. This ordinance shall be effective upon adoption.

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.