



Agenda

Planning and Zoning Commission

April 21, 2020
6:00 PM

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

1. February 17, 2020

V. New Business

2. Adoption of procedures to provide the public with the ability to address the Commission during Public Hearings by remote access

Rezoning

3. Ordinance requested by Amy A. Edwards to rezone a total of 14.221 acres located along Portertown Road between Eastern Pines Road and Norfolk Southern Railroad from RA20 (Residential-Agricultural) to (CG (General Commercial) – 5.038 acres and R6 (Residential [High Density Residential]) – 9.183 acres.
4. Ordinance requested by John F. Moye, Sr. Heirs to rezone 15.0936 acres located south of Greenville Boulevard between Allendale Drive and Dickinson Avenue Extension from RA20 (Residential-Agricultural) to R6A-RU (Residential [Medium Density]) Restricted-Residential Overlay.
5. Ordinance requested by Happy Trail Farms, LLC to rezone a total of 33.849 acres located north of the intersection of Herman Garris Road and Portertown Road from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density]).

Preliminary Plats

6. Request by Rocky Russell Development, LLC. The proposed preliminary subdivision plat entitled, "Barrington Fields, Sections 2, 3 and 4", is located west of Frog Level Road and adjacent to Taberna Subdivision and is further identified as being tax parcel numbers 22728, 32631 and 68998. The proposed plat consists of 40 lots totaling 19.1252 acres
7. Request by YBYA, LLC. The proposed preliminary subdivision plat entitled, "Ridgewood Farms (Cluster Subdivision)", is located on the north side of Thomas Langston Road directly adjacent to the Langston Townhomes Subdivision and is further identified as being tax parcels number 05383, 13364 and 13877. The proposed plat consists of 122 lots and totals 28.99 acres.

Text Amendment

8. Ordinance amending the Flood Damage Prevention Ordinance text to adopt updated Flood Insurance Rate maps and to align with the model ordinance.
9. Ordinance requested by the Planning and Development Services Department to amend the City Code by creating a new Mixed Use Institutional zoning district.

Land Use Plan Map Amendment

10. Ordinance requested by Three Twenty Enterprises, LLC to amend the Future Land Use and Character Map for 8.3 acres from Commercial on the Town of Simpson's Future Land Use Map to Tract 1 - Commercial (3 acres) and Tract 2 - High Density Residential (5.3 acres) on the City of Greenville's Future Land Use and Character Map for the property located at the southeastern corner of the intersection of East 10th Street (Highway 33 East) and L. T. Hardee Road

VI. Adjournment

MINUTES TO BE ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

February 18, 2020

The Greenville Planning and Zoning Commission met on the above date at 6:00 pm in Council Chambers of City Hall.

Mr. Les Robinson - Chair *
Mr. Kevin Faison - * Ms. Chris Darden - *
Mr. Michael Overton - * Mr. John Collins - *
Mr. Alan Brock - X Mr. Hap Maxwell - *
Mr. Billy Parker - * Mr. Brad Guth - *
Mr. Max Ray Joyner III - X Mr. Chris West - *

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

VOTING MEMBERS: Robinson, Overton, Joyner, Maxwell, Joyner, Collins, Darden, Parker, Guth and Faison

PLANNING STAFF: Chantae Gooby, Chief Planner; Bradleigh Sceviour, Planner II and Camillia Smith, Secretary

OTHERS PRESENT: Emanuel McGirt, City Attorney and Kelvin Thomas, Communication Technician.

MINUTES: Motion made by Collins, seconded by Mr. West, to accept the January 21, 2020 minutes. Motion passed unanimously.

OLD BUSINESS

Text Amendment

2. Ordinance requested by the Planning and Development Services Department to amend the City Code by altering regulations related to flag size and permitted locations.

Mr. Sceviour shared with the board that there were two changes from the previously recommended text that were being brought back. One change was to move the step back requirement from applying to all flags to only applying within the proposed highway sign overlay, and then only for flags above 70 feet. Staff also incorporated the suggestion of the Planning and Zoning Commission chairman to include language requiring banner flags to be maintained in good repair.

Mr. Robinson asked city council if the public hearing should be reopened for this previously heard request.

Mr. McGirt stated that the public hearing should be reopened.

Mr. Robinson opened the hearing

No one spoke in opposition

Mr. Robinson closed the public hearing.

Motion made by Mr. Faison, seconded by Mr. Parker to recommend approval for the proposed text amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

New Business

Rezoning

3. Ordinance requested by Bobby W. Joyner to rezone 7.426 acres located on the south side of East Fire Tower Road east of Kittrell Road from RA20 (Residential- Agricultural) to OR (Office-Residential [High Density Multi-Family]).

Mr. Sceviour delineated the property. Under the current zoning the 7.42-acre property can accommodate 14 Single-family residences and under the requested zoning that would change to somewhere between 83 and 89 Multi-family units. Located within the Meeting House Branch Watershed, if stormwater rules apply, they would require 25-year detention and nitrogen and phosphorus reduction. If approved the request could generate an increase 453 trips per day. The property is located near an area designated as a community activity center in the Horizons Plan. The Future Land Use and Character map show the area as designated for Traditional Neighborhood Medium Density, which the rezoning proposal conforms with. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Mr. Robinson opened the hearing.

Mr. Scott Anderson, representative of Bobby Joyner, spoke in favor of the request, stated the rezoning of the adjacent property submitted by Bobby Joyner a year ago has generated interest in this property. The requested OR zoning works within the transitional zoning framework for the city's development pattern. Traffic is a concern but the North Carolina Department of Transportation has slated a 30 million dollar improvement to Firetower that would more than double the current road capacity. Currently that road sees about **23,800** trips per day so an increase of 453 is roughly 1%. There is a landscape buffer required for this development and of course the 25-year detention.

Mr. Parker asked if the Department of Transportation project would help with the traffic issues.

Mr. Anderson replied yes, the property will border the project and become a hard corner.

Mr. Maxwell asked what the current road capacity is.

Mr. Anderson answered 12,000, when the widening takes place, access to the property off Firetower will be limited to right in and right out with a median down the center.

The following citizens spoke in opposition:

Mr. Alan Waters, residing near the subject property, stated the presentation was given so eloquently, but I live there and you can't have a buffer tall enough for a high-rise. We have safety concerns and the cost that this would have on the city's police and fire services. There will also have negative impact on our property values. I've lived here for over 30 years and will like to live here a little longer in peace.

Mr. Robinson asked where Mr. Waters lives in reference to the property.

Mr. Waters replied that the subject property abuts my property.

Ms. Danny Andrews, residing adjacent to Southridge Drive, shared the concerns of a Melissa Norris that the community had a petition with over 500 signatures against the adjacent Bobby Joyner rezoning request a year ago. He claimed that nobody was being considerate of the residents and the project is putting commuters at risk. Property values will be hurt. He claimed to have surveyed a 2.5 miles radius from the subject property and found 13 apartment complexes that aren't at full capacity. We don't need any more apartments.

Mary Waters, resident of Southridge Drive, asked if the property that was approved last year on the opposite side of Firetower Road will be combined with the numbers for tonight's subject property when taking traffic into consideration. Even with the Department Of Transportation project, will these rezonings increase traffic? Where are the people coming from to fill these apartments?

Ms. Gooby answered these number tonight pertain to this request only. The road widening project will run on a quad with a signalized intersection.

Mr. Alton Waters, resident at 2305 Bells Fork Road, stated that when there is heavy rain that it forms ponds in of our home. Every time a new apartment complex is built, a new driveway must be built and traffic increases. The Department of Transportation will do what they want. There is no need to rush with this request tonight. The Department of Transportation project won't be completed for another three to four years. What about the water runoff and the cost of police and fire services. There is no reason to rush; the land is not going anywhere.

On Rebuttal

Mr. Anderson, speaking in favor, cost of fire and police services are covered by city taxes. The zoning sets the height of 25 feet. As far as timing, there is work being done that is unseen, there is a large lead time involved with development projects that can mean one or more years might

pass between when a rezoning application is approved and when a project is completed. The adjacent property was rezoned a year ago and has not yet been built upon. Mr. Joyner is an elderly man and would appreciate you making a decision tonight. As a planner, the best thing you can do is make the distances shorter for people to get to where they need to go. That helps with traffic. The OR (Office-Residential) zoning is not just for residential but also for office.

Mr. Faison asked, you spoke of the unseen work that is done before a property is ready to development, what is the estimated time before a building goes up.

Mr. Anderson replied two to three years.

On opposing rebuttal

Mr. Waters replied that Mr. Anderson does not have to live there; he has not assured who will be living there. Will it be luxury or section 8? 35 feet is 35 feet that does not ensure privacy.

Mr. Robinson closed the public hearing.

Motion made by Mr. Overton, seconded by Mr. West to recommend approval for the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed 5:3. With Darden, West, Overton, Parker and Faison voting to approve.

Preliminary Plats

4. Request by Rocky Russell Development, LLC for a preliminary plat entitled, "Fieldstone Section 2" located at the current terminus of Sweet Bay Drive in the Fieldstone Subdivision, west of Allen Road. The property is further identified as parcel numbers 86011 and 86012. The proposed plat consists of thirty seven (37) lots totaling 13.8097 acres.

Mr. Sceviour delineated the property. He stated that 37 lot duplex lot is located on property zoned R6A. The plat went before the Subdivision Review Board and meet all requirements. Staff recommends approval of the preliminary plat.

Mr. Robinson opened the hearing

Mr. Richie Brown, Stroud Engineering, spoke in favor of the request.

No one spoke in opposition

Mr. Robinson closed the public hearing.

Motion made by Mr. Parker, seconded by Mr. Collins to recommend approval of the proposed preliminary plat. Motion passed unanimously.

Adjournment

5. January 21 2020

With no further business, motion to adjourn made by Mr. Overton and seconded by Ms. Darden. Motion passed unanimously.

Meeting adjourned at 6:42

Respectfully submitted,
Chantae Gooby
Chief Planner



City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item: Adoption of procedures to provide the public with the ability to address the Commission during Public Hearings by remote access

Explanation: Below are the draft procedures that staff is requesting to be adopted by the Commission :

Procedures

The City of Greenville will be keeping measures in place in an ongoing effort to mitigate the spread of COVID-19. These measures include barring physical attendance at the meeting, employing social distancing, and implementing remote participation. The public is encouraged to watch the City Council's meeting live on GTV9. The following procedures have been put in place to provide the public with the ability to address the [Planning and Zoning Commission](#) during Public Hearings by remote access.

- A Public Hearing, not to exceed thirty minutes for each side, may be held, if such matter is on the agenda.
- Speakers must be logged in/dialed in to the meeting by 5:45 p.m.
- Speakers will be held in queue and asked to mute their phones or speakers until they are called on to speak.
- Speakers will be called in the order that they are registered.
- Individual comments during Public Hearings are subject to the standard time limits:
 - First speaker in favor has [five](#) minutes, all subsequent speakers have three minutes for a total of thirty minutes.
 - First speaker in opposition has [five](#) minutes, all subsequent speakers have three minutes for a total of thirty minutes.

- If a person participating remotely willfully disrupts the meeting, then upon direction by the Chairman, such person may be removed from electronic participation, or his or her e-mail may not be read.

Please exit the meeting after you have submitted your comments to the commission. We encourage you to continue to follow along on GTV9 or by clicking on the “Watch GTV9 Live” link on our website:
<https://www.greenvillenc.gov/services/egov>

Fiscal Note: No cost to the City.

Recommendation: Approve procedures



City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item: Ordinance requested by Amy A. Edwards to rezone a total of 14.221 acres located along Portertown Road between Eastern Pines Road and Norfolk Southern Railroad from RA20 (Residential-Agricultural) to (CG (General Commercial) – 5.038 acres and R6 (Residential [High Density Residential]) – 9.183 acres.

Explanation: **Abstract:** The City has received a request by Amy A. Edwards to rezone a total of 14.221 acres located along Portertown Road between Eastern Pines Road and Norfolk Southern Railroad from RA20 (Residential-Agricultural) to CG (General Commercial) – 5.038 acres and R6 (Residential [High Density Residential]) – 9.183 acres.

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on April 7, 2020.

On-site sign(s) posted on April 7, 2020.

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 southeastern corner of the intersection of Portertown and Eastern Pines Roads transitioning to traditional neighborhood, medium-high density (TNMH) to the east and south.

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 near by uses (paths, streets)
- Locate 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

Traditional Neighborhood, Medium-High Density

Primarily residential areas 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 streetscape features such as sidewalks, street trees and lighting
- Allow neighborhood-scale commercial or mixed use centers at key intersections within neighborhoods

Primary uses:

Multi-family residential

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

Secondary uses:

Institutional (neighborhood scale)

Thoroughfare/Traffic Report Summary (Engineering Department:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3,402 trips to and from the site on Portertown Road, which is a net increase of 3,282 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,458 trips to and from the site on Eastern Pines Road, which is a net increase of 1,406 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

History/Background:

In 1972, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned to its present zoning.

Existing Land Uses:

Vacant

Water/Sewer:

Water and sanitary sewer are available to the property.

Historic Sites:

There are no known effects on historic sites.

Environmental Conditions/Constraints:

The property is located in the Hardee Creek Watershed. If stormwater rules apply, it would require 10-year detention and nitrogen and phosphorous reduction.

It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance. No jurisdictional wetlands or streams exist on the property.

This property is outside of the reach of our Watershed Master Plan Study but drains upstream of the bridge on Portertown Road that is not currently meeting the desired 25-year level of service. It is also upstream of some proposed pipe improvements through Willow Run Subdivision and proposed floodplain benching improvements further downstream.

Surrounding Land Uses and Zoning:

North: RA20- Two (2) single-family residences

South: RA20 - Lake Glenwood Subdivision (single-family) and one (1) vacant parcel
East: CG - One (1) vacant lot
West: CN - Bill's Hot Dogs, Greater Life Ministry, and three (3) single-family residences

Density Estimates:

Under the current zoning, the site could accommodate 18 single-family residences.

Under the proposed zoning, the site could accommodate 110-117 multi-family units (1,2 and 3 bedrooms) and 43,560 sq. ft. of commercial space consisting of one (1) freestanding convenience store - 1,500 sq. ft. and a strip center containing: retail - 6,000 sq. ft., sit down restaurant 2,000 sq. ft., fast food [no drive-thru] - 3,000 sq. ft., and office - 4,000 sq. ft. and mini-storage - 27,060 sq. ft.

The anticipated build-out is within 3-5 years.

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 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 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."

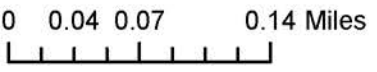
Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

ATTACHMENTS:

Attachments

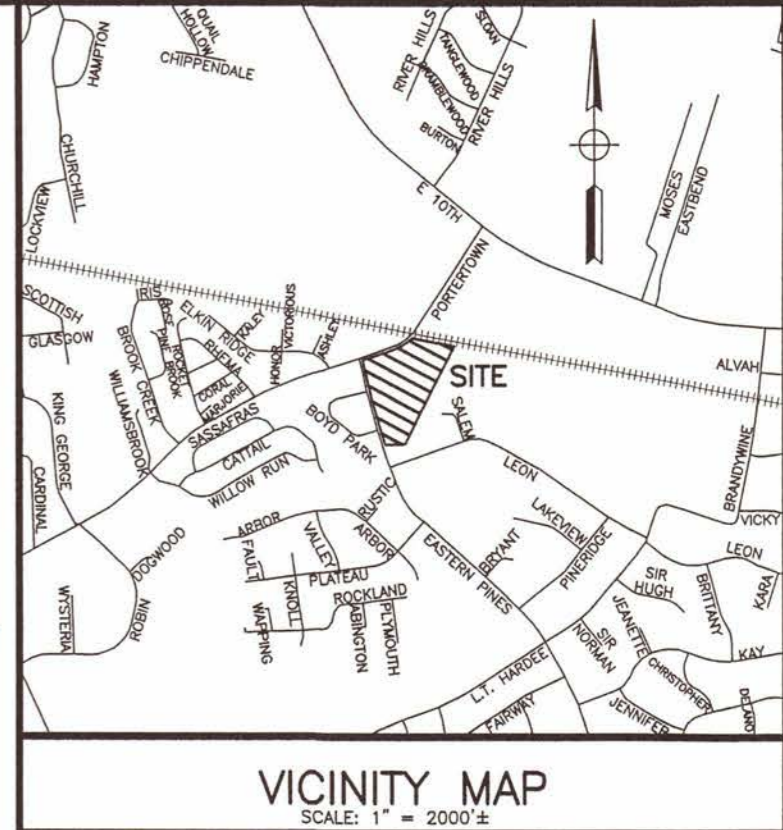
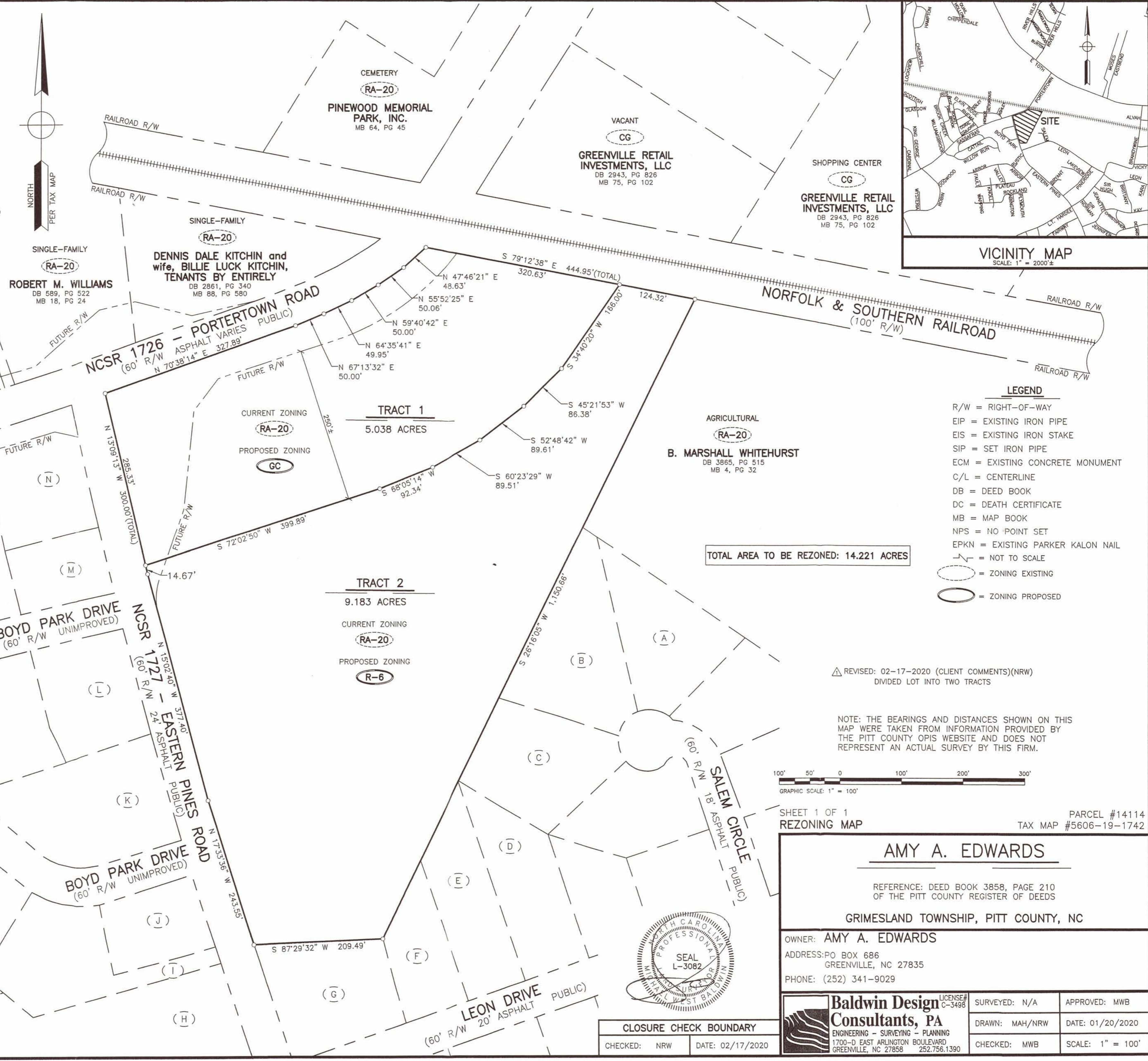
Amy A. Edwards

Tract 1: Tract 2:
From: RA-20 From: RA-20
To: CG To: R-6
Total Acres: 14.221
March 3, 2020



- Rezoning
- Parcels

- (A) SINGLE-FAMILY
GARY JERMAINE HOWARD (RA-20)
and wife, MONISHA
LATASHA HOWARD
DB 2700, PG 199
MB 16, PG 58
- (B) SINGLE-FAMILY
JOSEPH EDWARD DAVIS (RA-20)
and wife, AU'KRYATL
NOBLES DAVIS
DB 816, PG 94
MB 16, PG 58
- (C) SINGLE-FAMILY
JACK WILSON RICHARDSON (RA-20)
2016E, PG 338
MB 16, PG 58
- (D) SINGLE-FAMILY
PATRICIA L. BONNER (RA-20)
DB 3829, PG 637
MB 16, PG 58
- (E) SINGLE-FAMILY
THOMAS CHRISTOPHER (RA-20)
PORTER
DB 3031, PG 592
MB 16, PG 58
- (F) SINGLE-FAMILY
NOCOLE S. DRUBY and (RA-20)
husband KEITH G. DRURY
DB 1164, PG 473
MB 16, PG 58
- (G) SINGLE-FAMILY
EDWARD EARL BRILEY (RA-20)
and wife, SHERRE BRILEY
DB H-42, PG 131
MB 16, PG 58
- (H) MULTI-FAMILY
CAPPS ENTERPRISES OF (R-6)
GREENVILLE, LLC
DB 3597, PG 174
MB 80, PG 58
- (I) WOODED/VACANT
GLENWOOD PROPERTIES (RA-20)
OF GREENVILLE, LLC
DB 2404, PG 230
MB 13, PG 118
- (J) SINGLE-FAMILY
MARGIE DIXON SPAIN (RA-20)
DC 95, PG 320
MB 13, PG 118
- (K) SINGLE-FAMILY
FREDA BLACKBURN (RA-20)
POLLARD
DB, 3178, PG 811
MB 77, PG 50
- (L) SINGLE-FAMILY
KYAO SOE and (RA-20)
wife, HNIN EIEI SOE
DB, 2274, PG 1
MB 13, PG 118
- (M) CHURCH
THE GREATER LIFE (RA-20)
MINISTRY, INC
DB, 1720, PG 219
- (N) BARBERSHOP/RESTAURANT
STUART MICHAEL (CN)
EDWARDS
DB, 3303, PG 796

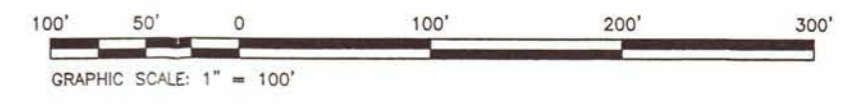


- LEGEND**
- R/W = RIGHT-OF-WAY
 - EIP = EXISTING IRON PIPE
 - EIS = EXISTING IRON STAKE
 - SIP = SET IRON PIPE
 - ECM = EXISTING CONCRETE MONUMENT
 - C/L = CENTERLINE
 - DB = DEED BOOK
 - DC = DEATH CERTIFICATE
 - MB = MAP BOOK
 - NPS = NO POINT SET
 - EPKN = EXISTING PARKER KALON NAIL
 - = NOT TO SCALE
 - () = ZONING EXISTING
 - () = ZONING PROPOSED

TOTAL AREA TO BE REZONED: 14.221 ACRES

△ REVISED: 02-17-2020 (CLIENT COMMENTS)(NRW)
DIVIDED LOT INTO TWO TRACTS

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS
MAP WERE TAKEN FROM INFORMATION PROVIDED BY
THE PITT COUNTY OPIS WEBSITE AND DOES NOT
REPRESENT AN ACTUAL SURVEY BY THIS FIRM.



SHEET 1 OF 1
REZONING MAP
PARCEL #14114
TAX MAP #5606-19-1742

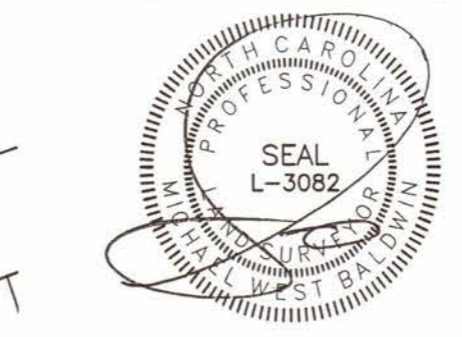
AMY A. EDWARDS

REFERENCE: DEED BOOK 3858, PAGE 210
OF THE PITT COUNTY REGISTER OF DEEDS

GRIMESLAND TOWNSHIP, PITT COUNTY, NC

OWNER: AMY A. EDWARDS
ADDRESS: PO BOX 686
GREENVILLE, NC 27835
PHONE: (252) 341-9029

Baldwin Design Consultants, PA ENGINEERING - SURVEYING - PLANNING 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858 252.756.1390	LICENSE# C-3498 SURVEYED: N/A DRAWN: MAH/NRW CHECKED: MWB	APPROVED: MWB DATE: 01/20/2020 SCALE: 1" = 100'
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CLOSURE CHECK BOUNDARY	
CHECKED: NRW	DATE: 02/17/2020

Y:\DRAWINGS\20-003 AMY EDWARDS\REZONING.dwg Wed, Feb 19, 2020-9:03am RWELLS

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 20-3

Applicant: Amy A. Edwards

Property Information

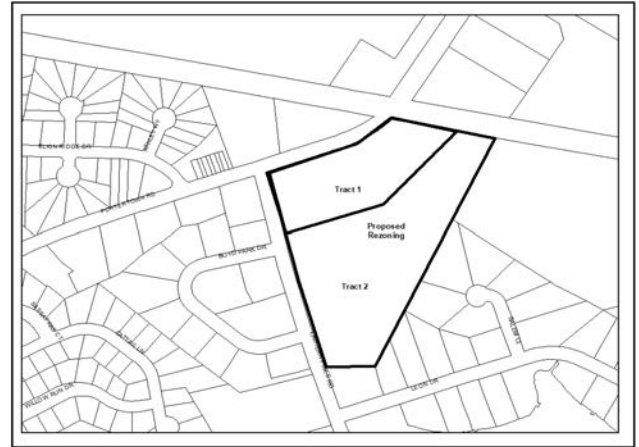
Current Zoning: Tract 1: RA20 (Residential-Agricultural)
Tract 2: RA20 (Residential-Agricultural)

Proposed Zoning: Tract 1: GC (General Commerical)
Tract 2: R6 (Residential)

Current Acreage: Tract 1: 5.038 acres
Tract 2: 9.183 acres

Location: Southeast corner of Portertown Rd and Eastern Pines Rd

Points of Access: Portertown Rd, Eastern Pines Rd



Location Map

Transportation Background Information

1.) Portertown Rd- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2 lanes - paved shoulder	4 lane - with raised median
Right of way width (ft)	60	100
Speed Limit (mph)	45	
Current ADT:	14,072 (*)	
Design ADT:	13,300 vehicles/day (**)	39,700 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:		

Notes: (*) 2016 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

Transportation Improvement Program Status: Project U-5870, which involves widening Fire Tower Road to Portertown Road and widening Portertown Road to 10th Street (N.C. 33), a distance of 2.2 miles.

2.) Eastern Pines Rd- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2 lanes - paved shoulder	2 lanes - wide shoulders
Right of way width (ft)	60	70
Speed Limit (mph)	45	no change
Current ADT:	3,680 (*)	UltimateDesign ADT: 13,300 vehicles/day (**)
Design ADT:	13,300 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Minor Thoroughfare	
Other Information:		

Notes: (*) 2016 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

Transportation Improvement Program Status: Project U-5870, which involves widening Fire Tower Road to Portertown Road and widening Portertown Road to 10th Street (N.C. 33), a distance of 2.2 miles. Will add a roundabout to the Portertown Road and Eastern Pines Road intersection.

COG-#1124550-v1-Rezoning_Case_#20-3_-_Amy_A__Edwards_(2_roads)

Trips generated by proposed use/change**Current Zoning: 172** -vehicle trips/day (*)**Proposed Zoning: 4,860** -vehicle trips/day (*)**Estimated Net Change: increase of 4688 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 Portertown Rd and Eastern Pines Rd are as follows:****1.) Portertown Rd, West of Site (35%): "No build" ADT of 14,072**

Estimated ADT with Proposed Zoning (full build) – 15,773

Estimated ADT with Current Zoning (full build) – 14,132**Net ADT change = 1,641 (12% increase)****2.) Portertown Rd, East of Site (35%): "No build" ADT of 14,072**

Estimated ADT with Proposed Zoning (full build) – 15,773

Estimated ADT with Current Zoning (full build) – 14,132**Net ADT change = 1,641 (12% increase)****4.) Eastern Pines Rd, South of Site (30%): "No build" ADT of 3,680**

Estimated ADT with Proposed Zoning (full build) – 5,138

Estimated ADT with Current Zoning (full build) – 3,732**Net ADT change = 1,406 (38% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3402 trips to and from the site on Portertown Rd, which is a net increase of 3282 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1458 trips to and from the site on Eastern Pines Rd, which is a net increase of 1406 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

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
	b(1). Master Plan Community per Article J
	f. Residential cluster development per Article M
	k. Family care homes (see also 9-4-103)
	q. Room renting
(3) Home Occupations - None	
(4) Governmental	
	b. City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining	
	a. Farming; agricultural, 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
	l. Beekeeping; minor use (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	
RA20 (RESIDENTIAL-AGRICULTURAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
	b. Two-family attached dwelling (duplex)
	g. Mobile home (see also section 9-4-103)
	n. Retirement center or home
	o. Nursing, convalescent or maternity home; major care facility

o(1).	Nursing, convalescent or maternity home; minor care facility
(3) Home Occupations	
a.	Home occupation; not otherwise listed
b.	Home occupation; barber and beauty shop
c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental	
a.	Public utility building or use
(5) Agricultural/Mining	
b.	Greenhouse or plant nursery; including accessory sales
m.	Beekeeping; major use
n.	Solar energy facility
(6) Recreational/Entertainment	
a.	Golf course; 18-hole regulation length (see also section 9-4-103)
a(1).	Golf course; 9-hole regulation length (see also section 9-4-103)
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; nursery and kindergarten (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	
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 principal uses
(2) Residential - None	
(3) Home Occupations - 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; agricultural, horticulture, forestry (see also section 9-4-103)
	l.	Beekeeping; minor use (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 alley
	m(1).	Dining and entertainment establishment (see also section 9-4-103)
	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 loans 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 salon
	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)	TV 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)
	y(4)	Distributed Antenna System (See also 9-4-103 (Q))
	z.	Printing or publishing service including graphic art, maps, 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
	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 (see also section 9-4-103)
	k.	Medical supply sales and rental of medically-related products including uniforms and related accessories
	l.	Electronic; stereo, radio, computer, TV and the like, 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, CD and the like 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 service
	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 division (10k.))
	c.	Rental of clothes and accessories; formal wear, and the like
(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 outdoor sales
	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 - 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
	u. Internet sweepstakes business (see also section 9-4-103)
(7) Office/Financial/Medical	
	c. Office; customer service, 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
	c. Wine shop; including on-premise consumption (see also section 9-4-103)
	j. Restaurant and/or dining and entertainment establishment; regulated outdoor activities
	n. Appliance; commercial use, sales and accessory repair; excluding outside storage
	ff. Tobacco shop (Class 1) (see also section 9-4-103)
	gg. Tobacco shop (Class 2) (see also section 9-4-103)
	hh. Hookah café (see also section 9-4-103)
(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 services not otherwise listed
c.	Other activities; commercial services not otherwise listed
d.	Other activities; retail sales not otherwise listed
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)
b(1).	Master Plan Community per Article J
c.	Multi-family development per Article I
f.	Residential cluster development per Article M
k.	Family care homes (see also 9-4-103)
q.	Room renting
(3) Home Occupations - None	
(4) Governmental	
b.	City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining	
a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
l.	Beekeeping; minor use (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	
R6 (RESIDENTIAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
d.	Land use intensity multi-family (LUI) development rating 50 per Article K
e.	Land use intensity multi-family (LUI) development rating 67 per Article K
l.	Group care facility
n.	Retirement center or home
o(1).	Nursing, convalescent or maternity home; minor care facility

	p.	Board or rooming house
	r.	Fraternity or sorority house
(3) Home Occupations		
	a.	Home occupation; not otherwise listed
	b.	Home occupation; barber and beauty shop
	c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental		
	a.	Public utility building or use
(5) Agricultural/Mining - None		
(6) Recreational/Entertainment		
	a.	Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1).	Golf course; 9-hole regulation length (see also section 9-4-103)
	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; nursery and kindergarten (see also section 9-4-103)
	m.	Multi-purpose center
	t.	Guest house for a college or other institution 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		

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 CHART

Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF and CD*	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6, MR	17 units per acre
	Residential, High Density (HDR)	R6, MR, OR	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
High to Medium	Mixed Use (MU)	OR	17 units per acre
		R6, MR	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
Medium to Low	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 (LMDR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

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



City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item:

Ordinance requested by John F. Moye, Sr. Heirs to rezone 15.0936 acres located south of Greenville Boulevard between Allendale Drive and Dickinson Avenue Extension from RA20 (Residential-Agricultural) to R6A-RU (Residential [Medium Density]) Restricted-Residential Overlay.

Explanation:

Abstract: The City has received a request by John F. Moye, Sr. Heirs to rezone 15.0936 acres located south of Greenville Boulevard between Allendale Drive and Dickinson Avenue Extension from RA20 (Residential-Agricultural) to R6A-RU (Residential [Medium Density]) Restricted-Residential Overlay.

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on April 7, 2020.

On-site sign(s) posted on April 7, 2020.

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 southwestern corner of the intersection of Dickinson Avenue and Greenville Boulevard transitioning to office/institutional (OI) to the east and traditional neighborhood medium-high density (TNMH) to the south. Further, potential conservation/open space (PCOS) is recommended.

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 near by uses (paths, streets)
- Locate 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

Office/Institutional

These areas serve as a transition between more intense commercial areas and surrounding neighborhoods. The form of future development should take a more walkable pattern with shorter blocks, buildings near streets, shared parking, and connections to surrounding development.

Intent:

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

Primary uses:

Office

Institutional/civic

Traditional Neighborhood, Medium-High Density

Primarily residential areas 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 streetscape features such as sidewalks, street trees and lighting
- Allow neighborhood-scale commercial or mixed use centers at key intersections within neighborhoods

Primary uses:

Multi-family residential

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

Secondary uses:

Institutional (neighborhood scale)

Potential Conservation/Open Space

Potential conservation/open space land is typically located in areas that contain existing parkland, needed land buffers, exhibit potential for flooding, or are deemed inappropriate for development due to physical or environmental barriers. Some land within this area may not contain barriers to development, or there may be reasonable mitigation. Site analysis is needed to determine development capabilities in these areas.

The Future Land Use and Character Map identifies certain areas as potential conservation/open space. Much of this area is designated based upon data on flood-prone land and environmental constraints that may not correspond precisely with conditions on the ground. Seeing an area designated this way is the beginning of a conversation. When considering rezoning requests or other development proposals, some areas classified as potential conservation/open space may be determined not to contain anticipated limitations on development, or that existing concerns can reasonably be mitigated. In such cases, the future preferred land use should be based on adjacent Land Use and Character designations, contextual considerations, and the general policies of the comprehensive plan.

Intent:

- Conserve environmentally-sensitive land
- Buffer incompatible land uses with open space
- Provide open space network through the city for recreation
- Conservation/open space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems
- Greenways and greenway connectors should be maintained to be consistent with the Greenway Plan.

Thoroughfare/Traffic Report Summary (Engineering Department):

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 865 trips to and from the site on Greenville Boulevard, which is a net increase of 578 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

History/Background:

In 1972, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned to its present zoning.

Present Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

The property is located in the Greens Mill Run Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen and phosphorous reduction. It is located in the Special Flood Hazards Area (SFHA). There are no jurisdictional wetlands on the property. Jurisdictional streams do exist along the west and north of the property. The stream along the north of the property near Greenville Boulevard is a main tributary to Greens Mill Run. A 50' Riparian buffer exists on these jurisdictional streams and may require restoration.

Surrounding Land Uses and Zoning:

North: CG - Family Dollar; RA20 - three (3) vacant lots (2 lots are under common ownership of the applicant)

South: RA20 - Vacant (under common ownership of the applicant)

East: RA20 - One (1) single-family residence (under common ownership of the applicant), People's Baptist Church, and Greenville Christian Academy

West: RA20 - Farmland

Density Estimates

Under the current zoning, the site could accommodate 30 single-family residences.

Under the proposed zoning, the site could accommodate 65 duplex buildings (130 units).

The anticipated build-out is within 2-3 years.

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 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 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:

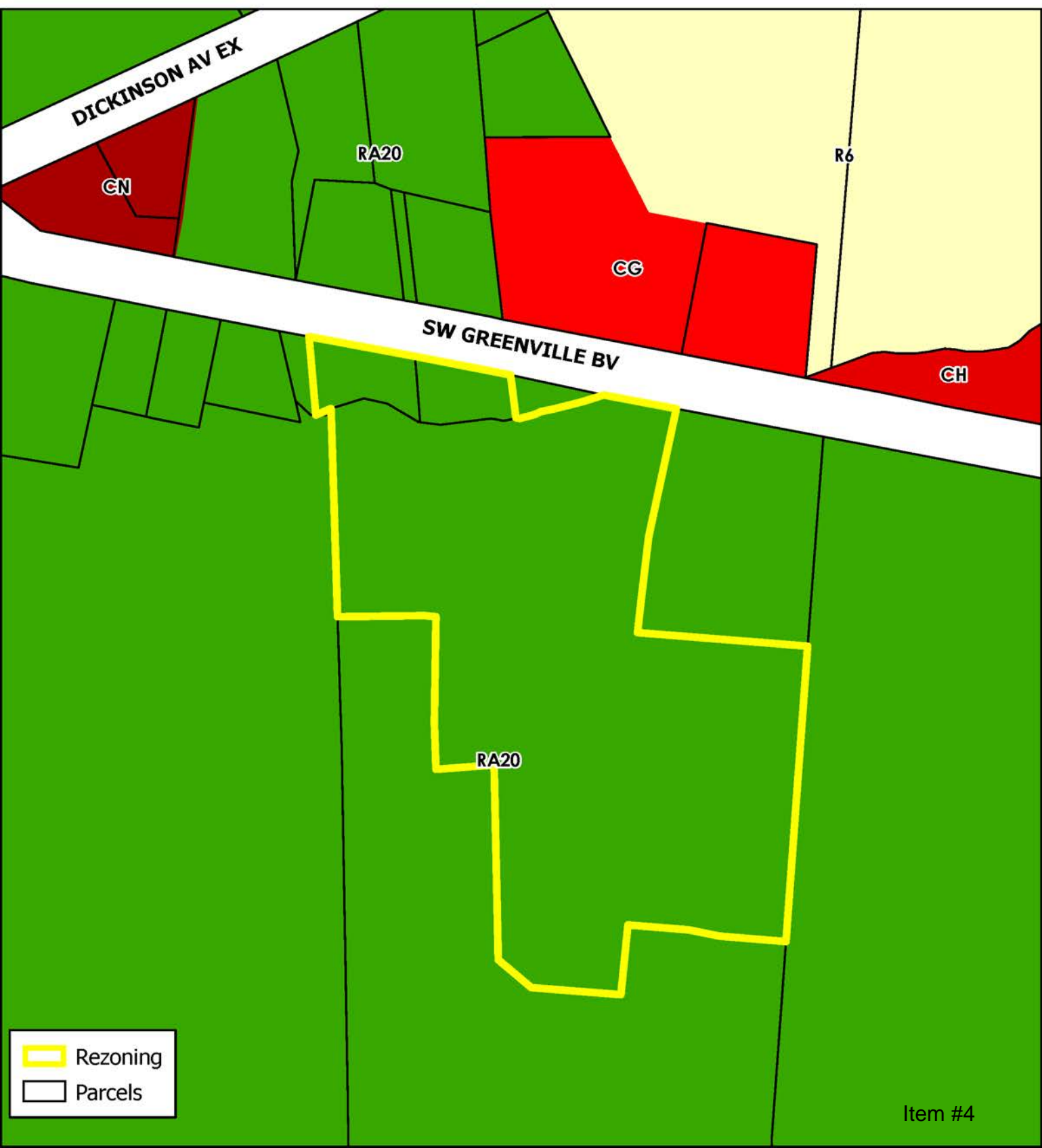
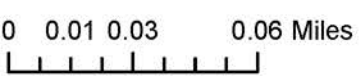
"Motion to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency."

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.

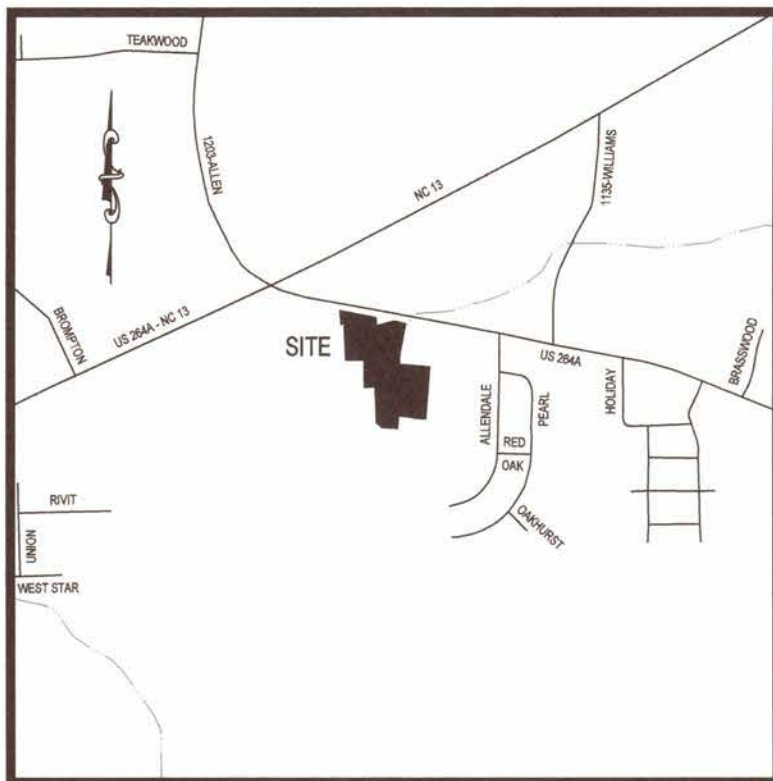
ATTACHMENTS:

Attachments

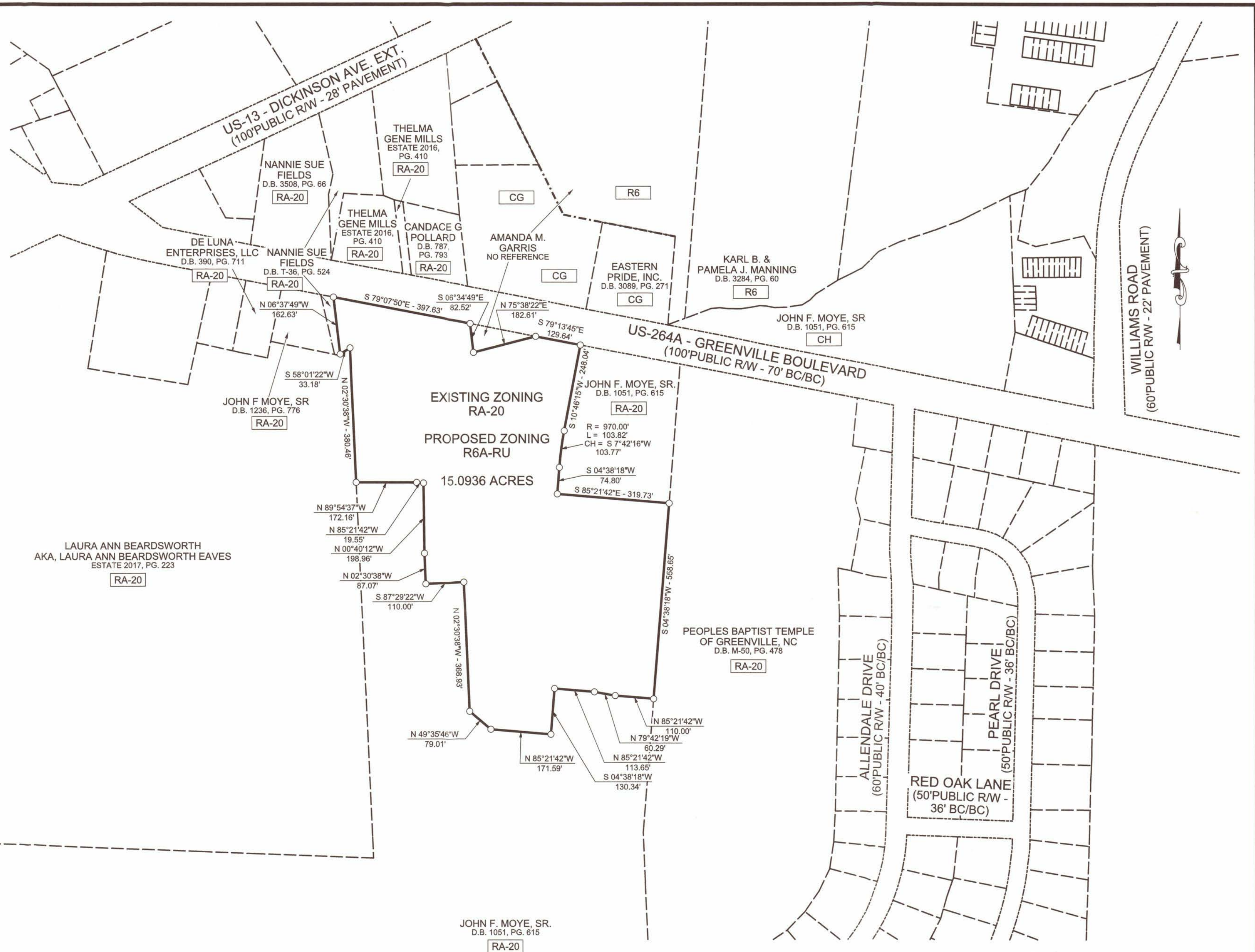
John F. Moye SR, Heirs
From: RA-20
To: R6A-RU
Total Acres: 15.0936
March 3, 2020



	Rezoning
	Parcels



VICINITY MAP
1" = 2000'



LAURA ANN BEARDSWORTH
AKA, LAURA ANN BEARDSWORTH EAVES
ESTATE 2017, PG. 223
RA-20

JOHN F. MOYE, SR.
D.B. 1236, PG. 776
RA-20

EXISTING ZONING
RA-20
PROPOSED ZONING
R6A-RU
15.0936 ACRES

JOHN F. MOYE, SR.
D.B. 1051, PG. 615
RA-20

PEOPLES BAPTIST TEMPLE
OF GREENVILLE, NC
D.B. M-50, PG. 478
RA-20

**PROGRESS
DRAWING**



CARLTON E. PARKER, PLS 2980

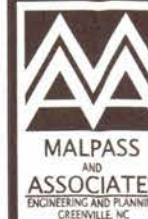
REZONING MAP FOR
JOHN F. MOYE, SR., HEIRS

REFERENCE DEED BOOK 1051, PAGE 615,
OF THE PITT COUNTY REGISTRY

WINTERVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: JOHN F. MOYE, SR., HEIRS
ADDRESS: 1719 SW GREENVILLE, BLVD.
GREENVILLE, NC 27834
(252) 327-3757

SURVEYED:	N/A
DRAWN:	WCO
APPROVED:	CEP
DATE:	01/29/20
SCALE:	1" = 200'
SHEET	1 OF 1



MALPASS & ASSOCIATES
INC.
NC LICENSE NO. C-1289
1645 EAST ARLINGTON BLVD., SUITE D
GREENVILLE, N.C. 27858
(252) 756-1780

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 20-2

Applicant: John F. Moye Sr. Heirs

Property Information

Current Zoning: RA20 (Residential-Agricultural)

Proposed Zoning: R6A-RU (Restricted Residential Use Overlay)

Current Acreage: 15.094

Location: Greenville Blvd, east of Dickinson Ave

Points of Access: Greenville Blvd

Location Map



Transportation Background Information

1.) Greenville Blvd- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane with curb & gutter	no change
Right of way width (ft)	100	no change
Speed Limit (mph)	50	no change
Current ADT:	24,895 (*)	
Design ADT:	32,200 vehicles/day (**)	
Controlled Access	No	

Thoroughfare Plan Status Major Thoroughfare

Other Information: There are no sidewalks along Greenville Blvd that service this property.

Notes: (*) 2016 NCDOT count adjusted for a 2% annual growth rate
 (**) Traffic volume based on operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status:

Trips generated by proposed use/change

Current Zoning: 287 -vehicle trips/day (*) **Proposed Zoning: 865** -vehicle trips/day (*)

Estimated Net Change: increase of 578 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 Greenville Blvd are as follows:

1.) Greenville Blvd , West of Site (40%): “No build” ADT of 24,895

Estimated ADT with Proposed Zoning (full build) – 25,241
 Estimated ADT with Current Zoning (full build) – 25,010
Net ADT change = 231 (<1% increase)

2.) Greenville Blvd , East of Site (60%): “No build” ADT of 24,895

Estimated ADT with Proposed Zoning (full build) – 25,414

Estimated ADT with Current Zoning (full build) – 25,067

Net ADT change = 347 (1% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 865 trips to and from the site on Greenville Blvd, which is a net increase of 578 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

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
	b(1). Master Plan Community per Article J
	f. Residential cluster development per Article M
	k. Family care homes (see also 9-4-103)
	q. Room renting
(3) Home Occupations - None	
(4) Governmental	
	b. City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining	
	a. Farming; agricultural, 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
	l. Beekeeping; minor use (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	
RA20 (RESIDENTIAL-AGRICULTURAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
	b. Two-family attached dwelling (duplex)
	g. Mobile home (see also section 9-4-103)
	n. Retirement center or home
	o. Nursing, convalescent or maternity home; major care facility
	o(1). Nursing, convalescent or maternity home; minor care facility
(3) Home Occupations	

	a.	Home occupation; not otherwise listed
	b.	Home occupation; barber and beauty shop
	c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental		
	a.	Public utility building or use
(5) Agricultural/Mining		
	b.	Greenhouse or plant nursery; including accessory sales
	m.	Beekeeping; major use
	n.	Solar energy facility
(6) Recreational/Entertainment		
	a.	Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1).	Golf course; 9-hole regulation length (see also section 9-4-103)
	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; nursery and kindergarten (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		
R6A (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)
	b(1).	Master Plan Community per Article J
	c.	Multi-family development per Article I
	f.	Residential cluster development per Article M
	k.	Family care homes (see also 9-4-103)
	q.	Room renting
(3) Home Occupations - None		
(4) Governmental		
	b.	City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining		
	a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)

	i. Beekeeping; minor use (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	
R6A (RESIDENTIAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
	d. Land use intensity multi-family (LUI) development rating 50 per Article K
	e. Land use intensity multi-family (LUI) development rating 67 per Article K
	i. Group care facility
	n. Retirement center or home
	o(1). Nursing, convalescent or maternity home; minor care facility
	p. Board or rooming house
	r. Fraternity or sorority house
(3) Home Occupations	
	a. Home occupation; not otherwise listed
	b. Home occupation; barber and beauty shop
	c. Home occupation; manicure, pedicure or facial salon
(4) Governmental	
	a. Public utility building or use
(5) Agricultural/Mining - None	
	* None
(6) Recreational/Entertainment	
	a. Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1). Golf course; 9-hole regulation length (see also section 9-4-103)
	c(1). Tennis club; indoor and outdoor facilities
(7) Office/Financial/Medical	
(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)

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 CHART

Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF and CD*	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6, MR	17 units per acre
	Residential, High Density (HDR)	R6, MR, OR	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
High to Medium	Mixed Use (MU)	OR	17 units per acre
		R6, MR	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
Medium to Low	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 (LMDR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

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



City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item: Ordinance requested by Happy Trail Farms, LLC to rezone a total of 33.849 acres located north of the intersection of Herman Garris Road and Portertown Road from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density]).

Explanation: **Abstract:** The City has received a request by Happy Trail Farms, LLC to rezone a total of 33.849 acres located north of the intersection of Herman Garris Road and Portertown Road from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on April 7, 2020.

On-site sign(s) posted on April 7, 2020.

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 low-medium density (TNLM) north of the intersection of Herman Garris Road and Portertown Road transitioning to residential, low-medium density to the south. Further, potential conservation/open space (PCOS) is shown for Hardee Creek.

Traditional Neighborhood, Low-Medium Density

Residential area with a mix of housing types on small lots with a single-family neighborhood appearance. Traditional neighborhoods should have a walkable

street network of small blocks, a defined center and edges, and connections to surrounding development.

Intent:

- Provide streetscape features such as sidewalks, street trees and lighting
- Introduce neighborhood-scale commercial centers at key intersections

Primary uses:

Single-family residential

Two-family residential

Attached residential (townhomes)

Secondary uses:

Multifamily residential

Small-scale institutional/civic (churches and schools)

Residential, Low-Medium Density

Residential, low to medium density areas are 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)

Potential Conservation/Open Space

Potential conservation/open space land is typically located in areas that contain existing parkland, needed land buffers, exhibit potential for flooding, or are deemed inappropriate for development due to physical or environmental barriers. Some land within this area may not contain barriers to development, or there may be reasonable mitigation. Site analysis is needed to determine development capabilities in these areas.

The Future Land Use and Character Map identifies certain areas as potential conservation/open space. Much of this area is designated based upon data on flood-prone land and environmental constraints that may not correspond precisely with conditions on the ground. Seeing an area designated this way is the beginning of a conversation. When considering rezoning requests or other development proposals, some areas classified as potential conservation/open space may be determined not to contain anticipated limitations on development, or that existing concerns can reasonably be mitigated. In such cases, the future preferred land use should be based on adjacent Land Use and Character designations, contextual considerations, and the general policies of the comprehensive plan.

Intent:

- Conserve environmentally-sensitive land
- Buffer incompatible land uses with open space
- Provide open space network through the city for recreation
- Conservation/open space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems
- Greenways and greenway connectors should be maintained to be consistent with the Greenway Plan.

Thoroughfare/Traffic Report Summary (Engineering Department):

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,407 trips to and from the site on Portertown Road, which is a net increase of 766 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

History/Background:

In 1972, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned to its present zoning.

Present Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

The property is located in the Hardee Creek Watershed. If stormwater rules apply, it would require 10-year detention and nitrogen and phosphorous reduction.

A portion of the property is located in the Special Flood Hazard Area (SFHA) and floodway. Any development within the SFHA would be subject to the Flood Damage and Prevention Ordinance. Jurisdictional wetlands and streams exist on the property. A 50' riparian buffers exists on the property and may require restoration.

This property is outside of the reach of our Watershed Master Plan Study but drains upstream of the bridge on Portertown Road which is not currently meeting the desired 25-year level of service. It is also upstream of some proposed floodplain benching improvements.

Surrounding Land Uses and Zoning:

- North: RA20 - Woodlands
- South: RA20 - Four (4) single family residences and woodlands (under common ownership of the applicant)
- East: RA20 - Forest Glen Subdivision (single-family)
- West: RA20 - Woodlands and three (3) single family residences

Density Estimate

Under the current zoning, the site could accommodate 67 single-family residences.

Under the proposed zoning, the site could accommodate 147 single-family residences.

The anticipated build-out is within 3-5 years.

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 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 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.

ATTACHMENTS:

Attachments

Happy Trail Farms, LLC

From: RA-20

To: R-6S

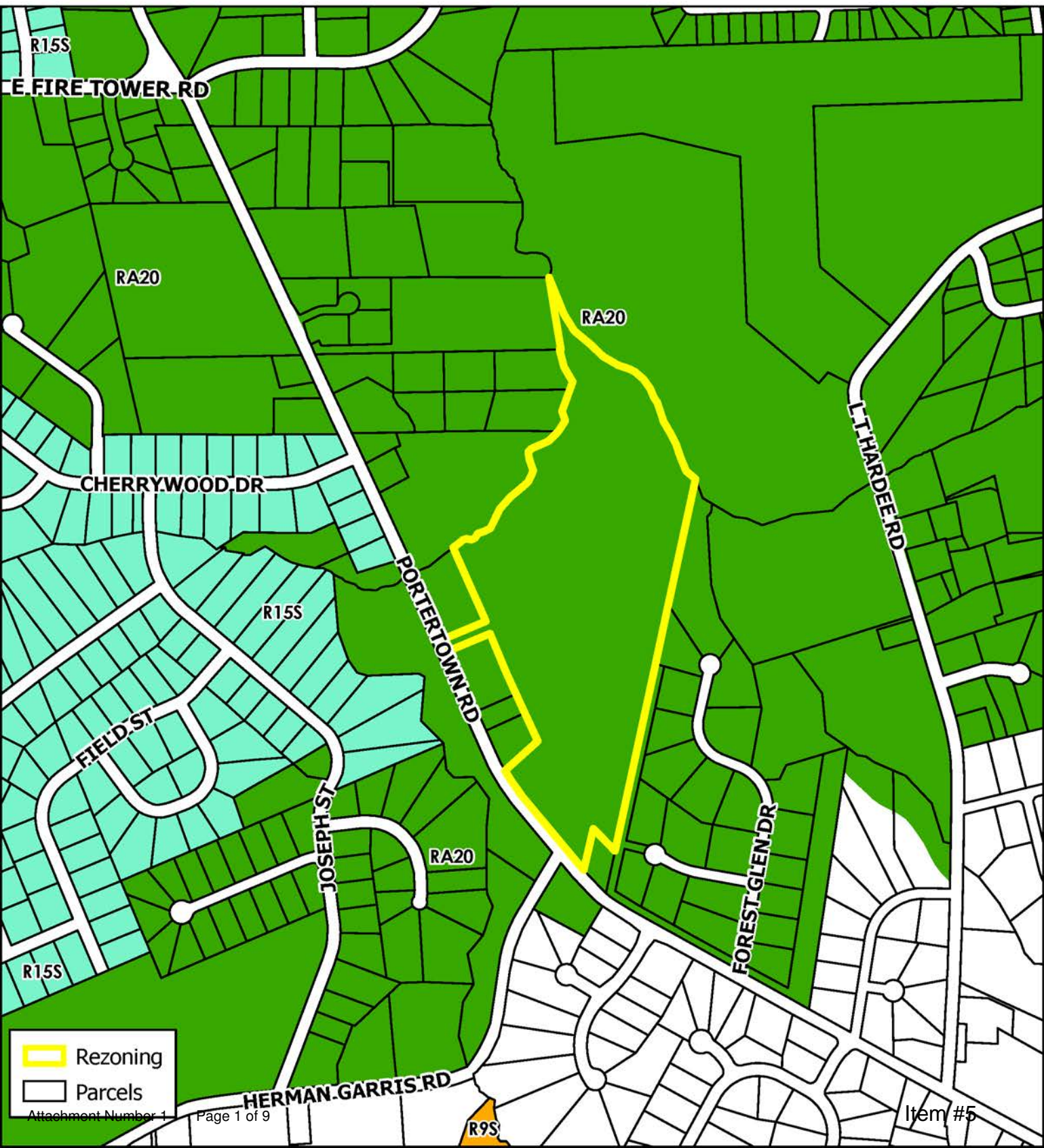
Acres: 33.849

March 3, 2020

N



0 0.04 0.07 0.15 Miles



R15S

E. FIRE TOWER RD

RA20

RA20

CHERRYWOOD DR

LITTLE HARDEE RD

R15S

PORTERTOWN RD

FIELD ST

JOSEPH ST

RA20

FOREST GLEN DR

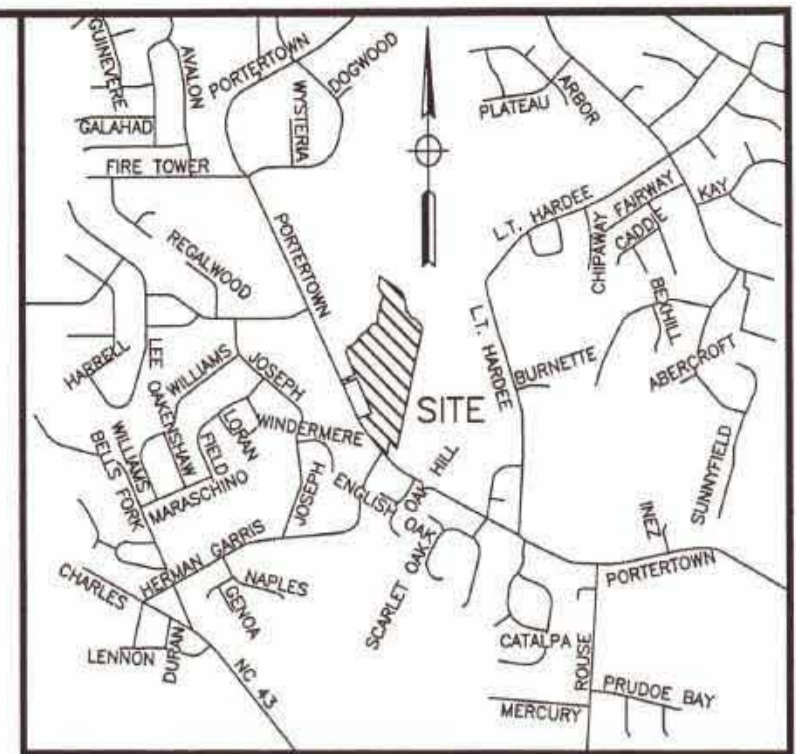
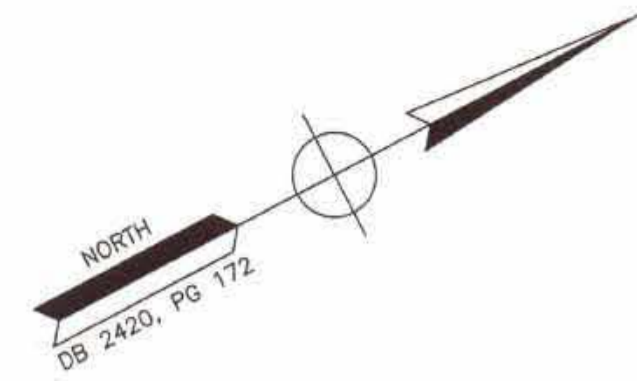
R15S

HERMAN GARRIS RD

R9S

 Rezoning

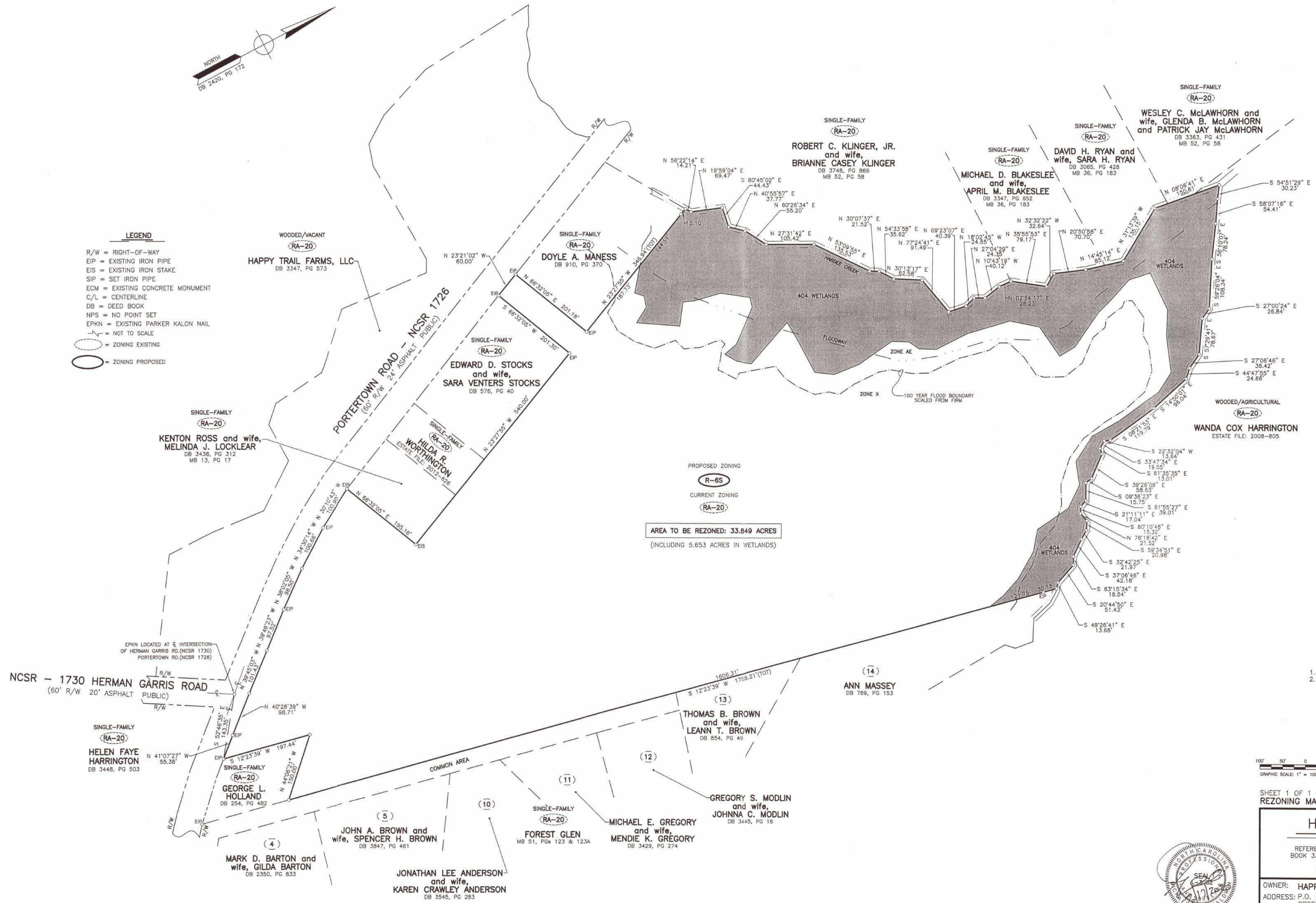
 Parcels



VICINITY MAP

LEGEND

- R/W = RIGHT-OF-WAY
- EIP = EXISTING IRON PIPE
- EIS = EXISTING IRON STAKE
- SIP = SET IRON PIPE
- ECM = EXISTING CONCRETE MONUMENT
- C/L = CENTERLINE
- DB = DEED BOOK
- NPS = NO POINT SET
- EPKN = EXISTING PARKER KALON NAIL
- = NOT TO SCALE
- () = ZONING EXISTING
- () = ZONING PROPOSED



PROPOSED ZONING
(R-6S)

CURRENT ZONING
(RA-20)

AREA TO BE REZONED: 33.849 ACRES
(INCLUDING 5.653 ACRES IN WETLANDS)

NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. REFERENCE: DEED BOOK 3347, PAGE 573 OF THE PITT COUNTY REGISTER OF DEEDS.

GRAPHIC SCALE: 1" = 100'

SHEET 1 OF 1
REZONING MAP

A PORTION PARCEL #11123
TAX MAP #4696-94-0688

HAPPY TRAIL FARMS, LLC

REFERENCE: A PORTION OF THE PROPERTY REGISTERED IN DEED BOOK 3347, PAGE 573 OF THE PITT COUNTY REGISTER OF DEEDS
CHICOD TOWNSHIP, PITT COUNTY, N.C.

OWNER: HAPPY TRAIL FARMS, LLC
ADDRESS: P.O. BOX 1863
GREENVILLE, NC 27835
PHONE: (252) 916-9028



Baldwin Design Consultants, PA ENGINEERING - SURVEYING - PLANNING 1700-D EAST ARINGTON BOULEVARD GREENVILLE, NC 27858 252.756.1350	SURVEYED: RA	APPROVED: MWB
	DRAWN: NRW	DATE: 02/17/2020
CHECKED: MWB	SCALE: 1" = 100'	

CLOSURE CHECK SUMMARY	
CHECKED: NRW	DATE: 02/17/2020

Y:\DRAWINGS\07-150 Portertown Pointe\REZONING.dwg Mon, Feb 17, 2020 - 12:37pm RWELLS

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 20-4

Applicant: Happy Trail Farms, LLC

Property Information

Current Zoning: RA20 (Residential-Agricultural)

Proposed Zoning: R6S (Residential-Single-Family)

Current Acreage: 33.849

Location: Portertown Rd, south of Fire Tower Rd

Points of Access: Portertown Rd

Location Map



Transportation Background Information

1.) Portertown Rd- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2 lanes - paved shoulders	2 lanes - wide shoulders
Right of way width (ft)	60	no change
Speed Limit (mph)	45	no change
Current ADT:	5,955 (*)	
Design ADT:	13,300 vehicles/day (**)	
Controlled Access	No	

Thoroughfare Plan Status Minor Thoroughfare

Other Information: There are no sidewalks along Portertown Rd that service this property.

Notes: (*) 2016 NCDOT count adjusted for a 2% annual growth rate
 (**) Traffic volume based on an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status:

Trips generated by proposed use/change

Current Zoning: 641 -vehicle trips/day (*) **Proposed Zoning: 1,407** -vehicle trips/day (*)

Estimated Net Change: increase of 766 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 Portertown Rd are as follows:

1.) Portertown Rd, North of Site (70%): “No build” ADT of 5,955

Estimated ADT with Proposed Zoning (full build) – 6,940
 Estimated ADT with Current Zoning (full build) – 6,404
Net ADT change = 536 (8% increase)

2.) Portertown Rd, South of Site (30%): "No build" ADT of 5,955

Estimated ADT with Proposed Zoning (full build) – 6,377

Estimated ADT with Current Zoning (full build) – 6,147**Net ADT change = 230 (4% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1407 trips to and from the site on Portertown Rd, which is a net increase of 766 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

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
b(1).	Master Plan Community per Article J
f.	Residential cluster development per Article M
k.	Family care homes (see also 9-4-103)
q.	Room renting
(3) Home Occupations - None	
(4) Governmental	
b.	City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining	
a.	Farming; agricultural, 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
i.	Beekeeping; minor use (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	
RA20 (RESIDENTIAL-AGRICULTURAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
b.	Two-family attached dwelling (duplex)
g.	Mobile home (see also section 9-4-103)
n.	Retirement center or home
o.	Nursing, convalescent or maternity home; major care facility
o(1).	Nursing, convalescent or maternity home; minor care facility
(3) Home Occupations	
a.	Home occupation; not otherwise listed

	b.	Home occupation; barber and beauty shop
	c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental		
	a.	Public utility building or use
(5) Agricultural/Mining		
	b.	Greenhouse or plant nursery; including accessory sales
	m.	Beekeeping; major use
	n.	Solar energy facility
(6) Recreational/Entertainment		
	a.	Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1).	Golf course; 9-hole regulation length (see also section 9-4-103)
	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; nursery and kindergarten (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		
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
	b(1).	Master Plan Community per Article J
	f.	Residential cluster development per Article M
	k.	Family care homes (see also 9-4-103)
	q.	Room renting
(3) Home Occupations - None		
(4) Governmental		
	b.	City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining		
	a.	Farming; agricultural, 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	
	a. Home occupation; not otherwise listed
	d. Home occupation; bed and breakfast inn
(4) Governmental	
	a. Public utility building or use
(5) Agricultural/Mining - None	
(6) Recreational/Entertainment	
	a. Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1). Golf course; 9-hole regulation length (see also section 9-4-103)
	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; nursery and kindergarten (see also section 9-4-103)
	t. Guest house for a college or other institution 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	

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 CHART

Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF and CD*	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6, MR	17 units per acre
	Residential, High Density (HDR)	R6, MR, OR	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
High to Medium	Mixed Use (MU)	OR	17 units per acre
		R6, MR	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
Medium to Low	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 (LMDR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

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



City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item: Request by Rocky Russell Development, LLC. The proposed preliminary subdivision plat entitled, "Barrington Fields, Sections 2, 3 and 4", is located west of Frog Level Road and adjacent to Taberna Subdivision and is further identified as being tax parcel numbers 22728, 32631 and 68998. The proposed plat consists of 40 lots totaling 19.1252 acres

Explanation: The subject property is currently vacant. It is bounded on the east by Barrington Fields Section 1 Subdivision, the south by Taberna Subdivision, and the north and west by timber and farmland.

The purpose of this preliminary plat is to create 40 single-family lots. The proposed plat also establishes the street pattern, utilities extensions, drainage and stormwater features that will serve the future development.

There is 2,330 linear feet of proposed streets to be built. Sidewalks will be constructed on one side of all proposed streets and a stormwater detention pond will be provided.

The preliminary plat as presented lacks a stub-out to the west of the property. Section 9-5-81(D) of the City ordinance requires a stub out to adjacent property boundaries when such a property is unsubdivided and susceptible to being subdivided in the future.

Section 9-5-81(D).

Where a new subdivision adjoins unsubdivided land susceptible to being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided; and the arrangement shall make provision for the logical and proper projection of such streets.

Fiscal Note: There will be no costs to the City of Greenville associated with this development.

Recommendation: The City's Subdivision Review Committee has reviewed the plat and it does not meet all technical requirements. Therefore, Staff recommends denial of the preliminary plat as presented.

If the Planning and Zoning Commission determines to approve the request, it is recommended that the motion be as follows:

"Motion to approve the preliminary plat as presented without extending the street network to the western property boundary due to environmental constraints imposed by the presence of wetlands."

If the Planning and Zoning Commission determines to deny the request, it is recommended that the motion be as follows:

"Motion to deny the preliminary plat as presented due to a stub-out not being provided to the western property boundary that would allow for inter-connectivity to future development as required as in Section 9-5-81(D)."

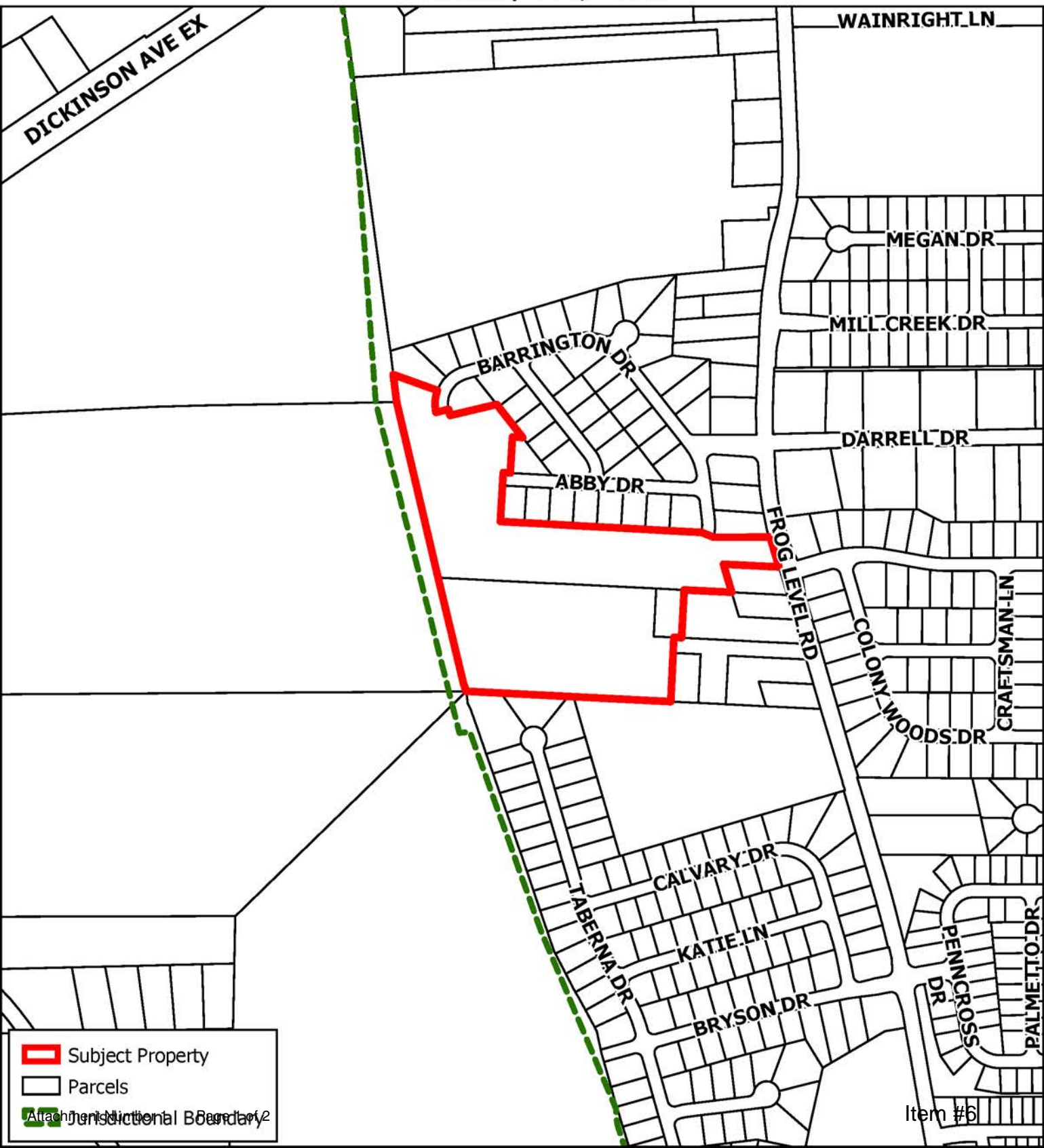
ATTACHMENTS:

Attachments

Rocky Russell Development, LLC
Barrington Fields
Section 2, 3, and 4
Proposed Lots: 40
Acres: 19.1252
February 3rd, 2020



0 0.03 0.07 0.13 Miles



-  Subject Property
-  Parcels
-  Attachment Jurisdictional Boundary

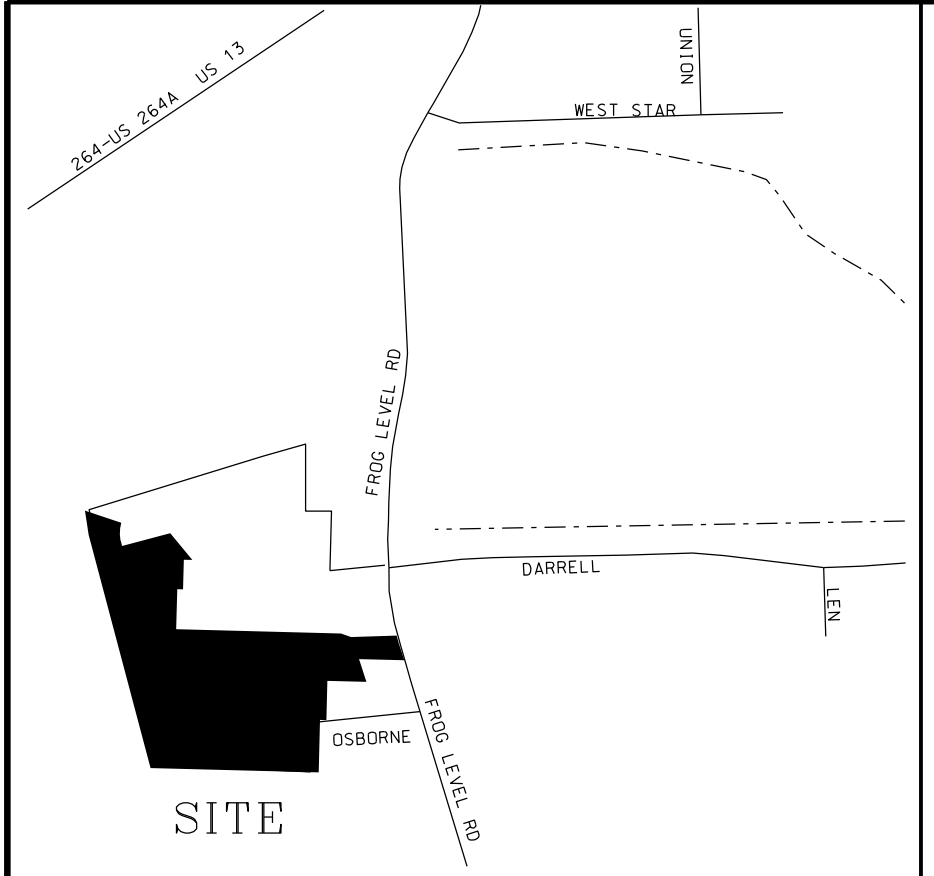
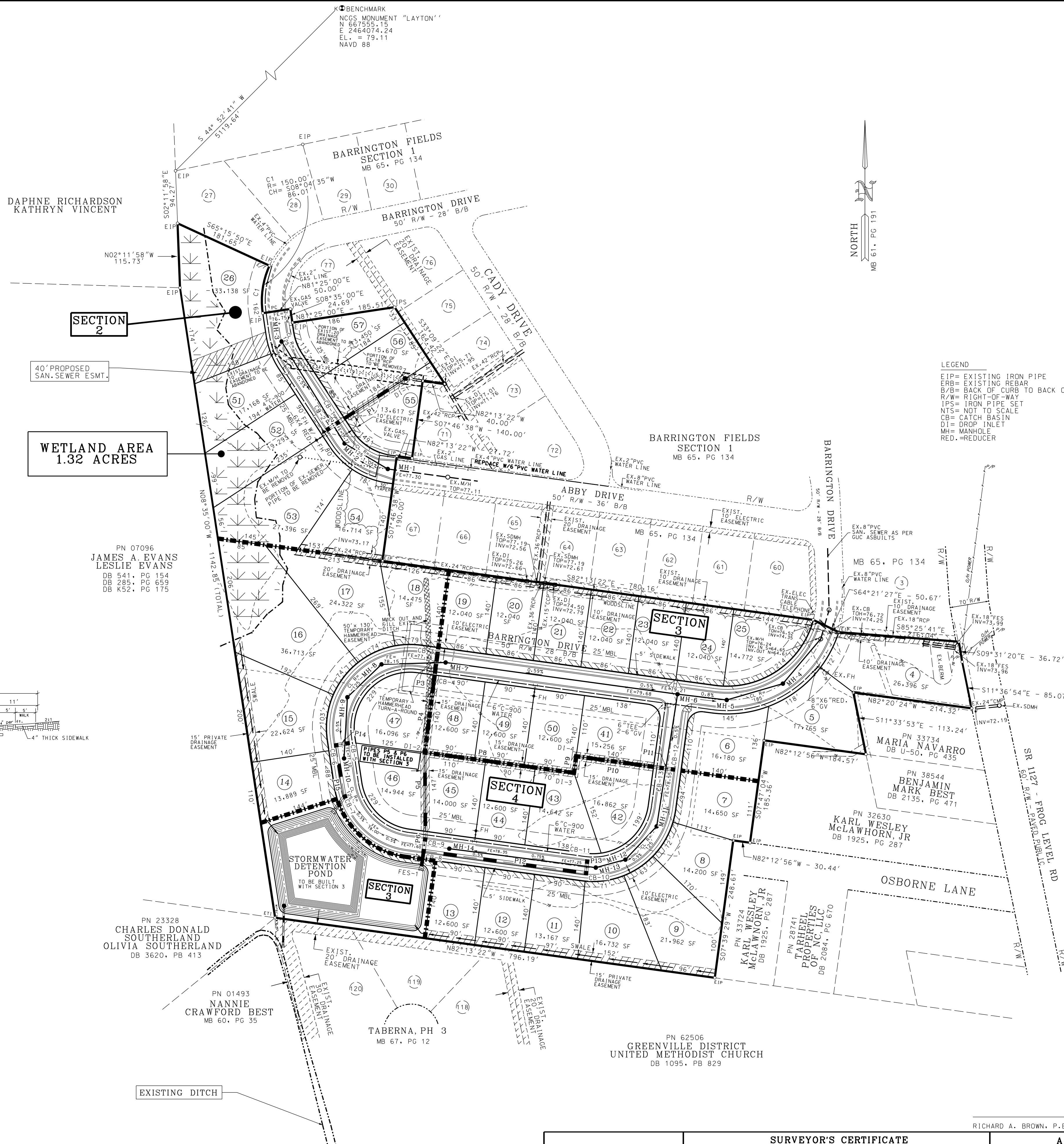
SITE DATA

TOTAL AREA.....19.1252 AC
 NO. OF LOTS.....40
 SECTION 2.....8 LOTS
 SECTION 3.....14 LOTS
 SECTION 4.....18 LOTS
 LINEAL FEET IN STREET.....2330 LF
 ZONING.....R-9S
 SMALLEST LOT SIZE12,040 F
 ACRES IN PARKS, RECREATION.....0
 COMMON AREA (STORM WATER).....51,667 SF

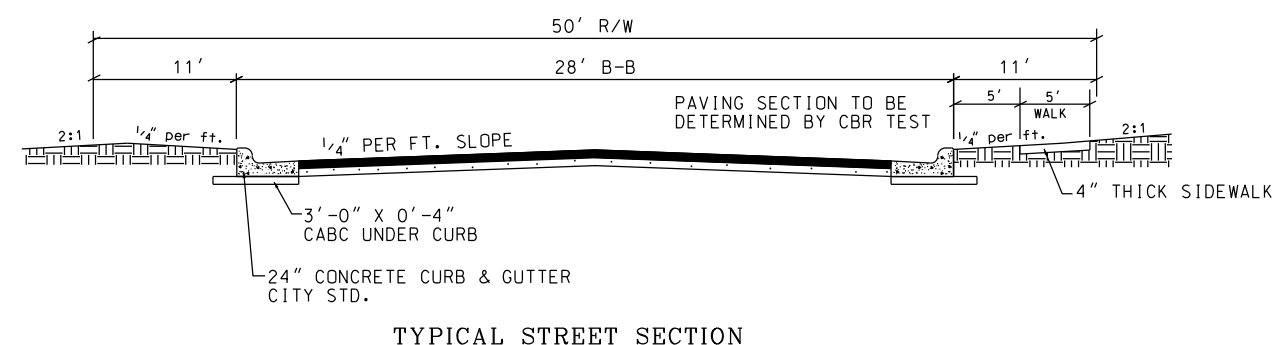
NOTES

- CONSTRUCTION PLANS SHALL BE APPROVED BY GREENVILLE UTILITIES COMMISSION (G.U.C.) AND THE CITY OF GREENVILLE PRIOR TO THE CONSTRUCTION OF ANY SEWER OR STORM DRAINAGE.
- ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE CITY OF GREENVILLE MANUAL OF STANDARD DESIGN AND DETAILS AND THE MANUAL FOR THE DESIGN AND CONSTRUCTION OF WASTEWATER SYSTEM EXTENSIONS FOR G.U.C.
- ALL LOTS SHALL EQUAL OR EXCEED THE MINIMUM DEVELOPMENT STANDARDS OF THE CITY OF GREENVILLE ZONING ORDINANCE.
- SEWER SERVICE BY G.U.C.
- EROSION CONTROL PLAN APPROVAL REQUIRED PRIOR TO CONSTRUCTION.
- ALL UTILITIES SHALL BE UNDERGROUND.
- STORM DRAIN PIPE SIZES ARE APPROXIMATE. FINAL SIZING, GRADES, ETC. SHALL BE SUBMITTED WITH CONSTRUCTION PLANS.
- DITCHES REQUIRING 48" OR LESS PIPE DIA. SHALL BE PIPED EXCEPT FOR DITCHES WHICH HAVE BEEN DETERMINED BY COE TO BE WETLANDS. WATERS OF THE UNITED STATES.
- NO SEWER SERVICES SHALL BE PROVIDED FOR LOTS WITHIN THIS PROJECT UNTIL ALL OF THE NECESSARY WATER AND SEWER FACILITIES TO SERVE THIS PROPERTY HAVE BEEN INSTALLED AND ACCEPTED FOR MAINTENANCE BY G.U.C.
- ALL DRIVEWAYS SERVING INDIVIDUAL LOTS WILL BE REQUIRED TO HAVE DRIVEWAYS INSTALLED AS PER THE CITY OF GREENVILLE REGULATIONS. CURB AND GUTTER SECTIONS AT THE DRIVEWAYS MUST BE REMOVED AND POURED BACK AT THE PROPOSED DRIVEWAY. BREAKING THE HEAD OFF OF THE BACK OF CURB WILL NOT BE ACCEPTABLE.
- HYDRAULIC ANALYSIS IS REQUIRED.
- COMMON AREA IS PRIVATE AND WILL BE MAINTAINED BY HOMEOWNERS ASSOCIATION. HOMEOWNERS ASSOCIATION DOCUMENTATION TO BE RECORDED PRIOR TO RECORDATION OF ANY FINAL PLANS.
- DRIVEWAY PERMITS TO BE APPROVED BY NCDOT PRIOR TO APPROVAL OF CONSTRUCTION PLANS BY THE CITY OF GREENVILLE.
- WATER SUPPLIED BY GREENVILLE UTILITIES COMMISSION.
- STREET LIGHTS TO BE INSTALLED NO MORE THAN 400' APART.
- ELECTRIC SERVICE SUPPLIED BY GREENVILLE UTILITIES COMMISSION.
- CONSTRUCTION PLAN AND SPECIFICATIONS SHALL BE APPROVED BY G.U.C. PRIOR TO THE CONSTRUCTION OF ANY WATER MAINS.
- THIS PROPERTY IS LOCATED IN THE RED OAK FIRE DISTRICT.
- PROPERTY IS LOCATED APPROXIMATELY 3192 FEET SOUTH OF RED OAK RED OAK FIRE DEPARTMENT ALONG FROG LEVEL ROAD TO THE INTERSECTION OF OSBORNE LANE.
- THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA. COMMUNITY PANEL #3720466600J, EFFECTIVE DATE: 07-07-2014, ZONE X.
- ALL SIDEWALKS TO BE 5' CONCRETE.
- BENCHMARK ELEVATIONS SHOWN ARE NAVD88 FROM NCGS MONUMENT "LAYTON", ELEVATION 79.11 NAVD88 DATUM.

LEGEND
 EIP= EXISTING IRON PIPE
 ERB= EXISTING REBAR
 B/B= BACK OF CURB TO BACK OF CURB
 R/W= RIGHT-OF-WAY
 IPS= IRON PIPE SET
 NTS= NOT TO SCALE
 CB= CATCH BASIN
 DI= DROP INLET
 MH= MANHOLE
 RED.= REDUCER



VICINITY MAP
 SCALE: 1"=1000'



TYPICAL STREET SECTION

PIPE CHART

PIPE#	TYPE	CLASS	SIZE	LENGTH	SLOPE	INVERTS
P1	RCP	111	18"	136'	0.35%	E=71.90 W=72.38
P2	RCP	111	15"	24'	0.30%	E=72.38 W=72.45
P3	RCP	111	18"	24'	0.30%	N=74.65 S=74.58
P4	RCP	111	24"	150'	0.30%	N=74.58 S=74.12
P5	RCP	111	24"	152'	0.38%	N=74.12 S=73.55
P6	RCP	111	30"	24'	0.30%	N=73.55 S=73.48
P7	RCP	111	30"	24'	0.36%	N=73.48 S=73.40
P8	RCP	111	18"	270'	0.30%	W=74.12 E=74.93
P9	RCP	111	15"	30'	0.30%	S=74.93 N=75.02
P10	RCP	111	15"	150'	0.30%	W=75.02 E=75.47
P11	RCP	111	15"	24'	0.50%	W=75.47 E=75.59
P12	RCP	111	24"	290'	0.25%	W=73.48 E=74.21
P13	RCP	111	15"	24'	0.30%	S=74.21 N=74.29
P14	RCP	111	15"	24'	0.30%	E=74.04 W=73.96
P15	RCP	111	18"	104'	0.41%	N=73.96 S=73.53
P16	RCP	111	18"	32'	0.41%	E=73.53 W=73.40

REVISIONS

BY	NO.	DATE	DESCRIPTION
DM	1	3/9/20	CITY COMMENTS

PRELIMINARY PLAT
BARRINGTON FIELDS
 SECTION 2,3 AND 4

ARTHUR TOWNSHIP PITT COUNTY NORTH CAROLINA
OWNER: ROCKY RUSSELL DEVELOPMENT, LLC
 ADDRESS: 106 REGENCY BLVD. GREENVILLE, NC 27834
 PHONE: (252)355-7812

DESIGNED: RAB DATE: 1/15/20
 DRAWN: DM SCALE: 1"=100'
 APPROVED: RAB SHEET 1 OF 1

SURVEYOR'S CERTIFICATE
 I, GARY S. MILLER, CERTIFY THAT THE BOUNDARY SURVEY, TOPOGRAPHICAL SURVEY, AND HORIZONTAL AND VERTICAL CONTROL SHOWN HEREON WERE COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 3924, PAGE 35-36, OR FROM BOOKS REFERENCED HEREIN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 388, PAGE 182, OR AS REFERENCED HEREIN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:110,000; THAT ALL INTERIOR LOT LINES SHOWN ARE PROPOSED AND SHALL NOT BE USED FOR THE CONVEYANCE OF PROPERTY; THAT THE TOPOGRAPHICAL SURVEY WAS PERFORMED TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS AS APPLICABLE; THAT THE TOPOGRAPHICAL DATA WAS OBTAINED ON 03/21/2018; THAT THE SURVEY WAS COMPLETED ON 03/21/2018; THAT THE CONTOURS SHOWN AS BROWN LINES MAY NOT MEET THE STATED STANDARDS THAT VERTICAL CONTROL WAS ESTABLISHED AT THE SITE TO THE CLASS "A" STANDARD; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA 121 NCAC 56.16001.

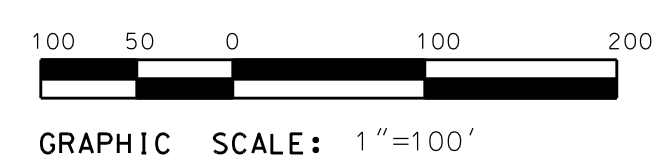
WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE ____ DAY OF _____ 20__.

SEAL SIGNED GARY S. MILLER, PROFESSIONAL LAND SURVEYOR REG. NO. L-2562

APPROVAL
 THIS PRELIMINARY PLAT NO. _____ AND STREET NAMES SHOWN HEREON WERE APPROVED BY THE GREENVILLE PLANNING AND ZONING COMMISSION AT A MEETING 20__.

SIGNED _____ CHAIRMAN
 SIGNED _____ CITY PLANNER

PROJECT NO. : P1634~001
 DRAWING NO. : 002



GRAPHIC SCALE: 1"=100'



City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item: Request by YBYA, LLC. The proposed preliminary subdivision plat entitled, "Ridgewood Farms (Cluster Subdivision)", is located on the north side of Thomas Langston Road directly adjacent to the Langston Townhomes Subdivision and is further identified as being tax parcels number 05383, 13364 and 13877. The proposed plat consists of 122 lots and totals 28.99 acres.

Explanation: The subject property is currently vacant. It is bounded on the east and north by timber land and vacant land, the south by Langston Townhomes Subdivision, and the west by Providence Place Subdivision, as well as, Langston Farms Subdivision.

The purpose of this preliminary plat is to create 122 single-family lots as well as to set aside 12.93 acres for the purpose of multi-family residential construction. The proposed plat also establishes the street pattern, utilities extensions, drainage and stormwater features that will serve the future development.

There is 4,663 linear feet of proposed streets to be built. Sidewalks will be constructed on one side of all proposed streets and a stormwater detention pond will be provided.

Fiscal Note: There will be no costs to the City of Greenville associated with this development.

Recommendation: The City's Subdivision Review Committee has reviewed the plat and it meets all technical requirements. Therefore, Staff recommends approval of the preliminary plat as presented.

ATTACHMENTS:

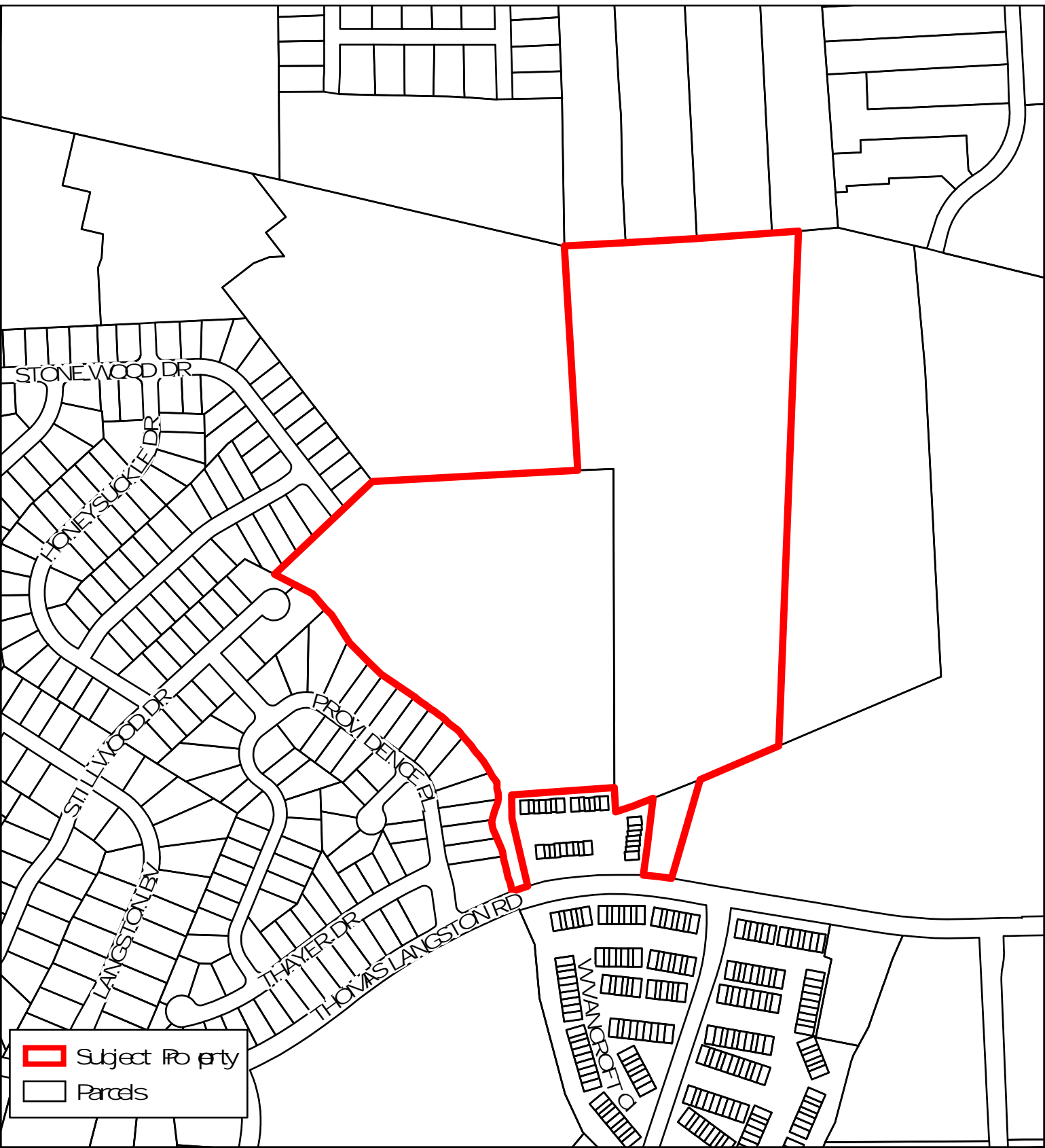
Attachments

Ridgeview Farms
Cluster Subdivision
Proposed lot: 19
Acres 4.92
April 7th, 2020

N



0 0.03 0.06 0.11 Miles



STONEWOOD DR

HONEYSUCKLE DR

STILLWOOD DR
LANGSTON BLV

PROV DENCE

T. HAYES DR

THOMAS LANGSTON RD

WYANOCET C

 Subject Property
 Parcels

GENERAL NOTES:

- CONSTRUCTION PLAN APPROVAL FROM GREENVILLE UTILITIES COMMISSION AND THE CITY OF GREENVILLE SHALL BE OBTAINED PRIOR TO CONSTRUCTION OF ANY STREET, WATER, AND/OR SANITARY SEWER AND STORM DRAINAGE SYSTEMS.
- ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE CITY OF GREENVILLE MANUAL OF STANDARD DESIGNS AND DETAILS AND THE MANUAL FOR THE DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER SYSTEMS EXTENSIONS OF GREENVILLE UTILITIES COMMISSION.
- ALL LOTS SHALL EQUAL OR EXCEED THE MINIMUM DEVELOPMENT STANDARDS OF THE CITY OF GREENVILLE ZONING ORDINANCE.
- ELECTRIC, WATER AND SANITARY SEWER SERVICE IS PROVIDED BY GREENVILLE UTILITIES COMMISSION.
- ELECTRIC AND TELEPHONE UTILITIES SHALL BE INSTALLED UNDERGROUND.
- STREET LIGHTS TO BE INSTALLED BY GREENVILLE UTILITIES COMMISSION.
- DEPRESS CURBS FOR HANDICAP RAMPS AT STREET INTERSECTIONS THAT HAVE SIDEWALKS.
- EROSION CONTROL PLAN APPROVAL REQUIRED PRIOR TO CONSTRUCTION.
- STORMWATER MANAGEMENT PLAN APPROVAL REQUIRED PRIOR TO CONSTRUCTION.
- HYDRAULIC ANALYSIS OF THE WATER MAINS ARE REQUIRED PRIOR TO CONSTRUCTION.
- NO SEWER SERVICE SHALL BE PROVIDED FOR LOTS WITHIN THIS PROJECT UNTIL ALL MAINS AND SERVICES HAVE BEEN INSTALLED AND ACCEPTED FOR MAINTENANCE BY G.U.C.
- ALL DITCHES WITHIN PROJECT LIMITS, WITH NO ASSOCIATED FLOODWAY, SHALL BE PIPED IF 48" OR LESS DIAMETER PIPE IS REQUIRED.
- STORM DRAIN PIPE SIZES ARE APPROXIMATE. FINAL SIZING, GRADES, ETC. SHALL BE SUBMITTED WITH CONSTRUCTION PLANS.
- WETLANDS ARE A VALUABLE NATURAL RESOURCE WHICH PROVIDE IMPORTANT ECOLOGICAL FUNCTIONS. WETLANDS ARE REGULATED BY THE FEDERAL GOVERNMENT UNDER SECTION 404 OF THE CLEAN WATER ACT. THIS PROPERTY HAS NOT BEEN EVALUATED FOR AREAS THAT MAY EXHIBIT THE INDICATORS OF THE THREE MAJOR CHARACTERISTICS OF WETLANDS: HYDROPHIC VEGETATION, HYDRIC SOILS, AND WETLAND HYDROLOGY. WETLAND AND STREAM BUFFERS SHOWN ON THIS PLAN ARE APPROXIMATE AND REQUIRE VERIFICATION FROM THE US ARMY CORPS OF ENGINEERS AND NC DEPARTMENT OF ENVIRONMENTAL QUALITY. WETLAND DELINEATION WILL BE REQUIRED WITH SUBMITTAL OF A CONSTRUCTION PLAN.
- STORMWATER PERMIT REQUIRED FOR MAIN ENTRANCE. ALL DRIVEWAYS SERVING INDIVIDUAL LOTS WILL BE REQUIRED TO HAVE A CITY OF GREENVILLE DRIVEWAY PERMIT. REQUIRED ROADWAY IMPROVEMENTS ON THOMAS LANGSTON ROAD WILL BE DETERMINED BY CITY STAFF AND NCDOT. ROADWAY IMPROVEMENT DESIGN SHALL BE INCLUDED IN THE CONSTRUCTION DRAWINGS.
- OPEN SPACE IS TO BE PERPETUALLY OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. THESE AREAS SHALL BE CAPABLE OF BEING USED FOR PURPOSES OF INFORMAL AND UNSTRUCTURED RECREATION AND RELAXATION OR FOR HORTICULTURE IF NOT DEVOTED TO OTHER ALLOWABLE USES.
- THE OWNER SHALL, PURSUANT TO THE SUBDIVISION REGULATIONS, CAUSE A FINAL SUBDIVISION PLAT TO BE RECORDED IN THE PITT COUNTY REGISTER OF DEEDS WHICH CLEARLY DESCRIBES THE OPEN SPACE(S) AND CONDITIONS THEREOF, PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
- ALL DRIVEWAYS SHALL REMAIN OUTSIDE OF DRAINAGE EASEMENT(S).
- ALL 28' WIDE STREET SECTIONS SHALL HAVE PARKING ALLOWED ON ONLY ONE SIDE OF STREET.
- NO PARKING ALLOWED WITHIN CUL-DE-SACS.
- MAIL KIOSKS / CLUSTER BOX UNITS LOCATIONS WILL BE COORDINATED WITH THE USPS AND WILL BE LOCATED ON LOT 123 WITH ADEQUATE PARKING, EASEMENTS AND ADA ACCESS. DETAILS OF THE CURBS WILL BE PROVIDED WITH THE SUBMITTAL OF THE CONSTRUCTION PLAN.
- STORM SEWER INFRASTRUCTURE DESIGN SHALL BE SUBMITTED AND REVIEWED BY THE CITY OF GREENVILLE DURING THE CONSTRUCTION PLAN REVIEW.
- BOUNDARY AND TOPOGRAPHICAL SURVEY INFORMATION SHOWN HEREON WAS TAKEN FROM A SURVEY PERFORMED BY GARY S. MILLER AND ASSOCIATES, P.A. ENTITLED "BOUNDARY AND TOPOGRAPHICAL SURVEY FOR PROPOSED SUBDIVISION ON THOMAS LANGSTON ROAD" DATED NOVEMBER 19, 2019.
- ELEVATIONS SHOWN ARE NAVD 83 DATUM.
- THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA. COMMUNITY PANEL # 3720467600K, EFFECTIVE DATE: 07-07-2014, ZONE X.

NC 2000 - 1005.83

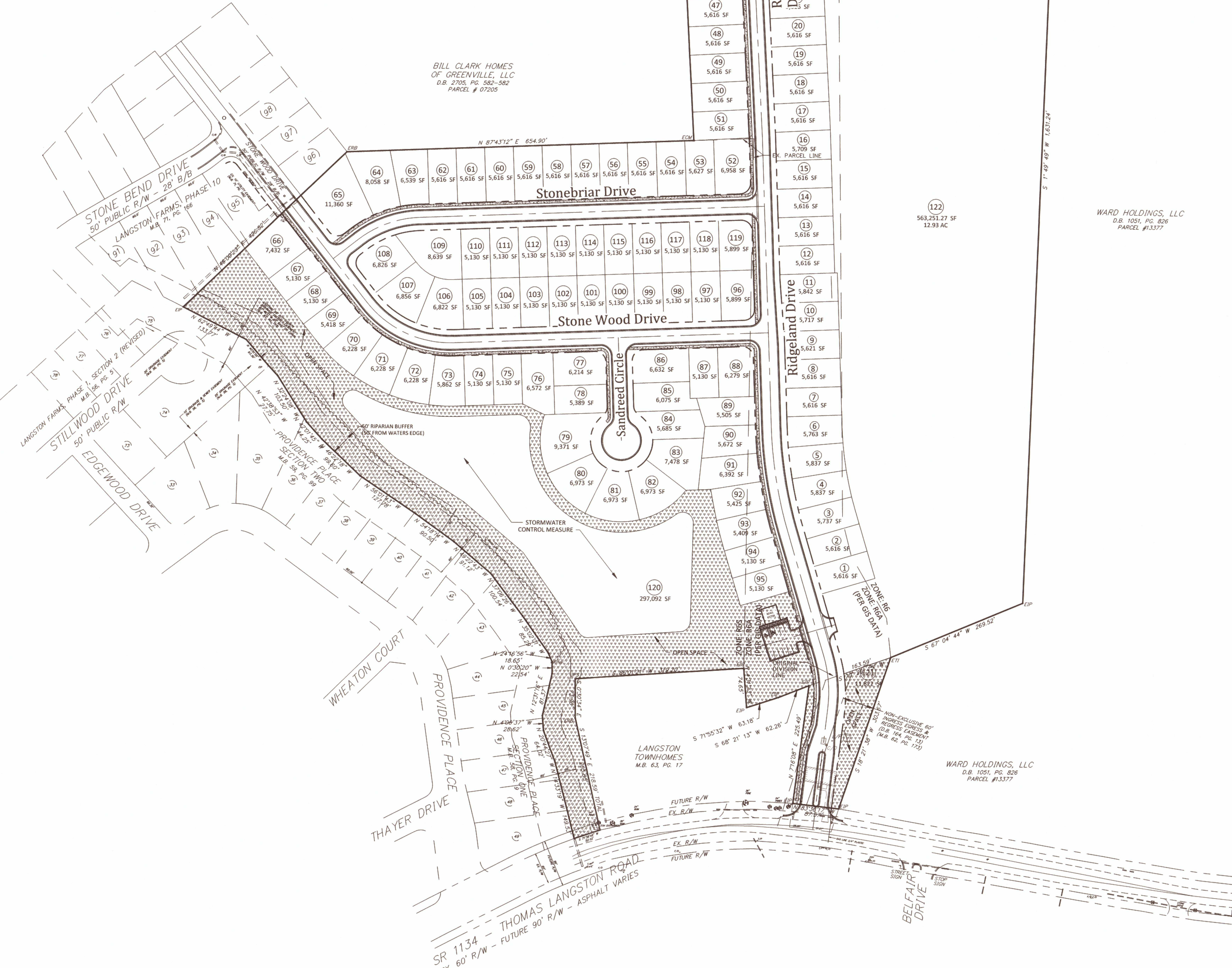
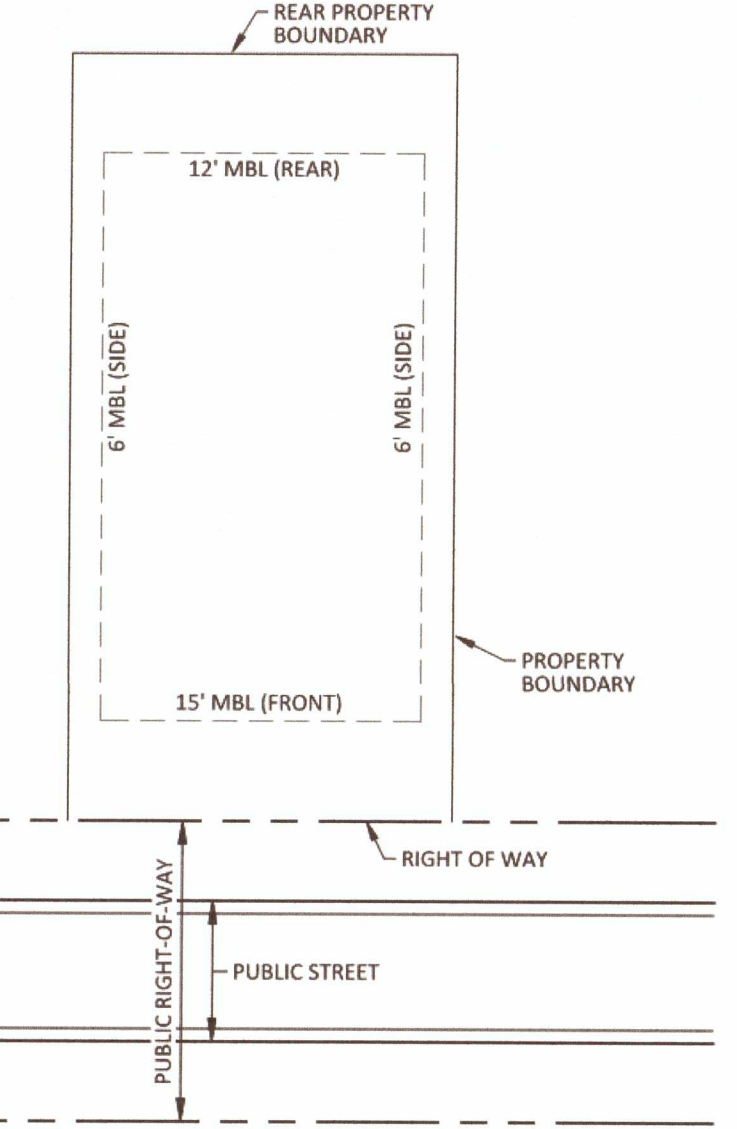
TYPICAL INTERSECTION
NO SCALE



TYPICAL 36' STREET SECTION
NO SCALE



TYPICAL 28' STREET SECTION
NO SCALE



Legend:

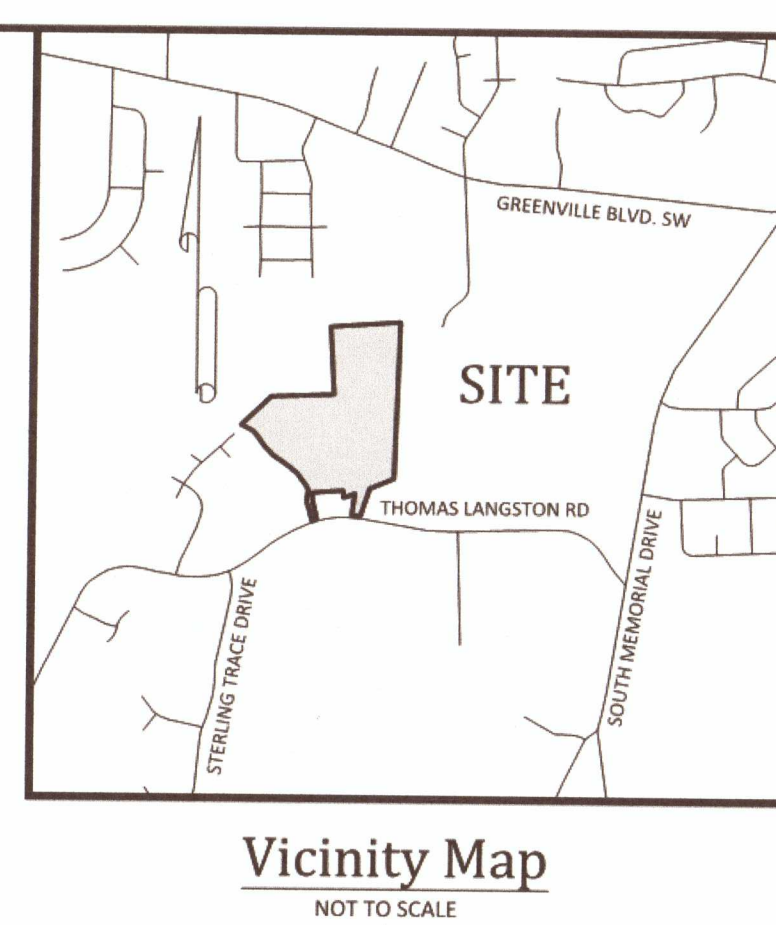
EXISTING

- EIP - EXISTING IRON PIPE
- ECM - EXISTING CONCRETE MONUMENT
- ERB - EXISTING REBAR
- ELI - EXISTING IRON
- ENS - MARKED NAIL SET
- R/W - RIGHT OF WAY
- CB - BACK OF CURB TO BACK OF CURB
- C/L - CENTERLINE
- CP - CATCH BASIN
- D/I - DROP INLET
- M/N - MANHOLE
- S/S - SANITARY SEWER
- RCP - REINFORCED CONCRETE PIPE
- HPS - HIGH-PERFORMANCE POLYPROPYLENE PIPE
- CPP - CORRUGATED PLASTIC PIPE
- U/G - UNDERGROUND
- F/O - FIBER OPTIC WITNESS POST
- FOV - FIBER OPTIC MAULT
- E/T - ELECTRIC TRANSFORMER
- T/P - TELEPHONE PESTICEL
- F/H - FIRE HYDRANT
- W/V - WATER VALVE
- W/M - WATER METER
- ISV - IRRIGATION CONTROL VALVE
- C/D - SEWER CLEANOUT
- +ELEV - SPOT ELEVATION

PROPOSED

- CONTOUR LINE
- STORM DRAIN
- F.E.S. - FLARED END SECTION
- TEMP - TEMPORARY BENCHMARK
- INV - INVERT
- ELEV - ELEVATION
- OM - GRAPE MYRTLE
- SANITARY SEWER LINE
- WATER MAIN
- TREE LINE

Scale: 1" = 22.00'



CLUSTER SUBDIVISION

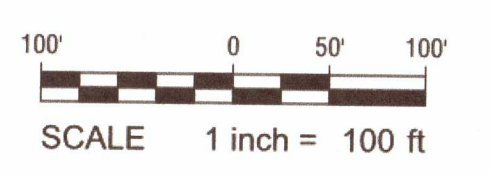
AREA WITHIN PROPOSED CLUSTER DEVELOPMENT:	28.99 AC.
NUMBER OF SINGLE FAMILY LOTS:	119
OPEN SPACE:	
OPEN SPACE MUST BE 15% OF TOTAL AREA.	
REQUIRED OPEN SPACE (28.99 x 15%):	4.35 AC
PROVIDED OPEN SPACE:	4.55 AC (15.6%)
WOODED AREAS SHALL BE LEFT IN THEIR NATURAL OR UNDISTURBED STATE: EXCEPT FOR CUTTING OF TRAILS FOR WALKING OR JOGGING.	
STORMWATER CONTROL MEASURES AND PUBLIC RIGHTS OF WAY ARE NOT INCLUDED IN OPEN SPACE AREA CALCULATIONS.	
MAXIMUM DENSITY:	
RESIDENTIAL DENSITY SHALL NOT EXCEED THAT WHICH WOULD NORMALLY BE PERMITTED UNDER SINGLE FAMILY STANDARDS WITH THE PREVAILING ZONING DISTRICT ON A NET AREA BASIS.	
TOTAL AREA IN TRACT:	41.92 AC.
- AREA FOR MULTIFAMILY:	12.93 AC.
- AREA WITHIN PUBLIC R/W:	5.58 AC.
TOTAL AREA WITHIN CLUSTER BOUNDARY:	28.99 AC.
R6 MINIMUM LOT SIZE = 6,000 SF.	
MAXIMUM NUMBER OF LOTS = 210	
TOTAL NUMBER OF SINGLE FAMILY LOTS = 119	

SITE DATA:

PARCEL NUMBERS:	05383, 13364 & 13877
TAX MAP NUMBER:	4676
CURRENT ZONING:	R6A, R6S, R6
ACREAGE IN TOTAL TRACT:	41.92 AC.
NUMBER OF LOTS CREATED:	122
LINEAL FEET IN STREETS:	4,663 LF.
ACREAGE IN PARKS, RECREATION AREAS, COMMON AREAS AND THE LINE:	4.55 AC.

SHEET INDEX

Sheet No. C-1	Cover Sheet
Sheet No. C-2 - C-4	Plan Sheets
Survey	1 Sheet
(Gary S. Miller and Associates, P.A.)	

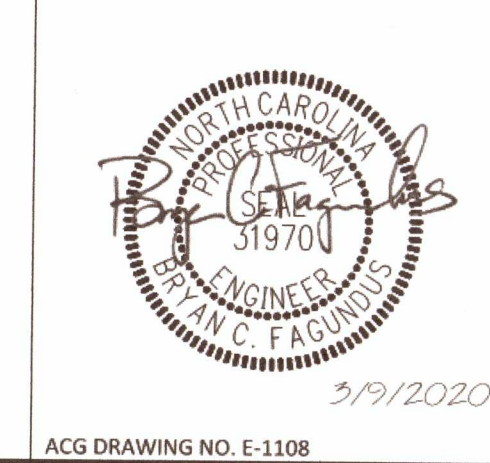


Owner
LEWIS LAND DEVELOPMENT, LLC
2582 BLUE CREEK LN.
GRIMESLAND, NC 27837
PHONE: (252) 355-7757

Developer
YBYA, LLC
1698 E. ARLINGTON BLVD.
GREENVILLE, NC 27858
PHONE: (252) 321-2020

Engineer
ARK CONSULTING GROUP, PLLC
2755-S CHARLES BLVD.
GREENVILLE, NC 27858
CONTACT: BRYAN C. FAGUNDUS, PE
PHONE: (252) 558-0888

Surveyor
GARY S. MILLER & ASSOCIATES, P.A.
1803 S. CHARLES BLVD.
GREENVILLE, NC 27858
PHONE: (252) 756-7878



APPROVAL

THIS PRELIMINARY PLAT, AND THE STREET NAME(S) HEREON WERE APPROVED BY THE GREENVILLE PLANNING AND ZONING COMMISSION AT A MEETING HELD THE DAY OF 2020.

SIGNED _____
CHAIRMAN

SIGNED _____
CITY PLANNER

SHEET 1 OF 3

PARCEL #'S: 05383, 13364 & 13877

PRELIMINARY PLAT - COVER SHEET

RIDGEWOOD FARMS (CLUSTER SUBDIVISION)
City of Greenville, Pitt County, NC

DEVELOPER: YBYA, LLC
ADDRESS: 1698 E. ARLINGTON BLVD. GREENVILLE, NC 27858
PHONE: (252) 321-2020

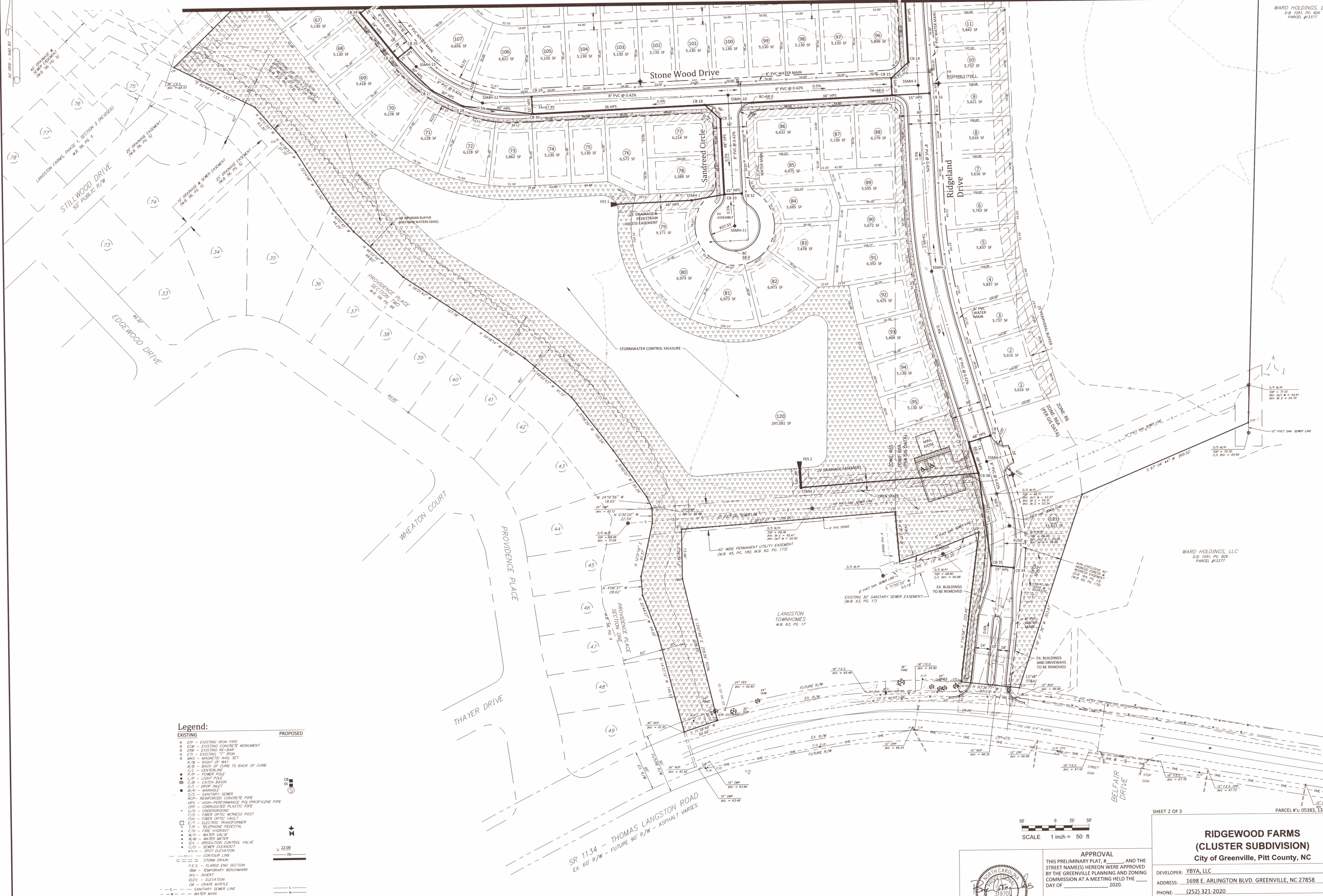
NO. LICENSE: P-1199
SURVEYED: BY OTHERS: APPROVED: BCF

DRAWN: EW DATE: 03-09-2020

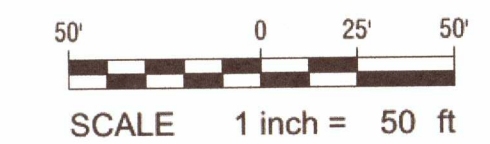
CHECKED: STA SCALE: 1" = 100'

2755-S Charles Blvd
Greenville, NC 27858
(252) 558-0888
www.arkconsultinggroup.com

AGC DRAWING NO. E-1108



- Legend:**
- | | |
|---|---|
| EXISTING | PROPOSED |
| ○ CIP - EXISTING IRON PIPE | ○ CIP - EXISTING IRON PIPE |
| ○ CCM - EXISTING CONCRETE MONUMENT | ○ CCM - EXISTING CONCRETE MONUMENT |
| ○ ERB - EXISTING RE-BAR | ○ ERB - EXISTING RE-BAR |
| ○ ETL - EXISTING T-IRON | ○ ETL - EXISTING T-IRON |
| ○ MNS - MAGNETIC NAIL SET | ○ MNS - MAGNETIC NAIL SET |
| ○ R/W - RIGHT OF WAY | ○ R/W - RIGHT OF WAY |
| ○ B/C - BACK OF CURB TO BACK OF CURB | ○ B/C - BACK OF CURB TO BACK OF CURB |
| ○ C/L - CENTERLINE | ○ C/L - CENTERLINE |
| ○ P/P - POWER POLE | ○ P/P - POWER POLE |
| ○ L/P - LIGHT POLE | ○ L/P - LIGHT POLE |
| ○ C/B - CATCH BASIN | ○ C/B - CATCH BASIN |
| ○ D/I - DRAIN INLET | ○ D/I - DRAIN INLET |
| ○ M/H - MANHOLE | ○ M/H - MANHOLE |
| ○ RCP - REINFORCED CONCRETE PIPE | ○ RCP - REINFORCED CONCRETE PIPE |
| ○ HPS - HIGH-PERFORMANCE POLYPROPYLENE PIPE | ○ HPS - HIGH-PERFORMANCE POLYPROPYLENE PIPE |
| ○ CPV - CORRUGATED PLASTIC PIPE | ○ CPV - CORRUGATED PLASTIC PIPE |
| ○ U/G - UNDERGROUND | ○ U/G - UNDERGROUND |
| ○ F/O - FIBER OPTIC WITNESS POST | ○ F/O - FIBER OPTIC WITNESS POST |
| ○ F/OV - FIBER OPTIC VAULT | ○ F/OV - FIBER OPTIC VAULT |
| ○ E/T - ELECTRIC TRANSFORMER | ○ E/T - ELECTRIC TRANSFORMER |
| ○ T/P - TELEPHONE PEDESTAL | ○ T/P - TELEPHONE PEDESTAL |
| ○ F/H - FIRE HYDRANT | ○ F/H - FIRE HYDRANT |
| ○ W/V - WATER VALVE | ○ W/V - WATER VALVE |
| ○ W/M - WATER METER | ○ W/M - WATER METER |
| ○ ICV - IRRIGATION CONTROL VALVE | ○ ICV - IRRIGATION CONTROL VALVE |
| ○ C/O - SEWER CLEANOUT | ○ C/O - SEWER CLEANOUT |
| ○ S/E - SPOT ELEVATION | ○ S/E - SPOT ELEVATION |
| ○ C/L - CENTERLINE | ○ C/L - CENTERLINE |
| ○ S/O - STORM DRAIN | ○ S/O - STORM DRAIN |
| ○ F.E.S. - FLARED END SECTION | ○ F.E.S. - FLARED END SECTION |
| ○ TBM - TEMPORARY BENCHMARK | ○ TBM - TEMPORARY BENCHMARK |
| ○ INV - INVERT | ○ INV - INVERT |
| ○ ELEV - ELEVATION | ○ ELEV - ELEVATION |
| ○ CM - CURB MARKER | ○ CM - CURB MARKER |
| ○ S - SANITARY SEWER LINE | ○ S - SANITARY SEWER LINE |
| ○ W - WATER MAIN | ○ W - WATER MAIN |
| ○ T - TREE LINE | ○ T - TREE LINE |



APPROVAL
THIS PRELIMINARY PLAT, # _____ AND THE STREET NAME(S) HEREON WERE APPROVED BY THE GREENVILLE PLANNING AND ZONING COMMISSION AT A MEETING HELD THE _____ DAY OF _____ 2020.

SIGNED _____ CHAIRMAN
SIGNED _____ CITY PLANNER

SHEET 2 OF 3

**RIDGEWOOD FARMS
(CLUSTER SUBDIVISION)**
City of Greenville, Pitt County, NC

DEVELOPER: YBYA, LLC
ADDRESS: 1698 E. ARLINGTON BLVD., GREENVILLE, NC 27858
PHONE: (252) 321-2020

NO. LICENSE P-1199 SURVEYED: BY OTHERS APPROVED: BCF
DRAWN: GARY S. MILLER AND ASSOCIATES, P.A. DATE: 03-09-2020
CHECKED: EW SCALE: 1" = 50'

2155 S. Charles Blvd. Greenville, NC 27808
252.536.6888 www.arkgroup.com

BOUNDARY SURVEY FOR MARGA J. ROSS
M.B. 68, PG. 108

MARIA HIGINA GOMEZ
D.B. 3334, PG. 865-867
PARCEL # 18292

MARIA HIGINA GOMEZ
D.B. 3334, PG. 865-867
PARCEL # 78314

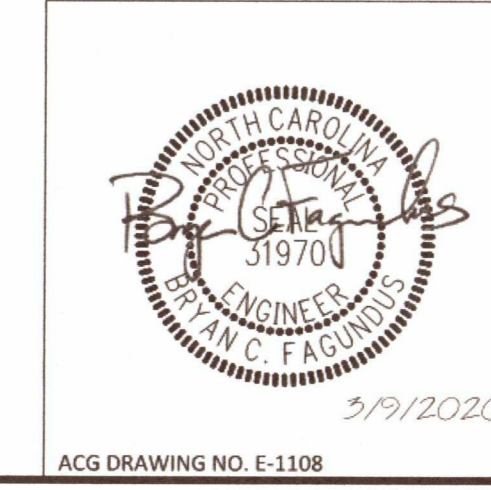
MARIA HIGINA GOMEZ
D.B. 3334, PG. 865-867
PARCEL # 78315

- Legend:**
- | | |
|---|---|
| EXISTING | PROPOSED |
| ○ EIP - EXISTING IRON PIPE | ○ EIP - EXISTING IRON PIPE |
| □ ECM - EXISTING CONCRETE MONUMENT | □ ECM - EXISTING CONCRETE MONUMENT |
| ○ EIB - EXISTING IRON BUSH | ○ EIB - EXISTING IRON BUSH |
| ○ EIT - EXISTING T-IRON | ○ EIT - EXISTING T-IRON |
| ○ MNS - MAGNETIC NAIL SET | ○ MNS - MAGNETIC NAIL SET |
| ○ R/W - RIGHT OF WAY | ○ R/W - RIGHT OF WAY |
| ○ B/B - BACK OF CURB TO BACK OF CURB | ○ B/B - BACK OF CURB TO BACK OF CURB |
| ○ C/L - CENTERLINE | ○ C/L - CENTERLINE |
| ○ P/P - POWER POLE | ○ P/P - POWER POLE |
| ○ L/P - LIGHT POLE | ○ L/P - LIGHT POLE |
| ○ C/B - CATCH BASIN | ○ C/B - CATCH BASIN |
| ○ D/I - DRAIN INLET | ○ D/I - DRAIN INLET |
| ○ M/W - MANHOLE | ○ M/W - MANHOLE |
| ○ S/S - SANITARY SEWER | ○ S/S - SANITARY SEWER |
| ○ RCP - REINFORCED CONCRETE PIPE | ○ RCP - REINFORCED CONCRETE PIPE |
| ○ HPS - HIGH-PERFORMANCE POLYPROPYLENE PIPE | ○ HPS - HIGH-PERFORMANCE POLYPROPYLENE PIPE |
| ○ CPP - CORRUGATED PLASTIC PIPE | ○ CPP - CORRUGATED PLASTIC PIPE |
| ○ U/G - UNDERGROUND | ○ U/G - UNDERGROUND |
| ○ F/O - FIBER OPTIC WITNESS POST | ○ F/O - FIBER OPTIC WITNESS POST |
| ○ F/OV - FIBER OPTIC VAULT | ○ F/OV - FIBER OPTIC VAULT |
| ○ E/T - ELECTRIC TRANSFORMER | ○ E/T - ELECTRIC TRANSFORMER |
| ○ T/P - TELEPHONE pedestal | ○ T/P - TELEPHONE pedestal |
| ○ F/H - FIRE HYDRANT | ○ F/H - FIRE HYDRANT |
| ○ W/P - WATER VALVE | ○ W/P - WATER VALVE |
| ○ W/M - WATER METER | ○ W/M - WATER METER |
| ○ ICV - IRRIGATION CONTROL VALVE | ○ ICV - IRRIGATION CONTROL VALVE |
| ○ C/O - SEWER CLEANOUT | ○ C/O - SEWER CLEANOUT |
| ○ W/E - SPOT ELEVATION | ○ W/E - SPOT ELEVATION |
| ○ CONTOUR LINE | ○ CONTOUR LINE |
| ○ STORM DRAIN | ○ STORM DRAIN |
| ○ F.E.S. - FLARED END SECTION | ○ F.E.S. - FLARED END SECTION |
| ○ TBM - TEMPORARY BENCHMARK | ○ TBM - TEMPORARY BENCHMARK |
| ○ INV - INVERT | ○ INV - INVERT |
| ○ ELEV. - ELEVATION | ○ ELEV. - ELEVATION |
| ○ CM - CHASE MORTISE | ○ CM - CHASE MORTISE |
| ○ S.S. - SANITARY SEWER LINE | ○ S.S. - SANITARY SEWER LINE |
| ○ W. - WATER MAIN | ○ W. - WATER MAIN |
| ○ T. - TREE LINE | ○ T. - TREE LINE |

22.00
70

MATCHLINE - SEE SHEET 2

SCALE 1 inch = 50 ft



APPROVAL
THIS PRELIMINARY PLAT, # _____, AND THE STREET NAME(S) HEREON WERE APPROVED BY THE GREENVILLE PLANNING AND ZONING COMMISSION AT A MEETING HELD THE _____ DAY OF _____ 2020.

SIGNED _____
CHAIRMAN

SIGNED _____
CITY PLANNER

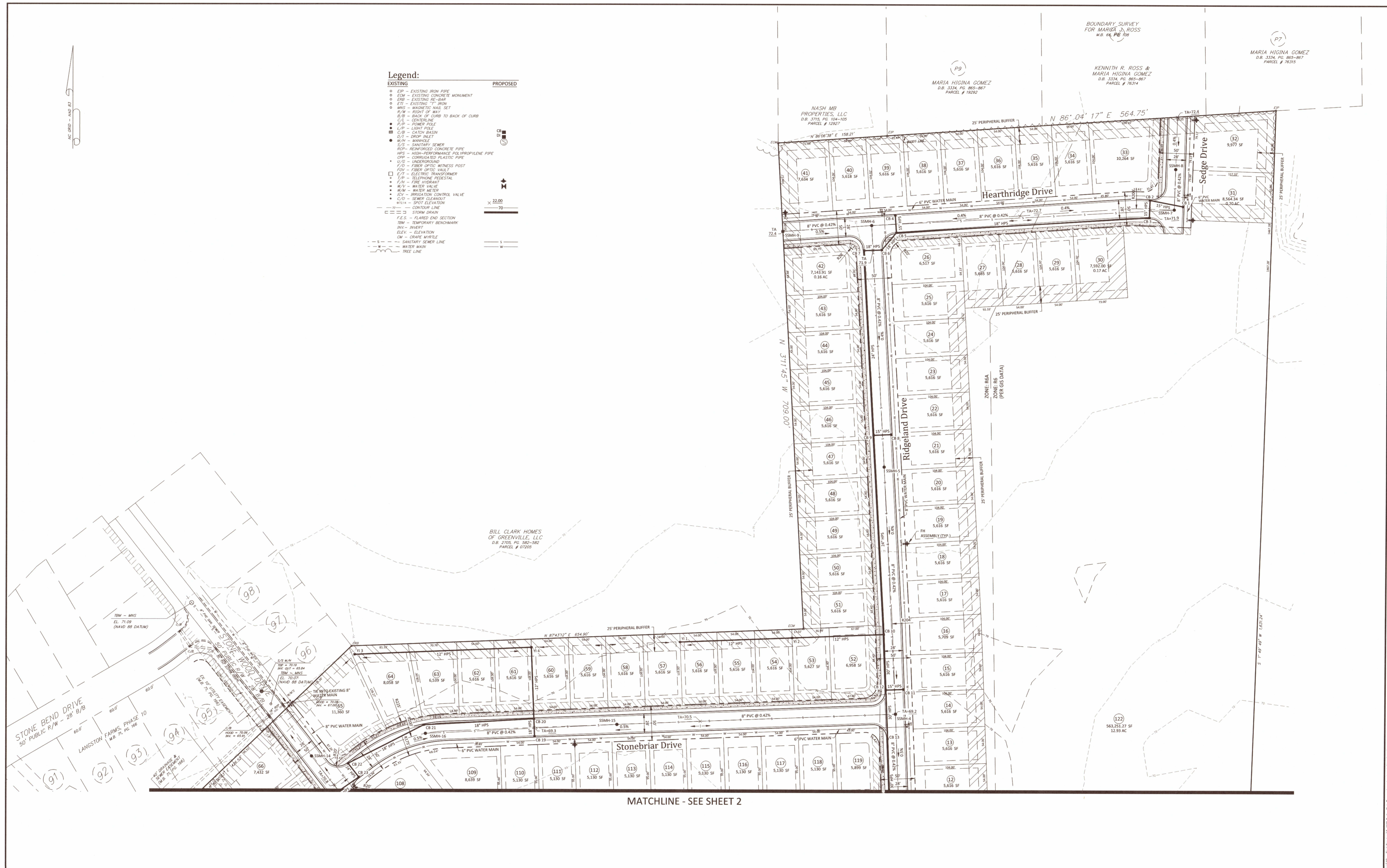
SHEET 3 OF 3
PARCEL #'s: 05383, 13364 & 13877

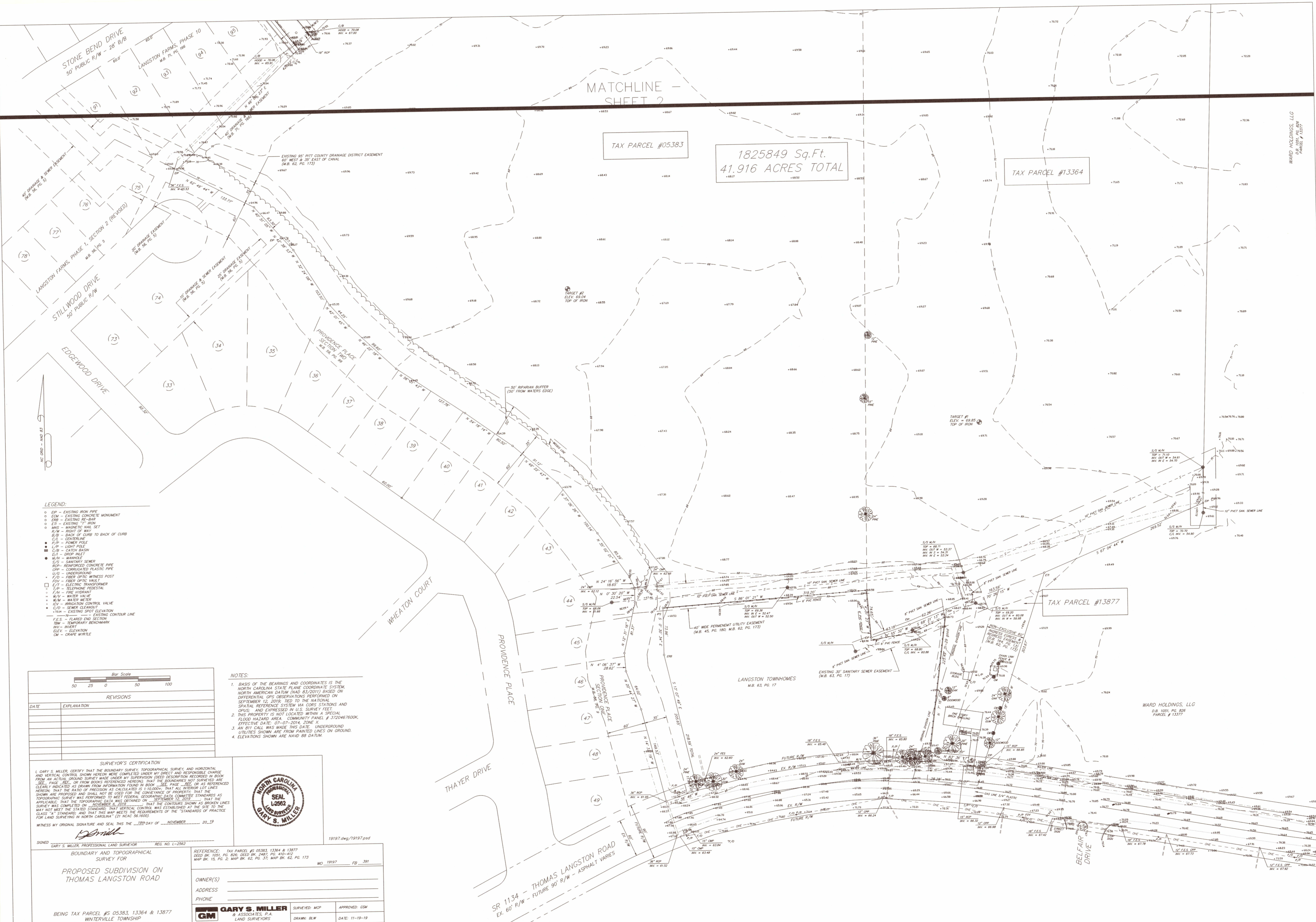
RIDGEWOOD FARMS (CLUSTER SUBDIVISION)
City of Greenville, Pitt County, NC

DEVELOPER: YBYA, LLC
ADDRESS: 1698 E. ARLINGTON BLVD. GREENVILLE, NC 27858
PHONE: (252) 321-2020

NC License P-1199 SURVEYED BY OTHERS APPROVED: BCF
GARY S. MILLER AND ASSOCIATES, P.A.
DRAWN: EW DATE: 03-09-2020
CHECKED: STA SCALE: 1" = 50'

3155-A Charles Blvd. Greenville, NC 27158
(252) 519-0888 www.ybyaconsultinggroup.com





MATCHLINE - SHEET 2

TAX PARCEL #05383

1825849 Sq.Ft.
41.916 ACRES TOTAL

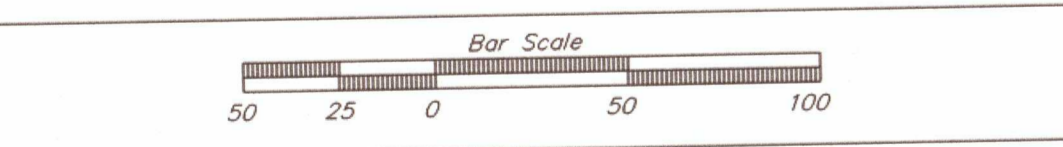
TAX PARCEL #13364

TAX PARCEL #13877

WARD HOLDINGS, LLC
D.B. 1051, PG. 826
PARCEL # 13377

WARD HOLDINGS, LLC
D.B. 1051, PG. 826
PARCEL # 13377

- LEGEND:**
- EIP - EXISTING IRON PIPE
 - ECM - EXISTING CONCRETE MONUMENT
 - EMB - EXISTING RE-BAR
 - ETI - EXISTING "T" IRON
 - MNS - MAGNETIC NAIL SET
 - B/W - BRIGHT OF WAY
 - B/B - BACK OF CURB TO BACK OF CURB
 - C/L - CENTERLINE
 - P/P - POWER POLE
 - L/P - LIGHT POLE
 - C/B - CATCH BASIN
 - D/I - DROP INLET
 - M/H - MANHOLE
 - S/S - SANITARY SEWER
 - RCP - REINFORCED CONCRETE PIPE
 - COP - CORRUGATED PLASTIC PIPE
 - U/O - UNDERGROUND
 - F/O - FIBER OPTIC WITNESS POST
 - F/OV - FIBER OPTIC VAULT
 - E/T - ELECTRIC TRANSFORMER
 - T/P - TELEPHONE PEDESTAL
 - H/H - FIRE HYDRANT
 - W/V - WATER VALVE
 - W/M - WATER METER
 - W/CV - WATERSHED CONTROL VALVE
 - C/O - SEWER CLEANOUT
 - E/L - EXISTING CONTOUR LINE
 - F.E.S. - FLARED END SECTION
 - T.M. - TEMPORARY BENCHMARK
 - INVT - INVERT
 - ELEV. - ELEVATION
 - CM - GRADE MARK



REVISIONS

DATE	EXPLANATION

- NOTES:**
1. BASIS OF THE BEARINGS AND COORDINATES IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM (NAD 83/2011) BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON SEPTEMBER 12, 2019, TIED TO THE NATIONAL SPATIAL REFERENCE SYSTEM VIA CORS STATIONS AND OPUS. AND EXPRESSED IN U.S. SURVEY FEET.
 2. THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA COMMUNITY PANEL # 3720467600K. EFFECTIVE DATES: 07-07-2014, ZONE X.
 3. AN 811 CALL WAS MADE THIS DATE. UNDERGROUND UTILITIES SHOWN ARE FROM PAINTED LINES ON GROUND.
 4. ELEVATIONS SHOWN ARE NAD 83 DATUM.

SURVEYOR'S CERTIFICATION

I, GARY S. MILLER, CERTIFY THAT THE BOUNDARY SURVEY, TOPOGRAPHICAL SURVEY AND HORIZONTAL AND VERTICAL CONTROL SHOWN HEREON WERE COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ SEE PAGE _____, OR FROM BOOKS REFERENCED HEREON), THAT THE BOUNDARIES AND SURVEYS ARE CLEARLY INDICATED AS SHOWN FROM INFORMATION FOUND IN BOOK _____ SEE PAGE _____, OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT ALL INTERIOR LOT LINES SHOWN ARE PROPOSED AND SHALL NOT BE USED FOR THE CONVEYANCE OF PROPERTY; THAT THE TOPOGRAPHIC SURVEY WAS PERFORMED TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS AS APPLICABLE; THAT THE TOPOGRAPHIC DATA WAS OBTAINED ON _____ SEPTEMBER 12, 2019; THAT THE SURVEY WAS COMPLETED ON _____ NOVEMBER 8, 2019; THAT THE CONTIGUOUS SHOWN AS BROWN LINES MAY NOT MEET THE STATE STANDARDS; THAT VERTICAL CONTROL WAS ESTABLISHED AT THE SITE TO THE CLASS "A" STANDARDS; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.1600).

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE _____ DAY OF _____ NOVEMBER _____ 20____ 19

SIGNED: *Gary S. Miller*
 GARY S. MILLER, PROFESSIONAL LAND SURVEYOR REG. NO. L-2562



BOUNDARY AND TOPOGRAPHICAL SURVEY FOR

PROPOSED SUBDIVISION ON THOMAS LANGSTON ROAD

BEING TAX PARCEL #S 05383, 13364 & 13877
 WATERTOWN TOWNSHIP
 PITT COUNTY, NORTH CAROLINA

REFERENCE: TAX PARCEL #S 05383, 13364 & 13877
 DEED BK 1051, PG. 826; DEED BK 2407, PG. 410-412
 MAP BK 15, PG. 2; MAP BK 62, PG. 37; MAP BK 62, PG. 173
 MAP BK 15, PG. 2; MAP BK 62, PG. 37; MAP BK 62, PG. 173

OWNER(S): _____
 ADDRESS: _____
 PHONE: _____

GARY S. MILLER & ASSOCIATES, P.A.
 LAND SURVEYORS
 1803 South Chertie Blvd
 Greenville, N.C. 27608
 License # C-0252

SURVEYED: MOP APPROVED: GSW
 DRAWN: RLW DATE: 11-19-19
 CHECKED: GSW SCALE: 1" = 50'

Bar Scale
0 25 50 100

REVISIONS	
DATE	EXPLANATION

NOTES:

1. BASIS OF THE BEARINGS AND COORDINATES IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM (NAD 83/2011) BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON SEPTEMBER 12, 2019, TIED TO THE NATIONAL SPATIAL REFERENCE SYSTEM VIA CORS STATIONS AND OPUS, AND EXPRESSED IN U.S. SURVEY FEET.
2. THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA - COMMUNITY PANEL # 3720467600K, EFFECTIVE DATE: 07-07-2014, ZONE X.
3. AN 811 CALL WAS MADE THIS DATE. UNDERGROUND UTILITIES SHOWN ARE FROM PAINTED LINES ON GROUND.
4. ELEVATIONS SHOWN ARE NAVD 83 DATUM.

SURVEYOR'S CERTIFICATION

I, GARY S. MILLER, CERTIFY THAT THE BOUNDARY SURVEY, TOPOGRAPHICAL SURVEY, AND HORIZONTAL AND VERTICAL CONTROL SHOWN HEREON WERE COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL ORIGINAL SURVEY MADE UNDER MY SUPERVISION (SEE DESCRIPTION RECORDED IN BOOK SEE PAGE 162, OR FROM BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK - SEE PAGE 162, OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT ALL INTERIOR LOT LINES SHOWN ARE PROPOSED AND SHALL NOT BE USED FOR THE CONVEYANCE OF PARCELS; THAT THE TOPOGRAPHIC SURVEY WAS PERFORMED TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS AS APPLICABLE; THAT THE TOPOGRAPHIC DATA WAS OBTAINED ON SEPTEMBER 12, 2019; THAT THE SURVEY WAS COMPLETED ON NOVEMBER 5, 2019; THAT THE CONTOURS SHOWN AS BROKEN LINES MAY NOT MEET THE STATED STANDARD; THAT VERTICAL CONTROL WAS ESTABLISHED AT THE SITE TO THE CLASS "A" STANDARD AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.1600).

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 19TH DAY OF NOVEMBER, 2019



SIGNED: *G. Miller*
GARY S. MILLER, PROFESSIONAL LAND SURVEYOR REG. NO. 1-2562

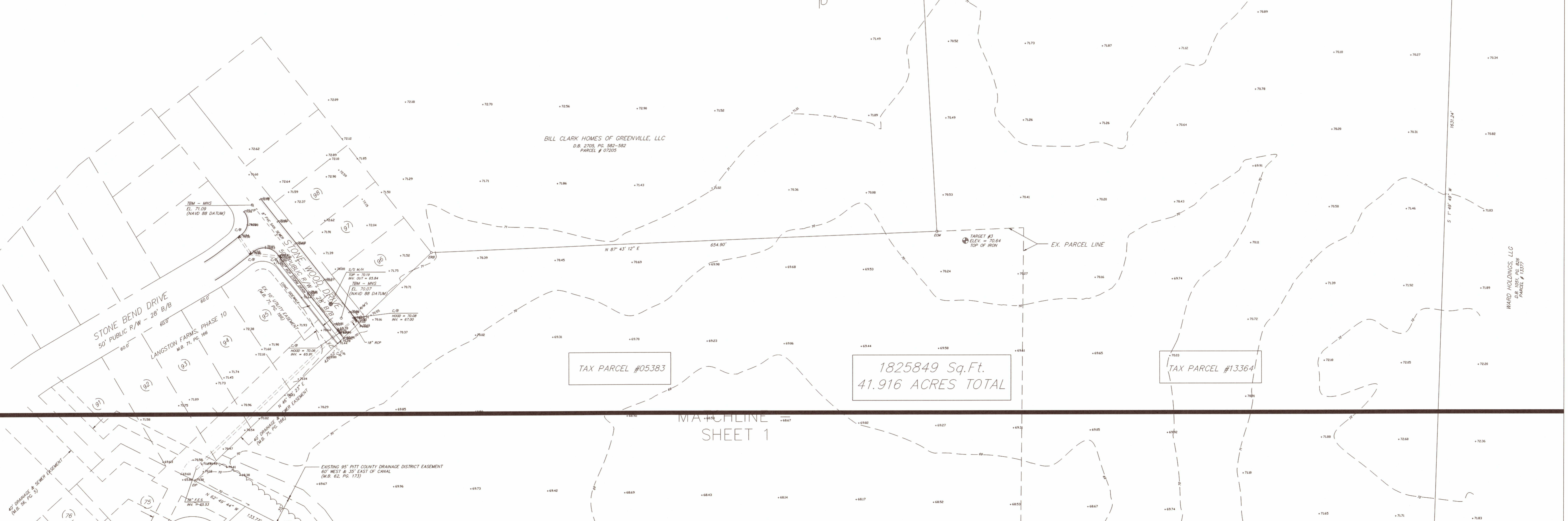
BOUNDARY AND TOPOGRAPHICAL SURVEY FOR
PROPOSED SUBDIVISION ON
THOMAS LANGSTON ROAD
BEING TAX PARCEL #S 05383, 13364 & 13877
WINTERVILLE TOWNSHIP
PITT COUNTY, NORTH CAROLINA

REFERENCE: TAX PARCEL #S 05383, 13364 & 13877
DEED BK: 1051, PG. 626; DEED BK: 2482, PG. 410-412
MAP BK: 15, PG. 2; MAP BK: 62, PG. 37; MAP BK: 62, PG. 173

OWNER(S)
ADDRESS
PHONE

GARY S. MILLER & ASSOCIATES, P.A. LAND SURVEYORS 1803 South Charter Blvd Greenville, NC 27609 Phone (252)796-7859 Fax (252)796-0785 License # C-0225	SURVEYED: GCM APPROVED: GSM DRAWN: BLW DATE: 11-19-19 CHECKED: GSM SCALE: 1" = 50'
---	---

- LEGEND:
- EP - EXISTING IRON PIPE
 - ECM - EXISTING CONCRETE MONUMENT
 - ERB - EXISTING RE-BAR
 - ET - EXISTING TIE IRON
 - M/S - MAGNETIC NAIL SET
 - R/W - RIGHT OF WAY
 - B/B - BACK OF CURB TO BACK OF CURB
 - C/A - CENTERLINE
 - P/P - POWER POLE
 - L/P - LIGHT POLE
 - C/B - CATCH BASIN
 - D/S - DROPPED HOLE
 - M/H - MANHOLE
 - S/S - SANITARY SEWER
 - RC/P - REINFORCED CONCRETE PIPE
 - CP/P - CORRUGATED PLASTIC PIPE
 - U/G - UNDERGROUND
 - F/O - FIBER OPTIC WITNESS POST
 - FOV - FIBER OPTIC VAULT
 - E/T - ELECTRIC TRANSFORMER
 - T/P - TELEPHONE POSTAL
 - F/H - FIRE HYDRANT
 - W/V - WATER VALVE
 - W/M - WATER METER
 - RY - IRROGATION CONTROL VALVE
 - C/D - SEWER CLEAOUT
 - EL - EXISTING SPOT ELEVATION
 - F.E.S. - FLARED END SECTION
 - TM - TEMPORARY BENCHMARK
 - INV - INVERT
 - ELEV - ELEVATION
 - CM - CRANE WHIRL



EXISTING 95' PITT COUNTY DRAINAGE DISTRICT EASEMENT
60' WEST & 35' EAST OF CANAL
(M.B. 62, PG. 173)

M/A CHLINE
SHEET 1

BILL CLARK HOMES OF GREENVILLE, LLC
D.B. 3334, PG. 865-867
PARCEL # 76314

NASH MB PROPERTIES, LLC
D.B. 3715, PG. 104-105
PARCEL # 12927

MARIA HIGINA GOMEZ
D.B. 3334, PG. 865-867
PARCEL # 13292

BOUNDARY SURVEY FOR
MARGA J. ROSS
M.B. 66, PG. 108

KENNETH R. ROSS
&
MARIA HIGINA GOMEZ
D.B. 3334, PG. 865-867
PARCEL # 76314

MARIA HIGINA GOMEZ
D.B. 3334, PG. 865-867
PARCEL # 76315

WARD HOLDINGS, LLC
D.B. 2757, PG. 856
PARCEL # 13377



City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item: Ordinance amending the Flood Damage Prevention Ordinance text to adopt updated Flood Insurance Rate maps and to align with the model ordinance.

Explanation: **Abstract:** This item is an ordinance amending the Flood Damage Prevention Ordinance text adopting updated Flood Insurance Rate Maps, align with NC Floodplain Mapping Program's model ordinance, and changes to maximize credit in the Community Rating System (CRS). There is no fiscal impact for this item.

Explanation:

Background

The National Flood Insurance Program (NFIP) was created by congress in 1968 to reduce the loss of life and property and the rising disaster relief costs caused by flooding. The NFIP is a voluntary program based on a mutual agreement between the federal government and the local community. The City of Greenville became a member of the NFIP on January 15, 1974. Federal Emergency Management Agency (FEMA) published the first Flood Hazard Boundary Map for the City of Greenville on June 14, 1974, and this map was replaced on July 3, 1978, with a detailed Flood Insurance Study (FIS) and accompanying Flood Insurance Rate Maps (FIRM) when the City became a participating member.

After the devastation of Hurricane Floyd in 1999, the State of North Carolina partnered with FEMA as the first Cooperating Technical State. This partnership was established to update the FIS's for all 100 counties in North Carolina. On January 2, 2004, and July 7, 2014, the revised studies for Pitt County, which includes all the communities within the county, was published by FEMA and adopted by the City.

On June 19, 2020, FEMA will publish an updated FIS for certain areas within the City of Greenville jurisdiction. The City of Greenville is required to adopt the revised FIS and its accompanying FIRMs to remain a member in good standing in the NFIP.

City staff, along with staff of the NC Department of Public Safety (NCDPS), reviewed the City's Flood Damage Prevention Ordinance for compliance with the state model ordinance. It was determined the present ordinance requires some changes for clarification and to ensure consistency with the state model ordinance and to maximize credit in the Community Rating System (CRS).

Proposed Text Amendments

- Adoption of the revised FIS and the accompanying FIRMs;
- Various changes to update and align with the state model ordinance such as: updating definitions and local floodplain administrator's duties and responsibilities, detailing floodplain development plan requirements, adding survey datum references, etc.;
- Change the substantial damage/improvements threshold from 50% to 49% of the market value of the structure before the damage/improvement to maximize credit in the Community Rating System (CRS);
- Require Non-Conversion Agreements for enclosures below the Regulatory Flood Protection Elevation greater than four feet in height to maximize credit in the Community Rating System (CRS).

That Title 9, Chapter 6, of the City Code be amended as follows:
Remove all the strikethrough text and add the BOLD text as attached.

Staff Comments

Mr. Milton Carpenter, CFM, NFIP Planner, with the NC Department of Public Safety, assisted City staff with the proposed text amendments and ordinance review and concurs with the modifications.

Fiscal Note: No fiscal impact is anticipated with this action.

Recommendation: Staff recommends approval of the proposed text amendments.

ATTACHMENTS:

2020_Flood_Ordinance_Edits_1126400

CHAPTER 6: FLOOD DAMAGE PREVENTION

Section

9-6-1	Statutory authorization, findings of fact, purpose and objectives
9-6-2	Definitions
9-6-3	General provisions
9-6-4	Administration
9-6-5	Provisions for flood hazard reduction
9-6-6	Legal statutes and provisions

Cross-reference:

Emergency and rescue, see §§ 5-3-1 et seq.

Public Safety, generally, see Title 5

Public Utilities, see Title 8

Subdivisions within floodprone or flood hazard areas, see § 9-5-94

Editor's note:

Ch. 6 was rewritten by Ord. No. 03-123, enacted Dec. 15, 2003, with an effective date of Jan. 2, 2004. Former Ch. 6, §§ 9-6-1—9-6-6 was replaced by § 1 of Ord. No. 98-8, enacted Jan. 8, 1998. Ch. 6, §§ 9-6-1—9-6-14 and 9-6-16—9-6-19, was repealed by § 1 of Ord. No. 1705, enacted April 9, 1987, and § 1 of Ord. No. 1705 also enacted, in lieu thereof, a new Ch. 6 as previously set forth in §§ 9-6-1—9-6-6. The repealed provisions pertained to flood hazard areas and derived from Ord. No. 786, adopted June 8, 1978.

SEC. 9-6-1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.

(A) *Statutory authorization.* The legislature of the State of North Carolina has, in Part 6, Article 21 of G.S. Chapter 143; ~~Parts 3, 5 and 8 of Article 19 of G.S. Chapter 160A~~ **Article 7, 9, and 11 of Chapter 160D**; and Article 8 of G.S. Chapter 160A, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry.

(B) *Findings of fact.*

- (1) The flood hazard areas within the jurisdiction of the City of Greenville are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood prone areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

(C) *Statement of purpose.* It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;

- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging and all other development which may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

(D) *Objectives.* The objectives of this chapter are:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business losses and interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, cable and sewer lines, streets and bridges located in flood prone areas;
- (6) Minimize damage to private and public property due to flooding;**
- (7) Make flood insurance available to the community through the National Flood Insurance Program;**
- (8) Maintain the natural and beneficial functions of floodplains;**
- (9) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and

(10) To ensure that potential homebuyers are notified that property is in a special flood hazard area.

(Ord. No. 03-123, passed 12-15-2003)

SEC. 9-6-2 DEFINITIONS.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meanings they have in common usage and to give this chapter its most reasonable application.

Accessory structure. A structure, which is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban “accessory structures.” Pole barns, hay sheds and the like qualify as “accessory structures” on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

Addition (to an existing building). An extension or increase in the floor area or height of a building or structure.

Alteration of a watercourse. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal. A request for a review of the Local Floodplain Administrator’s interpretation of any provision of this chapter.

Area of shallow flooding. A designated AO or ~~AO~~ AH Zone on a community’s Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard. See definition of special flood hazard area (SFHA).

Base flood. The flood having a 1% chance of being equaled or exceeded in any given year.

Base flood elevation (BFE). A determination as published in the Flood Insurance Study of the water surface elevations of the base flood.

Basement. Any area of the building having its floor subgrade (below ground level) on all sides.

Building. See definition of structure.

Chemical storage facility. A building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

Design flood. See “Regulatory Flood Protection Elevation.”

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations or storage of equipment or materials.

Development activity. Any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

Digital Flood Insurance Rate Map (DFIRM). The digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

Disposal. Defined as in G.S. 130A-290(a)(6).

Elevated building. A non-basement building, which has its reference level raised above the ground by means of pilings, columns (posts and piers), or shear walls parallel to the flow of water.

Encroachment. The advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing building and existing structure. Any building and/or structure for which the “start of construction” commenced before June 8, 1978.

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before June 8, 1978.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood boundary and floodway map (FBFM). An official map of a community, issued by the Federal Emergency Management Agency, on which the Special flood hazard areas and the floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

Floodplain development permit. Any type of permit including grading, building, or any other development permit that is required in conformance with the provisions of this chapter prior to the commencement of any development activity.

Flood hazard boundary map (FHBM). An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the special flood hazard have been defined as Zone A.

Flood insurance rate map (FIRM). An official map of a community, issued by the Federal Emergency Management Agency on which both the special flood hazard areas and the risk premium zones applicable to the community are delineated.

Flood insurance study (FIS). An examination, evaluation, and determination of flood hazard areas, corresponding water surface elevations (if appropriate), flood insurance risk zones, and other flood data in a community issued by FEMA. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

Floodplain or flood prone area. Any land area susceptible to being inundated by water from any source.

Floodplain administrator. The individual appointed to administer and enforce the floodplain management regulations.

Floodplain management. The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations and open space plans.

*Floodplain **management** regulations.* This chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood prone areas. This term describes federal, state or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

Flood prone area. See definition of floodplain.

Floodproofing. Any combination of structural and nonstructural additions, changes or adjustments to structures, which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities, or structures with their contents.

***Flood-resistant material.* Any building product [material, component or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.**

***Floodway.* The channel of a river or other watercourse ~~and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.~~ including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.**

***Floodway encroachment analysis.* An engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and models.**

Flood zone. A geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

Floor. See definition of lowest floor.

Freeboard. The additional amount of height added to the base flood elevation (BFE) to account for uncertainties in the determination of flood elevations. See also definition of regulatory flood protection elevation.

Functionally dependent facility. A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or

passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales or service facilities.

Hazardous waste management facility. A facility for the collection, storage, processing, treatment, recycling, recovery or disposal of hazardous waste as defined in G.S. Chapter 130A, Article 9.

Highest adjacent grade (HAG). The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic structure. Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the United States Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of Interior, or directly by the Secretary of Interior in states without approved programs.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- (1) **Letter of Map Amendment (LOMA)** An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area;
- (2) **Letter of Map Revision (LOMR):** A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features;
- (3) **Letter of Map Revision Based on Fill (LOMR-F):** A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations;
- (4) **Conditional Letter of Map Revision (CLOMR):** A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light Duty Truck. Any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:

- (1) **Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or**
- (2) **Designed primarily for transportation of persons and has a capacity of more than 12 persons; or**
- (3) **Available with special features enabling off-street or off-highway operation and use.**

Lowest adjacent grade (LAG). The **lowest** elevation of the ground, sidewalk, patio slab ~~or deck support~~ immediately next to the building, **or deck support**, after completion of the building. ~~For Zones A and AO use the natural grade elevation prior to construction.~~

Lowest floor. Subfloor, top of slab or grade of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's "lowest floor," provided that such an enclosure is not built so as to render the structure in

violation of the applicable non-elevation design requirements of this chapter.

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a recreational vehicle.

Manufactured home park (MHP) or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. The building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. “Market value” can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value) or adjusted assessed values.

~~*Mean sea level.* For purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) as corrected in 1929, the North American Vertical Datum (NAVD) as corrected in 1988 or other vertical control datum used as a reference for establishing varying elevations within the floodplain, to which base flood elevations (BFEs) shown on a FIRM are referenced. Refer to each FIRM panel to determine datum used.~~

New construction. Structures for which the start of construction commenced on or after the effective date of the original version of this chapter and includes any subsequent improvements to such structures.

Nonconforming building or use. Any legally existing building or use which fails to comply with the current provisions of this chapter.

***Non-Conversion Agreement.* A document stating that the owner will not convert or alter what has been constructed and approved. Violation of the agreement is considered a violation of the ordinance and, therefore, subject to the same enforcement procedures and penalties. The agreement must be filed with the recorded deed for the property. The agreement must show the clerk’s or recorder’s stamps and/or notations that the filing has been completed.**

Non-encroachment area. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot as designated in the Flood Insurance Study report.

Obstruction. Includes but is not limited to any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

Post-firm. Construction or other development, which started on or after January 1, 1975, or on or after the effective date of the initial Flood Insurance Rate Map for the area, whichever is later.

Pre-firm. Construction or other development, which started before January 1, 1975 or before the effective date of the initial Flood Insurance Rate Map for the area, whichever is later.

***Principally Above Ground.* At least 51% of the actual cash value of the structure is above ground.**

Public safety and/or nuisance. Anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal or basin.

Recreational vehicle (RV). A vehicle, which is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and

- (4) Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel or seasonal use.

(5) Is fully licensed and ready for highway use.

Reference level. The portion of a structure or other development that must be compared to the regulatory flood protection elevation to determine regulatory compliance of the building. Within special flood hazard areas designated as Zones A1-A30, AE, A, A99, AO or AH, the reference level is the top of the lowest floor or lowest attendant utility (including ductwork), whichever is lower.

Regulatory flood protection elevation. The elevation to which all structures and other development located within the special flood hazard areas must be elevated or floodproofed, if nonresidential.

- (1) In “Special Flood Hazard Areas” where base flood elevations (BFEs) have been determined, this elevation shall be at least the BFE plus two (2) feet for all structures and other development except manufactured homes.
- (2) For manufactured homes, this elevation shall be at least the BFE plus two (2) feet, provided that no portion of the manufactured home below the lowest floor is lower than the base flood elevation. Allowable elements below the lowest floor are limited to electrical, mechanical, and duct work, which are considered a standard part of the manufactured home. Cross over ducts for double and triple wide manufactured homes are specifically exempted from the freeboard requirement provided the bottom of all such cross over ducts are above the base flood elevation. All electrical, mechanical, and duct work which are not a part of the manufactured home shall be no lower than two (2) feet above the base flood elevation.
- (3) In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade.

Remedy a violation. To bring the structure or other development into compliance with state or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impact may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this chapter or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

Repetitive loss structure. ~~Flood related damages sustained by a structure on two separate occasions during any ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred. Any insurable building for which two or more claims of more than \$1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling ten-year period, since 1978. A RL property may or may not be currently insured by the NFIP.~~

Retrofitting. Measures, such as floodproofing, elevation, construction of small levees, and other modifications, taken on an existing building or its yard to protect it from flood damage.

Riverine. Relating to, formed by, or resembling a river (including tributaries), stream, brook and the like.

Salvage yard. Property used for the storage, collection and/or recycling of any type of equipment whatsoever, whether industrial or noncommercial, and including but not limited to vehicles, appliances and related machinery.

Special flood hazard area (SFHA). The land in the floodplain subject to a 1% or greater chance of being flooded in any given year as determined in section 9-6-3(B) of this chapter.

Solid waste disposal facility. Any facility involved in the disposal of solid waste, as defined in G.S. 130A-290(a)(35).

Solid waste disposal site. Defined as in G.S. 130A-290(a)(36).

Start of construction. Includes substantial improvements, and the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure

(including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

Structure. For floodplain management purposes, a walled and roofed building, a manufactured home, or a gas or liquid storage tank, or that is principally above ground.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure during any one-year period to its before damaged condition would equal or exceed ~~50~~49% of the market value of the structure before the damage occurred. See definition of substantial improvement. “Substantial damage” also means flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Substantial improvement. Any combination of repairs, reconstruction, rehabilitation, addition or other improvement of a structure, taking place during any one-year period whereby the cost of which equals or exceeds ~~50~~49% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project of improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as a historic structure.

***Technical Bulletin and Technical Fact Sheet.* A FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations. It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.**

***Temperature Controlled.* Having the temperature regulated by a heating and/or cooling system, built-in or appliance.**

Variance. A grant of relief from the requirement of this chapter that permits construction in a manner otherwise prohibited by this chapter where specific enforcement would result in unnecessary hardship.

Violation. The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in sections 9-6-4 and 9-6-5 is presumed to be in violation until such time as the documentation is provided.

Watercourse. A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. “Watercourse” includes specifically designated areas in which substantial flood damage may occur.

Water surface elevation (WSE). The height, in relation to ~~mean sea level-NAVD 1988~~, of floods of various magnitudes

and frequencies in the floodplains of coastal or riverine areas.
(Ord. No. 03-123, passed 12-15-2003; Ord. No. 14-031, passed 5-8-2014)

SEC. 9-6-3 GENERAL PROVISIONS.

- (A) *Lands to which this chapter applies.* This chapter shall apply to all special flood hazard areas within the jurisdiction, including extraterritorial jurisdictions (ETJ) if applicable, of the City of Greenville.
- (B) *Basis for establishing the special flood hazard areas.*

- (1) The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Pitt County, dated ~~July 7, 2014~~ **June 19, 2020**, and its accompanying Flood Insurance Rate Map (FIRM), including any digital data developed as part of the FIS, **and all revisions thereto after January 1, 2021**, which are adopted by reference and declared to be a part of this ordinance. Future revisions to the FIS or FIRM panels that do not change flood hazard data within the jurisdictional authority of the City of Greenville are also adopted by reference and declared to be part of this ordinance. Subsequent ~~revisions to the FIRM~~ **Letter of Map Revisions (LOMRs) and/or Physical Map Revisions (PMRs) shall** be adopted within ~~6~~ **3** months.

- (2) The initial Flood Insurance Rate Map for the City of Greenville is dated July 3, 1978.

(C) *Establishment of development permit.* A floodplain development permit shall be required in conformance with the provisions of this chapter prior to the commencement of any development activities within the special flood hazard area to which this chapter applies.

(D) *Compliance.* No structure or land shall hereafter be located, extended, converted, altered or developed in any way without full compliance with the terms of this chapter and other applicable regulations.

(E) *Abrogation and greater restrictions.* This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(F) *Interpretation.* In the interpretation and application of this chapter all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(G) *Warning and disclaimer of liability.* The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Actual flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city or by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

(H) *Penalties for violation.* Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a **Class 1** misdemeanor **pursuant to NC G.S. § 143-215.58**. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than ~~\$50100~~ or imprisoned for not more than 30 days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. No. 03-123, passed 12-15-2003; Ord. No. 13-015, § 1, passed 4-11-2013; Ord. No. 14-031, passed 5-8-2014)

SEC. 9-6-4 ADMINISTRATION.

(A) *Designation of Local Floodplain Administrator.* The City Engineer or a designee is hereby appointed to administer and implement the provisions of this chapter. For the purposes of this chapter, the City Engineer or designee shall hereafter be referred to as “Local Floodplain Administrator.”

(B) *Floodplain development permit and certification requirements; plans and application requirements.* Application for a floodplain development permit shall be made to the Local Floodplain Administrator on forms furnished by him or her prior to any development activities within flood prone areas. The following items/information shall be presented to the Local Floodplain Administrator to apply for a floodplain development permit:

- ~~(1) A plot that shows the 100-year floodplain contour or a statement that the entire lot is within the floodplain must be provided by the floodplain development permit applicant when the lot is or appears to be within the floodplain as mapped by the Federal Emergency Management Agency or the floodplain identified pursuant to either section 9-6-4(E)(11), section 9-6-5(D) and section 9-6-5(E). The plot plan must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same;~~
- ~~(2) The plot plan required by subsection (B)(1) above must show the floodway or non-encroachment area(s), if any, as identified by the Federal Emergency Management Agency or the floodway/non-encroachment area identified pursuant to either section 9-6-4(E)(11) or section 9-6-5(E);~~
- (1) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:**
 - (a) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;**
 - (b) The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Section 9.6.3 (B), or a statement that the entire lot is within the Special Flood Hazard Area;**
 - (c) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Section 9.6.3 (B);**
 - (d) The boundary of the floodway(s) or non-encroachment area(s) as determined in Section 9.6.3 (B);**
 - (e) The Base Flood Elevation (BFE) where provided as set forth in Section 9.6.3 (B); Section 9.6.4 (E); or Section 9.6.5 (D);**
 - (f) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and**
 - (g) The certification of the plot plan by a registered land surveyor or professional engineer**
- (2) Where base flood elevation data is provided in accordance with section 9-6-3(B) or section 9-6-4(E)(11), the application for a floodplain development permit within the Zone A on the Flood Insurance Rate Map shall show:
 - (a) The elevation (in relation to ~~mean sea level-NAVD 1988~~) of the lowest floor (including basement) of all new and substantially improved structures;
 - (b) If the structure has been floodproofed in accordance with section 9-6-5(B)(2), the elevation (in relation to ~~mean sea level-NAVD 1988~~) to which the structure was floodproofed; and
 - (c) Elevation in relation to ~~mean sea level-NAVD 1988~~ to which any proposed utility systems will be elevated or floodproofed.

- (3) Where the base flood elevation data is not provided, the application for a development permit must show construction of the lowest floor at least two feet above the highest adjacent grade;
- (4) Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation;
- (5) When a structure is floodproofed, the applicant shall provide a floodproofing certificate and back-up plans from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in section 9-6-5(B)(2);
- (6) An elevation certificate (FEMA Form 81-31) or floodproofing certificate (FEMA Form 81-65) is required after the reference level is completed. Within 21 calendar days of establishment of the reference level elevation, or floodproofing, by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the Local Floodplain Administrator a certification of the elevation of the reference level, or floodproofed elevation, whichever is applicable in relation to ~~mean sea level-NAVD 1988~~. The certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When floodproofing is utilized, the certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the 21-day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Local Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the certification or failure to make the corrections required shall be cause to issue a stop-work order for the project;
- (7) A final as-built elevation certificate (FEMA Form 81-31) or floodproofing certificate (FEMA Form 81-65) is required after construction is completed and prior to certificate of compliance/occupancy issuance. It shall be the duty of the permit holder to submit to the Local Floodplain Administrator a certification of final as-built construction of the elevation or floodproofed elevation of the reference level and all attendant utilities. The certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When floodproofing is utilized, the certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Local Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to certificate of compliance/occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make the corrections required shall be cause to withhold the issuance of a certificate of compliance/occupancy;
- (8) If a manufactured home is placed within an A, AO, AE or A1-30 Zone and the elevation of the chassis is above 36 inches in height, an engineered foundation certification is required per section 9-6-3(B);
- (9) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit;
- (10) A foundation plan drawn to scale which shall include details of the proposed foundation system to ensure all provisions of this chapter are met. These details include but are not limited to:
 - (a) Proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/piers);
 - (b) Should solid foundation perimeter walls be used in floodplains, details of sufficient openings to facilitate the unimpeded movements of floodwaters in accordance with section 9-6-5(B)(5).
- (11) Usage details of any enclosed space below the regulatory flood protection elevation;

- (12) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical and water systems to be located and constructed to minimize flood damage;
- (13) Copy of all other local, state and federal permits required prior to floodplain development permit issuance (i.e., wetlands, erosion and sedimentation control, riparian buffers, mining and the like); and
- (14) If floodplain development permit is issued for placement of recreational vehicles and/or temporary structures, documentation to ensure section 9-6-5(B)(4) and (B)(6) of this Code are met.

(C) *Certification exemptions.* The following structures, if located within A, AO, AE or A1-30 Zones, are exempt from the elevation/floodproofing certification requirements specified in subsections (A) and (B) above:

- (1) Recreational vehicles meeting requirements of section 9-6-5(B)(4);
- (2) Temporary structures meeting requirements of section 9-6-5(B)(6); and
- (3) Accessory structures less than 150 square feet meeting requirements of section 9-6-5(B)(7).

(D) *Determinations for existing buildings and structures.* For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;**
- (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;**
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and**
- (4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the NC Building Code and this ordinance is required.**

(E) *Floodplain development permit data requirements.* The following information shall be provided at a minimum on the floodplain development permit to ensure compliance with this Code:

- (1) A **complete** description of the development to be permitted under the floodplain development permit (**e.g. house, garage, pool, septic, bulkhead, cabana, pier, bridge, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.**) **issuance**;
- (2) The special flood hazard area determination for the proposed development per available data specified in section 9-6-3(B);
- (3) The regulatory flood protection elevation required for the reference level and all attendant utilities;
- (4) The regulatory flood protection elevation required for the protection of all public utilities;
- (5) All certification submittal requirements with timelines;
- (6) State that no fill material shall encroach into the floodway or non-encroachment area of any watercourse, if applicable **unless the requirements of Section 9-6-5 (C) have been met**;

- (7) If in an A, AO, AE or A1-30 Zone, specify the minimum foundation opening requirements; ~~and~~
- (8) State limitations of below BFE enclosure uses (if applicable) (i.e., parking, building access and limited storage only); **and**
- (9) A statement, that all materials below BFE/RFPE must be flood resistant materials.**

(F) *Duties and responsibilities of the Local Floodplain Administrator.* Duties of the Local Floodplain Administrator shall include but not be limited to:

- (1) Review all floodplain development applications and issue permits for all proposed development within flood prone areas to assure that the permit requirements of this chapter have been satisfied;
- (2) Advise permittee that additional federal or state permits (i.e., wetlands, erosion and sedimentation control, riparian buffers, mining, and the like) may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the floodplain development permit;
- (3) Notify adjacent communities and the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;
- (4) Assure that maintenance is provided within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished;
- (5) Prevent encroachments within floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of section 9-6-5 are met;
- (6) Obtain actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and all attendant utilities in accordance with subsection (B)(7) or (8) of this section;
- (7) Obtain the actual elevation (in relation to mean sea level) to which the new or substantially improved structures and all utilities have been floodproofed, in accordance with subsection (B)(7) or (8) of this section;
- (8) Obtain actual elevation (in relation to mean sea level) of all public utilities, in accordance with subsection (B) above;
- (9) When floodproofing is utilized for a particular structure, the Local Floodplain Administrator shall obtain certification from a registered professional engineer or architect, in accordance with this section and section 9-6-5(B)(2);
- (10) Where interpretation is needed as to the exact location of boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Local Floodplain Administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this chapter;
- (11) When base flood elevation data has not been provided in accordance with section 9-6-3(B), then the Local Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation along with floodway data and/or non-encroachment area data available from a federal, state or other source, including data developed pursuant to section 9-6-5(E)(4) in order to administer the provisions of section 9-6-5;
- (12) When base flood elevation (BFE) data is provided but no floodway nor non-encroachment area data has been provided in accordance with section 9-6-3(B), obtain, review and reasonably utilize any floodway data, and/or non-encroachment area data available from a federal, state or other source in order to administer the provisions of this chapter;
- (13) When the exact location of boundaries of the special flood hazard areas conflict with the current, natural

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topography information at the site, the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. A copy of the Letter of Map Amendment issued from FEMA will be maintained by the Local Floodplain Administrator in the permit file;

- (14) Make on-site inspections of projects in accordance with subsection (F) below. As the work pursuant to a floodplain development permit progresses, the Local Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Local Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action;
 - (15) Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with subsection (F) below. Whenever a building or part thereof is being constructed, reconstructed, altered or repaired in violation of this chapter, the Local Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor;
 - (16) All records pertaining to the provisions of this chapter shall be permanently maintained in the office of the Local Floodplain Administrator and shall be open for public inspection;
 - (17) Annexation: provide the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program with two copies of the maps delineating new corporate limits within six months from date of annexation or change in corporate boundaries;
 - (18) Revocation of floodplain development permits as required. The Local Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable state or local law may also be revoked;
 - (19) Make periodic inspections throughout all special flood hazard areas within the jurisdiction of the community. The Local Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action; and
 - (20) Follow through with corrective procedures of subsection (F) below.
 - (21) Review, provide input, and make recommendations for variance requests.**
 - (22) Maintain a current map repository to include, but not limited to, historical and effective FIS Report, historical and effective FIRM and other official flood maps and studies adopted in accordance with the provisions of Section 9.6.3 (B) of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify State and FEMA of mapping needs.**
 - (23) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).**
- (G) *Administrative corrective procedures.*
- (1) *Violations to be corrected.* When the Local Floodplain Administrator finds violations of applicable state and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law in the property he or she owns.
 - (2) *Actions in event of failure to take corrective action.* If the owner of a building or property shall fail to take prompt corrective action, the Local Floodplain Administrator shall give the owner written notice, by certified or registered mail to his or her last known address or by personal service, stating that:

- (a) The building or property is in violation of the Flood Damage Prevention Ordinance;
 - (b) A hearing will be held before the Local Floodplain Administrator at a designated place and time, not later than ten days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - (c) Following the hearing, the Local Floodplain Administrator may issue an order to alter, vacate or demolish the building; or to remove fill as appears appropriate.
- (3) *Order to take corrective action.* If, upon a hearing held pursuant to the notice prescribed above, the Local Floodplain Administrator finds that the building or development is in violation of the Flood Damage Prevention Ordinance, he or she shall make an order in writing to the owner, requiring the owner to remedy the violation within 60 days. The Local Floodplain Administrator may prescribe a period shorter than 60 days; provided that the Local Floodplain Administrator finds that there is imminent danger to life or other property.
- (4) *Appeal.* Any owner who has received an order to take corrective action may appeal from the order to the Board of Adjustment by giving notice of appeal in writing to the Local Floodplain Administrator and the City Clerk within ten days following issuance of the final order. In the absence of an appeal, the order of the Local Floodplain Administrator shall be final. The Board of Adjustment shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (5) *Failure to comply with order.* If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the Board of Adjustment following an appeal, he or she shall be guilty of a **Class 1** misdemeanor **pursuant to NC G.S. §143-215.58** and shall be punished in the discretion of the court.

(H) *Variances.*

- (1) The Board of Adjustment as established by the city shall hear and decide requests for variances from the requirements of this chapter.
- (2) Any person aggrieved by the decision of the Board of Adjustment or any taxpayer may appeal the decision to the Superior Court as provided in G.S. Chapter 7A of the North Carolina General Statutes.
- (3) Variance may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (4) In passing upon such applications for variances, the Board of Adjustment shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this chapter and:
 - (a) The danger that materials may be swept onto other lands to the injury of others;
 - (b) The danger to life and property due to flooding or erosion damage;
 - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) The importance of the services provided by the proposed facility to the community;
 - (e) The necessity to the facility of a waterfront location, where applicable;
 - (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) The compatibility of the proposed use with existing and anticipated development;
 - (h) The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area;

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- (i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (j) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- (5) The findings listed above shall be submitted to the Board of Adjustment, in writing, and included in the application for a variance.
- (6) Upon consideration of the factors listed above, and the purposes of this chapter, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
- (7) Variances shall not be issued within any designated floodway or non-encroachment area if any increase in flood levels during the base flood discharge would result.
- (8) Conditions for variances:
- (a) Variances may not be issued when the variance will make the structure in violation of other federal, state or local laws, regulations or ordinances.
 - (b) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (c) Variances shall only be issued upon:
 - 1. A showing of good and sufficient cause;
 - 2. A determination that failure to grant the variance would result in exceptional hardship; and
 - 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or chapters.
 - (d) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced reference level elevation. Such notification shall be maintained with a record of all variance actions.
 - (e) The Local Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.
- (9) A variance may be issued for solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in special flood hazard areas, provided that all of the following conditions are met. A floodplain development permit may be issued for such development only if a variance is granted:
- (a) The use serves a critical need in the community;
 - (b) No feasible location exists for the use outside the special flood hazard area;
 - (c) The reference level of any structure is elevated or floodproofed to at least the regulatory flood protection level;
 - (d) The use complies with all other applicable federal, state and local law; and
 - (e) The City of Greenville has notified the Secretary of the North Carolina Department of Crime Control

and Public Safety of its intention to grant a variance at least 30 days prior to granting the variance.
(Ord. No. 03-123, passed 12-15-2003)

SEC. 9-6-5 PROVISIONS FOR FLOOD HAZARD REDUCTION.

(A) *General standards.* In all special flood hazard areas the following provisions are required:

- (1) All new construction and substantial improvement shall be anchored to prevent flotation, collapse or lateral movement of the structure;
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (4) **All new electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be elevated to the regulatory flood protection elevation and/or designed so as to prevent water from entering or accumulating within the components during conditions of flooding. These include but are not limited to HVAC equipment, water softener units, bath/kitchen fixtures, duct work, electric meter panels/boxes, utility/cable boxes, appliances (i.e., washers, dryers, refrigerator and the like), hot water heaters, electric outlets/switches;**
 - (a) Replacements part of a substantial improvement, electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall also meet the above provisions.**
 - (b) Replacements that are for maintenance and not part of a substantial improvement, may be installed at the original location provided the addition and/or improvements only comply with the standards for new construction consistent with the code and requirements for the original structure.**
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- ~~(8) Any alteration, repair, reconstruction or improvement to a structure which is in compliance with the provisions of this chapter shall meet the requirements of new construction as contained in this chapter;~~
- (8) Nonconforming structures or other development may not be enlarged, replaced or rebuilt unless the enlargement or reconstruction is accomplished in conformance with the provisions of this chapter. Provided, however, nothing in this chapter shall prevent the repair, reconstruction or replacement of a building or structure existing on the effective date of this chapter and located totally or partially within the floodway, non-encroachment area, or stream setback provided that the bulk of the building or structure below regulatory flood protection elevation in the floodway, non-encroachment area, or stream setback is not increased and provided that such repair, reconstruction or replacement meets all of the other requirements of this chapter; and
- (9) New solid waste disposal facilities, hazardous waste management facilities, salvage yards and chemical storage facilities shall not be permitted in special flood hazard areas. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a special flood hazard area only if the structure or tank is either elevated or floodproofed to at least the regulatory flood protection elevation and certified according to section 9-6-4(B) of this chapter.

(B) *Specific standards.* In all special flood hazard areas where base flood elevation data have been provided as set forth in section 9-6-3(B) or section 9-6-4(E)(11) and (12), the following provisions are required:

- (1) *Residential construction.* New construction or substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation.

(Ord. No. 00-19, § 4, passed 2-10-2000)

- (2) *Nonresidential construction.* New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation. ~~Such structures~~ **Structures located in Zones A, AE, AH, AO, A99** may be floodproofed to the regulatory flood protection elevation in lieu of being elevated, provided that all areas of the structure, **together with attendant utility and sanitary facilities**, below the required flood protection elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. **For AO Zones, the floodproofing elevation shall be in accordance with Section 9.6.5 (G) (2).** A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in section 9-6-4(B)(3) **along with the operational plan and the inspection and maintenance plan.**

- (3) *Manufactured homes.*

- (a) New or replacement manufactured homes shall be elevated on a foundation such that the reference level of the manufactured home is elevated no lower than the regulatory flood protection elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- (b) Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions of subsection (B)(3)(a) above must be elevated so that the lowest floor of the manufactured home is elevated no lower than the regulatory flood protection elevation, and be securely anchored to an adequately anchored foundation to resist flotation, collapse and lateral movement in accordance with the State of North Carolina Regulations for Manufactured/Mobile Homes, 1995 Edition and any revision thereto adopted by the Commissioner of Insurance pursuant to G.S. 143-143.15 or a certified engineered foundation. Additionally, all manufactured homes located in special flood hazard areas must be installed either on a pre-approved foundation design from the Manual of Standard Designs and Details or on a foundation design certified by a professional engineer registered in the State of North Carolina. Furthermore, all tanks, decks, porches and steps to the manufactured home must be sufficiently designed and anchored to prevent collapse and/or flotation off the site, except that porches and steps serving a manufactured home on a lot that is less than five feet below the lowest floor of the manufactured home at the location of the porch or steps shall not be required to be anchored.
- (c) An evacuation plan must be developed for evacuation of all residents of all new substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Local Floodplain Administrator and the local Emergency Management Coordinator.
- (d) When the elevation of the manufactured home would be met by an elevation of the chassis 36 inches or less above the grade at the site, the chassis shall be supported by reinforced piers or other foundation elements of at least equivalent strength.
- (e) If a manufactured home is placed with the elevation of the chassis above 36 inches in height, an engineered foundation certification is required per subsection (B)(3).
- (f) All foundation enclosures or skirting shall be in accordance with subsection (B)(5) of this section.

- (4) *Recreational vehicles.* Recreational vehicles placed on sites within a special flood hazard area shall either:

- (a) Be on site for fewer than 180 consecutive days;

- (b) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and has no permanently attached additions); or
 - (c) Meet all the requirements for new construction, including anchoring and elevation requirements of section 9-6-4(B) and subsections (A) and (B)(3) of this section.
- (5) *Elevated buildings.* New construction or substantial improvements of elevated buildings that include fully enclosed areas that are below the regulatory flood protection elevation shall not be designed for human habitation, but shall be designed to be usable solely for the parking of vehicles, building access or limited storage of maintenance equipment used in connection with the premises in an area other than a basement, be constructed entirely of flood resistant materials below the regulatory flood protection level and meet the following design criteria.
- (a) Measures for complying with this requirement shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. To meet this requirement, the foundation must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - 1. Provide a minimum of two openings on different sides of each enclosed area subject to flooding having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2. The bottom of all openings shall be no higher than one foot above the adjacent grade;
 - 3. Openings may be equipped with screens, louvers or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions;
 - 4. If a building has more than one enclosed area, each area must have openings on exterior walls to allow floodwater to directly enter; and
 - 5. Foundation enclosures:
 - a. Vinyl or sheet metal skirting is not considered an enclosure for regulatory and flood insurance rating purposes. Therefore such skirting does not require hydrostatic openings as outlined above.
 - b. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires hydrostatic openings as outlined above to comply with this chapter.
 - (b) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
 - (c) The interior portion of the enclosed area shall not be partitioned or finished into separate rooms except to enclose storage areas.
 - (d) **Where the lowest floor is more than four feet high, property owners shall be required to execute and record a non-conversion agreement prior to issuance of a building permit declaring that the area below the lowest floor shall not be improved, finished or otherwise converted to habitable space and the Floodplain Administrator shall have the right to inspect the enclosed area. This agreement shall be recorded with the Pitt County Register of Deeds and shall transfer with the property in perpetuity.**
 - (e) **Release of restrictive covenant. If a property which is bound by a non-conversion agreement is modified to remove enclosed areas below the regulatory flood elevation, then the owner may request release of restrictive covenant after staff inspection and submittal of confirming documentation.**

- (6) *Temporary structures.* Prior to the issuance of a floodplain development permit for a temporary structure, the following requirements must be met:
- (a) All applicants must submit to the Local Floodplain Administrator prior to the issuance of the floodplain development permit a plan for the removal of the structure(s) in the event of a hurricane or flash flood warning notification. The plan must include the following information:
 1. A specific time period for which the temporary use will be permitted;
 2. The name, address and phone number of the individual responsible for the removal of the temporary structure;
 3. The time frame prior to the event at which a structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
 4. A copy of the contract or other suitable instrument with a trucking company to ensure the availability of removal equipment when needed; and
 5. Designation, accompanied by documentation, of a location outside the floodplain to which the temporary structure will be moved.
 - (b) The above information shall be submitted in writing to the Local Administrator for review and written approval.
- (7) *Accessory structures.* When accessory structures (sheds, detached garages and the like) are to be placed in the floodplain, the following criteria shall be met:
- (a) Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas);
 - (b) Accessory structures shall be designed to have low flood damage potential;
 - (c) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistant to the flow of flood waters;
 - (d) Accessory structures shall be firmly anchored in accordance with subsection (A)(1) above;
 - (e) All service facilities such as electrical and heating equipment shall be elevated in accordance with subsection (A)(4) above; and
 1. Openings to relieve hydrostatic pressure during a flood shall be provided below regulatory flood protection elevation in conformance with subsection (B)(5).
 2. An accessory structure with a footprint less than 150 square feet does not require an elevation or floodproofing certificate. Elevation or floodproofing certifications are required for all other accessory structures in accordance with section 9-6-4(B).
- (8) *Additions/improvements.*
- (a) Additions and/or improvements to pre-FIRM structures whereas the addition and/or improvements in combination with any interior modifications to the existing structure:
 1. Are not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more nonconforming than the existing structure;
 2. Are a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.

- (b) Additions to post-FIRM structures with no modifications to the existing structure shall require only the addition to comply with the standards for new construction.
 - (c) Additions and/or improvements to post-FIRM structures whereas the addition and/or improvements in combination with any interior modifications to the existing structure:
 - 1. Are not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction;
 - 2. Are a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
 - (d) Where a fire wall or independent perimeter load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and only the addition must comply with the standards for new construction.
 - (e) **Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one year period, the cumulative cost of which equals or exceeds 49 percent of the market value of the structure before the improvement or repair is started must comply with the standards for new construction. For each building or structure, the one year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The requirement does not, however, include either:**
 - 1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assume safe living conditions.
 - 2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
- (9) **Tanks.** When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
- (a) **Underground tanks.** Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty;
 - (b) **Above-ground tanks, elevated.** Above-ground tanks in flood hazard areas shall be elevated to or above the Regulatory Flood Protection Elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;
 - (c) **Above-ground tanks, not elevated.** Above-ground tanks that do not meet the elevation requirements of Section 9.6.5 (B) (2) of this ordinance shall be permitted in flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed, installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.
 - (d) **Tank inlets and vents.** Tank inlets, fill openings, outlets and vents shall be:
 - 1. **At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during Item #8 of**

the design flood; and

- 2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.**

(10) Other Development.

- (a) Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 9.6.5 (C) of this ordinance.**
- (b) Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 9.6.5 (C) of this ordinance.**
- (c) Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 9.6.5 (C) of this ordinance.**

(C) *Floodways and non-encroachment areas.* Located within special flood hazard areas established in section 9-6-3(B) are areas designated as floodways or non-encroachment areas. Since the floodways and non-encroachment areas are extremely hazardous areas due to the velocity of flood waters which carry debris, potential projectiles and have erosion potential, the following provisions shall apply to all development within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during occurrence of the base flood. Such certification and technical data shall be presented to the Local Floodplain Administrator.
- (2) If subsection (C)(1) is satisfied, all development and substantial improvements shall comply with all applicable flood hazard reduction provisions of this chapter.
- (3) No manufactured homes shall be permitted, except replacement manufactured homes in an existing manufactured homes (mobile homes) park or subdivision, provided the anchoring and the elevation standards of subsection (B)(3), and the non-encroachment standards of subsection (B)(1) are met.
- (4) Notwithstanding any other provisions of 44 C.F.R. § 60.3, a community may permit encroachments within the adopted regulatory floodway or non-encroachment area that would result in an increase in base flood elevations, provided that the community first applies for a conditional LOMR and floodway revision, fulfills the requirements for such revisions as established under the provisions of 44 C.F.R. § 65.12 of the "National Flood Insurance Program and Related Regulations," and receives the approval of the Local Floodplain Administrator prior to commencement of the development.

(D) *Standards for floodplains without established base flood elevations.* Within the special flood hazard areas established in section 9-6-3(B) are floodplains where no base flood elevation data has been provided, the following provisions shall apply:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of the stream bank equal to five times the width of the stream at the top of bank or 20 feet each side from top of bank, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) If subsection (E)(1) is satisfied and base flood elevation is available from other source, all new construction and substantial improvements within such areas shall comply with all applicable provisions of this chapter and shall be elevated or floodproofed in accordance with elevations established in accordance with section 9-6-4(E)(11) and (12). When base flood elevation data is not available from a federal, state or other source, the reference level, including basement, shall be elevated at least two feet above the highest adjacent grade.

(E) Standards for subdivision, manufactured home park and major development proposals.

- (1) All proposals shall be consistent with the need to minimize flood damage;
- (2) All proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (3) All proposals shall have adequate drainage provided to reduce exposure to flood hazards; and
- (4) Base flood elevation data shall be provided for all proposals and other proposed development, which is greater than the lesser of 50 lots/manufactured home sites or five acres. Such base flood elevation (BFE) data shall be adopted by reference per section 9-6-3(B) to be utilized in implementing this Code.

(F) Standards for floodplains with BFE but without established floodways or non-encroachment areas. Along rivers and streams where base flood elevation (BFE) data is provided but neither floodway nor non-encroachment areas are identified for a special flood hazard area on the FIRM or in the FIS, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided, demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(G) Standards for areas of shallow flooding (AOH Zones). Located within the special flood hazard areas established in section 9-6-3(B) are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. The following provisions apply within such areas:

- (1) All new construction and substantial improvements of all structures shall have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement, shall be elevated at least to the regulatory flood protection elevation as defined for the special flood hazard areas where no BFE has been established.
- (2) All new construction and substantial improvements of nonresidential structures shall have the option, in lieu of elevation, to be completely floodproofed together with attendant utilities and sanitary facilities to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required as per section 9-6-4(B)(3) and section 9-6-4(B)(2).

(Ord. No. 03-123, passed 12-15-2003)

SEC. 9-6-6 LEGAL STATUTES AND PROVISIONS.

(A) Effect on rights and liabilities under the existing flood damage prevention ordinance. This chapter in part is adopted due to re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted June 8, 1978, as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this chapter shall not affect any action, suit or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of the City of Greenville enacted on June 8, 1978, as amended, which are not re-enacted herein are repealed.

(B) Effect upon outstanding building permits. Nothing herein contained shall require any change in the plans, construction, size or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Local Floodplain Administrator or his or her authorized agents, before time of passage of this chapter; provided, however, that when construction is not begun under such outstanding permit within a period of 60 days subsequent to passage of this chapter or any revision thereto, construction or use shall be in conformity with the provisions of this chapter.
(Ord. No. 03-123, passed 12-15-2003)

(C) Severability. If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.



City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item: Ordinance requested by the Planning and Development Services Department to amend the City Code by creating a new Mixed Use Institutional zoning district.

Explanation: **Abstract:** Ordinance requested by the Planning and Development Services Department to amend the City Code by creating a new Mixed Use Institutional zoning district.

History: East Carolina University approached the City about its development plans for the Millennial Campus. It became apparent that the existing zoning ordinance would be insufficient to accommodate the type of development being proposed. Recognizing the importance of the university as an economic engine for the region, as well as, the potential benefits of re-developing the Millennial Campus for the downtown area, Staff has worked with the university to create an ordinance protect and promotes the interests of the university and the City.

Proposed changes and additions:

Definition:

SEC. 9-4-222 DEFINITIONS.

Research and Development Facility. An establishment which conducts research, development, or controlled production of high-technology electronic, industrial, or scientific products or commodities for sale or laboratories conducting educational or medical research or testing. This term includes but is not limited to a biotechnology firm or a manufacturer of nontoxic computer components.

SEC. 9-4-77.3 MUI MIXED USE INSTITUTIONAL DISTRICT.

The purpose of the Mixed Use Institutional (MUI) district is to encourage an innovative mixture of uses on a site or campus that is under the control of a

single entity that has a controlling governmental interest, or that is controlled by a hospital, college or university. While this district is intended to be predominantly developed as an innovation park containing office/institutional and research activities it may also contain a balanced mixture of supporting residential, commercial and light industrial uses.

SEC. 9-4-200.4 MUI MIXED USE INSTITUTIONAL DISTRICT STANDARDS.

(A) General District Standards

(1) Single Entity

i. Each Mixed Use Institutional (MUI) district must be under the control of a single entity and have a controlling governmental interest or be a hospital, college or university.

ii. Development of properties within the MUI district may be accomplished or carried out by either the single entity or in collaboration with a private development partner.

(2) MUI district developments may consist of one, or several, lots. They may also occur in phases.

(3) District Dimensional Standards

i. Lot area (net). All uses: None.

ii. Lot width (at the MBL). All uses: none.

iii. Public Street setback: 0 feet minimum.

iv. Side setback: 0 feet minimum.

v. Rear setback: 0 feet minimum.

vi. Height: 5 Stories or 70 feet

(4) District Density Standards

i. Residential density shall conform to the standards for the R-6A district as found in Section 9-4-143.

(5) Multiple principal uses may be allowed on a single lot within an MUI district.

(6) Residential uses may not exceed 25% of the total building square footage of an MUI district. In the event of a phased development this ratio will be enforced for each specific phase.

(7) Commercial uses may not exceed 30% of the total non-residential building square footage in a MUI district. In the event of a phased development this ratio will be enforced for each specific phase.

(8) The ground floor of any vertically mixed use space must be designated for use by an active use ground floor use. (i.e. no storage or residences)

(9) Initial bufferyard requirements shall be based on the most restrictive of anticipated uses and the requirement shall apply to all subsequent uses absent any change in zoning for the development.

(10) In the case of a vertically mixed use structure, in no event shall non-residential space be located above residential space.

(11) Any development phase within an MUI district shall provide 20% open space for either active or passive use. In the context of this

subsection, open space shall mean all space that is not occupied by a building footprint. Uses such as outdoor amphitheater or other publicly accessible outdoor recreation shall also count towards satisfaction of this requirement.

(B) Application Requirements

(1) Any development in a MUI district must submit a Master Plan to the City of Greenville Technical Review Committee. All submissions must adhere to the Technical Review Committee requirements.

(2) Each application must also include the following:

i. The specific standards intended to be modified as part of the approval process. If a standard is not listed as being modified, then the standard is considered applicable and the plan is required to comply. However, subsequent requests for alternative compliance and variances may still be submitted.

ii. The proposed maximum number of dwelling units.

iii. The proposed maximum square footage of nonresidential floor area.

iv. A general description of how the MUI district conforms with the Comprehensive Plan.

v. In the event that a development is to occur in phases then a phasing plan must be provided. Said phasing plan will also include an improvement schedule that can defer phase specific improvements by no more than one phase from when the associated phase is completed. I.e. if a multi-use path or outdoor amphitheater is approved in phase 1 it shall be completely installed prior to the completion of phase 2. All improvements shown for the final phase of a development must either be completed prior to the issuance of a Certificate of Occupancy for any structure in the final phase.

vi. An illustrative 3-dimensional model or digital rendering that shows building elevations, location of streets and prominent site features. The 3-dimensional model must illustrate the potential massing and scale of the proposed development, but will not be regulatory.

(C) Master Plan Required

In a MUI district, standards may be modified through approval by the Director of Planning and Development Services or their designee of a MUI Master Plan. This approval will be granted as part of the Technical Review Committee process. A MUI Master Plan allows modifications to the General District Standards or other provisions of Title 9 Chapter 4 in the following ways:

(1) *Article O. Parking. 9-4-250(D)(1)*: The MUI district may utilize remote parking that is a distance in excess of 400 feet from the associated principal use site. Said remote parking must be on land that is also owned by the single entity controlling the principal use site. All other provisions of the subsection and article shall apply. This provision shall not account for more than 70% of the total required parking for the site or any one specific phase.

(2) *Article G. Bufferyard Setbacks*: Bufferyard setbacks may be waived in exchange for more robust internal pedestrian circulation standards. Primary pedestrian accommodations must provide internal circulation

along a minimum 14' wide multi-use path. Said path must provide through and cross access to adjacent parcels and rights-of-way. This area must be shown on the site plan that is provided to the Technical Review Committee.

(3) *General District Standards(2)*: Building height may exceed 5 stories or 70 feet when either the entire building, or the portion of such building as may be in excess of 70 feet, is stepped back one foot for every foot in excess of the 70 foot height allowance from the property line.

(4) *General District Standards(10)*: The overall open space requirement may be reduced to 15% in exchange for public access to outdoor amenities.

(D) Master Plan Amendments

(1) The Director of Planning and Development Services or their designee may administratively approve amendments to a submitted MUI Master Plan without resubmission to the TRC.

(2) Allowable Amendments

i. An increase or decrease to the approved nonresidential square footage, not to exceed 10% of the original approval or the 25% development maximum.

ii. A Transfer of nonresidential floor area or residential dwelling units, from one area to another, not to exceed a 20% maximum for each standard.

iii. Minor adjustments in location of building, parking, recreation or sporting facilities and open space areas. A minor adjustment shall be a modification in orientation or distance to a property line; however, the adjustment shall not exceed 100 feet in distance from the approved location, and shall not be located any closer than 50 feet to the boundary of the MUI district. However, where a building or parking area is shown on the approved Master Plan within 50 feet of a property line, the building or parking area adjustment may not be located any closer to the property line than as shown on the approved Master Plan. An adjustment to the location of transit facilities is permitted, provided the adjustment occurs prior to the recordation of the transit easement.

iv. An exchange of open space area, provided the exchanged areas are of like acreage, value and utility.

v. A relocation of access points, driveways or sidewalks either within or outside of the public right-of-way with the concurrence of the Engineering Department (and where applicable the NCDOT).

vi. A relocation of a fence, wall, sign or utility. Fences or walls required for bufferyards may not be removed or relocated to an area that conflicts with the buffering requirement.

vii. Any requirement associated with an allowable amendment must be shown on the Master Plan.

Additional staff comments:

The proposed changes will allow greater flexibility in development standards for innovative developments under the control of a public institution.

Comprehensive Plan

In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with the following adopted policy in Horizons 2026: Greenville's Community Plan.

Chapter 1 Building Great Places, Goal 1.1. Focused Approach to Growth and Reinvestment

Policy 1.1.5. Transform key Nodes and Districts

Promote compact and walkable mixed use development within key nodes throughout the city as identified by the Future Land Use and Character Map and the Future Growth Framework Map in this chapter.

Chapter 1 Building Great Places, Goal 1.3. High Quality Infill and Redevelopment

Policy 1.3.1. Support Infill and Redevelopment

Promote development and redevelopment through the city with a concentration of these projects in the Uptown Core and Future Land Use and Character map and the Primary Service Area of the Tiered Growth Map in order to balance the city's tax base, reduce service and maintenance expenditures, and make smart long term investment that use taxpayer dollars wisely. This is generally preferred over new peripheral development.

Chapter 1 Building Great Places, Goal 1.4. A Vibrant Uptown

Policy 1.4.9. Work with ECU on Millennial Campus in Uptown

Work with ECU on the development of the Millennial Campus in Uptown. There should be harmony between the needs of the university and the plans of the city. Campus buildings can contribute to quality design in uptown.

Chapter 1 Building Great Places, Action 1.1. Adopt Mixed Use Zoning Districts

Action 1.1

The city should move quickly to adopt a minimum of two new mixed use zoning districts that are consistent with the descriptions, intents and building blocks of the Mixed Use, High Intensity (MUHI) and Mixed Use (MU) character districts outlined in this chapter. Additionally a strategy should be developed for implementing the Uptown Core (UC) and Uptown Edge (UE) districts that may be enacted through new zoning districts or overlay districts. The city may consider implementing a form-based code district in certain areas. To ensure the application of the

zoning district, incentives could be provided for new development within these areas.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons 2026: Greenville's Community Plan. Therefore, staff recommends approval.

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."

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.

ATTACHMENTS:

Mixed_Use_Institutional_District_Ordinance_1125432

Letter of Support

ORDINANCE NO. 20-
AN ORDINANCE AMENDING THE CITY CODE
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 May 14, 2020, 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 1, Great Places, Goal 1.4 A Vibrant Uptown. *Policy 1.4.9 Work with ECU on the development of the Millennial Campus in Uptown. There should be harmony between the needs of the university and the plans of the city. Campus buildings can contribute to quality design in uptown.*

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

Section 1: That Title 9, Chapter 4, Article B, Definitions, Section 22 of the City Code is hereby amended by adding the following in alphabetical order:

“Research and Development Facility. An establishment which conducts research, development, or controlled production of high-technology electronic, industrial, or scientific products or commodities for sale or laboratories conducting educational or medical research or testing. This term includes but is not limited to a biotechnology firm or a manufacturer of nontoxic computer components.”

Section 2: That Title 9, Chapter 4, Article D of the City Code is hereby amended by the addition the following as Section 77.3:

“SEC. 9-4-77.3 MUI MIXED USE INSTITUTIONAL.

The purpose of the Mixed Use Institutional (MUI) district is to encourage an innovative mixture of uses on a site or campus that is under the control of a single entity that has a controlling governmental interest, or that is controlled by a hospital, college or university. While this district is intended to be predominantly developed as an innovation park containing office/institutional and research activities it may also contain a balanced mixture of supporting residential, commercial and light industrial uses.”

Section 3: That Title 9, Chapter 4, Article L, of the City Code is hereby amended by the addition of the following as Section 200.4:

“SEC. 9-4-200.4 MUI MIXED USE INSTITUTIONAL DISTRICT STANDARDS.

(A) General District Standards

(1) Single Entity

- i. Each Mixed Use Institutional (MUI) district must be under the control of a single entity and have a controlling governmental interest or be a hospital, college or university.
- ii. Development of properties within the MUI may be accomplished or carried out by either the single entity or in collaboration with a private development partner.

(2) MUI developments may consist of one, or several, lots. They may also occur in phases.

(3) District Dimensional Standards

- i. Lot area (net). All uses: None.
- ii. Lot width (at the MBL). All uses: none.
- iii. Public Street setback: 0 feet minimum.
- iv. Side setback: 0 feet minimum.
- v. Rear setback: 0 feet minimum.
- vi. Height: 5 Stories or 70 feet

(4) District Density Standards

- i. Residential density shall conform to the standards for the R-6A district as found in Section 9-4-143.

(5) Multiple principal uses may be allowed on a single lot within an MUI.

(6) Residential uses may not exceed 25% of the total building square footage of an MUI. In the event of a phased development this ratio will be enforced for each specific phase.

(7) Commercial uses may not exceed 30% of the total non-residential building square footage in a MUI district. In the event of a phased development this ratio will be enforced for each specific phase.

(8) The ground floor of any vertically mixed use space must be designated for use by an active use ground floor use. (i.e. no storage or residences)

- (9) Initial bufferyard requirements shall be based on the most restrictive of anticipated uses and the requirement shall apply to all subsequent uses absent any change in zoning for the development.
- (10) In the case of a vertically mixed use structure, in no event shall non-residential space be located above residential space.
- (11) Any development phase within an MUI district shall provide 20% open space for either active or passive use. In the context of this subsection, open space shall mean all space that is not occupied by a building footprint. Uses such as outdoor amphitheater or other publically accessible outdoor recreation shall also count towards satisfaction of this requirement.

(B) Application Requirements

- (1) Any development in a MUI district must submit a Master Plan to the City of Greenville Technical Review Committee. All submissions must adhere to the Technical Review Committee requirements.
- (2) Each application must also include the following.
 - i. The specific standards intended to be modified as part of the approval process. If a standard is not listed as being modified, then the standard is considered applicable and the plan is required to comply. However, subsequent requests for alternative compliance and variances may still be submitted.
 - ii. The proposed maximum number of dwelling units.
 - iii. The proposed maximum square footage of nonresidential floor area.
 - iv. A general description of how the MUI district conforms with the Comprehensive Plan.
 - v. In the event that a development is to occur in phases then a phasing plan must be provided. Said phasing plan will also include an improvement schedule that can defer phase specific improvements by no more than one phase from when the associated phase is completed. I.e. if a multi-use path or outdoor amphitheater is approved in phase 1 it shall be completely installed prior to the completion of phase 2. All improvements shown for the final phase of a development must either be completed prior to the issuance of a Certificate of Occupancy for any structure in the final phase.
 - vi. An illustrative 3-dimensional model or digital rendering that shows building elevations, location of streets and prominent site features. The 3-dimensional model must illustrate the potential massing and scale of the proposed development, but will not be regulatory.

(C) Master Plan Required

In a MUI district, standards may be modified through approval by the Director of Planning and Development Services or their designee of a MUI Master Plan. This approval will be granted as part of the Technical Review Committee process. A MUI Master Plan allows modifications to the General District Standards or other provisions of Title 9 Chapter 4 in the following ways:

- (1) *Article O. Parking. 9-4-250(D)(1)*: The MUI may utilize remote parking that is a distance in excess of 400 feet from the associated principal use site. Said remote parking must be on land that is also owned by the single entity controlling the principal use site. All other provisions of the subsection and article shall apply. This provision shall not account for more than 70% of the total required parking for the site or any one specific phase.
 - (2) *Article G. Bufferyard Setbacks*: Bufferyard setbacks may be waived in exchange for more robust internal pedestrian circulation standards. Primary pedestrian accommodations must provide internal circulation along a minimum 14' wide multi-use path. Said path must provide through and cross access to adjacent parcels and rights-of-way. This area must be shown on the site plan that is provided to the Technical Review Committee.
 - (3) *General District Standards(2)*: Building height may exceed 5 stories or 70 feet when either the entire building, or the portion of such building as may be in excess of 70 feet, is stepped back one foot for every foot in excess of the 70 foot height allowance from the property line.
 - (4) *General District Standards (10)*: The overall open space requirement may be reduced to 15% in exchange for public access to outdoor amenities.
- (D) Master Plan Amendments
- (1) The Director of Planning and Development Services or their designee may administratively approve amendments to a submitted MUI Master Plan without resubmission to the TRC.
 - (2) Allowable Amendments
 - i. An increase or decrease to the approved nonresidential square footage, not to exceed 10% of the original approval or the 25% development maximum.
 - ii. A Transfer of nonresidential floor area or residential dwelling units, from one area to another, not to exceed a 20% maximum for each standard.
 - iii. Minor adjustments in location of building, parking, recreation or sporting facilities and open space areas. A minor adjustment shall be a modification in orientation or distance to a property line; however, the adjustment shall not exceed 100 feet in distance from the approved location, and shall not be located any closer than 50 feet to the boundary of the MUI district. However, where a building or parking area is shown on the approved Master Plan within 50 feet of a property line, the building or parking area adjustment may not be located any closer to the property line than as shown on the approved Master Plan. An adjustment to the location of transit facilities is permitted, provided the adjustment occurs prior to the recordation of the transit easement.
 - iv. An exchange of open space area, provided the exchanged areas are of like acreage, value and utility.
 - v. A relocation of access points, driveways or sidewalks either within or outside of the public right-of-way with the concurrence of the Engineering Department (and where applicable the NCDOT).

- vi. A relocation of a fence, wall, sign or utility. Fences or walls required for bufferyards may not be removed or relocated to an area that conflicts with the buffering requirement.
- vii. Any requirement associated with an allowable amendment must be shown on the Master Plan.”

Section 4: That Title 9, Chapter 4, Article U, Appendix A Table of Uses of the City Code is hereby amended by adding the “Research and Development Facility” as use code (7)(h)

Section 5: That Title 9, Chapter 4, Article U, Appendix A Table of Uses, of the City Code is hereby amended by adding “MUI” (Mixed Use Institutional) as a zoning district and adding the following uses as permitted and special uses as specified:

Permitted Uses:

- (1) General:
 - a. Accessory use or building
 - b. Internal service facilities
 - c. On-premises 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 principal use.

- (2) Residential:
 - c. Multi-family development per Article I
 - i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile homes.
 - q. Room renting

- (4) Governmental:
 - a. Public utility building or use
 - b. City of Greenville municipal government building or use
 - 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 building or use

- (5) Agricultural/mining:
 - b. Greenhouse or plant nursery; including accessory sales
 - d. Farmers Market
 - k. Beekeeping; major use
 - l. Beekeeping; minor use

- (6) Recreational:
 - c(1). Tennis club; indoor and outdoor facilities
 - f. Public park or recreational facility
 - g. Private noncommercial park or recreational facility
 - i. Commercial recreation; indoor and outdoor, not otherwise listed.
 - j. Bowling alleys
 - l. Billiard parlor or pool hall
 - m(1). Dining and entertainment establishment

- n. Theater; movie or drama; indoor only
- t. Athletic club; indoor and outdoor facilities

(7) Office/financial/med

- 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
- f. Veterinary clinic or animal hospital
- g. Catalogue processing center
- h. Research and Development Facility

(8) Services

- a. Child day care facilities
- e. Barber or beauty shop
- f. Manicure, pedicure or facial salon
- j. College and other institutions of higher learning
- k. Business or trade schools
- l. Convention center; private
- m. Multi-purpose center
- n. Auditorium
- o. Church or place of worship
- p. Library
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging
- u. Art Studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Digital Broadcast Studio
- x. Dance studio
- y(4). Distributed Antenna System
- z. Printing or publishing service including graphic art, maps, newspapers, magazines and books.
- aa. Catering service including food preparation
- bb. Civic organizations
- cc. Trade or business organizations
- ee. Hospital
- ff. Mental health, emotional or physical rehabilitation day program facility
- ff(1). Mental health, emotional, or physical rehabilitation center
- gg. Vocational rehabilitation center
- hh. Exercise and weight loss studios; indoor only
- ii. Wellness center, indoor and outdoor facilities
- jj. Health services not otherwise listed
- kk. Launderette; household users
- ll(1). Dry cleaners; household users; drop-off/pick-up station only

- oo. Clothes alteration or shoe repair shop
- (10) Retail trade
 - a. Miscellaneous retail sales; nondurable goods, not otherwise listed
 - c. Wine and craft beer shop
 - d. Pharmacy
 - e. Convenience store
 - h. Restaurant; conventional
 - j. Restaurant and/or dining and entertainment establishment; regulated outdoor activities
 - l. Electronic; stereo, radio, computer, television and the like, sales and accessory repair
 - s. Book or card store, news stand
 - w. Florist
 - ii. Microbrewery
 - kk. Live performance theater
- (12) Construction
 - c. Construction office; temporary, including modular office
- (13) Transportation
 - b. Bus station; passenger and related freight
 - e. Parcel delivery service
 - h. Parking lot or structure; principal use
- (14) Manufacturing
 - h. Engraving; metal, glass or wood
 - m. Warehouse; accessory to approved commercial or industrial services within the district; excluding outside storage
 - s. Manufacture of nonhazardous products; general, including nonhazardous and nontoxic chemicals and/or materials not otherwise listed
 - t. Manufacture of nonhazardous medical supplies or medical products, including distribution.
 - cc. Manufacture of pharmaceutical, biological, botanical, medicinal, and cosmetic productions, and related materials

Special Uses

(15) Other activities (not otherwise listed)

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

Section 6: That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 7: 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 upon its adoption.

ADOPTED this 14th day of May, 2020.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

1125432



March 16, 2020

Ms. Chantae Gooby
Chief Planner, City of Greenville
P.O. Box 7207
Greenville, NC 27835-7207

Subject: March 17, 2020 Planning and Zoning Commission Agenda Item #6; Proposed Ordinance Creating the Mixed-Use Institutional Zoning District

Dear Ms. Gooby;

I am writing in support of the proposed ordinance to create the Mixed-Use Institutional Zoning District and related standards. However, due to recent concerns over the Covid-19 Virus (Coronavirus), we are adhering to published guidance regarding personal safety practices. We have worked closely with you, Bradleigh Sceiviour, and the Planning Division staff in the drafting of this ordinance and believe the current version provides both the foundation and opportunity to develop the East Carolina University Research and Innovation Campus also known as the Millennial Campus.

East Carolina University properties with the Millennial Campus designation consist of just over 500 acres. This ordinance is needed to facilitate the preservation of existing buildings and development of vacant properties with the Millennial Campus Designation. The amendment will specifically allow for the immediate development plans of the Millennial Campus area along the south side of West 10th Street, adjacent to the Dr. Andrew Best Bridge at the 10th Street Connector. Without this amendment, the public-private partnership will not be possible, thus leaving these valued assets of Greenville's history in jeopardy of being lost. The proposed East Carolina Research and Innovation Campus will be a major step towards building a stronger, more sustainable, and more inclusive economy for eastern North Carolina.

I regret that I cannot be in attendance in person to support the request due to the current concerns with Covid-19. We support the proposed zoning ordinance amendment that creates the Mixed-Use Institutional Zoning District. I would respectfully request that this letter be provided to the Planning and Zoning Commission. Thank you to you and all of the staff in the preparation of the proposed amendment.

If there are additional questions, I can be contacted at (252) 737-2256.

Sincerely

Merrill P. Flood
Director of Local Community Affairs, Millennial Campus Planning
Planner in Residence, Department of Geography, Planning and Environment
Willis Building
(252) 737-2256
Floodm18@ecu.edu





City of Greenville, North Carolina

Meeting Date: 4/21/2020
Time: 6:00 PM

Title of Item: Ordinance requested by Three Twenty Enterprises, LLC to amend the Future Land Use and Character Map for 8.3 acres from Commercial on the Town of Simpson's Future Land Use Map to Tract 1 - Commercial (3 acres) and Tract 2 - High Density Residential (5.3 acres) on the City of Greenville's Future Land Use and Character Map for the property located at the southeastern corner of the intersection of East 10th Street (Highway 33 East) and L. T. Hardee Road

Explanation: **Abstract:** The City received a request from Three Twenty Enterprises, LLC to amend the Future Land Use and Character Map for 8.3 acres from Commercial on the Town of Simpson's Future Land Use Map to Tract 1 - Commercial (3 acres) and Tract 2 - High Density Residential (5.3 acres) on the City of Greenville's Future Land Use and Character Map for the property located at the southeastern corner of the intersection of East 10th Street (Highway 33 E) and L. T. Hardee Road.

Comprehensive Plan:

Currently, the property is located in the Town of Simpson's extra-territorial jurisdiction (ETJ). The property owner intends on submitting a voluntary annexation petition and rezoning application to the City of Greenville in order to get sanitary sewer service. When property is rezoned, staff relies on the Future Land Use and Character Map as a basis for staff's opinion. Therefore, this is a request to amend the City's Future Land Use and Character Map to designate a future land use for the subject property.

Current Land Use Character: Commercial

The Simpson Land Use Plan describes the Commercial land use category as containing the following uses: commercial, office and public/institutional, and light industrial.

Proposed Land Use Character: Commercial and High Density Residential

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)
- Locate 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

Residential, High Density

Residential areas composed primarily of multi-family housing in various forms. Defined by existing development patterns where building size and style tend to be consistent within a development, with large blocks, and limited connectivity between different building types and uses. Future development should take a more traditional neighborhood pattern where different residential types are connected in a walkable pattern. High density residential is typically appropriate near activity centers and corridors.

Intent:

- Provide better vehicular and pedestrian connectivity between developments
- Improve architectural variety and site design for new developments
- Improve streetscape features such as consistent sidewalks, lighting and street trees

Primary uses:

Multi-family residential
Two-family residential
Attached residential (townhomes)

Secondary uses:

Office

Single-family residential detached (small lot)
Institutional/civic (churches and schools)

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

Based on the analysis comparing the existing land use category and requested land use category, the proposed land use category could generate 2,720 trips to and from the site on East 10th Street (Highway 33 East), which is a net increase of 342 per day.

During the review process, measures to mitigate the traffic will be determined.

Density:

Under the current category, the site could accommodate 34,848 +/- square feet of commercial space consisting of one (1) freestanding convenience store - 1,500 sq. ft. and a strip center containing: retail - 6,000 sq. ft., sit down restaurant 2,000 sq. ft., fast food restaurant [no drive-thru] - 1,500 sq. ft., office - 2,000 sq. ft., and mini-storage - 21,848 sq. ft.

Under the proposed category, Tract 1 could accommodate 26,136 +/- square feet of commercial space consisting of one (1) freestanding convenience store - 1,500 sq. ft. and a strip center containing: retail - 6,000 sq. ft., sit down restaurant 2,000 sq. ft., fast food restaurant [no drive-thru] - 1,500 sq. ft., and mini-storage - 15,136 sq. ft.

Under the proposed category, Tract 2 could accommodate 60-70 multi-family units (1, 2 and 3 bedroom units).

The anticipated build-out is within 3-5 years.

History:

On September 8, 2016, the City Council adopted Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

During 2015-2016, the Comprehensive Plan Committee (CPC) held nine meetings to update Horizons: Greenville's Comprehensive Plan. The CPC was comprised of representatives from eight city boards and/or commissions along with invited representation from East Carolina University, Vidant Medical Center, Uptown Greenville, the Home Builders Association, Pitt County Committee of 100, Greenville-Pitt County Chamber of Commerce, and Mayor and City Council Member appointees.

In addition to attendance by the appointed 24 CPC members, Community Partners were also invited to all Committee meetings to review drafts and provide input throughout development of the plan. The Community Partners

invited to participate included representatives from various City of Greenville departments, the Town of Winterville, Pitt County Government (Planning Department), Pitt County Schools, Greenville Utilities Commission, and NCDOT. Presentations and summaries from the CPC meetings were posted online following each meeting at the project website.

In addition to these meetings, two open houses were held at the Convention Center and a 2-day workshop was held at the Willis Building.

All meetings, workshops, open houses, public hearings were advertised in The Daily Reflector. All information related to CPC meetings was posted on the City's website.

The Horizons 2026 update was an important opportunity to study current trends and conditions, re-evaluate the community's priorities, and create a renewed vision for Greenville.

The comprehensive plan serves as a tool that expresses the values, aspirations, and vision of the community, along with goals, policies, and strategies to achieve that vision. It sets forth long-range planning in categories including transportation, housing, environment, and economic development, and weaves these elements through thematic topics.

Horizons 2009-2010 is the City's previous comprehensive plan, and prior plans were adopted in 2004, 1997, and 1992. There are several reasons the Horizons 2010 plan needed to be updated, including:

- Many of the action items have been accomplished;
- The population has grown and changed, resulting in new needs and demands;
- Local, regional, national, and global changes have resulted in a new social, economic, and environmental context; and
- New research and information have expanded the knowledge and thinking about community planning best practices.

During the November 16, 2015 and January 26, 2016 CPC meetings and the 2-day workshop, the draft Future Land Use and Character Map was specifically discussed.

At the 2-day workshop on November 4 and 5, 2015, the draft Future Land Use and Character Maps were presented to gather ideas, input and comments from all interested parties.

At the January 25, 2016 CPC meeting, the principles discussed related to the draft Future Land Use and Character map were:

1. Infill and redevelopment are priorities

2. Quality design
3. Greater intensity of development in some locations
4. Create well-connected places
5. A vibrant Uptown
6. Create neighborhoods, maintain established ones
7. Protect natural features/amenities
8. Sustainable development practices

Similarities to the past plan:

1. Reduce "strip commercialization" emphasize nodal development
2. Incorporate mixed uses
3. Promote inter-connectivity
4. Create walkable (human-scale) developments

In conclusion, the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map are the result of a year-long process of CPC meetings, workshops, and open houses. A public meeting was held by the Planning and Zoning Commission, and a public hearing was held by City Council.

On August 8, 2016, the Comprehensive Plan Committee voted unanimously to endorse the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

On August 16, 2016 the Planning and Zoning Commission voted unanimously to recommend approval of the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

On September 8, 2016, the City Council voted unanimously to approve the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed Future Land Use and Character Map amendment fulfills the principles that guided the Comprehensive Plan Committee.

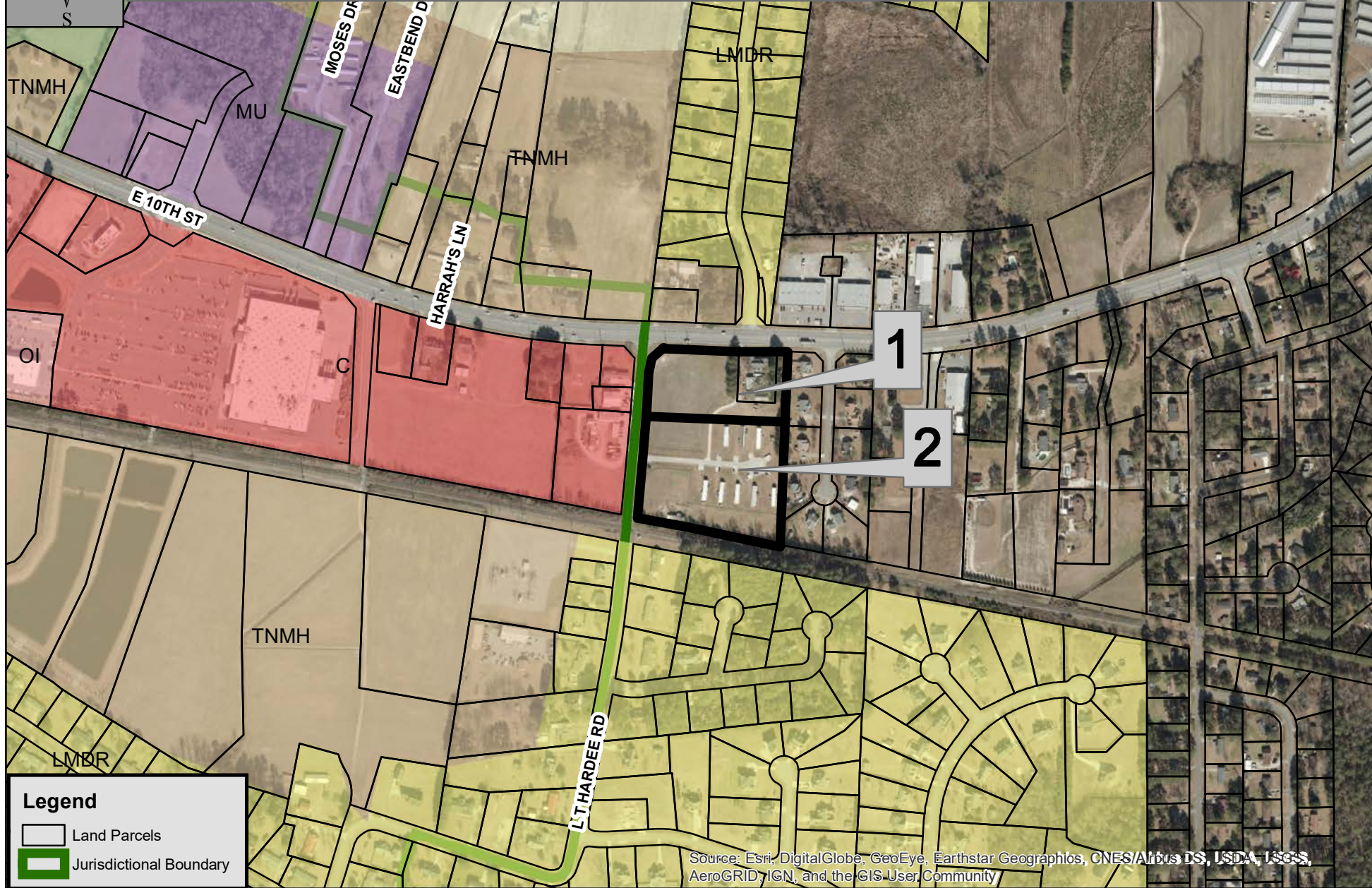
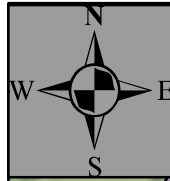
Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map are the results of multiple opportunities of public-engagement and input from all interested parties.

Staff recommends approval of the request.

ATTACHMENTS:

Attachments

Future Land Use and Character Map Amendment



Legend





- Land Parcels
- Jurisdictional Boundary







Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Map 6 Future Land Use

Legend

Future Land Use

-  Commercial
-  Suburban Residential
-  Rural Residential
-  Agricultural / Natural Resource

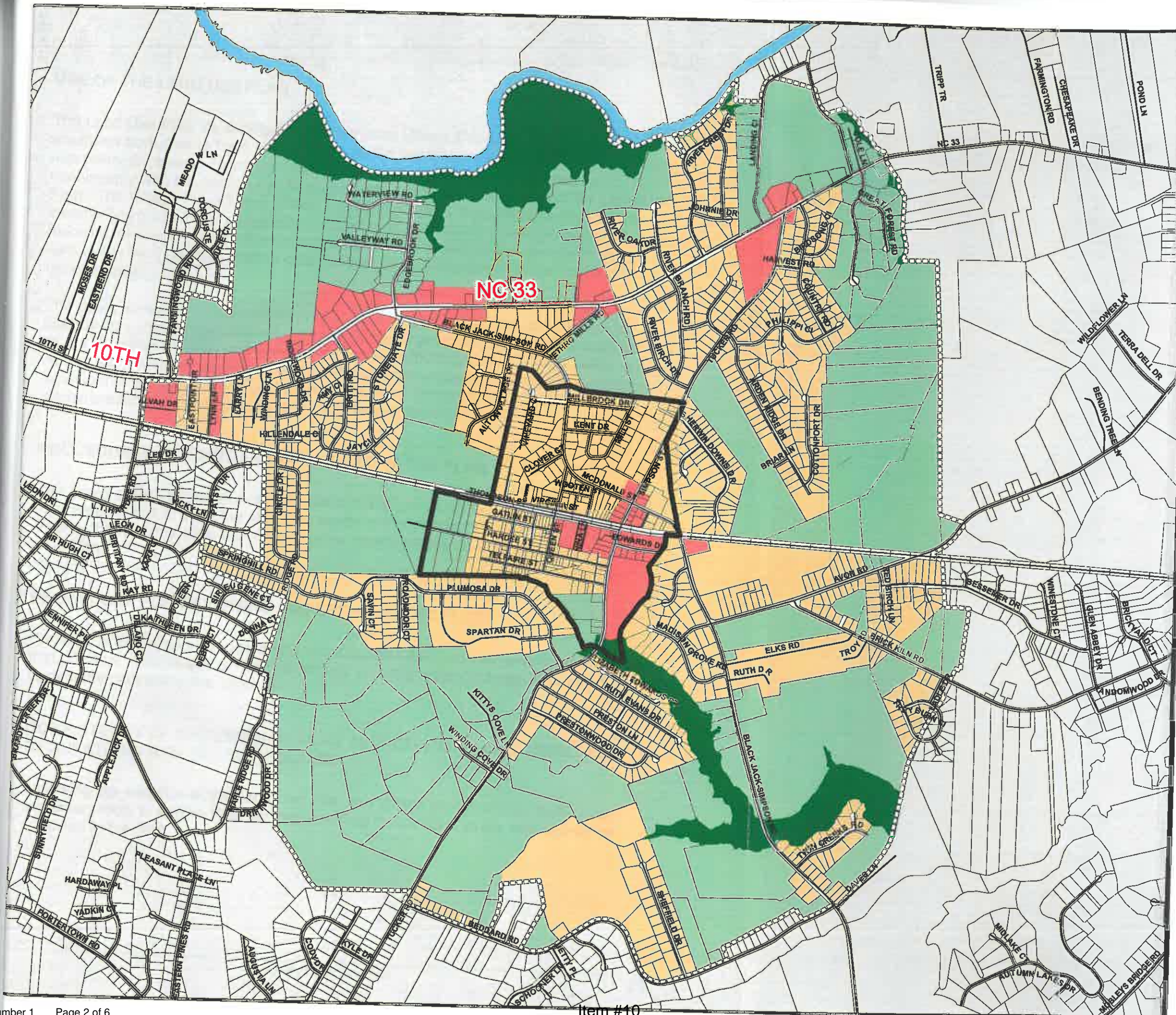
-  Town Limits
-  ETJ
-  Parcels
-  Road
-  Railroad
-  Tar River

Map Scale:
1 Inch Represents 1,500 Feet



Map Produced By:
Pitt County Planning Department

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FUTURE LAND USE

The purpose of the future land use map is to graphically display a general land use pattern that seeks to implement the land use plan goals and objectives. The following land use categories comprise the future land use map:

Suburban Residential (yellow)

- Residential uses that contribute to a quiet, medium density area composed primarily of single-family and two-family dwellings, limited churches and limited recreational uses. This category is intended to maintain the strictest control of land use within the corporate limits and in areas of the extraterritorial jurisdiction.

Rural Residential (light green)

- Low-density residential; agriculture; forestry; churches; very limited commercial, office, recreational or public/institutional uses.

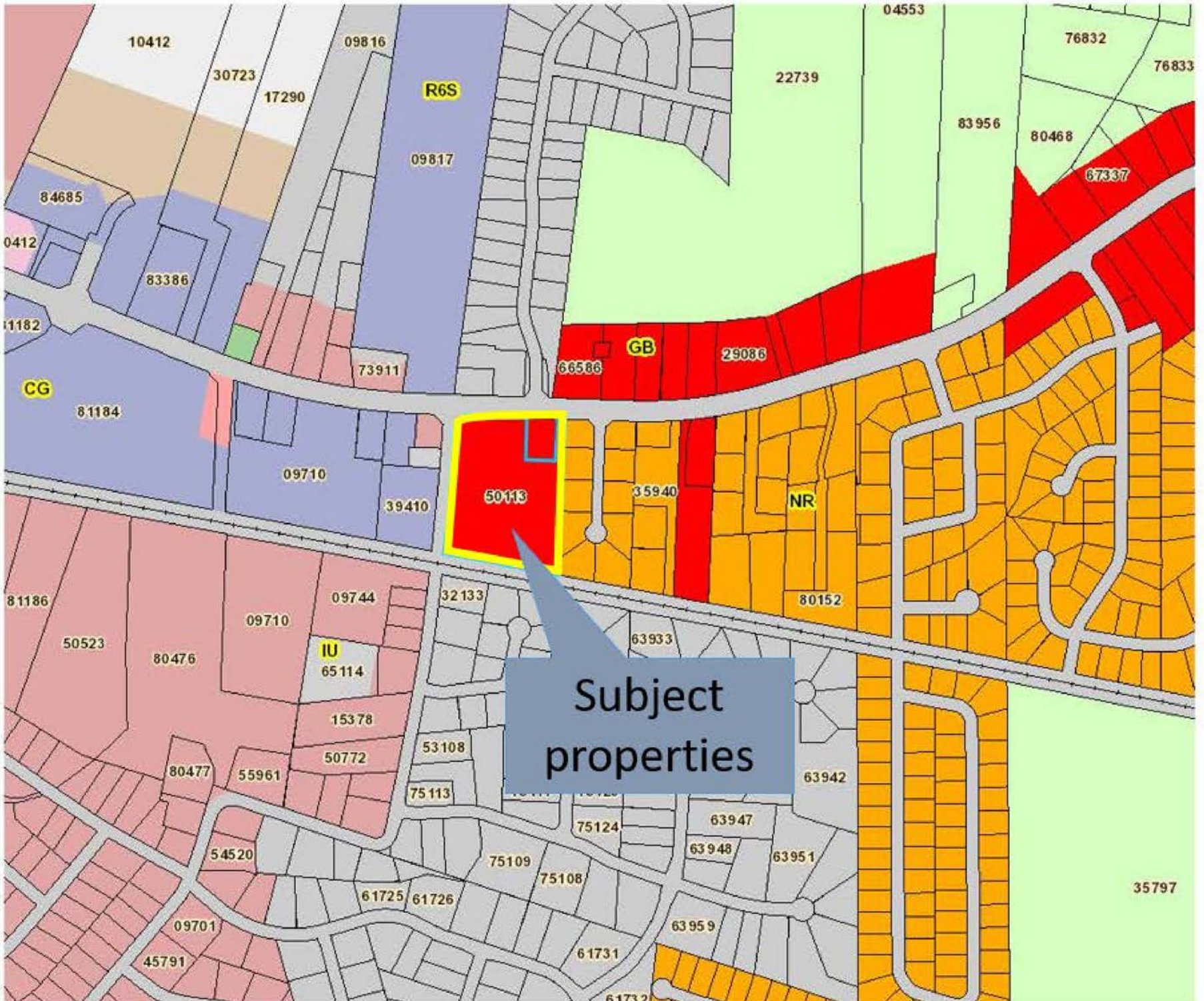
Commercial (red)

- Commercial uses, office and public/institutional uses, light industrial uses.

Agricultural/Natural Resources (dark green)

- Agriculture, forestry, open space, resource conservation or critical natural areas. Most of the land area placed within this category is classified as being within the 100-year floodplain.

Zoning Map



LAND USE AMENDMENT THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 20-1

Applicant: Three Twenty Enterprises, LLC

Property Information

Current Land Use: Commercial (Simpson's Jurisdiction)

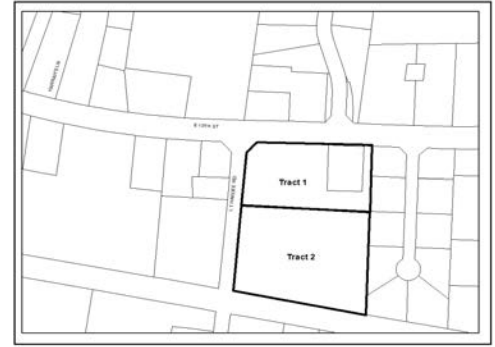
Proposed Land Use: Tract 1: Commercial
Tract 2: High Density Residential

Current Acreage: 8.3 acres

Location: E. 10th St, east of LT Hardee Rd

Points of Access: E. 10th St, LT Hardee Rd

Location Map



Transportation Background Information

1.) E. 10th St- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane with curb & gutter	no change
Right of way width (ft)	100	no change
Speed Limit (mph)	55	no change
Current ADT:	20,566 (*)	
Design ADT:	34,500 vehicles/day (**)	
Controlled Access	No	

Thoroughfare Plan Status Major Thoroughfare

Other Information: There are no sidewalks along E. 10th St that service this property.

Notes: (*) 2016 NCDOT count adjusted for a 2% annual growth rate
(**) Traffic volume based on operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status:

Trips generated by proposed use/change

Current Land Use: 2,973 -vehicle trips/day (*) **Proposed Land Use:** 3,400 -vehicle trips/day (*)

Estimated Net Change: increase of 427 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 E. 10th St are as follows:

1.) E. 10th St , West of Site (40%): **“No build” ADT of 20,566**

Estimated ADT with Proposed Land Use (full build) – 21,926
Estimated ADT with Current Land Use (full build) – 21,755

Net ADT change = 171 (<1% increase)

2.) E. 10th St , East of Site (40%): "No build" ADT of 20,566

Estimated ADT with Proposed Land Use (full build) – 21,926

Estimated ADT with Current Land Use (full build) – 21,755

Net ADT change = 171 (<1% increase)

3.) LT Hardee Rd , South of Site (20%)**Staff Findings/Recommendations**

Based on possible uses permitted by the requested land use, the proposed land use classification could generate 2720 trips to and from the site on E. 10th St, which is a net increase of 342 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.