

UDO-XXX

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

Be it ordained by the City Council of the City of Winston-Salem, 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

2-6 ACCESSORY USES

2-6.4 USES WHICH MAY ONLY BE ACCESSORY TO PRINCIPAL USES

- (B) **Dwelling, Accessory (Attached).**An attached accessory dwelling unit may be permitted through the Special Use District Rezoning process described in Section B.6-2.2 where the following requirements are met:
- (1) [Reserved]
 - (2) **Structure.**The principal building shall not be altered in any way so as to appear from a public street to be multiple family housing.
 - (a) **Prohibited Alterations.**Prohibited alterations include, but are not limited to: multiple entranceways, multiple mailboxes, or multiple nameplates.
 - (b) **Access.**Wherever feasible and consistent with the State Residential Building Code, access to the accessory dwelling unit shall be by means of existing doors.
 - (c) **Stairways.**No new stairways to upper floors are permitted on any side of a building which faces a public street.
 - (d) **Utilities.**Electric and/or gas utilities shall be supplied to both units through a single meter.
 - (3) **Size of Unit.**An attached accessory dwelling unit shall occupy no more than fifty percent (50%) of the heated floor area of the principal building, but in no case be greater than one thousand (1,000) square feet. The sum of all accessory uses, including home occupations, in a principal residential building shall not exceed fifty percent (50%) of the total floor area of the building.
 - (4) **Parking.**Parking for the attached accessory dwelling shall be served by the same driveway as the principal dwelling.
 - (5) **Number of Accessory Dwellings.**No more than one accessory dwelling, whether attached or detached, shall be located on a lot.

(C) Dwelling, Accessory (Detached).A detached accessory dwelling unit may be permitted through the Special Use District Rezoning process described in Section B.6-2.2 where the following requirements are met:

(1) Occupancy Requirements. [Reserved]

(a) [Reserved]

(b) [Reserved]

(c) [Reserved]

(d) [Reserved]

(2) Dimensional Requirements.Any detached accessory dwelling shall comply with all dimensional requirements applicable to accessory structures in Sections B.3-1.2(F) and (G).

(3) Building Requirements.Any detached accessory dwelling shall comply with all building, plumbing, electrical, and other applicable codes, other than a manufactured housing unit.

(4) Manufactured Home (F).A Class A or B manufactured home may be used as a detached accessory dwelling; a Class C manufactured home may be used as a detached accessory dwelling in those zoning districts where a Class C manufactured home is permitted as a principal use according to Table B.2.6.

Manufactured Home (W). A Class A or B manufactured home may be used as a detached accessory dwelling.

(5) Number of Accessory Dwellings.No more than one accessory dwelling, whether attached or detached, shall be permitted on the same lot.

(6) Existing Accessory Dwellings Approved by the Board of Adjustment With an Expiring Term......Existing detached accessory dwellings approved by the Board of Adjustment, through the Special Use Permit process, with an expiring term shall continue to be reviewed and decided upon by the Board of Adjustment. Detached accessory dwelling units with a Special Use Permit that has a term that: (i) expired before September 5, 2017, or (ii) is not renewed before the expiration date shall be reviewed and decided upon through the Special Use District Rezoning process described in Section B.6-2.2.

Section 2. This ordinance shall be effective upon adoption. However, 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.