



Agenda

Planning and Zoning Commission

March 20, 2012

6:30 PM

Council Chambers, City Hall, 200 W. Fifth Street

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Shelley Basnight
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - February 21, 2012
- V. NEW BUSINESS

REZONINGS

- 1. Ordinance requested by Brighton Park Apartments, LLC to rezone 0.63 acres located on the western right-of-way of Brighton Park Drive approximately 50 feet south of its intersection with Melrose Drive from MO (Medical-Office) to MR (Medical-Residential).
- 2. Ordinance requested by E. Hoover Taft, III, Trustee and Margie B. Stafford, Trustee to rezone 0.43 acres (18,713 square feet) located at the southwest corner of the intersection of Ellsworth Drive and Spring Forest Road from R6S (Residential-Single-Family [Medium Density]) to R6 (Residential [High Density Multi-family]).
- 3. Ordinance requested by Lewis Land Development, LLC, POHL, LLC and V. Parker Overton to rezone 31.74 acres located at the southeastern and southwestern corners of the intersection of Fire Tower Road and Bayswater Road from CN (Neighborhood Commercial) and R6MH (Residential-Mobile Home [High Density]) to CG (General Commercial).

TEXT AMENDMENTS

- 4. Ordinance amending Article N of the Zoning Ordinance relating to sign regulations associated with temporary flags, wind blades and banners

VI. OTHER ITEMS OF BUSINESS

5. Update on Zoning Text Amendment Application Related to Standards for Family Care Homes.

VII. ADJOURN

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING
AND ZONING COMMISSION
February 21, 2012

The Greenville Planning and Zoning Commission met on the above date at 6:30 p.m. in the Council Chambers of City Hall.

Mr. Tim Randall - *
Mr. Godfrey Bell - * Mr. Dave Gordon - *
Mr. Tony Parker - * Ms. Linda Rich - *
Mr. Hap Maxwell - * Ms. Ann Bellis - *
Ms. Shelley Basnight - * Mr. Brian Smith -X
Mr. Doug Schrade - * Mr. Jerry Weitz - *
Ms. Wanda Harrington - *

The members present are denoted by an * and the members absent are denoted by an X.

VOTING MEMBERS: Bell, Parker, Maxwell, Basnight, Gordon, Rich, Bellis, and Schrade.

PLANNING STAFF: Merrill Flood, Community Development Director; Chris Padgett, Chief Planner; Elizabeth Blount, Staff Support Specialist II; and Andrew Thomas, Jr., Lead Planner.

OTHERS PRESENT: Dave Holec, City Attorney; Max Joyner, Jr., City Council Liason, Jonathan Edwards, Communications Technician and Tim Corley, Engineering/Public Works.

MINUTES: Motion was made by Mr. Bell, seconded by Ms. Basnight, to accept the January 17, 2012 minutes as presented. Motion carried unanimously.

AGENDA CHANGE: Motion was made by Mr. Bell, seconded by Mr. Gordon to move the Vidant Medical Center text amendment to the first item of business. Motion carried unanimously.

NEW BUSINESS

Text Amendment

Zoning Ordinance Text Amendment: Airport Zoning - Administrative Approval Process to Allow Temporary Construction Equipment to Exceed Applicable Height Restrictions.

Mr. Christopher Padgett, Chief Planner, stated that city staff and the applicant have been communicating regarding the proposed text amendment for over a year. The City of Greenville has airport zoning standards that dictate how tall structures and vegetation can be within specified distances of approaches to runways at the Pitt-Greenville Airport. Those height limitations are depicted on the airport hazard zoning map and are mandated by the Federal Aviation Administration. If someone desires to erect a structure taller than is permitted, they must get approval from both the FAA and the city. Approval from the FAA requires an

aeronautical study that shows that the proposed structure would not be a hazard to air navigation. Approval from the city requires a variance from the Board of Adjustment. The Board of Adjustment has reviewed five variance requests associated with temporary construction equipment that exceeded the applicable airport zoning height standards since May, 2006. All five variances were approved by the Board of Adjustment conditioned upon all FAA requirements being met and all five were for hospital construction projects. The hospital (Vidant Medical Center) is now looking for a way to simply and expedite their permitting process for future construction projects, which is the reason for the proposed text amendment.

Mr. Padgett then reviewed the language of the proposed text amendment as follows:

“Temporary construction equipment, including cranes or other apparatus, that exceed the height limitation of the applicable zone represented by the conical surfaces, inner horizontal surface, primary surface and transitional surfaces herein established shall be permitted provided (i) the sponsor of the temporary construction equipment has filed FAA Form 7460-1, Notice of Proposed Construction or Alteration, or other amended or substitute FAA Form required for this purpose with the FAA, (ii) the FAA has stated in writing that a FAA Aeronautical Study has resulted in the determination that the temporary construction equipment would not be a hazard to air navigation, (iii) the sponsor of the temporary construction equipment shall deliver a copy of the FAA written determination to the Executive Director of the Pitt – Greenville Airport at least ten (10) days prior to any airport height zone encroachment allowed pursuant to this subsection (C), and (iv) the temporary construction equipment is marked and lighted in accordance with the lighting and marking standards prescribed by the FAA.”

Mr. Padgett noted that a letter supporting the proposed text amendment had been submitted by the Executive Director of the Pitt-Greenville Airport Authority and that a copy of the letter is included in the packet.

Mr. Randall opened the public hearing.

Tim McDonald, Chief Facilities Officer with Vidant Health spoke in favor of the request. Mr. McDonald stated that the hospital has applied for five variances in recent years, most recently for work associated with the children’s hospital which is under construction. He stated that they had worked closely with city staff and airport staff to ensure that the proposed amendment would work for everyone and that he appreciated the opportunity to speak to the Commission.

No one spoke in opposition of the request.

The public hearing was closed and the floor was opened for commission discussion or a motion.

Mr. Gordon made a motion to approve the proposed text amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Mr. Parker seconded the motion. The motion passed unanimously.

OLD BUSINESS

PRELIMINARY PLATS

Request by Synergy Properties, LLC and POHL, LLC for a preliminary plat entitled "Bent Creek (Revised 2012).

Mr. Andrew Thomas, Lead Planner, stated the location of the property and zoning. The preliminary plat has been revised times over the years. The revised street layout maintains connectivity to adjoining lands and subdivisions. Sidewalks are provided. The development includes some large tracts where the development pattern has not been established but there is sufficient access that these properties can be served by the proposed street network. The applicant wants to add two private streets. There is no additional cost to the city.

Chairman Randall asked if the city was adding any additional conditions since the laws have changed since the subdivision was originally approved in 1993.

Mr. Thomas stated that the applicant is incorporating changes to the ordinance such as sidewalks and storm water retention standards.

Chairman Randall asked if the storm water standards would be applicable for the entire development.

Mr. Thomas stated that the entire subdivision would have to comply with storm water rules.

Chairman Randall stated that a note on the plat stated that certain lots were not subject to the Greenville Storm Water Management Program and wondered if the property was grandfathered.

Mr. Thomas stated that some of the existing lots that had already been final platted were grandfathered and did not have to meet the storm water standards but the remaining portion of the subdivision would.

Mr. Bell asked was any of the property in a flood zone.

Mr. Thomas said no.

Chairman Randall opened the public hearing.

Mr. Brian Fagundus, an engineer with Rivers and Associates, spoke in favor of the application. He stated that the preliminary plat is a revision. Lot 23 is in the process of being developed. Some of the streets in the plat are not subject to the current storm water regulations. Specific lots and streets were grandfathered and did not have to comply with the storm water regulations. Any other lots, streets or new developments will have storm water management. The current plat does have a storm water management plan that is currently under review.

No one spoke in opposition to the preliminary plat.

Chairman Randall closed the public hearing.

Mr. Bell made a motion to approve the preliminary plat, seconded by Mrs. Rich. The motion carried unanimously.

NEW BUSINESS

PRELIMINARY PLATS

Request by Greenville Retail Investments, LLC and V-SLEW, LLC for a preliminary plat entitled "Parkside Bluffs".

Mr. Thomas stated that the location of the property and its zoning district. The purpose of the preliminary plat is to establish one building lot and approval of a public street. The proposed street is a result of negotiations between the developer and NCDOT regarding the location of the traffic signal for Hardee Crossing at Portertown (proposed Wal*Mart shopping center). NCDOT is requiring that the street be built north of E. Tenth Street (NC 33) to match the proposed intersection signalization.

It is anticipated that this street will be the primary access for future development in the area. This property has approximately 650 feet of commercial zoning from E. Tenth Street toward the Tar River, transitioning into OR and then multi-family residential.

The Planning and Zoning Commission voted to table this item at their January 17, 2012, meeting at the request of the applicant. There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services. The plat was reviewed by the technical review committee and was found to meet all applicable city requirements.

Mr. Jon Day, spokesperson for Greenville Retail Investors, spoke in favor of the application. The applicant purchased the land across the street with plans to develop it later. They are now combining land with V-SLEW to establish a larger lot. The reason for the delay was to finalize the width of the proposed street with NCDOT. The street will serve to provide access to approximately 100 additional acres of land north of the property.

No one spoke in opposition to the request.

Mr. Gordon made a motion to approve the preliminary plat, Mr. Bell seconded and the motion carried unanimously.

PRELIMINARY PLATS

Request by Ashton Point E, LP for a preliminary plat entitled "Winslow Pointe". The property is located on the eastern side of Hooker Road at its intersection with Ridge Place. The property is bound by Green Mill Run to the north, CSX Railroad to the east and Pinebrook Subdivision to the south. The subject property is further identified as Pitt County Tax Parcel Nos. 06649 and 37049. The proposed development consists of 1 lot on 23.65 acres.

Mr. Andrew Thomas, Jr. stated that this was a preliminary plat for Winslow Pointe. The site is the recombination of two existing parcels. One parcel contains the Flynn Christian Home and the other tract is vacant. The property is bound on the north by the Green Mill Run. The property has significant wetlands and the Army Corps of Engineers has approved a wetlands delineation. Approximately 45% of this property will not be developed. The property will be served by a private drive connecting to Hooker Road. This preliminary plat also illustrates the multi-family units that are proposed to be built. There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services. The City's Subdivision Review Committee has reviewed the preliminary plat and has determined that it meets all applicable city requirements.

Chairman Randall asked if the storm detention basin will accommodate all the storm runoff for the whole developed area before it's allowed to be released into the wetlands.

Mr. Thomas stated that it would.

Mr. Steve Rice, representative of Ashton Point, spoke in favor of the application. He stated that there are over ten acres of wetlands on the property. No wetlands nor flood plains will be impacted. The developer is proposing a storm water dry basin to provide storm water detention and to also remove nitrogen and phosphorous. A site plan has already been submitted. Comments from the plan are being addressed.

Ms Mary Crozier, past president of the Lakewood Pines Subdivision, spoke against the application. She stated that the neighborhood recently received notice of the request. They did not have a good history with Planning and Zoning and the developer of University Suites on Arlington Blvd. According to Ms Crozier, the storm water runoff and the flood plain was not adequately addressed for that development causing the Green Mill Run to be overtaxed. Two homes have been destroyed because of the hurricane due to the degree of water in the north end of the neighborhood. The neighborhood is concerned with the storm drainage, high density of

the area and the traffic needs. She stated that Hooker Road has a lot of foot and vehicle traffic to be labeled a minor thoroughfare. She suggested that the board make sure all the adequate information has been provided and have some accountability measure prior to approving the plat.

Chairman Randall asked how the neighborhood found out about the agenda item.

Ms Crozier stated the president saw it on the city's website. They emailed Mr. Padgett and he sent them an email concerning the meeting details.

Mr. Padgett clarified that someone from the neighborhood was on the newly initiated Planning and Zoning Commission email list. The neighborhood president replied to the city's email so the email list is working.

Mr. Schrade asked how far in advance the email was sent out.

Mr. Padgett answered it was sent out Thursday of last week.

Mr. Bell asked did the actual property on Hooker Road have signage.

Mr. Padgett stated that the application was not a rezoning so there was no signage. He stated that this project has several components- site plan review for the 84 multi-family units which is approved internal by the city; the combination of two pieces of property and creation of the private street and Greenway easement which is reviewed by the Planning and Zoning Commission through a preliminary plat; and the storm water management plan which is reviewed by Public Works. Public Works has requested that the applicant provide a greater level of storm water detention than is typically required, and the applicant is currently revising their stormwater management plan to address this request. The applicant cannot get a building permit until they receive all required approvals. The neighborhood is now aware of the project and can communicate directly with the applicant or the Public Works Department regarding the stormwater management plan.

Mr. Maxwell asked how the city takes into consideration the storm water runoff from the shopping center and the future development of housing and how it will impact the Lakewood Pines neighborhood.

Mr. Tim Corley, Public Works Engineer, stated that storm water utilities funds are being spent for a consultant to study and propose projects that would minimize flooding in Lakewood Pines.

Mr. Parker stated that Public Works is already addressing the problem.

Mr. Corley stated that there have been several public meetings with the neighborhood, University Suites and other areas in order to identify potential solutions.

Mr. Parker asked was the developer aware of the problem.

Mr. Corley stated they were and were willing to go above and beyond what the ordinance requires.

Mr. Rice spoke in rebuttal in favor of the request. He stated that they are working closely with Public Works staff on the issue of stormwater. They are providing detention to limit the storm water runoff for the 1 year / 24 hour storm and higher frequency storms so it is less than the existing amount. He also stated they understood the downstream situation and volunteered to participate in extra activities to alleviate the problem.

Mr. Bell stated that the developer, the City and Public Works are aware of the drainage problem and appear to be acting appropriately. It was stated twice that the developer is willing to go over and beyond the requirements.

Mr. Bell made a motion to approve the preliminary plat, Ms. Basnight seconded and the motion carried unanimously.

With no further business, Ms Basnight made a motion to adjourn, Ms Rich seconded, and it passed unanimously. Meeting adjourned at 7:28 p.m.

Respectfully Submitted,

Merrill Flood, Secretary to the Commission
Director of Community Development Department



City of Greenville, North Carolina

Meeting Date: 3/20/2012
Time: 6:30 PM

Title of Item: Ordinance requested by Brighton Park Apartments, LLC to rezone 0.63 acres located on the western right-of-way of Brighton Park Drive approximately 50 feet south of its intersection with Melrose Drive from MO (Medical-Office) to MR (Medical-Residential).

Explanation:

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 6, 2012.
On-site sign(s) posted on March 6, 2012.
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A.
Public hearing legal advertisement published - N/A.

Comprehensive Plan:

The subject area is located in Vision Area F.

The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of West Fifth Street between Schoolhouse Branch and Harris Run.

Thoroughfare/Traffic Report Summary (PWD- Engineering Division):

A traffic report was not generated since the proposed rezoning will generate fewer trips on West Fifth Street than the existing zoning.

History/Background:

In 1986, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned MD-3 and MD-5. Later, these districts were re-named to MO (Medical-Office) and MR (Medical-Residential), respectively.

Present Land Use:

Currently, the property is vacant.

Water/Sewer:

Water and sanitary sewer are located in the right-of-way of Brighton Park Drive.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental conditions/constraints.

Surrounding Land Uses and Zoning:

North: MR - vacant
South: MO - vacant
East: MO and MR - vacant
West: MO - Carolina Ortho Prosthetics

Density Estimates:

Under the current zoning (MO), the site could yield 6,028+/- square feet of medical office space.

Under the proposed zoning (MR), the maximum density would allow 11 multi-family units (1, 2 and 3 bedrooms). Staff would anticipate the site to yield 8 multi-family units (1, 2 and 3 bedrooms).

The anticipated build-out time is approximately 1 to 2 years.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map and the Medical District Land Use Plan Update(2007).

"In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Survey](#)
 - [Location Map](#)
 - [Bufferyard and Vegetation Standards and Residential Density](#)
 - [List_of_Uses_for_MO_District_900329](#)
-

EXISTING ZONING

MO (Medical-Office)

Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- f. Retail sales; incidental

(2) Residential:

- l. Group care facility
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- n. Auditorium
- r. Art gallery
- u. Art studio including art and supply sales
- ee. Hospital
- ii. Wellness center; indoor and outdoor facilities

(9) Repair:

* None

(10) Retail Trade:

- d. Pharmacy
- s. Book or card store, news stand
- w. Florist

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

Special Uses

MO (Medical-Office)

(1) General:

* None

(2) Residential:

i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

e. Barber or beauty shop

f. Manicure, pedicure or facial salon

j. College and other institutions of higher learning

l. Convention center; private

s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)

s.(1). Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)

hh. Exercise and weight loss studios; indoor only

ll.(1) Dry cleaning; household users, drop-off/pick-up station only [2,000 sq. ft. gross floor area limit per establishment]

jj. Health services not otherwise listed

(9) Repair:

* None

(10) Retail Trade:

- f. Office and school supply, equipment sales [5,000 sq. ft. gross floor area limit per establishment]
- h. Restaurant; conventional
- i. Restaurant; fast food [limited to multi-unit structures which contain not less than three separate uses]
- j. Restaurant; regulated outdoor activities
- k. Medical supply sales and rental of medically related products including uniforms and related accessories.
- t. Hobby or craft shop [5,000 sq. ft. gross floor area limit per establishment]

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

PROPOSED ZONING

MR (Medical-Residential)

Permitted Uses

(1) General:

- a. Accessory use or building
- c. On- premise signs per Article N

(2) Residential:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreation facility

(7) Office/ Financial/ Medical:

* None

(8) Services:

- o. Church or place of worship (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

MR (Medical-Residential)

Special Uses

(1) General:

* None

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- l. Group care facility
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- o.(1). Nursing, convalescent center or maternity home; minor care facility

(3) Home Occupations (see all categories):

- b. Home occupations; excluding barber and beauty shops
- d. Home occupations; excluding manicure, pedicure or facial salon

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities

- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

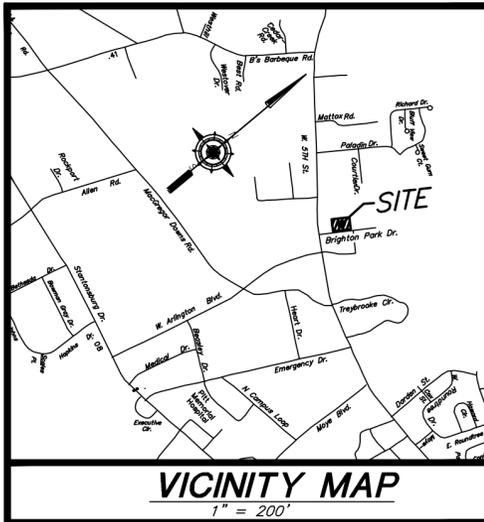
* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None



ADDRESSES OF ADJOINERS WITHIN 100 FEET OF SITE

BRIGHTON PARK APARTMENTS, LLC
 LOT 2, BRIGHTON PARK
 PO BOX 20370
 GREENVILLE, NC 27858

BRIGHTON PARK APARTMENTS, LLC
 LOT 5, BRIGHTON PARK
 PO BOX 20370
 GREENVILLE, NC 27858

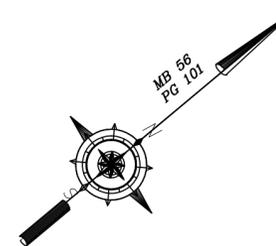
BRIGHTON PARK APARTMENTS 1, LLC
 105C REGENCY BOULEVARD
 GREENVILLE, NC 27858

CARL H. TYNDALL
 359 HUNTINGRIDGE ROAD
 GREENVILLE, NC 27834

CARROL & ASSOCIATES, INC.
 LOT 6, BRIGHTON PARK
 2510 S. CHARLES BOULEVARD
 GREENVILLE, NC 27858

CARROL & ASSOCIATES, INC.
 LOT 7, BRIGHTON PARK
 2510 S. CHARLES BOULEVARD
 GREENVILLE, NC 27858

CARROL & ASSOCIATES, INC.
 LOT 8, BRIGHTON PARK
 2510 S. CHARLES BOULEVARD
 GREENVILLE, NC 27858



LEGEND

- B/B = BACK OF CURB TO BACK OF CURB
- C/L= CENTERLINE
- DB = DEED BOOK
- DH = DRILL HOLE
- EIP = EXISTING IRON PIPE
- LP = LIGHT POLE
- PG = PAGE
- R/W= RIGHT-OF-WAY
- SF = SQUARE FEET
- TPED = TELEPHONE PEDESTAL
- TRANS = ELECTRICAL TRANSFORMER
- "X" = X CHISELED IN CONCRETE

- = EXISTING ZONING
- = PROPOSED ZONING

SURVEY NOTES

1. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS UNLESS SHOWN OTHERWISE.
2. ALL BEARINGS ARE BASED ON MAP BOOK 56, PAGE 101.
3. LOT AREAS CALCULATED BY COORDINATE GEOMETRY.
4. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: FIRM 3720467800J, DATED: JANUARY 2, 2004.
5. CURRENT ZONING LINE SCALED FROM PITT COUNTY ONLINE PARCEL INFORMATION SYSTEM.

CERTIFICATION

I, BENJAMIN J. PURVIS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE BY ME FROM DESCRIPTIONS RECORDED IN BOOKS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS SURVEY MEETS THE REQUIREMENTS OF "THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.1600); I FURTHER CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. WITNESS MY HAND AND SEAL THIS 29th DAY OF FEBRUARY, A.D. 2012.



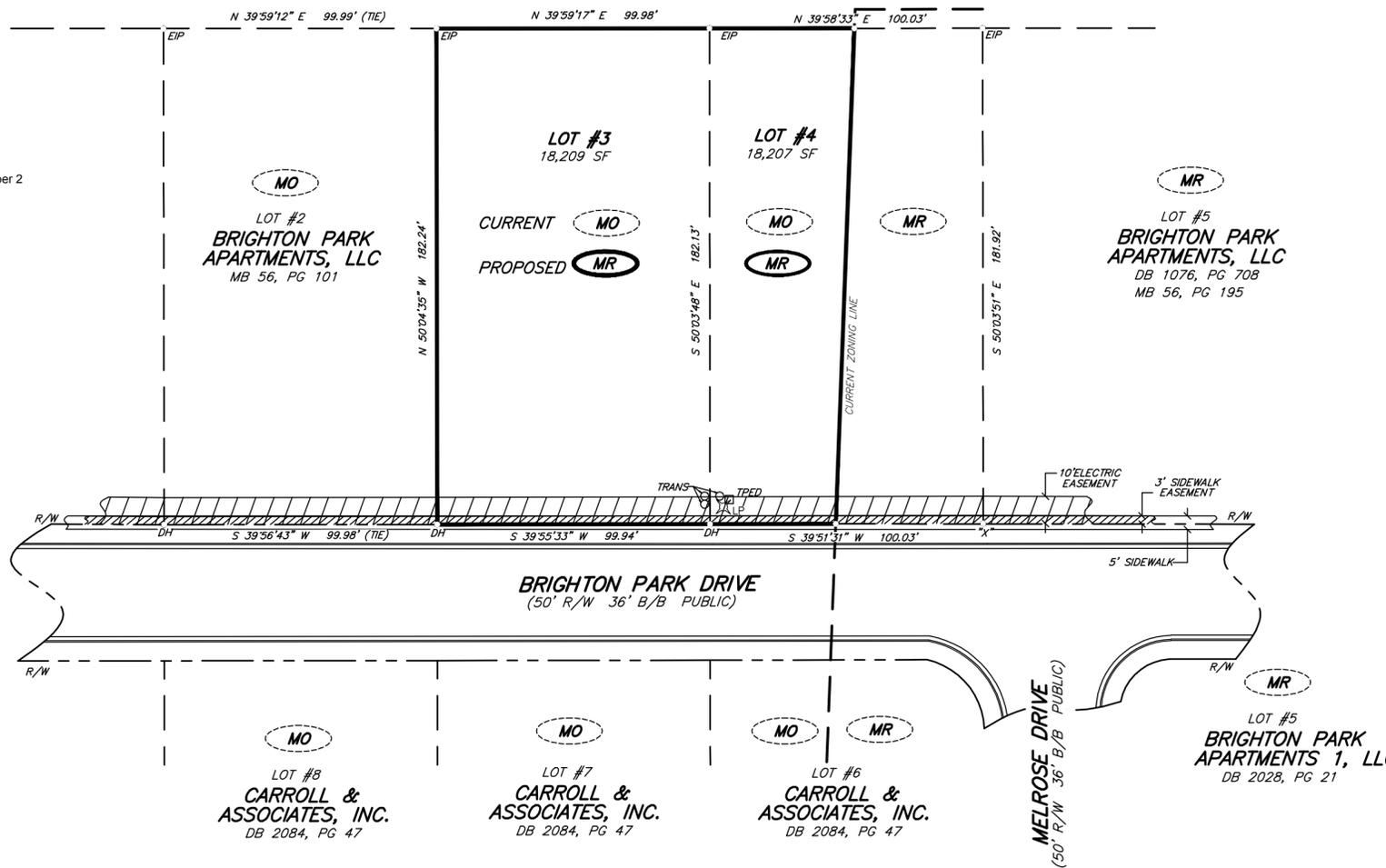
Benjamin J. Purvis

BENJAMIN J. PURVIS, P.L.S.

L-4290

Item # 1

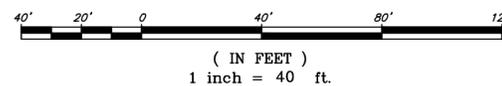
MO
CARL H. TYNDALL
 DB C-50, PG 694



NOTES

1. REQUEST TO CHANGE ALL OF LOT 3 AND A PORTION OF LOT 4 TO MR ZONING.
2. LOT 3 = 18,209.18 SF CURRENTLY ZONED MO.
3. PORTION OF LOT 4 = ± 9,189.53 SF CURRENTLY ZONED MO. THE REMAINDER OF LOT 4 IS CURRENTLY ZONED MR. (APPROXIMATELY ± 9,017.65).
4. TOTAL AREA REQUESTED TO BE REZONED FROM MO TO MR = 27,398.71 SF (0.63 ACRES)
5. THERE ARE CURRENTLY NO STRUCTURES OR IMPROVEMENTS LOCATED ON LOTS 3 AND 4.

GRAPHIC SCALE



REZONING MAP FOR
BRIGHTON PARK APARTMENTS, LLC

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DB 1076, PAGE 708 AND MAP BOOK 56, PAGE 101 OF THE PITT COUNTY REGISTRY
 GREENVILLE, FALKLAND TOWNSHIP, PITT COUNTY, N.C.

OWNER: **BRIGHTON PARK APARTMENTS, LLC**
 ADDRESS: PO BOX 20370
 GREENVILLE, NC 27858
 PHONE: (252) 756-4052

BENJAMIN J. PURVIS, P.L.S.
 2004 B. EAST 3RD. ST.
 GREENVILLE, N.C. 27858
 (252) 341-5588
 www.landsurvey.webs.com

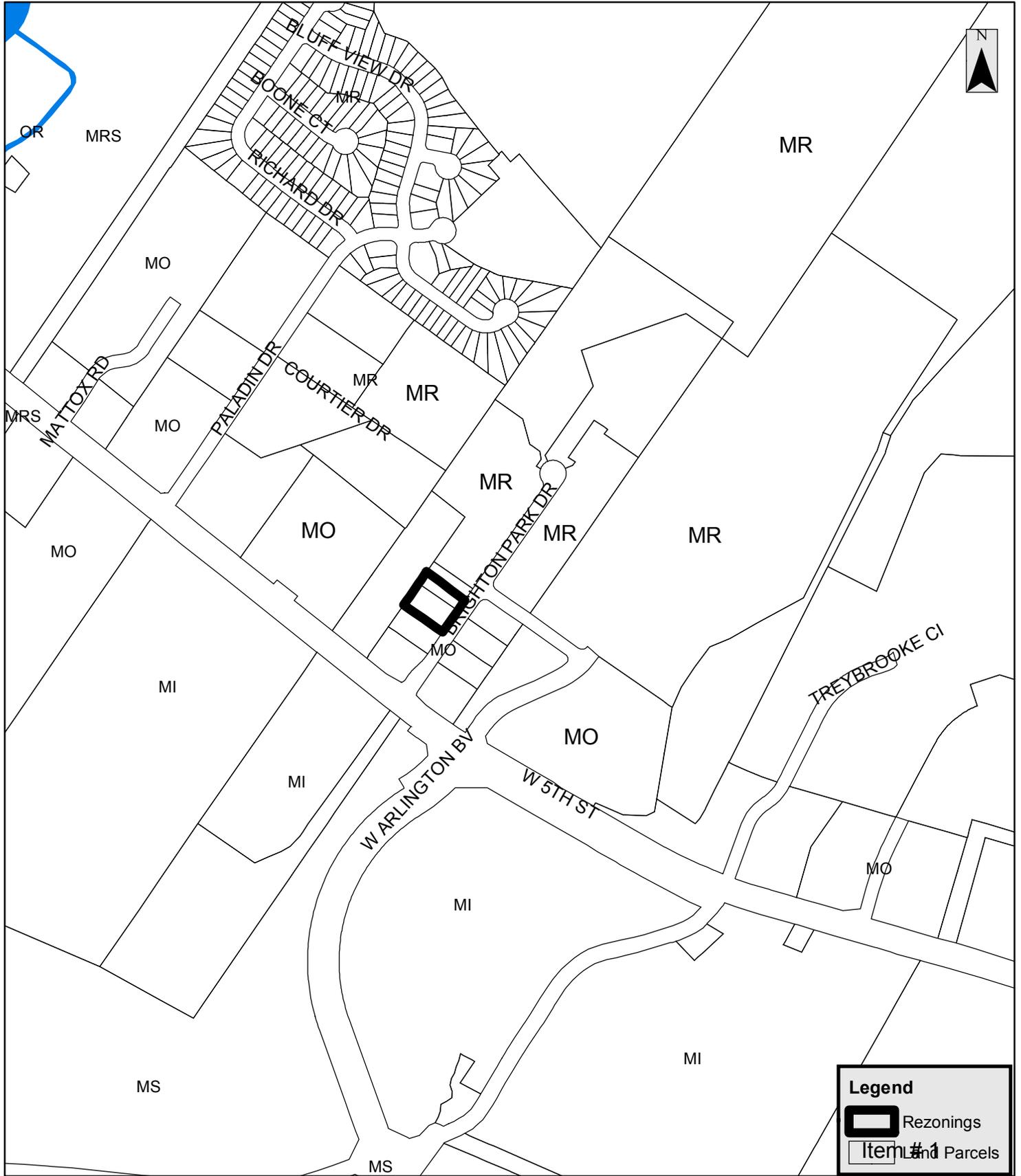
SURVEYED: BJP	APPROVED: BJP
DRAWN: CPT	DATE: 02/29/12
CHECKED: BJP	SCALE: 1" = 40'

Brighton Park Apartments, LLC (12-01)

From: MO To: MR

0.43 acres

March 6, 2012



Legend

-  Rezoning
-  Land Parcels

Item # 1

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

Bufferyard Requirements: Match proposed land use with adjacent permitted land use or adjacent vacant zone/nonconforming use to determine applicable bufferyard.

PROPOSED LAND USE CLASS (#)	ADJACENT PERMITTED LAND USE CLASS (#)					ADJACENT VACANT ZONE OR NONCONFORMING USE		PUBLIC/PRIVATE STREETS OR R.R.
	Single-Family Residential (1)	Multi-Family Residential (2)	Office/Institutional, light Commercial, Service (3)	Heavy Commercial, Light Industry (4)	Heavy Industrial (5)	Residential (1) - (2)	Non-Residential (3) - (5)	
Multi-Family Development (2)	C	B	B	B	B	C	B	A
Office/Institutional, Light Commercial, Service (3)	D	D	B	B	B	D	B	A
Heavy Commercial, Light Industry (4)	E	E	B	B	B	E	B	A
Heavy Industrial (5)	F	F	B	B	B	F	B	A

Bufferyard A (street yard)		
Lot Size	Width	For every 100 linear feet
Less than 25,000 sq.ft.	4'	2 large street trees
25,000 to 175,000 sq.ft.	6'	2 large street trees
Over 175,000 sq.ft.	10'	2 large street trees

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)	
Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Parking Area: Thirty (30) inch high screen required for all parking areas located within fifty (50) feet of a street right-of-way.

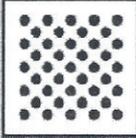
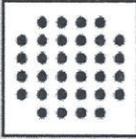
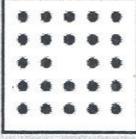
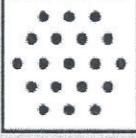
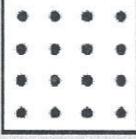
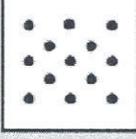
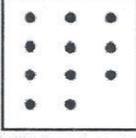
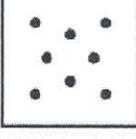
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons per acre	
R6-S	7 units per acre yields 19 persons per acre	
R9	6 units per acre yields 16 persons per acre	
R9-S	5 units per acre yields 13 persons per acre	
Low Density		
RA-20 MRS	4 units per acre yields 11 persons per acre	
R15-S	3 units per acre yields 8 persons per acre	

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 3/20/2012
Time: 6:30 PM

Title of Item: Ordinance requested by E. Hoover Taft, III, Trustee and Margie B. Stafford, Trustee to rezone 0.43 acres (18,713 square feet) located at the southwest corner of the intersection of Ellsworth Drive and Spring Forest Road from R6S (Residential-Single-Family [Medium Density]) to R6 (Residential [High Density Multi-family]).

Explanation:

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 6, 2012.
On-site sign(s) posted on March 6, 2012.
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A.
Public hearing legal advertisement published - N/A.

Comprehensive Plan:

The subject area is located in Vision Area F.

The Future Land Use Plan Map recommends medium density residential (MDR) transitioning to office/institutional/multi-family (OIMF) and high density residential (HDR) at the intersection of Ellsworth Drive and Spring Forest Road.

Thoroughfare/Traffic Report Summary (PWD- Engineering Division):

A traffic report was not generated since the proposed rezoning will generate an insignificant increase of vehicle trips on Dickinson Avenue.

History/Background:

In 1972, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned R6 (Residential [High Density Multi-Family]).

In 2006, the subject property was rezoned to R6S (single-family) as part of the neighborhood rezoning as recommended by the Task Force on Preservation of Neighborhoods and Housing.

Present Land Use:

Currently, the property is vacant.

Water/Sewer:

Water and sanitary sewer are located in the rights-of-way of Ellsworth Drive and Spring Forest Road.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental conditions/constraints.

Surrounding Land Uses and Zoning:

North: R6 - Spring Village Townhomes
South: R6S - Lake Ellsworth (single-family subdivision)
East: CH - Vacant
West: R6 - Lakeside Apartments

Density Estimates:

Under the current zoning (R6S), the site could yield no more than two (2) single-family lots.

Under the proposed zoning (R6), the site could yield no more than two (2) duplex buildings (4 units).

The anticipated build-out time 1-2 years.

Fiscal Note:

No costs to the City.

Recommendation:

In staff's opinion, the request is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

"General compliance with the comprehensive plan" should be construed as meaning the requested rezoning is recognized as being located in a transition area and that the requested rezoning (i) is currently contiguous or is reasonably anticipated to be contiguous in the future, to specifically recommended and desirable zoning of like type, character or compatibility, (ii) is complementary

with objectives specifically recommended in the Horizons Plan (iii) is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways, and (iv) preserves the desired urban form. It is recognized that in the absence of more detailed plans, subjective decisions must be made concerning the scale, dimension, configuration, and location of the requested zoning in the particular case. Staff is not recommending approval of the requested zoning; however staff does not have any specific objection to the requested zoning.

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [📎 Survey](#)
- [📎 Location Map](#)
- [📎 Bufferyard and Vegetation Standards and Residential Density](#)
- [📎 List_of_Uses_R6S_to_R6_921487](#)

EXISTING ZONING

R6S (Residential-Single-Family)

Permitted Uses

(1) General:

- a. Accessory use or building
- c. On-premise signs per Article N

(2) Residential:

- a. Single-family dwelling
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility

(7) Office/ Financial/ Medical:

* None

(8) Services:

- o. Church or place of worship (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

R6S (Residential-Single-Family)

Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

- b. Home occupation; excluding barber and beauty shops
- c. Home occupation; excluding manicure, pedicure or facial salon
- d. Home occupation; including bed and breakfast inn (historic district only)

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

PROPOSED ZONING

R6 (Residential)

Permitted Uses

(1) General:

- a. Accessory use or building
- c. On-premise signs per Article N

(2) Residential:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility

(7) Office/ Financial/ Medical:

* None

(8) Services:

- o. Church or place of worship (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

- a. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

- * None

(14) Manufacturing/ Warehousing:

- * None

(15) Other Activities (not otherwise listed - all categories):

- * None

R6 (Residential)

Special Uses

(1) General:

- * None

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity dormitory (LUI) development rating 67 per Article K
- l. Group care facility
- n. Retirement center or home
- p. Board or rooming house
- r. Fraternity or sorority house
- o.(1). Nursing, convalescent center or maternity home; minor care facility

(3) Home Occupations (see all categories):

- a. Home occupation; including barber and beauty shops
- c. Home occupation; including manicure, pedicure or facial salon

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- * None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

- * None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- m. Multi-purpose center

t. Guest house for a college and other institutions of higher learning

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

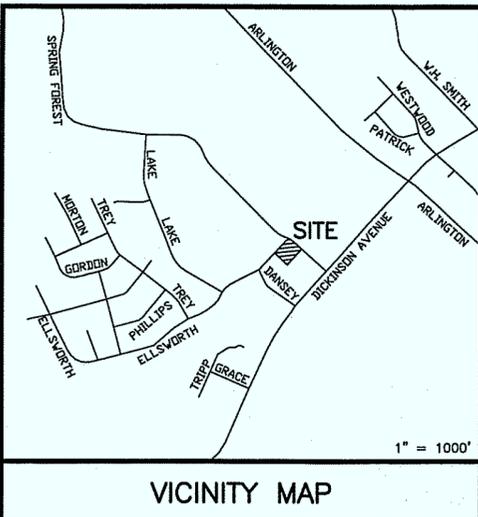
* None

(14) Manufacturing/ Warehousing:

* None

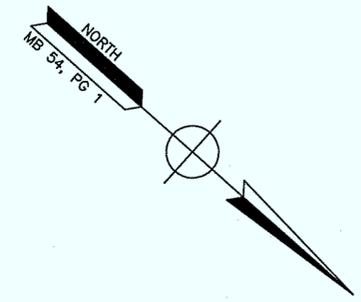
(15) Other Activities (not otherwise listed - all categories):

* None



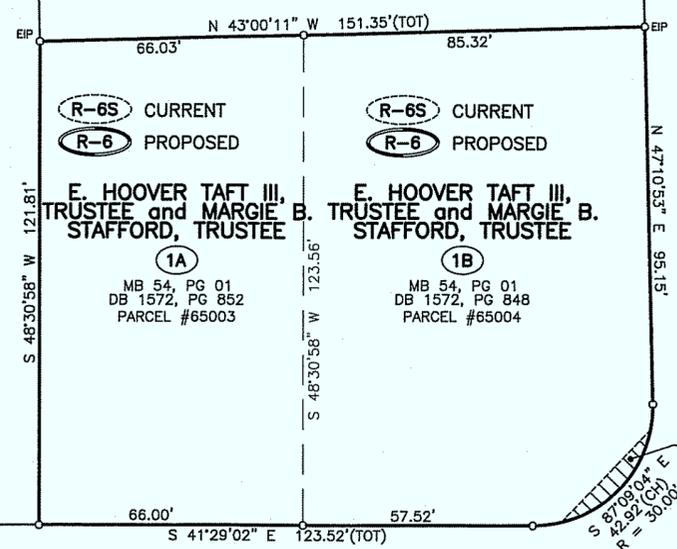
NOTES

1. THIS MAP IS A SURVEY OF ANOTHER CATEGORY.
2. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.



ELLA CRANDOL and husband,
WILLIAM CRANDOL
DB 1690, PG 11
R-6S
(4) (A)
LAKE ELLSWORTH SUBDIVISION
SECTION ONE
MB 22, PGS 27,
27-A & 27-B

R-6
AJMERA, LLC
DB 1256, PG 235
MB 59, PG 149



R-6
AJMERA, LLC
DB 1256, PG 235

- LEGEND**
- EIP = EXISTING IRON PIPE
 - R/W = RIGHT-OF-WAY
 - R = RADIUS
 - CH = CHORD
 - = NOT TO SCALE
 - (O) = EXISTING ZONING
 - (O) = PROPOSED ZONING

CH
LAKE PLACID DEVELOPMENT
COMPANY OF GREENVILLE
DB M-46, PG 380

DICKINSON AVE. US HWY 264
(80'-100' R/W 49' B/B- ASPHALT VARIES PUBLIC)

SPRING FOREST ROAD
(60' R/W 36' B/B PUBLIC)

TOTAL AREA TO BE REZONED: 0.43 ACRES

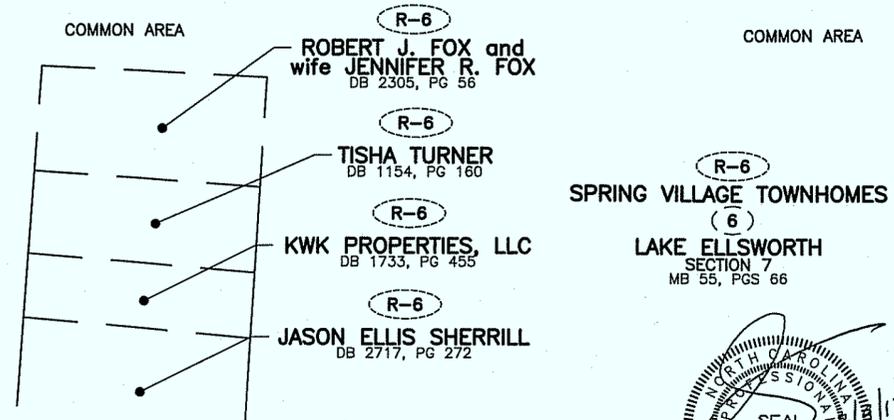


REVISED: 03/07/12 (CITY COMMENTS)(CNS)

PARCEL #65003
PARCEL #65004

ADJOINING PROPERTY OWNERS ADDRESSES

- LAKE PLACID DEVELOPMENT COMPANY OF GREENVILLE
P.O. BOX 566
GREENVILLE, NC 27834
- RODNEY DEAN SPEIGHT and wife, DENISE SPEIGHT
801 WOODLAND DRIVE
GREENSBORO, NC 27408
- ROBERT J. FOX and wife, JENNIFER R. FOX
8009 STONEHOUSE COURT
FAYETTEVILLE, NC 28311
- AJMERA, LLC
662 JORDAN DRIVE
GREENVILLE, NC 27834
- ELLA CRANDOL and husband, WILLIAM CRANDOL
2813 LAKE ELLSWORTH DRIVE
GREENVILLE, NC 27858
- TISHA TURNER
1005 SPRING FOREST ROAD APT. G-5
GREENVILLE, NC 27834
- KWK PROPERTIES, LLC
102 HIDDEN HILLS DRIVE
GREENVILLE, NC 27834
- JASON ELLIS SHERRILL
1005 SPRING FOREST ROAD APT. G-3
GREENVILLE, NC 27834



SPRING VILLAGE TOWNHOMES

LAKE ELLSWORTH
SECTION 7
MB 55, PGS 66



SHEET 1 OF 1

REZONING MAP FOR
E. HOOVER TAFT III, TRUSTEE and MARGIE B. STAFFORD, TRUSTEE

REFERENCE: DEED BOOK 1572, PAGES 848 & 852 OF THE
PITT COUNTY REGISTRY.
GREENVILLE, PITT COUNTY, NORTH CAROLINA

OWNER: E. HOOVER TAFT III, TRUSTEE and MARGIE B. STAFFORD, TRUSTEE
ADDRESS: P.O. BOX 566
GREENVILLE, N.C. 27835
PHONE: (252) 752-2000

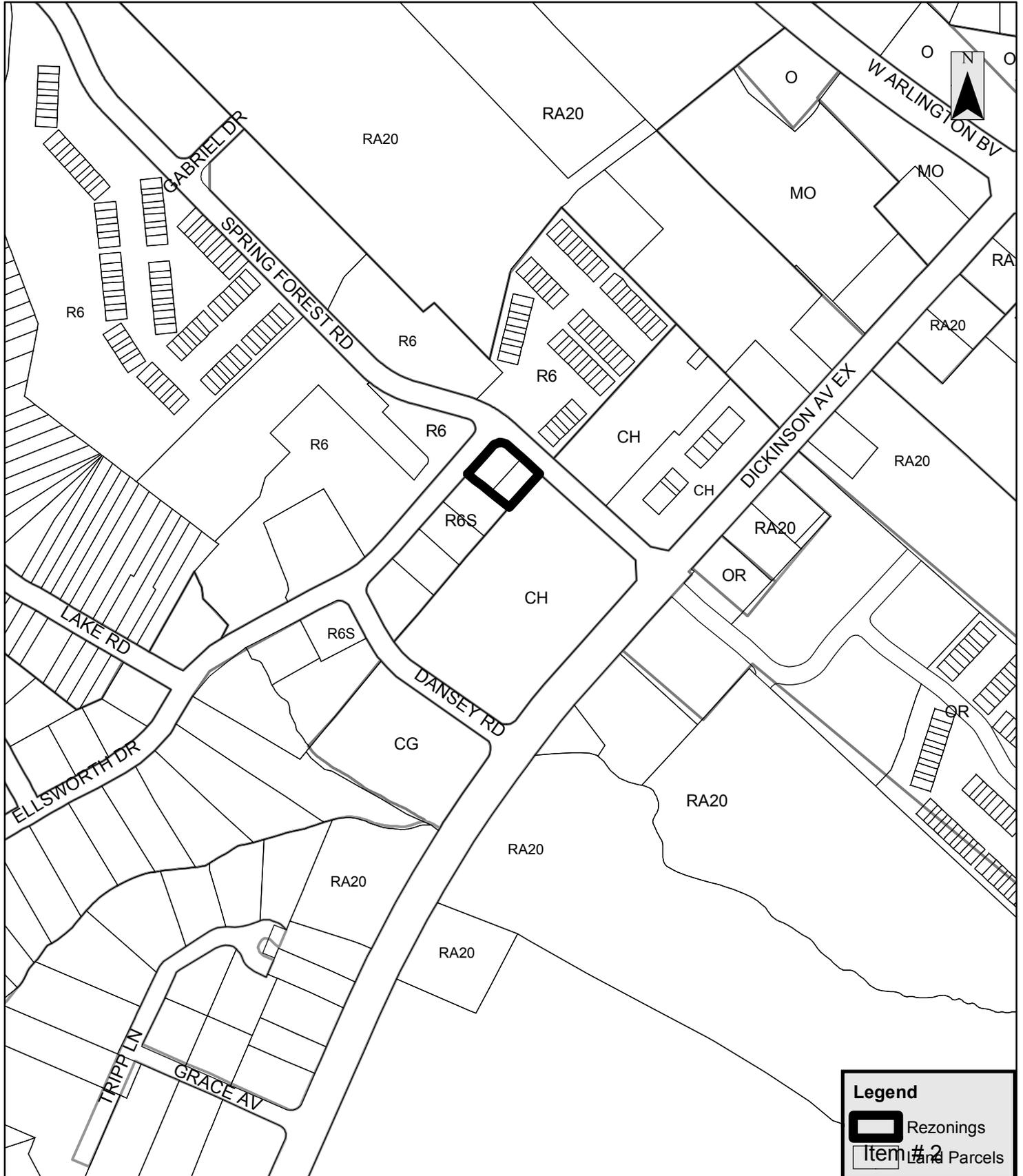
	LICENSE# C-3498	SURVEYED: DEG	APPROVED: MWB
	ENGINEERING - LAND PLANNING - SURVEYING	DRAWN: CNS	DATE: 02/20/2012
708-D CROMWELL DRIVE GREENVILLE, NC 27858	252.756.1390	CHECKED: MWB	SCALE: 1" = 30'

E. Hoover Taft, III, Trustee and Margie B. Stafford (12-01)

From: R6S To: R6

0.43 acres (18,713 square feet)

March 6, 2012



04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

Bufferyard Requirements: Match proposed land use with adjacent permitted land use or adjacent vacant zone/nonconforming use to determine applicable bufferyard.

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Multi-Family Development (2)	C	B	B	B	B	C	B	A
Office/Institutional, Light Commercial, Service (3)	D	D	B	B	B	D	B	A
Heavy Commercial, Light Industry (4)	E	E	B	B	B	E	B	A
Heavy Industrial (5)	F	F	B	B	B	F	B	A

Bufferyard A (street yard)		
Lot Size	Width	For every 100 linear feet
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Bufferyard B (no screen required)	
Lot Size	Width
Less than 25,000 sq.ft.	4'
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Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

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Width	For every 100 linear feet
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Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

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Width	For every 100 linear feet
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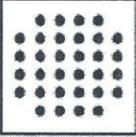
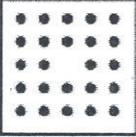
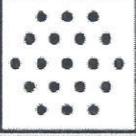
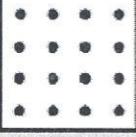
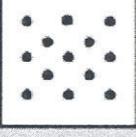
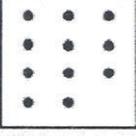
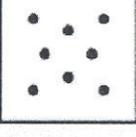
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Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
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R6-S	7 units per acre yields 19 persons per acre	
R9	6 units per acre yields 16 persons per acre	
R9-S	5 units per acre yields 13 persons per acre	
Low Density		
RA-20 MRS	4 units per acre yields 11 persons per acre	
R15-S	3 units per acre yields 8 persons per acre	

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 3/20/2012
Time: 6:30 PM

Title of Item: Ordinance requested by Lewis Land Development, LLC, POHL, LLC and V. Parker Overton to rezone 31.74 acres located at the southeastern and southwestern corners of the intersection of Fire Tower Road and Bayswater Road from CN (Neighborhood Commercial) and R6MH (Residential-Mobile Home [High Density]) to CG (General Commercial).

Explanation:

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 6, 2012.

On-site sign(s) posted on March 6, 2012.

City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A.

Public hearing legal advertisement published - N/A.

Comprehensive Plan:

The subject area is located in Vision Area D.

Fire Tower Road is designated as a residential corridor between Evans Street and Corey Road. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area, and linear expansion outside of the focus area should be prohibited.

There is a designated neighborhood commercial focus area at the intersection of Fire Tower Road and Bayswater Road. These nodes typically contain 20,000 - 40,000 square feet of conditioned floor space.

The Future Land Use Plan Map recommends commercial (C) along the southern right-of-way of Fire Tower Road between Bayswater Road and Swamp Fork Canal transitioning to conservation/open space (COS) to the east, high density residential (HDR) to the south and office/institutional/multi-family (OIMF) to the west.

The Future Land Use Plan Map identifies certain areas for conservation/open space (COS) uses. The map is not meant to be dimensionally specific, and may not correspond precisely to conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as conservation/open space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Future Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

Thoroughfare/Traffic Report Summary (PWD- Engineering Division):

Based on possible uses permitted by the requested rezoning, the proposed zoning classification could generate 15,478 trips to and from the site on Fire Tower Road, which is a net increase of 1,484 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. Prior to development approval, a Traffic Impact Study may be required, dependent on the specific scale and potential traffic generation of the proposed development. Mitigation measures may include limited access onto Fire Tower Road, constructing turn lanes into the development, and intersection improvements at the Fire Tower Road/Ashcroft Drive/Evans Street and Fire Tower Road/Bayswater Road intersections such as, the construction of additional turn and/or through lanes.

History/Background:

In 1988, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned R6MH (Residential-Mobile Home [High Density]).

In 2007, the subject site was included in a Future Land Use Plan Map amendment and a rezoning request. The Future Land Use Plan Map amendment requested to change the recommended land use from office/institutional/multi-family (OIMF) and high density residential (HDR) to commercial (C). The rezoning request was for CN (Neighborhood Commercial). Both requests were approved.

Present Land Use:

Currently, the property is vacant.

Water/Sewer:

Water and sanitary sewer are located in the right-of-way of Bayswater Road.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

Tract 1 is impacted by the 500-year floodplain associated with the Fork Swamp Canal. Tract 2 is impacted by the 500, 100 floodplains and floodway associated with the Fork Swamp Canal. There are no known environmental conditions/constraints in Tract 3.

Surrounding Land Uses and Zoning:

North: O - First South Bank and vacant; R6S - Ashcroft Subdivision
South: R6MH - Vacant (under common ownership as applicants)
East: R6 - Whitebridge Apartments and Duplexes
West: CG - Fire Tower Crossing Shopping Center and Mini-Storage

Density Estimates:

Tracts 1 and 2

Gross Acreage: 4.55 acres
Current Zoning: CN (Neighborhood Commercial)
Requested Zoning: CG (General Commercial)

Under the current and proposed zoning, the site could yield the same amount of conditioned floor space. There are additional uses in the proposed zoning (CG). Staff would anticipate the site to yield 43,604 square feet of retail/restaurant/office space.

Tract 3

Gross Acreage: 18.04 acres
Current Zoning: CN (Neighborhood Commercial)
Requested Zoning: CG (General Commercial)

Under the current and proposed zoning, the site could yield the same amount of conditioned floor space. There are additional uses in the proposed zoning (CG). Staff would anticipate the site to yield 172,880 square feet of retail/restaurant/office space.

Gross Acreage: 9.11 acres
Current Zoning: R6MH (Residential-Mobile Home [High Density])
Requested Zoning: CG (General Commercial)

Under the current zoning (R6MH), the maximum density would allow 155 multi-family units (1, 2 and 3 bedrooms). Staff would anticipate the site to yield 128 multi-family units (1, 2 and 3 bedrooms). Under the proposed zoning (CG), staff would anticipate the site to yield 87,303 square feet of retail/restaurant/office space.

Note: A stormwater detention facility for this development has already been constructed on a portion of Tract 3.

The anticipated build-out time 1-2 years.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

"General compliance with the comprehensive plan" should be construed as meaning the requested rezoning is recognized as being located in a transition area and that the requested rezoning (i) is currently contiguous or is reasonably anticipated to be contiguous in the future, to specifically recommended and desirable zoning of like type, character or compatibility, (ii) is complementary with objectives specifically recommended in the Horizons Plan (iii) is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways, and (iv) preserves the desired urban form. It is recognized that in the absence of more detailed plans, subjective decisions must be made concerning the scale, dimension, configuration, and location of the requested zoning in the particular case. Staff is not recommending approval of the requested zoning; however staff does not have any specific objection to the requested zoning.

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [📄 Survey](#)
 - [📄 Location Map](#)
 - [📄 Bufferyard and Vegetation Standards and Residential Density](#)
 - [📄 Rezoning Case 12 03 Lewis Land Dev. 920930](#)
 - [📄 List of Uses CN R6MH to CG 911650](#)
 - [📄 Cg uses not allowed in CN uses 920253](#)
-

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 12-03

Applicant: Lewis Land Dev., LLC, POHL, LLC & V. Parker Overton

Property Information

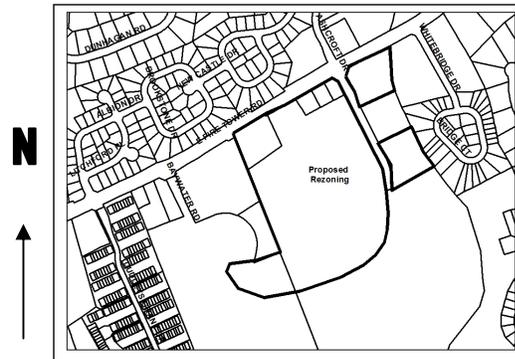
Current Zoning: Tracts 1 & 2: CN (Neighborhood Commercial)
 Tract 3: CN (Neighborhood Commercial)
 R6MH (Residential [High Density Multi-Family/Mobile Home])

Proposed Zoning: Tracts 1 & 2: CG (General Commercial)
 Tract 3: CG (General Commercial)

Current Acreage: Tract 1 & 2: 4.55 acres
 Tract 3: 27.15 acres
 Tract 4A, 4B, & 5: 0.078 acres
 Total: 31.778 acres

Location: Fire Tower Rd, between Corey Rd & Evans St

Points of Access: Fire Tower Road



Transportation Background Information

1.) Fire Tower Road - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane divided with curb & gutter	no change
Right of way width (ft)	100	100
Speed Limit (mph)	45	45
Current ADT:	32,250(*)	Design ADT: 35,000 vehicles/day (**)
Design ADT:	35,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are sidewalks along Fire Tower Road that service this property.	

Notes:(*) 2010 NCDOT count adjusted for a 2% annual growth rate
 (**)Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Trips generated by proposed use/change:

Current Zoning: 13994 -vehicle trips/day (*) **Proposed Zoning:** 15478 -vehicle trips/day (*)

Estimated Net Change: increase of 1484 -vehicle trips/day (assumes full-build out)

(* - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on Fire Tower Road are as follows:

1.) Fire Tower Rd, East of Site (“No build” ADT of 32,250)

Estimated ADT with Proposed Zoning (full build) –	39,989
Estimated ADT with Current Zoning (full build) –	<u>39,247</u>
Net ADT change –	742 (2% increase)

Case No: 12-03

Applicant: Lewis Land Dev., LLC, POHL, LLC & V. Parker Overton

2.) Fire Tower Rd, West of Site ("No build" ADT of 32,250)

Estimated ADT with Proposed Zoning (full build) –	39,989
Estimated ADT with Current Zoning (full build) –	<u>39,247</u>
Net ADT change –	742 (2% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 15,478 trips to and from the site on Fire Tower Road, which is a net increase of 1,484 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. Prior to development approval, a Traffic Impact Study will be required to assess the impacts. The "Area of Influence" will be determined at the time of the site plan review. Mitigation measures may include limiting access onto Fire Tower Road, constructing turn lanes into the development, and intersection improvements at the Fire Tower Road/Ashcroft Dr/Evans Dr and Fire Tower Rd/Baywater Rd intersections such as the construction of additional turn and/or through lanes.

EXISTING ZONING

CN (Neighborhood Commercial)

Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- f. Retail sales; incidental

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- x. Dance studio
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users

(9) Repair:

* None

(10) Retail Trade:

- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- h. Restaurant; conventional

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

CN (Neighborhood Commercial)

Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

t. Athletic club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

aa. Catering service including food preparation (see also restaurant; conventional and fast food)

(9) Repair:

b. Minor repair; as an accessory or principal use

(10) Retail Trade:

b. Gasoline or automotive fuel sales; accessory or principal use, retail

i. Restaurant; fast food

j. Restaurant; regulated outdoor activities

u. Pet shop (see also animal boarding; outside facility)

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

R6MH (Residential-Mobile Home)

Permitted Uses

(1) General:

- a. Accessory use or building
- c. On- premise signs per Article N

(2) Residential:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- g. Mobile home
- h. Mobile home park
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility

(7) Office/ Financial/ Medical:

* None

(8) Services:

- o. Church or place of worship (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

R6MH (Residential-Mobile Home)

Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

- b. Home occupation; excluding barber and beauty shops
- c. Home occupation; excluding manicure, pedicure or facial salon

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

* None

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

PROPOSED ZONING
CG (General Commercial)
Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- e. Temporary uses; of listed district uses
- f. Retail sales; incidental
- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

(2) Residential: * None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use. (See also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use
- g. Liquor store, state ABC

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- h Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic Club; indoor only

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- g. Catalogue processing center

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon

- k. Business or trade school
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height (see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

- e. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage
- f. Hardware store

(13) Transportation:

- c. Taxi or limousine service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

CG (General Commercial)

Special Uses

(1) General:

* None

(2) Residential:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- d. Game center
- l. Billiard parlor or pool hall
- m. Public or private club
- t. Athletic club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

- c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private

(9) Repair:

- a. Major repair; as an accessory or principal use
- b. Minor repair; as an accessory or principal use

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- j. Restaurant; regulated outdoor activities

n. Appliances; commercial use, sales and accessory repair, excluding outside storage

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats

f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

k. Mini-storage warehouse, household; excluding outside storage

(15) Other Activities (not otherwise listed - all categories):

a. Other activities; personal services not otherwise listed

b. Other activities; professional activities not otherwise listed

c. Other activities; commercial services not otherwise listed

d. Other activities; retail sales not otherwise listed

Comparison of uses in the CG and CN Districts

Uses allowed in the CG District not allowed in the CN District

****Fast food restaurants are allowed in the CN District as a special use.**

CG (General Commercial)

Permitted Uses

(1) General:

- e. Temporary uses; of listed district uses
- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

(4) Governmental:

- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use
- g. Liquor store, state ABC

(6) Recreational/ Entertainment:

- h. Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)

(7) Office/ Financial/ Medical:

- b. Operation/processing center
- g. Catalogue processing center

(8) Services:

- c. Funeral home
- k. Business or trade school
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height (see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- ll. Dry cleaners; household users

(9) Repair:

- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- i. Restaurant; fast food
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair

- m. Appliance; household use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

(12) Construction:

- e. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage
- f. Hardware store

(13) Transportation:

- c. Taxi or limousine service
- h. Parking lot or structure; principal use

CG (General Commercial)
Special Uses

(2) Residential:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home

(6) Recreational/ Entertainment:

- d. Game center
- l. Billiard parlor or pool hall
- m. Public or private club

(7) Office/ Financial/ Medical:

- c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)

(8) Services:

- l. Convention center; private

(9) Repair:

- a. Major repair; as an accessory or principal use

(10) Retail Trade:

- n. Appliances; commercial use, sales and accessory repair, excluding outside storage

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

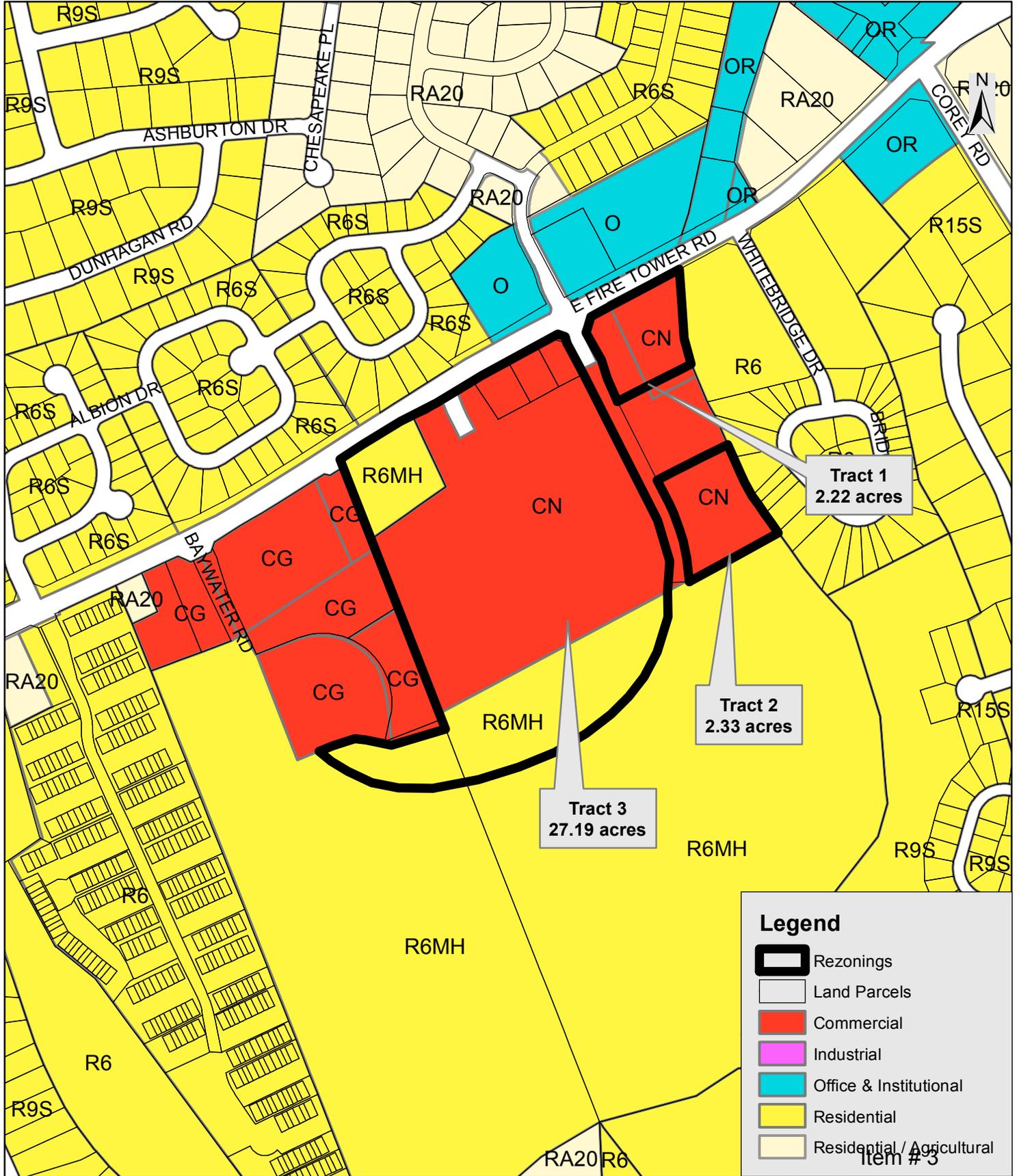
(14) Manufacturing/ Warehousing:

- k. Mini-storage warehouse, household; excluding outside storage

(15) Other Activities (not otherwise listed - all categories):

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

Lewis Land Development, LLC, POHL, LLC and
V. Parker Overton (12-03)
From: CN and R6MH To: CG
Total Acreage: 31.74 Acres
March 6, 2012



04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

Bufferyard Requirements: Match proposed land use with adjacent permitted land use or adjacent vacant zone/nonconforming use to determine applicable bufferyard.

PROPOSED LAND USE CLASS (#)	ADJACENT PERMITTED LAND USE CLASS (#)					ADJACENT VACANT ZONE OR NONCONFORMING USE	PUBLIC/PRIVATE STREETS OR R.R.
	Single-Family Residential (1)	Multi-Family Residential (2)	Office/Institutional, light Commercial, Service (3)	Heavy Commercial, Light Industry (4)	Heavy Industrial (5)		
Multi-Family Development (2)	C	B	B	B	B	Residential (1) - (2) Non-Residential (3) - (5)	A
Office/Institutional, Light Commercial, Service (3)	D	D	B	B	B	D	A
Heavy Commercial, Light Industry (4)	E	E	B	B	B	E	A
Heavy Industrial (5)	F	F	B	B	B	F	A

Bufferyard A (street yard)		
Lot Size	Width	For every 100 linear feet
Less than 25,000 sq.ft.	4'	2 large street trees
25,000 to 175,000 sq.ft.	6'	2 large street trees
Over 175,000 sq.ft.	10'	2 large street trees

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)	
Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Parking Area: Thirty (30) inch high screen required for all parking areas located within fifty (50) feet of a street right-of-way.

Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons per acre	
R6-S	7 units per acre yields 19 persons per acre	
R9	6 units per acre yields 16 persons per acre	
R9-S	5 units per acre yields 13 persons per acre	
Low Density		
RA-20 MRS	4 units per acre yields 11 persons per acre	
R15-S	3 units per acre yields 8 persons per acre	

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 3/20/2012
Time: 6:30 PM

Title of Item: Ordinance amending Article N of the Zoning Ordinance relating to sign regulations associated with temporary flags, wind blades and banners

Explanation: The City of Greenville's standards for regulating signs are located in Article N of the Zoning Ordinance and are typically referred to as the City's sign regulations. These regulations are comprehensive in that they include minimum standards relative to the construction, type, size, height, number, location, illumination, and maintenance of all signs within the city's planning and zoning jurisdiction.

Background

Council Member Max Joyner requested on May 31, 2011, that a report on the sign regulations be placed on an August City Council meeting agenda. As a result of this request, Planning Division staff developed a report (attached) on the city's sign regulations and presented the report to the City Council at their August 8, 2011, meeting.

Following staff's presentation, Council Members asked a variety of questions related to the sign regulations, and specifically about temporary signs and flags. Following this discussion, City Council directed staff to develop options for possible modifications to the sign regulations for their review.

Staff developed a list of possible modifications to the sign regulations based primarily upon comments made by City Council members at the August 8, 2011, meeting and presented the same to City Council at their September 8, 2011, meeting. The possible modifications presented included the following:

1. Temporary Signs. These signs are currently permitted at a rate of one per lot, are limited to six square feet in area, and are permitted continuously (365 days per year).

Possible Modification 1: Eliminate the use of temporary signs.

2. Flags. Flags, either with or without commercial messages, are permitted so long as each flag does not exceed 100 square feet in area. There is no limitation to the number of flags that can be erected per lot or business. "Wind blades" are not considered flags.

Possible Modification 2: Allow "wind blades", but limit the number permitted per lot or business.

Possible Modification 3a: Limit the number of flags with commercial messages per lot or business.

Possible Modification 3b: Eliminate the use of flags with commercial messages.

3. Education. The Code Enforcement Division distributes a brochure outlining the standards for temporary/permit exempt signs to individuals in the field. The Planning Division distributes materials outlining the standards for permanent signs to new businesses when they apply for a business license.

Possible Modification 4: Develop a unified "sign regulations brochure" and distribute information to all business license holders during annual renewal process.

Possible Modification 5: Require all businesses engaged in the production of signs to confirm in writing that they have received a copy of the City's sign regulations and have reviewed the same.

Following staff's presentation of possible modifications and significant discussion, City Council directed staff to contact local sign companies to get input on potential modifications. Staff scheduled individual meetings with the owners/operators of four local sign companies. These individuals provided comments on the potential modifications presented to City Council and other miscellaneous provisions of the current standards.

A full summary of the comments provided by the sign companies (see attached) was presented to City Council at their November 14, 2011, meeting. After some discussion, City Council voted to initiate a Zoning Ordinance text amendment that would allow the use of "wind blades", but limit the number permitted and to limit the number of flags with commercial messages per lot or business.

Staff drafted a text amendment to reflect the changes requested by City Council and presented the same to the Planning and Zoning Commission at their January 17, 2012, meeting. The Planning and Zoning Commission voted unanimously to recommend approval of the text amendment to City Council (excerpt of meeting minutes attached). Staff then presented the draft text amendment to City Council at their February 9, 2012 meeting. City Council voted to table the item and send it back to the Planning and Zoning Commission to provide a recommendation on eliminating the use of temporary freestanding flags and wind blades.

Current Standards

Flags, either with or without commercial messages, are permitted so long as each flag does not exceed 100 square feet in area. There is no limitation to the number of flags that can be erected per lot. "Wind blades" are not classified as flags; they are temporary signs which are limited to 6 square feet in area and one per lot.

Banners are not permitted except for business Grand Openings (limited to 10 days) and for non-profit and governmental organizations (limited to 7 days and not more than one on-site and three off-site).

Text Amendment Previously Recommended by the Planning and Zoning Commission

1. Define "wind blades" as follows:

A non-self supporting fabric or film display that is supported on one side by a pole or mast that is curved at the top so that the message is visible regardless of wind conditions. Wind blades shall be freestanding and shall not be attached to any permanent structure.

(Wind blades are currently not defined.)

2. Flags without commercial messages shall be no more than 100 square feet in area. There is no limitation on the number permitted per lot.

(This is the same as the current standard.)

3. Flags with commercial messages that are located on functioning light poles internal to the business lot shall be no more than 50 square feet in area. There is no limitation on the number permitted per lot.

(Currently permitted up to 100 square feet in area.)

4. Freestanding flags with commercial messages and wind blades with commercial messages or noncommercial messages are permitted as follows:

- At least one freestanding flag or wind blade will be permitted per lot.
- One freestanding flag or wind blade will be permitted for each 100 feet of lot frontage on a public or private street.
- Each freestanding flag or wind blade shall not exceed 25 square feet in area or 12 feet in height.

(Wind blades are currently considered temporary signs and are limited to one per lot and 6 square feet in area. Self-supporting flags are permitted up to 100 square feet in area with no limitation on the number permitted.)

Text Amendment Provisions to be Considered

Issue 1: Temporary Freestanding Flags and Wind Blades

City Council has asked the Planning and Zoning Commission to consider a revision to the text amendment previously recommended that would eliminate the use of temporary freestanding flags and wind blades. Below is a draft of such an amendment:

1. Define "wind blades" as follows:

A non-self supporting fabric or film display that is supported on one side by a pole or mast that is curved at the top so that the message is visible regardless of wind conditions. Wind blades shall be freestanding and shall not be attached to any permanent structure.

(Wind blades are currently not defined.)

2. Flags attached to permanent flag poles shall be permitted as follows:

- Only one permanent flagpole is permitted per lot.
- Flags without commercial messages shall be no more than 100 square feet in area.
- Flags with commercial messages shall be no more than 50 square feet in area.

(This is the same as the current standard, except the limitation on the number permannent flag poles.)

3. Flagswith or without commercial messages that are located on functioning light poles internal to the business lot shall be no more than 50 square feet in area. There is no limitation on the number permitted per lot.

(Currently permitted up to 100 square feet in area.)

4. Temporary freestanding flags and wind blades are not permitted.

Issue 2: Use of Banners by Non-Profits and Governmental Organizations

The current ordinance prohibits the use of banners by businesses, except for grand openings, but allows their use by non-profits and governmental organizations so long as:

- The banners do not have a commercial message;
- No more than one on-site and three off-site banners are permitted;
- The banners can be used for no more than 7 days; and
- Each banner can be no more than 30 square feet in area.

The Planning and Zoning Commission is being asked to consider whether this special provision for non-profits and governmental organizations is appropriate.

Issue 3: Use of Banners for "Going Out of Business Sales / Events"

The current ordinance allows the use of banners for Grant Openings but not for Going Out of Business Sales / Events. The Planning and Zoning Commission is being asked to consider whether a special provision allowing the use of banners for Going Out of Business Sales / Events should be added to the ordinance. Such a provision could potentially include:

- Limiting the duration of such events to no more than 10 days (like Grand

- Openings);
- Requiring a Zoning Compliance Certificate for the banner prior to the event (like Grand Openings);
 - Limiting such events to no more than one on-site banner not exceeding 30 square feet in area;
 - Limiting the use of the Going Out of Business Sale / Event provision to no more than one time for each business.

Staff Comments

The sign regulations strive to balance the rights and needs of businesses and other entities to advertise and promote themselves to the public with the community's need to maintain public safety and the aesthetic quality. The proposed text amendment attempts to provide such balance by placing greater restrictions on the use of flags with commercial messages (improve aesthetic quality) while allowing wind blades, a new form of advertising structure (new opportunity for businesses to promote themselves).

Specific provisions of **Horizon's: Greenville's Community Plan** that will be furthered or supported by this text amendment include:

Community Character Goal: To enhance the appearance of all areas of the city.

Objective UF8: To enhance the appearance of highway and gateway corridors.

Economy Goal: To provide a healthy, diversified, expanding economy that provides jobs for all of Greenville's residents in a truly livable setting.

Objective E1: To create conditions favorable for healthy economic expansion in the area.

Fiscal Note: No direct cost is anticipated.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with **Horizons: Greenville's Community Plan**.

If the Planning and Zoning Commission determines to recommend approval of the request, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to recommend approval of the proposed text amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Summary of Comments from Sign Companies 910200](#)

 [Temporary Sign Survey August 2011 904867](#)

 [Report on Sign Regulations](#)

 [PZ Excerpt Sign Regulations 2 917141](#)

Excerpt from the DRAFT Planning & Zoning Minutes (1/17/12)

Zoning Ordinance Text Amendment: Sign Regulations – APPROVED.

Mr. Christopher Padgett, Chief Planner, provided background information on this request to the Commission. The process that led to this text amendment began at the May 31, 2011, City Council meeting when a report on the city's sign standards was requested. Staff developed the requested report and presented it to City Council at their August 8, 2011, meeting. A copy of that report is included in the Commission's agenda packet. Following this presentation, City Council directed staff to develop options for possible modifications to the sign standards for their review. Staff developed a list of potential modifications and presented them to City Council at their September 8, 2011, meeting. Following staff's presentation City Council directed staff to contact local sign companies to get their input on the potential modifications. Staff then met with the owners/operators of four local sign companies and gathered their input as directed. The list of potential modifications was again presented to City Council along with the sign company comments at their November 14, 2011, meeting. City Council then voted to initiate a Zoning Ordinance Text Amendment to allow the use of wind blades with limitations on the number permitted and their size and to limit the number of flags with commercial messages per business or lot.

Mr. Padgett reviewed the existing standards applicable to flags and wind blades. Flags, either with or without commercial messages, are permitted so long as each flag does not exceed 100 square feet in area. There is no limitation to the number of flags that can be erected per lot. Wind blades are not classified as flags; they are temporary signs which are limited to 6-square feet in area and one per lot.

Mr. Padgett presented the specific text of the proposed standards as follows:

1. Define "wind blades" as follows:
A non-self supporting fabric or film display that is supported on one side by a pole or mast that is curved at the top so that the message is visible regardless of wind conditions. Wind blades shall be freestanding and shall not be attached to any permanent structure.
2. Flags without commercial messages shall be no more than 100 square feet in area. There is no limitation on the number permitted per lot.
3. Flags with commercial messages that are located on functioning light poles internal to the business lot shall be no more than 50 square feet in area. There is no limitation on the number permitted per lot.
4. Freestanding flags with commercial messages and wind blades with commercial messages or noncommercial messages are permitted as follows:
 - At least one freestanding flag or wind blade is permitted per lot.

- One freestanding flag or wind blade is permitted for each 100-feet of lot frontage on a public or private street.
- Each freestanding flag or wind blade shall not exceed 25 square feet in area or 12-feet in height.

Mr. Padgett asked if there were any questions. Ms. Bellis asked if the signs would be allowed in the street right way. Mr. Padgett stated that like all other signs they would have to be on private property.

Mr. Parker brought up the fact that wind blades are a new form of advertising as well as the fan air blowers. He asked had anyone taken a look at those.

Mr. Padgett said that by the definition of the ordinance the wind blowers are not permitted. Mr. Randall asked if the fan blowers would be allowed anywhere or any time. Mr. Padgett informed him that they could be used for grand openings. The standard allows for full range of signs during a grand opening.

Mr. Smith asked what would happen if multiple stores wanted to have advertising flags but the lot size did not permit based on the proposed ordinance. Mr. Padgett stated that that would be a private property matter for the property owner to decide.

Mr. Schrade asked for clarification on the basis for allowing one per lot instead of one per business? Mr. Padgett stated that they modeled the draft standards after the current standards for temporary signs. Each lot is permitted one temporary (yard) sign up to 6 square feet in area. If there are multiple shops on very small frontage and each one wanted to put a sign out, it would be problematic from an aesthetic stand point.

Mr. Bell asked how this would be monitored. Mr. Padgett stated that it would be monitored through code enforcement the same way we do temporary signs. Mr. Bell asked if this would be done Monday through Friday or on the weekends. Mr. Padgett stated that code enforcement does routinely patrol on weekends.

Mr. Randall opened the public hearing.

No one spoke in favor of the request.

No one spoke in opposition of the request.

The public hearing was closed and opened up for commission to discuss or motion.

Mr. Bell made a motion to approve the proposed text amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Mr. Gordon seconded the motion. The motion passed unanimously.

Summary of Comments from Local Sign Companies

Brite Signs

Temporary Signs

- Not in favor of eliminating. These signs are needed for businesses to convey messages to motoring public of sales or special events.
- Signs should be allowed to be larger for better visibility.

Flags

- Self supportive commercial flags need to be limited.
- No limit on flags on light poles on private property.

Education

- The brochure for businesses and requiring sign companies to review the ordinance are both good ideas.

Other Comments

- Banners should be allowed with a time limit. They are cheap and can be reused.
- Decrease the change time for electronic signs (currently once per hour).
- A survey of citizens should be done to determine the opinions of signage in Greenville.

Signs Now

Temporary signs

- Businesses need this form of advertisement especially in this economy, not in favor of eliminating.

Flags

- No distinction should be made between self supportive flags and wind blades or wind blades or wind feathers.
- Commercial flags should not be eliminated however the number allowed should be limited.

Education

- The brochure for businesses and requiring sign companies to review the ordinance are both good ideas.

Other Comments

- Provisions for “coming soon” signs should be added.
- Temporary wall signs (including banners) should be allowed for specified time during permanent sign fabrication.
- ECU should not be allowed to violate the city’s electronic sign requirements.
- Electronic signs should be allowed to change once every 15 minutes.

Mr. Sign Guy

Temporary signs

- Supports the elimination of these signs. They make the community look terrible.

Flags

- No distinction should be made between self supportive flags and wind blades.
- Commercial flags should not be eliminated however the number allowed should be limited.

Education

- The brochure for businesses is a waste of money because business owners will not read it. Sign company should educate the business owners when they purchase signs.
- Requiring sign companies to confirm in writing that they have received a copy of the city's sign regulations is a good idea.

Other Comments

- The city's voicemail system should be easier to navigate to report code violations.
- Sign fees are too low compared to other cities. Greenville is missing out on revenues. There should be a fee for each sign. (The City currently charges one permit fee regardless of how many wall signs are proposed.)
- Overall Greenville is doing a good job with signs, fees are low, permits are easy to get and the regulations are not too difficult compared to other cities.

Signsmith

Temporary signs

- Should not be eliminated because they are necessity for businesses that have limited road exposure.
- They should be limited for aesthetic purposes.
- Metal frames should be required instead of the wire frames typically used for aesthetic purposes.
- Penalties should be more severe for habitual offenders of the temporary sign regulations.

Flags

- No distinction should be made between self supportive flags and wind blades.
- Self supported flags should be limited or eliminated all together.
- Flags on light poles should not be eliminated. They should be required to be removed if tattered.

Education

- The brochure for businesses and requiring sign companies to review the ordinance are both good ideas.

Other Comments

- No hand drawn or hand written signs should be allowed.
- Greenville is easy to deal with, has reasonable fees and has ample sign allowances.

Temporary Sign and Flag Standards Survey

Cary

Temporary signs are prohibited in Cary except in conjunction with a grand opening event. These signs can be erected for 30 days and can be no larger than 32 square feet.

Flags that contain logos or advertisements are considered temporary signs and are not allowed. Ornamental flags can be erected on permanent poles at the rate of 3 poles per structure and two flags per pole not to exceed 25 foot in height. Flags are limited to 5'x8' or 40 square feet each in size.

Chapel Hill

Temporary signs are prohibited in Chapel Hill except in conjunction with a grand opening event. These signs can be erected for 21 days and can be no larger than 32 square feet.

Chapel Hill only allows the use of local, state or federal flags.

Fayetteville

Temporary signs are prohibited in Fayetteville except in conjunction with a grand opening event or going out of business sale. These signs can be erected for 30 days during each period. There is no size limit to the signs.

Flags are permitted at the rate of 5 per business and can only be business logo flags, local, state or federal flags.

Jacksonville

Temporary signs are permitted in the following manner:

- In conjunction with a grand opening which allows no more than two signs per lot or business to be erected no longer than 3 consecutive days or 10 total days per 365 days.
- 1 sign per lot no larger than 4 square feet and erected no longer than 3 consecutive days or 10 total days per 365 days.

Commercial and non commercial flags are permitted as long as they remain in good physical condition. There is no limit to the size or quantity.

Raleigh

Temporary signs are permitted in the following manner:

- Special Events: permitted for 30 days twice during the life of a business. Typically used in association with grand opening and going out of business events.
- Temporary Events: permitted for 20 days per calendar year

There is no limit to the size or amount of signs during these events.

Flags are considered wind blown signs and count toward the wall sign allowance of a business. They are limited to 20-feet in height or the height of the tallest structure, whichever is greater; 35 square feet in area; no more than 3 total flags per business; and all flags must be installed on permanent poles.

Report on the City of Greenville Sign Regulations

Contents:

- Section I. Report Purpose– Page 2
- Section II. Summary of Existing Sign Standards – Page 2
- Section III. Adoption and Amendment History – Page 12
- Section IV. Enforcement – Page 20

**Report Developed by the City of Greenville
Community Development Department - Planning Division
July 21, 2011**

SECTION I – Report Purpose

The City of Greenville’s standards for regulating signs are located in Article N of the Zoning Ordinance and are typically referred to as the city’s sign regulations. The sign regulations attempt to balance the rights and needs of businesses and other entities to advertise and promote themselves to the public with the need to maintain the aesthetic quality of the community. The purpose of this Report is to provide City Council with an overview of the current sign standards; the history and background related to how they were first developed and have been modified since initial adoption; and how they are enforced.

SECTION II – Summary of Existing Sign Standards

The City of Greenville’s sign regulations are comprehensive in nature. They include minimum standards relative to the construction, type, size, height, number, location, illumination and maintenance of all signs within the city’s planning and zoning jurisdiction. The purpose of this Section (II) is to provide a general summary of these standards in the form of commonly asked questions.

❖ What is a sign?

A sign is defined as any display device that is visible and is located and designed to attract the attention of persons or to communicate any information to them.

❖ What types of on-site signs are permitted for a business in Greenville?

1. Freestanding Signs

Freestanding signs are permanent signs that are not attached to or supported by a building. These signs are typically referred to as pole, pylon, or monument signs. Businesses can typically have one or more freestanding signs; the number, height and size of which are determined by the specific zoning district in which they are located and the amount of frontage the business lot has on a public street.

Generally, freestanding signs may be up to twenty-five (25) feet in height in commercial, office and industrial zoning districts and up to fifteen (15) feet in height in medical related zoning districts.

Examples of freestanding signs are provided below:



2. Wall Signs

Wall signs are permanent signs that are directly attached to a building wall. All businesses are permitted wall sign(s) on their building up to fifty (50) square feet in area. Businesses may be eligible for additional wall signage (additional square feet) determined by the width of the building's façade facing a public street or shared parking area.

Examples of wall signs are provided below:



3. Flags

Businesses may have flags with or without commercial messages so long as they do not exceed one-hundred (100) square feet in area (no permit required / no limitation on time).

An example of flags with a commercial message is provided below:



4. Temporary Signs

- Each lot may have one temporary sign not exceeding six (6) square feet (no permit required / no limitation on time).
- Businesses are permitted a variety of signs (with no maximum number or area) associated with a Grand Opening. Such a Grand Opening event may last up to ten (10) days and must commence no later than sixty (60) days following any occupancy for use.

Examples of temporary signs for businesses are provided below:



❖ What types of signs are permitted for a church?

- Churches are permitted wall signs the same as businesses.
- They have specific standards for freestanding signs. These standards generally limit the area of such a sign to thirty-six (36) square feet. When more than one (1) freestanding sign is permitted, a single seventy-two (72) square foot sign is permitted so long as it does not exceed ten (10) feet in height.
- They may have off-site directional signs so long as they do not exceed three (3) square feet in area; six (6) feet in height; and are located on private property.

Examples of signs for churches are provided below:



❖ **What types of signs are permitted for subdivisions and multi-family developments?**

They are permitted two (2) freestanding identification signs per entrance. Such signs are limited to fifty (50) square feet in area each and ten (10) feet in height.

Examples of subdivision and multi-family development entrance signs are provided below:



❖ **What types of signs are permitted for non-profit and governmental organizations?**

- They are permitted the same on-site signs as businesses.
- They are permitted not more than one (1) on-site and three (3) off-site temporary signs in conjunction with a special event. These temporary signs, which may include banners, must be on private property with the permission of the property owner. They may not exceed thirty (30) square feet in area per sign, may not be erected more than seven (7) days and the maximum frequency of any special event shall be one (1) occurrence within any twelve (12) month period. Such signs do require zoning compliance permits.

❖ **Are there special standards for signs in the Uptown Greenville area?**

Much of the area referred to as Uptown Greenville is located in the CD (Downtown Commercial) zoning district. This district does have specific sign standards recognizing the unique character of the area. These standards include wall and freestanding signs being limited to fifty (50) square feet in area and freestanding signs being limited to ten (10) feet in height.

❖ **How are real estate signs regulated?**

Real estate signs are considered temporary signs include both “for sale” and “lease occupancy advertising”. Such signs may be up to twelve (12) square feet in area within any residential zoning district and up to fifty (50) square feet in area within any nonresidential zoning district and multifamily development with more than twenty (20) units. The signs must be removed within fourteen (14) days of the property being sold or leased.

Examples of real estate signs are provided below:



When can banners be legally used?

- Banners may be used in conjunction with a business grand opening.
- Banners are permitted to be used by non-profit and governmental organizations.
- Banners or any other signs made out of non-self-supporting materials may be used as legal wall signs when they are attached to the building subject to the following:

They must be permanently affixed to the building by a method approved by the Building Inspector, and the display (sign face) shall be enclosed and/or attached by a two-inch or wider raised frame that supports the sign face; or within a two-inch or wider raised sign cabinet specifically designed for support of the sign.

- Banners erected or used in any other way are considered illegal.

❖ How are billboards regulated?

Billboards are considered off-premise advertising signs and are only permitted in three (3) zoning districts (CH, IU and I). They must be located at least one-thousand (1,000) feet from another off-premise advertising sign and are limited to four hundred (400) square feet in area and thirty-five (35) feet in height.

Examples of off-premise advertising signs (billboards) are provided below:



❖ **What are the standards for electronic signs?**

Electronic signs may be used as permanent wall or freestanding signs. Such signs may not include flashing, intermittent lights, or lights of changing degree of intensity or color. The sign's face copy (message) may not be changed more than one time in any sixty (60) minute period.

An example of an electronic sign is provided below:



❖ **What are nonconforming signs?**

Signs are nonconforming (sometimes called grandfathered) if they were legally permitted when they were constructed, but because of amendments to the sign regulations they no longer meet the city's requirements. These signs may be allowed to remain provided the signs are not enlarged or materially altered.

❖ **Are there maintenance requirements for signs?**

Signs must be maintained in a safe and aesthetic manner. Standards are provided that require any sign with specified maintenance issues to be repaired or removed within thirty (30) days.

❖ **What types of signs are not permitted?**

1. Kites and similar devices;
2. Ballons that do not meet specific standards;
3. Spotlights (except for defined on-site special events);
4. Flags that exceed 100 square feet in area and are displayed on a property with a commercial use;
5. Any temporary sign not expressly permitted;
6. Signs attached to radio or television towers or poles;
7. Signs suspended between two structures or poles and supported by a wire, rope or similar device including banners (except as permitted for non-profit and governmental organizations);
8. Roof signs;
9. Revolving signs;
10. Flashing signs;
11. Strings or ribbons, tinsel, small flags and similar devices; and
12. Pinwheels, windmills or other similar devices.

Note: These items identified above as prohibited are permitted for grand openings.

Examples of signs not permitted are provided below:



SECTION III – Adoption and Amendment History

ADOPTION SUMMARY

- Prior to 1986 the City had few standards regulating the number, location and size of on-premise signs. The pre 1986 on-premise sign regulations could be summarized as follows: freestanding signs over 5' in height must be setback not less than 10' from the street right-of-way; freestanding signs limited to 35' in height. There was no limit on the number or size of on-premise wall, freestanding or temporary signs.
- In the 1960's the City adopted minimum off-premise (billboard) sign standards. Standards included: 100' spacing from residential uses and street intersections; 300' radius spacing between billboards; copy area limited to 750 sq. ft. per sign face.
- Prior to 1972, the City did not exercise zoning outside the city limits and the County had no sign regulations. As such, there were no sign requirements outside the city limits. As the city limits expanded over time the City assumed control over the County authorized signs within the City's zoning jurisdiction – few of which complied with the City's previous (1960's) requirements. The County authorized signs were allowed to remain, in most cases as non-conforming situations or uses.
- In 1979 the City adopted a revised billboard ordinance. The new standards increased the spacing requirement between billboards from 300' to 1,000' for signs located on the same side of the street, established a 600' minimum radius spacing in all directions and decreased the maximum copy area size from 750 sq. ft. to 550 sq. ft. per sign face. Existing signs, which did not meet these requirements, were allowed to remain as non-conforming uses.
- Over the years many of the non-conforming billboards have been upgraded and repaired giving them a much younger physical appearance than the originally located signs. This upgrade and repair has been permitted by the code.
- In May of 1986, as part of the Medical District Plan preparation, a specialized on-premise sign ordinance was prepared for the hospital area. At the direction of the Planning and Zoning Commission the standards were expanded to cover the entire city and updated billboard standards were requested. The Commission felt aesthetic standards should benefit the entire community and not just an isolated area. This citywide equal treatment concept is the basic principle of the current sign regulations.

- The current sign standards are essentially the same in all non-residential zoning districts, the exception being a reduced height allowance for freestanding signs in the medical and central business districts. This equal treatment concept was determined as the most equitable and manageable method available and the business community and citizens have generally supported this approach over the past 25 years.
- The Planning and Zoning Commission considered the 1986 sign ordinance draft at three consecutive regular meetings and one special call meeting.
- In the interim, Planning Staff held two meetings – one with the sign companies and one with the business community and interested citizens. A compromise ordinance was prepared as a result of these meetings.
- Early in this process City Council elected to impose a temporary moratorium on the issuance of all sign permits pending adoption of the new regulations.
- Through this process the Chamber of Commerce, Environmental Advisory Commission, Community Appearance Commission, local environmental and citizens groups, the sign companies, the business community and numerous interested persons were provided every opportunity to comment on the proposals and offer suggestions.
- In conjunction with the Planning and Zoning Commission's final recommended draft, separate drafts from the Chamber of Commerce, the Environmental Advisory Commission, the Sierra Club as well as staff's original proposal were all forwarded to City Council for comparison.
- City Council reviewed the proposals at four consecutive regular meetings and at three special call meetings.
- The special call meetings included a section-by-section, line-by-line discussion of the Planning and Zoning Commission recommendation, comparison of recommended options from the interest groups noted above, a slide presentation of approximately 50 sign examples and a two hour City Council bus tour of all areas of the city. During the bus tour staff explained the effect of the proposals in detail as they might apply to specific sites and signs.

- All meetings were well attended by the public and discussion was contentious on both sides of this issue.
- The ordinance was ultimately adopted in November of 1986, following nine months of study and continuous debate and has resulted in a compromise between business and community character interests.
- The new (current) ordinance increased the spacing requirement between billboards and residential uses/zones from 100' to 300'; increased the spacing requirement between billboards from 1,000' on the same side of the street and 600' minimum radius spacing to 1,000' in all directions; reduced the copy size from 550 sq. ft. to 400 sq. ft. per sign face, and restricted billboard location to the Heavy Commercial (CH) and Industrial (IU, I) districts.
- Additionally, the billboards which did not meet all of the new requirements had to be brought into compliance within five and one-half years from the date of ordinance adoption. This is referred to as an amortization provision. The five and one-half years expired in May 1992 and 37 billboards were subsequently removed as a result.
- In accordance with judicially recognized compensation alternatives, the City optioned to allow non-conforming billboards to remain in use for this five and one-half year period.
- This amortization option was based in part on a compromise between the billboard industry representatives and the City. The City agreed to adopt a more flexible regulation – allowed signs in more zones (i.e. heavy commercial and industrial); less spacing between signs (i.e. 1,000' as opposed to 2,000'); greater surface area (i.e. 400 sq. ft. as opposed to 200 sq. ft.), etc., in consideration of the removal of a significant number of the non-conforming billboards.
- All legal non-conforming billboards located adjacent to Federal Aid Highways – portions of Greenville Boulevard, Memorial Drive, US 264, etc, could not be removed under this amortization provision due to federal law.
- The right to utilize non-conforming on-premise temporary signs was also phased-out over a six-month period using this same amortization method. The six-months expired in June 1987 and 60 or more trailer signs (characterized by overhead arrows and flashing lights) were subsequently removed as well as a significant number of

other temporary displays. Today, trailer signs are only permitted as part of a 10 day grand opening event and temporary signs are limited to 1 per lot and six sq. ft. in size.

- Non-conforming on-premise wall and freestanding signs were allowed to remain, however strict limitations on expansion and change of copy have resulted in the voluntary removal of many non-compliant signs through natural attrition due to change in use or occupant, business name and logo changes, and site (facility) upgrades.
- Since the adoption of the sign ordinance rewrite in 1986 there have been 26 amendments to the regulations. All but one of these amendments has been consistent with the original philosophy or intent of the 1986 code. Thirteen (13) of the amendments were proposed by a Department or Board/Commission of the City. Most amendments were for operational and/or clarification purposes.
- The first and most significant substantive amendment occurred in 1999. This amendment (Ord. # 99-4), proposed by the Pitt County Auto Dealers Group, reintroduced several categories of previously banned temporary signs including banners, balloons, pennants, spotlights, flags with logos and roof mounted inflatable displays.
- A related subsequent amendment (following a six-month trial period) returned the banner options (created by Ord. # 99-4) to prohibited status. Today, banners are only permitted as part of a 10-day grand opening event or as part of a seven-day (Secretary of State) certified non-profit organization event.
- In 2002, there were two amendments to the sign regulations. First, the off-premise sign regulations were changed to allow point-of-sale (on-premise) advertising on “billboards”. The second change specified the requirements and allowed frequency of sign copy change (one change allowed per hour). The change of copy requirements specifically pertain to electronic and/or mechanical (roll) type reader boards.
- In August of 2003, the non-conforming sign standards were changed to allow the replacement of off-premise signs which are non-conforming due to inadequate spacing (1,000 foot radius encroachment), provided that there are not any non-conforming situations increased or created, and the replacement sign complies with zone location requirements and sign height/dimension standards.

- In 2005, City Council adopted an amendment concerning permit requirements for roof mounted inflatable balloons and to limit free floating balloons to 125-feet in height, 20-feet in dimension, require a 25-foot clear fall zone, and to subject other temporary signs to the standards applicable to permanent signs including height and setback.
- In 2006 an ordinance was adopted which requires that abandoned signage be removed 12-months after the associated use is vacated.
- Also in 2006, City Council adopted an amendment to include a new definition of “banner” and “flag”, and to amend the definition and standards for “wall sign” and “freestanding sign” to include a raised two-inch frame for flex-face signs, and to amend the requirements for temporary real estate signs size and height (now 50 sq. ft. for large multi-family developments).
- A complete list of all sign ordinance related amendments (1986 to date) is set out below.

AMENDMENT HISTORY - November 1986 to June 2011

Date	Petitioner	Description	Ordinance
1986	P&CD	Amend Zoning Ord. Article VIII, Entitled " Signs " (Complete rewrite)	1667
1988	P&CD	Amend Section 32-109.13.D of the Zoning Ordinance to allow one (1) menu reader board per each restaurant drive-through facility	1928
1989	P&CD	Amending Zoning Ord. Re: Wall sign provision to allow signs on all walls provided compliance with maximum area allowance and coverage	1966
1989	P&CD	Amend Sec. 32-109-11(c) of the Zoning Ord. Regarding number of free-standing signs permitted within "Planned Center" to eliminate the unified development penalty.	2045
1995	P&CD	Amend the sign regulations to include provisions for " Open door and/or open window signs ".	95-53

1995	P&CD	Amend the sign regulations; including the clarified method of calculating allowable wall signage	95-61
1995	P&CD	Amend the sign regulations to allow alteration of freestanding signs which are nonconforming due (only) to encroachment into the public street setback area.	95-137
1996	P&CD	Amend the sign regulations to include clarified "Grand opening" sign standards.	96-29
1996	Red Oak Christian Church	Amend the "church" freestanding identification sign regulations to allow an option to erect one 72 sq. ft. sign in lieu of two 36 sq. ft. signs on lots having 300 or more feet of frontage.	96-35
1996	P&CD	Amendment to the sign regulations to permit temporary off-premise special event signage , including banners, for nonprofit and governmental organizations.	96-73
1996	P&CD	Amend the church freestanding sign requirements to allow large lot option signs up to ten (10) feet in height within residential districts.	96-79
1996	Saint Peter's Catholic Church	Amend the church wall sign requirements to allow signage based on building frontage in accordance with the general sign standards for nonresidential uses.	96-91
1997	P&CD	Amend the subdivision directory sign standards to allow increased height and display area for industrial subdivisions.	97-64 (6/12/97)
1998	P&CD	Amend the wall sign standards to allow wall sign support structures and wall signs (combined) to project up to three (3) feet from the building face provided the width of the sign (excluding supports) perpendicular to the wall is not more than one (1) foot.	98-34 (3/12/98)
1998	Pitt County Auto Dealer Group (J R Philips, Craig Goess, Steve Grant)	Amend the sign regulations to allow balloons, pennants, banners, spotlights and flags with logos.	99-4 (1/14/99)

1999	Taco Bell (Tom McLean)	Amend the sign regulations to increase the restaurant drive-thru menu reader board from 20 square feet to 42 square feet. Maximum height increased from 6 feet to 8 feet.	99-38 (4/8/99)
1999	P&CD (per council directive following 6 mo. report on the status of ordinance 99-4)	Amend the sign regulations by deleting banners as a temporary sign option excepting grand opening events and nonprofit organization events.	99-152 (12/9/99)
2002	Conrad Paysour for Craig Goess (Toyota of Greenville)	Amend the off-premise sign regulations to allow point-of-sale (on-premise) advertising on "billboards". Creates a new definition for both permanent panel and temporary poster panel off-premise signs.	02-63 (6/13/02)
2002	P&CD	Amend the sign regulations to specify the requirements and frequency of sign copy change allowed; specifically electronic and/or mechanical (roll) type reader boards.	02-94 (9/12/02)
2003	Fairway Sign Co. (Todd Allen) Raleigh – ph# 919-755-1900	Amend the nonconforming sign standards to allow replacement of off-premises signs, which are nonconforming due to inadequate spacing (1000' radius encroachment), provided no nonconforming situations are increased or created and the replacement sign complies with zone location requirements and sign height/dimension standards.	03-78 (8/14/03)
2005	P&CD	Amend the sign regulations, signs not requiring permits and roof mounted inflatable balloons, to limit free floating balloons to 125 feet in height, 20 foot in dimension and to require a 25 foot clear fall zone and to subject other temporary signs to the standards applicable to permanent signs including height and setback.	05-15 (3/10/05)
2006	P&CD (Per direction of the City Manager)	Amend the sign regulations to require removal of abandoned signs. Twelve (12) month trigger.	06-35 (4/13/06)

2006	CDD (Planning) at the request of Council Member Ray Craft	Amend the sign regulation to include a definition of "banner" and "flag", and to amend the definition and standards for "wall signs" and "freestanding signs" to include a raised (2") frame for flex-face signs, and to amend the requirements for temporary real estate signs-size (50 sq ft. for large multi-family developments) and height.	06-76 (8/10/06)
2009	Place Properties	Amend the sign regulations to allow wall signs for multi-family development in the CD district.	09-17 (3/5/09)
2010	CDD (Urban Development/Planning) - initiated by the Redevelopment Commission)	Amend the sign regulation to allow extended projection wall signs in the CD district.	10-44 (5/13/10)
2011	Cheddar's Restaurant	Amend the sign regulation to allow wall signs on top of decorative roof structures (i.e. canopies and awnings) with specified restrictions.	11-22 (5/12/11)

SECTION IV – Enforcement

The city exercises zoning within both the city limits and within an extraterritorial zoning jurisdiction (ETJ), which collectively encompass 66.64 square miles. Within the city’s jurisdictional area there are approximately 4,000 (total) commercial, industrial, office and service establishments and multifamily residential complexes, most of which utilize individual and/or joint (planned center) sign displays. Between January, 1991 and December, 2010, a period of 20 years, the Planning Division issued 4,569 zoning compliance permits (avg. 228 per year) for permanent wall and/or freestanding signs, including new development locations, and replacement sign faces and/or structures at existing establishments.

Responsibility for enforcing the sign regulations is currently divided between the Police Department’s Code Enforcement Division and the Community Development Department’s Planning Division. The Code Enforcement Division is responsible for enforcing the standards applicable to permit-exempt (temporary) signs. The Planning Division is responsible for enforcing the standards applicable to permit-dependent (permanent) signs and vehicle mounted displays. The vast majority of all sign ordinance violations are related to temporary signs including banners, flags and multiple small signs displayed on-site and/or in public rights-of-way.

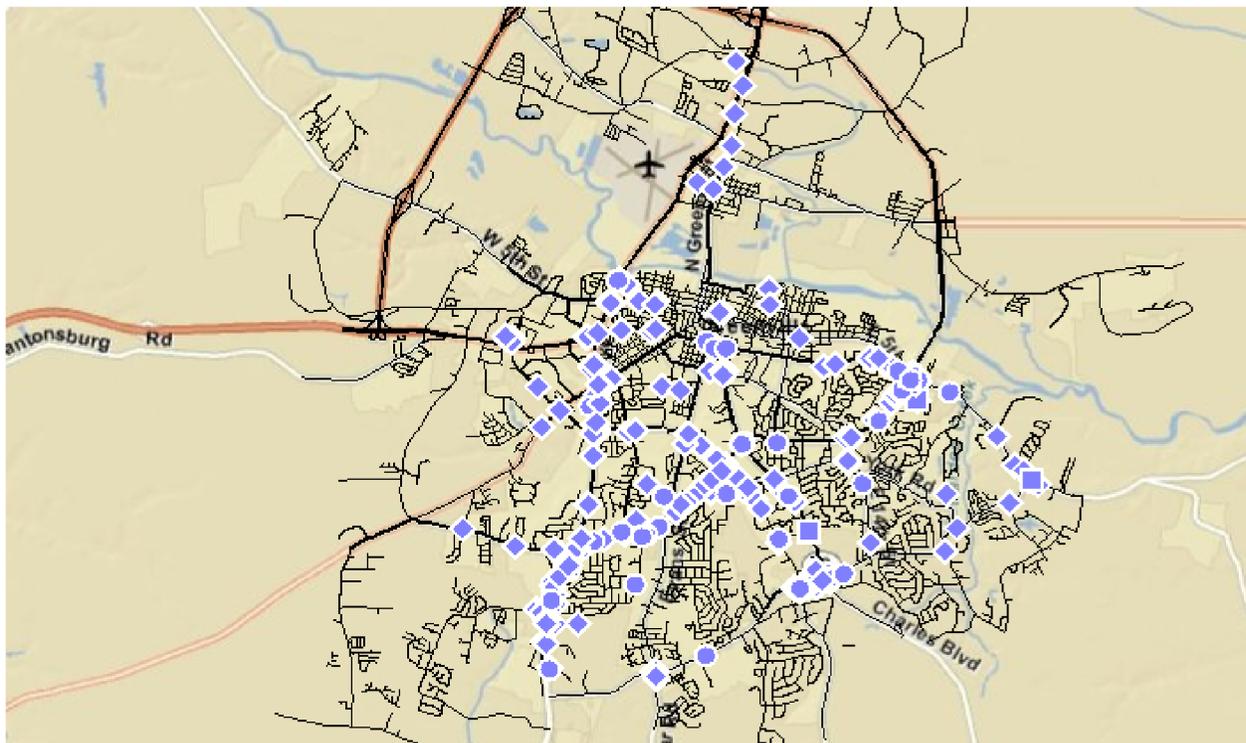
Staff recognizes that education is the most effective compliance tool. To this end, the Planning Division has developed general sign information, including wall and freestanding sign standards and permit application requirements, for distribution to commercial establishment privilege license applicants, business operators and the general public. The Code Enforcement Division has developed a temporary sign brochure for field distribution. This brochure describes the various types of temporary signs and their regulation including small advertising signs (six or less sq. ft.), real estate signs, election signs, flags, banners, balloons and the like.

A violation of the zoning ordinance, sign regulations included, is subject to civil citation as follows:

- \$50 for the first violation;

- \$100 for the second violation occurring within a 12-month period;
- \$250 for each subsequent violation within the original 12-month period
(Each day a violation continues constitutes a separate offense.)

The Code Enforcement Division logs temporary sign enforcement cases into the Mobile 311 system (this system has been in place since March 12, 2010) and the related enforcement location data may be displayed using the City's Geographic Information System (GIS). The map below is intended to illustrate the geographic distribution of enforcement actions over a one-year period beginning on July 1, 2010 and ending on June 30, 2011.



Sign Enforcement Summary for the period July 1, 2010 – June 30, 2011

1. Enforcement activities related to permit-exempt temporary signage (banners, flags, multiple small signs etc.): **293** (includes abatement notices and citations)

*Source: Police Department's Code Enforcement Division

2. Enforcement activities related to permit-dependent permanent signage:
16 (includes abatement notices and citations)

*Source: Community Development Department, Planning Division

Notes:

- (1) Code Enforcement Officers may immediately remove without notice any sign located within the street right-of-way or which constitutes an immediate public hazard.
- (2) Zoning enforcement actions may be appealed to the Board of Adjustment.

TEMPORARY SIGNS BROCHURE:



Let's all team up and work together in partnership to keep our community safe and clean!

The Purpose

This pamphlet is a user friendly tool to answer many of the questions asked staff about temporary signs in the City of Greenville. Many of the questions answered within this pamphlet include the following:

1. What are temporary signs?
2. What are exempt signs?
3. What are the square footage regulations for real estate signs?
4. What signs do not require a building permit or zoning approval?
5. Are temporary signs entitled to a legally nonconforming status?
6. What are the prohibited signs and the exceptions?
7. What special event signs are allowed and time limits?
8. What are the square footage coverage limits for windows and doors?
9. Are flags allowed?



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City of Greenville
Police Department

Code Enforcement Division's Guide to Understanding



Temporary Signs

The City of Greenville Guide to Understanding Temporary Signs

Definitions

[Sec 9-4-222]

Temporary Sign: Any portable advertising sign which attracts the public attention to an event or specific products sold. Such signs include the following:

- Signs made of paper, cloth, polyethylene film.
- Signs not permanently affixed to the ground or building surface as approved by the building inspector.
- Trailer signs
- Balloons exception 9-4-227
- Portable signs
- Banners, flags and other similar materials

No Permits required (Exempt Signs):

[Sec 9-4-227]

- a. Residential signs- noncommercial
Purpose, e.g. address or identification **3 sq. ft. limit.**
- b. Memorial plaques
- c. On-premises signs with a governmental purpose
- d. On premises governmental or nonprofit balloons, flags, Insignia
- e. Architectural features of a bldg.
- f. Directional signs on property, e.g. signs for restroom, exits, parking
3 sq. ft. limit
- g. Signs permanently attached to a licensed motor vehicle.

Exempt signs cont'd

h. Certain temporary signs

- Election signs
- Holiday signs remove **10 days** after event
- Construction identification signs
- Interior bldg signs with no more than **25% coverage of windows or doors.** Painted signs are not temporary.
- **Temporary non illuminated real estate signs** provided:
 - **12 sq. ft. area limit residential zones**
 - **50 sq. ft. area limit commercial**
- Other temporary (commercial) signs
- Not more than one sign per lot
- **6 sq. ft. area limit**
- Only applicable to commercial zones

Special provisions for certain signs

[Sec 9-4-233]

k. Temporary on-premises special event Spotlights and Roof Mounted Inflated Balloons:

- **Restrictions for spotlights**
 - a. No more than one spotlight per lot
 - Two (2) consecutive day limit
 - Display limited to 20 days in one year
- **Roof mounted Inflatable balloons**
 - Restrictions same as spotlights

Signs Not Allowed (Prohibited Signs)

[Sec 9-4-237]

- a. Kites
- b. Balloons except as described.
- c. Spotlights except as described
- d. **Flags exceeding 100sq ft commercial use**
- e. Temporary signs except as described
- f. Attached signs to radio/TV towers or poles
- g. Suspended signs between two structures or poles
- h. Roof signs except as described.
- i. Revolving signs
- j. Flashing signs except time and temperature
- k. Strings, ribbons, tinsels, small flags
- l. Pinwheels, windmills, or other devices

Nonconforming Signs. [Section 9-4-225]

(f.) All temporary signs existing on the effective date (November 13, 1986) of this article which do not conform to the requirements... shall be removed...



City of Greenville, North Carolina

Meeting Date: 3/20/2012
Time: 6:30 PM

Title of Item: Update on Zoning Text Amendment Application Related to Standards for Family Care Homes.

Explanation: Paradigm, Inc. submitted a Zoning Text Amendment requesting that the City's 1/4 mile separation requirement for family care homes be eliminated in November, 2011. The Planning and Zoning Commission tabled the application at their December, 2011 and January, 2012 meetings at the request of the applicant.

While the applicant continues to work with staff to investigate potential options for moving forward, the amendment request will remain tabled until a final decision is reached. At that time the amendment will either be withdrawn, modified or processed as originally submitted.

Fiscal Note: No fiscal impact anticipated.

Recommendation: No action requested.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / [click to download](#)