

Information Item

Date: November 27, 2017

To: The City Manager

From: Paul Norby, Director of Planning and Development Services
Angela I. Carmon, City Attorney

Subject: AN ORDINANCE REVISING CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES* TO AMEND REGULATIONS FOR ACCESSORY DWELLINGS

Strategic Focus Area: Livable Neighborhoods

Strategic Objective: NA

Strategic Plan Action Item: No

Key Work Item: No



On September 5, 2017, the City Council adopted revised standards for regulating accessory dwellings units in Winston-Salem (UDO-267). Prior to the adoption of UDO-267, the Board of Adjustment permitted detached accessory dwellings through the Board of Adjustment Special Use Permit (SUP) process. It appears that the Board of Adjustment approved a number of the SUPs with defined expiration dates. It was the practice of the Board of Adjustment to consider renewals for those accessory dwelling units with expiring SUPs. Appendix A, attached hereto, gives a brief description of the location of said accessory dwellings.

As discussed in the attached memo, there are sixty-six (66) accessory dwellings with SUPs that have an expiration date, two of which have already expired. Based upon the wording adopted in September, the only option for the Board of Adjustment approved units with expiring permits is to require the owners of said units to request a rezoning from City Council. If Council does not wish for said SUP renewals to be subjected to the new process, Council may consider adopting the attached UDO text amendment after the same has completed the normal course for approval.

The proposed text amendment provides that all detached accessory dwellings approved by the Board of Adjustment with an expiring term shall continue to be reviewed and decided upon by the Board of Adjustment unless the term of the SUP expired prior to September 5, 2017 or the SUP is not renewed before for the term expires. Any SUP that expires between September 5, 2017 and the date of adoption of this text amendment shall be subject to the renewal process before the Board of Adjustment provided the renewal application is submitted to the City within 60 days of the adoption of this text amendment.