

AGENDA

COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

4:30 p.m., Tuesday, March 22, 2016

COMMITTEE ROOM

Room 239, City Hall

*COMMITTEE MEMBERS: Council Member Molly Leight, Chair
Council Member Jeff MacIntosh, Vice Chair
Council Member Denise D. Adams
Council Member Dan Besse*

GENERAL AGENDA

- G-1. PRESENTATION BY THE CHILDREN'S HOME.
- G-2. REQUEST FROM THE UJIMA COMMUNITY DEVELOPMENT CORPORATION FOR THE DEVELOPMENT OF A 50-UNIT SENIOR HOUSING RENTAL DEVELOPMENT TO BE KNOWN AS EMMANUEL RETIREMENT VILLAGE.
- G-3. REPORT ON THE STATUS OF MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE PROGRAM ENHANCEMENTS.

CONSENT AGENDA

- C-1. CONSIDERATION OF ORDINANCES RESCINDING AN ORDINANCE ORDERING THE DEMOLITION OF A DWELLING:
- a. Earl F. and Theresa Branscomb 958 Panola Road
 - b. Triloric Group, LLC 208 W. 25th Street
- C-2. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: *[Repairs more than 50% of value of structure (>50) six months]*.
- a. Chalmers C. Smith 1946 E. 3rd Street
 - b. Linda H. Murrell 3301 Old Greensboro Road
 - c. Judy Karen Leach 913 N. Jackson Avenue
- C-3. ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: *[Repairs more than 65% of value of structure (>65)]*.
- a. Triad Asset Management, LLC 229 Wheeler Street
 - b. Mark L. Wallace 5016 Ohio Avenue
 - c. Jeremy Johnson 2125 White Street
- C-4. ORDINANCE REVISING CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES* TO AMEND THE HOURS OF OPERATION FOR ADULT ESTABLISHMENTS - *UDO-269 - Proposal of the City Attorney's Office [Recommended by Planning Board.]*
- C-5. PRESENTATION ON THE SOUTHEAST SUBURBAN AREA PLAN UPDATE.
- C-6. RESOLUTION ADOPTING THE CITY COUNCIL'S 2016 LEGISLATIVE PRIORITIES.
- C-7. REPORT ON VACANT UNFIT HOUSING CASES.

C-8. STAR COMMUNITY LEADERSHIP PROGRAM GRANT ACCEPTANCE.

C-9. APPROVAL OF COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE SUMMARY OF MINUTES - *February 9, 2016.*

Memorandum



Office of the
City Manager

Derwick L. Paige
Assistant City Manager

P.O. Box 2511
Winston-Salem, NC 27102
Tel 336.747.7473
Fax 336.748.3060
derwickp@cityofws.org

To: Mayor Allen Joines and Members of the City Council
From: Derwick L. Paige, Assistant City Manager
Date: February 29, 2016
Subject: Presentation by The Children's Home

Ms. Katheryn Northington, Chair of the Board of Trustees for The Children's Home, will make a presentation at the Community Development/Housing/General Government Committee meeting regarding changes that are in process at The Children's Home.

I am available if you have any questions regarding this matter.

Derwick L. Paige

pc: Lee D. Garrity, City Manager

TOGETHER TO SERVE MORE CHILDREN

The Affiliation

In February, The Children’s Home Board of Trustees announced its affiliation with The Crossnore School. The affiliation creates an organization that will provide highly effective trauma-informed care within a wide range of services available at both locations. Most importantly, the affiliation combines the efforts of both organizations to create a sanctuary of hope and healing for children in western North Carolina who are suffering from the effects of trauma caused by abuse and neglect.

In addition, the affiliation will bring the highly successful and internationally recognized Sanctuary Model® of care to the Winston-Salem campus. The Sanctuary Model® helps organizations succeed in focusing on the treatment of children affected by the trauma of neglect and abuse. The Model is also transformational for staff serving the children and creates a cultural change in the environment where treatment takes place. The Crossnore School obtained Sanctuary certification in 2011 and was re-certified in 2014.

The Crossnore School

The Crossnore School is non-profit residential foster care home for children in crisis from North Carolina. Located in the quaint town of Crossnore, NC, the School is nestled on 85-acres in the beautiful Blue Ridge Mountains where staff provide a sanctuary of hope and healing for children.

There are 10 home-like cottages on The Crossnore School campus that serve the everyday needs of 85 children. The children live under the close supervision of two cottage parents – dedicated professionals who provide love and assistance 24 hours a day. The children attend Marjorie Williams Academy, a public K-12 charter school located on the campus of The Crossnore School.

The Crossnore School is licensed to serve children from the ages of 1 to 21. The School offers 19 forms of therapy on campus ranging from family and play therapy to substance abuse and EGALA (Equine Assisted Growth and Learning Association) therapy. The Crossnore School offers a holistic approach to treating the whole child emotionally, physically, mentally and spiritually. In 2011, the School was certified by the internationally recognized Sanctuary Model®.

The Sanctuary Model®

The Sanctuary Model® is a trauma informed organizational model. By utilizing the most current science about brain development and decades of research about the impact of trauma on the brain, Sanctuary transforms organizations into healing communities. Sanctuary is implemented worldwide in more than 300 organizations, and it is the only organizational model that is recognized by the National Child Traumatic Stress Network. Put simply, Sanctuary changes an organization’s essential question from “What’s wrong with you?” to “What happened to you?” When implemented with fidelity in an organization, research shows that children and adult clients make better and faster progress, and the staff members serving clients are protected from the dangerous impacts of vicarious trauma and toxic stress.

The Crossnore School was identified by The Children’s Home Board of Trustees as the model of success they wanted to emulate, and much of Crossnore’s success can be attributed to its commitment to the Sanctuary Model®. Clients served by Crossnore are seeing dramatic reductions in trauma symptoms, and they are graduating from high school and going on to college and careers. Most importantly, they are breaking intergenerational cycles of poverty, abuse, violence and addiction. Through science and experience, we know that helping a child heal from the negative impacts of trauma can change his/her life outcomes and can impact the trajectory of entire families for generations to come.

Brett A. Loftis, JD

Chief Executive Officer

The Crossnore School & The Children’s Home



Brett Loftis was born in urban Dallas County Texas, and at age 10 he moved to a rural community outside of Seneca, SC. His early experiences observing poverty and the needs of children in these contrasting communities prompted his interest in children’s rights and social change. While receiving his undergraduate degrees in Sociology and Political Science from Furman University, Brett worked in a residential program for at-risk children. This experience led him into the world of child advocacy to become a volunteer Guardian ad Litem for abused and neglected children in the South Carolina court system. Eventually Brett went on to work for the South Carolina Guardian ad Litem program where he trained volunteers and supervised more than 165 lay advocates and a dozen volunteer attorneys. Even after leaving that work to pursue youth ministry, Brett never lost his passion for protecting the most vulnerable children.

This consistent passion eventually sent him to Wake Forest University School of Law to continue his career in child advocacy. After receiving his law degree and passing the Bar, Brett went on to the Council for Children in Charlotte, NC, as a Child Advocate Attorney. In 2005, Brett became the Executive Director of the Council and a year later led the agency through a merger to form the Council for Children’s Rights, the largest agency of its kind in the southeast. Brett served as Executive Director for eight years before joining the Crossnore School as CEO on February 1, 2013. Under Brett’s leadership, The Crossnore School’s Second Century Campaign successfully surpassed the goal of building the School’s endowment fund, building a new high school at Williams Academy which opened in August of 2015, and constructing three new cottages slated to open in the summer of 2016. In February 2016, The Crossnore School announced expansion by affiliating with The Children’s Home in Winston-Salem, NC. Brett is providing executive leadership and strategic planning for both organizations with the goal of becoming the premier provider of children’s services in western NC.

Brett serves on numerous statewide committees and boards of directors, and he speaks statewide and nationally about children’s issues. In his free time, Brett loves to coach youth soccer and basketball. As a trained pastoral counselor, Brett and his wife spent 8 years leading Celebrate Recovery, a Christian 12-step recovery ministry. Brett’s greatest love is his wife, Sally, and his two boys, Elijah and Lawson.

Contact Info:

The Crossnore School
PO Box 249
Crossnore, NC 28616
(828) 733-4305
bloftis@crossnoreschool.org

The Children’s Home
1001 Reynolda Road
Winston-Salem, NC 27104
(336) 721-7600
bloftis@tchome.org

Memorandum



Winston-Salem

Community and Business
Development Department

P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.727.2878

TO: Mayor Joines and City Council Members
FROM: D. Ritchie Brooks, Director
DATE: March 14, 2016
SUBJECT: Ujima CDC Emmanuel Retirement Village
CC:

The City has received a request for assistance from Ujima Community Development Corporation, Inc. (CDC) to construct a 50-unit planned senior housing rental development on Barbara Jane Avenue, to be known as Emmanuel Retirement Village.

The development will consist of a two-story multi-family structure containing 28 one-bedroom units, eleven duplex structures containing 22 two-bedroom units, and a community center for use of the complex's residents and surrounding community. Unit size will be 684 square feet (s.f.) for the one-bedroom units and 960 s.f. for the two-bedroom units. Market rate rents will be \$899 per month for a one-bedroom unit and \$950 per month for a two bedroom unit. Staff discussed with the CDC City Council's desire to expand workforce housing opportunities throughout the City, and the CDC has agreed to set aside 10% of the 50 units for households earning 80% of the area median income, consisting of three one-bedroom units renting for \$784 per month and two two-bedroom units renting for \$899 per month. These affordability restrictions on the units will be recorded as a deed restriction to ensure compliance.

Ujima CDC was incorporated in 2005. It is run by a volunteer board of directors and received capacity building and funding support from the Winston-Salem Community Development Support Collaborative (The Collaborative disbanded June 30, 2015.). Since the CDC's offices are in the Enterprise Center, it receives services from that program also. The CDC provided three years of audited financial statements, which show an operating budget of approximately \$20,000 per year that is derived primarily from grants and also small contributions. It appears that there is no line of credit or working capital.

The Emmanuel Retirement Village is the CDC's first project. The CDC has used a development consultant to assist with financial feasibility and predevelopment activities and plans to use a local architect as the construction project manager. The City awarded the CDC a \$70,550 grant in FY13 to assist with predevelopment activities, such as preparation of surveys, drawings, and plans.

CityLink311

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

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

Projected total project cost is \$5,481,408, and funding sources would consist of bank financing and the requested City financing of \$2,500,000, as outlined below.

Bank Interim/Construction Loan	\$2,981,408
City Deferred/Forgiven Loan	500,000
City Loan	<u>2,000,000</u>
Total	\$5,481,408

A local bank is considering an interim/construction loan of up to \$3,000,000 for the project. The loan may only be used for construction costs. The loan is a five-year loan, and the CDC would refinance at that time. The City's financing would be subordinate to the interim/construction loan, and the City would agree to subordinate to the new permanent financing, subject to the City reviewing the terms of the new loan to assure that the borrower would be able to make payments on both the City loan and the new loan.

As City funds are provided as "gap" financing, the final rate and terms will be backed into upon completion of the financing package, and as determined by the requirements of the first mortgage loan. The CDC's request does not include debt service. Staff would support \$500,000 as a deferred loan at no interest that is forgiven after 15 years. A typical City loan for a market-rate project would be for 20 years at 2% interest. However, a \$2,000,000 loan with these terms would not meet the City's minimum debt coverage ratio of 1.15. A \$1,000,000 loan at 2% interest, deferred for three years and then a 40-year term, and a \$1,000,000 loan at 0% interest, deferred and due on sale or transfer of the property would be feasible. Since the bank loan would only pay for construction, the City's funds would be available for any project cost and could be disbursed throughout the project. If cost overruns were to occur, it is unlikely the CDC would be able to find a source of funds to cover them, and additional funds from the City would be required.

The proposed fund source is 2014 General Obligation Bond funds. The voters approved \$6,000,000 for housing/neighborhood development, of which \$2,500,000 is 41.7%. A total of \$5,350,000, or 89.2%, of the housing/neighborhood development bonds would be approved for Emmanuel Retirement Village, 757 North, and the Pepper Building.

Memorandum

**Winston-Salem****Community and Business
Development Department**P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.727.2878

TO: Mayor Joines and Members of City Council
FROM: D. Ritchie Brooks, Director of Community and Business
 Development
DATE: March 9, 2016
SUBJECT: Report on M/WBE Enhancements Approved by City Council
CC: Lee Garrity, City Manager
 Derwick Paige, Assistant City Manager

The Minority and Women-owned Business Enterprise Office (M/WBE) was restructured in February 2015. At that time, the M/WBE Office was moved from the Business Development Division to create a new M/WBE Division. The move was made to highlight the importance that City Council wanted to convey regarding the City being committed and responsive to M/WBE businesses. In addition, a temporary full-time staff was added to the division to implement the M/WBE program enhancements approved by City Council in lieu of conducting a Disparity Study.

In addition to implementing the above mentioned recommendations, the Division has worked to ensure the implementation of current programs and reviewed existing systems for potential modifications for significant impact in the areas of inclusion and reporting. A report on the status of key work items established by the Mayor and City Council for the M/WBE area is attached for your review.

CityLink311Call 311 or 336-727-8000
citylink@cityofws.org

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

Update on City Council Recommendations for M/WBE Division

1. *Reinstitute and expand vendor rotation on contracts estimated to cost less than \$20,000. This may include rehabilitation, construction and service contracts.*
 - This task has not been initiated. However, 90% of City departments were surveyed and the absence of a vendor rotation system was confirmed for 90% of the departments.

2. *As opportunities arise, continue to set goals higher than 10% based upon the scope of work, historical participation, and the availability of M/WBE firms.*
 - For the period April 2015 through January 2016, a goal greater than 10% was set on 21 projects, with 19.6 as the average goal set. The M/WBE Office is identifying availability of more than 10% based upon a combination of the state Historically Underutilized Business (HUB), Disadvantaged Business Enterprise (DBE), and City vendor registration databases. In addition, given the significant increase in building construction projects since the approval of the 2014 General Obligation Bonds, there were greater opportunities for M/WBE participation since more M/WBE businesses are traditionally available in the trades associated with vertical construction.

3. *Enhance outreach and education to M/WBE firms regarding support that is already available to them such as Quick-pay agreements, bonding and insurance assistance, and Joint Venture or Partnering.*
 - For the period April 2015 through January 2016, the following events were held:

Date	Training	Number of Attendees	of Bi-Monthly Meetings
May 2015	Technical Assistance & Capacity Building - Forsyth Tech Small Business Center	10	X
June 2015	(*) The Mixer – Forsyth Tech	150	
July 2015	Bond Project Orientation	12	X
August 2015	(*) Black Expo – Sponsor	700	
September 2015	HUB Certification Workshop	10	X
October 2015	Bonding Resources & Business insurance	12	X
November 2015	Tools for Grants Management	30	

(*) Request from Council Member to sponsor/participate.

- Three companies received contracts with the City as a result of the first Mixer held with the Black Chamber of Commerce in 2014.
- 23 contractors have been referred to Departments for loans and qualification for work. **Please See Attached Schedule A for list of firms assisted.**

Implemented Strategies:

- Synchronized location of bid information.
 - Informal bids were not being distributed to M/WBE's. The notification process on formal bids did not have the weekly review that is performed now. Information is distributed weekly to M/WBE's with dates for pre-bids and bid due dates which makes the M/WBE's more likely to be successful in submitting quotes to prime contractors.
- Synchronized utilization of one comprehensive database.
 - City departments may now use the City database to extrapolate MWBE's by trades for formal opportunities.
- Measuring M/WBE's that receive City contracts by compiling a report of all M/WBE's firms that received contracts and the value of those contracts throughout the calendar year. Heretofore, this data has not been captured in a comprehensive report.
- Increased information provided on City's website under the M/WBE page and the Purchasing page.
- Increased notification of pre-bid opportunities on the "Bid and Auction Opportunities" webpage by advocating for the pre-bid date and time to be posted.
- MWBE staff attending all informal pre-bids and bid openings (Encouraging M/WBE's to attend and bid).
- Hosting bi-monthly sessions with M/WBE's throughout the community - Marketing bi-monthly meetings.
- Increase number of networking opportunities between Majority firms and M/WBE's.
 - 5 events over the course of April to December and we have 14 contractor collaborations/partnerships and mentoring relationships established. **See Attached Schedule B for collaborations.**
 - Introduced A&T Construction Management Department to opportunities with M/WBE's and Majority firms for internships. WSSU internships with MWBE's occurring through the Enterprise Center.
 - Conducting meetings one on one with firms to explain value of partnerships and material participation.
 - Removing barriers to inclusion:

- § notification of bid opportunities – Assisted Purchasing in creating centralized formal & informal notification of construction bids, mailing bid notices to M/WBE’s weekly with location, date and time
- § bonding/insurance issues – Introduced bonding and insurance firms (with flexible terms) to new & existing contractors
- § Unparalleled liquidated damage fees – worked with Purchasing to not require liquidated damage fees on small contracts that are commensurate with large contracts.
- § low-bid only delivery method – Advocated for CM@ Risk, in lieu, introduced prequalification process that has been implemented on two projects.
- § Lack of access to capital – Collaborated with State-wide lender to bring a contract-based lending program to Forsyth County, two contractors funded, 3 currently in application process.

4. *Continue to explore ways to ensure employee accountability regarding commitment to the City’s procurement guidelines.*

- The M/WBE Office notified 90% of the managers that management is to have an annual MWBE performance review that includes M/WBE performance and that they are responsible to review their employees on their M/WBE performance.
- Developed department assessment tool for polling departments on key M/WBE action item. MWBE staff created and utilized a measurement tool through Survey Monkey.

5. *Encourage prime contractors on formal (>\$300,000), vertical construction projects to enter into joint venture agreements with M/WBE firms particularly on Construction Manager at-Risk projects.*

- 4 general contractors have been encouraged to enter into joint venture agreements.
 - Agreements currently exist between:
 - Blum & The Mention Group – staff is assisting in the structuring of this relationship to ensure material participation by the M/WBE
- Upon review, it was determined that Construction Manager at-Risk was not a viable option for two recent projects (Benton Convention Center and Union Station) because this process must be initiated prior to the design phase being initiated; however, both of these projects had already passed the design phase prior to 2015. On future major projects, Construction Manager at-Risk may be a viable option to consider to help increase M/WBE participation.

6. *Develop and/or enhance partnerships with other organizations to identify potential mentoring firms and to connect them with interested M/WBE firms.*

- New relationships have been developed with Forsyth Tech; Micro loan program (referral based for contract-based lending); NC Minority Business Enterprise Center (Training through new DOT Initiative); NC HUB Office (Requesting to collaborate on contractor college, City referrals to State for TA for Winston M/WBE’s that want to do State contracts); State Disadvantaged Business Enterprise Office (DBE referrals).
- Staff has begun working with 12 firms that are interested in mentoring others. **Please See Attached Schedule C for mentoring firms.**
- Staff has enhanced the following partnerships with local organizations:

Date	Organization	Activity
June 2015	The Black Chamber	M/WBE Networking The Mixer
June 2015	The Enterprise Center	Began recommending M/WBE’s as tenants & for capacity building
June 2015	Winston-Salem Chamber of Commerce	M/WBE – GC Networking The Mixer
May 2015 -YTD	Forsyth Tech – Small Bus. Center	M/WBE – Bi Monthly Training / Tech. Assist.
May 2015 - YTD	Micro-loan Program	Financing
September 2015	NC Minority Business Enterprise Center	Bond & Insurance Training
September 2015	North Carolina Institute for Minority Economic Dev.	Training & Tech. Assist.
May 2015 - YTD	NC Coordinator’s Network	Training for M/WBE Staff
March 2015 –YTD	NC HUB Office	HUB Certification referrals/ Training
March 2015 – YTD	Construction Industry Council	Networking/Community Resource

7. Regularly evaluate General Contractors (GC) regarding their payment history to subcontractors. If a negative pattern or history exists regarding a poor payment history, then steps should be taken regarding corrective actions or the GC be suspended from bidding with the City of Winston Salem.

- Staff is conducting monthly site visits of current projects to verify M/WBE participation and fair treatment
- Staff is reviewing projects for payment accuracy, timeliness and overall treatment of M/WBE's and has identified over \$500,000 in underpayment and project discrepancies.
 - Assistance was provided to 9 MWBE's in obtaining resolution on payment for completed work. **See Attached Schedule D for names.**

8. Evaluate the City's current retainage policy and consider ways to release funding based upon the completion of a particular task or activity contingent upon City approval that the work has been satisfactorily completed.

- Based upon the City Attorney's review, it is recommended that the City adhere to the statute (§143-134.1. Interest on final payments due to prime contractors; payments to subcontractors.). The M/WBE Office monitors payments closely. If a contractor fails to pay its subcontractors we can look at that as a basis for disqualifying the contractor from bidding on future jobs.
- Per the City Attorney's Office, the City cannot release funding to subs.

9. Develop and initiate a marketing and outreach campaign to better market the M/WBE Program.

- The following components have either been implemented or are in the design phase:
 - Improve outreach (increased events, increased collaborators, maximize collaborator's database for M/WBE's
 - Direct calling – Increased calls to GC's and M/WBE's to notify GC of potential M/WBE's available for each upcoming project. M/WBE's are contacted to make them aware of GC's they can bid to and the pre-bid attendee list is mailed to the entire M/WBE database after each pre-bid
 - Encourage ALL City Staff to use internal database/ send copy of M/WBE database to City Directors

- Improve number of M/WBE's registered on City's vendor list
- Improved frequency of E-mails to M/WBE's about new projects – informal and formal are mailed weekly
- Updated webpage and improved access to webpage (shortcut web address is marketed)
- Developed new brochures, bulletin , press release, M/WBE emblem and signage
- Begun roundtable meetings regarding upcoming bond projects to orient M/WBE's to the opportunities and assist them in partnering and capacity building

M/WBE Program Recommendations

Re-defining target market

The M/WBE office is recommending City Council expand the market area boundaries for M/WBE's. Given that capacity and available M/WBE's in the local (City of Winston-Salem) is extremely limited, M/WBE's from the county and adjoining counties, are likely to grow and expand their operations in Winston-Salem if the boundaries did not require them to have their offices in the city limits. Local minorities benefit because these firms are highly likely to hire locally if awarded a project. The local office requirement for M/WBE's is a barrier to inclusion because in some trades, M/WBE's are required by State law to staff those offices at a level that is not cost effective for small firms which then limits their ability to gain contracts within the city (most often this is found in professional services).

Department Training

- Require bi-annual M/WBE training for all departments that do procurement of goods and services.
- Observe MED Week (Minority Economic Development). Plan a week of activities commensurate with what is taking place around the country during MED Week.

Construction Manager at-Risk

- As future opportunities arise, evaluate the Construction Manager at-Risk process as a viable option to increase M/WBE participation.

Schedule A**Firms referred to Departments**

Firm Name	Trade	Department
GPS	Plumbing Supply	Purchasing/Engineering
Premier	General Contractor	Purchasing
The Mention Group	General Contractor	Purchasing/Engineering
C&C Landscaping	Landscaping	Purchasing/Vegetation Mgmt./CBD
B & R Lawncare	Landscaping	CBD/Purchasing
Cinda Corp.	Rebar	Purchasing/DOT
J B Fyffe	Esher Glass	Purchasing/
Construction Concepts	General Contractor	Purchasing/ DOT
All Systems Restored	HVAC	Purchasing for Maintenance
JMC Finishing	Finishing	Purchasing
Team J Construction	General Contractor	CBD/Purchasing
Dawn Til Dusk	Cleaning	Purchasing
Chester Engineers	Engineers	Purchasing/Utilities
J.C. Waller & Assoc.	Engineers	Purchasing/Utilities
Enpulse	Mechanical Engineers	Purchasing
Davenport	Civil Engineers	DOT
RLM Restorations	Power Wash	Purchasing/ Maintenance
For All Occasions	Catering	Utilities
Covington & Assoc.	Civil Engineering	Purchasing
Criteck Engineering	Engineering	Engineering/Utilities
Bree & Assoc.	Engineering	Purchasing
North State Water & Sewer	General Contractor	Utilities
Ascent Construction	Concrete	Purchasing
A Step Above Cleaning	Cleaning	Purchasing/ CBD/ Maintenance
Piedmont Plumbing	Plumbing	Purchasing
4 Landscapers	Not showing on database yet	Purchasing

Schedule B**List of Firms Collaborating, JV or Partnering**

1. Blum & J. S. Mention
2. Mayes Landscaping & HCS
3. Resolute &? (Introduced them to 2 firms)
4. *Cinda
5. *Construction Concepts
6. *Esher
7. *JMC Finishings
8. *ASR HVAC

9. *Gadson Clearing & Grubbing
10. C&C Landscaping & South Deep Creek
11. Premier Design Builders
12. *Tammy Watson – Environmental & Construction signage
*Each firm working in collaboration as part of the Enterprise Center

Schedule C

Firms referred or assisted with Mentoring

1. North State Water & Sewer & B&R Lawncare
2. Mayes Landscaping & A&T State University (Interns)
3. GPS & RLM Restorations
4. FT Trucking & Dynamic Landscapers
5. Clement Construction & Team J Contractors
6. Mayes Landscaping & Chris Baker

Schedule D

Firms assisted with conflict resolution

1. Commercial Controls
2. Premier Design Builders
3. A Step Above Cleaning
4. Cinda Corporation
5. FT Trucking
6. WW Trucking
7. KRG
8. Johnson & Johnson
9. Friday Cleaning Services
10. CITI (English)
11. Ascent Construction

City Council – Action Request Form-

Date: March 9, 2016

To: The City Manager

From: D. Ritchie Brooks

Council Action Requested:

Ordinance rescinding an Ordinance adopted on October 28, 2013, ordering demolition of housing located at 958 Panola Road, Block 3425A, Lot 037, owned by Earl F. & Theresa Branscomb.

Summary of Information:

On October 28, 2013, the City Council of the City of Winston-Salem adopted an Ordinance to cause the dwelling located at 958 Panola Road to be demolished. This action was taken as a result of the owner’s failure to comply with a duly-issued Order to repair or demolish the housing which was considered to be unfit for human habitation as prescribed in the Housing Code of the City of Winston-Salem.

After the Ordinance was adopted, the owner made the necessary repairs to render the dwelling fit for human habitation as prescribed in the Housing code of the City of Winston-Salem.

The owner has requested that the City Council of the City of Winston-Salem rescind the Ordinance adopted on October 28, 2013, requiring the demolition of the property located at 958 Panola Road, only as it relates to that property thereby allowing the ordinance of record relating to said property to be cancelled (Deed Book 3164, Page 1000-1010).

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____

**AN ORDINANCE RESCINDING AN ORDINANCE ADOPTED ON OCTOBER 28, 2013
ORDERING THE DEMOLITION OF A DWELLING**

WHEREAS, on October 28, 2013, the City Council of the City of Winston-Salem adopted an ordinance requiring Earl F. & Theresa Branscomb owner(s) of the property located at 958 Panola Road, Block 3425A, Lot 0371, to demolish said dwelling because it was unfit for human habitation and the estimated cost of making the necessary repairs are less than fifty percent (>50%) of the dwelling's value; and

WHEREAS, the owner made the necessary repairs or demolished the property to render said dwelling fit for human habitation as prescribed in the Housing Code of the City of Winston-Salem.

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

Section 1. The provisions of the ordinance D-Ch.10 adopted on October 28, 2013, recorded in Deed Book 3221, at pages 245-251 relating to the demolition of the property owned by Earl F. & Theresa Branscomb located at 958 Panola Road Block 3425A, Lot 0371, is hereby rescinded thereby releasing said property, and only said property, from the demolition ordinance and permitting such to be canceled of record upon the recording of this ordinance.

Section 2. This Ordinance shall become effective upon its adoption and a copy certified by the Secretary of the City of Winston-Salem, shall be recorded in the Office of the Register of Deed of Forsyth County, North Carolina, and shall be indexed in the name of Earl F. & Theresa Branscomb, in the grantor index as provided by law.

INSTRUMENT DRAWN BY

CITY ATTORNEY

958 PANOLA ROAD



-21-

C-1-a.

DRAFT

City Council – Action Request Form-

Date: March 9, 2016

To: The City Manager

From: D. Ritchie Brooks

Council Action Requested:

Ordinance rescinding an Ordinance adopted on July 20, 2015, ordering demolition of housing located at 208 W. 25th Street, Block 1667, Lot 012, owned by Triloric Group LLC.

Summary of Information:

On July 20, 2015, the City Council of the City of Winston-Salem adopted an Ordinance to cause the dwelling located at 208 W. 25th Street to be demolished. This action was taken as a result of the owner’s failure to comply with a duly-issued Order to repair or demolish the housing which was considered to be unfit for human habitation as prescribed in the Housing Code of the City of Winston-Salem.

After the Ordinance was adopted, the owner made the necessary repairs to render the dwelling fit for human habitation as prescribed in the Housing code of the City of Winston-Salem.

The owner has requested that the City Council of the City of Winston-Salem rescind the Ordinance adopted on July 20, 2015, requiring the demolition of the property located at 208 W. 25th Street, only as it relates to that property thereby allowing the ordinance of record relating to said property to be cancelled (Deed Book 3245, Page(s) 540-547).

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____

**AN ORDINANCE RESCINDING AN ORDINANCE ADOPTED ON
ORDERING THE DEMOLITION OF A DWELLING**

WHEREAS, on July 20, 2015, the City Council of the City of Winston-Salem adopted an ordinance requiring Triloric Group LLC owner(s) of the property located at 208 W. 25th Street, Block 1667, Lot 012, to demolish said dwelling because it was unfit for human habitation and the estimated cost of making the necessary repairs are less than fifty percent (>50%) of the dwelling's value; and

WHEREAS, the owner made the necessary repairs or demolished the property to render said dwelling fit for human habitation as prescribed in the Housing Code of the City of Winston-Salem.

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

Section 1. The provisions of the ordinance D-Ch.10 adopted on July 20, 2015, recorded in Deed Book 3234, at pages 540-547 relating to the demolition of the property owned by Triloric Group LLC located at 208 W. 25th Street, Block 1667, Lot 012, is hereby rescinded thereby releasing said property, and only said property, from the demolition ordinance and permitting such to be canceled of record upon the recording of this ordinance.

Section 2. This Ordinance shall become effective upon its adoption and a copy certified by the Secretary of the City of Winston-Salem, shall be recorded in the Office of the Register of Deed of Forsyth County, North Carolina, and shall be indexed in the name of Triloric Group LLC, in the grantor index as provided by law.

INSTRUMENT DRAWN BY

CITY ATTORNEY

208 W. 25th Street



City Council – Action Request Form

Date: March 9, 2016
To: The City Manager
From: D. Ritchie Brooks, Community and Business Development

Council Action Requested:

The adoption of an Ordinance ordering the Community and Business Development of the City of Winston-Salem to demolish structures unfit for human habitation and, otherwise to effectuate the purpose of Chapter 10, Article V, of the Winston-Salem City Code.

Summary of Information:

The structure units listed below have been condemned under the provision of the Housing Code. All required notices have been served and the time granted for compliance in each case has expired. The owner(s) has not complied with the Order to repair or demolish the structure unit.

STRUCTURE UNITS WITH REPAIRS MORE THAN FIFTY PERCENT OF VALUE OF STRUCTURE (>50%) SIX MONTHS

Owner	Property Location	Block & Lot(s)
Chalmers C. Smith	1946 E. 3 rd Street	1268, 005P
Linda H. Murrell	3301 Old Greensboro Road	1551, 040
Judy Karen Leach	913 N. Jackson Avenue	0434, 459

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks:



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

TO: Tiffany Harris
FROM: Michelle McCullough
DATE: February 24, 2016
SUBJECT: **Demolitions for March 22, 2016
Community Development/Housing/General Government
Committee Meeting**

Historic Resources staff has reviewed the following properties that are scheduled to go before the Community Development/Housing/General Government Committee on March 22, 2016 for demolition consideration:

- 2125 White Street
- 1417 E. 22nd Street
- 1946 E. 3rd Street
- 913 N. Jackson Avenue
- 1205 Highland Avenue
- 3301 Old Greensboro Road
- 229 Wheeler Street

While it appears that most of the properties were built prior to 1966, only one is located within National Register Historic Districts, 913 N. Jackson Avenue.

Historic Resources staff has concerns about the loss of contributing structures in the Ardmore and Reynolda Historic Districts; therefore, I have sent notice to Preserve Historic Forsyth, the local Historic Preservation non-profit organization to advise them of this loss. Their mission is to promote, protect, and advocate for Historic Resources in Forsyth County.

If demolition for this structure is approved, Historic Resources staff would like to request that the Community and Business Development Department have the structure professionally photo-documented, submitting the photos to the Forsyth County Historic Resources Commission and any architectural elements be salvaged from the house prior to demolition.

None of the buildings are designated a Local Historic Landmark or located within designated local historic districts. Therefore, Historic Resources staff has no other special requests at this time.

If you have any questions, please call 747-7063.

If you have any questions, please call 747-7063.

cc Ritchie Brooks, Director, Community and Business Development
Preserve Forsyth



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; Molly Leight, South Ward; Jeff MacIntosh, Northwest Ward; Derwin I. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: Richard V. Linville, Chairman; Gloria D. Whisenhunt, Vice Chair; Mark Baker; Walter Marshall; David R. Plyler, Bill Whiteheart; Everett Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan Young -31- hair; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Barry A. Lyons; Lynne Mitchell; Paul W. Mullican; Brenda J. Smith

**ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE
PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF
THE CITY OF WINSTON-SALEM**

WHEREAS, the Community and Business Development Department, after due notice and hearing, determined that the property hereinafter described in Exhibit (s) was unfit for human habitation; and

WHEREAS, either the Mayor and City Council adopted an ordinance or the Housing Conservation Administrator issued a repair or vacate and close order; and

WHEREAS, the repairs necessary to render the structure fit for human habitation would exceed more than fifty percent (>50%) of the present value of the structure; and

WHEREAS, the owner of the property herein described in Exhibit(s) vacated and closed said structure and kept it vacated and closed for a period of six months pursuant to said Order; and

WHEREAS, the Mayor and City Council hereby finds that:

- (1) Six months has passed since the structure was vacated and closed pursuant to the previous order.
- (2) The property owner has abandoned the intent and purpose to repair, alter or improve the dwelling in said order to render it fit for human habitation.
- (3) The continuation of said structure in its vacated status will be inimical to health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, will create a fire and safety hazard, will be a threat to children and vagrants, will attract persons intent on criminal activities, will cause or contribute to blight and the deterioration of the property values in the area and will render unavailable property and dwelling which may otherwise have been available to

ease the persistent shortage of decent and affordable housing in this State and City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem, as follows:

Section 1. The owner(s) of the property herein described in Exhibit(s) is hereby ordered to demolish and remove said property within ninety days.

Section 2. In the event the owner(s) fails to comply with this order of the Mayor and City Council within the prescribed time period, the Community and Business Development Department of the City of Winston-Salem is hereby ordered and authorized to effectuate the purpose of the Housing Code of the City of Winston-Salem (Chapter 10, Article V of the Code of the City of Winston-Salem) with respect to the property herein described by causing said dwelling be demolished and removed.

Section 3. The property to which this ordinance applies is known and described as set out in Exhibit(s) attached hereto and incorporated herein by reference.

Section 4. This ordinance shall become effective upon its adoption, and a copy hereof, certified by the Secretary of the City of Winston-Salem, shall be recorded in the office of the Register of Deeds of Forsyth County, North Carolina, and shall be indexed in the name of the property owner(s) in the grantors index, as provided by law.

INSTRUMENT DRAWN BY:

CITY ATTORNEY

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2012020397
PROPERTY ADDRESS 1946 E THIRD ST
TAX BLOCK 1268 **LOT(s)** 005P
WARD EAST
PROPERTY OWNER(s) CHALMERS C SMITH
LIS PENDENS 13M1545 **FILED** 07/03/2013

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 05/08/2013 and service was obtained by certified mail regular post hand delivery ___ publication (5/16/2013) on 05/20/2013. The hearing was held on 6/7/2013 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes no ___.
2. The **Finding and Order** was issued on 6/14/2013 and service was obtained by certified mail regular post hand delivery ___ publication (06/27/2013) on 07/01/2013. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 08/01/2013. The dwelling was found vacated and closed on 09/16/2013.
3. The dwelling became eligible for demolition under the six (6) month rule on 03/16/2014.
4. The notification letter was sent 02/09/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 03/22/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$11,322.00 Fair market value \$22,000.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2012020397

NEIGHBORHOOD CONSERVATION OFFICER:
Jimmy Mullins - (336)734-1263

1946 E THIRD ST

VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE

729861 REPAIR DOOR - INTERIOR WHERE DAMAGED
MINOR V-10-197(A)(15)

729865 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -
MINOR V-10-197(G)(3)

729869 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -
MINOR V-10-197(G)(6)

729862 REPAIR DOOR - FRONT ENTRY GLASS
UNFIT V-10-197(A)(15)

729863 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)

729866 REPLACE LOOSE WALL AND CEILING MATERIALS -
UNFIT V-10-197(G)(4)

729867 MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION -
UNFIT V-10-197(H)(4)

729868 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2012020397 2/8/2012

IMAGE DESCRIPTION
1946 E. 3rd Street



CODE CASE NBR IMAGE DATE
2012020397 2/18/2016

IMAGE DESCRIPTION
1946 E. 3rd Street



CODE CASE NBR IMAGE DATE
2012020397 2/18/2016

IMAGE DESCRIPTION
1946 E. 3rd Street



C-2.a. DRAFT

CODE CASE NBR IMAGE DATE
2012020397 2/18/2016

IMAGE DESCRIPTION
1946 E. 3rd Street



YOUR TRIP TO:

1946 E 3rd St, Winston Salem, NC 27101-4604



5 MIN | 1.9 MI

Trip time based on traffic conditions as of 3:24 PM on March 8, 2016. Current Traffic: Light



1. Start out going **west** on E 1st St toward N Church St.

Then 0.05 miles 0.05 total miles



2. Turn **right** onto N Main St.

Then 0.36 miles 0.41 total miles



3. Turn **right** onto E 5th St.

Then 1.39 miles 1.80 total miles



4. Turn **right** onto E 3rd St.

Then 0.08 miles 1.88 total miles



5. 1946 E 3RD ST is on the **left**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-2.a. DRAFT

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2013031021

**NEIGHBORHOOD CONSERVATION OFFICER:
Jimmy Mullins - (336)734-1263**

3301 OLD GREENSBORO RD

**VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE**

- 764129 REPAIR SOFFIT AND/OR FACIA -
MINOR V-10-197(G)(6)
- 764120 REPAIR LOCKSETS - FRONT ENTRY
UNFIT V-10-197(B)(4)
- 764121 REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN -
UNFIT V-10-197(D)(10)
- 764122 OTHER - REPAIR HEAT PUMP
UNFIT V-10-197
- 764123 REPAIR TUB FIXTURES -
UNFIT V-10-197(D)(10)
- 764124 REPAIR DEFECTIVE FLOORING - BATH
UNFIT V-10-197(G)(2)
- 764125 REPLACE LOOSE WALL AND CEILING MATERIALS -
UNFIT V-10-197(G)(4)
- 764126 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)
- 764128 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)
- 764127 REPLACE BROKEN WINDOW PANES -
UNFIT V-10-197(B)(4)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2013031021 3/26/2013

IMAGE DESCRIPTION

3301 Old Greensboro Road



CODE CASE NBR IMAGE DATE
2013031021 2/18/2016

IMAGE DESCRIPTION

3301 Old Greensboro Road



CODE CASE NBR IMAGE DATE
2013031021 2/18/2016

IMAGE DESCRIPTION

3301 Old Greensboro Road



C-2.b. DRAFT

CODE CASE NBR IMAGE DATE
2013031021 2/18/2016

IMAGE DESCRIPTION

3301 Old Greensboro Road



YOUR TRIP TO:



3301 Old Greensboro Rd, Winston Salem, NC 27101

7 MIN | 3.0 MI

Trip time based on traffic conditions as of 3:20 PM on March 8, 2016. Current Traffic: Light



1. Start out going **west** on E 1st St toward N Church St.

Then 0.05 miles 0.05 total miles



2. Turn **right** onto N Main St.

Then 0.36 miles 0.41 total miles



3. Turn **right** onto E 5th St.

Then 1.43 miles 1.84 total miles



4. Turn **slight left** onto Old Greensboro Rd.

Then 1.12 miles 2.96 total miles



5. 3301 OLD GREENSBORO RD is on the **left**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-2.b. DRAFT

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2011070777
PROPERTY ADDRESS 913 N JACKSON AV
TAX BLOCK 0434 **LOT(s)** 459
WARD EAST
PROPERTY OWNER(s) JUDY KAREN LEACH
LIS PENDENS 12M107 **FILED** 01/17/2011

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 10/18/2011 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 10/28/2011. The hearing was held on 11/17/2011 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes ___ no .
2. The **Finding and Order** was issued on 12/8/2011 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 12/14/2011. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 01/14/2012. The dwelling was found vacated and closed on 01/23/2012.
3. The dwelling became eligible for demolition under the six (6) month rule on 07/23/2012.
4. The notification letter was sent 02/09/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 03/22/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair _____ Fair market value \$4,678.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2011070777

NEIGHBORHOOD CONSERVATION OFFICER:
Jimmy Mullins - (336)734-1263

913 N JACKSON AV

VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE

712002 PAINT WALLS AND CEILINGS - INTERIOR
MINOR V-10-197(G)(4)

712009 OTHER - REPAIR WINDOW BALANCE IN BR#1
MINOR V-10-197

712010 OTHER - REPAIR CRACKED WINDOW IN BR#3
MINOR V-10-197

711999 REPAIR OR REPLACE SCREENS ON WINDOWS -
UNFIT V-10-197(B)(3)

712000 REPAIR PLUMBING LEAK IN BATH -
UNFIT V-10-197(D)(15)

712001 REPAIR DEFECTIVE FLOORING - KITCHEN
UNFIT V-10-197(G)(2)

712003 REPLACE LOOSE WALL AND CEILING MATERIALS - THROUGHOUT
UNFIT V-10-197(G)(4)

712004 PROVIDE HEATING FACILITY -
UNFIT V-10-197(E)(1)

712005 REPLACE BROKEN WINDOW PANES -
UNFIT V-10-197(B)(4)

712008 REPAIR WINDOW LOCKS -
UNFIT V-10-197(B)(4)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011070777 2/18/2016

IMAGE DESCRIPTION

913 N. Jackson Avenue



CODE CASE NBR IMAGE DATE
2011070777 2/18/2016

IMAGE DESCRIPTION

913 N. Jackson Avenue



CODE CASE NBR IMAGE DATE
2011070777 2/18/2016

IMAGE DESCRIPTION

913 N. Jackson Avenue



CODE CASE NBR IMAGE DATE
2011070777 2/18/2016

IMAGE DESCRIPTION

913 N. Jackson Avenue



YOUR TRIP TO:



913 N Jackson Ave, Winston Salem, NC 27101-3352

7 MIN | 1.9 MI

Trip time based on traffic conditions as of 3:26 PM on March 8, 2016. Current Traffic: Light

- 

1. Start out going **west** on E 1st St toward N Church St.
 ----- Then 0.05 miles ----- 0.05 total miles
- 

2. Turn **right** onto N Main St.
 ----- Then 0.36 miles ----- 0.41 total miles
- 

3. Turn **right** onto E 5th St.
 ----- Then 0.88 miles ----- 1.29 total miles
- 

4. Turn **left** onto N Martin Luther King Jr Dr/NC-109.
 ----- Then 0.13 miles ----- 1.41 total miles
- 

5. Take the 1st **right** onto New Walkertown Rd/US-311 N.
 ----- Then 0.21 miles ----- 1.63 total miles
- 

6. Turn **left** onto N Graham Ave.
 ----- Then 0.11 miles ----- 1.73 total miles
- 

7. Take the 1st **left** onto Mount Zion Pl.
 ----- Then 0.05 miles ----- 1.78 total miles
- 

8. Take the 1st **right** onto N Jackson Ave.
 ----- Then 0.12 miles ----- 1.90 total miles
- 

9. 913 N JACKSON AVE is on the **right**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-2.c. DRAFT

City Council – Action Request Form

Date: March 9, 2016

To: The City Manager

From: D. Ritchie Brooks, Community and Business Development

Council Action Requested:

The adoption of an Ordinance ordering the Community and Business Development of the City of Winston-Salem to demolish structures unfit for human habitation and, otherwise to effectuate the purpose of Chapter 10, Article V, of the Winston-Salem City Code.

Summary of Information:

The structure units listed below have been condemned under the provision of the Housing Code. All required notices have been served and the time granted for compliance in each case has expired. The owner(s) has not complied with the Order to repair or demolish the structure unit.

STRUCTURE UNITS WITH REPAIRS EXCEEDING SIXTY-FIVE PERCENT (65%) OF VALUE OF STRUCTURE

Owner	Property Location	Block & Lot(s)
Triad Asset Management LLC	229 Wheeler Street	0532, 030
Mark L. Wallace	5016 Ohio Avenue	1649, 128B
Jeremy Johnson	2125 White Street	2223, 004

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____



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

TO: Tiffany Harris
FROM: Michelle McCullough
DATE: February 24, 2016
SUBJECT: **Demolitions for March 22, 2016
Community Development/Housing/General Government
Committee Meeting**

Historic Resources staff has reviewed the following properties that are scheduled to go before the Community Development/Housing/General Government Committee on March 22, 2016 for demolition consideration:

- 2125 White Street
- 1417 E. 22nd Street
- 1946 E. 3rd Street
- 913 N. Jackson Avenue
- 1205 Highland Avenue
- 3301 Old Greensboro Road
- 229 Wheeler Street

While it appears that most of the properties were built prior to 1966, only one is located within National Register Historic Districts, 913 N. Jackson Avenue.

Historic Resources staff has concerns about the loss of contributing structures in the Ardmore and Reynolda Historic Districts; therefore, I have sent notice to Preserve Historic Forsyth, the local Historic Preservation non-profit organization to advise them of this loss. Their mission is to promote, protect, and advocate for Historic Resources in Forsyth County.

If demolition for this structure is approved, Historic Resources staff would like to request that the Community and Business Development Department have the structure professionally photo-documented, submitting the photos to the Forsyth County Historic Resources Commission and any architectural elements be salvaged from the house prior to demolition.

None of the buildings are designated a Local Historic Landmark or located within designated local historic districts. Therefore, Historic Resources staff has no other special requests at this time.

If you have any questions, please call 747-7063.

If you have any questions, please call 747-7063.

cc Ritchie Brooks, Director, Community and Business Development
Preserve Forsyth



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; Molly Leight, South Ward; Jeff MacIntosh, Northwest Ward; Derwin I. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: Richard V. Linville, Chairman; Gloria D. Whisenhunt, Vice Chair; Mark Baker; Walter Marshall; David R. Plyler, Bill Whiteheart; Everett Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan Young -61- hair; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Barry A. Lyons; Lynne Mitchell; Paul W. Mullican; Brenda J. Smith

**ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT
DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH
STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO
EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-
SALEM CITY CODE**

WHEREAS, the Community and Business Development Department, after due notice and hearing, has determined that the property hereinafter described is unfit for human habitation and that the owner thereof has failed to repair the same so as to bring it into compliance with the Housing Code of the City within the time granted in an order issued by the Department; and

WHEREAS, the necessary repairs, alterations or improvements required to bring the structure up to the Standards required under the Housing Code of the City of Winston-Salem cannot be made at a reasonable cost in relation to the value of the structure, that is, not to exceed sixty five percent (>65%) of the value;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem, as follows:

Section 1. The Community and Business Development Department of the City of Winston-Salem is hereby ordered to proceed to effectuate the purpose of the Housing Code of the City of Winston-Salem (Chapter 10, Article V of the Code of the City of Winston-Salem) with respect to the property hereinafter described, which the Community and Business Development Department has heretofore found to be unfit for human habitation. The Housing Conservation Administrator shall cause all structure on said property heretofore found by him to be unfit for human habitation to be removed or demolished, and he is hereby authorized and directed to take such other action and to exercise such other powers with respect to said

property as may be necessary or convenient to carry out and effectuate the provisions of the Housing Code of the City of Winston-Salem.

Section 2. The property to which this Ordinance applies is known and described as set out in Exhibit attached hereto and incorporated herein by reference.

Section 3. This ordinance shall be effective from and after its adoption, and a copy hereof, certified by the Secretary of the City of Winston-Salem, shall be recorded in the Office of the Register of Deeds of Forsyth County, North Carolina, and shall be indexed in the name of the property owner(s) in the grantor index, as provided by law.

INSTRUMENT DRAWN BY

CITY ATTORNEY

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(e) OF THE HOUSING CODECASE SUMMARY - HOUSING FILE NO. 2015031054

PROPERTY ADDRESS 229 WHEELER ST
 TAX BLOCK 0532 LOT(s) 030
 WARD EAST
 PROPERTY OWNER(s) TRIAD ASSET MANAGEMENT LLC
 LIS PENDENS FILED

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 10/27/2015 and service was obtained by certified mail regular post hand delivery _____, and publication on 11/5/2015 (published). The Hearing was held on 11/30/2015 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint. yes ___ no .
2. The **Finding and Order** was issued on 12/04/2015 and service was obtained by certified mail regular post hand delivery _____ and publication on 01/21/2016 (published). The **Order** directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 02/21/2016.
3. The notification letter was sent 02/09/2016 advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on 03/22/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no .

COMMENTS (if any)COUNCIL CONSIDERATION

The estimated cost to make repairs to bring this substandard structure into compliance with Housing Code Standards as prescribed in the Housing code **exceeds sixty-five percent (65%) of the value.**

Estimated cost to repair \$ \$79,781.00

Fair market value \$ 28,640.00

Based on the above information, it is recommended that an Ordinance be adopted to cause this dwelling to be **removed or demolished.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2015031054

NEIGHBORHOOD CONSERVATION OFFICER:

Jimmy Mullins - (336)734-1263

229 WHEELER ST

<u>VIOL NBR</u>	<u>VIOLATION DESCRIPTION</u>
	<u>STATUS/ORDINANCE</u>

822770	THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE - COST ESTIMATE \$79,781.25 DEMO V-97-(B)(2)
--------	--

822556	PROVIDE DOOR - ALL INSIDE DOORS MINOR V-10-197(A)(15)
--------	--

822560	PROVIDE WORKSPACE IN KITCHEN - MINOR V-10-197(A)(16)
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822574	REPAIR OR REPLACE LOOSE FLOOR COVERING - THOUGHOUT MINOR V-10-197(G)(2)
--------	--

822577	REPLACE LOOSE WALL AND CEILING MATERIALS - THOUGHOUT MINOR V-10-197(G)(4)
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822578	PAINT WALLS AND CEILINGS - THOUGHOUT MINOR V-10-197(G)(4)
--------	--

822581	MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION - MINOR V-10-197(H)(4)
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822587	CLEAN YARD OF RUBBISH, TRASH, AND DEBRIS - MINOR V-10-197
--------	--

822557	PROVIDE DOOR - EXTERIOR 2 UNFIT V-10-197(A)(15)
--------	--

822558	REPLACE BROKEN WINDOW PANES - UNFIT V-10-197(B)(4)
--------	---

822559	PROVIDE SHELVING IN KITCHEN - UNFIT V-10-197(A)(16)
--------	--

822561	REPAIR KITCHEN CABINETS - UNFIT V-10-197(A)(16)
--------	--

822562	REPAIR OR REPLACE WATER HEATER - UNFIT V-10-197(D)(8)
--------	--

822563	REPAIR PLUMBING LEAK IN KITCHEN - UNFIT V-10-197(D)(15)
--------	--

822564	REPAIR PLUMBING LEAK IN BATH - UNFIT V-10-197(D)(15)
--------	---

822565	REPAIR LAVATORY AND/OR FIXTURES - UNFIT V-10-197(D)(10)
--------	--

C-3.a. DRAFT

- 822566 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL -
UNFIT V-10-197(F)(10)
- 822567 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS -
UNFIT V-10-197(F)(1)
- 822568 REPAIR DEFECTIVE LIGHT FIXTURES -
UNFIT V-10-197(F)(1)
- 822569 REPAIR CRAWL SPACE DOOR -
UNFIT V-10-197(G)(1)
- 822571 PROVIDE HEATING FACILITY - UPSTAIRS AND DOWNSTAIRS
UNFIT V-10-197(E)(1)
- 822572 REPLACE DEFECTIVE JOISTS - 15 TOTAL
UNFIT V-10-197(G)(2)
- 822573 REPAIR DEFECTIVE FLOORING -
UNFIT V-10-197(G)(2)
- 822576 REPAIR HOLES IN WALLS AND CEILINGS -
UNFIT V-10-197(G)(4)
- 822579 REPAIR OR REPLACE STEPS AT REAR - 16 TOTAL
UNFIT V-10-197(G)(8)
- 822580 INSTALL HANDRAIL AT REAR STEPS -
UNFIT V-10-197(G)(8)
- 822582 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)
- 822583 REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN -
UNFIT V-10-197(D)(10)
- 822584 REPAIR TUB FIXTURES -
UNFIT V-10-197(D)(10)
- 822585 REPAIR FOUNDATION - OUTSIDE FLOOR BAND
UNFIT V-10-197(G)(1)

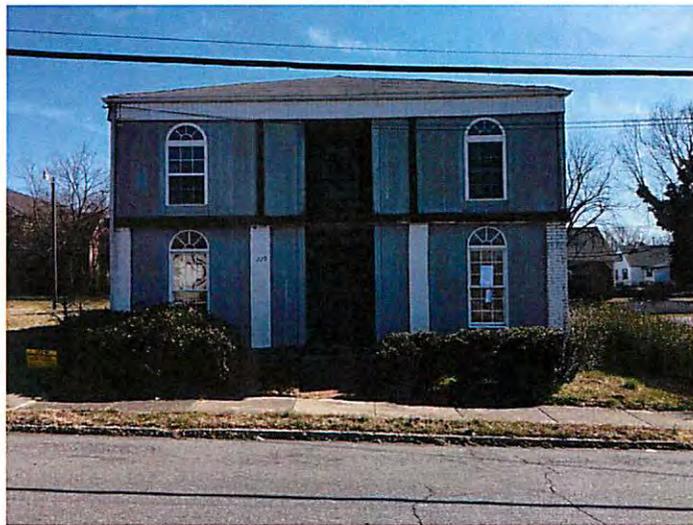
CODE CASE NBR IMAGE DATE
2015031054 2/19/2016

IMAGE DESCRIPTION
229 Wheeler Street



CODE CASE NBR IMAGE DATE
2015031054 2/19/2016

IMAGE DESCRIPTION
229 Wheeler Street



CODE CASE NBR IMAGE DATE
2015031054 2/19/2016

IMAGE DESCRIPTION
229 Wheeler Street



C-3.a. DRAFT

CODE CASE NBR IMAGE DATE
2015031054 2/19/2016

IMAGE DESCRIPTION
229 Wheeler Street



YOUR TRIP TO:



229 Wheeler St, Winston Salem, NC 27101

3 MIN | 1.6 MI

Trip time based on traffic conditions as of 2:57 PM on March 8, 2016. Current Traffic: Heavy



1. Start out going **west** on E 1st St toward N Church St.

Then 0.00 miles 0.00 total miles



2. Take the 1st **left** onto S Church St.

Then 0.16 miles 0.16 total miles



3. Turn **right** onto Cemetery St.

Then 0.03 miles 0.19 total miles



4. Take the 1st **right** onto S Main St.

Then 0.05 miles 0.24 total miles



5. Merge onto I-40 Bus E/US-421 S/US-158 E/NC-150 E.

Then 0.92 miles 1.16 total miles



6. Take the **ML King Jr Dr** exit, EXIT 6C, toward **Winston-Salem State Univ.**

Then 0.13 miles 1.29 total miles



7. Turn **right** onto S Martin Luther King Jr Dr/NC-109.

Then 0.29 miles 1.58 total miles



8. Turn **right** onto E 2nd St.

Then 0.03 miles 1.61 total miles



9. Turn **left** onto Wheeler St.

Then 0.01 miles 1.62 total miles



10. 229 WHEELER ST is on the **right**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-3.a. DRAFT

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(e) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2015061307
 PROPERTY ADDRESS 5016 OHIO AV
 TAX BLOCK 1649 LOT(s) 128B
 WARD NORTHEAST
 PROPERTY OWNER(s) MARK L WALLACE
 LIS PENDENS 15m1557 FILED 10/16/15

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 8/3/2015 and service was obtained by certified mail ___ regular ___ post ___ hand delivery ___, and publication x on 8/20/2015. The Hearing was held on 9/2/2015 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint. yes ___ no x.
2. The **Finding and Order** was issued on 9/23/2015 and service was obtained by certified mail x regular x post x hand delivery ___ and publication x on 11/12/2015. The **Order** directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 12/12/2015.
3. The notification letter was sent 3/3/2015 advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on 3/22/3026. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no x.

COMMENTS (if any)COUNCIL CONSIDERATION

The estimated cost to make repairs to bring this substandard structure into compliance with Housing Code Standards as prescribed in the Housing code **exceeds sixty-five percent (65%) of the value.**

Estimated cost to repair **\$21,361**

Fair market value **\$1,000**

Based on the above information, it is recommended that an Ordinance be adopted to cause this dwelling to be **removed or demolished.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2015061307

**NEIGHBORHOOD CONSERVATION OFFICER:
Kelly Speaks - (336)734-1273**

5016 OHIO AV

**VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE**

- 830561 THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -
 DEMO V-97-(B)(2)
- 830550 REPAIR KITCHEN CABINETS -
 MINOR V-10-197(A)(16)
- 830562 REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE -
 MINOR V-4-89(4)
- 830548 PROVIDE DOOR -
 UNFIT V-10-197(A)(15)
- 830549 PROVIDE WORKSPACE IN KITCHEN -
 UNFIT V-10-197(A)(16)
- 830551 REPLACE BROKEN WINDOW PANES -
 UNFIT V-10-197(B)(4)
- 830552 PROVIDE HEATING FACILITY -
 UNFIT V-10-197(E)(1)
- 830553 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL -
 UNFIT V-10-197(F)(10)
- 830554 REPAIR DEFECTIVE LIGHT FIXTURES -
 UNFIT V-10-197(F)(1)
- 830555 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS -
 UNFIT V-10-197(F)(1)
- 830556 REPAIR DEFECTIVE FLOORING -
 UNFIT V-10-197(G)(2)
- 830557 REPLACE DEFECTIVE RAFTERS -
 UNFIT V-10-197(G)(6)
- 830558 REPAIR OR REPLACE ROOF COVERING -
 UNFIT V-10-197(G)(6)
- 830559 REPAIR ROOF LEAK -
 UNFIT V-10-197(G)(6)
- 830560 PROVIDE OPERABLE SMOKE DETECTOR -
 UNFIT V-10-197(L)(1)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2015061307 6/30/2015

IMAGE DESCRIPTION

DESCRIPTION FOR DSCN8399.JPG



CODE CASE NBR IMAGE DATE
2015061307 6/30/2015

IMAGE DESCRIPTION

DESCRIPTION FOR DSCN8398.JPG



CODE CASE NBR IMAGE DATE
2015061307 6/30/2015

IMAGE DESCRIPTION

DESCRIPTION FOR DSCN8401.JPG



C-3.b. DRAFT

CODE CASE NBR IMAGE DATE
2015061307 6/30/2015

IMAGE DESCRIPTION

DESCRIPTION FOR DSCN8400.JPG



CODE CASE NBR IMAGE DATE
2015061307 3/9/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSCN9057.JPG



CODE CASE NBR IMAGE DATE
2015061307 3/9/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSCN9056.JPG



CODE CASE NBR IMAGE DATE
2015061307 3/9/2016

IMAGE DESCRIPTION
DESCRIPTION FOR DSCN9061.JPG



CODE CASE NBR IMAGE DATE
2015061307 3/9/2016

IMAGE DESCRIPTION
DESCRIPTION FOR DSCN9058.JPG



CODE CASE NBR IMAGE DATE
2015061307 3/9/2016

IMAGE DESCRIPTION
DESCRIPTION FOR DSCN9060.JPG



C-3.b. DRAFT

CODE CASE NBR IMAGE DATE
2015061307 3/9/2016

IMAGE DESCRIPTION
DESCRIPTION FOR DSCN9059.JPG



CODE CASE NBR IMAGE DATE
2015061307 3/9/2016

IMAGE DESCRIPTION
DESCRIPTION FOR DSCN9062.JPG



Map & Directions

Map Only

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- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 5016 Ohio Ave, Winston-Salem, NC 27105-2321

Enter notes here

255

Total Distance: 7.15 mi— Total Time: 13 mins

	100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
	Head toward N Church St on E 1st St	Go for 45 ft Hide
	Turn left onto S Church St	Go for 0.2 mi Hide
	Turn right onto Cemetery St	Go for 229 ft Hide
	Turn right onto S Main St SE	Go for 141 ft Hide
	Take ramp onto I-40-BR E	Go for 0.6 mi Hide
	Take exit 6B toward NC-8 N/Mount Airy/Smith Reynolds Airport onto US-52 N/US-311 N (John M Gold Fwy)	Go for 0.9 mi Hide
	Continue on US-52 (John M Gold Fwy)	Go for 3.1 mi Hide
	Take exit 113 toward Patterson Ave	Go for 0.3 mi Hide
	Turn right onto Patterson Ave NE	Go for 0.7 mi Hide
	Turn right onto Motor Rd NE	Go for 1.0 mi Hide
	Turn left onto Ohio Ave	Go for 0.2 mi Hide
	Arrive at Ohio Ave. Your destination is on the left.	Hide
	5016 Ohio Ave, Winston-Salem, NC 27105-2321	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(e) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2014100940
 PROPERTY ADDRESS 2125 WHITE ST
 TAX BLOCK 2223 LOT(s) 004
 WARD NORTHEAST
 PROPERTY OWNER(s) JEREMY JOHNSON
 LIS PENDENS 15m1325 FILED 9/23/15

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 6/8/15 and service was obtained by certified mail ___ regular ___ post x hand delivery_____, and publication x on 6/11/15. The Hearing was held on 7/8/2015 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint. yes x no ___.
2. The **Finding and Order** was issued on 8/12/2015 and service was obtained by certified mail ___ regular ___ post x hand delivery ___ and publication x on 9/20/15. The **Order** directed the owner to **vacate and close or repair** the dwelling within 30 days from receipt. Time for compliance expired on 10/20/15.
3. The notification letter was sent 3/3/2016 advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on 3/22/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no x.

COMMENTS (if any)COUNCIL CONSIDERATION

The estimated cost to make repairs to bring this substandard structure into compliance with Housing Code Standards as prescribed in the Housing code **exceeds sixty-five percent (65%) of the value.**

Estimated cost to repair **\$33,984**

Fair market value **\$2,000**

Based on the above information, it is recommended that an Ordinance be adopted to cause this dwelling to be **removed or demolished.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2014100940

NEIGHBORHOOD CONSERVATION OFFICER:
Shawn Helm - (336)734-1271

2125 WHITE ST

VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE

814592 REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE -
 DEMO V-4-89(4)

814594 THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -
 DEMO V-97-(B)(2)

814586 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -
 MINOR V-10-197(G)(6)

814546 PROVIDE DOOR - EXTERIOR (2); INTERIOR (6); SCREEN OR STORM DOORS (2)
 UNFIT V-10-197(A)(15)

814547 PROVIDE WORKSPACE IN KITCHEN -
 UNFIT V-10-197(A)(16)

814548 PROVIDE SHELVING IN KITCHEN -
 UNFIT V-10-197(A)(16)

814549 REPAIR KITCHEN CABINETS -
 UNFIT V-10-197(A)(16)

814550 REPAIR LOCKSETS - PROVIDE FOR EXTERIOR DOORS; INTERIOR DOORS
 UNFIT V-10-197(B)(4)

814551 REPAIR WINDOW LOCKS - 8 WINDOWS
 UNFIT V-10-197(B)(4)

814552 REPAIR OR REPLACE SCREENS ON WINDOWS -
 UNFIT V-10-197(B)(3)

814553 REPAIR OR REPLACE SCREENS ON DOORS -
 UNFIT V-10-197(B)(3)

814555 REPLACE BROKEN WINDOW PANES - REPLACE WINDOW UNITS (8)
 UNFIT V-10-197(B)(4)

814556 PROVIDE SAFE STEPS TO SERVE EXITS - FRONT
 UNFIT V-10-197(C)(2)

814557 REPAIR SEWER LINE - INSTALL PLUMBING THROUGHOUT
 UNFIT V-10-197(D)(15)

814558 REPAIR OR REPLACE WATER HEATER - REPLACE
 UNFIT V-10-197(D)(8)

814559 PROVIDE PROPER DISCHARGE TUBE - HOT WATER HEATER -
 UNFIT V-10-193(7)

C-3.c. DRAFT

- 814560 REPAIR COMMODE - REPLACE
UNFIT V-10-197(D)(2)
- 814561 REPAIR LAVATORY AND/OR FIXTURES - REPLACE
UNFIT V-10-197(D)(10)
- 814562 REPAIR TUB FIXTURES - REPLACE FIXTURES AND BATHTUB
UNFIT V-10-197(D)(10)
- 814563 REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN - REPLACE
UNFIT V-10-197(D)(10)
- 814564 RESEAT COMMODE -
UNFIT V-10-197(D)(10)
- 814565 PROVIDE HEATING FACILITY -
UNFIT V-10-197(E)(1)
- 814566 CLOSE THIMBLE WITH MASONRY -
UNFIT V-10-197(E)(12)
- 814567 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL -
UNFIT V-10-197(F)(10)
- 814568 REPAIR DEFECTIVE LIGHT FIXTURES -
UNFIT V-10-197(F)(1)
- 814569 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS -
UNFIT V-10-197(F)(1)
- 814570 INSTALL CRAWL SPACE DOOR -
UNFIT V-10-197(G)(1)
- 814571 REPAIR FOUNDATION -
UNFIT V-10-197(G)(1)
- 814572 REPAIR FOUNDATION VENTS -
UNFIT V-10-197(H)(6)(B)
- 814573 REPAIR DEFECTIVE FLOORING -
UNFIT V-10-197(G)(2)
- 814574 REPLACE DEFECTIVE JOISTS -
UNFIT V-10-197(G)(2)
- 814575 REPAIR OR REPLACE LOOSE FLOOR COVERING - PROVIDE FLOOR COVERING
THROUGHOUT
UNFIT V-10-197(G)(2)
- 814576 REPAIR OR REPLACE DEFECTIVE SIDING -
UNFIT V-10-197(G)(3)
- 814577 REPAIR HOLES IN WALLS AND CEILINGS - THROUGHOUT TO INCLUDE SUPPORTING
MEMBERS (STUDS; SHEETROCK; CEILING JOISTS, ETC.)
UNFIT V-10-197(G)(4)
- 814578 PAINT WALLS AND CEILINGS -

UNFIT V-10-197(G)(4)

814580 PROVIDE ACCESS DOOR TO ATTIC -
UNFIT V-10-197(G)(6)

814581 REPLACE DEFECTIVE RAFTERS -
UNFIT V-10-197(G)(6)

814582 REPAIR SOFFIT AND/OR FACIA -
UNFIT V-10-197(G)(6)

814583 INSTALL ADEQUATE ATTIC VENTS -
UNFIT V-10-197(G)(6)(D)

814584 REPLACE DEFECTIVE SHEATHING -
UNFIT V-10-197(G)(6)

814585 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

814587 REPAIR OR REPLACE FRONT PORCH FLOOR -
UNFIT V-10-197(G)(7)

814588 REPAIR OR REPLACE FRONT PORCH CEILING -
UNFIT V-10-197(G)(7)

814589 REPAIR PORCH COLUMNS -
UNFIT V-10-197(G)(7)

814590 PROVIDE R-19 CEILING INSULATION -
UNFIT V-10-197(I)

814591 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)

814593 EXTERIOR AND INTERIOR FRAMING MUST BE INSPECTED BEFORE COVERING WITH WALL
AND CEILING MATERIALS -
UNFIT V-4-91

CODE CASE NBR IMAGE DATE
2014100940 4/21/2015

IMAGE DESCRIPTION
DESCRIPTION FOR DSCN0648.JPG



CODE CASE NBR IMAGE DATE
2014100940 6/1/2015

IMAGE DESCRIPTION
DESCRIPTION FOR DSCN2249.JPG



CODE CASE NBR IMAGE DATE
2014100940 3/4/2016

IMAGE DESCRIPTION
DESCRIPTION FOR DSC00979.JPG



C-3.c. DRAFT

CODE CASE NBR IMAGE DATE
2014100940 3/4/2016

IMAGE DESCRIPTION

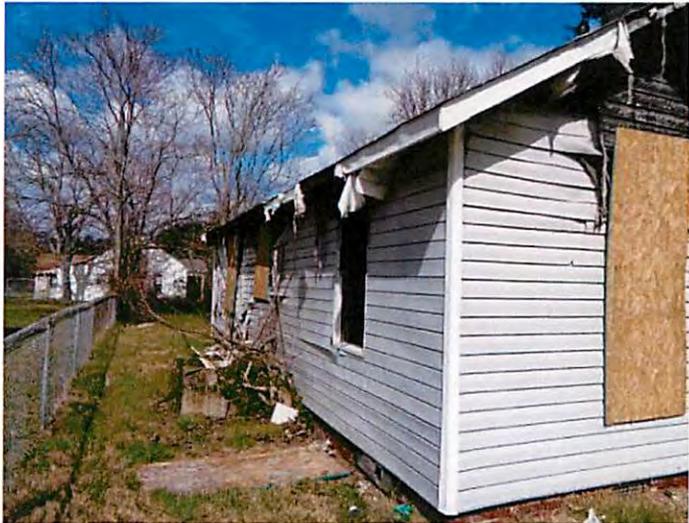
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CODE CASE NBR IMAGE DATE
2014100940 3/4/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00983.JPG



CODE CASE NBR IMAGE DATE
2014100940 3/4/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00981.JPG



CODE CASE NBR IMAGE DATE
2014100940 3/4/2016

IMAGE DESCRIPTION
DESCRIPTION FOR DSC00982.JPG



Map & Directions | Map Only | **Directions Only** | [Print](#)

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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 2125 White St, Winston-Salem, NC 27105-3037

Enter notes here

255

Total Distance: 5.08 mi— Total Time: 15 mins

A	100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
	Head toward S Chestnut St on E 1st St	Go for 305 ft Hide
	Turn left onto N Chestnut St	Go for 0.3 mi Hide
	Turn right onto E 4th St	Go for 0.4 mi Hide
	Turn left onto Metropolitan Dr NE	Go for 377 ft Hide
	Turn right onto E 5th St	Go for 0.4 mi Hide
	Turn left onto N Martin Luther King Jr Dr	Go for 0.1 mi Hide
	Turn right onto New Walkertown Rd (US-311)	Go for 2.1 mi Hide
	Turn left onto Carver School Rd	Go for 1.6 mi Hide
	Turn left onto White St	Go for 239 ft Hide
	Turn right onto Viking Dr	Go for 101 ft Hide
	Arrive at Viking Dr. Your destination is on the left.	Hide
B	2125 White St, Winston-Salem, NC 27105-3037	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

ACTION REQUEST FORM

DATE: March 2, 2016
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, Director of Planning and Development Services

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning text amendment proposed by the City Attorney's Office

SUMMARY OF INFORMATION:

Zoning text amendment proposed by the City Attorney's Office to revise Chapter B of the *Unified Development Ordinances* to amend the hours of operation for Adult Establishments (UDO-269).

PLANNING BOARD ACTION:

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

UDO-269
AN ORDINANCE AMENDING
CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO REVISE THE HOURS OF OPERATION FOR ADULT ESTABLISHMENTS

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

2-5 USE CONDITIONS

2-5.5 Adult Establishments

(A) Location

No activities permitted under State law shall be conducted in adult establishments in the following locations:

- (1) Residential Districts.** Adult establishments may not be located within a distance of one thousand (1,000) feet from any RM or RS District;
- (2) School.** Adult establishments may not be located within a distance of one thousand (1,000) feet from any public or private school;
- (3) Child Day Care Center.** Adult establishments may not be located within a distance of one thousand (1,000) feet from any child day care center;
- (4) Other Adult Establishment.** Adult establishments may not be located within a distance of one thousand (1,000) feet from any other adult establishment.

(B) Measurements

All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed adult establishment is to be located to the nearest point of the lot line or boundary of the closest RM or RS District; elementary, secondary or private school; or adult establishment.

(C) Hours of Operation

The hours of operation for Adult Establishments shall be limited to between the hours of 10:00 a.m. and 2:00 a.m.

Section 2. This ordinance shall be effective upon adoption.

STAFF REPORT**DOCKET #** UDO-269**STAFF:** [Gary Roberts, Jr. AICP](#)**REQUEST**

This text amendment is proposed by the City Attorney's Office to amend Chapter B of the *Unified Development Ordinances* (UDO) to revise the hours of operation for Adult Establishments.

BACKGROUND

Adult Establishments (as defined in the UDO) are currently allowed in the GB (General Business) and GI (General Industrial) districts. Adult Establishments must also comply with a 1,000' spacing requirement between any other such use and between any Child Day Care Center, public or private school, and from any RS or RM zoning district. In Winston-Salem, there are several existing Adult Establishments that are nonconforming in regard to these spacing requirements. They are allowed to continue under the current UDO provisions. In response to a recent increase in illegal activity occurring in or around Adult Establishments, the City Attorney's Office has asked the Planning staff to prepare a text amendment that would limit the hours of operation for such establishments.

ANALYSIS

Adult Establishments are a protected form of "freedom of speech" under the First Amendment of the United States Constitution. Local governments may however regulate the time, place, and manner of such operations. The North Carolina General Statutes state that sexually oriented businesses can cause adverse secondary impacts such as increases in crime rates and decreases in property values on neighboring properties (see Attachment A).

Presently, there is no limit on the hours of operation for Adult Establishments in Winston-Salem or Forsyth County. However, there are approximately 14 uses identified within the UDO which do have various time limits on their operation. Examples of some of these uses include: Golf Courses; Land Clearing and Inert Debris Landfill; Motor Vehicle, Dismantling and Wrecking Yards; and the outdoor activities associated with Adult Day Care and Child Day Care Centers. For comparative purposes, neither the City of Greensboro nor the City of Charlotte have any limitations on the hours or operation for Sexually Oriented Businesses. In Raleigh, this use must be approved as a Special Use Permit from the Board of Adjustment which *may* attach conditions including hours of operation.

According to the City Attorney's Office, a review of incident reports revealed a significant amount of crime occurring at Adult Establishments after 2:00 a.m. In the State of North Carolina, the sale of alcohol for on-site consumption is prohibited after 2:00 a.m. The City Attorney's Office believes that this established statewide cut-off time, the significant increase in

illegal activity which occurs after 2:00 a.m., and G.S. 160A-181.1, can serve as a reasonable basis for the closure of local establishments at this time. The proposed hour that such businesses could open would be 10:00 a.m.

From an enforcement perspective, it is anticipated that any initial field investigation regarding violation of these proposed hours of operation would be conducted by the Police Department or Sheriff's Office. The results would then be given to the Zoning Enforcement staff for follow up.

RECOMMENDATION

APPROVAL

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-269
FEBRUARY 11, 2016**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

In response to questions by George Bryan, Jerry Kontos, Assistant City Attorney responded that part of the UDO's definition of Adult Establishment refers one to the State Statutes. Among other types of uses, the State Statutes list Adult Book Stores, Adult Video Stores, Adult Mini-Video Stores, Adult Live Entertainment, and Adult Massage Parlor. However, our UDO does not include Massage Business in the definition of Adult Establishment.

George Bryan noted that it appears that issues with crime in our area have occurred with all three types of adult establishments - book stores, videos, and live entertainment.

MOTION: Clarence Lambe moved approval of the text amendment.

SECOND: Paul Mullican

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks, 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

§ 160A-181.1. Regulation of sexually oriented businesses.

(a) The General Assembly finds and determines that sexually oriented businesses can and do cause adverse secondary impacts on neighboring properties. Numerous studies that are relevant to North Carolina have found increases in crime rates and decreases in neighboring property values as a result of the location of sexually oriented businesses in inappropriate locations or from the operation of such businesses in an inappropriate manner. Reasonable local government regulation of sexually oriented businesses in order to prevent or ameliorate adverse secondary impacts is consistent with the federal constitutional protection afforded to nonobscene but sexually explicit speech.

(b) In addition to State laws on obscenity, indecent exposure, and adult establishments, local government regulation of the location and operation of sexually oriented businesses is necessary to prevent undue adverse secondary impacts that would otherwise result from these businesses.

(c) A city or county may regulate sexually oriented businesses through zoning regulations, licensing requirements, or other appropriate local ordinances. The city or county may require a fee for the initial license and any annual renewal. Such local regulations may include, but are not limited to:

- (1) Restrictions on location of sexually oriented businesses, such as limitation to specified zoning districts and minimum separation from sensitive land uses and other sexually oriented businesses;
- (2) Regulations on operation of sexually oriented businesses, such as limits on hours of operation, open booth requirements, limitations on exterior advertising and noise, age of patrons and employees, required separation of patrons and performers, clothing restrictions for masseuses, and clothing restrictions for servers of alcoholic beverages;
- (3) Clothing restrictions for entertainers; and
- (4) Registration and disclosure requirements for owners and employees with a criminal record other than minor traffic offenses, and restrictions on ownership by or employment of a person with a criminal record that includes offenses reasonably related to the legal operation of sexually oriented businesses.

(d) In order to preserve the status quo while appropriate studies are conducted and the scope of potential regulations is deliberated, cities and counties may enact moratoria of reasonable duration on either the opening of any new businesses authorized to be regulated under this section or the expansion of any such existing business. Businesses existing at the time of the effective date of regulations adopted under this section may be required to come into compliance with newly adopted regulations within an appropriate and reasonable period of time.

(e) Cities and counties may enter into cooperative agreements regarding coordinated regulation of sexually oriented businesses, including provision of adequate alternative sites for the location of constitutionally protected speech within an interrelated geographic area.

(f) For the purpose of this section, "sexually oriented businesses" means any businesses or enterprises that have as one of their principal business purposes or as a significant portion of their business an emphasis on matter and conduct depicting, describing, or related to anatomical areas and sexual activities specified in G.S. 14-202.10. Local governments may adopt detailed definitions of these and similar businesses in order to precisely define the scope of any local regulations. (1998-46, s. 1.)

Attachment A

UDO-269

APPROVAL
STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
UDO TEXT AMENDMENT 269
AMENDING CHAPTER B OF THE UDO TO REVISE
THE HOURS OF OPERATION FOR ADULT ESTABLISHMENTS

The proposed UDO Text Amendment 269 (“Text Amendment”) amending chapter B of the UDO to revise the hours of operation for adult establishments is consistent with the *Legacy Comprehensive Plan* and approval of the Text Amendment is reasonable and in the public interest because said Text Amendment, if approved, will: (i) establish reasonable hours of operation for all adult establishments pursuant to G.S. 160A-181.1 and (ii) afford the city one avenue to address the adverse secondary impacts such businesses have upon neighboring properties such as increases in the crime rate and decreases in property values as recognized by the North Carolina General Assembly.

TO: Mayor Allen Joines and Members of the City Council
FROM: A. Paul Norby, Director of Planning and Development Services
DATE: February 15, 2016
SUBJECT: Draft *Southeast Suburban Area Plan Update*

Bryce A. Stuart Municipal Building
 100 E. First Street
 P.O. Box 2511
 Winston-Salem, NC 27102
 CityLink 311 (336.727.8000)
 Fax 336.748.3103

The draft *Southeast Suburban Area Plan Update* is scheduled for a City Council public hearing on April 4, 2016. Planning staff will be give a presentation on the draft plan prior to the public hearing at the April Council meeting. The *Southeast Suburban Area Plan Update* was developed during the past year by Planning staff with input and participation by the general public at four community meetings. The City-County Planning Board held a public hearing on the draft plan on February 11, 2016 and unanimously recommended the plan to the City Council. Staff will be prepared to answer questions about the draft plan.

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

Forsyth County Commissioners: David R. Plyler, 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 Your -107- air; Melynda Dunigan; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Barry A. Lyons; Paul W. Mullican; Brenda J. Smith

ACTION REQUEST FORM

DATE: February 15, 2016
TO: The Honorable Mayor and Members of the City Council
FROM: A. Paul Norby, Director of Planning and Development Services

COUNCIL ACTION REQUEST:

Request for Public Hearing on the *Southeast Suburban Area Plan Update*.

SUMMARY OF INFORMATION:

The *Southeast Suburban Area Plan Update* was developed during the past year by Planning and Development Services Staff with input and participation by the general public at four community meetings. The City-County Planning Board held a public hearing on the draft plan on February 11, 2016 and unanimously recommended the plan to the City Council.

PLANNING BOARD ACTION:

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

**RESOLUTION ADOPTING THE
PROPOSED *SOUTHEAST SUBURBAN AREA PLAN UPDATE***

WHEREAS, the *Legacy 2030 Comprehensive Plan* recommends the completion of area plan updates to implement *Legacy 2030* and guide land use and growth in all parts of Winston-Salem and Forsyth County; and

WHEREAS, the proposed *Southeast Suburban Area Plan Update* is being completed for Winston-Salem as designated in *Legacy 2030*; and

WHEREAS, the *Southeast Suburban Area Plan Update* was developed by staff with input and participation by the general public at four community meetings; and

WHEREAS, the City-County Planning Board held a public hearing and recommended adoption of the *Southeast Suburban Area Plan Update* on February 11, 2016; and

WHEREAS, the proposed *Southeast Suburban Area Plan Update* contains recommendations to guide the future land use and public investment decisions of southeast Winston-Salem and Forsyth County.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council hereby adopt the attached *Southeast Suburban Area Plan Update* and encourage the plan's use as a guide for future decisions on zoning, public investment, and continued improvement in the area.

Public hearing on the *Southeast Suburban Area Plan Update*. The plan area is generally bounded on the north by Business 40 and portions of West Mountain Street; on the east by the Town of Kernersville; on the south by Thomasville Road and the Davidson County line; and on the west by I-40.

Byron Brown presented the staff report.

PUBLIC HEARING

FOR:

Robert Townley, 1007 Sedge Garden Road, Kernersville, NC 27284

- I'm for going forward with the rezoning here because it will give the homeowners a chance to recover their investments and it would create an aesthetic change because the area is completely surrounded by middle to upper income class homes.
- It would create jobs as well.

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following point was made:

Chairman King explained to Mr. Townley that this proposal is not a rezoning but a land use recommendation to be used as an overall guide at such time a future rezoning is proposed. Mr. Townley indicated he understood that.

MOTION: Clarence Lambe moved approval of the *Southeast Suburban Area Plan Update*.

SECOND: Paul Mullican

VOTE:

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

AGAINST: None

EXCUSED: None



SOUTHEAST SUBURBAN
AREA PLAN
Update

DRAFT

City-County
Planning
BOARD
FORSYTH COUNTY
& WINSTON-SALEM,
NORTH CAROLINA

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ACKNOWLEDGEMENTS

Preface

Under special State enabling legislation, the City-County Planning Board of Forsyth County and Winston-Salem is responsible for preparing and maintaining a comprehensive plan for Forsyth County. The *Legacy 2030 Update*, the current comprehensive plan, was adopted in 2012. Comprehensive plans take a broad, communitywide perspective for guiding growth and development. *Legacy 2030* includes chapters on local trends; growth management; land use; transportation; economic development; environmental quality and sustainability; healthy, complete, and equitable communities; community character; Downtown and the Center City; neighborhoods and towns; rural character; area plans; and key public investments.

The Planning Board prepares a series of urban and suburban area plans for the city and county in an effort to translate *Legacy 2030* into site specific recommendations. An area plan generally contains information about the plan area’s existing conditions and recommendations for guiding future growth and development. Citizen participation is an important part of the area plan process, and multiple opportunities for public participation exist within the area planning process.

In 2004, the City-County Planning Board (CCPB) adopted boundaries, names, and priority rankings for seven urban area plans, a Downtown Plan, and thirteen suburban/small town area plans. Seven plans cover the Urban Neighborhoods and Downtown as defined in *Legacy 2030*. Urban Neighborhoods are older neighborhoods and commercial, industrial, and institutional development built mostly before 1940 that surround the Center City of Winston-Salem. The Urban Neighborhoods Area has been divided into study areas based on geography and common features. Thirteen plans cover the Suburban Neighborhoods and Future Growth Area as defined in the *Legacy 2030*. These areas have been divided into study areas based on geography and common features. Suburban Neighborhoods include a large portion of the county and most of the small towns where suburban development has occurred in recent decades. It is also the area with the most undeveloped land where much of the future residential, commercial, and industrial development should occur. Future Growth Areas do not usually have sewer or other facilities and services to support urban development. However, because of their potential to be served efficiently by sewer and other facilities and services in the future and/or their proximity to towns, major roads and other public investments, the Growth Management Plan calls for them to eventually be developed.

How Do Area Plans Relate To Rezoning?

Area plans convey a community vision and general goals to the Planning Board, elected officials, and other community leaders. The land use plan component does not, however, change the zoning of an area or force property owners to develop their land before they choose to do so. Area plans are simply recommendations developed using a public process to help guide future planning decisions.

Historically, elected and appointed officials follow the area plan land use recommendations in most cases. However, decision makers must also take into account current site conditions, community needs and changing circumstances, as well as other information which was not apparent during the initial area planning process. Officials give serious consideration to the recommendations of the area plans but also must take into account all current and available information to make the most informed decisions on future rezoning proposals.

As of 2012, all planning areas within Forsyth County have a corresponding area plan which was developed since the 2001 adoption of the original *Legacy* plan to guide future area development decisions. Area plan updates, such as this one, replace these older, existing area plans. Updated area plans provide a current picture of area conditions and an up-to-date set of future development recommendations.

Area plans follow a basic, standardized format that provides for consistent terminology, information, mapping, and land use colors for all area plans. Consistency between plans is important to city staff, the CCPB, and elected officials as they use the plans to make zoning, funding, and other decisions based on area plan recommendations.

To facilitate implementation of area plan recommendations, a biennial Area Plan Status Report is prepared which includes the current status of recommendations of all adopted area plans. The report includes the status of each action/project listed in the implementation table for each plan. Area plan recommendations are funded in a variety of ways including bonds, bond referendums, transportation funds, general government funds, the Motor Vehicle Tax, capital improvements, and

Community Development Block Grants. Inclusion of a project in the area plan implementation table does not mean the recommended project has funding. Area plan projects are prioritized along with other projects and programs by the elected officials.

Introduction

***BOUNDARIES OF THE PLAN AREA**

The Southeast Suburban Planning Area encompasses 12,233 acres. The plan area is generally bounded on the north by Business 40 and portions of West Mountain Street; on the east by the Town of Kernersville and the boundary of the Southeast Forsyth County Plan Area; on the south by Thomasville Road and the Davidson County line; and on the west by I-40 and the boundary of the Southeast Area Plan (see **Map 1** on **page 7**). Since the original *Southeast Suburban Area Plan* was adopted in 2009, the boundaries of the area have been expanded to include portions of Walkertown and Winston-Salem, north of Business 40; areas east of Hasting Hill Road; and west of Salem Lake. The plan area includes land in the City of Winston-Salem, as well as portions of unincorporated Forsyth County and a very small amount of land area in the towns of Kernersville and Walkertown. Approximately 73% of the land area is in the City of Winston-Salem, with 52% of the total area in the East Ward and 21% in the Southeast Ward.

***RELATIONSHIP TO LEGACY 2030**

Legacy 2030, Forsyth County's comprehensive plan serves as the framework on which all area plans are built, both geographically and as a policy guide. The original *Southeast Suburban Area Plan* was adopted in 2009. The *Southeast Suburban Area Plan Update* is intended to translate *Legacy 2030* policies into more detailed recommendations for the Southeast Suburban Plan Area, taking into account changes in the area since the adoption of the original area plan in 2009.

Legacy 2030's Growth Management Plan defines a series of specialized areas, each having specific characteristics. In the Growth Management Plan (**Map 2** on **page 8**), roughly 3% of the Southeast Suburban Plan Area is designated as Urban Neighborhoods, Growth Management Area (GMA) 2; 96% as Suburban Neighborhoods, GMA 3; and less than 1% as Future Growth Area, GMA 4.

***AREA PLAN PROCESS**

Citizen participation is a critical part of the area plan process. Multiple opportunities for public participation exist in the area planning process. The steps in the development of an area plan are shown in **Figure 1**. The first step of the planning process is the assessment of current conditions and the consolidation of existing plans. A summary of this information is created and given to citizens at the plan kickoff workshop.

The plan kickoff workshop is the first meeting in the area planning process and is an opportunity for citizens who live and work in the area to share their comments and concerns about the area and its future with planning staff. Staff facilitates this process to help citizens document their thoughts, which provide the basis for the next step in the process.

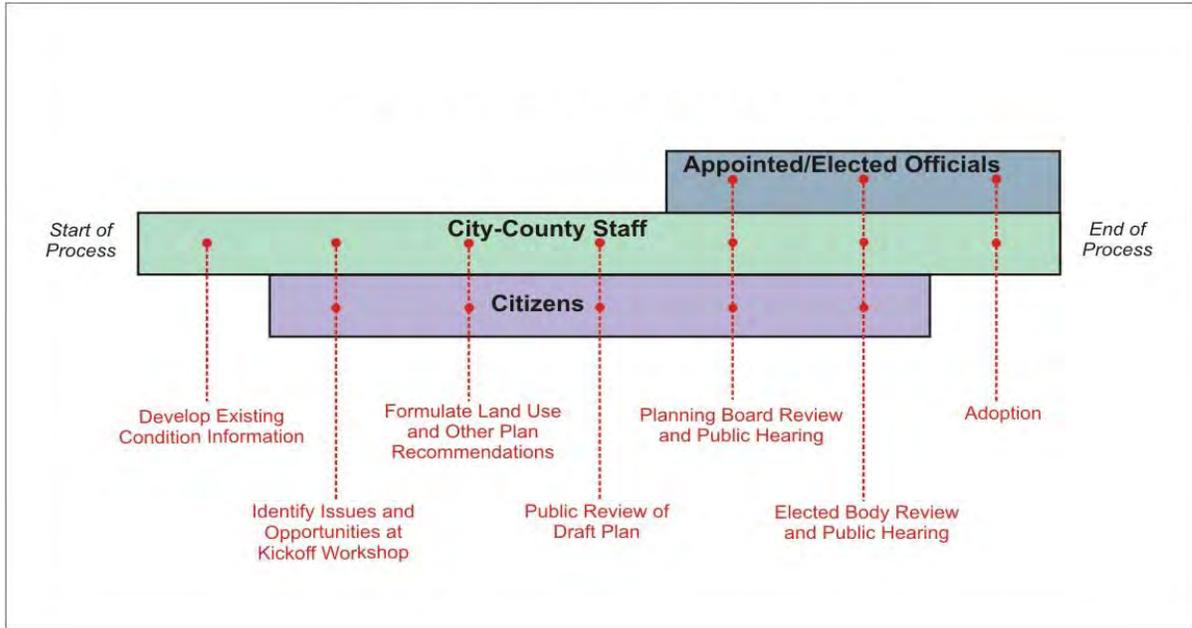
Ideas and issues identified at the process kickoff workshop, along with the policies spelled out in *Legacy 2030*, serve as the basis for the next step in the process: the formulation of recommendations by Planning staff. These recommendations primarily focus on proposed land use recommendations, and site specific design recommendations for corridors and activity centers. Staff works with the citizens on these recommendations to reach a consensus. Staff and citizens refine the plan recommendations at the meetings which follow the kickoff workshop. The final recommendations are then presented to the entire community for review at the concluding open house. If no consensus is reached, both sets of recommendations will be presented to the City-County Planning Board.

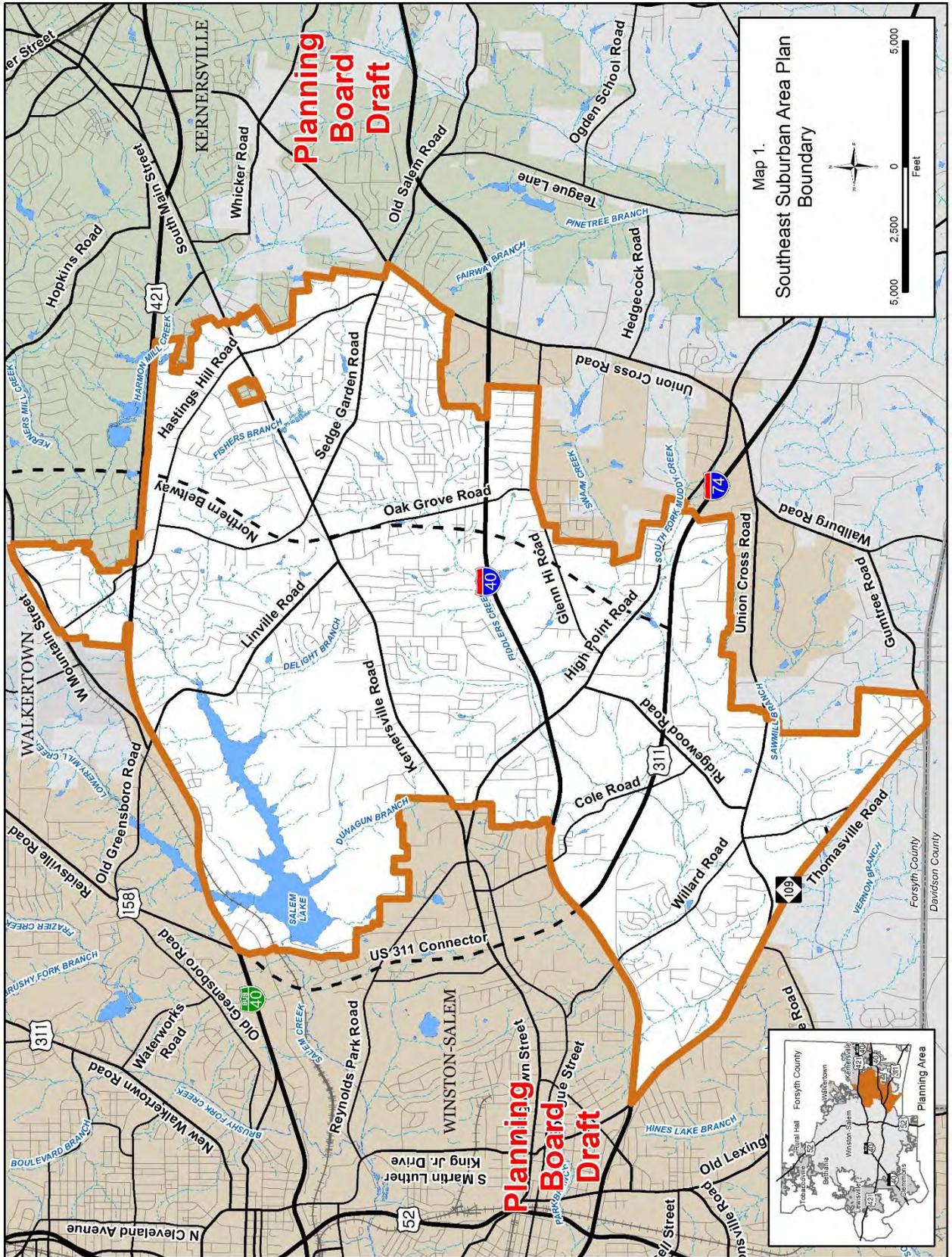
The Planning Board reviews the recommendations for consistency with the broad public interest and with *Legacy 2030*. The Planning Board holds a public hearing to consider the plan and make amendments, as appropriate, before recommending adoption of the plan. The document is then forwarded to the Winston-Salem City Council, and the Forsyth County Board of Commissioners for consideration, amendment, and adoption after a public hearing.

The adopted plan replaces the existing adopted plan for the area and will be used on an ongoing basis by the Planning Board and City Council to guide land use, infrastructure, and public investment decisions. An implementation schedule is

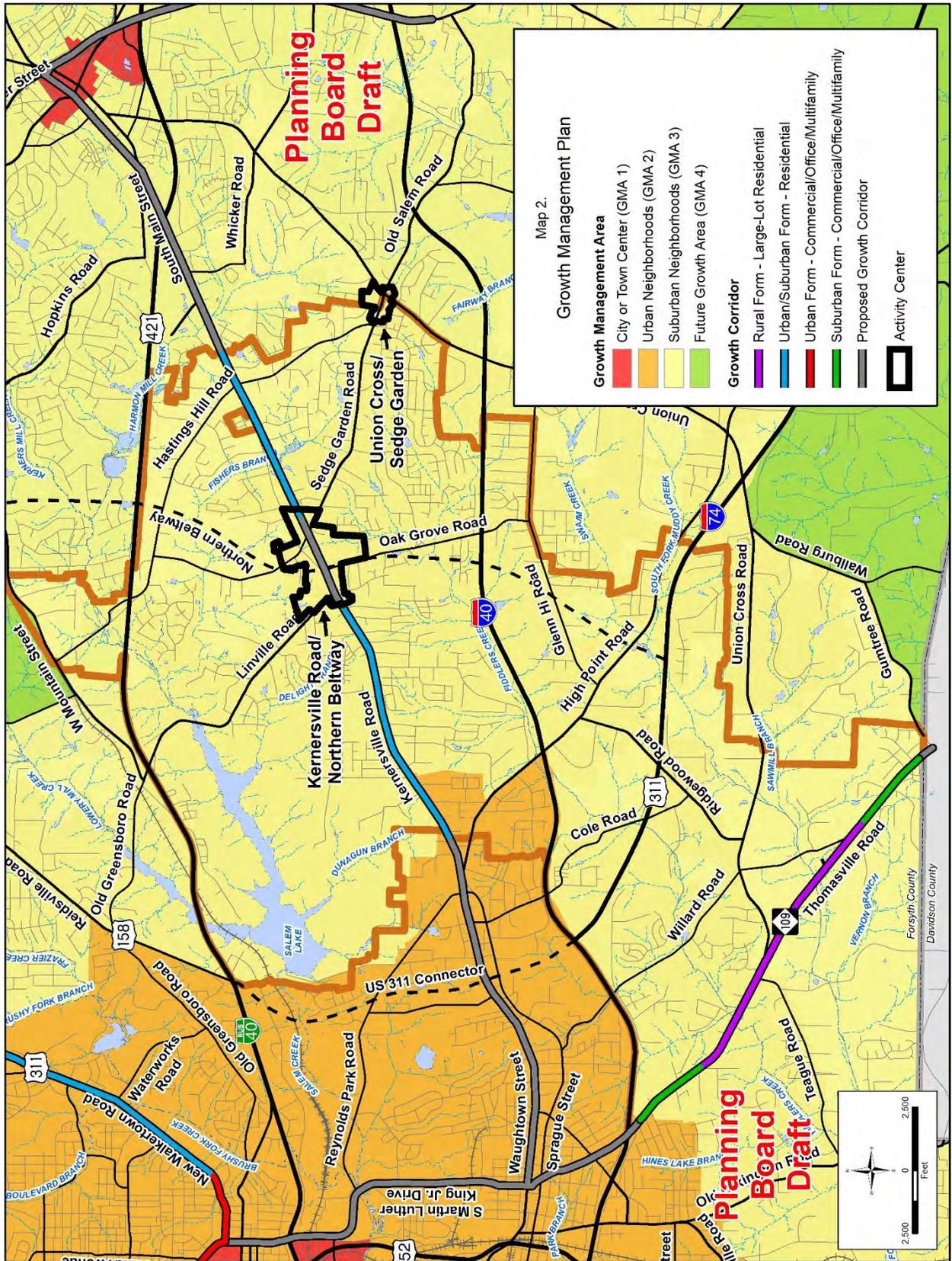
included in the adopted plan to outline tasks and timing needed for each recommendation. Additionally, developers and neighborhood groups may also use the plan to guide their future business and community development decisions.

Figure 1. Area Planning Process





1/6/2016



Existing Conditions

*GENERAL CHARACTER

The Southeast Suburban Plan Area is rich in history and character; and even more diverse in land use. The earliest settlement within the planning area was called Friedland, which dates back to the 1770s. Friedland was one of the Moravians’ Country Congregations and was located on the South Fork of Muddy Creek. Country Congregations were rural settlements with a church and a school house surrounded by farmsteads established to supplement the urban settlement of Salem. Although there has been significant growth and development in Winston-Salem, portions of the original Friedland settlement remain the least developed in the planning area.

Segments of the planning area are experiencing the same challenges faced by suburban areas elsewhere in the city and county including aging building stock and infrastructure, pressure to develop open space/agriculture lands, and conflicts between land uses.

*DEMOGRAPHICS

Based on the 2010 Census data, 18,380 people live in the Southeast Suburban Planning Area, an increase of 60% - 6% annually from the 2000 Census. The area’s population accounts for approximately 6.4% of Forsyth County’s total population. The racial make-up of the planning area is 53% white, 24% African-American/Black and 19% Hispanic (see **Table 1** and **Table 2**).

Table 1. Population Statistics

Population Statistics					
Area	Population				
	2010	2000	2000-2010 Average Annual Growth (percent)	2010 Portion of Forsyth County Population (percent)	2010 Density (Persons per Acre)
Southeast Suburban Area Plan	18,380	11,479	6%	5.2%	1.5
Winston-Salem	230,345	185,776	2.3%	65.6%	2.7
Forsyth County	351,798	306,067	1.4%	<i>N/A</i>	1.3

Table 2. Diversity and Age Statistics

Diversity Statistics					
Area	Diversity (Percent)				
	African-American	White	Asian	Other	Hispanic
2010 Southeast Sub. Area Plan	24	53	1	2	19
2000 Southeast Sub. Area Plan	18	75	<1	6	9
2000-2010 Change	+6	-22	NA	-4	+10
2010 Winston-Salem	33	48	2	2	14
2000 Winston-Salem	37	56	1	5	9
2000-2010 Change	-4	-8	+1	-3	+5

Age Statistics					
Area	Age (Percent)				
	Less than 5 years	5 - 17 years	18 - 39 years	40-64 years	65 years and older
2010 Southeast Sub. Area Plan	9	15	33	30	8
2000 Southeast Sub. Area Plan	7	12	32	31	13
2000-2010 Change	+2	+2	+1	-1	-5
2010 Winston-Salem	7	17	32	31	13
2000 Winston-Salem	7	17	35	28	14
2000-2010 Change	0	0	-3	+3	-1

Source: 2010 U.S. Census - *Note: "Hispanic" is not a race; it is an ethnic group. Numbers are provided for comparison purpose.

*EXISTING LAND USE

The existing land uses in the Southeast Suburban Planning Area include residential, office, commercial, institutional, parks and open space, industrial, utilities, and agricultural uses (see **Table 3** and **Map 3** on **page 12**). The majority of the developed area is single-family residential in character with limited amounts of multifamily residential, commercial and office development. There still remains a significant amount of undeveloped land throughout the planning area in the forms of parks/open space and agriculture land, including the Salem Lake Park area in the northern part of the planning area.

Table 3. Existing Land Use Summary

Land Use	Acres	%	Land Use	Acres	%
Single-Family	3872.8	31.6	Commercial Recreation	11.4	0.09
Large Lot Residential	904.4	7.4	Parks, Recreation & Open Space	1185.9	9.7
Low-Density Attached Res.	0.9	0.01	Agriculture	1468.6	12
Manufactured Housing	159.3	1.3	Rail & Road Right-of-Ways	1477.9	12.2
Multifamily	100.1	.8	Utilities	37.9	0.31
Total Residential	5037.5	41.1	Total Utilities & ROW	1515.8	12.5
Commercial/Office	56.2	0.5	Total Developed	9,895	80.9
Industrial	298.5	2.4	Undeveloped Land	2338.7	19.1
Institutional	321.1	2.6	Total Area	12233.7	100.0

Source: Survey by City-County Planning Staff, July 2015

RESIDENTIAL

The planning area has a variety of housing types ranging from individual large lot homes to high (over 18 du/ac) and intermediate-density (8 to 18 du/ac) multifamily developments. The predominant land use in the planning area is residential, which accounts for approximately 41% of the total land area. Single-family residential is the most common of the residential types, accounting for roughly 31% of land uses. Multifamily (4.9%) and manufactured housing parks (1.3%) also exist in the planning area.

COMMERCIAL AND OFFICE

Approximately 56 acres, about .5% of the planning area, is developed with commercial and office uses. Most of this areas, 55 acres, is commercial land use. There are small commercial areas scattered throughout the planning area, primarily along Kernersville, Linville, Union Cross Road and Thomasville Roads. Office uses account for .01% of the planning area and are found primarily on Kernersville Road.

The planning area lacks a significant retail commercial area. However, retail shopping areas in Kernersville, Winston-Salem (along Kernersville Road or Union Cross Road) and Davidson County (Thomasville Road) serve the planning area.

INSTITUTIONAL

Institutional uses are located throughout the planning area. The 321 acres of institutional use accounts for approximately 2.6% of the land in the planning area. This includes both public institutional uses such as schools, fire stations, and community centers; and private uses such as churches and cemeteries. The most common institutional uses in the planning area are churches and cemeteries.

INDUSTRIAL

Industrial uses comprise 298 acres, 2.4% of the plan area. Most industrial uses are located along Cole, Ridgewood and Thomasville Roads, with other small pockets located along West Mountain Street and Lowery Street.

PARKS, RECREATION, COMMERCIAL RECREATION AND OPEN SPACE

There are two public parks in the planning area, totaling 1,186 acres and accounting for approximately 10% of the land area. The largest park in the planning area is the southern portion Salem Lake Park, south of Business 40/US 421. Sedge Garden Park is the only other public park in the area. It includes facilities for conducting baseball, basketball, and sheltered events/activities. There are also small commercial recreation uses that account for .09% (11 acres) which are found throughout the planning area. Recreation facilities are discussed in more detail in the Community Facilities section.

UTILITIES AND RIGHTS-OF-WAY

Combined together, utilities, road and railroad rights-of-way account for approximately 12% of the land area, 1,515 acres.

AGRICULTURAL

Agriculture accounts for 1,469 acres, 12.1% of the plan area, the majority of which is located south of Interstate 40. Sites designated as agricultural are either enrolled in the Farmland Preservation or Voluntary Agricultural District Programs.

UNDEVELOPED

Undeveloped land accounts for 2,338 acres, 19% of the land area. Undeveloped land is distributed throughout the planning area.

***ZONING**

Rezoning petitions since the early 2000s have had some impact on land use patterns in portions of the planning area. Although the number of rezonings has decreased or remained stagnant in the area, signs are pointing to increased interest in developing and investing in the planning area. Since the adoption of the original *Southeast Suburban Area Plan* in 2009, there have been 6 rezoning petitions approved for the plan area. Most rezoning petitions were for commercial and industrial zoning.

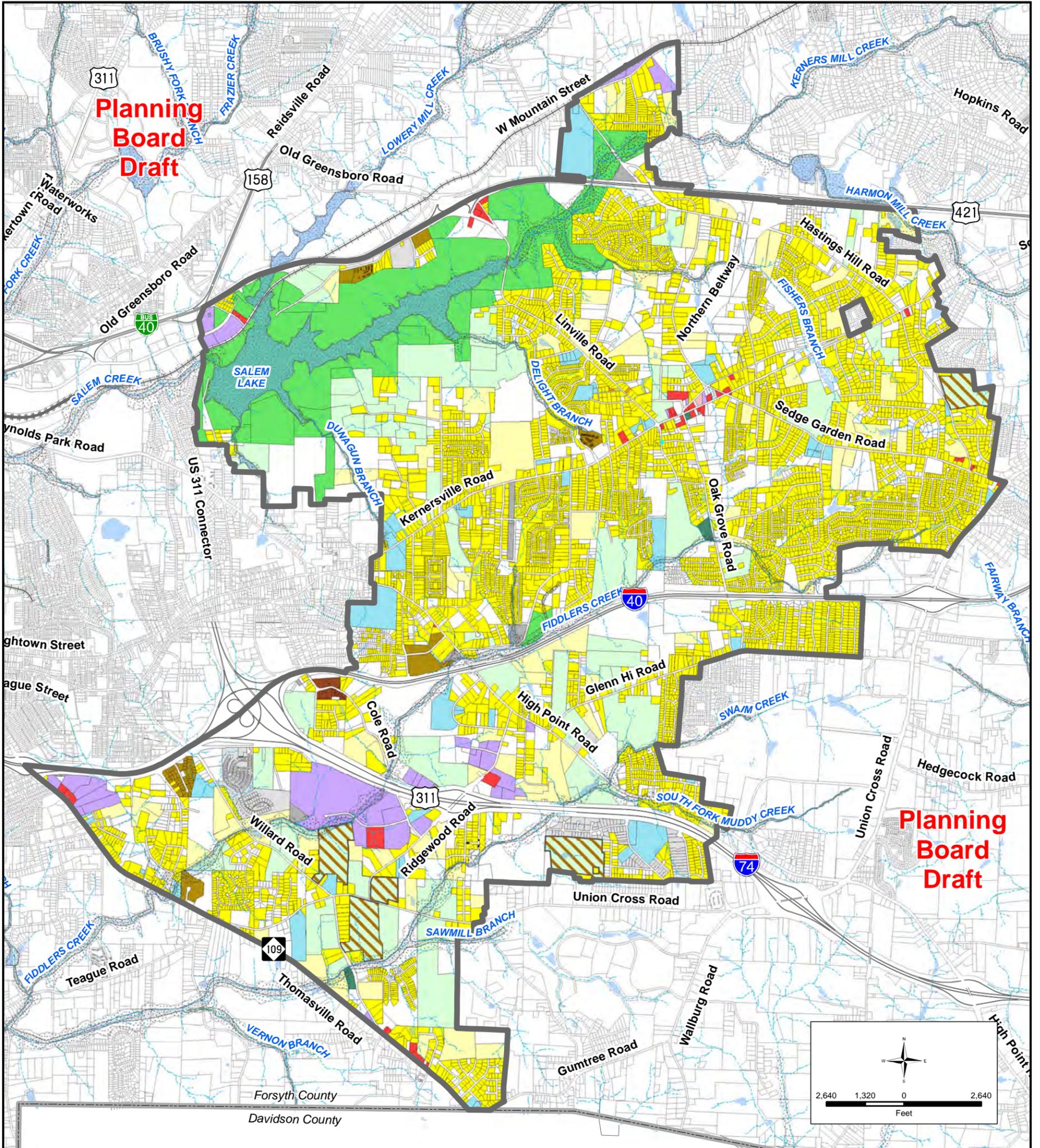
***TRANSPORTATION FEATURES**

Existing transportation features include roads, bus routes, bicycle routes, sidewalks, and greenways. The location and function of transportation features have a significant impact on land use decisions (see **Map 7 on page 42**).

ROADS

Overall Street Pattern

The Southeast Suburban Plan Area's street and highway pattern is dominated by the presence of three different freeway and Interstate highways (Business 40, US 311 and Interstate 40) that more or less run parallel to each other in an east-west direction. However, local access to those facilities is relatively limited with only two interchanges within the plan area and two others just beyond the plan boundary. The future eastern leg of the Northern Beltway will provide the area's only major north-south highway or freeway. Connectivity between subdivisions is poor as many residential neighborhoods have been built with only one external street connection to major roads.



Map 3.
Existing Land Use

- | | | |
|---|--|--|
|  Agriculture Tax Deferred |  Commercial |  Streams |
|  Voluntary Agriculture District |  Industrial |  Ponds, Lakes, Rivers |
|  Large-Lot Residential (over 5 Ac) |  Institutional |  Floodway |
|  Single-Family Residential (0-8 Du/Ac) |  Park |  Floodplain |
|  Low-Density Attached Residential (0-8 DU/Ac) |  Commercial Recreation | |
|  Intermediate-Density Residential (8.1-18 DU/Ac) |  Utilities | |
|  High-Density Residential (over 18 DU/Ac) |  Undeveloped | |
|  Manufactured Housing Park | | |
|  Office | | |

NC 109 (Thomasville Road), which defines the area’s southern boundary, Union Cross Road, High Point Road, Kernersville Road, Linville Road, and Sedge Garden Road are all major thoroughfares in the planning area.

Major north-south road connections within the planning area are limited. Ridgewood Road, Hasting Hill Road, and Oak Grove Church Road are the primary north-south boulevards in the planning area.

Several other minor thoroughfares, residential collectors and other local streets connect and feed vehicular traffic to the major thoroughfares for circulation in the planning area. **Map 7** (on **page 42**) and **Table 4** show existing streets, thoroughfares and highways.

Table 4. Road Classifications and Features

Interstate Highways	Description	2013 Average Daily Traffic	2035 Estimated Volume	Current Road Capacity	Road Width	Future Cross-Section
Interstate 40	4-6 lanes with median	59,000 - 89,000	102,000 – 106,200	62,300 – 94,700	48 - 72	8-lane freeway (8-A)
Interstate 74 (US 311)	4 lanes with grass median	24,000 – 29,000	30,600 – 50,500	61,200 - 62,300	48	4-lane freeway (4-A)
Business 40 (US 158, 421)	4 lanes with grass median	48,000 – 52,000	41,600 – 56,300	62,300	48	4-lane freeway (4-A)
Expressways	Description	2013 Average Daily Traffic	2035 Estimated Volume	Current Road Capacity	Road Width	Future Cross-Section
Reidsville Road (US 158)	Business 40 – Old Greensboro Road	17,000	28,700	49,000	48	4-lane divided with depressed median, paved shoulders
Thomasville Road (NC 109)	2-4 lanes	10,000 – 17,000	27,100	23,600	24 - 44	4-lane divided with raised median, curb and gutter, widened outside lanes with sidewalks (4-C)
Major Thoroughfares	Description	2013 Average Daily Traffic	2035 Estimated Volume	Current Road Capacity	Road Width	Future Cross-Section
Gumtree Road	2 lanes	6,300	10,600	15,800	22	3-lanes, curb & gutter, wide outside lanes with sidewalks (3-B)
High Point Road	2 lanes	2,400 – 6,400	4,500 – 12,900	15,800 – 18,800	20-22	3-lanes, curb & gutter, wide outside lanes with sidewalks (3-B)
Kernersville Road	2 lanes	7,800 – 17,000	7,900 – 28,600	15,800 – 18,800	24-26	3-lanes, curb & gutter, wide outside lanes with sidewalks (3-B)
Linville Road	2 lanes	6,800 – 7,200	7,300 – 8,200	15,800	22-24	3-lanes, curb & gutter, wide outside lanes with sidewalks (3-B)
Ridgewood Road	2 lanes	2,400 – 6,700	4,700 – 6,900	15,800	22-36	3-lanes, curb & gutter, wide outside lanes with sidewalks (3-B)

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Sedge Garden Road (Kernersville Road to Hastings Hill Road)	2 lanes	4,800 – 9,700	10,800	15,800	21	3 lanes, curb and gutter, wide outside lanes, sidewalks (3-B)
Union Cross Road (NC 109 to Wallburg Road)	2 lanes	1,800 – 15,000	3,700 – 7,400	15,300 – 15,800	23-24	3-lanes, curb & gutter, wide outside lanes with sidewalks (3-B)
Minor Thoroughfares	Description	2013 Average Daily Traffic	2035 Estimated Volume	Current Road Capacity	Road Width	Future Cross-Section
Cole Road	2 lanes	1,300 – 2,800	3,300- 3,900	13,800 – 15,800	18-40	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Glenn Hi Road	2 lanes	4,700 – 6,300	4,400 – 7,300	15,300 – 15,800	21	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Hastings Hill Road	2 lanes	4,100 – 6,300	3,800 – 6,300	13,800 – 15,300	22-23	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Oak Grove Church Road	2 lanes	3,500 – 3,600	2,600 – 5,900	15,800	22	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Sedge Garden Road (Kernersville Road to Hastings Hill Road)	2 lanes	2,100	400	18,200	22	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Willard Road	2 lanes	1,200 – 3,000	2,200 – 7,900	13,800 – 15,300	23-26	2 widened inside lanes, curb & gutter, parking on one side with sidewalks (2-H)
Cole Road	2 lanes	1,300 – 2,800	3,300- 3,900	13,800 – 15,800	18-40	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Glenn Hi Road	2 lanes	4,700 – 6,300	4,400 – 7,300	15,300 – 15,800	21	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Cole Road	2 lanes	1,300 – 2,800	3,300- 3,900	13,800 – 15,800	18-40	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Hastings Hill Road	2 lanes	4,100 – 6,300	3,800 – 6,300	13,800 – 15,300	22-23	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)
Oak Grove Church Road	2 lanes	3,500 – 3,600	2,600 – 5,900	15,800	22	3 lanes, curb and gutter, wide outside lanes with sidewalks (3-B)

List of Existing Collector Streets		
Baden Road	New Greensboro Road	Sawmill Road
Beeson Park Lane	Oak Garden Drive	Solomon Drive
Charles Street	Oakridge Place	Southland Avenue
Fanning Road	Drive	Spring Hill Circle
Glen Way Drive	Old Winston Road	Stewart Road
Green Oaks Drive	Pecan Lane	Sun Valley Lane
Jubilee Trail	Pecan Ridge Circle	Wayside Drive
Lowery Street	Piedmont	Weavil Road
Martindale Road	Memorial Drive	Woodbridge Drive
Merriweather Road	Plaza Hollow Drive	Ridgewood Place Drive
Motsinger Drive	Presley Drive	
Robbins Road		

CURRENT PROPOSED STREET AND HIGHWAY IMPROVEMENTS

Forsyth County has several long-range transportation plans/processes: the *Metropolitan Transportation Plan (MTP)*, formerly called the *Long Range Transportation Plan (LRTP)*; the *Comprehensive Transportation Plan (CTP)*; and the *Metropolitan Transportation Improvement Program (MTIP)*. Details of these plans are available online.

Significant North Carolina Department of Transportation (NCDOT) and Metropolitan Transportation Improvement Program (MTIP) Projects include (also see **Table 4** on **page 14**):

The Northern Beltway (Eastern Section) (U-2579AA and AB) - 6 lane freeway, from Interstate 74 (US 311) to Business 40 (US 421); right-of-way begins in 2020 with construction in 2022.

Thomasville Road (NC 109) (U-2568C) - 4 lane median divided boulevard, from Interstate 40 to Davidson County; right-of-way and construction – post 2025.

US 311 Connector - The proposed project is to construct a four lane expressway from the interchange at Business 40/US 421 and US 158 to the interchange at I-40 and I-74. This project is within the 2035 horizon year of the Winston-Salem Urban Area’s LRTP and is regionally significant. This project lies just outside the planning area, but will have an impact on the area’s residents when constructed.

COLLECTOR STREETS

As properties come in for zoning or subdivision review, the *Winston-Salem Urban Area Collector Street Plan* will be consulted for recommended street connections. The *Collector Street Plan* includes the general location of new collector streets and recognizes existing streets that function as collector streets.

Table 5. Transportation Improvement Projects

Location	Description	Current Status	Completion
Road Widening and Improvements			
Union Cross Road	Widen Road to 4-6 lanes median divided boulevard	Under construction	2015
Gumtree Road	Safety improvements at Reid Road intersection	Under construction	2015
New Roads			
Northern Beltway (Eastern Section) (U-2579AA and AB)	6 lane freeway on new location	Under design; right-of-way in 2020, construction in 2022.	2025
Thomasville Road (NC 109) (U-2568C)	4 lane median divided boulevard	Planning	After 2025

Sources: 2040 Metropolitan Transportation Plan (MTP), the Comprehensive Transportation Plan (CTP), and the 2016-2025 Metropolitan Transportation Improvement Program (MTIP).

PUBLIC TRANSPORTATION**Local Bus Routes**

The Winston-Salem Transit Authority currently provides limited bus services within the Southeast Suburban Planning Area. **Table 6** describes the routes in more detail.

Table 6. Current Transit Routes

Route Number	Route Name	Major Stops in North Central Area
29	Inbound/outbound	Cole Road, Utah Street, Kernersville Road
30	Inbound/outbound	Willard Road, Fanning Road

Regional Transit

PART, The Piedmont Authority for Regional Transportation, was authorized in 1997 by the North Carolina General Assembly as a Regional Transportation Authority. Based on regional cooperation, PART coordinates regional bus service, vanpools/carpools, and other transportation-related services in the plan area. PART has several service stop and pick-up locations within and surrounding the planning area including on Kernersville Road/S. Main Street and Thomasville Road (NC 109).

RAIL

The Norfolk Southern K Line (Winston-Salem to Greensboro) is located in the northwest corner of the Southeast Suburban Planning Area, north of Salem Lake and parallel to Business 40 (US 421).

BICYCLE FACILITIES

The *Winston-Salem Urban Area Comprehensive Bicycle Master Plan* was adopted by the Winston-Salem City Council and the Winston-Salem Metropolitan Planning Organization's Transportation Advisory Committee in 2005. This detailed study evaluates current cycling facilities in Forsyth County including the use of a Bicycle Level of Service (BLOS) model, and makes recommendations to create a comprehensive bicycle network for the area. The recommended network includes off-road trails, designated bike lanes, wide shoulders for roads, and bicycle route signage.

Bicycle Routes

The plan area has two signed bike routes described in **Table 7** and shown on **Map 7** (on **page 42**).

Table 7. Bicycle Routes

Route Name	Route Map Symbol	General Route
10	10	From Sprague Street, right at Willard Road, left at Union Cross road to Ridgewood Road, back along Union Cross Road, right at Thomasville Road (NC 109), left at Teague Road
Mountains to Sea Alternate Route	NA	From High Point Road, left at Union Cross Road, right at Thomasville Road (NC 109), left at Teague Road

PEDESTRIAN FACILITIES

With the adoption of the multimodal transportation plans, enhancing and improving the pedestrian infrastructure throughout the City of Winston-Salem has become a transportation priority.

Sidewalks

The *Winston-Salem Urban Area Sidewalk and Pedestrian Facilities Plan (Pedestrian Plan)* adopted by the City Council in 2007 takes a comprehensive look at pedestrian needs including sidewalks policies, sidewalk standards, existing sidewalks needing repair, and recommendations for location of new sidewalks.

Area plans may make additional recommendations for sidewalks beyond what the *Pedestrian Plan* currently recommends. As each area plan is adopted, these additional recommendations become part of the *Pedestrian Plan*. All proposed sidewalks in the *Pedestrian Plan* are evaluated on an annual basis and ranked for future construction. Topography and the presence of curb and gutter along streets are considered, among other factors, when evaluating projects.

The only existing sidewalks in the area are located in subdivisions such as Thornaby Park, Smith Farm, Robbins Brook and Vernon Farms; and along Union Cross Road.

The City of Winston-Salem and Forsyth County have adopted street design standards for new developments that include requirements for sidewalks. Sidewalks are recommended for all thoroughfares and collector streets within growth management areas other than GMA 5, except for freeways and expressways.

***COMMUNITY FACILITIES**

The Southeast Suburban Planning Area has a number of facilities that serve the community including parks, schools, churches, and other institutional uses (see **Map 8 on page 44**).

SCHOOLS

The Winston-Salem/Forsyth County Board of Education uses a “controlled choice” plan to assign students to schools. The plan gives parents and students a choice between their residential school and several others within the same zone. There are three public schools in the planning area. Of these, two are elementary schools (Smith Farm and Sedge Garden Elementary Schools) and one is a high school (East Forsyth High School). Hall-Woodward Elementary School and Glenn High School are located just outside the boundaries of the planning area. There is also one private school within the planning area: Berean Christian School.

RECREATION FACILITIES

Parks

The *2015 Parks and Open Space Plan* was adopted in 2007. This plan discusses existing parks, community park needs, existing open space and open space needs, park proposals and recommended facilities. Two public parks are currently located in the Southeast Suburban Plan Area. Parks are classified based on their size, facilities, and function (see **Table 8** and **Map 8 on page 44**).

Salem Lake Park is a regional park that exists to protect one of Winston-Salem’s drinking water sources. Based on the service area analysis completed for the *2015 Parks and Open Space Plan*, the Southeast Suburban Planning Area is not adequately served by community parks and recreation center facilities. The *2015 Parks and Open Space Plan* recommended the improvement of facilities at Salem Lake Park and additional facilities at Sedge Garden Recreation Center. The plan also recommended locating a new Community Park in the planning area.

Table 8. Plan Area Recreation Facilities

Park Type/Name	Acreage	Major Facilities
Neighborhood Parks: Provide intense recreational activities accessible to neighborhoods.		
Sedge Garden Park	21	Tennis courts, softball field, fitness course, playground, picnic shelter and picnic tables, recreation center
Park Type/Name	Acreage	Major Facilities
Regional Parks: Large areas for natural resource-based outdoor recreation or very large parks offering a wide array of recreational opportunities or very specialized recreational activities.		
Salem Lake Park	1455	Fishing and boating, playground, picnic shelter, picnic tables, 6.5 mile trail for pedestrian, horses and bicyclists.

Greenways

Greenways are linear open space corridors that can be managed for conservation, recreation, and/or transportation purposes. Many greenways have paved trails and accompanying land that provide pedestrian and bicycle access to neighborhoods and community facilities in addition to waterways of Forsyth County.

Currently, there are two existing greenways within the planning area: the Salem Creek Trail and the Salem Lake Trail. The Salem Creek Trail is 5.2 miles in length and runs from Market Place Mall on Peters Creek Parkway to Salem Lake. The Salem Lake Trail is a seven mile, unpaved trail around Salem Lake. The unpaved trail is used by walkers, runners, cyclists and horseback riders.

One of the major initiatives of the *Greenway Plan Update* is the proposal to construct the Piedmont Regional Greenway Trail which is intended to link the existing Salem Lake Trail to Triad Park and to the existing Lake Brandt Greenway Trail in Greensboro. The Piedmont Land Conservancy is spearheading regional efforts to construct the Piedmont Greenway Trail. Other proposed greenway trails will be discussed in the Community Facilities Recommendations section of this Update.

Library Facilities

There are no library facilities in the Southeast Suburban planning area. Area residents are currently served by three nearby libraries in Winston-Salem and Kernersville.

Fire Stations

There are no fire stations in the Southeast Suburban Planning Area. Portions of the planning area are covered by Winston-Salem fire stations 5, 11, 17, and 19, the Town of Kernersville and Forsyth County.

***HOUSING**

According to the US Census American Community Survey there are 8,309 housing units in the Southeast Suburban Planning Area. Approximately 66% of the housing units in the planning area are owner-occupied, significantly higher than the 51% of the housing units citywide that are owner-occupied (see **Table 9**). Rates of ownership vary by neighborhood within the plan area. Housing conditions also vary widely in the planning area from neighborhoods where most homes are well-maintained to neighborhoods with deteriorated structures.

Table 9. Housing Statistics

Housing Tenure				
Area	Total Housing Units	Owner-Occupied (Percent)	Renter-Occupied (Percent)	Vacant Units (Percent)
Southeast Suburban Area Plan	8,309	66	26	8
Winston-Salem	107,915	51	36	13
Forsyth County	158,311	57	31	12

Source: U.S. Census Bureau, 2008-2012 American Community Survey (5 year estimates)

***DESIGN AND APPEARANCE**

Urban design can bring order, clarity and pleasing harmony to the network of public spaces, streets, parks, and sidewalks in a community. The majority of the Southeast Suburban Planning Area was developed after 1940 during a period that marked the dominance of the automobile. The automobile, combined with the construction of the U.S. Interstate System, were two major factors that led to suburban residential and then commercial development. With the relatively inexpensive cost of gasoline, the burden of commuting became less of a factor, and rural areas began to develop with inexpensive large lot houses. In response to the growing demand for housing, the first homogenous style housing subdivisions started popping up throughout rural areas nationwide. As a result, newer zoning codes began to

inadvertently promote suburban development requiring larger minimum lot sizes, greater setbacks from streets, and wider streets for public safety purposes. Additionally, commercial centers started developing along highways, road corridors, and other major intersections near these sprawling area. Unfortunately many of these suburban residential areas and commercial developments lacked special character and a sense of community that is often found in more urban neighborhoods. The future design challenge in suburban areas is to integrate housing and commercial/office/institutional development and encourage aesthetically pleasing, walkable communities with character while attracting the right mix of development in activity centers to create a mix of uses so residents can choose to live, work, shop and play in the same area. The Southeast Suburban Planning Area still lacks commercial, office and service developments.

There have been a number of initiatives to improve the appearance and pedestrian orientation of neighborhoods and commercial areas in Winston-Salem and Forsyth County. City efforts are usually, but not always, undertaken in the right-of-way and can include: landscaping and tree planting, sidewalks and other pedestrian improvements; benches; trash receptacles and other street furniture; public art; decorative street lighting; and public spaces. Other design standards have been adopted as part of the community's *Unified Development Ordinances*.

I-40, Business 40/US 421, and US 311 (I-74) are designated as Thoroughfare Overlay Districts (TO Districts). The main purpose of the TO District is to encourage development and redevelopment that preserves the visual quality and functional operations of the roadway. All development within the TO District are subject to specific site development standards in addition to the standards of the underlying zoning district. These additional standards relate mainly to screening outside storage, shielding of on-site utilities, screening of loading and garage bays, establishing minimum setbacks from the right-of-way and creating landscaped streetyards.

LEGACY 2030 GROWTH CORRIDORS

Growth corridors are recommended in *Legacy 2030* as tools for improved utilization of development sites and infrastructure along major transportation corridors. *Legacy's* growth corridor policies are particularly important when revitalizing older, automobile-oriented strip commercial sites experiencing decline. The redevelopment of these corridors should include increased residential densities where appropriate, mixed-use development, improved design and appearance, and more transportation options. *Legacy* recommendations include:

- Develop corridor master plans for improvements taking into account the unique character of each corridor. The basis for such master plans will be found in the design standards for the growth corridor identified in this plan.
- Define the boundaries of growth corridors through area plan updates.
- Identify potential locations for redevelopment along growth corridors for transit-oriented, high density, mixed-use nodes.
- Ensure compatibility between commercial and residential land uses and appropriate transitions between higher-density development and single-family residential areas.
- Provide development standards for site planning and design.
- Explore the use of zoning overlay districts to ensure good site planning principles and sensitive design, and to promote continuity in the design of corridors.

Legacy identifies two Growth Corridors in the planning area: NC 109 (Thomasville Road) and Kernersville Road (see **Map 5**).

***HISTORIC RESOURCES**

The Southeast Suburban Planning Area is home of the Friedland Lower Tier properties. Friedland was settled by Moravians from Broad Bay, Maine. This area played a vital role in the development of Salem, as the produce and agriculture grown in this area often supplemented the needs of the larger Salem community. Historic resources in this area have been impacted by the development and growth of the surrounding urban areas (see **Map 9** on **page 47**).

Forsyth County's first comprehensive architectural survey was completed in 1980 and an update to that survey was finalized in 2009. As might be expected, during the intervening years, a number of historic resources were demolished or removed from their original sites. This was found to be the case throughout all of Forsyth County, including in the Southeast Suburban area. The updated architectural survey documents properties that are currently designated Local Historic Landmarks and those listed on the National Register of Historic Places. The survey also includes properties that

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have been determined eligible for the National Register and those identified as North Carolina Study List properties. Some properties were simply identified for written and photographic documentary purposes.

Historic Resources Commission staff has reviewed the major historic resources studies/surveys to identify historic resources located within the planning area. **Appendix A (on page 50)** includes a list of recognized historic resources in the Southeast Suburban Planning Area and lists their current designations.

***ECONOMIC DEVELOPMENT**

Economic development covers a wide variety of issues in the planning area including health of existing retail, commerce and industry, strategies for attracting new businesses to the community, small business development, the provision of jobs for citizens, the revitalization of older business areas and the availability of sites for new businesses.

The Development Office, a division of the City's Community and Business Development Department, monitors and promotes economic development opportunities throughout the city. Programs providing concentrated assistance to targeted areas and groups include:

- **Small Business Training Program:** The City of Winston-Salem offers a eight-week training program to provide participants with basic skills necessary to become owners/operators of small businesses. Participants learn how to write a business plan and about a wide range of issues, including legal, insurance and management/marketing. The class is free and open to local entrepreneurs, minorities, and women business owners.
- **NRSA Building Rehabilitation Program:** Provides financial assistance to commercial and industrial property owners for building rehabilitation and site improvements. The Neighborhood Revitalization Strategy Area (NRSA) covers a majority of the western portion of the plan area.
- **Small Business Loan Program:** Provides financial assistance to businesses unable to secure financing from conventional sources. The business must be located in the Winston-Salem Neighborhood Revitalization Strategy Area.
- **Housing Rehabilitation:** Provides financial and technical assistance to qualified owner occupants and investor owners to repair substandard properties.

Depending on the program selected, funds can be used for buying properties, for site or facility improvements, rehabilitation of older buildings, purchasing equipment, or starting a new business.

***THE ENVIRONMENT**

A number of environmental issues are of concern in the plan area including floodplains, wetlands, topography, and Natural Heritage sites (see **Map 4 on page 24**).

FLOODPLAINS

Floodplains are flood-prone lands adjacent to creeks and streams. There are requirements to manage development activities in these areas. There is more than 1,027 linear feet of floodplain in the Southeast Suburban Planning Area. Portions of Fiddlers Creek, Sawmill Branch, South Fork Muddy Creek, Kerners Mill Creek, Fisher Branch, St. Delight Branch, Dunagun Branch and Swaim Creek include identified mapped flood-prone areas.

WATERSHEDS

Water-supply watersheds have specific State-mandated protection regulations. These regulations attempt to maintain or restore the natural storm water infiltration and purification process by:

- Limiting housing density by restricting the maximum number of housing units per acre.
- Limiting the built-upon area, the amount of land cover by pavement and structures.
- Maintaining natural vegetative buffers along streams.
- Requiring engineered storm water controls that trap sediments and other pollutants before reaching streams.

Salem Lake Watershed Regulations

The northern portion of the planning area is in the Salem Lake Watershed (see **Map 4**, Environmental Constraints on **page 24**). Salem Lake is one of the drinking water sources for residents of the City of Winston-Salem and others served by the City-County Utilities Commission.

Because the Salem Lake Watershed is a relatively small watershed and wholly within Forsyth County, the City of Winston-Salem and Forsyth County have adopted regulations as part of the Unified Development Ordinances (UDO) that not only achieve the minimum State requirements, but in some cases exceed the minimums to provide a greater level of drinking water quality protection.

Under the UDO provisions, development in the Salem Lake watershed can be done under either the low density option or the stormwater quality option. The stormwater quality option allows higher density development with the use of engineered methods to control runoff and protect water quality. Development requirements are more stringent closer to Salem Lake in the defined Reservoir Protection Area (RPA), the area within approximately one mile of the normal pool elevation of the lake. A minimum 100-foot wide vegetated buffer area is required along all perennial streams in the watershed.

The Salem Lake regulations in the UDO allow limited areas of intense development under the Special Intense Development Allocation (SIDA) provisions. A SIDA can be granted by the Winston-Salem City Council or by the Forsyth County Commissioners to non-single-family projects that provide economic benefits or fulfill community needs on sites outside the Salem Lake Critical Area.

In addition to the development regulations included in the UDO, the Public Health Department requires new lots to be at least 40,000 square feet for septic tanks in drinking water supply watersheds, including the Salem Lake Watershed.

NATURAL HERITAGE INVENTORY SITES

The State's *Natural Heritage Inventory for Forsyth County* identified the occurrence of significant plant and animal communities, geologic features, historic resources and stream corridors in Forsyth County. A portion of one Natural Heritage site, Salem Lake Natural Area, is located in the planning area.

The Salem Lake Natural Area is of regional significance and is located in the northern part of the planning area just south of Business 40/US 421, within Salem Lake Park, a City-owned park managed by the Winston-Salem Recreation and Parks Department.

WETLANDS

Wetlands are defined as areas inundated or saturated, permanently or seasonally, by surface or ground water. Wetlands can be distinguished from other land forms or water bodies because of the characteristic vegetation that is adapted to its unique soil conditions. Wetlands have been identified along the same creeks where floodplains have been mapped.

TOPOGRAPHY

Most of the land in the plan area consists of slopes that are developable. The majority of the land with slopes greater than 20% is located along the identified creeks and their tributaries.

CONTAMINATED SITES

Some sites in the planning area may have environmental contamination due to the presence of a hazardous substance, pollutant, or other contaminant. Contamination is often found on or near sites that were previously used for industrial, dry cleaning, fuel sales, or other commercial uses. Often, contamination issues only surface as properties are more closely examined as they are being developed or redeveloped. For more specific and up-to-date information on contaminated sites, contact the North Carolina Department of Environment and Natural Resources (NCDENR).

*ANNEXATION AGREEMENTS

An annexation agreement is a legal agreement which defines land that each participating municipality may not annex within a specific timeframe. The agreement sets limits on each municipality's future annexation into an area, thus

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establishing its potential future jurisdiction. The agreement, however, does not obligate a municipality to undertake annexations. Two major benefits from this type of agreements are that:

- It promotes the orderly and logical extension of municipal services because communities are not competing to annex an individual development; and
- It reduces uncertainty among property owners and public or private development interests.

North Carolina General Statutes authorize municipalities to enter into agreement for up to 20 years. Once adopted, participating municipalities must both agree to change or terminate the agreement before it expires. A municipality may unilaterally terminate an agreement after a five-year notification period. Each participating municipality must also notify the other(s) of all subsequent annexation proposals within the affected area.

The City of Winston-Salem has had annexation agreements in place with several of its surrounding communities for years. These agreements have fostered positive relationships among our local governments as well as provided enhanced predictability and stability for development within the county. In 1992, the City of Winston-Salem and the Town of Kernersville entered into an annexation agreement. The agreement essentially outlined the annexation limits of each respective municipality along Union Cross Road, US Highway 311, between Hastings Hill and Sedge Garden Roads and NC Highway 66. Several amendments were made to this agreement prior to its expiration in 2013.

***EXISTING PLANS/ STUDIES IN PLAN AREA**

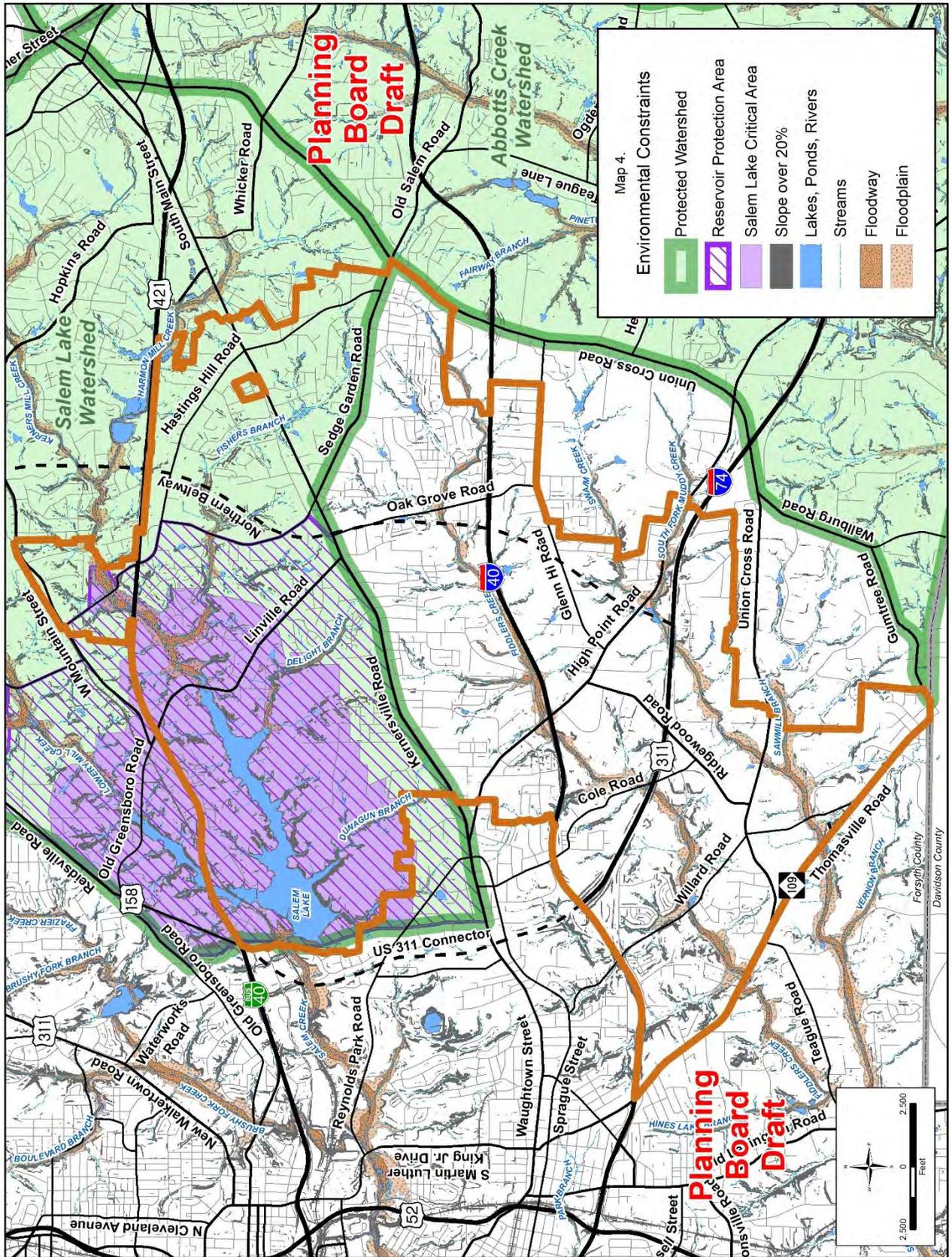
The following studies have been completed for the plan area:

SOUTHEAST SUBURBAN AREA PLAN (2009)

The *Southeast Suburban Area Plan*, which this document updates, made land use and public investment recommendations within generally same geographic boundaries as this plan. Major recommendations included continued development of commercial areas around the proposed Interstate 74/Kernersville Road interchange; continued preservation of existing historic resources; exploration of adding a community park; and designation of higher density mixed use areas within activity centers.

FUTURE INTERSTATE 74/KERNERSVILLE ROAD INTERCHANGE STUDY (2008)

The Future Interstate 74/Kernersville Road Interchange Study, completed in 2008, encompassed 170 acres along Kernersville Road. The study examined land use and transportation issues around the proposed Kernersville Road Interchange with the Northern Beltway to determine impacts of different land use scenarios on the transportation system.



Southeast Suburban Area Plan Update

Recommendations

General policies from *Legacy 2030* provide the framework for recommendations in all area plans. Specific recommendations for the *Southeast Suburban Area Plan Update* were developed through comments heard from citizens at public meetings in conjunction with the work of the City-County Planning Staff.

***LAND USE RECOMMENDATIONS**

Land use recommendations serve as a guide for future development and zoning decisions in the planning area. As directed by *Legacy 2030*, land use recommendations designate the locations and formulate policies for compatible residential development, commercial and office uses, industrial uses and activity centers. All future recommendations are shown on the Proposed Land Use Map (**Map 5 on page 30**). Additionally, the Proposed Land Use Changes Map (**Map 6 on page 32**) identifies properties where the Proposed Land use indicated on **Map 6** is different than the existing land use shown on the Existing Land Use Map (**Map 3 on page 12**). Proposed land use changes may or may not require a change in zoning. Determinations of the need for rezoning would be evaluated when site-specific development proposals are submitted for review.

GENERAL RECOMMENDATIONS

Planning policies used to develop land use recommendations for the Southeast Suburban Planning Area are:

- The highest intensity, mixed use development should be located in proposed activity centers.
- Commercial development should be concentrated in designated areas and not allowed to take the form of strip development along the major roads in the planning area.
- Goods and services should be available near where people live and work.
- The mix, type, and design of development should facilitate walking and bicycling where feasible.
- Industrial development should be concentrated in designated industrial areas.
- The revitalization of older/underutilized commercial and industrial sites and buildings is to be encouraged.
- Neighborhoods should be protected from inappropriate residential, commercial, industrial, and institutional encroachment.
- Site design should incorporate pedestrian-oriented design elements such as street trees, buildings located close to the street, building façade articulation and variety, and transparent windows and doors.
- Consideration should be given to protecting significant natural features, natural vegetation, historic resources and open space by clustering development on site.

***RESIDENTIAL**

Legacy 2030 recommends a variety of housing types throughout the county. Residential recommendations are made for housing densities, and in some cases, types of housing. Factors such as amount of land available, surrounding land uses, proximity to major roads and services and access to utilities are all considered in determining recommendations for residential uses and densities.

The following are general descriptions for categories of residential land uses and specific recommendations for locations within the planning area suitable for these categories of use. The sites shown on the Proposed Land Use Changes Map and the overall Proposed Land Use Map (see **Maps 5 and 6 on pages 30 and 32**, respectively).

Single-Family Residential

Single-family residential development consists mostly of single-family, detached units; however, scattered throughout neighborhoods are duplex, triplex, quadraplex, and a few multifamily developments built before zoning was established for the City and County. This plan makes no assumption on the legality of these uses. If uses are legally non-conforming,

they should be allowed to remain. If they are illegal uses, this plan does not recommend rezoning these properties to legalize their nonconforming status. Single-family residential development is recommended for:

- Existing individual lots and small tracts of land in existing single-family neighborhoods.
- Larger parcels of undeveloped residential land in many parts of the planning area, excluding uses within proposed activity centers and other designated sites. This land is generally located north of US Highway 311 in the planning area and along Thomasville Road in the southern portion of the planning area.

Low-Density Attached Residential

Low-density attached residential development has a density of zero to eight dwelling units per acre. Generally, low-density attached residential land use is recommended for sites greater than two acres that are most appropriately developed with duplex, triplex, quadraplex, multifamily, and townhouse uses. Design Guidelines for Multifamily Developments can be found in **Appendix B** on **page 51**. Low-density residential attached residential uses is recommended for:

- Sedge Garden Road within the Union Cross/Sedge Garden Activity Center.
- Linville Road, Sedge Garden Road and Old Winston Road within the Kernersville Road/I-74 Beltway Activity Center.

Intermediate Density Residential

Intermediate-density residential development has a density of eight to eighteen dwelling units per acre. Generally intermediate-density residential land use is recommended for sites greater than two acres that are most appropriately developed with multifamily or townhouse structures. Design Guidelines for Multifamily Development can be found in **Appendix B** on **page 51**. Intermediate-density residential is recommended for:

- Parcels previously approved for intermediate-density residential in the Vernon Farms subdivision.
- Parcels on the west side of Plaza Ridge Circle, adjacent to the Plaza South Apartment complex. These parcels were originally part of the Plaza South Apartments development plan and are already zoned for multifamily, except the parcel on the southwest corner at the intersection of Plaza Ridge Circle and Ridgewood Place Drive which is currently zoned for single-family residential.
- White Meadow Lane.
- A single parcel between the Cole Village Apartments and I-40.
- Green Oaks Court.
- Green Oaks Drive.
- Oak Grove Church Road within the Kernersville Road/I-74 Beltway Activity Center.

***OFFICE AND COMMERCIAL**

This plan recommends the consolidation of office and commercial uses at existing commercial/office locations, in designated activity centers, and in Special Land Use Condition Areas. All new and redeveloped commercial and office uses should be designed and developed to be compatible with nearby residential uses.

Office

Office uses typically have few negative impacts on adjacent land uses and can provide services to area residents, making them an appropriate transitional use between residential uses and more intense uses. Small-scale office development is recommended for:

- Parcels on the east side of Union Cross Road between Shepard Grove Road and Solomon Drive. This area is currently zoned for single family residential development, but with the changing conditions and improvements along Union Cross Road, this area would be viable for office development. (See *c in Special Land Use Conditions on **page 36**).

Office/Low-Intensity Commercial

This land use category includes all office uses as well as commercial uses listed in **Table 10**. This plan recommends three areas for new office/low intensity commercial and the conversion of some existing residential structures into office/low intensity commercial land use. Preserving the existing character of the older historic neighborhoods in the planning area is

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a priority of the plan; however, at certain locations it may be difficult to retain the existing single-family use on a specific property. The establishment of a transition between residential uses and commercial uses is recommended at the following locations:

- Along Thomasville Road, east of Devoe Road.
- Parcels between Beesons Field Drive and Hastings Hill Road within the Union Cross Road/Sedge Garden Road Activity Center.
- Along Sedge Garden Road and Kernersville Road within the Kernersville Road/I-74 Beltway Activity Center.

Guidelines for Conversion of Existing Homes to Office or Commercial Uses can be found in **Appendix C** on **page 52**.

Table 10. Defined Low-Intensity Commercial Uses

Uses* Include:		
Adult Day Care	Food/Drug store without Drive-through	Residential Building, Townhouse
Arts/Crafts Studio	Funeral Home	Restaurant without Drive-through
Bed and Breakfast	Furniture/Home Furnishings	Services A
Child Care Drop-in	Museum, Art Gallery	Veterinary Services
Child Day Care Center	Post Office	Retail Store
Combined Use	Residential Building, Multifamily	
Uses* Do Not Include:		
Auto-related Uses	Convenience Stores	Clubs/bars

**Uses defined in the Unified Development Ordinances.*

COMMERCIAL

This plan calls for the creation of new commercial opportunities and the improvement of existing commercial areas that blend with existing development and do not negatively impact nearby neighborhoods. Commercial areas should be compact with limited access to major thoroughfares and should not promote strip development. The reuse of vacant buildings and the redevelopment of existing undeveloped and underutilized sites is recommended, where possible. New commercial development and improvements of existing commercial areas are recommended for the following areas:

- Undeveloped parcel on the northeast corner of Kernersville Road and Vernon Farms Boulevard, previously approved as part of the Vernon Farms subdivision.
- Commercially zoned parcel on the northwest corner of Hastings Hill Road and Sedge Garden Road.
- Parcels located at the southwest corner of Union Cross Road and Sedge Garden Road in the Union Cross Road/Sedge Garden Road Activity Center.

*INSTITUTIONAL

Institutional uses in the planning area are an important aspect of its character, vitality and future. Institutional uses include schools, churches, government offices and services, community organizations and nonprofit agencies. Existing institutions should be permitted to grow and expand in a manner that is compatible with surrounding neighborhoods. Because of the unique nature of institutions (many of which are allowed by right in residential zoning), it is not possible to indicate on the Proposed Land Use Map all properties for which institutional use would be appropriate.

Many institutional uses found in the planning area are surrounded by single-family residential uses. As these facilities grow, the potential to tear down single-family structures can be detrimental to the urban fabric of the neighborhood, particularly in older historic areas. New construction or additions to institutional uses can have a negative effect on adjacent single-family homes because institutional uses typically have a larger building footprint and massing. This plan recommends the following:

- Retain older single-family structures adjacent to institutional uses.
- When converting parcels to parking lots for institutional uses in residential districts, maintain neighborhood character by buffering lots with street yards.
- Encourage institutions owning single-family homes adjacent to their properties to maintain these structures in good condition.

*PARKS/OPEN SPACE

The Proposed Land Use Changes Map (**Map 6 on page 32**) shows proposed parks and open space areas. Open space may consist of land protected by conservation easements or City-, State- or railroad-owned land (see Community Facilities Recommendations on **page 38**, for detailed park recommendations).

*INDUSTRIAL

With access to both I-40 and I-74 (US 311), there are several areas suitable for industrial land use in the planning area. The plan recommends the following:

- New and redeveloped industrial uses should be designed in a manner that makes them compatible with nearby residential uses.
- Continue revitalization of vacant or underutilized industrial sites in the planning area. Existing industrial sites could be converted to other uses compatible with surrounding residential areas.

Specific areas recommended for industrial development include:

- Undeveloped parcels along Centre Park Boulevard.
- Several large undeveloped parcels along Cole Road between I-40 and US 311.
- Several parcels along Ridgewood Road, north of US 311.
- Parcel located on the southwest corner of Ridgewood Road and Cole Road.

*MIXED-USE LAND USE CATEGORIES

MIXED-USE DEVELOPMENT

Mixed-use development typically includes a mixture of compatible commercial, office, varied residential types and densities, institutional, and recreational uses. This plan recommends four areas for mixed-use, all within the Kernersville Road/I-74 Beltway Activity Center and shown on the Proposed Land Use Changes Map (see **Map 6 on page 32**). However, the concept of mixing uses is not limited to these areas only. Other locations may be appropriate and will need to be evaluated individually based on how they are integrated with and compliment the surrounding neighborhoods.

ACTIVITY CENTERS

Activity centers are compact, pedestrian-oriented, neighborhood business areas that provide needed services within walking distance of residential areas. Activity centers may serve as neighborhood gathering places. Larger activity centers are envisioned to provide shopping and services meeting the day-to-day needs of nearby residences, and ideally contain a grocery store and a pharmacy. Activity centers may also include a housing component, especially in suburban or future growth areas where new activity centers are being proposed. Certain very large activity centers can serve as compact mixed-use regional centers for retail, office, civic and residential activity. It is important to install sidewalk connections throughout activity centers to encourage pedestrian connections between uses. The *Southeast Suburban Area Plan Update* identifies two activity centers: the Union Cross Road/Sedge Garden Road Activity Center and the Kernersville Road/I-74 Beltway Activity Center.

Union Cross Road/Sedge Garden Road Activity Center

The Union Cross Road/Sedge Garden Road Activity Center contains approximately 32 acres and is located at the intersection of Sedge Garden Road and Union Cross Road, extending to the west almost to Hastings Hill Road. This activity center currently contains a mixture of older and new commercial establishments (including a Neighborhood Wal-Mart and CVS), vacant commercially zoned land and low-density single-family residential development. This area provides limited commercial services to the northeastern portion of the planning area.

Most of the existing commercially zoned property in this activity center is within the Town of Kernersville's zoning jurisdiction.

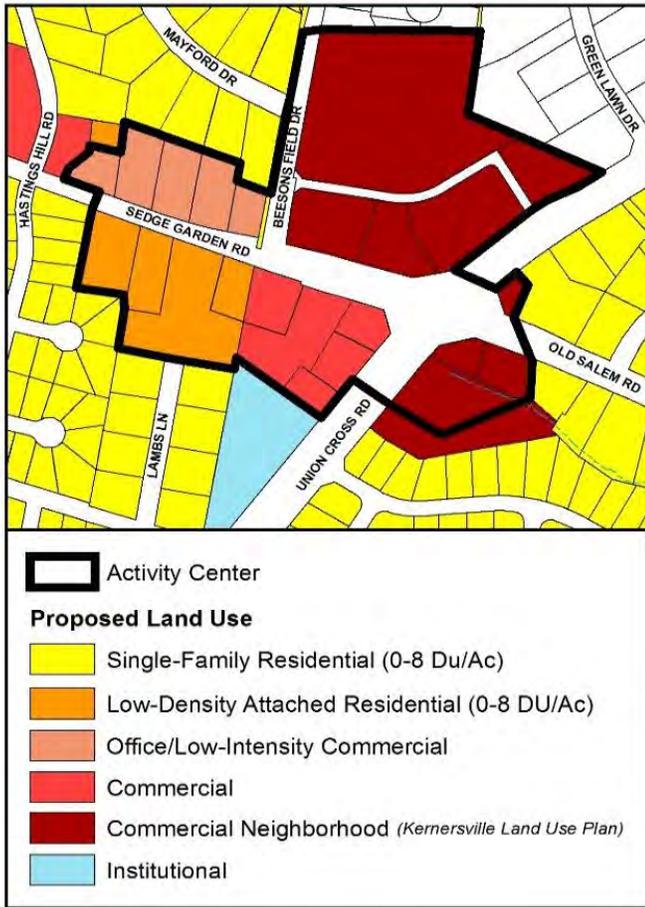


Figure 2. Union Cross Road/Sedge Garden Activity Center

The southern portion of this activity center is in Winston-Salem and the sections between Bessons Field Drive and Hastings Hill Road are in Forsyth County’s zoning jurisdiction. This plan recommends:

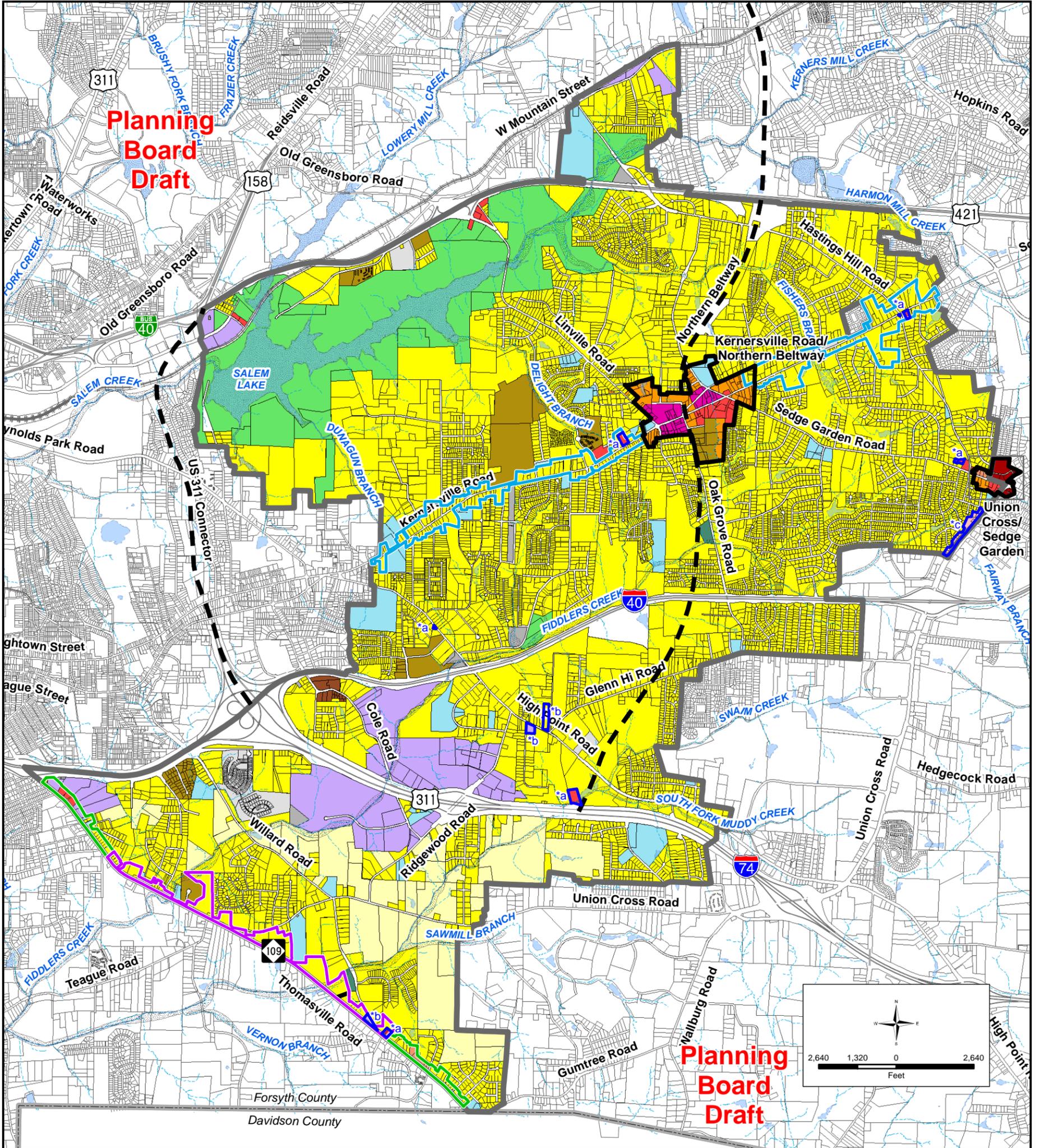
- Comprehensive redevelopment with a mixture of neighborhood-scaled commercial and office uses that complement the surrounding residential area. Buildings placed close to the intersection of Sedge Garden and Union Cross Roads with parking located to the rear of the buildings.
- Sidewalks should connect this site with other sites in the activity center.
- Low-density attached residential is proposed for a portion of this activity center to provide a transition from the commercial area to the more traditional residential areas along Sedge Garden Road.
- A fifty-foot buffer should be established along the northern boundaries of the activity center to provide substantial buffering to the stable residential neighborhoods adjacent to the activity center.

Kernersville Road/I-74 Beltway Activity Center

The Kernersville Road/I-74 Beltway Activity Center contains approximately 170 acres and is located at the intersection of Kernersville Road and the proposed Northern Beltway/Future Interstate 74. The proposed activity center is focused around an existing commercial development that serves the existing residential area, but is in need of redevelopment.



Figure 3. Illustrative Kernersville Road Development Rendering

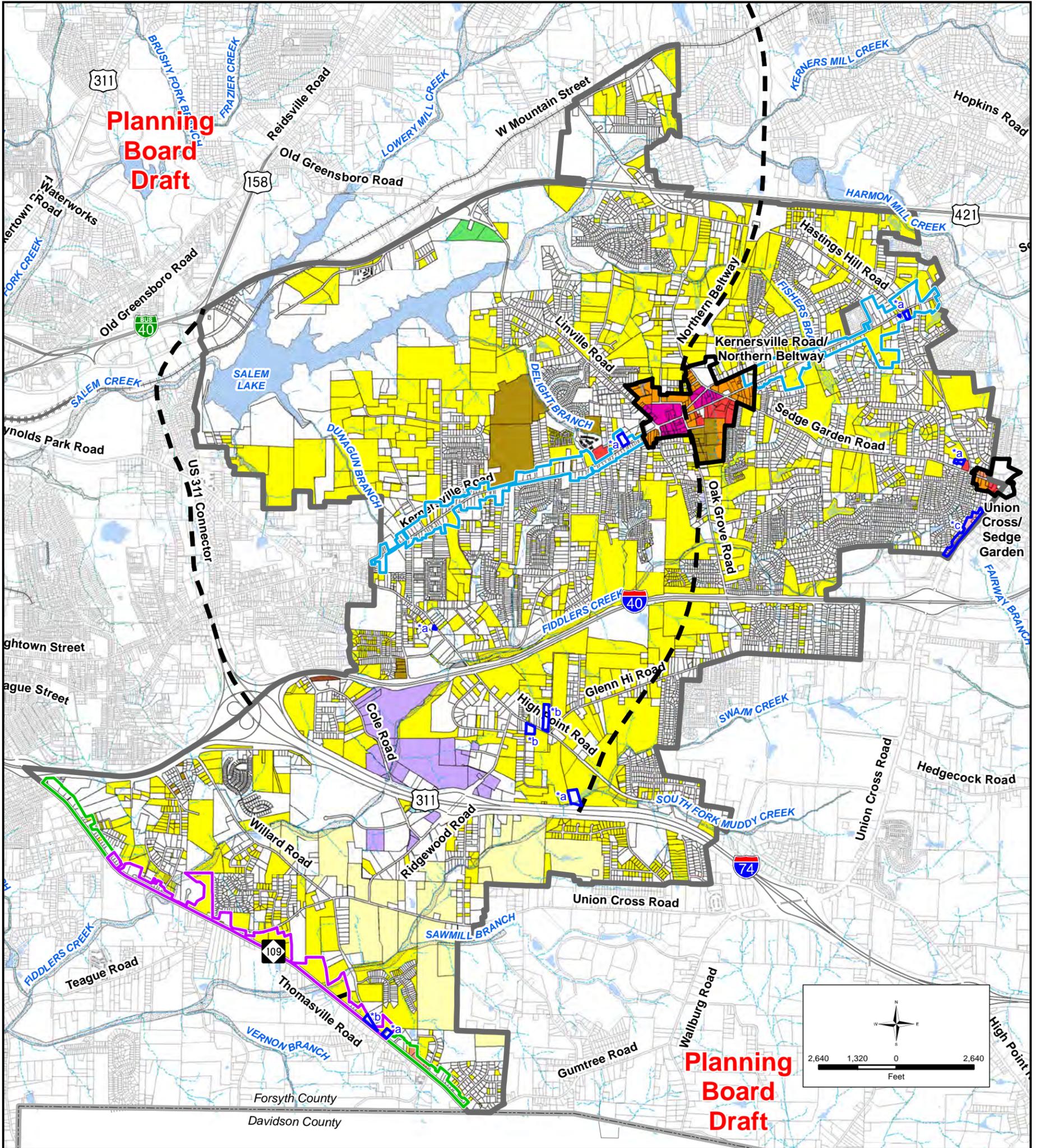


Map 5.

Proposed Land Use

(See Area Plan for specific recommendations starting page xx.)

- | | | |
|--|---|---|
|  Large-Lot Residential (over 5 Ac) |  Mixed-Use Development |  Special Land Use Condition Area |
|  Single-Family Residential (0-8 Du/Ac) |  Industrial |  Activity Center |
|  Low-Density Attached Residential (0-8 DU/Ac) |  Institutional | |
|  Intermediate-Density Residential (8.1-18 DU/Ac) |  Park | Growth Corridors |
|  High-Density Residential (over 18 DU/Ac) |  Commercial Recreation |  Rural Form - Large-Lot Residential |
|  Manufactured Housing Park |  Utilities |  Urban/Suburban Form - Residential |
|  Office |  Streams |  Suburban Form - Commercial/Office/Multifamily |
|  Office/Low-Intensity Commercial |  Ponds, Lakes, Rivers | |
|  Commercial |  Floodway | |
|  Commercial Neighborhood (Kernersville Land Use Plan) |  Floodplain | |



Map 6.
Proposed Land Use Changes

(See Area Plan for specific recommendations starting page xx.)

- | | | |
|---|--|---|
|  Large-Lot Residential (over 5 Ac) |  Industrial |  Special Land Use Condition Area |
|  Single-Family Residential (0-8 DU/Ac) |  Institutional |  Activity Center |
|  Low-Density Attached Residential (0-8 DU/Ac) |  Park | |
|  Intermediate-Density Residential (8.1-18 DU/Ac) |  Utilities | Growth Corridors |
|  High-Density Residential (over 18 DU/Ac) |  Streams |  Rural Form - Large-Lot Residential |
|  Manufactured Housing Park |  Ponds, Lakes, Rivers |  Urban/Suburban Form - Residential |
|  Office |  Floodway |  Suburban Form - Commercial/Office/Multifamily |
|  Office/Low-Intensity Commercial |  Floodplain | |
|  Commercial | | |
|  Mixed-Use Development | | |

The area currently contains low-density residential development, underutilized commercially-zoned land and institutional uses including Sedge Garden Elementary and several churches. The preliminary design of the interchange at Kernersville Road and the Beltway/Future Interstate 74 indicates that the road network in the area will be impacted and some of the existing commercially zoned land will be lost.

In 2008, in anticipation of the construction of the Northern Beltway and the impact it would have on development pressure in the area, City-County Planning staff worked with private consultants to conduct a study of the Kernersville Road/I-74 interchange area. After months of discussion with local residents and gathering information, they completed a proposal with two different development models for the area. One version recommended a limited built out proposal while the other represented a full build out of the area. Each version included a mixture of higher density housing, commercial and mixed-use opportunities. Recommendations for this plan are based on the study's fully built out version with the addition of two mixed-use areas and a transitional low-density attached residential area west of Motsinger Drive.



Figure 4. Kernersville Road/I-74 Rendering

This plan recommends the following for this activity center:

- A mix of retail, office and residential land uses at the scale typical of a small shopping center. Examples of local mixed-use developments such as Harper Hill Commons and Hillcrest were preferred over big-box retail.
- Locate direct entrances next to the street along sidewalks with parking to the rear or internally.
- Allow building heights to be highest along the beltway before transitioning to typical lower building heights along the periphery.
- Design activity center to be pedestrian friendly with sidewalks connecting residential and nonresidential uses.
- Implement recommendations for road improvements to Kernersville Road and Sedge Garden Road within and in the vicinity of this activity center (see Transportation Recommendations, starting on **page 36**).

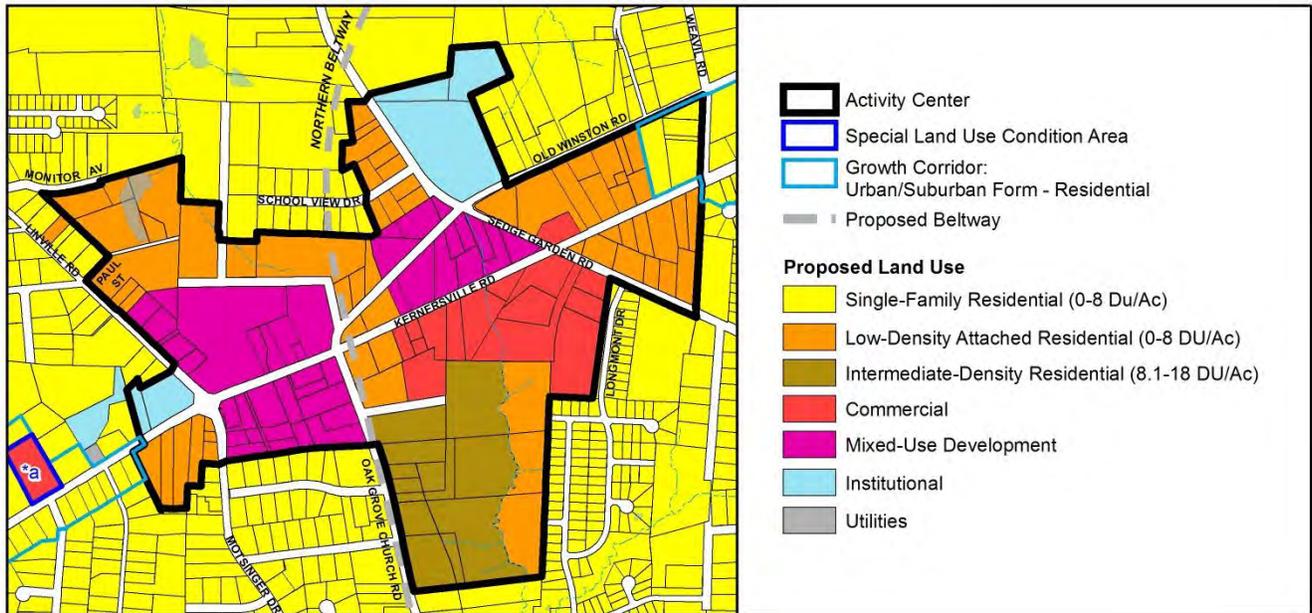


Figure 5. Kernersville Road/I-74 Mixed Activity Center

***Special Land Use Conditions**

The Proposed Land Use Map (Map 5 on page 30) shows recommended land uses for all undeveloped property in the planning area and changes in land use for some developed sites. In some circumstances, there are special conditions or prohibitions of certain uses. These situations are referenced on the map with a blue ★ (star) and a lower case letter as follows:

***a. Nonconforming Uses**

A number of properties with similar characteristics are grouped under this Special Land Use Condition. These properties are currently zoned Agriculture (AG) or Residential Single-Family (RS9 or RS20) and have an existing nonconforming commercial use. These properties are listed as follows:

- A commercial building located at the intersection of Willard Road and Thomasville Road zoned AG.
- A commercial building located on the north side of High Point Road, between Magnolia Place Lane and Glenn Hi Road zoned RS9.
- A commercial building located on the west side High Point Road, between Plaza Hollow Road and Wayside Drive zoned RS9.
- A commercial building located on the north side of Kernersville Road between Maynard Drive and Linville Road at the entrance of Corbin Street zoned RS9.
- Two commercial buildings located at the intersection of Hastings Hill Road and Kernersville Road zoned RS9.
- Commercial operation on the south side of High Point Road between Durant Drive and Swaim Road on a residential lot zoned RS20.
- Commercial operations on north side of Sedge Garden Road, just west of Hastings Hill Road on two residential lots zoned RS9.

The plan recommends the following for all the sites listed above:

- Do not rezone any of these properties to a nonresidential district. Lot sizes make it difficult to appropriately protect adjacent single-family homes and to provide adequate parking on site.
- The existing commercial uses can continue to operate under their existing nonconforming status.
- If the nonconforming status is lost because the nonconforming use ceases to operate for a period of time, a determination to leave the property zoned for single-family residential or to rezone to a nonresidential zoning district should be made on a case-by-case basis.

***b. Scattered Small-Scale Commercial Sites**

A number of properties with similar characteristics are grouped under this Special Land use Condition. These isolated small businesses are currently zoned for business (HB, HB-S and LB-S) and are generally surrounded by single-family residential. These properties are listed as follows:

- A commercial building located on the southeast corner of the intersection of High Point Road and Durant Drive, currently zoned HB.
- A church and commercial building located at the intersection of Willard Road and Thomasville Road, currently zoned HB-S and LB-S.

The plan recommends the following for all the sites listed above:

- Do not expand current nonresidential zoning to adjoining properties.
- Redevelop the existing sites under current zoning or a less intensive zoning classification.

***c. West side of Union Cross Road between Shepard Grove Road and Solomon Drive**

The area between Shepherd Grove Road and Solomon Drive along the west side of Union Cross Road is proposed for new residentially-scaled office or home office conversion. Existing homes in this area are suitable for conversion to office uses. Alternatively, new residentially-scaled office development is also appropriate in this area. New office development or home office conversions in this area should follow the development standards in Appendix C: Guidelines for Conversion of Existing Homes to Office or Commercial Uses on **page 52**.

***TRANSPORTATION RECOMMENDATIONS**

Legacy 2030 calls for a balanced, sustainable network of all transportation modes that provide choices for travel needs. Street networks should develop in a manner that is consistent with the land use plan and promotes connectivity in communities. A more compact pattern of growth as outlined in the land use recommendations supports public transportation as a practical alternative to the automobile. Developing walkable neighborhoods and creating a network of bikeways, sidewalks, and greenways will provide for needed transportation choices for all segments of the population.

CURRENT PROPOSED STREET AND HIGHWAY IMPROVEMENTS

Forsyth County has several long-range transportation plans/processes: the *Metropolitan Transportation Plan* (MTP), formerly called the *Long Range Transportation Plan* (LRTP); the *Comprehensive Transportation Plan* (CTP); and the *Metropolitan Transportation Improvement Program* (MTIP). Details of these plans are available online. **Table 5** and **Map 7** (on **page 42**) show future street and highway projects in the MTIP and the CTP for the North Central Plan Area.

Table 5. Transportation Improvement Projects

Location	Description	Current Status	Completion
Road Widening and Improvements			
Union Cross Road	Widen Road to 4-6 lanes median divided boulevard	Under construction	2015
Gumtree Road	Safety improvements at Reid Road intersection	Under construction	2015
New Roads			
Northern Beltway (Eastern Section) (U-2579AA and AB)	6 lane freeway on new location	Under design; right-of-way in 2020, construction in 2022.	2025
Thomasville Road (NC 109) (U-2568C)	4 lane median divided boulevard	Planning	After 2025

Sources: 2040 Metropolitan Transportation Plan (MTP), the Comprehensive Transportation Plan (CTP), and the 2016-2025 Metropolitan Transportation Improvement Program (MTIP).

Comprehensive Transportation Plan Projects**Winston-Salem Northern Beltway, Eastern Section (U-2579AA and AB)**

Existing US 52 and Business 40 in Winston-Salem are currently over capacity. The 2012-2018 TIP includes project U-2579 that is intended to address this problem. The project consists of constructing a four-to-six lane freeway from US 52 north of Winston-Salem to US 311 southeast of Winston-Salem. This project will improve north-south connectivity in eastern Forsyth County, provide direct connections to US 421, I-40, and Kernersville Road, and provide congestion relief on local roadways. This project is currently in the project development phase.

Thomasville Rd/NC 109 Improvement Project

NCDOT plans to improve NC 109 between Old Greensboro Rd in Davidson County and I-40/US 311 in Forsyth County. Those plans include widening the existing highway and adding new roadway. Currently this section of 109 carries as many as 19,000 vehicles per day. In 2035, that figure is estimated to increase to 30,000 vehicles per day. By improving the highway, NCDOT will help reduce accidents and congestion. NCDOT, along with federal, state and local officials, selected Corridor Alternative 6 as the preferred route for the NC 109 Improvement Project in Davidson and Forsyth counties. Corridor Alternative 6 will involve widening parts of existing road and building sections of new roadway to create a 10-mile, four lane highway with a median. The project is in development, the let date is FY 2021 and the completion date is currently undetermined.

Union Cross Road Widening Project

The project will widen 4.2 miles of Union Cross Road in Winston-Salem and Kernersville from Sedge Garden Road north of I-40 to just south of U.S. 311. It also includes constructing the area's first diverging diamond interchange at I-40. This project is scheduled to complete in late January 2016.

Road Realignment at Gumtree and Sawmill Intersection

This project lowers the elevation of Gumtree Road and realigns Sawmill Road to improve sight distance and safety at the intersection. It was let in September 2014 and completed in August 2015, and is awaiting permanent vegetation.

PEDESTRIAN

Construction of sidewalks in the planning area is likely to be achieved through public funding and through private developments designed to meet street design standards. Sidewalks are recommended in the *Sidewalk and Pedestrian Facilities Plan* for all thoroughfares and collector streets except for freeways and expressways. All proposed sidewalks in the *Sidewalk and Pedestrian Facilities Plan* are evaluated on an annual basis and ranked for future construction. Topography and the presence of curb and gutter along streets are considered when evaluating projects. The City of Winston-Salem and Forsyth County have adopted street design standards for new developments that include requirements for sidewalks. The *Sidewalk and Pedestrian Facilities Plan* does not make any recommendations for sidewalks in the planning area. General sidewalk recommendations for the planning area include:

- Identify and recommend locations for pedestrian crossing signals at key intersections
- Assure that pedestrian are accommodated in all road and bridge construction and modification projects.
- Provide sidewalks on at least one side of all new roads and on both sides of roads that provide access to institutions and public facilities.

GREENWAYS

Greenways serve a dual purpose within a community. Beyond being a residential amenity, greenways play an integral role in establishing an active transportation network along with sidewalks and bikeways. Two greenways currently exists in the planning area and four additional greenways have been proposed here. Information and recommendations pertaining to greenway projects can be found in the Community Facilities section.

BICYCLE**Bicycle Lanes and Shared Lane Markings**

The City of Winston-Salem has begun installing bicycle lanes and shared lane markings on city streets to provide a network of bicycle facilities that connect residential areas with key destinations, such as schools, parks, libraries, and commercial areas. Bicycle lanes provide a separate lane (typically five or six feet wide) on the road for cyclists, while shared lane markings are placed in the travel lane and indicate to drivers that they should expect to share the lane with

cyclists. The City of Winston-Salem Department of Transportation has no proposed bicycle lane projects within the planning area.

GROWTH CORRIDORS

Growth corridors are identified in *Legacy 2030* as major roadways that connect activity centers to each other and Downtown Winston-Salem. They are often characterized by older automobile-oriented strip commercial areas experiencing decline. To help improve the function, safety, and appearance of growth corridors, redevelopment should include mixed-use development, increased residential densities where appropriate, attention to design and appearance, and multiple transportation options. The Southeast Suburban Planning Area includes the Kernersville Road and Thomasville Road Growth Corridors. These corridors are proposed to generally include the first tier properties on both sides of these roads. Design recommendations for growth corridors are outlined on page 43. Transportation recommendations include:

- Improve all identified growth corridors by adding pedestrian and bicycle facilities, making landscape improvements, and reducing lanes where feasible.
- Develop minimal and simple standards to preserve design flexibility and creativity in making an urban, pedestrian-oriented corridor.

***COMMUNITY FACILITIES RECOMMENDATIONS**

Both public and private community facilities such as schools, parks, medical offices and day care providers should be easily accessible to all segments of the population. *Legacy 2030* promotes the sharing of institutional facilities as a way to meet the various needs of the community. An important recommendation from *Legacy 2030* is the creation of a central public space in all communities to serve as an urban reference point and the focus of civic and community life. The Community Facilities Recommendations Map (see **Map 8** on **page 44**) shows existing and proposed community facilities.

GENERAL RECOMMENDATIONS

- Encourage schools, churches and recreational facilities to share facilities and work cooperatively to provide services and host community events.
- Provide a high level of maintenance at schools, parks and other facilities on an ongoing basis.
- Consider safety and environmental sensitivity when designing community facilities.
- Assess the need for additional police and fire services in the planning area based on future growth and development.
- Acquire land or obtain easements for parks, recreation facilities, open space and other community facilities.
- Actively pursue local, state, federal and private funding for land acquisition and development of these facilities.
- Seek cooperation with the school board, non-profit and private organizations, where appropriate, to implement park and recreation proposals.
- Involve residents in master planning for parks, greenways and other community facilities.

SCHOOLS

Legacy 2030 calls for quality schools that are assets to the neighborhoods in which they are located. School planning should be coordinated with parks and other public facilities. Recommendations for schools in the planning area are:

- Replace, upgrade or expand existing schools to meet the needs of the planning area as its population grows.
- Promote alternative uses for school property that is no longer needed for school facilities.
- Consider improved arrangements for using school property and facilities for community events and recreational activities.
- Provide a high level of maintenance at schools on an ongoing basis.
- Build new schools that are integrated with surrounding neighborhoods through pedestrian and bicycle connections.

RECREATION FACILITIES

Recommendations for proposed parks, recreation facilities, greenways and open space take into consideration the number, size and location of existing facilities; the need for updating existing recreational facilities; the anticipated location of future growth; and the expectations of the community as identified during this planning process. The following are recommendations for various categories of recreation and open space:

C-5. DRAFT

- Assess usage of the area’s existing parks, recreation facilities and the community’s preferences for facilities and programs. Modify facilities and programs as needed.
- Integrate recreation facilities/open space into design of large-scale residential developments to provide neighborhood parks, activity areas, focal points, and green spaces.
- Consider multi-purpose courts and fields to meet existing and future needs.
- Consider the establishment of a new community park to provide for future recreation needs. Consider potential sites near the Kernersville Road/I-74 Beltway Activity Center where there are no existing parks. The site should be easily accessible from a main road, designed to serve also as a neighborhood park and connected to a proposed greenway trail, where possible.
- Consider the expansion of Salem Lake Park by the addition of suitable land as it becomes available off New Greensboro Road and Linville Road.
- Complete projects for recreation facilities improvements listed in the 2014 bond package:
 - Sedge Garden Recreation Center – Water spray ground, restrooms, and gymnasium addition to existing structure.
- Complete proposed improvements to Salem Lake Park as proposed in the 2012-2013 Salem Lake Master Plan:
 - Phase I of the project would consist of an updated and new playground, renovating and expanding lakefront activities (fishing, walking trails, and picnic shelter), a new multifunctional marina center, new restroom facilities, water spray ground and parking.

TREES AND OPEN SPACE

The planning area not only contains older neighborhoods and commercial areas, but also has some large acreage tracts either undeveloped or used for agriculture purposes. Many trees are found in these open areas and throughout the whole of the Southeast Suburban Planning Area. These trees add aesthetic and financial value and have a positive environmental impact. Permanent open space is proposed for sites that have significant environmental constraints, streams, floodplains, and/or steep slopes, making them unsuitable for development. These sites are owned by the City, County, and the State of North Carolina. Recommendations in the planning area include:

- Protect the planning area’s tree canopy as much as possible.
- Retain existing large trees on private property whenever possible.
- Identify additional areas for planting street trees on public right-of-way.
- Explore opportunities to plant street trees in the area on an upcoming Community Roots Day.

GREENWAYS

The *Greenway Plan Update* shows four future greenways within the plan boundaries. Fiddlers Creek, Salem Lake Trail North, and South Muddy Fork Creek are proposed greenways, designated as Tier 4 or long range priority projects with construction not likely to begin for at least fifteen years or more. The Piedmont Regional Greenway Trail is currently in the preliminary design stage and construction will begin in late 2017 to early 2018. The trail will connect the Salem Lake Trail to Hastings Hill Road. The greenway recommendations for the planning area are:

- Work with area residents and the development community to obtain necessary easements for the construction of the Fiddlers Creek Greenway and the South Fork Muddy Creek Greenway. Easements should be a minimum of 40 feet in width.
- Construct the Piedmont Regional Trail.
- Complete a feasibility study of the Fiddlers Creek Greenway to determine potential construction limitations, a proposed route, and possible neighborhood connections.
- Work with the surrounding neighborhood on potential connectors to the Salem Lake and Piedmont Regional Trails. Connectors can be in the form of either greenway or sidewalk.
- Complete improvements to Salem Lake Greenway.

***HOUSING AND COMMUNITY DEVELOPMENT RECOMMENDATIONS**

Legacy 2030 recommends that neighborhoods offer a variety of quality housing types for different income levels, family sizes and types that reduce the segregation of neighborhoods by race, age, and income. Affordable housing should be promoted throughout Forsyth County by providing incentives, using cost-effective site design, and permitting accessory dwellings and congregate-care facilities.

GENERAL RECOMMENDATIONS

- Maintain and improve the quality of housing stock in the area by promoting home ownership, supporting rehabilitation of existing homes, and through code enforcement.
- Develop a variety of housing types for different income levels, family sizes, and personal preferences.
- Promote the Neighborhood Improvement Plan to educate residents and newcomers about the City's regulations related to zoning, sanitation ordinances, and minimum housing code, and encourage neighborhood associations to participate.
- Incorporate traditional neighborhood design principles in proposed new neighborhood developments, where feasible. This could include a mixture of housing types, well-designed neighborhood-serving commercial areas, and incorporating walkability and connectivity in neighborhoods.
- Encourage the design of neighborhoods to allow residents to age in place.
- Integrate new developments with existing neighborhoods through careful planning, site design and compatible architecture.
- Install sidewalks and/or traffic calming measures, where feasible, to make neighborhoods more pedestrian friendly and safe.
- Encourage the establishment of neighborhood associations where they do not exist to facilitate citizen involvement in neighborhood issues.
- Plan, locate and design shopping areas, community facilities, parks and open space to make them easily accessible to neighborhood residents.
- Improve connectivity of neighborhood streets to improve accessibility within and between neighborhoods.

AFFORDABLE HOUSING

- Encourage for-profit developers and nonprofit developers to build affordable housing for different income levels in the planning area.
- Ensure that new affordable housing units are compatible with the existing character of older neighborhoods.
- Use existing programs or develop new ones to assist community development and nonprofit housing organizations in providing affordable housing opportunities.

REHABILITATION AND REDEVELOPMENT EFFORTS

- Market the City's programs for rehabilitation of owner-occupied or investor-owned housing units in the planning area as well as first-time homebuyers programs.
- Market/promote the tax credit rehab programs available to National Register properties for building rehabilitation.
- Concentrate code enforcement and promotion of conservation/rehabilitation programs in areas in danger of becoming blighted.
- Ensure that redeveloped housing is compatible with the existing character of the neighborhoods.
- Encourage investor-owners and renters to participate in neighborhood organization membership and activities.
- Work with investor-owners to improve maintenance and management of rental properties, where needed.

Transforming Urban Residential Neighborhoods (TURN)

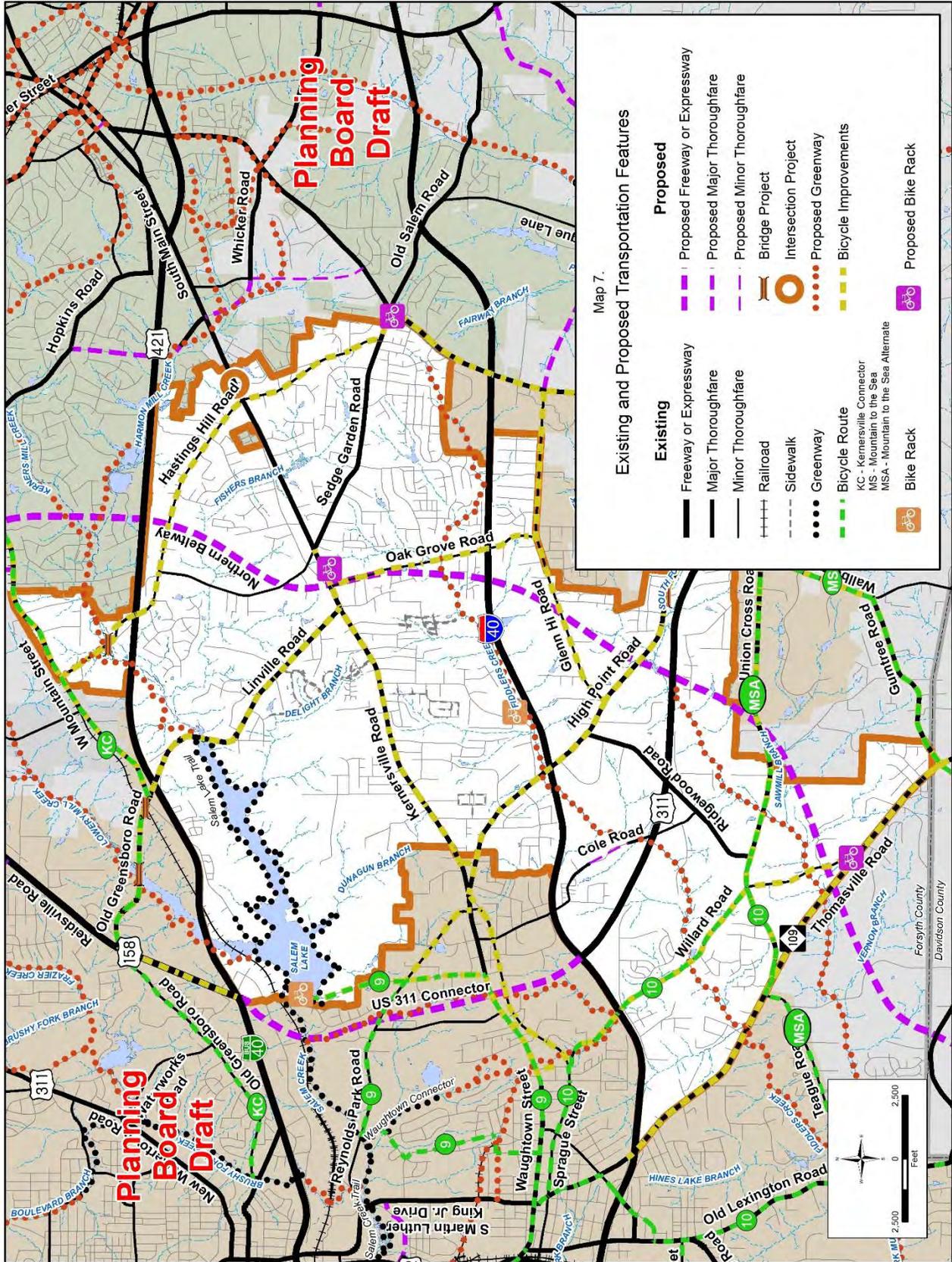
One of the strategies under the City Council's Strategic Focus Area for Livable Neighborhoods is the development of a program for targeted residential transformation. This project would provide additional financial assistance to rehabilitate single-family, owner-occupied or investor-owned properties. Under this program, residential properties must be located in the targeted focus area within the NRSA (Neighborhood Revitalization Strategy Area), have an active Neighborhood Association currently listed with the City, and leverage private dollars.

***DESIGN AND APPEARANCE RECOMMENDATIONS**

The creation of attractive gateways, business districts and corridors through the use of regulations or physical improvements is recommended by *Legacy 2030*. Design and appearance improvements create a positive visual image and encourage private investment in an area. The appearance and design of buildings and roadways within the planning area contribute greatly to the image residents and outsiders have of the community. Many of the recommendations of this plan have design components that emphasize quality and attractive design.

GENERAL RECOMMENDATIONS

- Encourage rehabilitation/redevelopment of older and underutilized commercial sites in the planning area with building façade improvements, street yards and buffer yard plantings, and parking area improvements.
- Encourage a mix of restaurants, outdoor cafes, small stores, and services at a pedestrian scale that meet the needs of all residents of the area.
- Encourage residents and neighborhood associations to participate in the different programs offered by Keep Winston-Salem Beautiful to improve the appearance of the planning area: Adopt-A-Flower Bed; Adopt-A-Stream; Adopt-A-Park; or Adopt-A-Street.
- Encourage high-quality design for new development throughout the planning area.
- Ensure that attractive landscaping is integrated into the design of new roads or the improvement of existing roads.
- Ensure that housing, sanitation, and weeded lot ordinances are strictly enforced in the planning area to eliminate blighted and burned down structures and maintain vacant lots.
- Develop a planting program that includes street trees throughout the planning area and street yards in commercial districts. Identify areas in need of screening and areas needing buffers adjacent to residential areas.
- Refer to the design Guidelines for Suburban Business Parks, as detailed in **Appendix G** on **page 58**, when reviewing zoning request and site plans within the planning area.
- Refer to the Design Guidelines for Multifamily Developments, as detailed in **Appendix B** on **page 51**, when reviewing zoning request and site plans within the planning area.
- Refer to the design Guidelines for the Conversion of Existing Homes to Office or Commercial Uses, as detailed in **Appendix C** on **page 52**, when reviewing zoning request and site plans within the planning area.
- Refer to the design Guidelines for Office/Low-Intensity Commercial Developments, as detailed in **Appendix F** on **page 57**, when reviewing zoning request and site plans within the planning area.
- Promote the use of art that reflects local cultures in public spaces such as parks, recreation centers, and other public areas where residents gather.
- Explore the use of zoning overlay districts to ensure good site planning, sensitive design, and to promote continuity in the design of growth corridors.
- Develop minimal and simple guidelines in growth corridors to preserve design flexibility and creativity in making a suburban, pedestrian-oriented environment.
- Develop growth corridors master plans for improvements taking into account the unique character of each corridor, or for different segments of the same growth corridor. This basis for such master plans will be the guidelines for the growth corridor identified in this plan.



LEGACY GROWTH CORRIDORS

While this plan’s land use recommendations help define the *types* of uses in an area (residential, commercial, industrial, etc.), growth corridor recommendations help to define the *forms* those uses should take:

- Suburban form growth corridors generally include parking located in the front of buildings and generous landscaping.
- Rural form growth corridors should be less dense than suburban form corridors with buildings and parking set back from the road corridor to preserve rural visual character.

By their nature of passing through multiple settings, each of the Southeast Suburban Planning Area’s growth corridors—Kernersville Road and NC 109/Thomasville Road (**Maps 5 and 6, or pages 30 and 32** respectively) – have multiple distinct location-based recommendations:

GENERAL RECOMMENDATIONS

- Explore the use of zoning overlay districts to ensure good site planning, sensitive design, and to promote continuity in the design of corridors.
- Develop minimal and simple standards to preserve design flexibility and creativity in making an urban, pedestrian-oriented environment.
- Develop corridor master plans for improvements taking into account the unique character of each corridor. The basis for such master plans will be the design standards for the growth corridor identified in this plan.

Kernersville Road (NC 150) Growth Corridor Guidelines

- Develop new commercial, office, and multifamily uses with a suburban form (see guidelines below) between Linville Road and Sedge Garden Road.

Suburban Form – Commercial, Office, Multifamily Guidelines: Kernersville Road (NC 150) between Linville Road and Sedge Garden Road

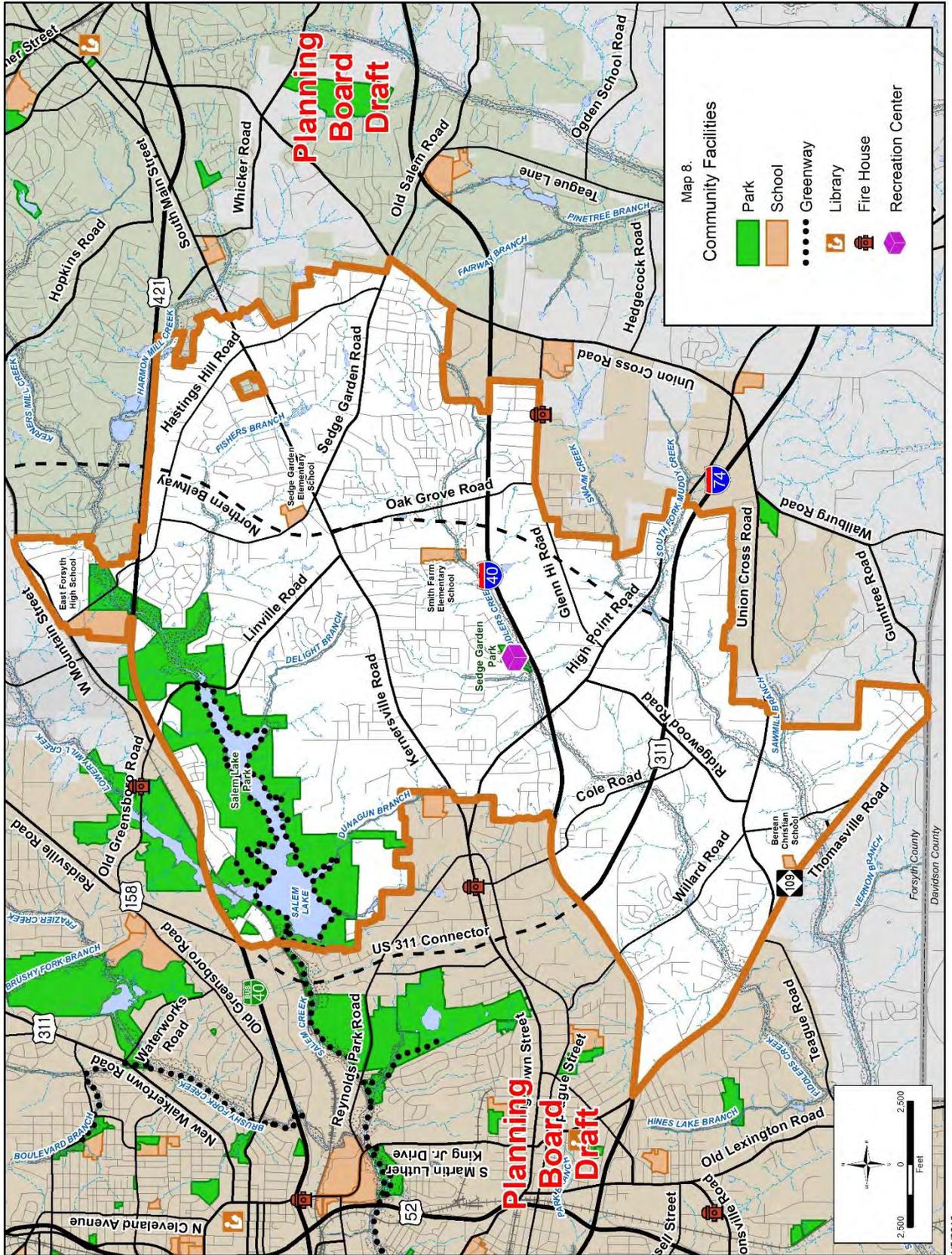
- **Height:** Buildings should generally be no more than 4 stories in height on larger sites; 1 to 2 stories on smaller sites.
- **Building Setback:** Buildings may be located a reasonable distance behind required street yards.
- **Building Style:** When abutting low-density residential uses, commercial or office buildings 4,000 square feet or less should follow the Guidelines for Conversion of Existing Homes to Office or Commercial Use (**Appendix C on page 52**).
- **Canopies:** Canopies for gas stations or similar uses should not be located immediately adjacent to Kernersville Road.
- **Multifamily:** Develop multifamily sites in a manner that preserves the integrity of any directly adjacent low-density residential development.
- **Driveways:** Minimize driveway cuts on Kernersville Road and connect adjacent parcels wherever possible.

Thomasville Road (NC 109) Growth Corridor Guidelines

- Develop new commercial, office, and multifamily uses with a suburban form (see guidelines below) between Baden Road and Interstate 40; and between Willard Road and the Davidson County line.
- Develop uses with a large-lot rural residential form (see guidelines below) between Willard Road and Baden Road.

Suburban Form – Commercial, Office, Multifamily Guidelines: Thomasville Road (NC 109) between Baden Road and Interstate 40 and between Willard Road and the Davidson County line

- **Height:** Buildings should generally be no more than 4 stories in height on larger sites; 1 to 2 stories on smaller sites.
- **Building Setback:** Buildings may be located a reasonable distance behind required street yards.
- **Building Style:** When abutting low-density residential uses, commercial or office buildings 4,000 square feet or less should follow the Guidelines for Conversion of Existing Homes to Office or Commercial Use (**Appendix C on page 52**).



- **Canopies:** Canopies for gas stations or similar uses should not be located immediately adjacent to Thomasville Road.
- **Multifamily:** Develop multifamily sites in a manner that preserves the integrity of any directly adjacent low-density residential development.
- **Driveways:** Minimize driveway cuts on Thomasville Road and connect adjacent parcels wherever possible.

Rural Form – Large Lot Residential Guidelines: Thomasville Road (NC 109) between Baden Road and Willard Road

- **Building Setback:** Buildings should be located 50 feet or more from Thomasville Road to preserve rural character.
- Parking should be screened from Thomasville Road to preserve rural corridor appearance.

***HISTORIC PRESERVATION RECOMMENDATIONS**

Legacy 2030 promotes historic preservation because of its contribution to the aesthetic, social, historical, cultural and environmental quality of neighborhoods as well as its contribution to a community's economic development. Significant historic resources have been identified in the planning area as indicated in initial surveys (see **Map 9** on **page 47** and **Appendix A** on **page 50**). The following are recommendations to ensure that the potential of these resources are fully explored and that the community takes steps to preserve its historic assets:

- Retain historic buildings including houses, commercial storefronts, agricultural buildings, and institutional structures, when possible.
- Recognize buildings, events, and areas of historical, cultural, and architectural significance with signs, plaques, or markers.
- Initiate public outreach programs involving property owners and community organizations on the importance and economic benefits of preserving historic resources. Examples of potential workshops include:
 - How and why to nominate a structure or site to the National Register of Historic Places.
 - Issue-related topics such as how to maintain an older or historic building.
- Encourage property owners to research and recognize the history and significance of their properties and the area in which they live.
- Use the Forsyth County Agriculture and Historic Preservation Tools included in **Appendix E** on **page 55**.
- Encourage property owners to research and recognize the history and significance of their properties and the area in which they live.
- Specific historic preservation recommendations for the planning area are:
 - Encourage property owners to seek National Register and Local Historic Landmark designation for eligible properties or districts.
 - Encourage property owners to apply for Historic Markers for significant sites.
 - Coordinate with organizations such as the Piedmont Land Conservancy to preserve not only the architectural elements, but also significant farm and open land.

***ECONOMIC DEVELOPMENT RECOMMENDATIONS**

Economic development can be defined as the creation and/or retention of jobs and increases in the tax base that improve or enhance the economic welfare of a community and its citizens. *Legacy 2030's* goal for economic development is to attract environmentally-sensitive new businesses and expand both large and small businesses to provide a broad range of employment opportunities and a high quality of life for people living and working in Forsyth County. Economic development efforts should be compatible with existing development and should include improvements to existing facilities as well as new businesses. Areas recommended for future commercial and industrial use are shown on the Proposed Land Use Map (see **Map 5** on **page 30**).

The planning area is likely to see an increase in economic activity during the life of this plan update. The Northern Beltway Eastern Section, when constructed, will improve access to the planning area and will impact economic development in the Planning Area and neighboring areas. Future improvements to Union Cross Road will also impact residents in the planning area. In the interim economic development should focus on the redevelopment, rehabilitation

and reuse of underutilized and older commercial development and infilling of existing industrial parks in the planning area and neighboring areas. Specific economic development recommendations for the planning area are:

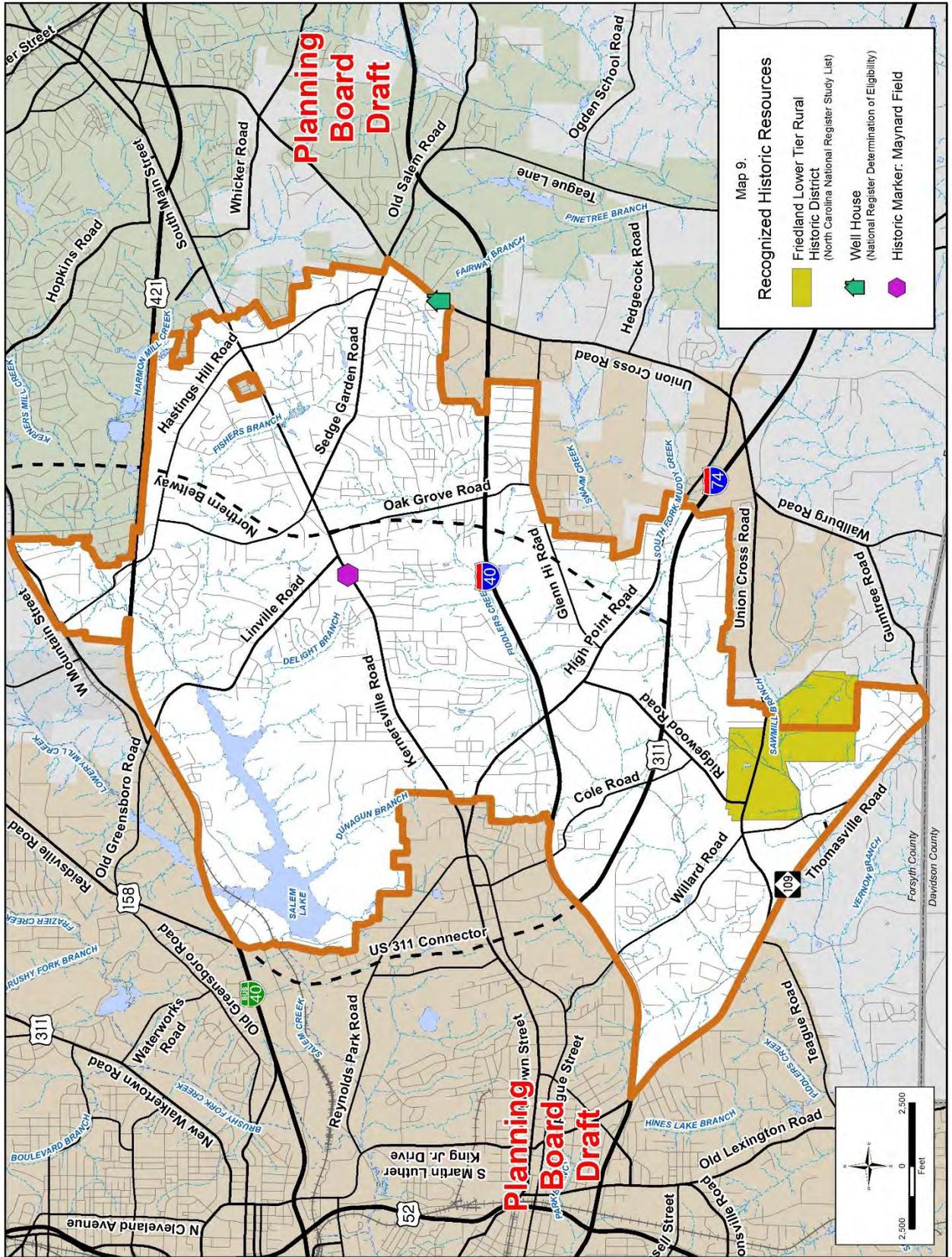
- Support balanced, compatible economic development by the private and public sector.
- Encourage technologically-advanced, high-quality, environmentally-sustainable businesses and industries to locate or expand in the planning area.
- Rezone land for business/industrial development in a manner consistent with the recommended Proposed Land Use Plan.
- Encourage and support the redevelopment/rehabilitation of existing older/underutilized commercial and industrial sites.
- Identify funding sources to implement economic development initiatives including energy-efficient, high-technology businesses/industries.
- Direct public improvements and funding to designated activity centers, industrial sites and to other potential economic development opportunity areas identified in the plan.
- Recognize and support business opportunities associated with the growing diversity of cultures in the area.
- Market and hold workshops to promote City business training and building rehabilitation loan programs for the purchase or rehabilitation of structures to local/potential merchants particularly in the designated activity centers.
- Promote and encourage agribusiness on the farmlands located throughout the planning area.
- Explore and encourage economic development opportunities associated with local foods and urban agriculture.

***ENVIRONMENTAL RECOMMENDATIONS**

The preservation and enhancement of our environmental resources results in a high quality of life for Forsyth County residents. *Legacy 2030* calls for the protection of watersheds, wetlands, natural areas and streams throughout the county. Clean water, air, and the scenic beauty of the planning area should be maintained. Of particular concern is the loss of the tree canopy in the area and the need to protect the county's many creeks from pollution and its floodplains from inappropriate development.

GENERAL RECOMMENDATIONS

- Manage development pressures to preserve environmentally-sensitive areas, forested areas, wildlife habitats, and scenic areas.
- Encourage the donation of easements to preserve and protect high-quality natural and scenic areas.
- Encourage land owners to use Best Management Practices for stormwater protection.
- Encourage sustainable development of land and buildings.
- Improve or preserve the water quality of the creeks by protecting the natural stream corridors.
- Support organizations and programs that educate residents on environmental issues.
- Support the Voluntary Agriculture District provisions adopted by Forsyth County that identify farms and farmers who want to keep their land in agriculture.
- Carefully evaluate potential sites for development and redevelopment that may have been affected by environmental contamination in the planning area. This would be particularly appropriate for residential, institutional, and public gathering uses on sites near current and former heavy industrial or commercial operations with documented environmental hazards.



Implementation Schedule

Note: The recommendations of this plan serve as a guide to future action and decision making and are not a commitment to funding. Funding for specific projects/actions will be allocated by the Winston-Salem City Council or Forsyth County Commissioners based on the availability of funding and consideration of priorities.

***Timing: Immediate: 1 to 2 years, Short Range: 3 to 5 years, Medium Range: 6 to 10 years, Long Range: 10 years or more, Ongoing: No established completion date**

ACTION/PROJECT	RESPONSIBLE AGENCY	TIMING*
Land Use Recommendations		
Follow Proposed Land Use Plan, land use policies, and Special Land Use Condition Areas (pages 25-36). Ensure that future land use changes do not negatively affect new and existing neighborhoods.	CCPB, WSCC	Ongoing
Transportation Recommendations		
New Roads		
Build proposed new roads in the Transportation Plan: - Northern Beltway (Eastern Section) (page 36). - Thomasville Road (page 36).	WSDOT	Long Range
Road and Bridge Improvements		
Upgrade road, remove interchange, and/or replace bridges - Union Cross Road widening (page 36). - Gumtree Road improvements (page 36).	WSDOT	Short Range
Pedestrian		
Review identified sidewalk projects under the City’s sidewalk priority funding system (page 37).	WSDOT	Assessed Annually
Construct sidewalks within residential areas and along designated thoroughfares and collector streets (page 37).	Private Developers in conjunction with WSDOT	Ongoing
Bicycle		
Improve bicycle signage along all existing routes (page 38).	WSDOT	Ongoing
Growth Corridors		
Improve all identified growth corridors by adding pedestrian and bicycle facilities, making landscape improvements, and reducing lanes where feasible (page 38).	WSDOT	Ongoing
Develop activity centers along growth corridors as transit-oriented, high-density, mixed-use nodes (page 38).	CCPB, WSCC, WSDOT	Ongoing
Community Facilities Recommendations		
Parks		
Complete proposed improvements to Salem Lake Park (page 39).	WSRP	Short Range
Complete proposed improvements for Sedge Garden Rec. Center (page 39).	WSRP	Short Range
Greenways		
Complete Piedmont Regional Trail (page 39).	WSENG, PLC	Immediate
Work with area residents and the development community to obtain necessary easements for the construction of the Fiddlers Creek and South Fork Muddy Creek Greenways (page 39).	WSENG	Short Range
Complete improvements to Salem Lake Greenway (page 40).	WSENG	Short Range
Housing and Community Development Recommendations		
Maintain and improve the quality of housing stock in the planning area (page 40).	CBD, Neighborhood Associations, Property Owners	Ongoing/ Immediate

C-5. DRAFT

Market the City's programs for rehabilitation and homeownership (page 40).	CBD	Ongoing/ Immediate
Implement the TURN (Transforming Urban Residential Neighborhoods) program where feasible (page 41).	CBD	Immediate
Design and Appearance Recommendations		
Encourage site and building improvements in older and underutilized commercial sites (page 41).	CBD, CCPB, WSCC	Ongoing
Ensure that attractive landscaping is integrated into the design of new roads or the improvement of existing roads (page 41).	WSDOT, CCPB, WSCC	Ongoing
Refer to the area plan design guidelines when reviewing zoning requests and site plans in the Planning Area (page 41).	CCPB, WSCC	Ongoing
Promote the use of art that reflects local cultures in public spaces such as parks, recreation centers, and other public spaces where residents gather (page 41).	WSCC	Ongoing
Explore the use of zoning overlay districts to ensure good site planning, sensitive design, and to promote continuity in the design of growth corridors (page 41).	CCPB, WSCC	Ongoing
Develop growth corridor master plans for improvements taking into account the unique character of each corridor, or for different segments of the same growth corridor (page 43 – 45).	CCPB, WSCC	Long Range
Historic Preservation Recommendations		
Retain existing historic resources (page 45).	CCPB, Property Owners	Ongoing
Recognize buildings, events or areas of historical, cultural or architectural significance with signage, plaques or markers (page 45).	CCPB, HRC	Ongoing
Initiate public outreach on the benefits of preserving historic resources (page 45).	CCPB, HRC	Ongoing
Encourage property owners to seek National Register and Local Historic Landmark designation for eligible properties (page 45).	CCPB, HRC	Ongoing
Economic Development Recommendations		
Support balanced, compatible economic development by the private and public sector in the Planning Area (page 46).	CBD, CCPB, WSCC	Ongoing
Encourage and support the redevelopment/rehabilitation of older/underutilized commercial sites (page 46).	CBD, CCPB, WSCC	Ongoing
Continue the improvement of RUCA areas as City funds become available (page 46).	WSCC, CBD	Ongoing
Environmental Recommendations		
Manage development pressures to preserve environmentally-sensitive areas, forested areas, wildlife habitats, agricultural lands and scenic areas (page 46).	WSRP, CCPB, WSCC	Ongoing
Encourage the donation of easements to preserve and protect high-quality natural and scenic areas (page 46).	PLC, CCPB, WSCC	Ongoing
Carefully evaluate potential sites for development and redevelopment that may have been affected by environmental contamination in the planning area (page 46).	NCDENR, Nonprofit and For-profit Developers	Ongoing

Abbreviations Used:			
CBD	Winston-Salem Community and Business Development Department	WSCC	Winston-Salem City Council
CCPB	City-County Planning Board	WSDOT	Winston-Salem Department of Transportation
HRC	Winston-Salem/Forsyth County Historic Resources Commission	WSENG	Winston-Salem Engineering Department
NCDENR	North Carolina Department of Environment and Natural Resources	WSRP	Winston-Salem Recreation and Parks Department
PLC	Piedmont Land Conservancy		

Appendix A. Significant Historic Resources

Name	General Location	Date	Survey Site Number
North Carolina National Register Study List:			
Friedland Lower Tier Rural Historic District [SL]	Union Cross Road between Sawmill Road and Willard Road		FY03172
Individually Listed Properties:			
Well House [DOE]	1462 Union Cross Road	ca. 1850	FY03410
Historic Markers:			
Maynard Field	Kernersville Road		

Abbreviations:

DOE: National Register Determination of Eligibility

SL: North Carolina National Register Study List

Appendix B. Design Guidelines for Multifamily Developments

MULTIFAMILY DEVELOPMENT DESIGN

Multifamily developments are and will continue to be an important component of the community's housing stock. Additionally, well-designed, multifamily housing can add to the character of a neighborhood, increase pedestrian activity, reduce automobile trips, and support transit.

To create multifamily developments that are better integrated into the community and that support and encourage walking, the following design features should be incorporated into new multifamily developments, where feasible:

- A connected street network
- Buildings oriented to the street and with entrances on the street
- Building façade articulation
- Architecture that is compatible with the surrounding context
- Reduced building height and mass where multifamily buildings are adjacent to single-family development
- The use of small parking areas instead of large surface parking lots
- Parking lots placed to the side or rear of buildings so they do not dominate the streetscape
- The use of street and parking area trees and other landscaping
- Parking lots that are well lit and visible from windows and doorways to help increase their safety and discourage crime
- The use of on-street parallel or angled parking where appropriate
- A sidewalk and/or pedestrian and bicycle trail network
- Open space that is accessible, safe, and functional
- Private outdoor space (e.g., courtyards or decks)
- Garages located to the rear of the building, along an alley, or recessed from the front

Appendix C. Guidelines for Conversion of Existing Homes to Office or Commercial Uses

BUILDING INTEGRITY

- The exterior appearance of existing single-family homes should be kept as intact as possible, if an existing building is being converted to office use, to continue the residential character of the street.
- New residentially-scaled office buildings should be no larger than 4,000 square feet in size.
- Keep porches on existing buildings open. If enclosure is necessary, transparent materials, such as glass or screening, should be installed behind the original railing and/or columns.
- Design handicapped features so there is minimal visual impact on the existing structure.
- Locate exterior stairs to the side or the rear of existing or new structures.
- Locate mechanical equipment to the side or the rear of existing or new structures.
- Locate trash containers and metal outbuildings in the rear yard of existing or new structures, screen from adjacent properties.

PARKING

- New parking areas should be designed to have a minimal impact on the existing environment and have a neighborhood character.
- Locate new parking areas to the side or rear of buildings.
- Screen parking areas from public view.
- Retain existing vegetation, such as mature trees, and incorporate them into the parking lot design.
- Share driveways, whenever practical, to minimize curb cuts.
- Include cross-access easements to adjacent properties, where possible.

ACCESS

- Entrances and steps of existing buildings serve as an important first view of the property and should be preserved as they were originally built.
- Maintain the main entrance to existing and new buildings as the street frontage.

SIGNAGE

- Signs have a strong impact in the quality and appearance of individual buildings and on the streetscape as a whole. Compatibility with the building architecture and context is important.
- If a sign is located on an existing residential building or a new residential-scaled building, it should be a small identification panel at the entrance.

LIGHTING

- Soft, indirect lighting is recommended. Lighting should not cast direct light upon adjacent property.

LANDSCAPING

- Landscaping should be used to buffer office uses from existing residential development.
- Landscaped areas should be properly maintained.

Appendix D. Guidelines for Activity Centers

The following recommended guidelines for activity centers draw from the adopted *Legacy 2030 Update*.

Mix of Uses: A mix of uses is key to achieving a “village or town center” feel at activity centers. All Activity Centers should generally provide retail, office, residential, and institutional uses linked by a highly connected pattern of streets, sidewalks, and shared open spaces.

Residential Uses: A variety of housing types including single-family detached, town homes, multifamily units, and accessory dwellings should be created to encourage diversity and a range of affordable housing. The residential density and type should reflect the level and intensity of the activity center.

Building Placement, Scale and Design: For activity centers, building heights should be greatest near the center of these developments and transition to lower heights outward toward the edge of the development. Buildings at the edge should be comparable in height and massing to the adjacent and nearby properties as well as the surrounding neighborhood.

The ground level of commercial buildings should contain public or semi-public uses such as retail or entertainment uses with direct entry from the street to provide pedestrian interest along sidewalks. Pedestrian interest can be enhanced with the use of windows, entrances, and architectural details. Pedestrian signage, awnings, and ornamentation are encouraged. At least 50% of the frontage walls of commercial buildings should be comprised of windows or doors. Storefront windows should be transparent. Mirrored glass, faux windows or display casements are strongly discouraged.

Suggested Building Heights:

- 1 - 4 stories
- Building Height to Street Width Ratios: 1:1 to 1:6

Pedestrians, Bicyclists, and Transit Users: Activity centers should be designed for the pedestrian as well as the automobile. A network of sidewalks, pedestrian-oriented streets with designated street crossings, pathways and shared bicycle paths should provide direct pedestrian and bicycle routes and convenience.

Street Design: Streets, along with sidewalks and open spaces, should be designed as the main public spaces of activity centers. Activity centers should have interconnected streets that disperse traffic and connect the activity center with surrounding development.

Streets within the development should have a design speed of 25 mph. Parallel on-street parking should be provided on most streets to reduce the need for parking lots and act as a buffer between automobiles and pedestrians. Planted medians are encouraged on multilane roads to provide additional tree canopy and reduce the visual height-to-width ratio of the overall streetscape.

Automobile Parking: Streets and sidewalks lined with buildings rather than parking lots are more inviting and feel safer to the pedestrian. Surface parking lots should not dominate street frontages or negatively impact surrounding developments. A minimum of 40% of required parking should be located to the rear or side of buildings. Parking to the side of buildings should not occupy more than 30% of the frontage of the building.

Parking lots along the street should be screened from the adjacent street and sidewalk by landscaping, walls, or fences. Large parking lots should be divided into several smaller parking areas using landscaping or other means. Parking lots should clearly define safe pedestrian passage to building entrances and the street.

Shared parking is strongly encouraged between adjacent or vertically mixed uses whose peak demand is offset from each other. An example is a church next to an office building.

Open Space: Urban open space should be located where it is visible and easily accessible from public areas and should have direct access from adjacent streets. The space should be visible to people passing by on nearby sidewalks and may be

visible from adjacent streets but not wholly exposed to them. Urban open space should be partially enclosed using building walls, free-standing walls, landscaping, raised planters, or on-street parking to help buffer it and create a comfortable "outdoor room."

Sensitive Site Development: Sites for activity centers should be designed with the preservation of natural features in mind. Building sites within a development should avoid streams, floodplains, wetlands, and steep slopes. Wherever possible, street locations should account for difficult topographical conditions, paralleling contours to avoid excessive cuts and fills. Every attempt should be made to preserve large existing trees, 12 inches in caliper or more.

Appendix E. Forsyth County Agricultural and Historic Preservation Tools

The following is a summary of the zoning districts and other tools for preserving agricultural and historical assets in Forsyth County.

AG Zoning: The Agricultural (AG) District is primarily intended to accommodate agricultural uses as well as scattered non-farm residences on large tracts of land. The district is not intended for small-lot residential subdivisions, and accordingly requires a minimum 40,000 square foot lot size for the development of single-family homes. The district is intended for use in Growth Management Areas 4 (Future Growth Area) and 5 (Rural Area), and is established to preserve the rural character of these areas and encourage the continued use of land for agricultural, forest, and open space purposes. The district is also intended to discourage the establishment of scattered commercial and industrial land uses, prevent premature conversion of farmland into urban uses, and to limit premature public infrastructure and service demands. AG zoning would be an appropriate tool for limiting development intensity and conserving agricultural land in the Southeast Suburban Planning Area. Property owners may initiate rezoning by submitting a rezoning application that would be considered by the Planning Board and elected body.

Voluntary Agricultural District: The Voluntary Agricultural District (VAD) program adopted by the Forsyth County Commissioners in January, 2008 is a tool that helps preserve farmland in an increasingly urbanized county. Landowners receive a set of benefits in exchange for restricting development on their land for a specific time period. Voluntary Agricultural Districts promote agricultural values as well as the agricultural community and its way of life. The Voluntary Agricultural District program also provides increased protection from nuisance suits, encourages the economic and financial health of agriculture, and provides protection from non-farm development and other negative impacts on properly managed farms. Unlike other agricultural and open space preservation tools which protect farmland, Voluntary Agricultural Districts protect farmers by making farming more economically viable and helping to preserve farmland. These farms must participate in the present-use-value taxation program. Further study is necessary to determine the eligibility of farms in the Southeast Suburban Planning Area for this program.

Forsyth County Farmland Preservation Program: The Forsyth County Farmland Preservation program is a voluntary program in which Forsyth County purchases from farmers the rights to develop their land for non-farm purposes, such as subdivisions and shopping centers. The development rights are held in trust assuring that areas with good soils and active farms will remain in agricultural use. The Forsyth County Board of Commissioners created the program in 1984 and the first development rights were purchased in 1987. To date, the program has protected over 1600 acres of farmland; however, it has not been funded in recent years.

Piedmont Land Conservancy Conservation Easements: The Piedmont Land Conservancy (PLC) protects land by working with landowners who choose to conserve their land. The PLC helps landowners determine which conservation option will best meet their objectives for the land and themselves. A conservation easement is a legal agreement through which the landowner gives specific property rights to the PLC. It provides immediate and permanent protection while keeping the land in private ownership. Each conservation easement is tailored to the specific property. A landowner can choose to donate the conservation easement, or sell the conservation easement at or below its appraised value. If a landowner no longer desires to own the property, the PLC can acquire it. In these situations, the PLC must determine if it is desirable to own the subject property.

Local Historic Landmark Designation: Local historic landmark designation applies to individual properties in Forsyth County. This designation recognizes the importance of a property to the heritage and character of the community and that its protection enriches the community's residents.

Local landmark properties can be of several different types:

- Buildings: Houses, churches, office buildings, schools, barns.
- Structures: Roads, bridges, fences, silos, kilns, gazebos.

- Sites: Cemeteries, building ruins, natural features, designed landscapes.
- Areas: One or more buildings on a large property, plus a surrounding area.
- Objects: Signs, monuments, sculptures, fountains, mileposts.

Once a property has been designated as a historic landmark, the ordinance designating the property provides controls on the appearance of the designated property and new construction on the property. In addition, the property owner may apply to the Forsyth County Tax Office for a 50% property tax deferral, which runs with the property in perpetuity (unless designation is revoked).

Local Historic Districts: Local Historic District designation is a zoning classification that applies to a group of contiguous properties. The area must have a concentration of properties that are historically, visually, or culturally related by plan or physical development. A District can include different types of historic properties, but collectively, they must form a unified body with its own identity. Together the properties must convey a physical sense of the historical environment. Examples of Historic Districts include residential areas, business districts, industrial complexes, rural villages, rural landscapes, and college campuses. Once an area has been designated as a Historic District, the zoning ordinance provides controls on the appearance of existing buildings/property and new construction within the districts through the Certificate of Appropriateness process. In North Carolina, Historic Districts can be established in one of two ways:

Historic Overlay District: This type of district does not replace or change the underlying zoning classification. Rather, it superimposes the Historic District over the existing zoning. This is the most common type of district found in the state. In 1993, West End, located in Winston-Salem, became the community's first Historic Overlay (HO) District.

Separate Use Historic District: A Separate Use Historic District is an entirely separate zoning classification, with its own permitted uses, dimensional requirements, and other zoning regulations. This type of District is rarely found. Forsyth County has the only two such districts in North Carolina. Old Salem and Bethabara are the two Separate Use Historic Districts. Their classification is listed as "H" zoning in Winston-Salem/Forsyth County *Unified Development Ordinance* (UDO).

National Register of Historic Places: The National Register of Historic Places is a list maintained by the National Park Service of buildings, structures, sites, objects, and districts that are significant in American history, architecture, archaeology, engineering, and culture, and that meet criteria for evaluation. National Register listing puts no obligation or restriction on private property owners using private resources to maintain or alter their properties. A private owner of a National Register property is obligated to follow federal preservation guidelines only if federal funding or licensing is used in work on the property, or if the owner seeks and receives a special benefit that comes from National Register designation, such as investment tax credits.

Appendix F. Guidelines for Office/Low-Intensity Commercial Developments

Building Placement: New buildings shall front the main road to create a continuity of building facades along the corridor. The main entrances to all buildings shall be at the street frontage.

Building Scale and Proportion: New structures shall take on the proportions, rhythm, scale, and visual integrity of existing structures. This does not imply a direct copy of existing structures. It does refer to the use of existing patterns in the built environment.

Building Materials: Preferred materials brick and wood. Building materials, such as artificial brick or stone, artificial siding, exposed and/or painted concrete blocks or cinder blocks, and plate glass walls, are not recommended.

Facades: The facade shall enhance the pedestrian environment by use of features such as porches, columns, and cornices. Solid walls and blank exterior facades are discouraged.

Canopies and Awnings: These features shall complement the streetscape and other structures in the immediate area. Awnings or other devices may be installed for solar protection and to emphasize the human scale of the ground level spaces.

Color: Earth tone colors are encouraged, and bright colors shall only be used as accents to overall building.

Outside Storage: Outside storage shall be permitted only if screened from view from the main road. The outside storage shall not occupy an area larger than one-half of the area covered by the principal use.

Loading/Unloading and Garage Bays: All loading areas and entrances to motor vehicle repair bays shall be screened from public view from the main road.

Off-Street Parking: Parking shall be located only in the side or rear yards with exceptions noted for each segment. On corner lots, parking on the street side corner of the lot shall be avoided. New parking lots shall be designed to minimize their effects on the existing streetscape. Areas of circulation and parking need to be clearly defined using appropriate markings and materials. Large expanses of paving shall be divided into smaller components with interior planting areas.

On-Site Utilities: All public utilities and related facilities, heating, ventilation and air conditioning (HVAC) units, including on ground and rooftop mechanical systems, and dumpsters, shall be so located and/or shielded so as to not be visible from the public right-of-way.

Site Amenities: Include site furnishings such as bollards, seating, trash containers, tree grates, special features, fencing and any special lighting to enhance pedestrian areas.

Architectural Characteristics: Buildings within this area shall encourage the following additional architectural characteristics:

- Display windows on the street/first level.
- Lighting shall be provided in all display windows.
- The use of cornice canopies, balconies, and arcades to delineate between the ground/street level and upper levels.
- Larger buildings to be broken into smaller scale components at the ground/street level.

Appendix G. Guidelines for Suburban Business Parks

Although efforts continue to revitalize Downtown Winston-Salem and other existing employment centers, many companies still prefer to locate at suburban sites in a campus-like environment. For certain companies, the locational advantages that initially shaped our downtowns are often not as relevant (i.e., railroad access), or substitutes are readily available almost anywhere (i.e., nearby access to financial institutions).

These sites, which are referred to here as *Suburban Business Parks*, can be attractive to companies by offering affordable land, the ability to build a facility conforming to a company's specific needs, nearby access to an interstate or an airport, access to a regional supply of labor, and a campus setting preferred by some employees. Forsyth County needs to provide a sufficient supply of these sites to help attract new companies or to assist local businesses expanding their operations. Suburban Business Parks should be integral components when implementing comprehensive economic development strategies.

Purpose: The purpose of these guidelines is to help create high-quality suburban business parks in a campus-like setting consisting of attractive buildings, significant natural open space, and formal landscaped areas.

Application: These guidelines will be used by the City-County Planning Board and its staff as a means of organizing review of master plans for business parks. The guidelines identify important design elements that should be considered. Because the setting and target market for each business park will be unique, no single formula is ideal for creating an excellent design. Therefore, where design elements of a master plan vary from these guidelines, their appropriateness will be judged on how well they address the overall intent of the guidelines and not on strict adherence to particular elements.

Uses: Appropriate uses in these business parks include warehouses, light manufacturing and assembly, scientific and research laboratories, and corporate offices.

Recommended Overall Site Size: The recommended minimum site size for business parks is 100 acres. This threshold size will focus business park development at a few appropriate locations, allow for coordinated development and sufficient land for a campus-like setting, and provide enough space for the effective use of buffers and preservation of natural areas.

Site Buffers: Site buffers consisting of existing vegetation supplemented by additional plantings and berms should be located along the periphery of the site to provide a visual screen and functional separation from public streets and adjoining residential land. The width of these buffers may vary depending on the physical characteristics of a particular site but in any case should not be less than 50 feet in width.

Access: Access should be on roads of at least minor thoroughfare classification, and streets in the business park should be designed to both allow access from adjacent neighborhoods but not draw traffic through local residential streets. More than one major access point should be provided and connectivity of the internal street system is encouraged.

Common Open Space: A minimum of 20 percent common open space consisting of streams or lakes, floodplains, wetlands, slopes greater than 20 percent, and other open areas should be retained on the site. Common open space should be connected, where possible, to form a ribbon of green throughout the development. In areas where the site buffers are more than 50 feet, the area in excess of 50 feet may be counted as part of the common open space requirement if it is linked to other common open space areas. An existing site resources map should be prepared by the developer as part of the site planning process showing natural and constructed site features to be included as common open space.

Stream/Wetland Protection: Streams and wetland areas should be protected by requiring riparian buffers to the edge of the floodway fringe for FEMA regulated streams and 50 foot buffers from each side of streams and wetlands identified in the Forsyth County soil survey. Exact location and extent of streams and wetlands should be verified during preparation of the site resources map required to identify common open space elements.

C-5. DRAFT

Architectural Design: Architecturally unified materials should be selected and emphasized for each structure and building site. Exposed guideline concrete blocks and prefabricated metal are not recommended but may be acceptable for the sides and rear of buildings if they are screened from view of external property lines and internal roadways. Offices or showrooms should be located at the front of the building and facades facing the street should be articulated to distinguish the building. New developments should explore the use of Leadership in Energy and Environmental Design (LEED) guidelines to increase energy efficiency and reduce long-term building expenses.

Placement of Structures: All structures should be setback a minimum of 100 feet from the external property lines of the site. Employee parking may be located in this setback in the 50 feet closest to the building. Buildings on each building site should face interior streets and be setback a minimum of 60 feet. For large buildings, a larger setback in proportion to their footprint and height is encouraged to contribute to a campus-like setting. Buildings located on the corner of two streets shall be considered to have two front faces. Warehouse buildings should be designed and placed on their lots so that views of loading docks from the street are minimized or prevented.

Storage/Process Areas: Businesses should meet the storage requirements of the "Manufacturing B" use in the *Unified Development Ordinances* which allows operations including storage of materials, processing fabrication or assembly of products and loading and unloading of new materials only within enclosed buildings. Storage trailers or containers should be located in designated areas and screened from public streets or from the exterior of the business park. No outdoor processes should be employed in the operation of any business in the business park as stipulated by the requirements of the "Manufacturing B" use in the *Unified Development Ordinances*. Any waste and recycling receptacles should be located within an enclosed structure.

Operation Impacts: Operations at the business park should not produce dust, smoke, odors, fumes, air or water pollution, noise, gases, or vibrations as required by the requirements of the "Manufacturing B" use in the *Unified Development Ordinances*. The use of hazardous materials or volatile chemicals should be in compliance with all federal, State and local requirements.

Internal Landscaping:

- Create attractive medians at major entrance streets into the park.
- Highlight public access points to buildings.
- Buffer loading and utility areas.
- Break up large parking areas.
- Provide a transition between neighboring sites.
- Compliment building design and materials.
- Provide a transition between parking areas and the office portion of a structure.

Fences: Perimeter and chain-link fencing should be prohibited unless a special need can be demonstrated. In cases where the need is demonstrated, chain-link fencing should be as minimal as possible and its view from public streets or outside the business park should be screened by landscaping or buffering. Where it is necessary to use chain-link fencing, black, green, or earthtone vinyl coated fencing is preferred.

Pedestrian Circulation: A system of greenway trails that are part of the open space component of the Business Park and sidewalks along one side of major streets in the business park are encouraged. At each building site, sidewalks should link visitor parking areas and front yard parking areas to the main building entrance. Sidewalks should also link building sites to greenway trails and any sidewalks along major streets in the business park development.

Parking Areas: Parking areas located to the side or rear of buildings are encouraged. Extensive paved areas should be avoided in favor of smaller multiple lots separated by landscaping and buildings. Parking lots adjacent to and visible from public streets should be screened from view through the use of natural topography and created earthen berms, low screen walls, and changes in elevation, landscaping, or combinations of these design techniques.

Signs: A signage plan showing proposed park identification signs and guidelines for building facade and free standing signs should be provided as part of the master plan for these developments. Park entrance signs should be a monument type not exceeding 12 feet in height and 54 square feet in area.

On-site lighting: All on-site lighting should be designed, located, shielded or deflected so as not to shine into neighboring property or impair the vision of pedestrians or the driver of any vehicle. For parking lots and other outdoor areas, full cutoff lighting that conforms to guidelines defined by the Illuminating Engineering Society of North America should be used. For buildings facades and other lighting surfaces, such as signs, landscaping and fountains, and light fixtures should be full shielded and aimed accordingly as to not project onto neighboring property or skyward.

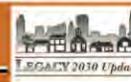
Display Areas: No outdoor display areas should be allowed. All display areas should be located within flex-space or office buildings.

Service Areas: Provision for handling all truck service should be located at the rear or sides of buildings. Loading docks should be located at least 300 feet from adjacent residential areas. Where there is an intervening public street, the setback is reduced to 150 feet. Loading docks located on the side of any building should not be nearer than 50 feet from the front face of the building. Loading docks should be recessed, screened or otherwise designed to be totally buffered from adjacent properties and public roads.

Exterior Mechanical Devices: Air conditioners, heating, cooling, ventilating equipment, pumps and heaters and all other mechanical devices including roof-mounted mechanical equipment should be screened from view from the public right-of-way. All utilities should be placed underground.

Flex-space and multi-tenant uses: Multiuse and "flex-space" buildings designed to accommodate a number of tenants or a single tenant with needs for office, research, assembly and storage space in the same structure are encouraged to attract "start-up" operations and entrepreneurs.

Acknowledgements



City of Winston-Salem

Allen Joines Mayor	Dan Besse Southwest Ward	Jeff MacIntosh Northwest Ward
Vivian H. Burke Mayor Pro Tempore, Northeast Ward	Robert C. Clark West Ward	*Derwin L. Montgomery East Ward
Denise D. Adams North Ward	Molly Leight South Ward	*James Taylor, Jr. Southeast Ward
	Lee Garrity City Manager	

*City Council Representative for portions of the Planning Area

Forsyth County Board of Commissioners

	David R. Plyler Chairman	Donald Martin Vice Chair	
Richard V. Linville	Walter Marshall		Gloria D. Whisenhunt
Ted Kaplan	J. Dudley Watts, Jr. County Manager		Everette Witherspoon

City-County Planning Board

	Arnold G. King Chairman	*Allan Younger Vice Chair	
George Bryan	Tommy Hicks		Paul W. Mullican
Melynda Dunigan	Clarence R. Lambe, Jr.		*Brenda J. Smith
	Darryl Little		

*Planning Board Member for the Planning Area

City-County Planning Staff

	A. Paul Norby, FAICP Director of Planning	
Margaret C. Bessette, AICP Assistant Director	C. Lynn Ruscher, AICP, GISP Principal Planner	Kirk Ericson, AICP Principal Planner
*Byron Brown Project Planner	Amy Crum Project Planner	Kelly Bennett, AICP Project Planner
Michelle McCullough Project Planner	Kevin Edwards, AICP Project Planner	Angie Plummer Graphics Coordinator

*Project Leader

Interdepartmental Committee

Gregory Errett, AICP Transportation Principal Manager <i>(retired)</i> Winston-Salem Department of Transportation	Ravin Gore Transportation Planner Winston-Salem Department of Transportation
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For more information about the
Southeast Suburban Area Plan Update

City-County Planning Board
Telephone: 336-727-8000
Fax: 336-748-3163
Email: planning@cityofws.org
Web site: www.cityofws.org/planning

City Council – Action Request Form

Date: March 1, 2016

To: The City Manager

From: Angela I. Carmon, City Attorney

Council Action Requested:

Adoption of the City Council’s 2016 Legislative Priorities

Summary of Information:

The attached 2016 legislative package for the 2016 Session of the North Carolina General Assembly (“Short Session”) is recommended for your approval. In summary, the package contains a master resolution with several key components including: (i) one new local act relating to the Winston-Salem Police Officers Retirement System; and (ii) an expression of support and in some cases concern regarding legislation that made crossover and that remains eligible for consideration during the Short Session. Finally, the master resolution directs staff to work with and support the advocacy agendas of both the North Carolina Metropolitan Mayors’ Coalition and the North Carolina League of Municipalities provided the same are consistent with the City’s interests and goals.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____

**RESOLUTION ADOPTING THE CITY OF WINSTON-SALEM LEGISLATIVE
PROGRAM FOR THE 2016 LEGISLATIVE SESSION**

WHEREAS, the 2016 Session of the North Carolina General Assembly (“2016 Session”) will convene on Monday, April 25, 2016; and

WHEREAS, the 2016 Session is a short session which requires all new local bills to have the unanimous support of our local delegation; and

WHEREAS, Winston-Salem City Council has identified the need for the enactment of a Local Act amending the Winston-Salem Police Officers’ Retirement System to allow for enhanced retiree member participation on the local retirement commission that oversees said system which Local Act is attached as **Exhibit A** for submission to the Forsyth County Legislative Delegation for its introduction, support and ratification by the General Assembly during its 2016 Session; and

WHEREAS, the Winston-Salem City Council expresses support for several pieces of legislation that made crossover including: (i) HB 613 Clarify Signs on Highway and Roads which would allow cities to enforce provisions regarding the removal of signs on state roads; (ii) HB 548 Zoning Modernize and Reorganization which consists of efforts by the Zoning, Planning and Land Use section of the North Carolina State Bar to update and incorporate court rulings into the zoning statutes and (iii) HB 708 Preservation of Historic/Heritage Trees which details a process by which a local advisory committee would provide information to state agencies regarding the name, location and other significant particulars of historic trees when the state agency proposes a construction project in the local jurisdiction. This bill would require the state agency to consider said information prior to spending state funds or issuing an approval that would affect those areas. Each bill is attached as **Exhibit B**. While the City has pending several pieces of legislation that made crossover including SB 53 Overgrown Vegetation and SB 52

Parking Meters, both local acts were incorporated on the House side into other legislation that was enacted; therefore, it is no longer necessary to pursue the local acts.

WHEREAS, the Winston-Salem City Council expresses concern regarding several pieces of legislation that made crossover including: (i) HB 304/SB 320 Revisions to Outdoor Advertising Laws and (ii) HB 530/SB 442 Local Gov'ts/Inspect Buildings & Structures, both of which made crossover.

WHEREAS, HB 304/SB 320 would overrule all local rules governing existing billboards allowing, amongst other things: (i) the removal of an existing billboard from its current location, regardless of local restrictions, to any other non-residential zone in the city, and (ii) relocated billboards to be enlarged, made taller or converted to digital displays, even if the city's ordinance provides otherwise; and

WHEREAS, HB 304/SB 320 would also the change the calculation of just compensation for a billboard that has been condemned by taking into consideration the future earnings the owner might have received if the billboard had continued in use, which is a special consideration given to no other class of property owners whose property has been condemned; and

WHEREAS, HB 530/SB 442 Local Gov'ts/Inspect Buildings & Structures is part of a continuous effort to roll back the authority of municipalities to conduct rental inspections and rental registration programs making it more and more difficult to effectively address absentee landlords with repeated criminal and housing violations on their properties.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Winston-Salem hereby approves the submission of the Local Act attached hereto and incorporated herein as **Exhibit A** and expresses support for certain legislation while expressing concern other legislation attached hereto and incorporated herein as **Exhibit B**.

BE IT FURTHER RESOLVED that the Winston-Salem City Council recognizes that: (1) the North Carolina Metropolitan Mayors' Coalition adopted its 2015-2016 Advocacy Agenda; and (2) the North Carolina League of Municipalities adopted its 2015-2016 Advocacy Agenda, and that City staff is hereby authorized to work cooperatively with the North Carolina Metropolitan Mayors' Coalition and the North Carolina League of Municipalities on their duly adopted advocacy agenda, provided the issues and goals identified therein are consistent with the municipal interests of the City.

This Resolution shall become effective upon adoption.

EXHIBIT A

AN ACT AMENDING CHAPTER 296 OF THE PUBLIC-LOCAL LAWS OF 1939, THE WINSTON-SALEM EMPLOYEES RETIREMENT FUND TO ENHANCE THE PARTICIPATION OF RETIREE MEMBERS ON THE RETIREMENT COMMISSION.

**AN ACT AMENDING CHAPTER 296 OF THE PUBLIC-LOCAL LAWS OF
1939, THE WINSTON-SALEM EMPLOYEES RETIREMENT FUND TO
ENHANCE THE PARTICIPATION OF RETIREE MEMBERS ON THE
RETIREMENT COMMISSION.**

The General Assembly of North Carolina do enact:

Section 1. Chapter 296 of the Public-Local Laws of 1939, as amended, is hereby amended as follows:

Section 2. The last sentence of section 4 of Chapter 296 of the Public-Local Laws 1939 is hereby rewritten to read as follows:

“If such retirement board or board of trustees is provided for by ordinance, said board shall consist of a member or members of the governing body of the City of Winston-Salem, an employee or employees entitled to participate in said fund, a retiree or retirees participating in said fund and one or more citizens of the State of North Carolina not officially connected with the governing body of any municipality or entitled to participate in the benefits of said fund.”

Section. 3. This Act is effective when it becomes law.

EXHIBIT B
POSITIVE AND PROBLEMATIC LEGISLATION

CITY SUPPORTS:

1. HB 613 Clarify Signs on Highway and Roads;
2. HB 548 Zoning Modernize and Reorganization; and
3. HB 708 Preservation of Historic/Heritage Trees

CITY EXPRESSES CONCERN/OPPOSITON TO:

1. HB 304/SB 320 Revisions to Outdoor Advertising Laws; and
2. HB 530/SB 442 Local Gov'ts/Inspect Buildings & Structures

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

2

HOUSE BILL 613
Senate State and Local Government Committee Substitute Adopted 7/2/15

Short Title: Clarify Signs on Highways and Roads. (Public)

Sponsors:

Referred to:

April 13, 2015

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT A MUNICIPALITY IS AUTHORIZED TO ENFORCE STATE LAW CONCERNING PLACEMENT OF POLITICAL SIGNS ON THE STATE HIGHWAY SYSTEM WITHIN THE CORPORATE LIMITS OF THE MUNICIPALITY AND TO SPECIFY THAT SIGNS ARE NOT TO BE PLACED ON A MEDIAN OR TRAFFIC ISLAND.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-32 reads as rewritten:

§ 136-32. Regulation of signs.

(a) Commercial Signs. – No unauthorized person shall erect or maintain upon any ~~highway-highway, including any median or traffic island,~~ any warning or direction sign, marker, signal or light or imitation of any official sign, marker, signal or light erected under the provisions of G.S. 136-30, except in cases of emergency. No person shall erect or maintain upon any ~~highway-highway, including any median or traffic island,~~ any traffic or highway sign or signal bearing thereon any commercial or political advertising, except as provided in subsections (b) through (e) of this section: Provided, nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of Transportation may remove any signs erected without authority or allowed to remain beyond the deadline established in subsection (b) of this section.

(b) Compliant Political Signs Permitted. – During the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection.

(c) Definition. – For purposes of this section, "political sign" means any sign that advocates for political action. The term does not include a commercial sign.

(d) Sign Placement. – The permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- (1) No sign shall be permitted in the right-of-way of a fully controlled access highway.



- 1 (2) No sign shall be closer than three feet from the edge of the pavement of the
2 road.
- 3 (3) No sign shall obscure motorist visibility at an intersection.
- 4 (4) No sign shall be higher than 42 inches above the edge of the pavement of the
5 road.
- 6 (5) No sign shall be larger than 864 square inches.
- 7 (6) No sign shall obscure or replace another sign.
- 8 (7) No sign shall be placed in any median or on any traffic island.
- 9 (e) Penalties for Unlawful Removal of Signs. – It is a Class 3 misdemeanor for a person
10 to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed under
11 this section.
- 12 (f) Application Within Municipalities. – Pursuant to Article 8 of Chapter 160A of the
13 General Statutes, a city may by ordinance prohibit or regulate the placement of political signs
14 on medians, traffic islands, and rights-of-way of streets located within the corporate limits of a
15 municipality and maintained by the municipality. In the absence of an ordinance prohibiting or
16 regulating the placement of political signs on the medians, traffic islands, and rights-of-way of
17 streets located within a municipality and maintained by the municipality, the provisions of
18 subsections (b) through (e) of this section shall apply. A municipality is authorized to enforce
19 the provisions of subsections (b) through (e) of this section on medians, traffic islands, and
20 rights-of-way of streets located within the corporate limits of a municipality and maintained by
21 the municipality and on the medians, traffic islands, and rights-of-way of those portions of the
22 State Highway System that are located within the municipality. A municipality is authorized to
23 remove any signs that violate the provisions of subsections (b) through (e) of this section."
- 24 **SECTION 2.** This act is effective when it becomes law.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

H

3

**HOUSE BILL 548
Committee Substitute Favorable 4/29/15
Third Edition Engrossed 4/30/15**

Short Title: Zoning/Modernize & Reorganize.

(Public)

Sponsors:

Referred to:

April 2, 2015

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE ZONING MODERNIZATION LEGISLATIVE TASK
FORCE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Establishment. – The North Carolina Zoning Modernization
Legislative Task Force is established.

SECTION 1.(b) Membership. – The Task Force shall be composed of 18 members
as follows:

- (1) Nine members appointed by the Speaker of the House of Representatives as follows:
 - a. Three persons who are members of the House of Representatives at the time of appointment, at least one of whom represents the minority party. The Speaker shall designate one of the members as cochair.
 - b. A member of the Zoning, Planning, & Land Use Section of the North Carolina Bar Association.
 - c. A representative of the North Carolina Home Builders Association.
 - d. A person employed in the field of zoning administration or zoning enforcement recommended by the North Carolina Association of Zoning Officials.
 - e. A representative from the North Carolina League of Municipalities.
 - f. A realtor recommended by the North Carolina Association of Realtors.
 - g. A representative of NAIOP North Carolina.
- (2) Nine members appointed by the President Pro Tempore of the Senate as follows:
 - a. Three persons who are members of the Senate at the time of appointment, at least one of whom represents the minority party. The President Pro Tempore shall designate one of the members as cochair.
 - b. A certified professional planner recommended by the North Carolina Chapter of the American Planning Association.
 - c. A representative from the North Carolina Association of County Commissioners.
 - d. A Board Certified Professional Engineer recommended by the North Carolina Section of the American Society of Civil Engineers.



- 1 e. A licensed architect recommended by the North Carolina Chapter of
2 the American Institute of Architects.
3 f. A faculty member at the University of North Carolina School of
4 Government.
5 g. A representative of the North Carolina Farm Bureau.

6 Appointments shall be made by September 1, 2015, and the first meeting shall be
7 held on or before October 1, 2015. The Task Force shall meet upon the call of the cochairs.
8 Vacancies shall be filled by the appointing authority. A quorum of the Task Force shall be a
9 majority of the members.

10 **SECTION 1.(c) Duties.** – The Task Force shall make recommendations on whether
11 to consolidate and modernize Article 19 of Chapter 160A of the General Statutes and Article 18
12 of Chapter 153A of the General Statutes. Specifically, the Task Force shall study and examine
13 the provisions of House Bill 548 from the 2015 Regular Session of the 2015 General Assembly.

14 **SECTION 1.(d) Compensation; Administration.** – Members of the Task Force
15 shall receive subsistence and travel allowances at the rates set forth in G.S. 120-3.1, 138-5, or
16 138-6, as appropriate. The Legislative Services Officer shall assign professional and clerical
17 staff to assist in the work of the Task Force. The Task Force may hold its meetings in the State
18 Legislative Building or the Legislative Office Building. The Task Force, while in the discharge
19 of its official duties, may exercise all the powers provided under the provisions of G.S. 120-19
20 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request all officers, agents,
21 agencies, and departments of the State to provide any information, data, or documents within
22 their possession, ascertainable from their records or otherwise available to them, and the power
23 to subpoena witnesses.

24 **SECTION 1.(e) Report.** – The Task Force shall report its findings and
25 recommendations to the 2016 Regular Session of the 2015 General Assembly upon its
26 convening. The Task Force shall terminate on May 1, 2016, or upon the filing of its final
27 report, whichever occurs first.

28 **SECTION 2.** This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 708

Short Title: Preservation of Historic/Heritage Trees. (Public)

Sponsors: Representatives Hamilton and Torbett (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Local Government, if favorable, Environment, if favorable, Regulatory Reform.

April 15, 2015

A BILL TO BE ENTITLED

AN ACT DIRECTING STATE DEPARTMENTS, BOARDS, COMMISSIONS, AND AGENCIES TO GIVE CONSIDERATION TO A TREE DESIGNATED AS HISTORIC OR HERITAGE BY A CITY OR COUNTY PRIOR TO TAKING ANY ACTION THAT MAY HARM THE TREE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 19 of Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-400.16. Preservation of trees designated as historic or heritage.

(a) A city may provide an advisory and coordinative mechanism in and by which State undertakings of every kind that are potentially harmful to trees designated by the city as historic or heritage may be discussed, and where possible, resolved, giving due consideration to the competing public interests that may be involved. To this end, the head of any State agency having direct or indirect jurisdiction over a proposed State or State-assisted undertaking, or the head of any State department, board, commission, or independent agency having authority to build, construct, operate, license, authorize, assist, or approve any State or State-assisted undertaking, shall, prior to the approval of any State funds for the undertaking, or prior to any approval, license, or authorization, as the case may be, take into account the effect of the undertaking on any tree designated by a city as historic or heritage.

(b) Where, in the judgment of a city, an undertaking will have an effect upon any tree designated by the city as historic or heritage, the head of the appropriate State agency shall afford the city a reasonable opportunity to comment with regard to the undertaking.

(c) A city shall act with reasonable diligence to ensure that all State departments, boards, commissions, or agencies potentially affected by the provisions of this section be kept currently informed with respect to the name, location, and other significant particulars of any tree designated as historic or heritage by the city. Each affected State department or agency shall furnish, either upon its own initiative or at the request of a city, any information that may reasonably be required by a city for the proper implementation of this section."

SECTION 2. Article 23 of Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-437.1. Preservation of trees designated as historic or heritage.

A county shall have the same authority regarding the preservation of trees designated as historic or heritage as is provided to cities in G.S. 160A-400.16. Any reference to "city" in G.S. 160A-400.16 shall be construed to mean "county" for purposes of this section."



1 **SECTION 3.** This act is effective when it becomes law and applies to actions taken
2 by State departments, boards, commissions, and agencies on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 304*

Short Title: Revisions to Outdoor Advertising Laws. (Public)

Sponsors: Representatives Hager, Collins, J. Bell, and Hanes (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Commerce and Job Development, if favorable, Finance.

March 19, 2015

A BILL TO BE ENTITLED

AN ACT TO INCREASE PERMIT FEES FOR OUTDOOR ADVERTISING, TO ESTABLISH A REASONABLE TIMEFRAME FOR MAKING AGENCY DECISIONS REGARDING PERMITS AND APPEALS, TO CLARIFY THE STANDARDS FOR DETERMINING JUST COMPENSATION IN STATE AND LOCAL GOVERNMENT EMINENT DOMAIN ACTIONS THAT CAUSE THE REMOVAL OF LAWFULLY ERECTED OUTDOOR ADVERTISING, TO CLARIFY PROVISIONS OF THE OUTDOOR ADVERTISING CONTROL ACT, AND TO PROMOTE UNIFORMITY OF REGULATION AND MODERNIZATION OF OUTDOOR ADVERTISING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-18.7 reads as rewritten:

"§ 136-18.7. Fees.

The fee for a selective vegetation removal permit issued pursuant to G.S. 136-18(5), (7), and (9) is two hundred dollars (\$200.00). The fee for a selective vegetation permit issued pursuant to Article 11 of this Chapter for an outdoor advertising location is (i) six hundred dollars (\$600.00) for the initial three-year period listed in G.S. 136-133.4 and (ii) two hundred dollars (\$200.00) for any subsequent three-year renewal period."

SECTION 2. G.S. 136-127 reads as rewritten:

"§ 136-127. Declaration of policy.

The General Assembly hereby finds and declares that outdoor advertising is a legitimate commercial use of private property adjacent to roads and ~~highways~~ highways. The General Assembly also finds that outdoor advertising is an integral part of the business and marketing function and is an established segment of the national economy that serves to promote and protect investments in commerce and industry and is, therefore, a business that must be allowed to exist and operate where other business and commercial activities are conducted and that a reasonable use of property for outdoor advertising and its visibility to the traveling public must be preserved and fostered. The General Assembly further finds that the erection and maintenance of outdoor advertising signs and devices in areas in the vicinity of the right-of-way of the interstate and primary highway systems within the State should be controlled and regulated as provided in this Article in order to promote the safety, health, welfare and convenience and enjoyment of travel on and protection of the public investment in highways within the State, to prevent unreasonable distraction of operators of motor vehicles and to prevent interference with the effectiveness of traffic regulations and to promote safety on the highways, to attract tourists and promote the prosperity, economic well-being and general



1 welfare of the State, and to preserve and enhance the natural scenic beauty of the highways and
 2 areas in the vicinity of the State highways and to promote the reasonable, orderly and effective
 3 display of such signs, displays and devices, and to secure the right of validly permitted outdoor
 4 advertising to be clearly viewed by the traveling public. It is the intention of the General
 5 Assembly to provide and declare herein a public policy and statutory basis for the
 6 establishment of a uniform system for the regulation and control of outdoor
 7 ~~advertising~~ advertising throughout the State."

8 **SECTION 3.** G.S. 136-128 reads as rewritten:

9 **"§ 136-128. Definitions.**

10 As used in this Article:

- 11 (1) Customary use. – Compliance with the specific outdoor advertising
 12 standards for size, lighting, and spacing in areas zoned industrial or
 13 commercial under authority of State law or in unzoned industrial or
 14 commercial areas, as the standards and areas are described and defined in the
 15 agreement dated January 7, 1972, as amended, and entered into between the
 16 State and the United States Department of Transportation under
 17 G.S. 136-138 to implement the provisions of the federal Highway
 18 Beautification Act of 1965.
- 19 (2) Changeable message sign. – An off-premises advertising sign that displays a
 20 series of messages at intervals by means of digital display or mechanical
 21 rotating panels.
- 22 (3) ~~"Erect"~~ Erect. – To construct, build, raise, assemble, place, affix,
 23 attach, create, paint, draw, or in any other way bring into being or establish.
 24 This term does not include the repair, maintenance, alteration, relocation, or
 25 reconstruction of any outdoor advertising, as authorized under
 26 G.S. 136-131.2.
- 27 (1a)(4) ~~"Illegal sign"~~ Illegal sign. – One which was erected and/or
 28 maintained in violation of State law.
- 29 (1b)(5) ~~"Information center"~~ Information center. – An area or site
 30 established and maintained at safety rest areas for the purpose of informing
 31 the public of places of interest within the State and providing such other
 32 information as the Department of Transportation may consider desirable.
- 33 (2)(6) ~~"Interstate system"~~ Interstate system. – That portion of the
 34 National System of Interstate and Defense Highways located within the
 35 State, as officially designated, or as may hereafter be so designated, by the
 36 Department of Transportation, or other appropriate authorities and are also
 37 so designated by interstate numbers. As to highways under construction so
 38 designated as interstate highways pursuant to the above procedures, the
 39 highway shall be a part of the interstate system for the purposes of this
 40 Article on the date the location of the highway has been approved finally by
 41 the appropriate federal authorities.
- 42 (2a)(7) ~~"Nonconforming sign"~~ Nonconforming sign. – A sign which
 43 was lawfully erected but (i) which does not comply with the provisions of
 44 State law this Article or State Department of Transportation rules and
 45 regulations passed at a later date or (ii) which later fails to comply with State
 46 law the provisions of this Article or State Department of Transportation rules
 47 or regulations due to changed conditions. Illegally erected or
 48 maintained Illegal signs are not nonconforming signs.
- 49 (3)(8) ~~"Outdoor advertising"~~ Outdoor advertising. – Any outdoor sign,
 50 display, light, device, figure, painting, drawing, message, plaque, poster,
 51 billboard, or any other thing which is designed, intended or used to advertise

1 or inform, any part of the advertising or information contents of which is
2 visible from any place on the main-traveled way of the interstate or primary
3 system, whether the same be permanent or portable installation.

4 ~~(4)(9) "Primary systems" means the~~ Primary systems. – The federal-aid primary
5 system in existence on June 1, 1991, and any highway which is not on that
6 system but which is on the National Highway System. As to highways under
7 construction so designated as primary highways pursuant to the above
8 procedures, the highway shall be a part of the primary system for purposes
9 of this Article on the date the location of the highway has been approved
10 finally by the appropriate federal or State authorities.

11 ~~(5)(10) "Safety rest area" means an~~ Safety rest area. – An area or site established and
12 maintained within or adjacent to the highway right-of-way by or under
13 public supervision or control, for the convenience of the traveling public.

14 (11) Sign face. – The part of the sign, including trim and background, which
15 contains the message or informative content. For purposes of measuring the
16 maximum area or height of a sign under this Article, embellishments or
17 extended advertising shall be excluded.

18 ~~(6)(12) "State law" means a~~ State law. – A State constitutional provision or statute,
19 or ~~an ordinance,~~ a rule or regulation enacted or adopted by a State agency or
20 political subdivision of a State pursuant to a State Constitution or statute.

21 ~~(7)(13) "Unzoned area" shall mean an~~ Unzoned area. – An area where there is no
22 zoning in effect.

23 ~~(8)(14) "Urban area" shall mean an~~ Urban area. – An area within the boundaries or
24 limits of any incorporated municipality having a population of five thousand
25 or more as determined by the latest available federal census.

26 ~~(9)(15) "Visible" means capable~~ Visible. – Capable of being seen (whether or not
27 legible) without visual aid by a person of normal visual acuity."

28 **SECTION 4.** G.S. 136-129 reads as rewritten:

29 **"§ 136-129. Limitations of outdoor advertising devices.**

30 No outdoor advertising shall be erected or maintained within 660 feet of the nearest edge of
31 the right-of-way of the interstate or primary highway systems in this State so as to be visible
32 from the main-traveled way thereof after the effective date of this Article as determined by
33 G.S. 136-140, except the following:

34 ...

35 (4) Outdoor advertising, in conformity with customary use and the rules and
36 regulations promulgated by the Department of ~~Transportation,~~ Transportation
37 pursuant to G.S. 136-130, located in areas which are zoned industrial or
38 commercial by the State, or a political subdivision of the State, under
39 authority of State law.

40 (5) Outdoor advertising, in conformity with customary use and the rules and
41 regulations promulgated by the Department of ~~Transportation,~~ Transportation
42 pursuant to G.S. 136-130, located in unzoned commercial or industrial
43 areas."

44 **SECTION 5.** G.S. 136-129.2 is amended by adding a new subsection to read:

45 "(d) Nothing in this Article shall be construed to alter or supersede the requirements and
46 limitations set forth in Article 10 of Chapter 113A of the General Statutes."

47 **SECTION 6.** G.S. 136-130 reads as rewritten:

48 **"§ 136-130. Regulation of advertising.**

49 (a) The Department of Transportation is authorized to promulgate rules and regulations
50 in the form of ordinances ~~governing~~ governing any of the following:

- 1 (1) The erection and maintenance of outdoor advertising permitted in
2 ~~G.S. 136-129~~,G.S. 136-129.
- 3 (2) The erection and maintenance of outdoor advertising permitted in
4 ~~G.S. 136-129.1~~,G.S. 136-129.1.
- 5 (2a) The erection and maintenance of outdoor advertising permitted in
6 ~~G.S. 136-129.2~~,G.S. 136-129.2.
- 7 (3) The specific requirements and procedures for obtaining a permit for outdoor
8 advertising as required in ~~G.S. 136-133~~this Article and for the administrative
9 procedures for appealing a decision at the agency level to refuse to grant or
10 in revoking a permit previously ~~issued~~, and ~~issued~~.
- 11 (4) The administrative procedures for appealing a decision at the agency level to
12 declare any outdoor advertising illegal and a nuisance as pursuant to
13 G.S. 136-134, as may be necessary to carry out the policy of the State
14 declared in this Article.

15 **(b)** Notwithstanding any law to the contrary, the Department of Transportation shall not
16 deny or revoke any of the following on the basis that the outdoor advertising fails to conform to
17 ordinances, rules, or regulations of a municipality, county, local or regional zoning authority, or
18 other political subdivision of the State:

- 19 (1) Any permit required under this Article for the maintenance of existing
20 outdoor advertising that is subject to the provisions of this Article as a result
21 of the extension of the interstate system or the primary systems.
- 22 (2) Any other permit required under this Article, except that the Department of
23 Transportation may (i) deny or revoke any other permit required under this
24 Article for the outdoor advertising sign's failure to be erected after the
25 effective date of this Article, as determined by G.S. 136-140, in an area
26 zoned at the time of erection industrial or commercial as required by
27 G.S. 136-129(4) or (ii) deny any permit required under this Article for the
28 erection of outdoor advertising for the outdoor advertising sign's failure to
29 comply at the time of being erected with regulations adopted and enforced
30 by a municipality, county, local or regional zoning authority, or other
31 political subdivision of the State, that are consistent with G.S. 136-131.2(b)."

32 **SECTION 7.** G.S. 136-131 reads as rewritten:

33 **"§ 136-131. Removal of existing ~~nonconforming~~ outdoor advertising.**

34 **(a)** The Department of Transportation is authorized to acquire by purchase, gift, or
35 condemnation all outdoor advertising and all property rights pertaining ~~thereto which are~~
36 ~~prohibited under the provisions of G.S. 136-129, 136-129.1 or 136-129.2~~,thereto, provided such
37 outdoor advertising is in lawful existence on the effective date of this Article as determined by
38 G.S. 136-140, or provided that it is lawfully erected after the effective date of this Article as
39 determined by G.S. 136-140. Notwithstanding any law to the contrary, this section shall apply
40 to all acquisitions, purchases, or condemnations by the Department of Transportation that cause
41 the removal of any lawfully erected outdoor advertising or any lawfully erected outdoor
42 advertising sign, regardless of the outdoor advertising sign's location and proximity to the
43 interstates or primary systems.

44 In any acquisition, purchase or condemnation, just compensation to the owner of the
45 outdoor advertising, where the owner of the outdoor advertising does not own the fee, shall be
46 limited to the fair market value at the time of the taking of the outdoor advertising owner's
47 interest in the real property on which the outdoor advertising is located and such value shall
48 include the value of the outdoor advertising.

49 In any acquisition, purchase or condemnation, just compensation to the owner of the fee or
50 other interest in the real property upon which the outdoor advertising is located where said
51 owner does not own the outdoor advertising located thereon shall be limited to the difference in

1 the fair market value of the entire tract immediately before and immediately after the taking by
2 the Department of Transportation of the right to maintain such outdoor advertising thereon and
3 in arriving at the fair market value after the taking, any special or general benefits accruing to
4 the property by reason of the acquisition shall be taken into consideration.

5 In any acquisition, purchase or condemnation, just compensation to the owner of the fee in
6 the real property upon which the outdoor advertising is located, where said owner also owns the
7 outdoor advertising located thereon, shall be limited to the fair market value of the outdoor
8 advertising plus the difference in the fair market value of the entire tract immediately before
9 and immediately after the taking by the Department of Transportation of the right to maintain
10 such outdoor advertising thereon and in arriving at the fair market value after the taking, any
11 special or general benefits accruing to the property by reason of the acquisition shall be taken
12 into consideration.

13 The following factors shall be used in determining just compensation for outdoor
14 advertising:

- 15 (1) The sales price of similar outdoor advertising.
- 16 (2) The physical condition of the outdoor advertising sign.
- 17 (3) The income generated by the rental of advertising space on the outdoor
18 advertising sign.
- 19 (4) The effects of zoning or other land use restrictions.
- 20 (5) The value of the outdoor advertising permit issued by an appropriate
21 governing body.
- 22 (6) The ability to relocate outdoor advertising as provided in G.S. 136-131.2(c)
23 to a site reasonably comparable to or better than the condemned location,
24 taking into account the similarity of advantages arising from lease terms,
25 visibility, traffic flow, and other criteria that affect the value of outdoor
26 advertising. The factor in this subdivision shall not be considered if the
27 zoning jurisdiction allows for numerical increases in outdoor advertising
28 signs.
- 29 (7) Any other factor that may affect the value of the property rights affected by
30 the condemnation.

31 (b) Prior to any condemnation by the Department of Transportation under this section,
32 the Department of Transportation shall undertake the project necessitating the condemnation in
33 accordance with G.S. 133-11 to minimize adverse impacts to the displaced outdoor advertiser
34 and reduce the costs of acquiring the outdoor advertising and all property rights thereto,
35 including allowing the outdoor advertising to remain until actual construction or other work is
36 commenced on the project and within 100 feet of the outdoor advertising."

37 **SECTION 8.** G.S. 136-131.2 reads as rewritten:

38 "**§ 136-131.2. Modernization of outdoor advertising devices.**

39 (a) ~~Notwithstanding any law to the contrary, no~~ municipality, county, local or
40 regional zoning authority, or other political subdivision shall, without the payment of just
41 compensation as provided for in G.S. 136-131.1, regulate or prohibit the ~~repair~~ repair,
42 maintenance, alteration, relocation, or reconstruction of any outdoor advertising for which there
43 is in effect a valid permit issued by the Department of Transportation at the time of the repair,
44 maintenance, alteration, relocation, or reconstruction so long as for multi-faced signs
45 conforming to customary use, the cumulative square footage of the advertising surface area is
46 not increased. As used in this section, reconstruction includes the changing of an existing
47 multipole outdoor advertising structure to a new monopole structure increased and no sign face
48 exceeds 672 square feet. One additional sign face may be added to a single-face sign
49 conforming to customary use so long as the additional face does not exceed the size of the
50 existing sign face. As used in this section, "repair, maintenance, alteration, relocation, or
51 reconstruction" includes the following:

- 1 (1) The changing of an existing multi-pole outdoor advertising structure to a
2 new monopole structure.
- 3 (2) The changing of wooden poles to steel poles.
- 4 (3) The increase in the height of the sign, not to exceed 80 feet measured from
5 the adjoining road grade or base of the sign, whichever allows for the
6 greatest visibility, except that a sign may be 50 feet above the top of a sound
7 wall or noise barrier constructed between the sign and the main-traveled
8 way.
- 9 (4) The changing of an outdoor advertising sign to a changeable message sign
10 under subsection (e) of this section.

11 (b) Nothing in this section shall prohibit a municipality, county, local or regional zoning
12 authority, or other political subdivision, from using its zoning authority to regulate (i) the initial
13 erection of an outdoor advertising sign that has not been relocated pursuant to subsection (c) of
14 this section or (ii) outdoor advertising in which a permit issued by the Department of
15 Transportation pursuant to this Article has been voluntarily cancelled or lawfully revoked and
16 any appeals under G.S. 136-134.1 have been exhausted. No decision of an administrative
17 official charged with enforcement of a local ordinance, rule, or regulation shall be effective
18 against an owner or operator of outdoor advertising for any activity authorized by this section,
19 and no appeal under G.S. 153A-345.1 or G.S. 160A-388 shall be required to protect the outdoor
20 advertiser's rights under this section.

21 (c) Any outdoor advertising adjacent to a highway on the National System of Interstate
22 and Defense Highways or a highway on the Federal-aid Primary Highway System for which
23 there is in effect a valid permit issued by the Department of Transportation pursuant to this
24 Article shall be permitted to be relocated subject to all of the requirements listed in
25 subdivisions (1) through (3) of this subsection. The right provided under this subsection to
26 relocate outdoor advertising may be assigned or conveyed by the permittee.

- 27 (1) The new site for relocation shall be any area within the same zoning
28 jurisdiction adjacent to a highway on the National System of Interstate and
29 Defense Highways or a highway on the Federal-aid Primary Highway
30 System.
- 31 (2) The outdoor advertising sign at the relocated site shall conform with
32 customary use in areas zoned industrial or commercial under authority of
33 State law, subject to the advertising space and height limitations set in
34 subsection (a) of this section.
- 35 (3) The construction work related to the relocation of the outdoor advertising
36 sign at the new location shall commence within one year after the later of the
37 date of removal or the effective date of this Article.

38 (d) A new site for relocation shall not be denied by the Department of Transportation
39 due to the presence of vegetation obstructing the visibility of the outdoor advertising from the
40 viewing zone. Notwithstanding any law to the contrary, the owner or operator of the outdoor
41 advertising sign shall be permitted to improve the visibility of the sign by removing any
42 vegetation (i) on private property upon receiving written consent of the landowner and (ii) on
43 the right-of-way of the interstate or primary highway systems in this State pursuant to a
44 selective vegetation removal permit issued under this Article.

45 (e) Any outdoor advertising adjacent to a highway on the National System of Interstate
46 and Defense Highways or a highway on the Federal-aid Primary Highway System for which
47 there is in effect a valid permit issued by the Department of Transportation, including any sign
48 relocated pursuant to subsection (c) of this section, shall be permitted to be altered or
49 reconstructed to a changeable message sign, subject to all of the following requirements:

- 50 (1) The sign is conforming to customary use. A changeable message sign that
51 complies with the requirements set forth in this subsection shall not be

1 considered flashing, intermittent, or moving and shall otherwise satisfy the
2 lighting restrictions set forth in the agreement entered into pursuant to
3 G.S. 136-138 between the State and the United States Department of
4 Transportation to implement the provisions of the federal Highway
5 Beautification Act of 1965.

6 (2) The changeable message sign shall not alternate displays more frequently
7 than once every eight seconds, with a maximum change time of two seconds.

8 (3) The changeable message sign shall not display video, continuous scrolling
9 messages, or animation.

10 (4) The changeable message sign shall contain a default design that either
11 freezes the message display in one position, displays a full blank screen, or
12 turns off if a malfunction occurs.

13 (5) The light produced does not exceed 0.3 footcandles over ambient light levels
14 as measured at a distance of:

15 a. 150 feet, if the display surface is 12 feet by 25 feet;

16 b. 200 feet, if the display surface is 10.5 feet by 36 feet; or

17 c. 250 feet, if the display surface is 14 feet by 48 feet.

18 (6) The changeable message sign structure shall be a steel monopole.

19 (7) The changeable message sign shall not be located within 1,000 feet of any
20 other changeable message sign permitted by the Department of
21 Transportation that is facing to the same direction of traffic on the same side
22 of the highway. The 1,000-foot distance shall be measured along the nearest
23 edge of the main-traveled way and between points directly opposite the
24 applicable signs along each side of the highway.

25 (f) The Department of Transportation may adopt or enforce rules that restrict the rights
26 set forth in this section for outdoor advertising that (i) does not conform to customary use and
27 (ii) the failure to conform to customary use cannot be eliminated through any repair,
28 maintenance, alteration, relocation, or reconstruction authorized under this section.

29 (g) The Department of Transportation shall not require additional permits, nor revoke
30 any existing permits, for any action taken pursuant to this section. The Department of
31 Transportation may require within 30 days of the completion of any action taken pursuant to
32 this section an addendum to an existing permit showing or describing the changes to the
33 conditions of the outdoor advertising sign. The rights set forth in this section shall attach to a
34 permit issued by the Department of Transportation and shall expire with the voluntary
35 cancellation of such permit or after the permit has been lawfully revoked and any appeals
36 pursuant to G.S. 136-134.1 have been exhausted."

37 **SECTION 9.** G.S. 136-133 reads as rewritten:

38 **"§ 136-133. Permits required.**

39 (a) No person shall erect or maintain any outdoor advertising within 660 feet of the
40 nearest edge of the right-of-way of the interstate or primary highway system, except those
41 allowed under G.S. 136-129, subdivisions (2) and (3) in this Article, or beyond 660 feet of the
42 nearest edge of the right-of-way of the interstate or primary highway system, except those
43 allowed under G.S. 136-129.1, subdivisions (2) and (3), without first obtaining a permit from
44 the Department of Transportation or its agents pursuant to the procedures set out by rules
45 adopted by the Department of Transportation. The permit shall be valid until revoked for
46 nonconformance with this Article or rules adopted by the Department of Transportation. Any
47 person aggrieved by the decision of the Department of Transportation or its agents in refusing
48 to grant or in revoking a permit may appeal the decision in accordance with the rules adopted
49 by the Department of Transportation pursuant to this Article to the Secretary of Transportation
50 who shall make the final decision ~~on the agency appeal~~ to affirm or reject the appeal within 90
51 days after the Secretary receives the agency appeal. Failure to provide written notice to the

1 aggrieved party of the Secretary's decision to affirm or reject the agency appeal within the
 2 90-day period shall result in the appeal being affirmed, entitling the aggrieved party to issuance
 3 of the outdoor advertising permit or reversal of the Department of Transportation's decision to
 4 revoke. The Department of Transportation shall have the authority to charge permit fees to
 5 defray the costs of administering the permit procedures under this Article. The fees for
 6 directional signs as set forth in G.S. 136-129(1) and G.S. 136-129.1(1) shall not exceed a forty
 7 dollar (\$40.00) initial fee and a thirty dollar (\$30.00) annual renewal fee. The fees for outdoor
 8 advertising structures, as set forth in G.S. 136-129(4) and (5) shall not exceed a ~~one hundred~~
 9 ~~twenty dollar (\$120.00)~~two hundred forty dollar (\$240.00) initial fee and fee, a ~~sixty dollar~~
 10 ~~(\$60.00)~~seventy-five dollar (\$75.00) annual renewal fee-fee, and a two hundred forty dollar
 11 (\$240.00) fee for an addendum to an existing outdoor advertising permit for (i) relocating
 12 outdoor advertising beyond the existing lot or parcel that the outdoor advertising was located
 13 on or (ii) altering or reconstructing to a changeable message sign, in accordance with
 14 G.S. 136-131.2.

15 ...

16 (c) No electrical or building permit shall be denied to an outdoor advertising sign
 17 described in G.S. 136-129(4) and G.S. 136-129(5) for which the Department has issued a
 18 permit which has not been revoked, and the electrical or building permit is otherwise compliant
 19 with technical utility or building code standards."

20 **SECTION 10.** G.S. 136-133.1 reads as rewritten:

21 "**§ 136-133.1. Outdoor advertising vegetation cutting or removal.**

22 (a) The owner of an outdoor advertising sign permitted under
 23 ~~G.S. 136-129(a)(4)~~G.S. 136-129(4) or ~~G.S. 136-129(a)(5)~~G.S. 136-129(5) who obtains a
 24 selective vegetation removal permit, and the owner's designees, may cut, thin, prune, or remove
 25 vegetation in accordance with this section, G.S. 136-93(b), 136-133.2, and 136-133.4. The
 26 maximum cut or removal zone for vegetation for each sign face shall be determined as follows:

27 ...

28 (a1) Notwithstanding any law to the contrary, in order to promote the outdoor
 29 advertiser's right to be clearly viewed as set forth in G.S. 136-127, the Department of
 30 Transportation, at the request of a selective vegetation removal permittee, may approve plans
 31 for the cutting, thinning, pruning, or removal of vegetation outside of the cut or removal zone
 32 defined in subsection (a) of this section along ~~acceleration or deceleration ramps~~or within
 33 gores, medians, or other areas of the primary highway system so long as the view to the
 34 outdoor advertising sign will be improved and the ~~total aggregate area of cutting or removal~~
 35 ~~does not exceed the maximum allowed in subsection (a) of this section.~~safety of the traveling
 36 public is protected.

37 (b) Vegetation permitted to be cut, thinned, pruned, or removed shall be defined as any
 38 tree, shrub, or underbrush within the zone created by points A, B, D, and E. Any existing tree
 39 that was in existence at the time that an outdoor advertising structure was erected shall only be
 40 eligible for removal in accordance with subsections (c), (d), and (e) of this section. ~~Native~~To
 41 the extent possible, Native dogwoods and native redbuds shall be ~~preserved.~~preserved. A
 42 selective vegetation removal permittee may relocate, and replace if necessary, any native
 43 dogwoods or native rosebuds existing within the cut or removal zone established in subsection
 44 (a) of this section to a location within 500 feet on either side of the outdoor advertising
 45 structure, as measured along the edge of the pavement of the main travel way of the nearest
 46 controlled route. If a native dogwood or native rosebud cannot be preserved during relocation, a
 47 selective vegetation removal permittee shall replace the native dogwood or native rosebud with
 48 native dogwoods or native rosebuds of the same cumulative caliper inches. For the purposes of
 49 this section, an existing tree is defined as a tree that had a diameter of four inches or greater as
 50 measured six inches from the ground at the time that the outdoor advertising structure was

1 erected. An outdoor advertising sign is considered erected when the sign is completely
2 constructed with a sign face.

3"

4 **SECTION 11.** G.S. 136-133.2 reads as rewritten:

5 **"§ 136-133.2. Issuance or denial of a selective vegetation removal permit.**

6 (a) Except as provided in subsection (b) of this section and G.S. 136-133.1(g), permits
7 to remove vegetation may be granted for outdoor advertising locations that have been permitted
8 for at least two years prior to the date of application. The Department shall approve or deny an
9 application submitted pursuant to this section, including the fee required by G.S. 136-18.7 and
10 all required documentation, within 30 days of the receipt of an application for a selective
11 vegetation removal permit. If written notice of approval or denial is not given to the applicant
12 within the 30-day period, then the application shall be deemed approved. If the application is
13 denied, the Department shall advise the applicant, in writing, by registered or certified mail,
14 return receipt requested, addressed to the party to be noticed, and delivering to the addressee,
15 the reasons for the denial.

16 (b) Notwithstanding the two-year period required in subsection (a) of this section,
17 permits to remove vegetation may be granted for outdoor advertising locations (i) where
18 outdoor advertising has been relocated pursuant to G.S. 136-131.2 and (ii) that otherwise
19 comply with the requirements of this section and rules adopted by the Department in
20 accordance with this section."

21 **SECTION 12.** G.S. 136-133.4 reads as rewritten:

22 **"§ 136-133.4. Selective vegetation removal permits.**

23 ...

24 (b) Permits are valid for a period of ~~one year~~three years. The permittee may cut, thin,
25 prune, or remove vegetation more than one time per year. A 48-hour notification shall be
26 provided to the Department by the permittee before entering the right-of-way.

27 ...

28 (d) Any damage to vegetation designated to remain at the site, to highway fences, signs,
29 paved areas, or other facilities shall be repaired or replaced by the permittee to the condition
30 prior to the occurrence of the damage caused by the permittee or the permittee's agent. ~~All~~
31 ~~trimmings, laps, and debris~~Except for authorized chips or when the Department and the
32 permittee or the permittee's agent agree in writing to the contrary, all cut vegetation shall be
33 removed from the right-of-way and disposed of in areas provided by the permittee
34 prior to the conclusion of the selective vegetation removal project described in the permit
35 issued by the Department. No burning or burying of trimmings, laps, or debriscut vegetation
36 shall be permitted on the highway right-of-way. When chipping is used to dispose of
37 trimmings, cut vegetation, chips may be neatly spread on a right-of-way at locations which the
38 Department determines will not be harmful to the environment or affect traffic safety.

39"

40 **SECTION 13.** G.S. 136-133.5 reads as rewritten:

41 **"§ 136-133.5. Denial of a permit for proposed outdoor advertising.**

42 ...

43 (d) ~~The~~Except for relocations authorized under G.S. 136-131.2, the Department shall
44 not issue permits for new outdoor advertising signs at a sign location where existing trees, if
45 they were to reach the average mature size for that species, would make the proposed sign
46 faces, when erected, not completely visible from the viewing zone. "Existing trees" are those
47 trees that at the time of the permit application are four inches or greater in diameter as
48 measured six inches from the ground. "Viewing zone" means the area which is 500 feet as
49 measured along the edge of the main travel way of the controlled route on each side of the
50 proposed sign structure which will have a sign face.

1 (e) An outdoor advertising permit requested pursuant to
 2 ~~G.S. 136-129(a)(4)~~G.S. 136-129(4) shall not be issued to a location if the zoning to commercial
 3 or industrial zones was adopted within one year prior to the filing of the permit application and
 4 is not part of comprehensive zoning or constitutes spot zoning, which, for purposes of this
 5 subsection, shall be defined as zoning designed primarily for the purpose of permitting outdoor
 6 advertising signs and in an area which would not normally permit outdoor advertising. Zoning
 7 shall not be considered "primarily for the purpose of permitting outdoor advertising signs" if
 8 the zoning would permit more than one principal commercial or industrial use, other than
 9 outdoor advertising, and the size of the land being zoned can practically support any one of the
 10 commercial or industrial uses.

11 ...

12 (h) The Department shall approve or deny an application for a permit for a new outdoor
 13 advertising sign within 30 days of the receipt of an application, including any fee required by
 14 G.S. 136-133 and any other required documentation. Failure to provide written notice to the
 15 applicant of the Department's decision to approve or deny the application within the 30-day
 16 period shall result in the appeal being affirmed, entitling the applicant to issuance of the permit
 17 for a new outdoor advertising structure."

18 SECTION 14. G.S. 136-138 reads as rewritten:

19 "§ 136-138. **Agreements with United States authorized.**

20 The Department of Transportation is authorized to enter into agreements with ~~other~~
 21 ~~governmental authorities~~ the United States government, or any department or agency thereof,
 22 relating to the control of outdoor advertising in areas adjacent to the interstate and primary
 23 highway systems, including the establishment of information centers and safety rest areas, and
 24 to take action in the name of the State to comply with the terms of the agreements. Any
 25 changes to the agreement dated January 7, 1972, and entered into between the State and the
 26 United States Department of Transportation to implement the provisions of the federal
 27 Highway Beautification Act of 1965 shall require the approval of the General Assembly in
 28 order to be effective. Notwithstanding any law to the contrary, the Department shall not enter
 29 into any agreement or otherwise transfer or delegate the Department's regulatory authority set
 30 forth in this Article to any other governmental authority."

31 SECTION 15. Article 11 of Chapter 136 of the General Statutes is amended by
 32 adding a new section to read:

33 "§ 136-140.2. Public notification plan.

34 (a) The Department of Transportation shall work together with owners of changeable
 35 message signs, the North Carolina Division of Emergency Management, the Department of
 36 Public Safety, the Secretary of State, the State Highway Patrol, the North Carolina Center for
 37 Missing Persons, the Federal Emergency Management Agency, and any other federal, State, or
 38 local agencies the Department of Transportation determines may be of assistance, to develop a
 39 public notification plan for the purpose of using changeable message signs to display
 40 notifications to the traveling public related to public safety and emergencies. Public
 41 notifications include information about Silver Alerts, Amber Alerts, inclement weather, natural
 42 disasters, and other emergencies.

43 (b) The public notification plan established under subsection (a) of this section shall be
 44 in writing and shall, at a minimum, address all of the following:

45 (1) The criteria to be applied in determining when it is appropriate to request
 46 that an owner of a changeable message sign display a public notification.

47 (2) The procedures used to determine the expiration of a notification and to
 48 recall the request once the information is no longer needed."

49 SECTION 16. G.S. 153A-143 reads as rewritten:

50 "§ 153A-143. **Regulation of outdoor advertising.**

51 ...

1 (d) No county may ~~enact or amend an ordinance of general applicability to~~ cause or
2 require the removal of any nonconforming, lawfully erected off-premises outdoor advertising
3 sign without the payment of monetary compensation to the owners of the off-premises outdoor
4 advertising, except as provided below. The payment of monetary compensation is not required
5 if:

- 6 (1) The county and the owner of the nonconforming off-premises outdoor
7 advertising enter into a relocation agreement pursuant to subsection (g) of
8 this section.
- 9 (2) The county and the owner of the nonconforming off-premises outdoor
10 advertising enter into an agreement pursuant to subsection (k) of this section.
- 11 (3) The off-premises outdoor advertising is determined to be a public nuisance
12 or detrimental to the health or safety of the populace.
- 13 (4) The removal is required for establishing, extending, enlarging, or improving
14 any of the public enterprises listed in G.S. 153A-274, and the county allows
15 the off-premises outdoor advertising to be relocated to a comparable
16 location.
- 17 (5) The off-premises outdoor advertising is subject to removal pursuant to
18 statutes, ordinances or regulations generally applicable to the demolition or
19 removal of damaged structures.

20 (d1) No county may condition the grant of any development approval on the removal of
21 off-premises outdoor advertising without the payment of monetary compensation as prescribed
22 by this section. For purposes of this section, the term "development approval" includes
23 approval for rezoning, variances, building permits, and permits authorized by quasi-judicial
24 proceedings.

25 (e) Monetary compensation is the fair market value of the off-premises outdoor
26 advertising in place immediately prior to its ~~removal~~ removal, including consideration of the
27 value of (i) the outdoor advertising owner's interest in the real property on which the outdoor
28 advertising is located, (ii) the outdoor advertising sign structure, and (iii) any rights, including
29 permits, appurtenant to the outdoor advertising use, and without consideration of the effect of
30 the ordinance or any diminution in value caused by the ordinance requiring its removal.
31 Monetary compensation shall be determined ~~based on:~~

- 32 (1) ~~The factors listed in G.S. 105-317.1(a); and~~
- 33 (2) ~~The listed property tax value of the property and any documents regarding~~
34 ~~value submitted to the taxing authority in accordance with G.S. 136-131.~~

35 (f) If the parties are unable to reach an agreement on monetary compensation to be paid
36 by the county to the owner of the nonconforming off-premises outdoor advertising sign for its
37 removal, and the county elects to proceed with the removal, the county may bring an action in
38 superior court for a determination of the monetary compensation to be paid. In determining
39 monetary compensation, the court shall consider the factors set forth in subsection (e) of this
40 section. Upon payment of monetary compensation for the sign, the county shall own the sign.

41 ...

42 ~~(m) This section does not apply to any ordinance in effect on the effective date of this~~
43 ~~section. A county may repeal or amend an ordinance in effect on the effective date of this~~
44 ~~section so long as an amendment to the existing ordinance does not reduce the period of~~
45 ~~amortization in effect on the effective date of this section.~~

46 (n) Except as specifically provided otherwise in this section, the provisions of this
47 section shall not be used to interpret, construe, alter, or otherwise modify (i) the exercise of the
48 power of eminent domain by an entity pursuant to Chapter 40A or Chapter 136 of the General
49 Statutes or (ii) the rights of outdoor advertising set forth in Article 11 of Chapter 136
50 of the General Statutes. The standards set forth in G.S. 136-131 shall apply to any county that
51 causes the removal of outdoor advertising through exercise of its power of eminent domain.

1"

2 SECTION 17. G.S. 160A-199 reads as rewritten:

3 "§ 160A-199. Regulation of outdoor advertising.

4 ...

5 (d) No city may ~~enact or amend an ordinance of general applicability to~~ cause or require
6 the removal of any nonconforming, lawfully erected off-premises outdoor advertising sign
7 without the payment of monetary compensation to the owners of the off-premises outdoor
8 advertising, except as provided below. The payment of monetary compensation is not required
9 if:

- 10 (1) The city and the owner of the nonconforming off-premises outdoor
- 11 advertising enter into a relocation agreement pursuant to subsection (g) of
- 12 this section.
- 13 (2) The city and the owner of the nonconforming off-premises outdoor
- 14 advertising enter into an agreement pursuant to subsection (k) of this section.
- 15 (3) The off-premises outdoor advertising is determined to be a public nuisance
- 16 or detrimental to the health or safety of the populace.
- 17 (4) The removal is required for opening, widening, extending or improving
- 18 streets or sidewalks, or for establishing, extending, enlarging, or improving
- 19 any of the public enterprises listed in G.S. 160A-311, and the city allows the
- 20 off-premises outdoor advertising to be relocated to a comparable location.
- 21 (5) The off-premises outdoor advertising is subject to removal pursuant to
- 22 statutes, ordinances, or regulations generally applicable to the demolition or
- 23 removal of damaged structures.

24 (d1) No city may condition the grant of any development approval on the removal of
25 off-premises outdoor advertising without the payment of monetary compensation as prescribed
26 by this section. For purposes of this section, the term "development approval" includes
27 approval for rezoning, variances, building permits, and permits authorized by quasi-judicial
28 proceedings.

29 (e) Monetary compensation is the fair market value of the off-premises outdoor
30 advertising in place immediately prior to its ~~removal~~removal, including consideration of the
31 value of (i) the outdoor advertising owner's interest in the real property on which the outdoor
32 advertising is located, (ii) the outdoor advertising sign structure, and (iii) any rights, including
33 permits, appurtenant to the outdoor advertising use, and without consideration of the effect of
34 the ordinance or any diminution in value caused by the ordinance requiring its removal.
35 Monetary compensation shall be determined ~~based on:~~

- 36 (1) ~~The factors listed in G.S. 105-317.1(a); and~~
- 37 (2) ~~The listed property tax value of the property and any documents regarding~~
- 38 ~~value submitted to the taxing authority in accordance with G.S. 136-131.~~

39 ...

40 ~~(m) This section does not apply to any ordinance in effect on the effective date of this~~
41 ~~section. A city may amend an ordinance in effect on the effective date of this section to extend~~
42 ~~application of the ordinance to off-premises outdoor advertising located in territory acquired by~~
43 ~~annexation or located in the extraterritorial jurisdiction of the city. A city may repeal or amend~~
44 ~~an ordinance in effect on the effective date of this section so long as the amendment to the~~
45 ~~existing ordinance does not reduce the period of amortization in effect on the effective date of~~
46 ~~this section.~~

47 (n) The~~Except as specifically provided otherwise in this section, the provisions of this~~
48 ~~section shall not be used to interpret, construe, alter or otherwise modify (i) the exercise of the~~
49 ~~power of eminent domain by an entity pursuant to Chapter 40A or Chapter 136 of the General~~
50 ~~Statutes. Statutes or (ii) the rights of outdoor advertising set forth in Article 11 of Chapter 136~~

1 of the General Statutes. The standards set forth in G.S. 136-131 shall apply to any city that
2 causes the removal of outdoor advertising through exercise of its power of eminent domain.

3"

4 **SECTION 18.** Notwithstanding any provision of Article 2A of Chapter 150B of
5 the General Statutes, no later than 12 months after the effective date of this act, the Department
6 of Transportation shall adopt rules to implement the provisions of this act. The Department of
7 Transportation shall use the following procedure to adopt rules to implement the provisions of
8 this act:

- 9 (1) At least 15 business days prior to adopting a rule, submit the rule and a
10 notice of public hearing to the Codifier of Rules. The Codifier of Rules shall
11 publish the proposed rule and the notice of public hearing on the Internet
12 within five business days.
- 13 (2) At least 15 business days prior to adopting a rule, notify persons on the
14 mailing list maintained pursuant to G.S. 150B-21.2(d) and any other
15 interested parties of the Department of Transportation's intent to adopt a rule
16 and of the public hearing.
- 17 (3) Accept written comments on the proposed rule for at least 15 business days
18 prior to adoption of the rule.
- 19 (4) Hold at least one public hearing on the proposed rule no less than five days
20 after the rule and notice have been published.

21 A rule adopted in accordance with this section becomes effective on the first day of
22 the month following the month the Department of Transportation adopts the rule and submits
23 the rule to the Codifier of Rules for entry into the North Carolina Administrative Code. Any
24 rule adopted more than 12 months after the effective date of this act shall comply with the
25 requirement of Article 2A of Chapter 150B of the General Statutes.

26 **SECTION 19.** If any provision of this act or its application is held invalid, the
27 invalidity does not affect other provisions or applications of this act that can be given effect
28 without the invalid provisions or applications and to this end the provisions of this act are
29 severable.

30 **SECTION 20.** Sections 1 and 12 of this act are effective when this act becomes
31 law, and apply to applications for permits received on or after that date. Section 7 of this act is
32 effective when this act becomes law, and applies to determinations of just compensation made
33 on or after that date. Section 9 of this act is effective when this act becomes law and applies to
34 appeals filed on or after that date. Section 14 of this act is effective when this act becomes law
35 and applies to changes to the agreement made on or after that date. Sections 16 and 17 of this
36 act are effective when this act becomes law and apply to outdoor advertising that has not been
37 removed as of that date. The remainder of this act is effective when this act becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 530*

Short Title: Local Gov'ts/Inspect Bldgs & Structures. (Public)

Sponsors: Representatives Brawley, Brisson, Bumgardner, and Cotham (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Local Government, if favorable, Regulatory Reform.

April 2, 2015

A BILL TO BE ENTITLED

AN ACT REVISING THE CONDITIONS UNDER WHICH COUNTIES AND CITIES MAY INSPECT BUILDINGS OR STRUCTURES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-364 reads as rewritten:

"§ 153A-364. ~~Periodic inspections~~ Inspections for hazardous or unlawful conditions.

(a) The inspection department may make ~~periodic~~ inspections, subject to the board of commissioners' directions, for unsafe, unsanitary, or otherwise hazardous and unlawful conditions in buildings or structures within its territorial jurisdiction. Except as provided in subsection (b) of this section, the inspection department may make ~~periodic~~ inspections only when there is reasonable cause to believe that unsafe, unsanitary, or otherwise hazardous or unlawful conditions may exist in a residential building or structure. For purposes of this section, the term "reasonable cause" means any of the following: (i) the ~~landlord or owner~~ property has a history of more than ~~two~~ seven verified violations of the housing ordinances or codes within a rolling 12-month period; (ii) there has been a complaint that substandard conditions exist within the building or there has been a request that the building be inspected; (iii) the inspection department has actual knowledge of an unsafe condition within the building; or (iv) violations of the local ordinances or codes are visible from the outside of the property. In conducting inspections authorized under this section, the inspection department shall not discriminate between single-family and multifamily ~~buildings~~ buildings or between owner-occupied and tenant-occupied buildings. In exercising these powers, each member of the inspection department has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action. Nothing in this section shall be construed to prohibit periodic inspections in accordance with State fire prevention code or as otherwise required by State law.

(b) A county may require ~~periodic~~ inspections as part of a targeted effort to respond to blighted or potentially blighted conditions within a geographic area that has been designated by the county commissioners. However, the total aggregate of targeted areas in the county at any one time shall not be greater than one square mile or five percent (5%) of the area within the county, whichever is greater. A targeted area designated by the county shall reflect the county's stated neighborhood revitalization strategy and shall consist of property that meets the definition of a "blighted area" or "blighted parcel" as those terms are defined in G.S. 160A-503(2) and G.S. 160A-503(2a), respectively, except that for purposes of this



1 subsection the planning commission is not required to make a determination as to the property.
 2 The county shall ~~not discriminate in its selection of areas or housing types to be targeted and~~
 3 ~~shall~~ (i) provide notice to all owners and residents of properties in the affected area about the
 4 ~~periodic~~ inspections plan and information regarding a public hearing regarding the plan; (ii)
 5 hold a public hearing regarding the plan; and (iii) establish a plan to address the ability of
 6 low-income residential property owners to comply with minimum housing code standards. A
 7 residential building or structure that is subject to periodic inspections by the North Carolina
 8 Housing Finance Agency (hereinafter "Agency") shall not be subject to ~~periodic~~ inspections
 9 under this subsection if the Agency has issued a finding that the building or structure is in
 10 compliance with federal standards established by the United States Department of Housing and
 11 Urban Development to assess the physical condition of residential property. The owner or
 12 manager of a residential building or structure subject to periodic inspections by the Agency
 13 shall, within 10 days of receipt, submit to the inspection department a copy of the Compliance
 14 Results Letter issued by the Agency showing that the residential building or structure is in
 15 compliance with federal housing inspection standards. If the owner or manager fails to submit a
 16 copy of the Compliance Results Letter as provided in this subsection, the residential building or
 17 structure shall be subject to ~~periodic~~ inspections as provided in this subsection until the
 18 Compliance Results Letter is submitted to the inspection department.

19 (c) In no event may a county do any of the following: (i) adopt or enforce any
 20 ordinance that would require any owner or manager of rental property to obtain any permit or
 21 permission from the county to lease or rent residential real ~~property~~ property or to register
 22 rental property with the county, except for those individual rental units that have either more
 23 than ~~three~~ seven verified violations of housing ordinances or codes in a rolling 12-month period
 24 or two or more verified violations in a rolling 30-day period, or upon the property being
 25 identified within the top ~~10%~~ four percent (4%) of properties with crime or disorder problems
 26 as set forth in a local ordinance; (ii) require that an owner or manager of residential rental
 27 property enroll or participate in any governmental program as a condition of obtaining a
 28 certificate of ~~occupancy~~; or (iii) ~~except as provided in subsection (d) of this section~~, occupancy;
 29 (iii) levy a special fee or tax on residential rental property that is not also levied against other
 30 commercial and residential properties, unless expressly authorized by general law or
 31 applicable only to an individual rental unit or property described in clause (i) of this subsection
 32 and the fee does not exceed five hundred dollars (\$500.00) in any 12-month period in which the
 33 unit or property is found to have verified violations; (iv) require proof of registration under
 34 clause (i) of this subsection, when applicable, be posted in the business office, common area, or
 35 other conspicuous place; (v) provide that any violation of a rental registration ordinance is
 36 punishable as a criminal offense; or (vi) require any owner or manager of rental property to
 37 submit to an inspection before receiving any utility service provided by the city. For purposes
 38 of this section, the term "verified violation" means all of the following:

- 39 (1) The aggregate of all violations of housing ordinances or codes found in an
 40 individual rental unit of residential real property during a 72-hour period.
- 41 (2) Any violations that have not been corrected by the owner or manager within
 42 30 days of receipt of written notice from the county of the violations. If the
 43 housing ordinance or code provides that any form of prohibited tenant
 44 behavior constitutes a violation by the owner or manager of the rental
 45 property, it shall be deemed a correction of the tenant-related violation if the
 46 owner or manager, within 30 days of receipt of written notice of the
 47 tenant-related violation, brings a summary ejectment action to have the
 48 tenant evicted.

49 (d) ~~A county may levy a fee for residential rental property registration under subsection~~
 50 ~~(c) of this section for those rental units which have been found with more than two verified~~
 51 ~~violations of housing ordinances or codes within the previous 12 months or upon the property~~

1 being identified within the top 10% of properties with crime or disorder problems as set forth in
 2 a local ordinance. The fee shall be an amount that covers the cost of operating a residential
 3 registration program and shall not be used to supplant revenue in other areas. Counties using
 4 registration programs that charge registration fees for all residential rental properties as of June
 5 1, 2011, may continue levying a fee on all residential rental properties as follows:

- 6 (1) For properties with 20 or more residential rental units, the fee shall be no
 7 more than fifty dollars (\$50.00) per year.
 8 (2) For properties with fewer than 20 but more than three residential rental units,
 9 the fee shall be no more than twenty five dollars (\$25.00) per year.
 10 (3) For properties with three or fewer residential rental units, the fee shall be no
 11 more than fifteen dollars (\$15.00) per year.

12 (e) If a property is identified by the county as being in the top four percent (4%) of
 13 properties with crime or disorder problems, the county shall notify the landlord of any crimes,
 14 disorders, or other violations that will be counted against the property to allow the landlord an
 15 opportunity to attempt to correct the problems. In addition, the county and the county sheriff's
 16 department shall assist the landlord in addressing any criminal activity, including testifying in
 17 court in a summary ejectment action or other matter to aid in evicting a tenant who has been
 18 charged with a crime. If the county or the county sheriff's department does not cooperate in
 19 evicting a tenant, the tenant's behavior or activity at issue shall not be counted as a crime or
 20 disorder problem as set forth in the local ordinance, and the property may not be included in the
 21 top four percent (4%) of properties as a result of that tenant's behavior or activity.

22 (f) If the county takes action against an individual rental unit under this section, the
 23 owner of the individual rental unit may appeal the decision to the housing appeals board, if
 24 created under G.S. 160A-446, or the planning board, if created under G.S. 153A-321, or if
 25 neither is created, the county manager or the county manager's designee. The board or manager
 26 shall fix a reasonable time for hearing appeals, shall give due notice to the owner of the
 27 individual rental unit, and shall render a decision within a reasonable time. The owner may
 28 appear in person or by agent or attorney. The board or manager may reverse or affirm the
 29 action, wholly or partly, or may modify the action appealed from, and may make any decision
 30 and order that in the opinion of the board or manager ought to be made in the matter."

31 SECTION 2. G.S. 160A-424 reads as rewritten:

32 "**§ 160A-424. Periodic inspections. Inspections for hazardous or unlawful conditions.**

33 (a) The inspection department may make ~~periodic~~ inspections, subject to the council's
 34 directions, for unsafe, unsanitary, or otherwise hazardous and unlawful conditions in buildings
 35 or structures within its territorial jurisdiction. Except as provided in subsection (b) of this
 36 section, the inspection department may make ~~periodic~~ inspections only when there is
 37 reasonable cause to believe that unsafe, unsanitary, or otherwise hazardous or unlawful
 38 conditions may exist in a residential building or structure. For purposes of this section, the term
 39 "reasonable cause" means any of the following: (i) the ~~landlord or owner~~ property has a history
 40 of more than ~~two~~ seven verified violations of the housing ordinances or codes within a rolling
 41 12-month period; (ii) there has been a complaint that substandard conditions exist within the
 42 building or there has been a request that the building be inspected; (iii) the inspection
 43 department has actual knowledge of an unsafe condition within the building; or (iv) violations
 44 of the local ordinances or codes are visible from the outside of the property. In conducting
 45 inspections authorized under this section, the inspection department shall not discriminate
 46 between single-family and multifamily ~~buildings~~ buildings or between owner-occupied and
 47 tenant-occupied buildings. In exercising this power, members of the department shall have a
 48 right to enter on any premises within the jurisdiction of the department at all reasonable hours
 49 for the purposes of inspection or other enforcement action, upon presentation of proper
 50 credentials. Nothing in this section shall be construed to prohibit periodic inspections in
 51 accordance with State fire prevention code or as otherwise required by State law.

1 (b) A city may require ~~periodic~~ inspections as part of a targeted effort to respond to
 2 blighted or potentially blighted conditions within a geographic area that has been designated by
 3 the city council. However, the total aggregate of targeted areas in the city at any one time shall
 4 not be greater than one square mile or five percent (5%) of the area within the city, whichever
 5 is greater. A targeted area designated by the city shall reflect the city's stated neighborhood
 6 revitalization strategy and shall consist of property that meets the definition of a "blighted area"
 7 or "blighted parcel" as those terms are defined in G.S. 160A-503(2) and G.S. 160A-503(2a),
 8 respectively, except that for purposes of this subsection the planning commission is not
 9 required to make a determination as to the property. The municipality shall not discriminate in
 10 its selection of areas or housing types to be targeted and city shall (i) provide notice to all
 11 owners and residents of properties in the affected area about the ~~periodic~~ inspections plan and
 12 information regarding a public hearing regarding the plan; (ii) hold a public hearing regarding
 13 the plan; and (iii) establish a plan to address the ability of low-income residential property
 14 owners to comply with minimum housing code standards. A residential building or structure
 15 that is subject to periodic inspections by the North Carolina Housing Finance Agency
 16 (hereinafter "Agency") shall not be subject to ~~periodic~~ inspections under this subsection if the
 17 Agency has issued a finding that the building or structure is in compliance with federal
 18 standards established by the United States Department of Housing and Urban Development to
 19 assess the physical condition of residential property. The owner or manager of a residential
 20 building or structure subject to periodic inspections by the Agency shall, within 10 days of
 21 receipt, submit to the inspection department a copy of the Compliance Results Letter issued by
 22 the Agency showing that the residential building or structure is in compliance with federal
 23 housing inspection standards. If the owner or manager fails to submit a copy of the Compliance
 24 Results Letter as provided in this subsection, the residential building or structure shall be
 25 subject to ~~periodic~~ inspections as provided in this subsection until the Compliance Results
 26 Letter is submitted to the inspection department.

27 (c) In no event may a city do any of the following: (i) adopt or enforce any ordinance
 28 that would require any owner or manager of rental property to obtain any permit or permission
 29 from the city to lease or rent residential real ~~property~~ property or to register rental property with
 30 the city, except for those ~~properties~~ individual rental units that have either more than three
 31 seven verified violations in a rolling 12-month period or two or more verified violations in a
 32 rolling 30-day period, or upon the property being identified within the top ~~10%~~ four percent
 33 (4%) of properties with crime or disorder problems as set forth in a local ordinance; (ii) require
 34 that an owner or manager of residential rental property enroll or participate in any
 35 governmental program as a condition of obtaining a certificate of occupancy; ~~or (iii) except as~~
 36 ~~provided in subsection (d) of this section, (iii)~~ levy a special fee or tax on residential rental
 37 property that is not also levied against other commercial and residential ~~properties~~ properties,
 38 unless expressly authorized by general law or applicable only to an individual rental unit or
 39 property described in subdivision (i) of this subsection and the fee does not exceed five
 40 hundred dollars (\$500.00) in any 12-month period in which the unit or property is found to
 41 have verified violations; (iv) require proof of registration under clause (i) of this subsection,
 42 when applicable, be posted in the business office, common area, or other conspicuous place; (v)
 43 provide that any violation of a rental registration ordinance is punishable as a criminal offense;
 44 or (vi) require any owner or manager of rental property to submit to an inspection before
 45 receiving any utility service provided by the county. For purposes of this section, the term
 46 "verified violation" means all of the following:

- 47 (1) The aggregate of all violations of housing ordinances or codes found in an
 48 individual rental unit of residential real property during a 72-hour period.
- 49 (2) Any violations that have not been corrected by the owner or manager within
 50 30 days of receipt of written notice from the city of the violations. If the
 51 housing ordinance or code provides that any form of prohibited tenant

1 behavior constitutes a violation by the owner or manager of the rental
2 property, it shall be deemed a correction of the tenant-related violation if the
3 owner or manager, within 30 days of receipt of written notice of the
4 tenant-related violation, brings a summary ejection action to have the
5 tenant evicted.

6 ~~(d) A city may levy a fee for residential rental property registration under subsection (c)~~
7 ~~of this section for those rental units which have been found with more than two verified~~
8 ~~violations of local ordinances within the previous 12 months or upon the property being~~
9 ~~identified within the top 10% of properties with crime or disorder problems as set forth in a~~
10 ~~local ordinance. The fee shall be an amount that covers the cost of operating a residential~~
11 ~~registration program and shall not be used to supplant revenue in other areas. Cities using~~
12 ~~registration programs that charge registration fees for all residential rental properties as of June~~
13 ~~1, 2011, may continue levying a fee on all residential rental properties as follows:~~

- 14 (1) ~~For properties with 20 or more residential rental units, the fee shall be no~~
15 ~~more than fifty dollars (\$50.00) per year.~~
16 (2) ~~For properties with fewer than 20 but more than three residential rental units,~~
17 ~~the fee shall be no more than twenty-five dollars (\$25.00) per year.~~
18 (3) ~~For properties with three or fewer residential rental units, the fee shall be no~~
19 ~~more than fifteen dollars (\$15.00) per year.~~

20 (e) If a property is identified by the city as being in the top four percent (4%) of
21 properties with crime or disorder problems, the city shall notify the landlord of any crimes,
22 disorders, or other violations that will be counted against the property to allow the landlord an
23 opportunity to attempt to correct the problems. In addition, the city and the city's police
24 department or, if the city has no police department, the county sheriff's department shall assist
25 the landlord in addressing any criminal activity, including testifying in court in a summary
26 ejection action or other matter to aid in evicting a tenant who has been charged with a crime.
27 If the city, the city's police department, or where applicable the county sheriff's department,
28 does not cooperate in evicting a tenant, the tenant's behavior or activity at issue shall not be
29 counted as a crime or disorder problem as set forth in the local ordinance, and the property may
30 not be included in the top four percent (4%) of properties as a result of that tenant's behavior or
31 activity.

32 (f) If the city takes action against an individual rental unit under this section, the owner
33 of the individual rental unit may appeal the decision to the housing appeals board, if created
34 under G.S. 160A-446, or the planning board, if created under G.S. 160A-361, or if neither is
35 created, the city manager or the city manager's designee. The board or manager shall fix a
36 reasonable time for hearing appeals, shall give due notice to the owner of the individual rental
37 unit, and shall render a decision within a reasonable time. The owner may appear in person or
38 by agent or attorney. The board or manager may reverse or affirm the action, wholly or partly,
39 or may modify the action appealed from, and may make any decision and order that in the
40 opinion of the board or manager ought to be made in the matter."

41 **SECTION 3.** This act is effective when it becomes law.



Municipal Advocacy Goals

2015-2016

On December 11, 2014, municipal officials from across North Carolina gathered to approve the League's Municipal Advocacy Goals for the 2015-16 biennium. These top legislative and regulatory priorities for the state's municipalities are the result of a year-long, member driven process involving hundreds of municipal officials. If you have any questions or would like to discuss any of these Municipal Advocacy Goals, please contact any of the municipal officials or League staff listed within this document. We welcome the opportunity to work with you regarding these priorities.

This League endorses and supports the current National Municipal Policy and will actively support NLC efforts with respect to federal legislation and issues unless there is a clear conflict with the adopted policies of this League.

Build Safe & Prosperous Cities and Towns

- Seek legislation allowing the people to vote on an amendment to the North Carolina constitution establishing Home Rule authority for municipal governments, following the belief that the government closest to the people governs best.
- Seek legislation to strengthen the law regarding municipal decision-making authority of public enterprise service provisions beyond municipal limits and ensure the existing municipal public enterprise service system is given deference in order to support orderly growth.
- Support measures which maximize the ability of local governments to provide and manage high-quality services, including utilities and public enterprises, to meet the needs of the community, and oppose legislation that weakens or removes local control over public assets.
- Seek legislation to create a cooperative municipal-county planning framework for growth that allows for public participation, orderly development on the urbanizing edges of municipalities, and a streamlined dispute resolution process.
- Support legislation authorizing new, fair, transparent and nonpartisan methods of drawing legislative and congressional districts.
- Seek legislation to reestablish authority for city-initiated annexation of “doughnut holes,” areas of land that are completely surrounded by municipal territory, and categories of right-of-way that have been accepted for maintenance by either a city or the NCDOT and in which there are no registered voters.
- Seek legislation that allows aesthetic-based design standards for residences and commercial properties in and adjacent to existing neighborhoods, including designated historic districts, as well as for all structures when based on public safety.

Preserve Municipalities’ Fiscal Health

- Seek legislation to modernize and enhance the existing local tax system by:
 - Giving municipalities the authority to levy a sales tax that applies within their corporate limits and is solely a municipal revenue;
 - Expanding the sales tax base to include more services, provided that any accompanying change in the local sales tax rate includes a perpetual hold harmless provision for individual cities and towns;
 - Allowing all municipalities to adopt occupancy taxes and use revenues from those taxes to fund municipal service and infrastructure costs in order to support travel and tourism;
 - Providing all municipalities with additional local option tax revenue sources, including to replace the significant revenue lost through elimination of the local privilege license tax; and
 - Providing a uniform state rate of tax on sales by internet-based retailers to facilitate and encourage passage of federal marketplace fairness legislation, with a reasonable method of distribution from the state to local government.
- Seek legislation providing municipalities with additional local option tax revenue sources to replace the significant revenue lost through elimination of the local privilege license tax.
- Seek legislation to alter the current statutes governing distribution of local sales taxes by:
 - Establishing alternative methods which counties may use to distribute sales tax revenues, including but not limited to, a combination of existing distribution formulas and/or new distribution formulas, including factors such as the location of the point of sale;
 - Requiring a one-year delay in implementation when a county changes its method of distributing sales tax revenue; and
 - Requiring a study of the impact of any change in sales tax distribution method, including input from all affected municipalities, before any such change could be implemented.

Promote Economic Growth and Vibrant Municipalities

- Support legislation providing the funding for state-level incentive programs necessary to keep North Carolina competitive in its efforts to bring additional jobs and economic development to local communities.
- Support legislation that provides municipalities with additional tools/incentives to encourage developers to undertake economic development projects in economically distressed or blighted areas of a city, such as land banks and other tools.
- Support legislation to establish a competitive film incentive program and preserve the state historic tax credits.
- Oppose legalization of internet sweepstakes operations; however, if internet sweepstakes operations are legalized, support legislation that would protect the land use decision-making authority and authorize municipalities to levy taxes on said operations.
- Seek legislation preventing municipalities from being additionally charged for services which are already funded through the payment of county property taxes.
- Support legislation which defends the fiscal integrity of the Local Government Employees' Retirement System and its defined benefit structure, promotes reasonable pension reforms that are prospective in nature, and meets the needs of local employees, employers, and retirees.
- Seek legislation to give municipalities the option to use electronic legal public notices in lieu of publication in a newspaper.
- Seek legislation to correct the constitutional issue within the annexation law requiring municipal construction of payment for water and sewer lines across private property all the way to the home or structure.

Strengthen Our Public Infrastructure

- Seek or support legislation to generate additional revenues to address growing transportation needs at the state and local level, and enable local governments to enter into alternative financing mechanisms to complete local transportation projects.
- Support legislation enabling municipalities to access a portion of the proceeds of any statewide transportation bonds.
- Oppose legislation that weakens or removes local control over public assets.
- Seek legislation to authorize a state bond to provide low-cost loans to local governments and authorities for infrastructure.
- Seek legislation to increase Clean Water Management Trust Fund appropriations and restore the fund's recurring appropriation.
- Seek legislation that will restore the dedicated funding source for the Parks & Recreation Trust Fund to maintain funding for land acquisition and development of municipal recreation facilities.
- Seek legislation to provide relief for municipal governments who are forced to pay the costs of municipal utility relocation related to NCDOT projects by doing the following: requiring non-municipal units of governments to pay the costs of utility relocations; raising the existing municipal population threshold for the requirement of reimbursement; and limiting reimbursement requirements to the widening of existing rights of way by NCDOT.

Create Transparent and Flexible Regulation

- Seek more open, transparent and flexible regulatory procedures that support solutions addressing nutrient impairment in waters based on current site-specific data and analysis, demonstrate use impairment, assign responsibility proportionate to the source of impairment, and equitably hold accountable all contributors to the impairment.
- Seek policies that provide flexibility when implementing programs guided by water quality standards adopted through the triennial review process.
- Seek administrative changes to water, wastewater, and stormwater infrastructure funding programs to prioritize public projects that: repair, rehabilitate, or replace existing failing infrastructure; reduce nonpoint source pollution, even when a permit condition requires the measures; protect or improve the quality of drinking water sources; assist systems in managing assets; contain a long-range planning components; incentivize innovative projects; or address impaired waters.
- Support legislation to create a legal framework that recognizes the rights of municipal government to allocations from navigable and non-navigable waterway resources in an amount adequate to meet the community’s long-range water supply needs.
- Seek legislation that restores and clarifies municipalities’ ability create stream, wetland, nutrient and buffer mitigation banks and provides methods and procedures for doing so.

Seek Common Sense Federal Action

- Seek clarification of the EPA’s proposed definition of “waters of the United States” to address municipalities’ concerns, including the following:
 - Exempting from jurisdictional waters human-made ditches.
 - Exempting from jurisdictional waters Municipal Separate Storm Sewer Systems (MS4s).
- Support legislation allowing municipalities to collect the sales tax they are currently owed on purchases from Internet-based retailers.

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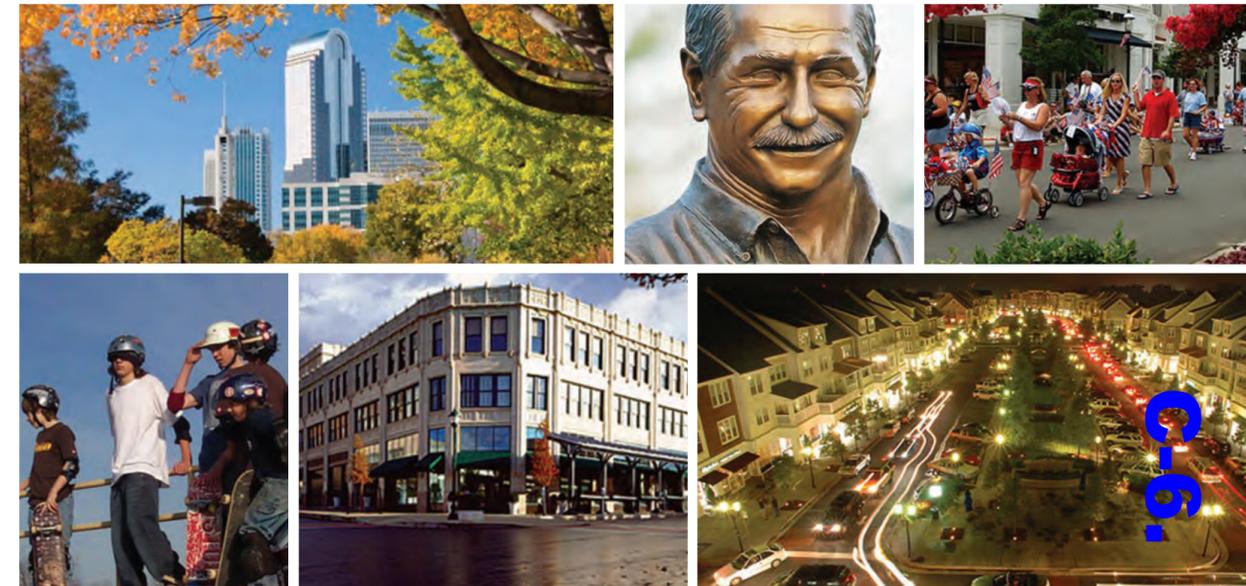
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2015

Focused on job creation through development of strong regional economies and unique cities that attract and grow a talented workforce and high quality jobs

DRAFT

NCMMC Goals 2015

Ensure the State of North Carolina and our local governments have the tools necessary to promote job creation including state historic tax credits, a robust program to retain North Carolina's film industry, and expansion of targeted and strategic incentive programs.

Ensure cities have the revenues and revenue creation tools needed to provide the level of services and quality of life their residents desire.

Ensure cities have the statutory authority to develop their communities in ways that will attract the talented workforce that brings high quality jobs.



GREENSBORO



"We know that state resources are tight, and **NC communities must be creative so that economic development opportunities don't pass us by.** The Metro Mayors support a toolbox of options that enable state and local government to partner with the private sector to create jobs."

Mayor Nancy Vaughan

FACT

Federal and state historic tax credits were critical to the successful rehabilitation of the Southeastern Building in Greensboro. Attracting approximately \$15 million in private investment, the building's value is expected to rise from \$1.9 million in value to over \$12 million when completed.

ROCKY MOUNT



"Cities are already struggling to fill the hole created by the repeal of the Privilege license tax. **Metro Mayors want to be at the table for any discussion of future tax reforms** that could impact city budgets, and cities need new ways to raise revenue locally for the things locals want."

Mayor David Combs

FACT

The repeal of the Privilege license tax put a \$140,000 hole in Rocky Mount's budget, causing the city to look at cutting services to balance the budget.

HUNTERSVILLE



"What makes a city unique is what gives it a **competitive edge.** Each city should have the authority to work with its residents to adopt policies that encourage the development of places that will attract a talented workforce. Attract the talent and the jobs will follow."

Mayor Jill Swain

FACT

97% of citizens rated Huntersville as either a good or excellent place to live, demonstrating local government decision making aligned with residents.

NCMMC City Data

CITY	POPULATION	PER CAPITA INCOME (¢1000)	UNEMPLOYMENT RATE	POVERTY RATE
APEX	38,976	32.046	5.8%	1.9%
ASHEVILLE	84,661	24.241	8.1%	20.2%
BOONE	17,774	12.482	7.2%	57.5%
BURLINGTON	51,047	20.908	11.7%	21.7%
CARRBORO	20,015	30.771	4.6%	17.3%
CARY	140,824	38.085	4.4%	6.8%
CHAPEL HILL	57,167	33.121	6.4%	23.2%
CHARLOTTE	756,725	29.167	9.9%	17.8%
CONCORD	80,576	23.698	12.1%	13.2%
CORNELIUS	25,603	41.554	6.9%	10.5%
DURHAM	234,160	25.644	7.8%	21.1%
GASTONIA	72,151	19.167	12.8%	22.7%
GOLDSBORO	36,836	19.878	14.0%	26.3%
GREENSBORO	273,641	23.371	10.5%	19.9%
GREENVILLE	86,115	20.899	9.1%	30.3%
HICKORY	40,126	24.676	7.5%	18.5%
HIGH POINT	106,164	20.620	11.6%	22.0%
HUNTERSVILLE	48,145	36.593	7.1%	5.7%
JACKSONVILLE	69,356	19.929	7.6%	13.0%
KANNAPOLIS	43,197	18.776	12.3%	19.9%
MATTHEWS	27,987	31.635	8.0%	7.3%
MONROE	33,286	18.001	10.2%	22.5%
MOORESVILLE	33,096	24.949	12.7%	9.8%
RALEIGH	414,373	27.806	7.6%	17.3%
ROCKY MOUNT	57,307	19.634	14.6%	24.2%
SALISBURY	33,596	17.342	15.0%	28.4%
WILMINGTON	108,320	27.117	10.5%	23.1%
WINSTON-SALEM	232,090	22.813	10.7%	23.6%

Based on 2012 data, which is the most recently available data set for all cities. <http://www.unc.edu/depts/curs/SNCC/agedist.html>

Memorandum



Community and Business
Development Department

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Winston-Salem, NC 27102
CityLink 336.727.8000
Fax 336.727.2878

TO: Lee Garrity, City Manager
Derwick Paige, Assistant City Manager
FROM: D. Ritchie Brooks, Director of C&BD
DATE: March 9, 2016
SUBJECT: Preliminary Report-Update on Vacant Unfit Housing Cases
CC: Evan Raleigh, Deputy Director of C&BD
Stephanie Stimpson, Code Enforcement Senior Project Supervisor

While conducting an analysis of vacant unfit properties which are eligible for demolition consideration based on six-month's vacancy, the following was discovered:

There are 682 unfit vacant housing cases on record dating from FY 11-12 through FY 14-15. These cases are the result of staff's decision not to refer cases for demolition consideration when there was, in most instances, only a few unfit violations and the structure did not appear to be unsightly. The cases that were processed for demolition were those that had a significant number of unfit violations and were obvious eyesores in the neighborhood. Also, at various times during this period, concerns were raised by Council Members regarding the large numbers of structures that were being demolished; thus staff reduced its aggressive position regarding demolition.

To address the number of outstanding unfit vacant houses, staff proposes that: 1) Cases eligible for demolition consideration based on 6-month vacancy where the cost to repair is less than 50% of the fair market value, and the cost to repair is less than the estimated cost of demolition, will be processed as soon as they become eligible. These properties will be brought into compliance using the In Rem Repair Program instead of demolishing the structure, 2) Staff will aggressively pursue bringing properties into compliance using the In Rem Repair Program, which will result in fewer properties being demolished. A report will be generated and reviewed by senior staff to monitor the above.

Staff has created an open case vacant property report sorted by case open date. The oldest cases date back to 2011 (chart below). The cases were further sorted into two categories: 1) Properties where the cost of repair is less than 50% of the fair market value of the property and less than the average cost of demolition (\$5,000). These properties are potential candidates for the In Rem Repair Program, 2) Properties where the cost of repair is greater than 50% of the fair market value of the property and greater than the average cost of demolition (\$5,000). These properties would be considered for demolition.

Properties eligible for the Eminent Domain Program also will be identified and appropriate action initiated. The Eminent Domain Program has the potential to yield favorable outcomes in several categories. Starting with the FY 10-11 and FY 11-12 properties that meet the two- year vacancy requirement for the program, the City could



> request a service > report a problem
> make a suggestion

City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Wanda Merschel, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

acquire the properties at their fair market value and sell them through an authorized method of sale for occupancy by low/moderate income persons, preferably to a non-profit housing provider who will complete the needed repairs and sale the houses to qualified homebuyers. If approved by City Council, bond funds could be used to acquire the houses and for providing funds to complete the repairs, either to the non-profit or directly to the qualified buyer. Income from the sale of the house could be shared between the City and the non-profit on an agreed-upon basis in order for the City to recapture the funds provided to acquire the property. Said funds could be deposited in a revolving account to be used for additional acquisitions. Utilizing this strategy as the preferred resolution saves properties from being demolished and taken off of the tax role, provides affordable housing, provides an income stream for non-profit housing providers and improves existing neighborhoods.

Open cases on vacant units in apartment complexes were eliminated from the report because units would not be demolished unless the whole building meets demolition criteria. Apartment cases will continue to be monitored for vacancy and/or repair.

Unfit Vacant Housing Case Inventory (As of 12-14-2015)	
Year	Total
FY 10-11	37
FY 11-12	129
FY 12-13	172
FY 13-14	157
FY 14-15	187
TOTALS:	682

Staff is currently creating cost estimates to determine which properties may be considered for In Rem Repair, which ones remain eligible for demolition based on six months' vacancy only, and which ones are candidates for the Eminent Domain Program. Once all cost estimates are obtained, a final report will be generated categorizing the cases as stated above along with a proposed budget for execution.

Memorandum



Winston-Salem

Property and Facilities
Management Department

Sustainability Program

City of Winston-Salem

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Winston-Salem, NC 27102

Tel 336.727.8249

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TO: CDHGG Committee
FROM: Wendell Hardin, Office of Sustainability
DATE: March 8, 2016
SUBJECT: STAR COMMUNITY Scholarship
CC: Ben Rowe, James Mitchell

In early February this year, the Office of Sustainability learned of an opportunity for a scholarship from the Founder's Network for the STAR COMMUNITY LEADERSHIP PROGRAM. The STAR COMMUNITY is a national rating program that invites selected municipalities and counties into its sustainability ratings program annually. Applications are put forth each year and only four cities are selected. The City of Winston-Salem was selected this year along with Dallas, TX, Ann Arbor, MI and the Village of Pinecrest, FL. Attached with this memo is the Seven Goal Matrix that identifies not only the goals but also the objectives one which each city will be rated. Currently there are only two cities in North Carolina that are STAR COMMUNITIES, Raleigh (4-STAR) and Charlotte (3-STAR). The impact of this opportunity would be a springboard for enhanced civic engagement, cross-agency coordination, integrated budgeting and performance management, additional partnerships with philanthropy organizations and economic development. The Leadership Program costs \$7,500 per year, however, with our award of a \$4,500 scholarship, the City's total cost would be a one-time fee of \$3,000 and an ongoing annual fee of \$500.

CityLink 311

Call 311 or 336-727-8000

citylink@cityofws.org

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STAR Sustainability Goal Areas (44 Objective Areas)

Built Environment	Climate & Energy	Economy & Jobs	Education, Arts & Community	Equity & Empowerment	Health & Safety	Natural Systems
Ambient Noise & Light	Climate Adaptation	Business Retention & Development	Arts & Culture	Civic Engagement	Active Living	Green Infrastructure
Community Water Systems	Greenhouse Gas Mitigation	Green Market Development	Community Cohesion	Civil & Human Rights	Community Health & Health System	Invasive Species
Compact & Complete Communities	Greening the Energy Supply	Local Economy	Educational Opportunity & Attainment	Environmental Justice	Emergency Prevention & Response	Natural Resource Protection
Housing Affordability	Industrial Sector Resource Efficiency	Quality Jobs & Living Wages	Historic Preservation	Equitable Services & Access	Food Access & Nutrition	Outdoor Air Quality
Infill & Redevelopment	Resource Efficient Buildings	Targeted Industry Development	Social & Cultural Diversity	Human Services	Indoor Air Quality	Water in the Environment
Public Spaces	Resource Efficient Public Infrastructure	Workforce Readiness		Poverty Prevention & Alleviation	Natural & Human Hazards	Working Lands
Transportation Choices	Waste Minimization				Safe Communities	

SUMMARY OF MINUTES**COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT
COMMITTEE**

4:30 p.m., Tuesday, February 9, 2016

COMMITTEE ROOM

Room 239, City Hall

MEMBERS PRESENT: Council Member Molly Leight, Chair
Council Member Jeff MacIntosh, Vice Chair
Council Member Denise D. Adams
Council Member Dan Besse

OTHERS PRESENT: Council Member Derwin L. Montgomery

Chair Leight called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. Council Member Adams removed Item C-3, Chair Leight removed Item C-4 for discussion. No other items were removed.

Council Member MacIntosh made a motion to approve the balance of the Consent Agenda. The motion was duly seconded by Council Member Adams and carried unanimously.

CONSENT AGENDA

- C-1. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(1) OF THE CODE OF THE CITY OF WINSTON-SALEM: *[Repairs less than 50% of value of structure (<50) six months]*.
- a. James Albert Brown 618 E. 28th Street
- C-2. ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: *[Repairs more than 65% of value of structure (>65)]*.
- c. Eric Demarko 1926 Francis Street

Council Member Besse made a motion to approve this item. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

C-2. ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: [*Repairs more than 65% of value of structure (>65)*].

a. Virginia Coles 5119 Cobblestone Road

Chair Leight removed this item for discussion.

Ms. Stephanie Stimpson, Auxiliary Programs Director, Community and Business Development Department, gave the staff report on this item.

Mr. Rudolph Coles, 5119 Cobblestone Road, stated he would like to repair the property. He is waiting on the insurance company and the contractor to give him an estimate on the repairs. He requested a 60-day extension to work on this. He stated he was unaware this process was taking place and never received notification.

In response to Council Member Adams, Ms. Stimpson stated the house burned in June of 2015.

Mr. Brooks stated his office sent letters to Mr. and Mrs. Coles concerning this process to their P.O. Box in Michigan and to the 5119 Cobblestone Road address. He added the environmental case for the debris pile in the yard ended on February 9, 2016.

Council Member Adams stated she has received numerous phone calls and emails from neighbors wanting this to be repaired or torn down. She stated her sympathy for the owners but noted the long period the house has been in this condition. She encouraged staff to ensure the environmental issues are addressed.

In response to Chair Leight, Mr. Brooks explained the environmental inspector can grant a seven day extension for the cleanup of the debris pile. If more time is needed the Director or the Assistant Director of that department can give the owner an additional seven days.

Council Member Adams made a motion to approve this item. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

b. CMW 1341 Waughtown Street

Chair Leight stated staff requested this item be removed from consideration.

GENERAL AGENDA**G-1. MARTIN LUTHER KING, JR. DRIVE/WAUGHTOWN STREET AREA DESIGN STUDY PRESENTATION.**

Mr. Derwick Paige, Assistant City Manager, gave the introduction for this item.

Ms. Carol Davis, Simon G. Atkins Community Development Center, Executive Director, 1922 S. Martin Luther King, Jr., Drive, and Ms. Dawn Henderson, Winston-Salem State University, Assistant Professor, 3228 Emory Drive, gave the presentation on this item.

Mr. Paul Kron, 519 Hawthorne Road and Ms. Dawn Henderson, 3228 Emory Drive, thanked the Council for their support on this item.

G-2. RESOLUTION MODIFYING THE TRANSFORMING URBAN RESIDENTIAL NEIGHBORHOODS (TURN) PROGRAM GUIDELINES TO ALLOW FOR SECOND TIME ASSISTANCE.

Mr. Brooks gave the staff report on this item.

In response to Chair Leight, Mr. Brooks stated the financial records of applicants will be assessed.

In response to Council Member MacIntosh, Ms. Sharon Johnson, Rehabilitation Project Supervisor, Community and Business Development Department, stated the debt to value ratio percentage is 95.

In response to Chair Leight, Mr. Brooks replied almost all of the neighborhood coordinating agencies have been trained.

Council Member Adams made a motion to approve the item. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

G-3. RESOLUTION APPROVING GUIDELINES FOR THE REHABILITATION, BUY-REHABILITATION, AND URGENT REPAIR HOUSING LOAN PROGRAMS.

Mr. Brooks gave the staff report on this item.

Mr. Brooks noted the amendments to this item for Monday will include under the type of assistance will be a three year deferred forgivable loan. If the property is sold or transfers ownership during that three year time the loan will become due and can be paid in full, or it can be prorated. He added the loan will be an assumable loan.

Council Member Adams made a motion to approve the item with the amendments to be made by the Community and Business Development Department. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

G-4. RESOLUTION APPROVING MODIFICATIONS TO THE NRSA BUILDING REHABILITATION PROGRAM AND SMALL BUSINESS LOAN PROGRAM.
[Item continued from the December meeting of the Finance and Community Development/Housing/General Government Committees.]

Mr. Ken Millet, Senior Project Supervisor, Community and Business Development, gave the staff report on this item.

Council Member Montgomery requested staff look at violations made by the property owner and not only the property. He also requested the threshold of the micro loan program.

Mr. Brooks stated this items application process will be amended to require applicants to provide with their application the scope of work needed and an estimate of what that work will cost.

Council Member MacIntosh made a motion to approve the item with the amendment to the paperwork suggested by Mr. Brooks and the chronic violator conditions. The motion was duly seconded by Council Member Adams and carried unanimously.

G-5. UPDATE ON WEBSITE PRIVACY POLICY CHANGE.

Mr. Ed McNeal, Director, Marketing, and Mr. Tom Kureczka, Director, Information Systems gave the staff presentation on this item.

In response to Chair Leight, Mr. McNeal explained the City will use a third party to manage the cookies and retargeting ads.

In response to Council Member Adams, Mr. Kureczka stated Raleigh and Charlotte are both looking at these options as well.

Council Member Adams requested staff ensure the public is aware of this and is aware of the privacy policy.

In response to Council Member MacIntosh, Mr. Doug Atkinson, Media Placement Services explained the data collected is not personal information only the browser information is transferred and a cookie is left. He stated no one inside or outside of the company will have access to this information.

ADJOURNEMENT: 6:03 p.m.

