



## Agenda

### Planning and Zoning Commission

November 16, 2010  
6:30 PM  
City Council Chambers

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Godfrey Bell
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - October 19, 2010
- V. NEW BUSINESS

#### REZONINGS

1. Ordinance requested by LakeSide Sports, LLC c/o James F. Hopf, Attorney to rezone 74.53 acres located along the southern right-of-way of Old Pictolus Highway, adjacent to Santree Mobile Home Park and north of the Tar River from R6MH (Residential-Mobile Home) to CH (Heavy Commercial).
2. Ordinance requested by Stow Management, Inc. and Vintage Associates, LLC to rezone 9.143 acres located near the northwest corner of the intersection of North Memorial Drive and Staton House Road from IU (Unoffensive Industry) to CH (Heavy Commercial).

#### TEXT AMENDMENTS

3. Ordinance amending the zoning regulations to include definitions of "beekeeping; major use", and "beekeeping; minor use", and to include applicable table of use provisions for each category.

#### VI. OTHER ITEMS OF BUSINESS

4. City Council Action Agenda - October 14, 2010

5. Consideration of rescheduling the December 21, 2010 Planning and Zoning Commission meeting to December 14, 2010.
6. Review of Statutory Requirement for Planning and Zoning Map or Text Amendments.

VII. ADJOURN

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING  
AND ZONING COMMISSION

October 19, 2010

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

Mr. Allen Thomas - \*  
Mr. Dave Gordon - \*                      Ms. Linda Rich - X  
Mr. Tony Parker - \*                      Mr. Tim Randall - \*  
Mr. Bill Lehman - \*                      Mr. Godfrey Bell, Sr. - \*  
Ms. Shelley Basnight - \*              Mr. Hap Maxwell – \*  
Mr. Charles Garner - \*                Ms. Cathy Maahs – Fladung - \*

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

**VOTING MEMBERS:** Thomas, Gordon, Parker, Lehman, Basnight, Randall, Bell, Maxwell, Fladung

**PLANNING STAFF:** Merrill Flood, Community Development Director; Harry Hamilton, Chief Planner; Chantae Gooby, Planner; Tom Wisemiller, Planner; Valerie Paul, Secretary

**OTHERS PRESENT:** Calvin Mercer, Council Member; Marion Blackburn, Council Member; Dave Holec, City Attorney; Jonathan Edwards, Communications Technician

**MINUTES:** Motion was made by Mr. Lehman, seconded by Mr. Gordon, to accept the September 21, 2010 minutes as presented. Motion carried unanimously.

**NEW BUSINESS**

**Text Amendments**

Ordinance proposed by the Community Development Department, at the request of Councilmember Blackburn, to amend the Future Land Use Plan Map to designate all City of Greenville owned parkland as CO (conservation/open space).

Mr. Tom Wisemiller, Planner, gave the presentation for this proposed text amendment. Areas zoned CO usually applies to parklands, areas that are prone to flooding, or other lands that have been deemed inappropriate for development. They can be used as buffers that can be used to separate potentially conflicting land uses. Most of the greenways and greenway connectors are included under the City's current Future Land Use Plan Map under the CO category. The Future Land Use Plan Map is not intended to be dimensionally specific, rezoning requests and other development proposals might alter these assumptions. If the proposed ordinance was adopted, all City parkland or land purchased for that purpose would automatically be designated as CO on the Future Land Use Plan Map. Properties sold, or no longer designated as park use would automatically revert back to its previous use. The proposed ordinance would not affect private property and it would not prevent the City from using the property for other uses in the future. There are only a few areas that would be affected as there are only a few parks that have not been included into the CO category.

Mr. Randall asked if Greenville Aquatics & Fitness Center and other parks that are developed with buildings be designated as CO. He asked for the reasoning behind this.

Mr. Wisemiller answered that it is part of the property that's defined as that park facility. The goal is to designate a whole park area.

Mr. Randall asked if the City would be hindered by the CO category if they wanted to expand the Greenville Aquatics Center or build something else on the park areas.

Mr. Wisemiller answered that it would not hinder the building of a recreational facility.

Mr. Gordon asked if the Greenville Aquatics & Fitness Center would revert back to its previous use if it were sold.

Mr. Wisemiller answered that yes, it would revert back to its previous use.

Mr. Gordon said it was a possibility somewhere down the line.

Mr. Bell asked if we currently have any parkland that would fit that description.

Mr. Wisemiller answered that staff is not aware of any that are currently under consideration.

Mr. Lehman asked what kinds of restrictions are foreseen with this new zoning.

Mr. Wisemiller answered that it is not a zoning category; it's more like a type of use. For the most part, areas that are designated CO are mostly city-owned areas, in the floodway, or don't have development potential.

Mr. Lehman asked to confirm that staff did not see any restriction as far as the land use goes.

Mr. Wisemiller said that CO designation would not add any restrictions.

Mr. Lehman asked if another park besides the Aquatics Center wanted to add a picnic area, would the construction of that be restricted in any way.

Mr. Wisemiller said that it would not.

Mr. Parker asked if River Park North be considered a Conservation/Open Space. He asked if the City would be able to improve upon parkland if the City saw it fit.

Mr. Wisemiller answered that was correct.

Ms. Fladung asked what "improves" means, and asked if there are restrictions for types of improvement on parkland.

Harry Hamilton, Chief Planner, answered that it does not affect zoning and when it is included in the CO designation, the City can build anything. It does not affect property rights of anyone and it does not limit the City's right to use the property in any way.

Mr. Parker asked if this would make it more of a consistent Future Land Use Map.

Mr. Hamilton answered that first of all the map illustrates environmentally-sensitive areas and it includes all city parks as a separate category, but also under the umbrella of CO and all staff is doing, at the request of City Council, is to include all city parks within this category.

Chairman Thomas asked why this was not come up during the Horizons Plan Update process.

Mr. Hamilton answered that the language that was presented by Mr. Wisemiller was the language that is in the existing plan, but only certain parts were illustrated in the maps presented. It would include current parts and any future parts.

Mr. Randall asked if a private owner had property categorized as CO, could they build anything that they wanted on the property.

Mr. Hamilton answered that City governmental uses are allowed in all zones.

Mr. Randall said that he had not been aware that the City could do that.

There were no speakers either for or against the proposed amendment, so Chairman Thomas closed the Public Hearing and opened it up for Board Discussion.

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

### **Text Amendment**

Ordinance initiated by City Council to establish a minimum waiting period between the date a petition to amend the Future Land Use Plan Map is denied and the initiation of a subsequent similar petition, and to consider revision to the minimum waiting period between the date of denial of a petition to amend the Zoning Map and the initiation of a subsequent similar rezoning petition.

Chantae Gooby, Planner, said that this request was initiated by City Council. The Commission was being asked to decide on two things: establish a minimum waiting period between the dates when a Future Land Use Map amendment has been denied before it is initiated again; and to consider revising the current waiting period for a rezoning amendment. Currently when a Future Land Use Map Plan amendment has been denied, applicants are allowed to come back the very next month and ask for the change again. Currently with rezoning, if the request has been denied, the applicant would have to wait 6 months before they could apply again, provided that it is for the same property and it is a similar request. The proposed amendments would establish a 6 month, or 12 month waiting period to resubmit your request for a Future Land Use Plan Map amendment; the other would be to possibly leave the current waiting period of 6 months for a rezoning amendment, or extend it to 12 months.

Chairman Thomas opened the Public Hearing.

There were no speakers in favor of the proposed text amendment.

Mike Baldwin came forward to speak in opposition. He said that he was present as a property

owner and as a representative of other property owners in Greenville.

Mr. Baldwin asked Mr. Hamilton how long has the 6 months policy for rezoning been in effect.

Mr. Hamilton said that it has been in place for many years – about 35 – 40 years.

Mr. Baldwin asked Mr. Hamilton how long the Land Use Plan Map change been in effect.

Mr. Hamilton said that there is no waiting period for Land Use Map Plan amendments. He pointed out that the way the ordinance is written, any re-application for any Land Use Plan Map change affecting the same property or any portion of it, would be delayed under this proposal. With respect to the existing re-zoning process, it's the same zoning affecting the same property or portion thereof. For example, if someone applied for Heavy Commercial and it got denied, they could apply for General Commercial with no delay, but they could not come back for Heavy Commercial until 6 months later.

Mr. Gordon asked Harry to explain the part about the Future Land Use Plan Map again.

Mr. Hamilton said that the Future Land Use Plan Map amendment process would be in effect for any change affecting the property. With this proposal, if you have submitted a request under the Land Use Plan Map amendment process and it has been denied, you cannot come back at all for any change to that property until 6 or 12 months depending on what the Commission decides.

Mr. Baldwin asked Mr. Hamilton if staff has looked into what other cities of our size and growth potential support.

Mr. Hamilton said that Ms. Gooby had looked into it.

Ms. Gooby answered that she had entered this question on the list serve, but she did not get a lot of feedback. There was one town that had a 12 month waiting period and it did match their re-zoning process.

Mr. Baldwin said that this is a shot in the foot as far as trying to get the housing and the economy in Greenville back on its feet. He said that he has never seen a due diligence period of one year. What would happen if a re-zoning request is turned down and a month later the opposing parties strike a deal – why should they have to wait? Why after 35 years has this request come now? We should not be forced to re-submit a request of substantial change just to get a deal closed to get some activity in Greenville and get us out of this slow spot. He thanked the City Council for bringing the request, but he asked that the Commission deny this request.

Jim Ward, a developer, came forward to speak in opposition to the request. He brought up an example of how Raleigh passed similar restrictions on development, but then had to hire consultants to bring the developers back because their tax base deteriorated. When a petitioner and an adjoining landowner reach an agreement that fits everyone, should be efficient to approve a Land Use Plan Map amendment if City Council is inclined. We are 3-4 years from coming out of this economic state, and any impediment that we place on development plans that would bring about growth in a smart way to this city is detrimental to the citizens. He asked the Commission to deny the request.

Mr. Randall asked Mr. Ward if 6 months would be that much of a burden due to that fact that since 1997, there have been six Land Use amendment requests that have been denied with only one coming back within a six month period.

Mr. Ward said that he believes that 6 months should be the most because not many landowners are going to tie up their property for much longer than that.

Mr. Bell asked if he thought it would encourage both the landowner and the one coming in to work with the neighborhood associations a lot better.

Mr. Ward answered that he feels that it is certainly in everyone's best interest to work it out that way and he believes that it is already being done.

Chairman Thomas asked Attorney Holec if a three minute rebuttal could still be offered since there was no one speaking in favor of the request.

Attorney Holec answered that they would first have to make sure there were no other speakers to speak in opposition, but since there have been speakers in opposition, the Commission would be able to offer a rebuttal to those in favor of the request.

There were no other speakers in opposition and there were no speakers to offer a rebuttal, so Chairman Thomas closed the Public Hearing and opened it up for Board Discussion.

Mr. Parker said that a six month waiting period would allow neighborhoods time to get organized and then be able to meet with developers, which would be best for the City.

Mr. Randall said that he has seen a lot of times where property owners and neighborhood associations come in and say that they are not prepared and need more time. His thought is that one year is too long, but 6 months should be enough time.

Mr. Gordon asked what the motivation from City Council was in making this request since there has only been one denied since 1997.

Attorney Holec gave his recollection of the discussion by City Council. When you have these requests that come to both the Planning & Zoning Commission and the City Council, it does put a burden on neighborhood and others nearby that are impacted. City Council felt that it was too much to have them continually go through the defense of the request so there should be a waiting period between requests.

Mr. Maxwell shared his experience from a number of years back when East Carolina University had proposed expansion plans that would have developed through his neighborhood. It took awhile for the neighborhood to get organized to defend themselves. From a personal experience, it would be good for there to be a six month waiting period for neighborhoods to be able to come together and organize. It is important for anyone with ideas for design to come to the neighborhoods and try to come to a meeting of the minds. Folks need time to get together and figure out what they want done to their neighborhoods.

Chairman Thomas asked if ECU came right back after their request was denied.

Mr. Maxwell answered that they had received a letter asking them to come to a meeting and at the meeting they found that they had wanted to place a parking deck where his house was.

Mr. Gordon said that the developers did do that as opposed to not having a conversation with the neighborhoods.

Mr. Maxwell said that they did do that, but then they received a copy of their minutes and nowhere in there was mention of the residents or what they would do – not saying that was the same situation here, but those types of situations can happen to neighborhoods.

Ms. Fladung said that the waiting period has something to do with smart growth. Having the time to recollect and organize is very important.

Mr. Bell asked if there are two proposals being considered: one, for a 6-12 month time span for requests denied by Planning & Zoning; and two, a 6 month or 12 month for withdrawals for requests for re-zoning.

Mr. Lehman answered that no, the proposals being considered are for future land use and for re-zoning.

Mr. Lehman said that his thought is that both proposals should be the same. He is in favor of the 6 months plan.

Mr. Bell asked if 6 months and 12 months are the only options – he asked if 3-months could be considered.

Ms. Gooby said that staff's only recommendation would be that it is not less than 6 months.

Mr. Hamilton answered that his recollection is that City Council specifically asked that the Commission consider either 6 months, or 12 months and he did not recall there being another option. That is the way that the ordinance is written so the Commission can recommend approval or denial of the ordinance including that motion that Mr. Lehman referred to.

Mr. Randall said that reading the information it says “establishing a minimum waiting period” without getting to the timing until you get further into the ordinance.

Mr. Hamilton said that City Council initiated this proposal with 6 or 12 months in mind.

Mr. Garner asked why the City should have a Land Use Plan if they are not going to follow it. It seems that developers can come back the next month and keep requesting what they want until they get it.

Mr. Lehman said that it exactly what can happen with the Future Land Use Plan because there is no limit on it and that is what they are here to consider if they want to impose a minimum limit on it.

Mr. Garner said that if you just follow the Land Use Plan then development continues in an



orderly matter.

Mr. Gordon said that in the last 13 years there has only been one denied by the City Council.

Chairman Thomas called for a motion.

Mr. Maxwell made the motion to approve the proposed text amendment to include a 6 month waiting period in the case of the Future Land Use Plan re-submissions and to not lengthen the current waiting period from 6 months to 12 months for re-zoning maps, and Ms. Fladung seconded the motion. Ms. Fladung, Mr. Parker, Mr. Lehman, Mr. Bell, Mr. Randall, Mr. Maxwell, and Ms. Basnight voted in favor while Mr. Gordon voted in opposition. Motion passed.

**OTHER ITEMS OF BUSINESS**

Chairman Thomas requested that Attorney Holec give a brief presentation on the appropriate way to handle different types of amendments and motions at the next meeting.

**ADJOURN**

Mr. Randall made the motion to adjourn, Mr. Parker seconded it, and it passed unanimously.

The meeting adjourned at 7:51 p.m.

Respectfully Submitted,

Merrill Flood  
Secretary



# City of Greenville, North Carolina

**Meeting Date:**  
**11/16/2010**  
**Time: 6:30 PM**

**Title of Item:** Ordinance requested by LakeSide Sports, LLC c/o James F. Hopf, Attorney to rezone 74.53 acres located along the southern right-of-way of Old Pictolus Highway, adjacent to Santree Mobile Home Park and north of the Tar River from R6MH (Residential-Mobile Home) to CH (Heavy Commercial).

**Explanation:**

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letters) mailed on November 1, 2010.  
On-site sign(s) posted on November 1, 2010.  
City Council public hearing notice (property owner and adjoining property owner letters) mailed - N/A.  
Public hearing advertised published - N/A.

**Comprehensive Plan:**

The subject property is located in Vision Area A.

Old Pictolus Road is considered a "residential" corridor from its intersection with Greenville Boulevard and continuing east. Residential corridors are preferred to accommodate lower intensity residential uses. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area, and linear expansion outside of the focus area should be prohibited.

The Future Land Use Plan Map recommends commercial (C) along the southern right-of-way of Old Pictolus Road, east of Greenville Boulevard, and in the interior areas transitioning to conservation/open space (COS) toward the Tar River.

The Future Land Use Plan Map identifies certain areas for conservation/open space uses. The map is not meant to be dimensionally specific, and may not correspond precisely to conditions on the ground. When considering rezoning

requests or other development proposals, some areas classified as conservation/open space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Future Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2,245 trips to and from the site on Old Pactolus Road, which is a net increase of 2,140 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. These measures could include the construction of turn lanes along Old Pactolus Road into the property. Access to the tract will also be reviewed.

**History/Background:**

In 1998, the subject property was incorporated into the city's jurisdiction and zoned R6MH (Residential - Mobile Home).

**Present Land Use:**

Currently, the property is vacant.

**Water/Sewer:**

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

**Historic Sites:**

There are no known effects on designated sites.

**Environmental Conditions/Constraints:**

The property is impacted by the floodway and 100-year floodplain associated with the Tar River.

Elevation Standards

Use	Non-residential, single-family lots over 20,000 square feet	Duplexes, multi-family, single-family lots less than 20,000 square feet	Manufactured Homes
	Base Flood	BFE plus 1 foot or	

Elevation	Elevation (BFE) plus 1 foot	500-year floodplain elevation, is greater	BFE plus 2 feet
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**Surrounding Land Uses and Zoning:**

North: RA20 - Seasons (Mayes Circle) MHP, vacant lot, one (1) mobile home residence and one (1) single-family residence  
 South: RA20 - vacant (under common ownership as subject property)  
 East: R6MH - Santree MHP (125 mobile home lots)  
 West: RA20 and CH - vacant

**Density Estimates:**

Due to the environmental constraints/conditions, only a portion of the property would be suitable for development. Therefore, the following density estimates are based on the developable area.

Under the current zoning (R6MH), the site could accommodate 21 mobile homes.

Under the proposed zoning (CH), the site could accommodate 52,272+ square feet of retail/conventional/fast food restaurant space.

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

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

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

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 / click to download**

[📄 Location Map](#)

[📄 Survey](#)

[📄 Bufferyard and Residential Charts](#)

[📄 Rezoning Case 10 08 Lakeside Sports LLC 880890](#)

[📄 List of Uses R6MH to CH 683195](#)

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# REZONING TRAFFIC VOLUME REPORT

Case No: 10-08

Applicant: Lakeside Sports, LLC

## Property Information

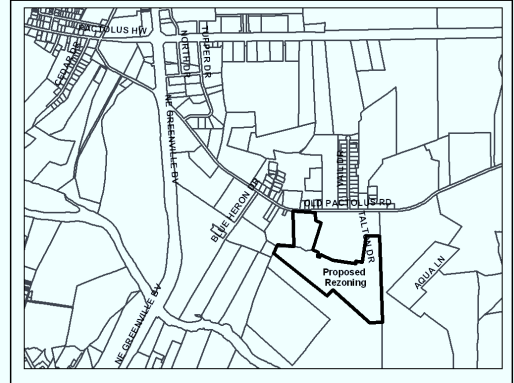
**Current Zoning:** R6MH (Residential – Mobile Home)

**Proposed Zoning:** CH (Heavy Commercial)

**Current Acreage:** 74.53 acres

**Location:** Old Pactolus Road

**Points of Access:** Old Pactolus Road



Location Map

## Transportation Background Information

### 1.) Old Pactolus Road - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane with ditches	2-lane with ditches
Right of way width (ft)	60	60
Speed Limit (mph)	55	
<b>Current ADT:</b>	2,500(*)	Design ADT: 12,000 vehicles/day (**)
<b>Controlled Access</b>	No	
<b>Thoroughfare Plan Status:</b>	Non Thoroughfare (Local Road)	
<b>Other Information:</b>	There are no sidewalks along Old Pactolus Road that service this property.	

**Notes:** (\*) 2010 City Count  
 (\*\*) Traffic volume based on an operating Level of Service D for existing geometric conditions  
 ADT – Average Daily Traffic volume

**Transportation Improvement Program Status:** No Projects Planned.

### Trips generated by proposed use/change:

**Current Zoning:** 105 -vehicle trips/day (\*) **Proposed Zoning:** 2245 -vehicle trips/day (\*)

**Estimated Net Change:** increase of 2140 -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 Old Pactolus Road are as follows:

#### 1.) Old Pactolus Road, West of Site (“No build” ADT of 2,500)

Estimated ADT with Proposed Zoning (full build) – 4,521  
 Estimated ADT with Current Zoning (full build) – 2,595  
**Net ADT change** – 1,926 (43% increase)

Case No: 10-08

Applicant: Lakeside Sports, LLC

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**2.) Old Pactolus Road, East of Site (“No build” ADT of 2,500)**

Estimated ADT with Proposed Zoning (full build) – 2,724

Estimated ADT with Current Zoning (full build) – 2,510

**Net ADT change** – 214 (8% increase)

**Staff Findings/Recommendations:**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2245 trips to and from the site on Old Pactolus Road, which is a net increase of 2140 trips per day.

During the review process, measures to mitigate the traffic will have to be determined. These measures could include the construction of turn lanes along Old Pactolus Road into the property. Access to the tract will also be reviewed.

## **EXISTING ZONING**

### **R6MH (Residential-Mobile Home)**

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

*(1) General:*

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

*(2) Residential:*

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

*(3) Home Occupations (see all categories):*

\*None

*(4) Governmental:*

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

*(5) Agricultural/ Mining:*

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

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

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

*(9) Repair:*

\* None

*(10) Retail Trade:*

\* None

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

\* None

*(12) Construction:*

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

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None



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

\* None

**R6MH (Residential-Mobile Home)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

\* None

*(3) Home Occupations (see all categories):*

b. Home occupation; excluding barber and beauty shops

c. Home occupation; excluding manicure, pedicure or facial salon

*(4) Governmental:*

a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

\* None

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

a. Child day care facilities

b. Adult day care facilities

d. Cemetery

*(9) Repair:*

\* None

*(10) Retail Trade:*

\* None

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

\* None

*(12) Construction:*

\* None

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

## **PROPOSED ZONING**

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

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

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

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

##### *(2) Residential:*

\* None

##### *(3) Home Occupations (see all categories):*

\*None

##### *(4) Governmental:*

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

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

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

##### *(6) Recreational/ Entertainment:*

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

##### *(7) Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage

- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
- g. Catalogue processing center

*(8) Services:*

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor  
or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular  
telephone and wireless communication towers [unlimited height, except as provided by regulations]
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- bb. Civic organization
- cc. Trade or business organization
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

*(9) Repair:*

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

*(10) Retail Trade:*

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- b. Gasoline or automotive fuel sale; accessory or principal use
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial or industrial use, sales and accessory repair, including outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales

- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- cc. Farm supply and commercial implement sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- a. Wholesale; durable and nondurable goods, not otherwise listed
- b. Rental of home furniture, appliances or electronics and medically related products (see also (10) k.)
- c. Rental of cloths and accessories; formal wear, etc.
- d. Rental of automobile, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- e. Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)
- g. Mobile home sales including accessory mobile home office

*(12) Construction:*

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

*(13) Transportation:*

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

*(14) Manufacturing/ Warehousing:*

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

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

\* None

**CH (Heavy Commercial)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

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

*(3) Home Occupations (see all categories):*

\* None

*(4) Governmental:*

\* None

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

\* None

*(12) Construction:*

\* None

*(13) Transportation:*

\* None

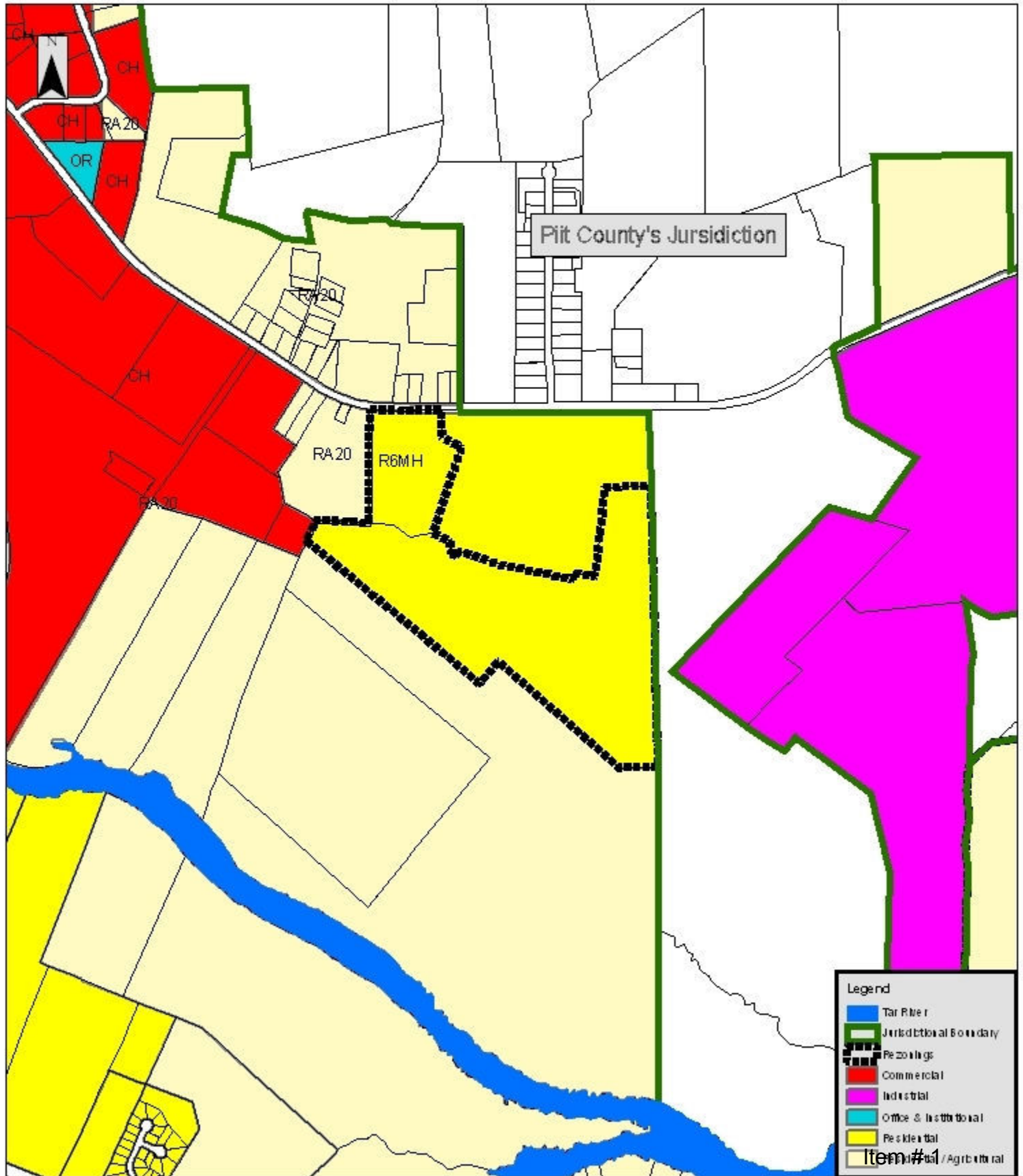
*(14) Manufacturing/ Warehousing:*

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

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

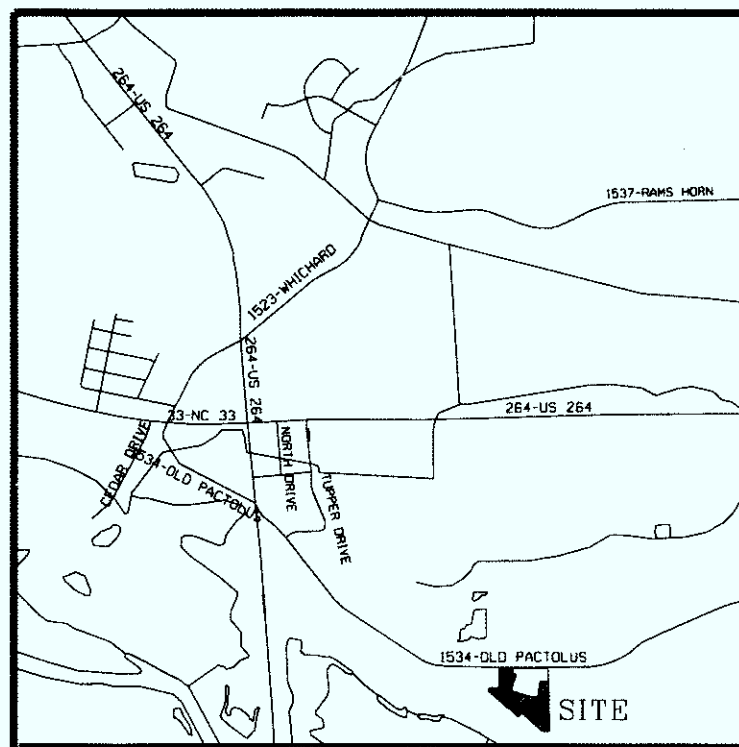
- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

LakeSide Sports, LLC c/o James F. Hopf, Attorney  
From R6MH to CH (74.53 acres)  
November 1, 2010

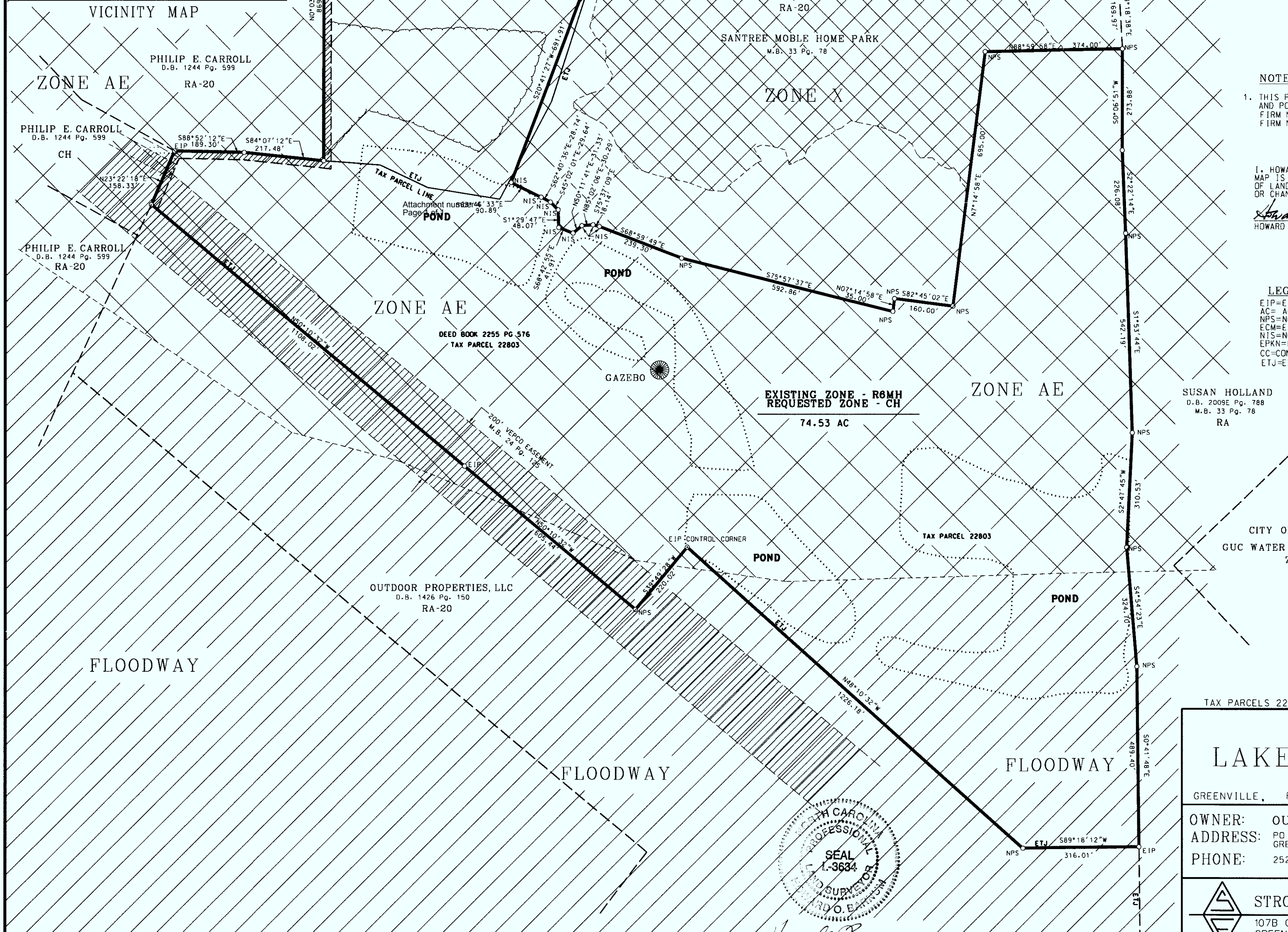


Item #1





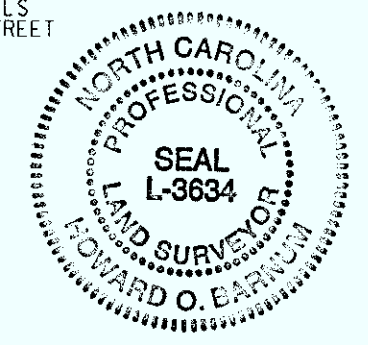
MAYBE CIRCLE  
 OUTLINE PROPERTIES  
 LAKESIDE SPORTS, LLC  
 DB 2621 PG 716  
 RA-20  
 CLAYTON RAY SPEIGHT  
 DB 2734 PG 689  
 RA-20  
 DARNELL MAYE  
 DB 334 PG 601  
 RA-20  
 GLORIA T. TYSON  
 DB 2722 PG 203  
 RA-20  
 GLORIA T. TYSON  
 DB 1251 PG 30  
 RA-20  
 RICHARD L. HILL  
 DB 783 PG 454  
 RA-20



SUSAN HOLLAND  
 D.B. 2009E Pg. 788  
 M.B. 33 Pg. 78  
 RA

**NOTES**  
 1. THIS PROPERTY IS LOCATED IN THE 100 YEAR FLOOD PLAIN AND PORTIONS ARE IN THE FLOODWAY, AS SHOWN ON FIRM NUMBER 3720560800J DATED 1-2-04, AND FIRM NUMBER 3720468800J DATED 1-2-04.

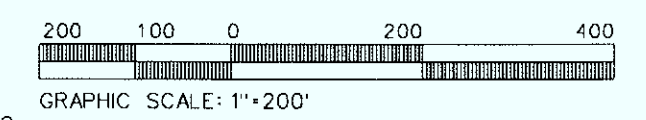
I, HOWARD O. BARNUM, CERTIFY THAT THIS MAP IS OF A SURVEY OF EXISTING PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.  
*Howard O. Barnum*  
 HOWARD O. BARNUM, PLS



**LEGEND**  
 EIP=EXISTING IRON PIPE  
 AC=ACRES  
 NPS=NO POINT SET  
 ECM=EXISTING CONCRETE MONUMENT  
 NIS=NO IRON SET  
 EPKN=EXISTING PARKER KALON NAIL  
 CC=CONTROL CORNER  
 ETJ=EXTRATERRITORIAL JURISDICTION

SUSAN HOLLAND  
 D.B. 2009E Pg. 788  
 M.B. 33 Pg. 78  
 RA

CITY OF GREENVILLE  
 GUC WATER TREATMENT PLANT  
 ZONE IU

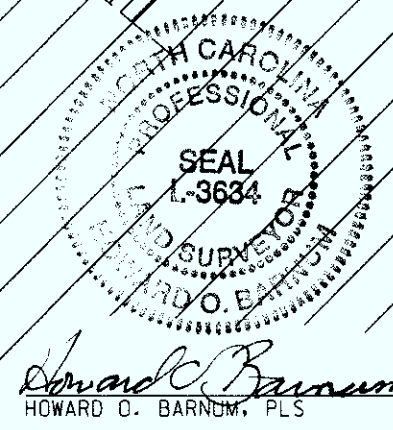


TAX PARCELS 22803 AND 19042

**REZONING MAP FOR LAKESIDE SPORTS, LLC**  
 C/O JAMES F. HOPF, ATTORNEY  
 GREENVILLE, PACTOLUS TWP., PITT COUNTY, NORTH CAROLINA

OWNER: OUTDOOR PROPERTIES, LLC	SURVEYED: DT
ADDRESS: PO BOX 3435 GREENVILLE, NC 27836	DRAWN: DM
PHONE: 252-752-7921	APPROVED: HOB
<b>STROUD ENGINEERING, P.A.</b> 107B COMMERCE ST. GREENVILLE, NC (252) 756-9352	DATE: 9/28/10
	SCALE: 1"=200'
	SHEET 1 OF 1

LICENSE No. C-0647



*Howard O. Barnum*  
 HOWARD O. BARNUM, PLS



04/30/07

## BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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



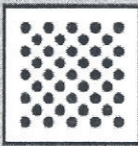
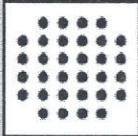
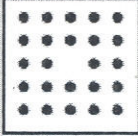
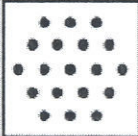
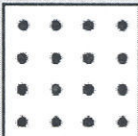
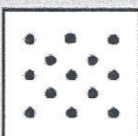
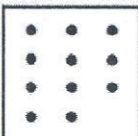
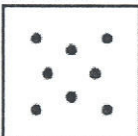
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
<b>High Density</b>		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
<b>Medium Density</b>		
R6-A	9 units per acre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

Illustration: Maximum allowable density in Residential Zoning Districts



# City of Greenville, North Carolina

**Meeting Date:**  
**11/16/2010**  
**Time: 6:30 PM**

**Title of Item:** Ordinance requested by Stow Management, Inc. and Vintage Associates, LLC to rezone 9.143 acres located near the northwest corner of the intersection of North Memorial Drive and Staton House Road from IU (Unoffensive Industry) to CH (Heavy Commercial).

**Explanation:**

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on November 1, 2010.

On-site sign(s) posted on November 1, 2010.

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

Public hearing legal advertisement published on - N/A.

**Comprehensive Plan:**

The subject property is located in Vision Area A.

Memorial Drive is considered a "gateway" corridor from the Tar River and continuing north. Gateway corridors serve as primary entranceways into the City and help define community character. Gateway corridors may accommodate a variety of intensive, large scale uses, in appropriately located focus areas with lower intensity office and/or high density residential development in the adjacent transition areas.

The Future Land Use Plan Map recommends industry (I) west and east of North Memorial Drive between Staton House Road and the Martin Luther King, Jr. Highway / North Memorial Drive interchange, in the interior areas and Memorial Drive corridor outside of designated focus areas. Further, the Future Land Use Plan Map recommends commercial (C) along the Memorial Drive corridor focus area located in proximity to Staton House Road - Belvoir Highway intersections.

**Thoroughfare/Traffic Volume Report Summary (PWD - Engineering**

**Division):**

A traffic report was not generated since the proposed rezoning will not generate any additional vehicle trips on North Memorial Drive.

**History/Background:**

In 1969, the subject property was zoned IU (Unoffensive Industry).

The subject property is comprised of Lots 9-14 on the approved preliminary plat for North Green Commercial Park.

**Present Land Use:**

Vacant

**Water/Sewer:**

Water and sanitary sewer are available at the property.

**Historic Sites:**

There are no known effects on designated sites.

**Environmental Conditions/Constraints:**

There are no known effects on the designated area.

**Surrounding Land Uses and Zoning:**

North: Martin Luther King, Jr. Highway / North Memorial Drive Interchange  
South: RA20 - Staton House Fire Department; IU - The Fuel Dock Truckstop  
East: IU - Harper Brush Works  
West: IU - Vacant (under common ownership of subject property)

**Density Estimates:**

Under the current zoning (IU), the site could accommodate a building of 74,052± square feet of retail/conventional/fast food restaurant space.

Under the current zoning (CH), the site could accommodate a building of 74,052± square feet of retail/conventional/fast food restaurant space.

The anticipated build-out time is within one year.

**Additional Staff Comments:**

The property is located outside of the recognized Industrial Area.

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

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

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

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

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

**Attachments / click to download**

- [📄 Location Map](#)
- [📄 Survey](#)
- [📄 Bufferyard and Vegetation Chart](#)
- [📄 North Green Commercial Park Preliminary Plat](#)
- [📄 List\\_of\\_Uses\\_IU\\_to\\_CH\\_855693](#)

## **EXISTING ZONING**

### **IU (Unoffensive Industry)**

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

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

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

##### *(2) Residential:*

\* None

##### *(3) Home Occupations (see all categories):*

\*None

##### *(4) Governmental:*

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

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

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- b. Greenhouse or plant nursery; including accessory sales
- d. Farmers market
- e. Kennel (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

##### *(6) Recreational/ Entertainment:*

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility
- p. Circus, carnival or fairs

##### *(7) Office/ Financial/ Medical:*

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

##### *(8) Services:*

- n. Auditorium
- 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)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)

- bb. Civic organization
- gg. Vocational rehabilitation center
- mm. Commercial laundries; linen supply
- nn. Industrial laundries
- y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular  
    telephone and wireless communication towers [unlimited height, except as provided by regulations]

*(9) Repair:*

- b. Minor repair; as an accessory or principal use
- c. Upholster; automobile, truck, boat or other vehicle, trailer or van
- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- h. Appliance; commercial and industrial equipment repair not otherwise listed

*(10) Retail Trade:*

- b. Gasoline or automotive fuel sale; accessory or principal use, retail
- h. Restaurant; conventional
- i. Restaurant; fast food
- cc. Farm supply and commercial implement sales

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

- a. Wholesale; durable and nondurable goods, not otherwise listed
- d. Rental of automobile, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- e. Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery

*(12) Construction:*

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

*(13) Transportation:*

- a. Railroad freight or distribution and/or passenger station
- d. Truck terminal or distribution center
- e. Parcel delivery service
- f. Ambulance service
- g. Airport and related activities; private
- h. Parking lot or structure; principal use

*(14) Manufacturing/ Warehousing:*

- a. Ice plant and freezer lockers
- b. Dairy; production, storage and shipment facilities
- c. Bakery; production, storage and shipment facilities
- d. Stone or monument cutting, engraving
- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholster
- h. Engraving; metal, glass or wood
- j. Moving and storage; including outside storage
- k. Mini-storage warehouse, household; excluding outside storage
- l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
- m. Warehouse; accessory to approved commercial or industrial uses within a district; excluding outside storage
- o. Feed and grain elevator, mixing, redrying, storage or sales facility
- p. Tobacco redrying or processing plant
- 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
- u. Tire recapping or retreading plant
- v. Bottling or packing plant for nonhazardous materials or products
- y. Recycling collection station of facilities
- cc. Manufacture of pharmaceutical, biological, botanical, medical, and cosmetic products, and related materials

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

\* None

**IU (Unoffensive Industry)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile home
- o. Nursing, convalescent center or maternity home; major care facility

*(3) Home Occupations (see all categories):*

\* None

*(4) Governmental:*

\* None

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

- e. Miniature golf or putt-putt course
- i. Commercial recreation; indoor and outdoor, not otherwise listed
- k. Firearm ranges; indoor or outdoor

*(7) Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed

*(8) Services:*

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- o. Church or place of worship (see also section 9-4-103)
- s.(1). Hotel, motel, bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)

*(9) Repair:*

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

*(10) Retail Trade:*

- j. Restaurant; regulated outdoor activities

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

- g. Mobile home sales including accessory mobile home office

*(12) Construction:*

\* None

*(13) Transportation:*

c. Taxi and limousine service

*(14) Manufacturing/ Warehousing:*

z. Metallurgy, steel fabrication, welding

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

c. Other activities; commercial services not otherwise listed

e. Other activities; industrial services not otherwise listed



## **PROPOSED ZONING**

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

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

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

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

##### *(2) Residential:*

\* None

##### *(3) Home Occupations (see all categories):*

\*None

##### *(4) Governmental:*

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

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

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

##### *(6) Recreational/ Entertainment:*

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

##### *(7) Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage

- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
- g. Catalogue processing center

*(8) Services:*

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor  
or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular  
telephone and wireless communication towers [unlimited height, except as provided by regulations]
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- bb. Civic organization
- cc. Trade or business organization
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

*(9) Repair:*

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

*(10) Retail Trade:*

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- b. Gasoline or automotive fuel sale; accessory or principal use
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial or industrial use, sales and accessory repair, including outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales

- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- cc. Farm supply and commercial implement sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- a. Wholesale; durable and nondurable goods, not otherwise listed
- b. Rental of home furniture, appliances or electronics and medically related products (see also (10) k.)
- c. Rental of cloths and accessories; formal wear, etc.
- d. Rental of automobile, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- e. Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)
- g. Mobile home sales including accessory mobile home office

*(12) Construction:*

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

*(13) Transportation:*

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

*(14) Manufacturing/ Warehousing:*

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

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

\* None

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

*(1) General:*

\* None

*(2) Residential:*

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

*(3) Home Occupations (see all categories):*

\* None

*(4) Governmental:*

\* None

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

\* None

*(12) Construction:*

\* None

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

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

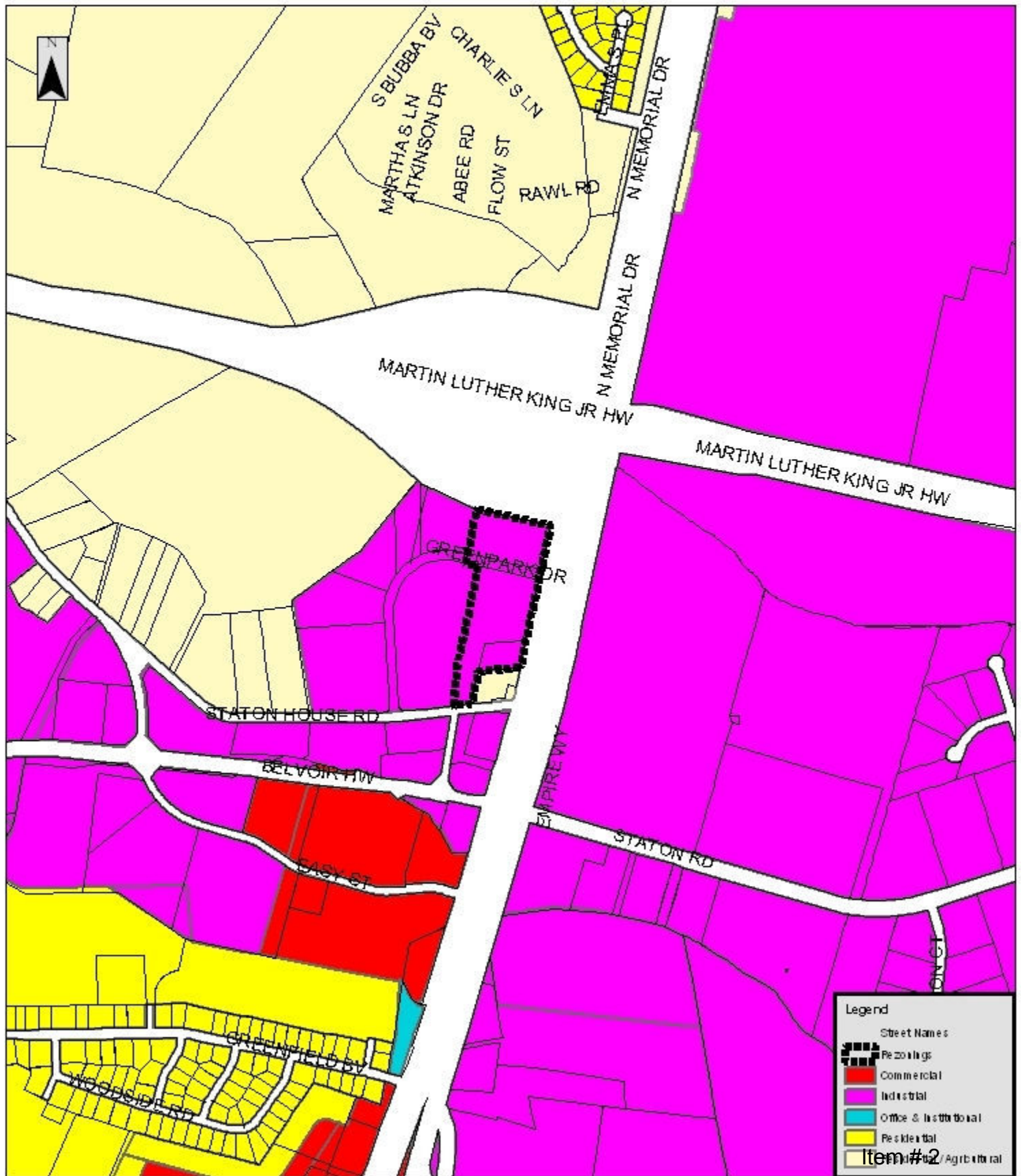
*(15) Other Activities (not otherwise listed - all categories):*

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

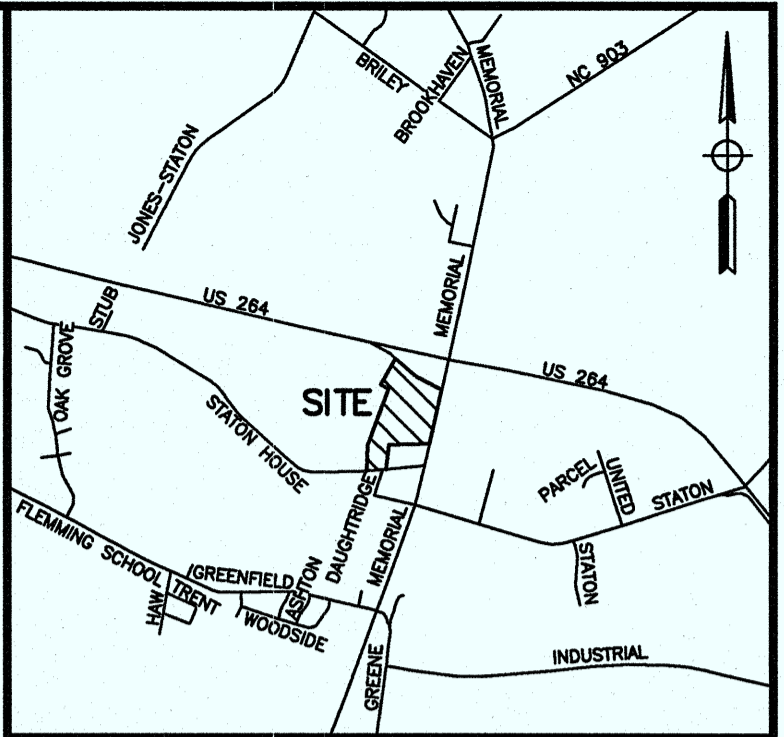
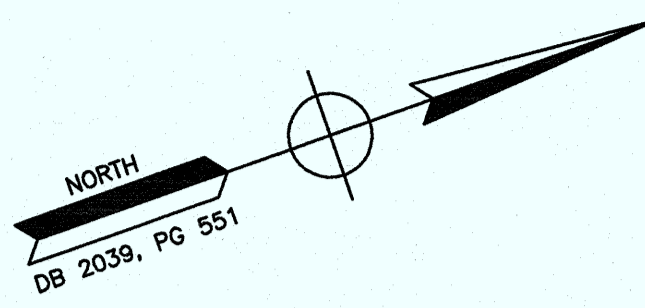
# Stow Management, Inc. & Vintage Associates, LLC

## From IU to CH (9.143 acres)

November 1, 2010







VICINITY MAP

SCALE: 1"=1000'±

**DAUGHTRIDGE CENTER**  
PHASE 2  
MB 47, PG 103  
**DOUGLAS W. HODGES**  
DB 682, PG 85

**DAUGHTRIDGE DRIVE**  
(50' R/W 36' B/B PUBLIC)

**DAUGHTRIDGE OIL COMPANY OF GREENVILLE**  
DB 267, PG 467

**DAUGHTRIDGE OIL COMPANY OF GREENVILLE**  
DB 507, PG 416

**STOW MANAGEMENT, INC.**  
DB 2039, PG 551

**STOW MANAGEMENT, INC.**  
DB 2039, PG 551

N 15°50'40" E  
R=500.00  
CH=63.93'

Attachment number 3  
Page 1 of 1

PARCEL# 03110  
PARCEL# 27207

**STATON HOUSE FIRE DEPARTMENT, INC.**  
DB H-46, PG 812

**IU** CURRENT  
**CH** PROPOSED

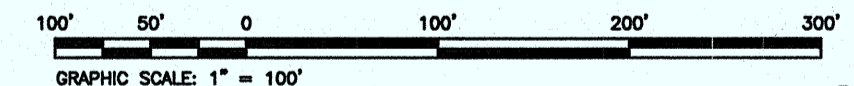
**GREENPARK DRIVE**  
(60' R/W 36' B/B PUBLIC)  
MB 69, PG 162

**EXIT/ENTRANCE RAMP TO US HIGHWAY 264**  
(R/W VARIES PUBLIC)  
PROJ# 6.229002

**US HWY 13 & NC HWY 11**  
(VARIABLE PUBLIC R/W)

**PGV PROPERTIES, LLC**  
MB 19, PG 13  
DB 1841, PG 863

△ REVISED: 11/1/10 (CITY COMMENTS)(JJB)  
SHOW INGRESS, EGRESS, REGRESS & UTILITY EASEMENT  
REMOVE LOT# FROM DOUGLAS W. HODGES PARCEL  
CORRECT BEARINGS & DISTANCES FOR CLOSURE



PARCEL# 03110  
TAX MAP# 4689.07-57-2764  
PARCEL# 27207  
TAX MAP# 4689.07-57-4374

**LEGEND**

- EIP = EXISTING IRON PIPE
- R/W = RIGHT-OF-WAY
- R = RADIUS
- CH = CHORD
- = EXISTING ZONING
- = PROPOSED ZONING

△ AREA TO BE REZONED: 9.402 ACRES



REZONING MAP FOR  
**STOW MANAGEMENT, INC. AND VINTAGE ASSOCIATES, LLC.**

REFERENCE: DEED BOOK 2039, PAGE 551 AND DEED BOOK 2125, PAGE 703 OF THE PITT COUNTY REGISTRY  
**BELVOIR TOWNSHIP, PITT COUNTY, N.C.**

OWNER/DEVELOPER: **STOW MANAGEMENT, INC. & VINTAGE ASSOCIATES, LLC**  
ADDRESS: 1528 SOUTH EVANS STREET  
GREENVILLE, NC 27834  
PHONE: (252) 355-6622

<p><b>Baldwin Design Consultants, PA</b> DESIGN - LAND PLANNING - SURVEYING 708-D CROMWELL DRIVE GREENVILLE, NC 27858 252.756.1390</p>	SURVEYED: MM	APPROVED: MWB
	DRAWN: JJB	DATE: 10/14/10
	CHECKED: MWB	SCALE: 1" = 100'

## BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

### Bufferyard A (street yard)

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

Street trees may count toward the minimum acreage.

### Bufferyard B (no screen required)

Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

### Bufferyard C (screen required)

Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

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

### Bufferyard D (screen required)

Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

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

### Bufferyard E (screen required)

Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

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

### Bufferyard F (screen required)

Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

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

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









# City of Greenville, North Carolina

Meeting Date:  
11/16/2010  
Time: 6:30 PM

**Title of Item:** Ordinance amending the zoning regulations to include definitions of "beekeeping; major use", and "beekeeping; minor use", and to include applicable table of use provisions for each category.

**Explanation:** Request by the Community Development Department to amend the zoning regulations to include definitions of "beekeeping; major use", and "beekeeping; minor use", and to include applicable table of use provisions for each category.

This requested zoning ordinance amendment is in conjunction with a separate request by the Police Department to amend Section 12-2-27 of the animal control regulations. A draft copy of the proposed amendment to Section 12-2-27 is attached for reference since the proposed amendment to the zoning ordinance incorporates this provision. The proposed amendment to the zoning regulations (beekeeping definition and table of use ordinance) requires Planning and Zoning Commission review and recommendation prior to City Council consideration however; the proposed amendment to the animal control ordinance (Section 12-2-27) does not require Planning and Zoning Commission review and recommendation.

Proposed definitions are as follows:

*"Beekeeping; major use. Use of any lot or building for the keeping of more than six (6) hives."*

*"Beekeeping; minor use. Use of any lot or building for the keeping of not more than six (6) hives."*

Note: The two proposed beekeeping categories (major and minor) are differentiated only by the number of hives located on the property. There is no regulatory distinction concerning recreational beekeeping and commercial beekeeping, or the physical size of any individual hive. Any bee hive in any district may (i) produce honey for sale, and (ii) may be transported and used for agricultural production in accordance with applicable zoning and animal control

regulations.

Beekeeping; minor use (6 or fewer hives), is recommended to be a "class one (1)" use for bufferyard and vegetation screening purposes - i. e. no zoning related vegetation screening required.

Beekeeping; major use (7 or more hives), is recommended to be a "class four (4)" use for bufferyard and vegetation screening purposes - i. e. zoning related vegetation screening required in accordance with the attached bufferyard and vegetation chart. This proposed screening requirement is the same standard as is applicable to a "kennel", defined as the keeping of four (4) or more dogs.

“Beekeeping; minor use” is recommended to be a permitted use (by-right) in the RA20 (residential-agricultural), R15S, R9S, R6N, R9, R6, R6A, R6MH, MR, MRS (residential), CDF, CG, CH (commercial), and IU, I (industrial) districts.

“Beekeeping; major use” is recommended to be a special use (Board of Adjustment approval required) in the RA20 (residential-agricultural), CH (commercial), and IU, I (industrial) districts. With respect to special use permit dependent uses, the Board of Adjustment may attach additional reasonable conditions to the permit when determined necessary by the Board in the particular case.

This ordinance will apply within the city limits and within the extraterritorial jurisdiction (ETJ).

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


**Recommendation:** In staff’s opinion, the request is in compliance with Horizons: Greenville’s Community Plan.

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

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

**Attachments / click to download**

 [Bufferyard and vegetation requirements](#)

 [Beekeeping zoning ordinance 880021](#)

 [Bee Ordinance 877811](#)

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ORDINANCE NO. 10 - \_\_\_\_  
AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the North Carolina General Statutes, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on December 9, 2010 at 7:00 p.m., in the 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 does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan 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, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1: That Title 9, Chapter 4, Article B, Section 9-4-22, of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended to include the following definitions in alphabetical order:

*“Beekeeping; major use.* Use of any lot or building for the keeping of more than six (6) hives.”

*“Beekeeping; minor use.* Use of any lot or building for the keeping of not more than six (6) hives.”

Section 2: That Title 9, Chapter 4, Appendix A, (C), (5), of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended to include a new subsection l., entitled “Beekeeping; minor use” as a permitted use in the RA20, R15S, R9S, R6N, R9, R6, R6A, R6MH, MR, MRS, CDF, CG, CH, IU, and I districts to read as follows:

“l. Beekeeping; minor use LUC# 1”  
(see also 9-4-103)

Section 3: That Title 9, Chapter 4, Appendix A, (C), (5), of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended to include a new subsection m., entitled “Beekeeping; major use” as a special use in the RA20, CH, IU, and I districts to read as follows:

“m. Beekeeping; major use LUC# 4”

Section 4: That Title 9, Chapter 4, Article E, Section 9-4-85 of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended to include a new subsection (PP) to read as follows:

“(PP) Beekeeping; major use.”

Section 5: That Title 9, Chapter 4, Article E, Section 9-4-86 of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended to include a new subsection (PP) to read as follows:

“(PP) *Beekeeping; major use.*

- (1) The standards, requirements, conditions and restrictions of section 12-2-27(c) shall apply for locations and uses both within the city limits and within the extraterritorial jurisdiction.
- (2) In addition to section (1) above the Board of Adjustment may require reasonable additional conditions as determined appropriate by the Board in the particular case.”

Section 6: That Title 9, Chapter 4, Article F, Section 9-4-103 of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended to include a new subsection (V) to read as follows:

“(V) *Beekeeping; minor use.*

- (1) The standards, requirements, conditions and restrictions of section 12-2-27(c) shall apply for locations and uses both within the city limits and within the extraterritorial jurisdiction.”

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. 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 9. This ordinance shall become effective sixty (60) days after its adoption.

Adopted this 9<sup>th</sup> day of December, 2010.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk

880021

AN ORDINANCE AMENDING 12-2-27 OF THE GREENVILLE CITY CODE  
RELATING TO URBAN BEEKEEPING

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

Section 1. That Chapter 2, Title 12 of the Greenville City is hereby amended by deleting subsection §12-2-27 in its entirety and rewriting said subsection to read as follows:

Section 12-2-27. **URBAN BEEKEEPING.**

(a) Purpose

The purpose of this section is to encourage persons who keep bees to properly maintain hives, comply with state regulatory requirements and to be considerate of neighbors. This section governs the maintenance, establishes procedures and administration, and provides penalties for enforcement of violations.

(b) Definitions

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

(1) *Apiary Inspector* means the person designated by the State of North Carolina, Department of Agriculture to inspect all bees and hives within the State of North Carolina.

(2) *Bees* means eggs, larva, developing bees and adult bees.

(3) *Beekeeper* means the person who keeps and raises bees and harvests honey.

(4) *Certificate of Inspection* means all certificates and approvals from the Apiary Inspector certifying the health of bees obtained from any source or location in or outside of the State of North Carolina and any equipment purchased to keep bees.

(5) *Front yard.* (a) The area extending across the full length of a lot from side lot line to side lot line and lying between the abutting street right-of-way or easement line and the building line; or (b) in the case of a lot abutting more than one street, the front yard shall include all areas extending across the full length of a lot from property line to property line and lying between the abutting street right-of-way or easement and building line.

(6) *Health Certificate* means the periodic health inspection conducted by the NC Department of Agriculture.

(7) *Hives* means the movable wooden frame boxes used to house bees.

(8) *Permit* means the no fee authorization annually issued by the Division of Animal Control, Greenville Police Department to a beekeeper to maintain bees for personal and family use.

(c) Urban beekeeping requirements.

(1) No more than six (6) hives will be permitted on a lot except those lots classified as beekeeping, major use, by zoning regulations for which a special use permit has been issued or those lots classified as a farm by zoning regulations.

(2) Each hive must have an adequate water supply at the hive. The water supply must be unobstructed that allows for easy access for the bees.

(3) No hive shall be located in a front yard, and no hive shall be closer than 25 feet from any exterior property line.

(4) The hives shall be fully enclosed by a fence or wall with the height of the fence or wall being no less than six feet. The fence or wall must be solid so that it will not allow the bees to fly through, but over.

(5) All bee equipment and hives must be maintained in good order and condition.

(d) Permitting and inspection requirements for urban bee keeping.

(1) It shall be unlawful for any person within the City limits of the City of Greenville to keep bees without first obtaining a permit.

(2) The permit must be renewed annually and a copy of the periodic health inspection report by the NC Department of Agriculture provided to the Division of Animal Control.

(3) All bee equipment and hives will be inspected annually by the Division of Animal Control.

(e) Enforcement provisions.

(1) Failure to comply with the provisions of this section can result in revocation of all beekeeping permits in addition to any civil penalties.

(2) The Animal Control Division is authorized to issue citations for violations of this section. Violations of zoning ordinance provisions will be enforced by the Zoning Enforcement Officers.

(3) Any violation of the provisions of this section shall subject the offender to a civil penalty in the amount of \$75.00. In the event there is more than one violation in any 30-day period, then the civil penalty shall be increased for each additional violation over one during the period as follows: \$100.00 for a second offense; \$150.00 for a third and subsequent offenses



during a 30-day period. The date of the initial violation shall establish the beginning date for the initial 30-day period. The City Attorney or designee may initiate litigation on behalf of the city to collect any unpaid citations including but not limited to interest, court costs and attorneys fees. Appeals of any citation issued under this section may be appealed in writing to the chief of police or designee within 72 hours of the citation.

(4) This section may also be enforced through equitable remedies, including but not limited to nuisance abatement procedures as issued by a court of competent jurisdiction.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. 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 4. This ordinance shall become effective sixty days after its adoption.

This the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Patricia C. Dunn, Mayor

ATTEST:

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Carol L. Barwick, City Clerk

## BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

### Bufferyard A (street yard)

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

Street trees may count toward the minimum acreage.

### Bufferyard B (no screen required)

Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

### Bufferyard C (screen required)

Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

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

### Bufferyard D (screen required)

Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

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

### Bufferyard E (screen required)

Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

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

### Bufferyard F (screen required)

Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

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

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



# City of Greenville, North Carolina

Meeting Date:  
11/16/2010  
Time: 6:30 PM

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**Title of Item:** Review of Statutory Requirement for Planning and Zoning Map or Text Amendments.

**Explanation:** At the October meeting of the Planning and Zoning Commission, Chairman Allen Thomas requested that City Attorney Holec make a presentation at the November meeting of the Planning and Zoning Commission about the statutory requirement on motions on zoning map and text amendments. Attached is information on the requirement.

**Fiscal Note:** No fiscal impact.

**Recommendation:** Presentation/questions.

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

Attachments / click to download

[PLANNING\\_BOARD\\_MOTIONS\\_ON\\_ZONING\\_MAP\\_OR\\_TEXT\\_AMENDMENT\\_661290](#)

## PLANNING AND ZONING COMMISSION MOTIONS ON ZONING MAP OR TEXT AMENDMENT

### **N.C.G.S. 160A-383 requires:**

When acting on a proposed zoning map or text amendment , the Commission is to advise and comment on whether the proposed amendment is consistent with any adopted comprehensive plan and any other adopted plan which is applicable. The Commission is to provide a written recommendation to City Council that addresses plan consistency and other matters deemed appropriate by the Commission. A comment by the Commission that a zoning amendment is inconsistent with the comprehensive plan does not preclude consideration or approval of the proposed amendment by City Council.

### **Standard motion to recommend approval or denial of zoning text or zoning map amendments**

The Planning and Zoning Commission member making a motion to approve or deny a request shall state the appropriate motion set forth below and such motion, second and subsequent vote shall be included in the official minutes as the written recommendation of the Commission.

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

**TO DENY:** Motion to recommend denial of the proposed 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.

### **Motions on Rezoning Contrary to Comprehensive Plan**

Motion **to recommend denial** of the proposed amendment, 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.

Motion **to recommend approval** of the proposed amendment, to advise that, although the proposed amendment is not consistent with the comprehensive plan, in this instance it is an appropriate zoning classification, and to adopt the staff report which addresses plan consistency.