



## Agenda

### Planning and Zoning Commission

April 18, 2017

6:30 PM

Council Chambers, City Hall, 200 W. Fifth Street

---

Assistive listening devices are available upon request for meetings held in the Council Chambers. If an interpreter is needed for deaf or hearing impaired citizens, please call 252-329-4422 (voice) or 252-329-4060 (TDD) no later than two business days prior to the meeting.

---

- I. CALL MEETING TO ORDER -
- II. INVOCATION - Les Robinson
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - March 21, 2017
- V. NEW BUSINESS

#### REZONINGS

1. Ordinance requested by Foss Enterprises, Incorporated to rezone 11.396 acres located along the northern right-of-way of Dickinson Avenue Extension and 600+/- feet southwest of Frog Level Road from GC (General Commercial – Pitt County Zoning) to CH (Heavy Commercial – City Zoning).
2. Ordinance requested by RT Development, Incorporated to rezone 24.035 acres located west of Frog Level Road and adjacent to Taberna Subdivision from RA20 ( Residential-Agricultural) to R9S (Residential-Single-family [Medium Density]).

#### TEXT AMENDMENTS

3. Ordinance to amend the Zoning Ordinance to increase the maximum height for distributed antenna systems (DAS) in the CD (Downtown Commercial) district from 25 feet to 35 feet.

#### OTHER

4. Discussion Item - Fuel Station in MCG Zoning District - Upon City Staff request, the P & Z Member whom suggested the discussion item has given Staff permission to table this discussion to a later date.

VI. ADJOURN

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING  
AND ZONING COMMISSION  
March 21, 2017

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

Mr. Terry King –Chair \*  
Mr. Doug Schrade – \*                      Ms. Chris Darden – \*  
Mr. Les Robinson – X                      Ms. Ann Bellis – \*  
Ms. Margaret Reid - \*                      Mr. John Collins - \*  
Ms. Betsy Leech –\*                      Mr. Anthony Herring – \*  
Mr. Michael Overton - \*                      Mr. Ken Wilson - \*  
Mr. Hap Maxwell - \*

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

**VOTING MEMBERS:** Schrade, Darden, Bellis, Collins, Leech, Overton, Maxwell, Herring, Reid

**PLANNING STAFF:** Chantae Gooby, Planner II; Mike Dail, Lead Planner; Thomas Weitnauer, Chief Planner & Amy Nunez, Staff Support Specialist II

**OTHERS PRESENT:** Dave Holec, City Attorney; Ben Griffith, Director of Community Development; Cathy Meyer, Civil Engineer & Kelvin Thomas, Communication Technician

Attorney Holec stated that item #4, special use permit by LCD Acquisition, LLC, was reliant upon an approved rezoning at City Council. On March 20, 2017, City Council continued the rezoning to the May 2017 meeting.

**Motion made by Mr. Overton, seconded by Ms. Leech, to continue item 4, special use permit by LCD Acquisitions, LLC. Motion passed unanimously.**

Attorney Holec stated the desire to add as the last item to the agenda, the returned item from City Council regarding an amendment to the Subdivision Ordinance for preliminary plats for the length of time for subdivision approval. City Council has a recommendation that the item be reviewed by P&Z.

**Motion made by Ms. Leech, seconded by Ms. Darden, to add item amendment to Subdivision Ordinance for preliminary plats returned by City Council. Motion passed unanimously.**

**MINUTES:** Motion made by Mr. Schrade, seconded by Mr. Collins, to accept the February 21, 2017 minutes as presented. Motion passed unanimously.

**OLD BUSINESS**

**LAND USE PLAN MAP AMENDMENT**

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC AND JACK JONES ALLEN TO AMEND THE FUTURE LAND USE AND CHARACTER MAP FOR 22.655 ACRES FROM THE RESIDENTIAL, LOW-MEDIUM DENSITY (LMDR) LAND USE CHARACTER TO THE OFFICE/INSTITUTIONAL (OI) LAND USE CHARACTER FOR PROPERTY LOCATED AT THE SOUTHWESTERN CORNER OF THE INTERSECTION OF REGENCY BOULEVARD AND THE CSX RAILROAD - APPROVED

Ms. Gooby stated this is a request to amend the Future Land Use and Character Map which is part of Horizons 2026: Greenville's Community Plan, which was adopted September, 2016. This property is located in the southern section of the City along Regency Boulevard adjacent to the CSX Railroad and west of Shamrock Subdivision. The property is vacant. There is single-family to the north and office and single-family to the east. The property to the south is vacant. This request could generate a net increase of 893 trips per day. Currently, the property is zoned multi-family and single-family. This request is for office/institutional. The intent of this character is to serve as a transition between intense commercial and neighborhoods or as a buffer along major thoroughfares. This property is located along the south side of Regency Boulevard has the same character as the north side of Regency Blvd. This has the same land use character as the subject property. Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Plan Map were adopted in September, 2016. Starting in 2015, the Comprehensive Planning Committee held 9 meetings, 2 open houses and a two-day workshop. Two of the meetings and the workshop were specifically held to gather input from all interested parties on the Future Land Use and Character Plan Map. These meeting were advertised and open to the public. There are 8 principles that are used to guide future growth and development. The current character is for Residential, Low-Medium Density (LMDR). In staff's opinion, the current plan fulfills the principles that guided the Comprehensive Planning Committee. There have been no changes in the development pattern that warrant a land use map change. There were multiple opportunities for input from all interested parties. To my knowledge, there were no comments received for this area related to land use. Staff recommends denial.

Mr. Overton asked what zoning district would be allowed in the office/institutional character.

Ms. Gooby stated the office zoning district. It is a non-residential character.

Chairman King opened the public hearing.

Mr. Mike Baldwin, representative for the applicants, spoke in favor of the request. He stated that while the plan was just adopted this property has been under contract. The Wal-Mart has office zoning abutting it. Their intent is to connect to the office zoning with an intervening multi-

family project. Office is more aesthetically pleasing and safer for the remaining residential. The President of the Shamrock Homeowners' Association submitted a letter in support of the request.

Ms. Reid asked if anyone attended any of the comprehensive plan update meetings.

Mr. Baldwin stated that because of the circumstances they were unable to comment on the situation at that time.

No one spoke in opposition.

Chairman King closed the public hearing and opened for board discussion.

Mr. Overton stated he was in support of the request because Office has the least impact of commercial uses and it is continuance along Regency Boulevard.

Mr. Schrade stated that although the Comprehensive Plan was recently adopted, he agrees with Mr. Overton.

Ms. Reid was concerned of setting a precedent of making changes to the map.

Mr. Maxwell stated there was a lot of time and effort put into the update.

**Motion made by Mr. Collins, seconded by Mr. Overton, to recommend approval of the proposed amendment. Voting in favor: Herring, Bellis, Collins, Schrade, Darden, Leech and Overton. Voting in opposition: Reid. Motion passed.**

## **NEW BUSINESS** **REZONING**

ORDINANCE REQUESTED BY THE WODA GROUP, INCORPORATED TO REZONE 5.50 ACRES LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF BELLS FORK ROAD AT ITS INTERSECTION WITH SOUTHRIDGE DRIVE FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO R6 (RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) – DENIED

Ms. Gooby delineated the property. It is located in the southeastern section of the city along Bells Fork Road. There is a mobile home located on the property and the rest is farmland. Most of the area is single-family and agricultural. There is commercial at the intersection of Charles Boulevard and Fire Tower Road. This rezoning could generate a net increase of 308 trips per day. Under the current zoning, the site could yield 15-20 single-family lots. Under the proposed zoning, staff would anticipate 70-75 multi-family units. The Future Land Use and Character Map recommends commercial at the intersection of Charles Boulevard and Fire Tower Road transitioning to office/institutional then traditional neighborhood medium-high density. The zoning districts associated with this character are R6, R6A and R6S. This map is not site specific or dimensionally specific. In staff's opinion, the request is in general compliance with

Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Plan Map.

Chairman King opened the public hearing.

Mr. Nick Surak, Vice President of The Woda Group, Inc., spoke in favor of the request. The Woda Group does affordable housing and is based in Ohio. They have already completed two jobs in NC. They had a market study prepared that shows there is a need in the city.

Mr. Collins asked about traffic.

Mr. Surak stated that any development will generate traffic.

Mr. Herring asked would happens if they don't get the results according to their market study.

M. Surak stated that there is high demand for affordable high quality properties.

Attorney Holec reminded Commissioners to consider all uses in the district.

Mr. Jon Day, broker of the applicant, spoke in favor. This property is near the commercial at Charles Boulevard and Fire Tower Road. The site is within walking distance of the retail uses. The density will be about 14 units per acre. Two nearby property owners came to his office to see the plans. They are trying to reach out to the neighborhood. The request is in general compliance with the comprehensive plan.

Ms. Ida Lynn Stox, owner of property, spoke in favor. Her family has owned the property for 80 years. This development will provide tax base and the rental market is strong.

Ms. Melissa Norris, representing Tonya Grey, Ida Garner, Eleanor Jones, Willie Judge, Daniela Batchelor, and Laurie Crutchfield-residents from Southridge Drive, spoke in opposition. She stated that traffic has increased significantly. There are 38 businesses at Bells Fork area. This intersection is the highest-rated for accidents in Greenville. Since the business is out-of-state, there is a concern they would not be a good neighbor.

Ms. Reid asked Ms. Norris if she had met with the applicant.

Ms. Norris stated that Mrs. Stox came to her house to share the plans. We have not changed our opinion.

Mr. Terry Best, representing his mother, Ruth Best, spoke in opposition. His mother has owned her property for 50 years. This area has been agricultural. He is concerned about traffic.

Ms. Betty Andrews spoke in opposition. She is mainly concerned with traffic. There are certain times when traffic is terrible.

Ms. Leech stated that she was concerned that the traffic study only uses a 2% increase in growth when calculating traffic when there could be a lot of development that may be more than 2%. She asked if the property owner would be required to do measures to mitigate traffic.

Ms. Gooby explained that the developers may be required to do some measures, such as a deceleration lane. There are improvements that are being planned for the Charles Boulevard and Fire Tower Road intersection that may alleviate some of the traffic in the future.

Ms. Mary Gladys Waters spoke in opposition. Traffic is the main concern. There are several apartment complexes on Hwy 43 and there have been a lot of car accidents there.

Ms. Reid asked Ms. Waters if she would work with the developers to ease her concerns.

Ms. Waters stated that she didn't think developers could alleviate her concerns over traffic.

Ms. Laura Crutchfield spoke in opposition. She stated the Bells Fork Road intersection is one of the most dangerous intersections in Pitt County. She sees red lights every day from accidents because of this intersection. This is an unsafe decision. There is no other access. This will set a precedent for future multi-family.

Ms. Reid stated that regarding setting a precedent, this request is in compliance.

Ms. Crystal Baity spoke in opposition. She stated her main concern is that high density multi-family isn't compatible with surrounding land uses. If they would consider a lower density, it could alleviate some concerns.

Mr. Al Waters spoke in opposition and stated this is low-income housing being put near his home. His home will suddenly lose its value. He has lived in his home for 31 years.

Ms. Marti Michaels, Cherry Oaks resident, spoke in opposition and stated people can't make a left out of Cherry Oaks on Fire Tower Road. This will add more traffic.

Mr. Hugh Stox, property owner, spoke in rebuttal in favor. He stated he bought a house at Signature Drive at the stop light so there could be another entrance from this property. Southridge Drive is a cul-de-sac so all the traffic has to use Bells Fork Road. There are alternate ways to get out of this development.

Ms. Norris, spoke in rebuttal in opposition, the stop light at Signature Drive won't alleviate any traffic at this intersection

Chairman King closed the public hearing and opened for board discussion.

Ms. Darden is concerned about traffic.

Mr. Overton asked about density.

Ms. Gooby stated that this zoning district would allow up to 17 units per acre. Staff anticipates 70-75 units which is about 14 units per acre. The next lower density zoning district is RA6, which allows 9 units per acre.

Ms. Darden asked to table the request because she is concerned about traffic.

Ms. Bellis stated that a traffic study could be a compromise.

Attorney Holec stated it is not mandated for the applicant to provide a traffic study. The Commission could request a continuance to see if the applicant provides additional information.

Ms. Gooby reminded the commission that Charles Boulevard is a NC-DOT maintained street and there are other improvements in the general area that are being planned.

Ms. Reid made a motion to approve the request but failed due to a lack of a second.

**Motion made by Mr. Collins, seconded by Mr. Herring, to recommend denial of the proposed amendment, to advise that, although it is consistent with the Comprehensive Plan and other applicable plans, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Herring, Bellis, Collins, Schrade, Darden, Leech and Overton. Voting in opposition: Reid. Motion passed.**

ORDINANCE REQUESTED BY WARD HOLDINGS, LLC TO REZONE 0.49+/- ACRES LOCATED AT THE NORTHEASTERN CORNER OF THE INTERSECTION OF EAST 5TH STREET AND SOUTH HOLLY STREET FROM R6S (RESIDENTIAL-SINGLE-FAMILY [MEDIUM DENSITY]) TO OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) – APPROVED

Ms. Gooby delineated the property. It is located in the central section of the city at the corner of East 5<sup>th</sup> Street and Holly Street. This rezoning consists of two lots. The property is in the locally-designated College View Historic District. This area is mainly residential and institutional uses. The neighborhood was rezoned to single-family in 2005. The Future Land Use and Character Map recommends university-institutional along the frontage of East 5<sup>th</sup> Street. This character is mainly comprised of the ECU main campus and the surrounding facilities then transitions to university-neighborhood to the north. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Plan Map.

Ms. Leech asked about the uses of the single-family homes are in this area.

Ms. Gooby stated adjacent properties are multi-family and a fraternity.



Mr. Maxwell stated he is concerned about the amount of owner-occupied dwellings and that the neighborhood is about 90% rental.

Chairman King opened the public hearing.

Mr. Jim Ward, the applicant, spoke in favor of the request. He has a contract to purchase the property. The Wesley Foundation is relocating to Jarvis Memorial Church. He wishes to revitalize this area. This is a unique property that has been grandfathered as an institutional/multi-family use. By this rezoning, the property will become a conforming use. There are multiple safeguards for historic properties to maintain the integrity of the buildings. He intends to give a facelift to the grounds and upgrade the aesthetics.

Mr. Maxwell asked Mr. Ward of his intentions.

Mr. Ward stated that this is not an assemblage project. The renters in the house want to stay in place through the 2017-18 school year. He plans to have a different campus ministry group in the building.

No one spoke in opposition.

Chairman King closed the public hearing and opened for board discussion.

Mr. Maxwell asked what the purview of the Historic Preservation Commission is.

Ms. Gooby explained that the Historic Preservation Commission has purview over the grounds and the exterior. Some minor changes may be approved by staff. The Commission can place a 365-day delay on demolition requests.

Ms. Leech stated that the character of the neighborhood has changed. It is ideal to have students in close proximity to ECU and understands the struggles of the homeowners.

**Motion made by Mr. Schrade, seconded by Mr. Herring, to recommend approval of the proposed 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. Motion passed unanimously.**

OTHER

AMENDMENT TO THE SUBDIVISION ORDINANCE FOR PRELIMINARY PLATS RETURNED FROM CITY COUNCIL FOR THE LENGTH OF TIME FOR SUBDIVISION APPROVAL. -APPROVED

Mr. Dail provided staff presentation. He reviewed the timeline.

January 17, 2017 P&Z recommended a Subdivision Ordinance Text Amendment to City Council to Extend the Plat Review Time by 20 days.

February 9, 2017 City Council approved a motion to continue this item and ordered a town hall meeting with the development community and return with responses.

March 6, 2017 The City held a town hall meeting. The development community responded that a 20 day extension would be cumbersome to development, but 10 days would be a fair compromise for a total review time of 30 days.

March 20, 2017 City Council approved a motion to return this item to the P&Z Commission with a recommendation to consider an extension for preliminary plat reviews of 10 days instead of 20 days.

This would be how the timeline for 30 days to review preliminary plats would look like:

- 30 working days – Receive submittal from applicant by 5:00 pm
- 29 working days – Route plats to reviewing departments
- 22 working days – Receive comments from review departments
- 21 working days – Comments returned to applicant
- 16 working days – Applicant returns with revised plat
- 15 working days – Route revised plats to reviewers who made revisions
- 14 working days – Deadline to submit City Page advertisement request
- 11 working days – First advertisement date
  - 7 working days – Mail adjoining property owner notices
  - 6 working days – Second advertisement date

Mr. Dail stated they reviewed other jurisdictions and found that 30 days is a typical review time.

Staff and City Council Recommendation:

City Council and Staff recommend the Planning and Zoning Commission reconsider the extension to add 10 days to the review process (for a total of 30 days) instead of the previously recommended extension of 20 days (for a total review time of 40 days).

Chairman King asked if 30 days total would be enough time versus the original recommendation of 40 days total.

Mr. Dail stated that it is important to have more time and that 30 days is better than what is currently.

Chairman King opened the public hearing.

No one spoke in favor or in opposition.

Chairman King closed the public hearing and opened for board discussion.

No comments made.

**Motion made by Mr. Overton to recommend approval of the proposed 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. Seconded by Ms. Darden and the motion passed unanimously.**

Chairman King stated Commissioners Overton and Bellis wanted to address the Commission.

Attorney Holec stated that it was up to the discretion of the Commission. The Commission agreed as a whole.

Mr. Overton asked the Commission for feedback on a suggestion of a new zoning classification. The medical general commercial district does not allow fuel stations as a use. He asked if that was something the Commission could consider. It would be an important use in the medical district.

Attorney Holec stated that the process would be to have this as a discussion item scheduled for the next meeting.

Ms. Leech asked if Staff could give an opinion on the Mr. Overton's request.

Mr. Weitnauer asked if this would be a land use designation change initiated by the Commission.

Mr. Overton stated it is for a specific use within a current zoning.

Ms. Gooby stated that it would be a table of use amendment request.

Mr. Weitnauer suggested following the process that Attorney Holec stated.

**Ms. Leech made a motion to have a discussion item about gasoline sales/convenience store use allowed in the medical general commercial zoning district added to next month's agenda, seconded by Mr. Schrade. Motion passed unanimously.**

Ms. Bellis wanted to follow up on the City Council meeting last night regarding the number of student apartments. She wants to receive information regarding vacancy rates. It was mentioned at the City Council meeting that there are 28,000 ECU students of which 4,000 are distance learners. She asked where do the other 24,000 reside and how many live in the big box student apartments. She wants information on how many bedroom-unit projects are currently under construction designed for student occupancy. A student project request was tabled last night at the City Council meeting. The student projects under construction downtown are causing more problems like lack of City employee parking. More apartments and less parking is killing the downtown. She requested a report to be brought back next month regarding occupancy rates of current apartments, the number of bedrooms of projects under construction and will there be enough students next year to fill all these apartments.

Mr. Overton stated he spoke with a Massachusetts developer who does student housing re-use projects. The developer told him he interviewed student housing complexes in Greenville,

exception of North Campus Crossing, and was told they all have 95-100% occupancy. Not all of these are students and some hardly have any students. Mr. Overton stated the complexes are reporting the high occupancy rates so that they can re-sell the properties. He stated that Ms. Bellis would never receive correct information regarding her request.

Mr. Maxwell stated he spoke with a Dean at ECU regarding the anticipation of increase in enrollment next year and was told approximately 200 students.

Mr. Overton stated he heard 1,000 new students. He stated he also heard the total beds from new construction downtown and on 10<sup>th</sup> Street is 1,900 by Fall 2018.

Mr. Weitnauer stated Staff could provide the number of beds from projects under construction. He stated he was unsure about the accuracy of occupancy. He stated he could have the information in two months.

Mr. Overton asked if there is an opportunity to do a moratorium on student housing.

Attorney Holec stated a moratorium is not allowed for a residential development. He stated they could consider an amendment to the Code that is carefully considered.

Ms. Overton asked if the Code could be changed within a particular radius.

Attorney Holec stated an overlay can be considered but needs to be carefully laid out. The NC Statue does not allow moratoriums on residential developments. City Council has already started this same discussion. He suggested a better approach is to let City Council take the lead.

Mr. Weitnauer stated that any text amendment would go to P&Z before City Council.

Mr. Griffith stated Planning Staff was directed by City Council to come up with recommendations regarding student housing. If accepted this would come before the P&Z Commission as a text amendment.

Mr. Overton suggested they should send a message of support to City Council regarding this.

Ms. Darden agreed.

Ms. Leech stated she wants more information available so they can make better decisions. She wants to be able to look beyond the Comprehensive Plan to make better planning decisions.

Ms. Maxwell stated everything needs to be taken into consideration when making a decision.

Ms. Reid stated it took over a year to put the Comprehensive Plan together with several meetings for citizen input. Things needed to be looked at thoroughly before the Comprehensive Plan was adopted. They should not be making changes to it now just because. On tonight's agenda, the Commission recommended denial of a request that was in compliance with Comprehensive Plan

yet recommended approval of another request that was not in compliance. She stated it is an oxymoron.

Ms. Leech stated the traffic is growing faster than anticipated and needs to be considered. In addition to the Comprehensive Plan, mitigating issues need to be considered to make good decisions. Even though the Comprehensive Plan allows something, doesn't mean other factors should not be considered.

Ms. Reid stated that Greenville is growing and traffic is bad due to construction and roads being built. The Comprehensive Plan was completed to help Greenville grow the right way.

Mr. Herring stated Greenville is growing fast. They need all the information they can get to make decisions.

Attorney Holec suggested a motion be made that Staff will provide the information regarding new construction and occupancy. Regarding any amendment change, to let City Council take the lead and Planning Staff will share the information.

**Ms. Bellis made a motion to have a study done regarding the occupancy rate of large apartment complexes, seconded by Mr. Herring. Motion passed unanimously.**

**With no further business, Mr. Overton made a motion to adjourn, seconded by Ms. Darden. Motion passed unanimously. Meeting adjourned at 8:48 p.m.**

Respectfully Submitted,

Ben Griffith, Secretary to the Commission  
Director of Community Development Department



# City of Greenville, North Carolina

Meeting Date: 4/18/2017  
Time: 6:30 PM

**Title of Item:** Ordinance requested by Foss Enterprises, Incorporated to rezone 11.396 acres located along the northern right-of-way of Dickinson Avenue Extension and 600+/- feet southwest of Frog Level Road from GC (General Commercial – Pitt County Zoning) to CH (Heavy Commercial – City Zoning).

**Explanation:** **Abstract:** The City has received a request from Foss Enterprises, Incorporated to rezone 11.396 acres located along the northern right-of-way of Dickinson Avenue Extension and 600+/- feet southwest of Frog Level Road from GC (General Commercial – Pitt County Zoning) to CH (Heavy Commercial – City Zoning).

### **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on April 4, 2017.

On-site sign(s) posted on April 4, 2017.

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

Public hearing legal advertisement published - N/A at this time

### **Comprehensive Plan:**

The Future Land Use and Character Map recommends commercial (C) at the northwestern corner of the intersection of Dickinson Avenue Extension and Frog Level Road transitioning to industrial/logistics (IL) to the north.

Further, potential conservation/open space (PCOS) is recommended in this area. The Future Land Use Map identifies certain areas for conservation/open space uses. The map is not meant to be dimensionally specific and may not correspond precisely with 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 Land Use Plan

designations, contextual considerations, and the general policies of the comprehensive plan.

Commercial:

Primarily community- and regional-scale commercial development situated near and along major roadway corridors. Existing development is characterized by buildings set back from streets behind surface parking. That existing pattern should evolve to become more walkable with shorter blocks, buildings near streets, shared parking and connections to surrounding development.

Intent:

- Provide connectivity to nearby uses (paths, streets)
- Located new buildings near street on at least one side and accommodate parking to the side or rear of buildings
- Improve/provide public realm features such as, signs, sidewalks, landscaping
- Reduce access-points into development for pedestrian and vehicular safety
- Reduce and consolidate surface parking

Primary uses:

Commercial (small and large format)

Office

Secondary uses:

Institutional/civic

Industrial/Logistics:

Area is characterized by warehouses and light manufacturing operations and related office uses. It includes the Greenville Industrial Park, airport area, and Southwest Bypass Corridor.

Intent:

- Encourage expansion of light industrial, assembly and research uses
- Encourage the use of higher-quality building materials and landscaping for highly-visible sites

Primary Uses:

Industrial

Light industrial

Research and assembly

Warehousing

Secondary Uses:

Office

Commercial

There is a designated employment activity center at the intersection of Dickinson Avenue Extension and Frog Level Road. These centers are intended to contain a regional-scale concentration of non-retail jobs (institutional, office and industrial).

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

Since the property is already developed and a change of use is not anticipated, a traffic volume report was not generated.

**History/Background:**

This property is impacted by the Southwest Bypass project and the widening of Dickinson Avenue Extension. The property was annexed into the City effective June 30, 2017 and necessitates city zoning.

**Present Land Use:**

LKQ Pick Your Part

**Water/Sewer:**

Water is located in the right-of-way of Dickinson Avenue Extension. Sanitary sewer will be extended as part of the Southwest Bypass project and widening of Dickinson Avenue Extension.

**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: GC (County zoning) - Farmland  
South: CG (City zoning) - Scrap Metal Co., GUC Utility Substation, Archie's Steel Service and American Builders  
East: GC (County zoning) - Farmland  
West: RR (County zoning) - Farmland

**Fiscal Note:** No cost to the city.

**Recommendation:** In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Plan Map.



"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.

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 rezoning, 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."

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

"Motion to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency."

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**

 [Attachments](#)

 [List of Uses GC county to CH city 1049434](#)

## **EXISTING ZONING**

### **GC (General Commercial) Pitt County Zoning**

#### AGRICULTURE-RELATED USES

Agricultural Production (crops)  
Agricultural Production (livestock), except Swine Farms  
Forestry

#### RESIDENTIAL USES

Bed and Breakfast Inn  
Boarding and Rooming House  
Family Care Home  
Group Care Facility  
Halfway House  
Homeless Shelter  
Multifamily Dwelling, less than 5 units  
Multifamily Dwelling, 5 units or more  
Planned Unit Development  
Temporary Shelter

#### ACCESSORY USES and STRUCTURES

Accessory Structures and Buildings (Noncontiguous)  
Accessory Uses and Structures (customary)  
Caretaker Dwelling  
Communication Tower Under 60' in Height  
Emergency Shelter  
Satellite Dish Antenna  
Solar Collector, Accessory  
Swimming Pool  
Wind Energy Facility, Accessory

#### RECREATIONAL USES

Athletic Fields  
Auditorium, Coliseum or Stadium  
Batting Cages  
Billiard Parlor  
Bingo Games  
Bowling Center  
Civic, Social, and Fraternal Associations  
Coin Operated Amusement, except Adult Arcade  
Country Club with Golf Course  
Dance School, Music Instruction  
Fortune Tellers, Astrologers  
Go-Cart Raceway  
Golf Course

Golf Course, Miniature  
Golf Driving Range  
Physical Fitness Center  
Private Campground/RV Park  
Private Club or Recreation Facility, Other  
Public Park or Recreational Facility, Other  
Shooting Range, Indoor  
Skating Rink  
Sports and Recreation Club, Indoor  
Swim and Tennis Club

#### EDUCATIONAL and INSTITUTIONAL USES

Ambulance Service  
Cemetery or Mausoleum on Same Property as Church  
Cemetery or Mausoleum Not on Same Property as Church  
Church or Other Place of Worship  
College, University, Technical Institute  
Miscellaneous Educational Services  
Day Care Center, Adult and Child  
Elementary or Secondary School  
Fire Station/Emergency Medical Service  
Government Office  
Hospital  
Library  
Museum or Art Gallery  
National Guard /Military Reserve Center  
Nursing and Convalescent Home  
Orphanage  
Law Enforcement Substation  
Post Office  
Psychiatric Hospital  
Retreat/Conference Center  
School Administration Facility  
Tutoring/Mentoring Center (less than 5 students)

#### BUSINESS, PROFESSIONAL and PERSONAL SERVICES

Accounting, Auditing or Bookkeeping  
Administrative or Management Services  
Advertising, Outdoor Services  
Automobile Parking (Commercial)  
Automobile Rental or Leasing  
Automobile Repair Services  
Automobile Towing Services  
Bank, Savings and Loan, or Credit Union  
Barber and Beauty Shop  
Blacksmith

Boat Repair  
Building Maintenance Services, No Outside Storage  
Car Wash  
Clothing Alteration or Repair  
Computer Maintenance and Repair  
Computer Services  
Crematorium  
Employment Agency, Personnel Agency  
Engineering, Architect or Survey Service  
Equipment Rental and Leasing (no outside storage)  
Equipment Repair, Light  
Finance or Loan Office  
Funeral Home  
Furniture Refinishing  
Furniture Repair Shop  
Hotel or Motel, except Adult Motel  
Insurance Agency  
Kennels or Pet Grooming  
Landscape and Horticultural Services  
Laundromat, Coin-Operated  
Laundry or Dry Cleaning Plant  
Law Office  
Medical, Dental or Related Office  
Medical or Dental Laboratory  
Miscellaneous Services, Not Listed  
Office Uses Not Otherwise Classified  
Pest or Termite Control Services  
Pet Cemetery/Crematorium  
Photocopying and Duplicating Services  
Photography, Commercial Studio  
Real Estate Office  
Recording Studio  
Refrigerator or Large Appliance Repair  
Research, Development or Testing Services  
Shoe Repair or Shoeshine Shop  
Tattoo Parlor  
Taxidermist  
Television, Radio or Electronics Repair  
Theater (indoor), except Adult Theater  
Theater (outdoor), except Adult Theater  
Tire Recapping  
Wedding/Event Facility  
Welding Shop  
Veterinary Clinic  
Vocational, Business or Secretarial School

RETAIL TRADE

ABC Store  
Antique Store  
Appliance Store  
Arts and Crafts  
Auto Supply Sales  
Bakery  
Bar, Night Club, Tavern  
Bookstore, except Adult Bookstore  
Building Supply Sales  
Computer Sales  
Convenience Store  
Department, Variety or General Merchandise  
Drugstore  
Fabric or Piece Goods Store  
Farm Supplies and Equipment  
Floor Covering, Drapery or Upholstery  
Florist  
Food Store  
Fuel Oil Sales  
Furniture Sales  
Garden Center or Retail Nursery  
Hardware Store  
Home Furnishings, Miscellaneous  
Miscellaneous Retail Sales  
Motor Vehicle Sales (new and used)  
Motorcycle Sales  
Musical Instrument Sales  
Newsstand  
Office Machine Sales  
Optical Goods Sales  
Paint and Wallpaper Sales  
Pawnshop or Used Merchandise Store  
Pet Store  
Record and Tape Store  
Recreational Vehicle Sales  
Restaurant (with drive-thru)  
Restaurant (without drive-thru)  
Service Station, Gasoline Sales  
Sporting Goods Store, Bicycle Shop  
Tire Sales  
Video Tape Rental and Sales, except Adult Video Store

WHOLESALE TRADE

Apparel, Piece Goods and Notions  
Books, Periodicals and Newspapers

Drugs and Sundries  
Durable Goods, Other  
Electrical Goods  
Farm Supplies, Other  
Flowers, Nursery Stock and Florist Supplies  
Furniture and Home Furnishings  
Groceries and Related Products  
Hardware  
Jewelry, Watches, Precious Stones and Metals  
Machinery, Farm and Garden  
Market Showroom (furniture, apparel, etc.)  
Paper and Paper Products  
Professional and Commercial Equipment and Supplies  
Sporting and Recreational Goods and Supplies  
Tobacco and Tobacco Products  
Toys and Hobby Goods and Supplies  
Wallpaper and Paint Brushes

#### TRANSPORTATION, WAREHOUSING and UTILITIES

Bus Terminal  
Communication or Broadcasting Facility  
Courier Service  
Marina  
Radio, Television or Communication Tower Over 60' In Height  
Sewage Treatment Plant  
Solar Energy Facility  
Taxi Terminal  
Utility Company Office  
Utility Equipment and Storage Yards  
Utility Lines  
Utility Service Facility (no outside storage)  
Utility Related Appurtenances  
Warehouse (general storage, enclosed)  
Warehouse (self-storage)  
Water Treatment Plant

#### MANUFACTURING and INDUSTRIAL USES

Contractors (no outside storage)  
Contractors, General Building  
Contractors, Special Trade  
Printing and Publishing

#### OTHER USES

Arts and Crafts Shows  
Automobile Parking on Same Lot as Principal Use  
Billboards, Advertising Signs

Carnivals and Fairs  
Christmas Tree Sales  
Concerts, Stage Shows  
Conventions, Trade Shows  
Emergency Shelter  
Outdoor Flea Markets  
Outdoor Fruit and Vegetable Markets  
Outdoor Religious Events  
Sexually-Oriented Business  
Shopping Center  
Special Temporary Event  
Subdivision  
Temporary Construction, Storage or Office; Real Estate Sales or Rental Office (with concurrent building permit for permanent building)  
Temporary Emergency, Construction, and Repair Residence

## **PROPOSED ZONING**

### **CH (Heavy Commercial)**

#### ***Permitted Uses***

##### *(1) General:*

- a. Accessory use or building
- b. Internal service facilities
- c. On-premise signs per Article N
- d. Off-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:*

- a. Public utility building or use
- 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
- e. County government operation center
- g. Liquor store, state ABC

##### *(5) Agricultural/ Mining:*

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

- b. Greenhouse or plant nursery; including accessory sales
- d. Farmers market
- e. Kennel (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

*(6) Recreational/ Entertainment:*

- b. Golf course; par three
- c. Golf driving range
- c.(1). Tennis club; indoor and outdoor facilities
- e. Miniature golf or putt-putt course
- f. Public park or recreational facility
- h. Commercial recreation; indoor only, not otherwise listed
- i. Commercial recreation; indoor and outdoor, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- o. Theater; movie or drama, including outdoor facility
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic club; indoor only
- t. Athletic club; indoor and outdoor facility

*(7) Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
- g. Catalogue processing center

*(8) Services:*

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- n. Auditorium
- 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. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular telephone and wireless communication towers [unlimited height, except as provided by regulations]



- 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)
- bb. Civic organization
- cc. Trade or business organization
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

*(9) Repair:*

- b. Minor repair; as an accessory or principal use
- c. Upholster; automobile, truck, boat or other vehicle, trailer or van
- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- g. Jewelry, watch, eyewear or other personal item repair

*(10) Retail Trade:*

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- b. Gasoline or automotive fuel sale; accessory or principal use
- 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
- n. Appliance; commercial or industrial use, sales and accessory repair, including 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
- cc. Farm supply and commercial implement sales

ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- a. Wholesale; durable and nondurable goods, not otherwise listed
- 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.
- d. Rental of automobile, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- e. Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)
- g. Mobile home sales including accessory mobile home office

*(12) Construction:*

- a. Licensed contractor; general, electrical, plumbing, mechanical, etc. excluding outside storage
- c. Construction office; temporary, including modular office (see also section 9-4-103)
- d. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage
- f. Hardware store

*(13) Transportation:*

- c. Taxi or limousine service
- e. Parcel delivery service
- f. Ambulance service
- h. Parking lot or structure; principal use

*(14) Manufacturing/ Warehousing:*

- a. Ice plant and freezer lockers
- b. Dairy; production, storage and shipment facilities
- c. Bakery; production, storage and shipment facilities
- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholster
- h. Engraving; metal, glass or wood
- i. Moving and storage of nonhazardous materials; excluding outside storage
- k. Mini-storage warehouse, household; excluding outside storage
- m. Warehouse; accessory to approved commercial or industrial uses within a district; excluding outside storage
- u. Tire recapping or retreading plant

*(15) Other Activities (not otherwise listed - all categories):* \* None

**CH (Heavy Commercial)**  
***Special Uses***

*(1) General:*\* None

*(2) Residential:*

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

*(3) Home Occupations (see all categories):\* None*

*(4) Governmental:\* None*

*(5) Agricultural/ Mining:\* None*

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:\* None*

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

- j. Restaurant; regulated outdoor activities
- n. Appliance; commercial use, sales and accessory repair, excluding outside storage
- z. Flea market

*(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:\* None*

*(12) Construction:\* None*

*(13) Transportation:\* None*

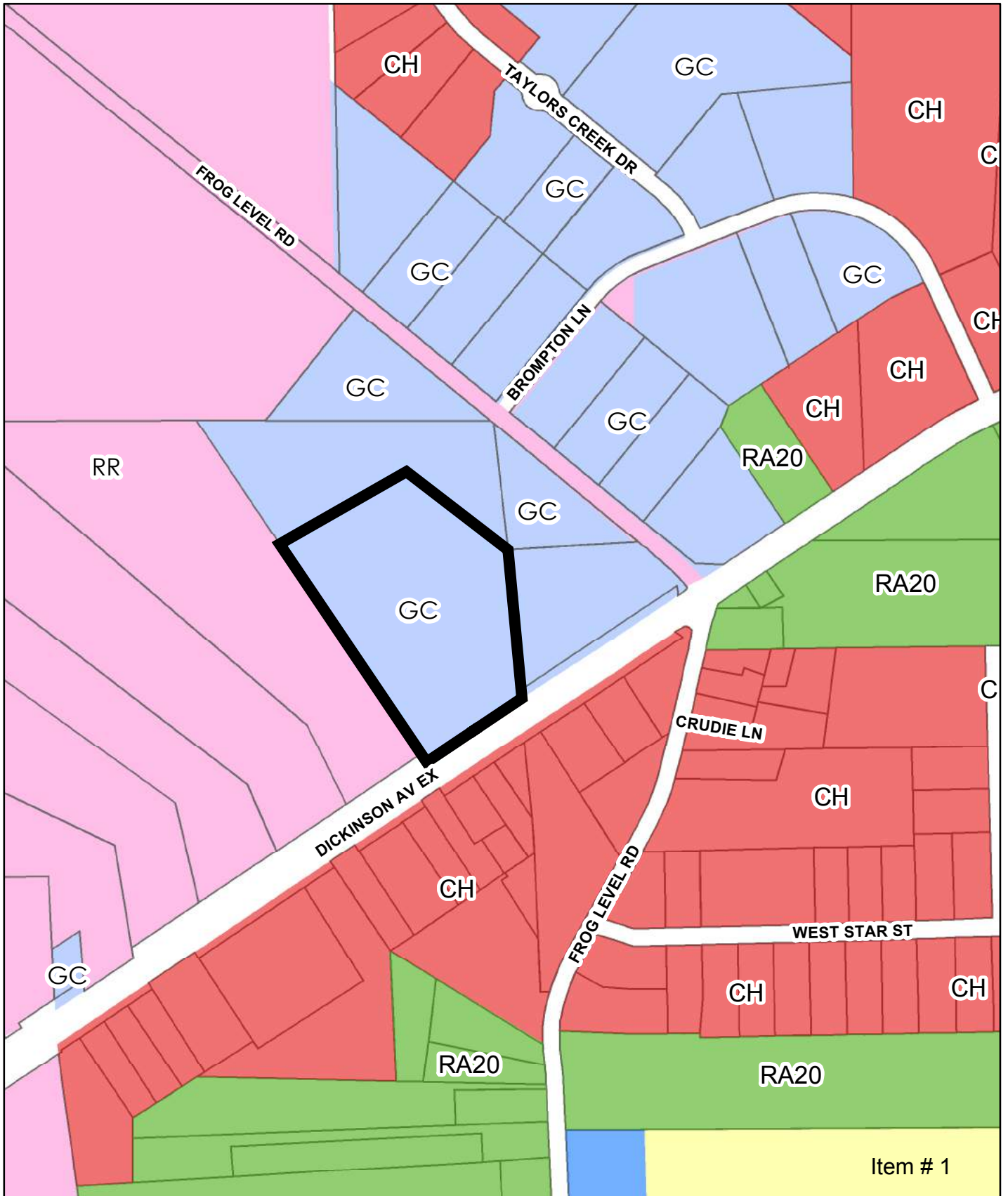
*(14) Manufacturing/ Warehousing:*

- d. Stone or monument cutting, engraving
- j. Moving and storage; including outside storage
- l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
- y. Recycling collection station or facilities

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

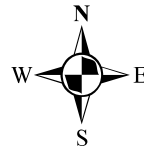
- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

Foss Enterprises, Inc.  
From: GC (Pitt County) To: CH (City)  
11.396 acres  
April 3, 2017





Foss Enterprises, Inc.  
From: GC (Pitt County) To: CH (City)  
11.396 acres  
April 3, 2017







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.





# City of Greenville, North Carolina

Meeting Date: 4/18/2017  
Time: 6:30 PM

**Title of Item:** Ordinance requested by RT Development, Incorporated to rezone 24.035 acres located west of Frog Level Road and adjacent to Taberna Subdivision from RA20 (Residential-Agricultural) to R9S (Residential-Single-family [Medium Density]).

**Explanation:** **Abstract:** The City has received a request from RT Development, Incorporated to rezone 24.035 acres located west of Frog Level Road and adjacent to Taberna Subdivision from RA20 (Residential-Agricultural) to R9S (Residential-Single-family [Medium Density]).

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on April 4, 2017.

On-site sign(s) posted on April 4, 2017.

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

Public hearing legal advertisement published - N/A at this time

**Comprehensive Plan:**

The Future Land Use and Character Map recommends traditional neighborhood, medium-high density (TNMH) at the northwestern corner of the intersection of Davenport Farm Road and Frog Level Road transitioning to residential, low-medium density (LMDR) to the north and west.

Traditional Neighborhood, Medium-High Density:

Primarily residential area featuring a mix of higher density housing types ranging from multifamily, townhomes, and small-lot single-family detached. They are typically located within a walkable distance to a neighborhood activity center. Traditional neighborhoods should have a walkable street network of small blocks, a defined center and edges, and connections to surrounding

development.

Intent:

- Provide street scape features such as, sidewalks, street trees and lighting
- Allow neighborhood-scale commercial and mixed use centers at key intersections within neighborhoods

Primary Uses:

Multifamily residential

Single-family residential attached (townhomes) and detached (small-lot)

Secondary uses:

Institutional (neighborhood scale)

Residential, Low-Medium Density:

Primarily single-family developments arranged along wide, curvilinear streets with few intersections. Building and lot size range in size and density but tend to be highly consistent within a development with limited connectivity between different residential types and non-residential uses.

Intent

- Provide better pedestrian and vehicular connectivity between residential developments
- Improve streetscape features such as consistent sidewalks, lighting, and street trees

Primary Uses:

Single-family detached residential

Secondary Uses:

Two-family residential

Institutional/Civic (neighborhood scale)

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

Since this property is included in the approved preliminary plat for Barrington Fields and staff does not anticipate a change in use, a traffic volume report was not generated.

**History/Background:**

In 1998, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was zoned to its current zoning. This rezoning is included in the approved preliminary plat for Barrington Fields Subdivision (single-family) in 2004.

**Present Land Use:**

Undeveloped lots in the Barrington Fields Subdivision

**Water/Sewer:**

Water and sanitary sewer are available.

**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: RA20 - Farmland

South: R9S - Taberna Subdivision

East: RA20 - Colony Woods and Forest Pines Subdivisions and scattered rural residential sites

West: RR (Pitt County zoning) - Vacant

**Fiscal Note:**

No cost to the City.

**Recommendation:**

In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Plan Map.

"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.

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 rezoning, 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."

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

"Motion to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency."

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**

 [Attachments](#)

 [List of Uses RA20 to R9S 1049433](#)

---

## **EXISTING ZONING**

### **RA20 (Residential-Agricultural)**

#### ***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)
- c. Wayside market for farm products produced on site
- e. Kennel (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

*(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*

**RA20 (Residential-Agricultural)**  
***Special Uses***

(1) *General*:\* None

(2) *Residential*:

- b. Two-family attached dwelling (duplex)
- g. Mobile Home
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major 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*:

- b. Greenhouse or plant nursery; including accessory sales

(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)

(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**

### **R9S (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*

### **R9S (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

(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

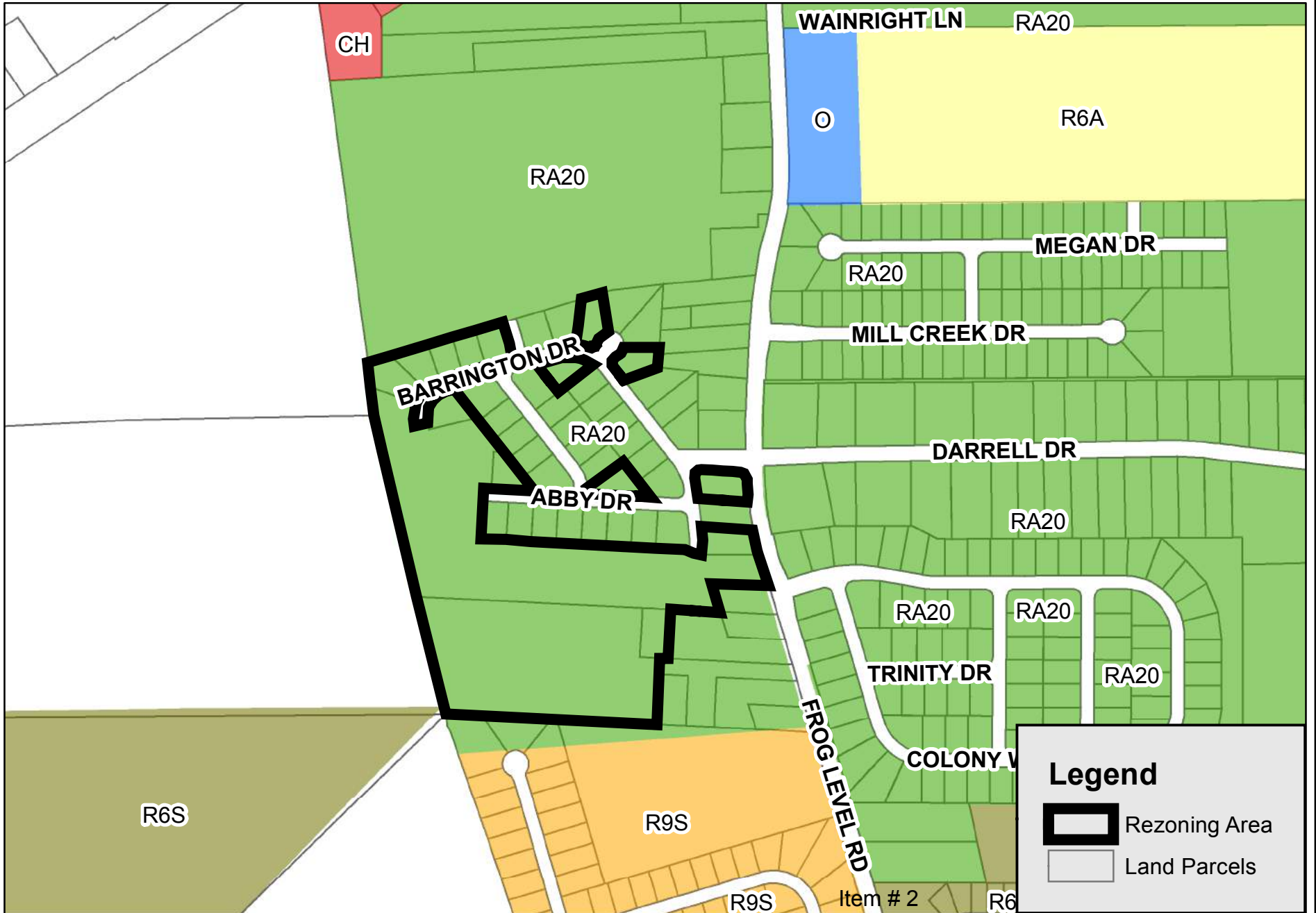
(13) *Transportation*:\* None

(14) *Manufacturing/ Warehousing*: \* None

(15) *Other Activities (not otherwise listed - all categories)*:\* None

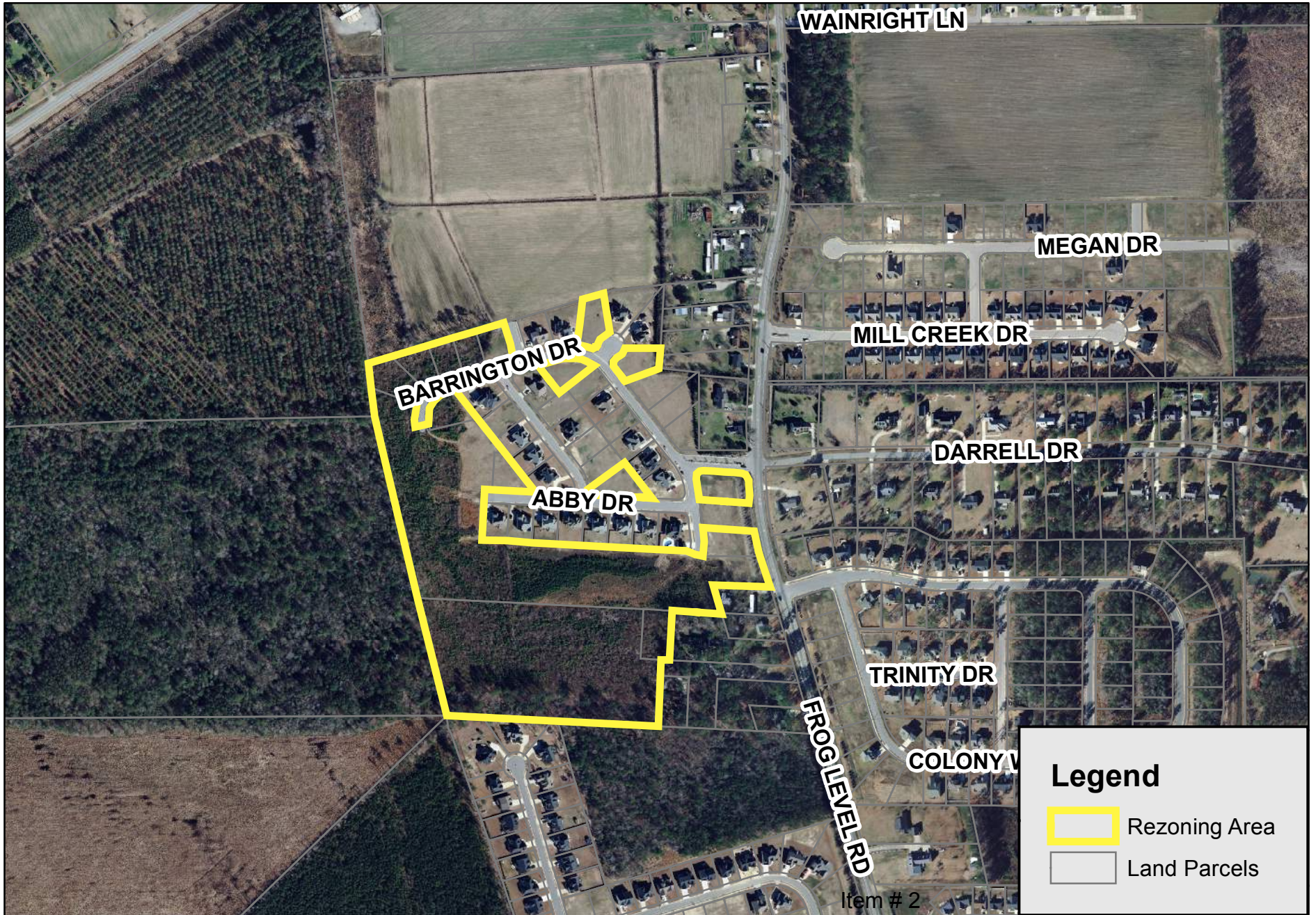


RT Development, Incorporated  
From: RA20 To: R9S  
April 4, 2017

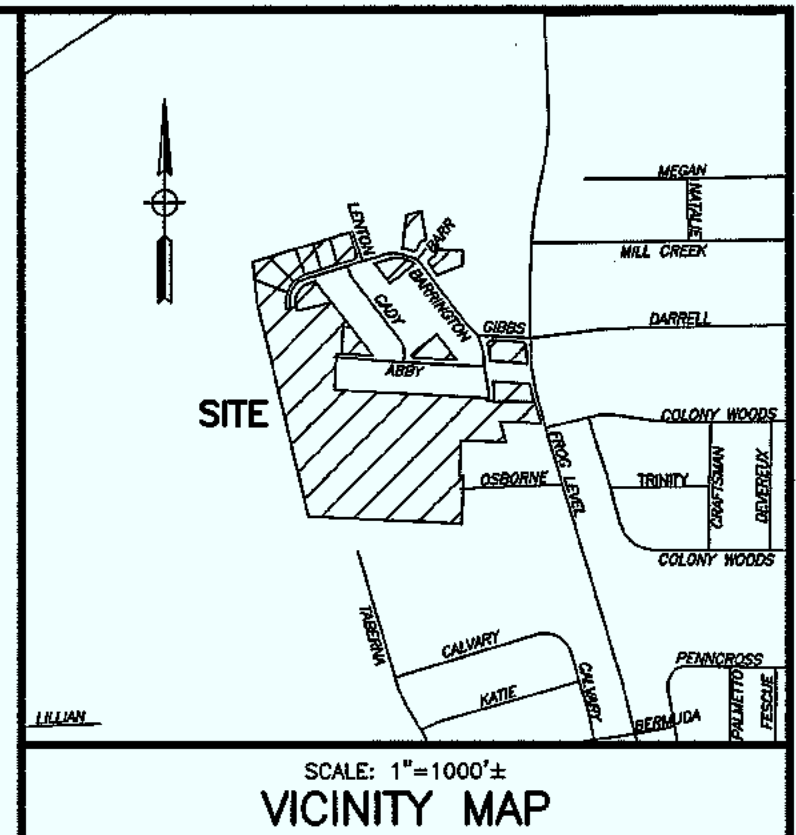




RT Development, Incorporated  
From: RA20 To: R9S  
April 4, 2017







**LEGEND**

R/W = RIGHT-OF-WAY  
 C = CENTERLINE  
 EIP = EXISTING IRON PIPE  
 EIS = EXISTING IRON STAKE  
 EPKN = EXISTING PARKER KALON NAIL  
 SIP = SET IRON PIPE  
 B/B = BACK OF CURB  
 TO BACK OF CURB  
 ETJ = EXTRATERRITORIAL JURISDICTION

**LINE TABLE**

COURSE	BEARING	DISTANCE
L1	S 04°04'26" E	23.90'
L2	S 09°31'20" E	36.72'
L3	N 08°35'00" W	24.69'
L4	N 78°17'18" E	33.24'
L5	N 02°27'32" W	32.48'
L6	N 02°27'32" W	36.48'

**CURVE TABLE**

CURVE	BEARING	CHORD	RADIUS	LENGTH
C1	S 39°16'55" E	40.28'	30.00'	44.16'
C2	N 43°19'26" E	41.07'	25.00'	48.18'
C3	N 07°10'39" W	41.13'	250.00'	41.18'
C4	N 07°31'53" E	72.86'	210.00'	73.23'
C5	N 48°12'17" W	27.97'	25.00'	29.69'
C6	S 33°17'18" W	35.36'	25.00'	39.27'
C7	N 70°43'48" W	49.11'	200.00'	49.24'
C8	S 85°59'12" W	38.49'	25.00'	43.93'
C9	S 50°40'19" W	57.39'	50.00'	61.12'
C10	N 39°35'13" E	51.98'	50.00'	54.66'
C11	N 18°52'24" E	39.42'	25.00'	45.40'
C12	S 74°59'04" E	134.92'	150.00'	139.94'

REVISED: 3-29-17 (CITY OF GREENVILLE COMMENTS) (NRW)  
 REVISED TO SHOW MULTIPLE TRACTS  
 SHOWED ETJ

TOTAL AREA TO BE REZONED: 24.035 ACRES  
 CURRENT ZONING: RA-20  
 PROPOSED ZONING: R-9S

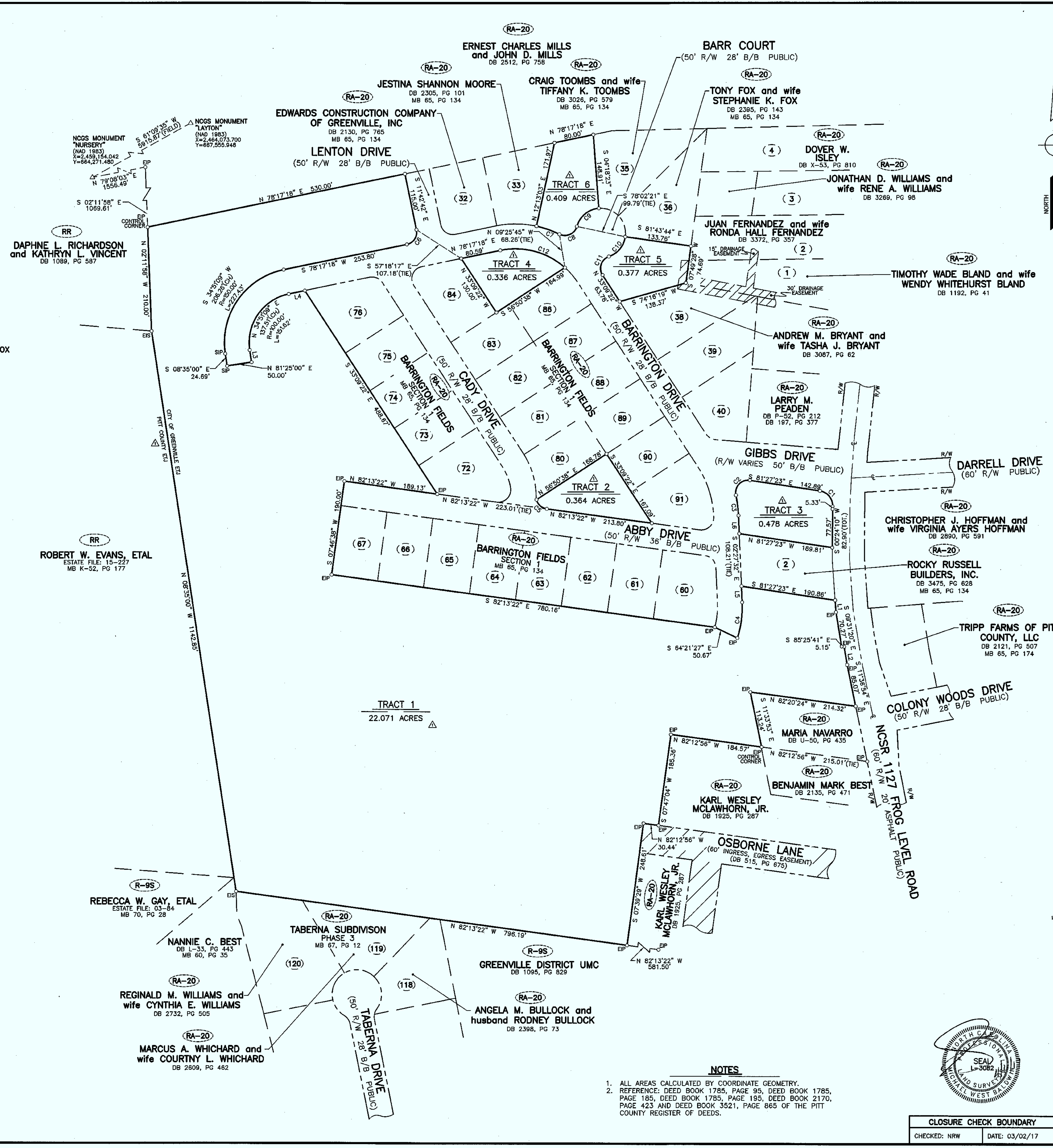
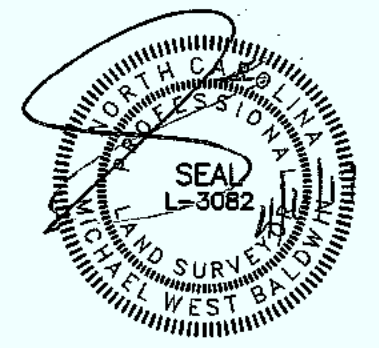
SHEET 1 OF 1  
 REZONING MAP

**RT DEVELOPMENT, INC.**  
 REFERENCE: MAP BOOK 65, PAGE 134 AND MAP BOOK 61, PAGE 191 OF THE PITT COUNTY REGISTER OF DEEDS  
 GREENVILLE, ARTHUR TOWNSHIP, PITT COUNTY, N.C.  
 OWNER: RT DEVELOPMENT, INC.  
 ADDRESS: 106 REGENCY BOULEVARD  
 GREENVILLE, NC 27834  
 PHONE: (252) 355-7812

<b>Baldwin Design Consultants, PA</b> ENGINEERING - SURVEYING - PLANNING 1700-3 EAST ARLINGTON BOULEVARD GREENVILLE, NC 27856 292.7561.1390	SURVEYED: N/A DRAWN: NRW CHECKED: MNB	APPROVED: MNB DATE: 03/02/17 SCALE: 1" = 100'
--	---	---

CLOSURE CHECK BOUNDARY	DATE: 03/02/17
------------------------	----------------

- NOTES**
- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
  - REFERENCE: DEED BOOK 1785, PAGE 95, DEED BOOK 1785, PAGE 185, DEED BOOK 1785, PAGE 195, DEED BOOK 2170, PAGE 423 AND DEED BOOK 3221, PAGE 865 OF THE PITT COUNTY REGISTER OF DEEDS.



**PROPERTY OWNERS ADDRESSES WITHIN 100 FEET OF PROPERTY**

- |   |  |
|---|--|
| MARIA NAVARRO<br>3542 FROG LEVEL ROAD<br>GREENVILLE, NC 27834                                     | CHRISTOPHER J. HOFFMAN and wife VIRGINIA AYERS HOFFMAN<br>3513 FROG LEVEL ROAD<br>GREENVILLE, NC 27834         |
| BENJAMIN MARK BEST<br>3552 FROG LEVEL ROAD<br>GREENVILLE, NC 27834                                | TRIPP FARMS OF PITT COUNTY, LLC<br>7706 SIX FORKS ROAD SUITE 202<br>RALEIGH, NC 27615                          |
| KARL WESLEY MCLAWHORN, JR.<br>5111 OLD TAR ROAD<br>WINTERVILLE, NC 28590                          | CARL M. PERUSICH and wife BARBARA A. PERUSICH<br>1101 ABBY DRIVE<br>GREENVILLE, NC 27834                       |
| RT DEVELOPMENT, INC.<br>106 REGENCY BOULEVARD<br>GREENVILLE, NC 27834                             | TARRICK COX and wife NICOLE COX<br>1105 ABBY DRIVE<br>GREENVILLE, NC 27834                                     |
| GREENVILLE DISTRICT UMC<br>700 WATERFIELD RIDGE PLACE<br>CARNER, NC 27529                         | MICHAEL R. GODA and wife TAMARA S. GODA<br>1109 ABBY DRIVE<br>GREENVILLE, NC 27834                             |
| ANGELA M. BULLOCK and husband RODNEY BULLOCK<br>3004 TABERNA DRIVE<br>GREENVILLE, NC 27834        | YI YONG YANG and wife JU XIANG HUANG and JING YANG<br>1113 ABBY DRIVE<br>GREENVILLE, NC 27834                  |
| MARCUS A. WHICHARD and wife COURTNY L. WHICHARD<br>3000 TABERNA DRIVE<br>GREENVILLE, NC 27834     | KAREN E. JOYCE<br>1201 ABBY DRIVE<br>GREENVILLE, NC 27834  |
| REGINALD M. WILLIAMS and wife CYNTHIA E. WILLIAMS<br>3001 TABERNA DRIVE<br>GREENVILLE, NC 27834   | JOSEPH W. MAGANGA and wife JILLIAN MAGANGA<br>1205 ABBY DRIVE<br>GREENVILLE, NC 27834                          |
| NANNIE C. BEST<br>3871 DICKINSON AVENUE EXT.<br>GREENVILLE, NC 27834                              | ROCKY RUSSELL BUILDERS, INC.<br>106 REGENCY BOULEVARD<br>GREENVILLE, NC 27834                                  |
| REBECCA W. GAY, ETAL<br>1214 KINGSWOOD ROAD<br>WILSON, NC 27896                                   | ROCKY RUSSELL BUILDERS, INC.<br>106 REGENCY BOULEVARD<br>GREENVILLE, NC 27834                                  |
| ROBERT W. EVANS, ETAL<br>201 HILLTOP LANE<br>WASHINGTON, NC 27889                                 | WAYLAND MOORE and wife CHANDRA MOORE<br>4217 CADY DRIVE<br>GREENVILLE, NC 27834                                |
| DAPHNE L. RICHARDSON and KATHRYN L. VINCENT<br>232 WINDSOR ROAD<br>GREENVILLE, NC 27858           | JAMES B. TILLEY, III and wife COURTNEY B. TILLY<br>4213 CADY DRIVE Attachment number 2<br>GREENVILLE, NC 27834 |
| ERNEST CHARLES MILLS and JOHN D. MILLS<br>914 SPRUCE PINE TRAIL<br>DURHAM, NC 27705               | JAMES MERKEL and wife ELZBIETA MERKEL<br>4209 CADY DRIVE<br>GREENVILLE, NC 27834                               |
| EDWARDS CONSTRUCTION COMPANY OF GREENVILLE, INC<br>707 KENSINGTON DRIVE<br>GREENVILLE, NC 27858   | HUABIN LUO and wife SHAOLAN CHEN<br>4205 CADY DRIVE<br>GREENVILLE, NC 27834                                    |
| JESTINA SHANNON MOORE<br>4109 BARRINGTON DRIVE<br>GREENVILLE, NC 27834                            | JOHN D. WILLSON and wife KATE F. WILLSON<br>4217 CADY DRIVE<br>GREENVILLE, NC 27834                            |
| CRAIG TOOMBS and wife TIFFANY K. TOOMBS<br>1000 BARR COURT<br>GREENVILLE, NC 27834                | MILTON FIELDS and wife CYNTHIA D. FIELDS<br>4100 BARRINGTON DRIVE<br>GREENVILLE, NC 27834                      |
| TONY FOX and wife STEPHANIE K. FOX<br>1001 BARR COURT<br>GREENVILLE, NC 27834                     | FREDRICO B. ANTHONY and wife TAMEKA S. ANTHONY<br>4208 CADY DRIVE<br>GREENVILLE, NC 27858                      |
| DOVER W. ISLEY<br>3450 FROG LEVEL ROAD<br>GREENVILLE, NC 27834                                    | MATTHEW JOSEPH LEE and wife SUSAN TAYLOR LEE<br>4220 CADY DRIVE<br>GREENVILLE, NC 27858                        |
| JONATHAN D. WILLIAMS and wife RENE A. WILLIAMS<br>3460 FROG LEVEL ROAD<br>GREENVILLE, NC 27834    | JEFFREY FAIRCLOTH<br>3500 BARRINGTON DRIVE<br>GREENVILLE, NC 27834   |
| JUAN FERNANDEZ and wife RONDA HALL FERNANDEZ<br>3464 FROG LEVEL ROAD<br>GREENVILLE, NC 27834      | HECTOR M. MOLINA and wife CRYSTAL V. MOLINA<br>4216 BARRINGTON DRIVE<br>GREENVILLE, NC 27834                   |
| TIMOTHY WADE BLAND and wife WENDY WHITEHURST BLAND<br>109 BERSHIRE DRIVE<br>WINTERVILLE, NC 28590 | CHADWICK MICHAEL TINNEY and wife KAREN MICHELLE TINNEY<br>4212 BARRINGTON DRIVE<br>GREENVILLE, NC 27834        |
| ANDREW M. BRYANT and wife TASHA J. BRYANT<br>4109 BARRINGTON DRIVE<br>GREENVILLE, NC 27834        | HARVEY M. BYRNES and wife DENISE E. BYRNES<br>4200 BARRINGTON DRIVE<br>GREENVILLE, NC 27834                    |
| LARRY M. PEADEN<br>3490 FROG LEVEL ROAD<br>GREENVILLE, NC 27834                                   |  |

Y:\DRAWINGS\Barrington Fields\REZONING MAP.dwg Wed, Mar 29, 2017 5:46pm RWELLS



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.

<b>RESIDENTIAL DENSITY CHART</b>			
<b>Density Level</b>	<b>Future Land Use and Character Type</b>	<b>Applicable Zoning District(s)</b>	<b>Units per Acre***</b>
<b>High</b>	Uptown Edge (UE)	CDF	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6	17 units per acre
	Residential, High Density (HDR)	R6	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
<b>High to Medium</b>	Mixed Use (MU)	OR	17 units per acre
		R6	17 units per acre
		R6A	9 units per acre
	Uptown Neighborhood (UN)	R6S	7 units per acre
	Traditional Neighborhood, Medium-High Density (TNMH)	R6	17 units per acre
		R6A	9 units per acre
		R6S	7 units per acre
<b>Medium to Low</b>	Traditional Neighborhood, Low-Medium Density (TNLM)	R9	6 units per acre
		R9S	5 units per acre
		R15S	3 units per acre
	Residential, Low-Medium Density (LMHR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

\*\*\* Maximim allowable density in the respective zoning district.



# City of Greenville, North Carolina

Meeting Date: 4/18/2017  
Time: 6:30 PM

**Title of Item:** Ordinance to amend the Zoning Ordinance to increase the maximum height for distributed antenna systems (DAS) in the CD (Downtown Commercial) district from 25 feet to 35 feet.

**Explanation:**

**Abstract:**

Adoption of this Zoning Ordinance Text Amendment will increase the maximum height for distributed antenna systems (DAS) in the CD (Downtown Commercial) district from 25 feet to 35 feet.

**Explanation:**

On November 15, 2016, the Planning and Zoning Commission recommended adoption of a proposed zoning ordinance text amendment, initiated by City staff, to add distributed antenna systems (DAS) to the table of uses and establish placement and aesthetic review criteria for certain zoning districts. On December 8, 2016, City Council adopted Ordinance No. 16-066 for these intended purposes. (Attached)

Under the existing ordinance, the maximum height limit for DAS equipment in the CD district is 25 feet. The Public Works Department administers the application intake and permitting functions for proposed DAS equipment. Public Works staff requested this text amendment after determining that most light poles in the CD district are 30 feet tall which greatly limits where DAS may be proposed for review and approval.

Title 9, Chapter 4, Article F, Sec. 9-4-103(4)(b)(1) of the City Code is proposed to be amended by rewriting the section so that it shall read as follows. Underlined text denotes text to be added and stricken text denotes text to be deleted.

*(1) The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are*

*freestanding poles shall not exceed ~~35~~ 25 feet above grade, including the antenna, must not have antennas longer than 6 feet, must be painted to match the color of the poles.*

**Fiscal Note:** No cost to the City.

**Recommendation:** In staff's opinion, the proposed Subdivision Ordinance Text Amendment is in compliance with Horizons 2026: 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."


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

"Motion to recommend denial of the proposed text amendment, to advise that it is inconsistent with the comprehensive plan or 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

 [Ord. No. 16-066](#)



ORDINANCE NO. 16-066  
AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on December 8, 2016, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and other officially adopted plans that are applicable and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and other officially adopted plans that are applicable and, as a result, its furtherance of the goals and objectives of the comprehensive plan and other officially adopted plans that are applicable;

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons 2026: Greenville's Community Plan, Chapter 4, Growing the Economic Hub, Policy 4.1.4, Support a Positive Business Climate;

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, improve health and safety, and of existing nonconforming uses and to continue to market Greenville's excellent business climate, promote flexibility in development regulations to ensure a business climate that encourages growth and expansion, and support business growth, expansion, and retention through strategic public improvements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1: That Title 9, Chapter 4, Article B, Section 9-4-22 of the City Code is hereby amended by adding the following definition for "Distributed Antenna System":

Distributed Antenna Systems (DAS) equipment. A network of spatially separated antenna sites and supporting equipment connected to a common source that provides wireless service within a geographic area or structure, DAS and supporting DAS equipment are not



considered a public utility or use and as such, are not exempt from placement preference regulations when DAS equipment is proposed on city-owned property, within public rights-of-way and on or adjacent to existing or planned sidewalks as set forth in Section 9-4-103(Q). The equipment and structures to support DAS are free-standing telecommunication towers even if they are intended to replace existing light poles, utility poles, or similar structures.

Section 2: That Title 9, Chapter 4, Article B, Section 9-4-22 of the City Code is hereby amended by replacing the definition for "Public utility building or use" to read as follows:

**Public utility building or use.** Any above-ground building or use necessary for the delivery of electric, water, sanitary sewer, storm drainage, gas, telephone, cable TV or other utility service system which meets any one of the following conditions. Distributed Antenna Systems (DAS) and supporting DAS equipment are not considered a public utility or use.

- (1) Utilizes structures in excess of 100 square feet;
- (2) Utilizes any structure in excess of 15 feet in height;
- (3) Requires any on-site permanent maintenance or service attendant;
- (4) Requires or utilizes three or more parking spaces; and
- (5) Creates noise, smoke, dust, odor, glare or any other condition which may have an adverse impact on area properties or uses.

Section 3: That Title 9, Chapter 4, Article F, Section 9-4-78 (Appendix A), of the City Code is hereby amended by adding the following new land use:

(8)(y)(4). "Distributed Antenna System (see also 9-4-103(Q)); by allowing as a permitted land use, by right, in the MI, MS, MO, MCG, MR, MCH, MRS, OR, O, CD, CDF, CG, CH, IU, I, PIU, and PI zoning districts.

Section 4: That Title 9, Chapter 4, Article F, Section 9-4-98 of the City Code is hereby amended by rewriting subsection (A) to read as follows:

- (A) The height limits of these regulations shall not apply to a church spire, belfry, cupola or dome; an ornamental tower not intended for human occupancy; a conveyor or a parapet wall not extended more than three feet above the roof line of the building; and other necessary mechanical or communication appurtenances attached to the roof of a building. Height limits of these regulations shall apply to distributed antenna systems (DAS) installed on all types of posts, towers and structures.

Section 5: That Title 9, Chapter 4, Article F, Section 9-4-103 of the City Code is hereby amended by rewriting the title of subsection (Q) to read as follows:

- (Q) Television and radio broadcast, cellular telephone, wireless communication towers and distributed antenna systems (DAS).

Section 6: That Title 9, Chapter 4, Article F, Section 9-4-103 of the City Code is hereby

amended by adding subsection (Q)(4) to read as follows:

(4) Digital antenna systems (DAS) located within right-of-way, on city owned infrastructure, on Greenville Utilities Commission owned infrastructure and/or on city property shall be subject to all of the following requirements even if they are intended to replace existing light poles, utility poles or similar structures or are proposed as free-standing towers. Only the minimal use of the public right-of-way and/or city owned and Greenville Utilities Commission owned infrastructure is allowed because the space in the right-of-way should be reserved for public utilities and should be free of safety hazards. In addition, telecommunications facilities located in the right-of-way and mounted on city owned and Greenville Utilities Commission owned infrastructure have the potential of being very visible to pedestrians and the traveling public. In order to locate in a public right-of-way, the size and visibility of DAS equipment and their support structures must use be minimized. Application and permitting of DAS equipment are subject to review procedures in Title 6, Chapter 2:

(a) DAS located within right-of-way, on city owned infrastructure, on Greenville Utility Commission owned infrastructure, replacing existing power or lights poles owned by the City or Greenville Utilities Commission and/or on city owned property within any district and adjacent to a designated major or minor thoroughfare except within the CD District, shall be subject to all of the following requirements:

- (1) The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are freestanding poles shall not exceed 35 feet above grade, including the top of an antenna.
- (2) Where ground-mounted equipment and support poles are proposed on city owned sidewalks, there must be a minimum of five feet of unobstructed sidewalk remaining for pedestrians to pass by the installation or as determined by the Director of Public Works.
- (3) The location of DAS equipment and support structures must not restrict sight triangles of pedestrians or motorists to roadway intersections and public or private driveways.

(b) DAS located within right-of-way, on city owned infrastructure, on Greenville Utility Commission owned infrastructure, replacing existing power or lights poles owned by the City or Greenville Utilities Commission and/or on city owned property within the CD District, shall be subject to all of the following requirements:

- (1) The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are freestanding poles shall not exceed 25 feet above grade, including the

antenna, must not have antennas longer than 6 feet, must be painted to match the color of the poles.

- (2) Ground-mounted DAS accessory equipment is not allowed in the CD district.
- (3) Where DAS support poles are proposed on city owned sidewalks, there must be a minimum of five feet of unobstructed sidewalk remaining for pedestrians to pass by the installation or as determined by the Director of Public Works.
- (4) The location of DAS equipment and support structures must not restrict sight triangles of pedestrians or motorists to roadway intersections and public or private driveways.
- (5) DAS equipment shall be painted to match the poles to which they are affixed or shall match the color of city-owned and Greenville Utilities Commission owned light poles if they are new or are replacing light poles and shall be designed to minimize the visibility of cables and other appurtenances.

Section 7. That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 8. That this ordinance shall become effective immediately upon adoption.

Adopted this 8<sup>th</sup> day of December, 2016.

  
Allen M. Thomas, Mayor

ATTEST:

  
Carol L. Barwick, City Clerk

