



Agenda

Planning and Zoning Commission

October 20, 2009
6:30 PM
City Council Chambers

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I. INVOCATION - Tim Randall

II. ROLL CALL

III. APPROVAL OF MINUTES - September 15, 2009

IV. NEW BUSINESS

REZONINGS

1. Ordinance requested by WLA Enterprises, Incorporated - (James K. Price) to rezone 30.08 acres located between East 10th Street (NC 33) and the Norfolk Southern Railroad and east of Portertown Road from RA20 (Residential-Agricultural) and OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).

V. OTHER ITEMS OF BUSINESS

2. City Council Action
3. Planning and Zoning Rules of Procedure

VI. ADJOURN



City of Greenville, North Carolina

Meeting Date:
10/20/2009
Time: 6:30 PM

Title of Item: September 15, 2009

Explanation: Minutes from September Planning and Zoning Commission meeting

Fiscal Note: N/A

Recommendation: Review and approval

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[September 15 2009 Planning and Zoning Minutes 844091](#)

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

September 15, 2009

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

Mr. Bill Lehman - *
Mr. Bob Ramey - * Mr. Dave Gordon - *
Mr. Tony Parker - * Mr. Tim Randall - *
Mr. Len Tozer - X Mr. Godfrey Bell, Sr. - *
Ms. Shelley Basnight - * Mr. Hap Maxwell - *
Mr. Allen Thomas - * Ms. Linda Rich - *

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

VOTING MEMBERS: Lehman, Ramey, Gordon, Parker, Randall, Thomas and Rich

PLANNING STAFF: Chantae Gooby, Planner; Tom Wisemiller, Planner; Harry Hamilton, Chief Planner; and Sarah Radcliff, Secretary.

OTHERS PRESENT: Dave Holec, City Attorney; Thom Moton, Assistant City Manager; Daryl Vreeland, Transportation Planner

MINUTES: Motion was made by Mr. Bell, seconded by Mr. Ramey, to accept the August 18, 2009 minutes as presented. Motion carried unanimously.

NEW BUSINESS - Rezoning

REQUEST BY THE LAMPE COMPANY, INCORPORATED

Ordinance requested by The Lampe Company, Incorporated to rezone 7.891 acres located at the northeast corner of the intersection of Arlington Boulevard and the Seaboard Coastline Railroad from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).

Ms. Chantae Gooby stated the rezoning was centrally located in the city, along Arlington Boulevard beside of the railroad tracks and J.H. Rose High School. Ms. Gooby stated the area was recently part of a Land Use Plan Map amendment that came before the Planning and Zoning Commission and was later approved by City Council. Currently, there is mini-storage and an office building on the property and two vacant lots along Arlington Boulevard. The area contains a variety of uses. Ms. Gooby stated the traffic report was generated two different ways. First, the report was generated if only the vacant lots were developed. Under that scenario, the proposed rezoning could generate a net increase of 668 trips per day. Under the second scenario, the proposed rezoning could generate a net increase of 2,822 trips per day if the entire were re-developed under the commercial zoning. Under the current OR zoning, staff would anticipate the vacant portion of the property to yield 30-40 multi-

family units. Under the requested rezoning of CG, staff would anticipate the vacant lots to yield 21,750 square feet of retail/restaurant/office space or 77,000 square feet of retail/restaurant/office space on the entire site, if the mini-storage and office building were removed. In staff's opinion, the request is in compliance with the Horizon's: Greenville's Community Plan and the Future Land Use Plan Map.

Mike Baldwin, Baldwin and Janowski, spoke in favor of the request on behalf of the applicant.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Thomas to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

Other

COMPREHENSIVE PLAN REVIEW UPDATE

Tom Wisemiller, Planner, stated this five-year assessment of the Horizons plan will provide a progress report on the Implementation Strategies, Management Actions and Vision Area Policies; analyze how recent growth and development trends have influenced urban growth patterns and how these trends may impact plan implementation in the next five years; review and evaluate land use plan amendments and rezonings; and make recommendations for additional plan amendments. Mr. Wisemiller said this review is not intended to be a full update of the plan, which was developed in response to a two-year public participatory process. He said it was more an opportunity to ensure that all aspects of the plan are working together to preserve and promote the community's long-range planning vision and for the public and policy makers to recommit to the plan. He said the report should be completed by the end of October with staff reporting back to the Commission for input. Staff will then incorporate that input into the draft and hold meetings with the public beginning January 2010. After public input is incorporated into the draft a final draft will be presented to the Commission in February 2010 for final review and action. The draft report will then be submitted to City Council for approval in March or April 2010.

APPOINTMENT OF A PLANNING AND ZONING COMMISSION REPRESENTATIVE TO SERVE ON THE LOCAL HAZARD MITIGATION PLAN

Mr. Wisemiller stated the City of Greenville is in the process of updating its Local Hazard Mitigation Plan in accordance with the State of North Carolina and Federal Emergency Management Agency (FEMA) standards. The review process will be led by an Advisory Committee of professionals and volunteers who work in the areas of land use planning, housing, civil engineering, and emergency response/management. Mr. Wisemiller stated staff is asking for a volunteer from the Planning and Zoning Commission to serve on the committee. He said there would be approximately four meetings from mid to late fall into the winter with a couple of public meetings as well.

Allen Thomas stated he would volunteer.

Motion was made by Mr. Bell, seconded by Ms. Basnight to accept Mr. Thomas as volunteer. Motion carried unanimously.

**AMENDMENT OF SECTION V.(D) OF THE PLANNING AND ZONING COMMISSION
RULES OF PROCEDURE CONCERNING VOTING REQUIREMENTS**

Mr. Harry Hamilton stated this was a follow up to last month's presentation for a request to amend the Rules of Procedure. Due to an amendment of the NC General Statutes, the voting requirement concerning special use permits considered by the Planning and Zoning Commission has been changed from a 4/5 voting requirement of the total membership to a simple majority vote of a quorum of those members present and eligible to vote. Mr. Hamilton said staff recommends adoption of the amended Rules of Procedure.

Motion was made by Mr. Ramey, seconded by Mr. Parker to adopt the amended Rules of Procedure. Motion carried unanimously.

There being no other business, the meeting adjourned at 7:05 p.m.

Respectfully submitted,

Merrill Flood
Secretary



City of Greenville, North Carolina

Meeting Date:
10/20/2009
Time: 6:30 PM

Title of Item: Ordinance requested by WLA Enterprises, Incorporated - (James K. Price) to rezone 30.08 acres located between East 10th Street (NC 33) and the Norfolk Southern Railroad and east of Portertown Road from RA20 (Residential-Agricultural) and OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).

Explanation: **Required Notice:**

Planning and Zoning Commission meeting notice (property owners and adjoining property owner letters) mailed on October 6, 2009.
On-site sign(s) posted on October 6, 2009.
City Council public hearing notice (property owners and adjoining property owners) mailed on - N/A at this time.
Public Hearing Legal Advertisement published - N/A at this time.

Comprehensive Plan:

The subject site is located in Vision Area C.

East 10th Street (NC 33) is considered a gateway corridor from its intersection with Greenville Boulevard and continuing east. Gateway corridors serve as primary entranceways into the City and help define community character.

The Future Land Use Plan Map recommends large scale commercial (C) development along the southern right-of-way of East 10th Street (NC 33) between Portertown Road and L.T. Hardee Road.

Further, the Future Land Use Plan Map recommends transitional use between the commercial component of the designated commercial focus area and the single-family residential neighborhoods in the Portertown Road corridor to the south.

If a non-residential transition option is chosen for this purpose the plan recommends office development – restricted to the area north of the railroad to discourage additional linear non-residential (business use) along the Portertown Road corridor. The plan's intent in this regard is for non-residential uses to be oriented predominantly to the NC 33 corridor – the railroad is a convenient physical barrier and in this case clearly defines the limits of the non-residential area. The inability to obtain a direct street crossing over the railroad, to access the intervening vacant land separating Lake Glenwood from the rezoning area, also effectively prevents commercial expansion on interior sites located south of the railroad.

The medium density residential category, recommended by the Future Land Use Plan Map for the area south of the railroad, may also satisfy the transition objective if medium density multi-family is utilized in the abutting roadway corridor immediately south of the railroad. Single-family residential complementary to the Lake Glenwood neighborhood would be encouraged on the balance of the interior intervening area south of the railroad.

See the **History** section below for information regarding the 2000 amendment to the Future Land Use Plan Map involving the subject and additional properties.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 5,150 trips to and from the site on East 10th Street (NC 33), which is a net increase of 4,326 additional trips per day. This comparison is based the current zoning (OR and RA20) and proposed zoning (CG) - see the Note below.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3,434 trips to and from the site on Portertown Road, which is a net increase of 2,884 additional trips per day. This comparison is based the current zoning (OR and RA20) and proposed zoning (CG) - see the Note below.

During the review process, measures to mitigate traffic impacts will be determined. Prior to development approval, a Traffic Impact Study and analysis for the East 10th Street (NC 33)/Portertown Road intersection will be required to assess the impacts. Mitigation measures may included limiting access onto East 10th Street (NC 33) and/or Portertown Road, constructing turn lanes into the development, and intersection improvements at Portertown Road and East 10th Street (NC 33), such as the construction of additional turn and/or through lanes.

Detailed Report Attached

Note: In 2000, the Future Land Use Plan Map was amended (for the subject and

additional property) from office/institutional/multi-family (OIMF) and high density residential (HDR) to commercial (C). If the subject area were developed as multi-family, as was the recommend land use in 2000, the net increase in traffic would have been 4,127 (total) additional trips per day, if the area was developed as multi-family instead of commercial. The attached traffic report compared the change in traffic from the current zoning and use (single-family and multi-family) and the proposed zoning (commercial). (See **History** section.)

History:

In 1989, the subject property was part of an extra-territorial jurisdiction (ETJ) extension and zoned RA20.

In 2000, City Council approved an amendment to the Future Land Use Plan Map effecting the properties located to the east of the intersection of East 10th Street (NC 33) and Portertown Road. At that time, the Future Land Use Plan Map recommended limited commercial at the southeast corner of the intersection of East 10 Street (NC 33) and Portertown Road with office/institutional.multi-family (OIMF) to the south and east to act as transitional zoning. The purpose of the OIMF designation at this location was to specifically limit the scale of commercial development at this intersection. Also at that time, high density residential (HDR) was recommended to the east of the OIMF area, south of 10th Street. (NC 33) and north of the railroad.

The 2000 amendment changed the Future Land Use Plan Map to its current form.

In 1990, the portion of the subject site located to the south of the Hardee Square Shopping Center was rezoned from RA20 to O&I (now OR).

In 2002, the eastern part of the rezoning request (Gupton tract) of was rezoned from RA20 to OR.

Present Land Use:

There are 11 single-family residences (party to the rezoning request), vacant OR-zoned property and farmland.

Water/Sewer:

Water is available from Eastern Pines Water Corporation. Sanitary sewer is located in the right-of-way of Portertown Road.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: RA20 - one (1) single-family residence; O - vacant; OR - vacant, Greenville Mobile Estates (MHP) and Eastbend Estates (MHP)
South: RA20 - farmland (portion under common ownership of some of the property owners of the subject site) and the Norfolk Southern Railroad
East: CH - Gupton Center (under common ownership of one of the property owners of the subject site); RA20 - farmland
West: CG - Hardee Square Shopping Center and vacant lot (under ownership of one of the property owners of subject site); RA20 - Pinewood Memorial Park

Density Estimates:

Currently, there are 11 single-family residences, farmland, and vacant OR-zoned property on the subject site. Under the current zoning (portion zoned RA20), staff would anticipate the site could yield an additional 40-50 single-family lots. Under the current zoning (portion zoned OR), staff would anticipate the site to yield 100-110 multi-family units (1, 2 and 3 bedrooms). At maximum density, the portion zoned OR could yield 125-135 multi-family units (1, 2 and 3 bedrooms).

If the entire subject site was developed as multi-family, which was the recommended land use on the Future Land Use Plan Map prior to 2000, staff would anticipate the site to yield approximately 460-470 multi-family units (1, 2 and 3 bedrooms).

The rezoning area is 30.08 acres, but it is anticipated that the CG-zoned property, south of the Hardee Square Shopping Center, and the CH-zoned Gupton Center may be included in a common development. The density estimates are only for the rezoning site.

Under the requested zoning (CG), staff would anticipate the site to yield 200,000± square feet of retail/restaurant/office space that would consist of an anchor store with multiple outparcels. The outparcels would likely contain some combination of fast food restaurant, conventional restaurant, bank, and/or retail activities.

The anticipate build-out time is within 2-3 years.

Additional Staff Comments:

The subject site has frontage along East 10th Street (NC 33) and Portertown Road which will provide north/south and east/west connections that would

provide the development ingress/egress from multiple directions.

The railroad right-of-way provides a physical separation between the future commercial area and the medium density residential neighborhoods located to the south. No additional railroad street crossings are anticipated between the commercial area and the residential areas.

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

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 [Location Map](#)

 [Survey](#)

 [Bufferyard and Residential Charts](#)

 [Rezoning Case 09_08 WLA Enterprises 844310](#)

 [List RA20 OR to CG 844511](#)

Case No: 09-08

Applicant: WLA Enterprises, Inc

Property Information

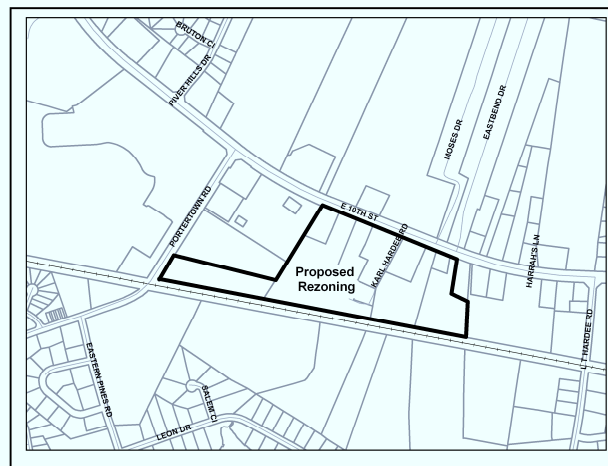
Current Zoning: 21.83 ac--RA20 (Residential-Agricultural)
8.25 ac -- OR (Office-Residential [HDMF])

Proposed Zoning: CG (General Commercial)

Current Acreage: 30.08 total acres

Location: Southeast of E. 10th Street and Portertown Road

Points of Access: E. 10th Street, Portertown Road



Location Map

Transportation Background Information

1.) E. 10th Street- State maintained

| | <u>Existing Street Section</u> | <u>Ultimate Thoroughfare Street Section</u> |
|----------------------------------|--------------------------------|--|
| Description/cross section | 4 travel lanes | no change |
| Right of way width (ft) | 100 | 100 |
| Speed Limit (mph) | 55 | 55 |
| Current ADT: | 20,000 (*) | UltimateDesign ADT: 35,000 vehicles/day (**) |
| Design ADT: | 33,500 | |
| Controlled Access | No | |
| Thoroughfare Plan Status: | Major Thoroughfare | |

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

Notes: (*) 2009 City count
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Planned Improvements.

2.) Portertown Road- State maintained

| | <u>Existing Street Section</u> | <u>Ultimate Thoroughfare Street Section</u> |
|----------------------------------|--------------------------------|---|
| Description/cross section | 2-lane | 4-lane |
| Right of way width (ft) | 90 | 90 |
| Speed Limit (mph) | 45 | 45 |
| Current ADT: | 13,300 (*) | Ultimate Design ADT: 33,500 vehicles/day (**) |
| Design ADT: | 14,000 | |
| Controlled Access | No | |
| Thoroughfare Plan Status: | Major Thoroughfare | |

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

Notes: (*) 2009 City count
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: On MPO's Priority List (#13): Widen to a multi-lane facility.

EXISTING ZONING

RA20 (Residential-Agricultural)

Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

RA20 (Residential-Agricultural)

Special Uses

(1) *General:*

* None

(2) *Residential:*

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

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

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

(4) *Governmental:*

- a. Public utility building or use

(5) *Agricultural/ Mining:*

- b. Greenhouse or plant nursery; including accessory sales

(6) *Recreational/ Entertainment:*

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

(7) *Office/ Financial/ Medical:*

* None

(8) *Services:*

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

(9) *Repair:*

* None

(10) *Retail Trade:*

* None

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

* None

(12) *Construction:*

* None

(13) *Transportation:*

* None

(14) *Manufacturing/ Warehousing:*

* None

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

* None

OR (Office-Residential)

Permitted Uses

(1) General:

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

(2) Residential:

- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- k. Family care home (see also section 9-4-103)
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- p. Board or rooming house
- 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)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- j. College or other institutions of higher learning

- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(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)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

OR (Office-Residential)

Special Uses

(1) General:

* None

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity dormitory (LUI) development rating 67 per Article K
- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- c.(1). Tennis club; indoor and outdoor facilities
- h. Commercial recreation; indoor only, not otherwise listed

(7) Office/ Financial/ Medical:

- f. Veterinary clinic or animal hospital (also see animal boarding; outside facility, kennel and stable)

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor
or caretaker and section 9-4-103)
- ff. Mental health, emotional or physical rehabilitation center

(9) Repair:

* None

(10) Retail Trade:

- h. Restaurant; conventional
- j. Restaurant; regulated outdoor activities

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

* None

(12) Construction:

* None

(13) Transportation:

- h. Parking lot or structure; principle use

(14) Manufacturing/ Warehousing:

* None

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

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional services not otherwise listed

PROPOSED ZONING

CG (General Commercial)

Permitted Uses

(1) General:

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

*(2) Residential: * None*

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales

- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height
(see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

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

(10) Retail Trade:

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

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

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

(12) Construction:

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

(13) Transportation:

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

(14) Manufacturing/ Warehousing:

* None

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

* None

CG (General Commercial)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

d. Game center

l. Billiard parlor or pool hall

m. Public or private club

t. Athletic club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage

f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)

(8) Services:

a. Child day care facilities

b. Adult day care facilities

l. Convention center; private

(9) Repair:

a. Major repair; as an accessory or principal use

b. Minor repair; as an accessory or principal use

(10) Retail Trade:

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

j. Restaurant; regulated outdoor activities

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

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

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

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

(12) Construction:

* None

(13) Transportation:

* None

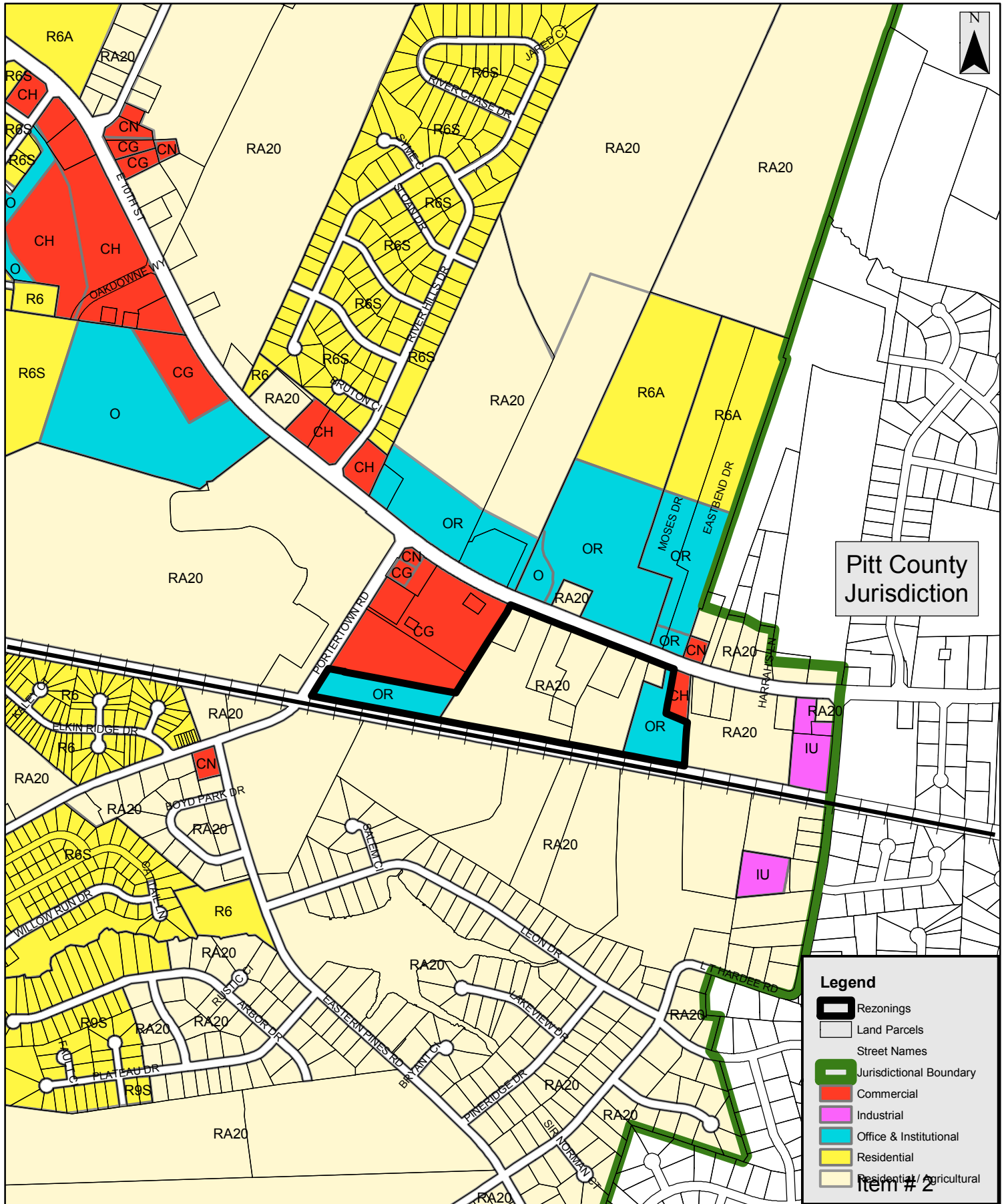
(14) Manufacturing/ Warehousing:

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

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

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

WLA Enterprises, Inc. - James K. Price
From RA20 (21.83 acres) & OR (8.25 acres) to CG (30.08 acres)
October 6, 2009

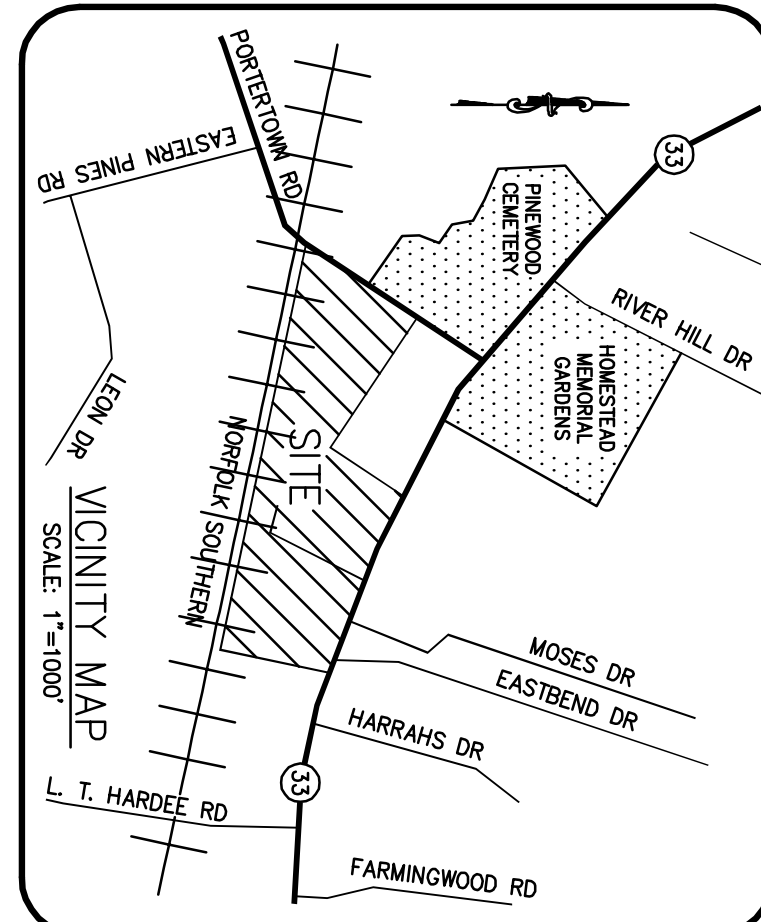


| LINE | LENGTH | BEARING |
|------|---------|---------------|
| L1 | 90.61' | S 63°04'00" E |
| L2 | 143.20' | N 37°53'56" E |
| L3 | 129.69' | N 37°53'56" E |
| L4 | 141.93' | S 63°52'17" E |
| L5 | 131.15' | S 27°55'29" W |
| L6 | 140.98' | S 27°55'29" W |
| L7 | 164.33' | N 62°28'56" W |
| L8 | 189.13' | N 62°28'56" W |
| L9 | 118.98' | S 63°12'15" E |
| L10 | 119.28' | S 63°34'49" E |
| L11 | 59.99' | S 63°45'49" E |
| L12 | 149.75' | N 14°58'32" E |
| L13 | 159.59' | N 14°58'32" E |
| L14 | 119.03' | S 63°45'37" E |
| L15 | 159.63' | N 65°41'17" W |
| L16 | 59.59' | N 65°41'17" W |
| L17 | 139.50' | N 65°08'54" W |
| L18 | 150.86' | N 21°18'59" E |
| L19 | 168.43' | N 28°01'59" E |
| L20 | 200.66' | S 33°49'33" W |
| L21 | 188.49' | N 62°44'50" W |
| L22 | 200.49' | N 33°23'09" E |
| L23 | 163.09' | S 33°23'09" W |
| L24 | 166.67' | N 59°35'57" W |
| L25 | 62.03' | N 33°24'03" E |
| L26 | 81.86' | N 33°24'03" E |
| L27 | 110.06' | N 33°24'03" E |
| L28 | 187.65' | N 28°30'53" E |
| L29 | 116.02' | S 33°23'09" W |
| L30 | 14.79' | S 16°48'03" W |
| L31 | 170.79' | N 59°42'39" W |
| L32 | 130.05' | N 33°24'03" E |
| L33 | 136.68' | S 16°48'01" W |
| L34 | 166.33' | N 63°18'45" E |
| L35 | 182.46' | N 18°48'03" E |
| L36 | 163.36' | N 65°12'35" E |
| L37 | 230.43' | N 37°53'56" E |
| L38 | 147.32' | N 37°53'56" E |
| L39 | 224.42' | N 37°58'45" E |

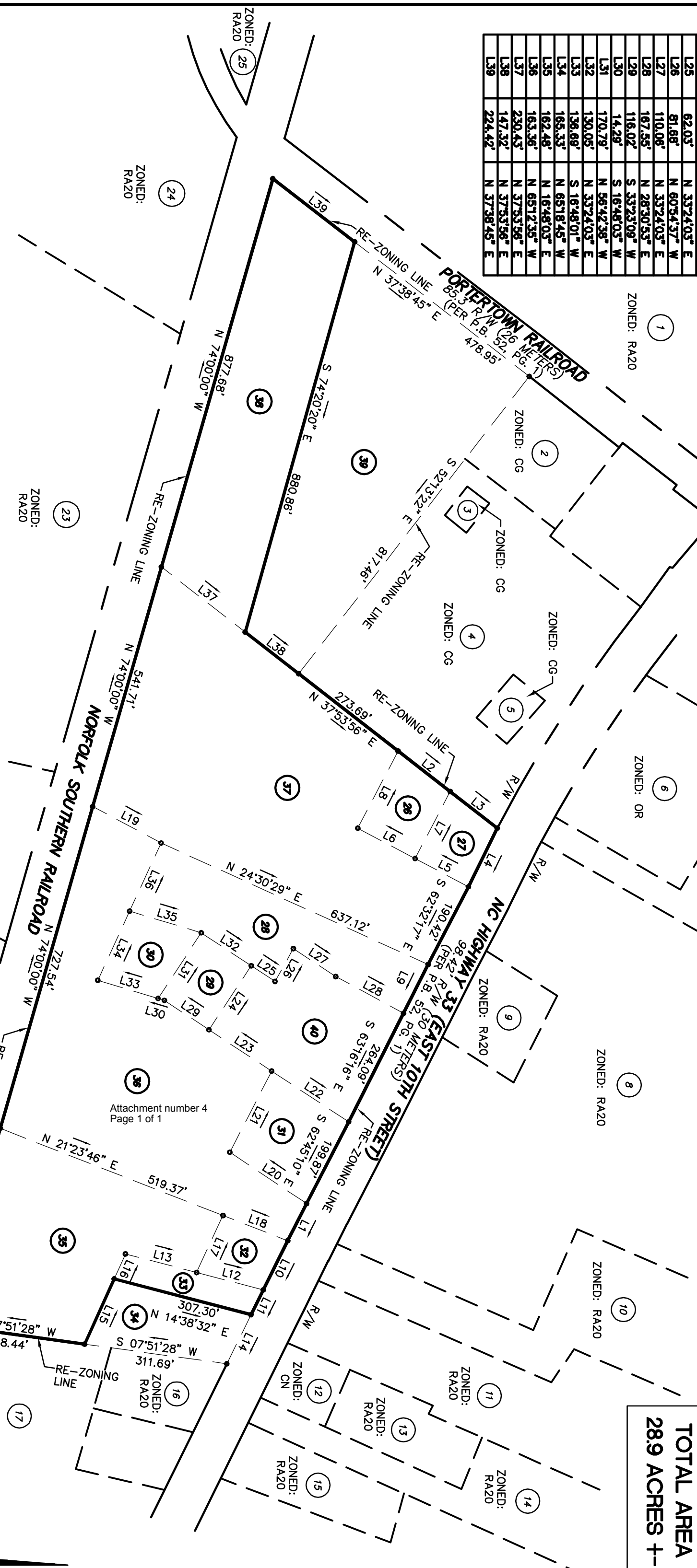
| REZONING BOUNDARY | | | | | |
|-------------------|-------------|-------------------------------|----------------|-----------------|------------|
| NO. | PARCEL ID # | PROPERTY OWNER | CURRENT ZONING | PROPOSED ZONING | ACREAGE |
| 01 | 32902 | CLAIRE E. STOCKS | RA20 | CG | 4.06 ACRES |
| 02 | 32902 | CLAIRE E. STOCKS | RA20 | CG | 4.19 ACRES |
| 03 | 51081 | WAYNE HARDEE | RA20 | CG | 31.9 ACRES |
| 04 | 51082 | KARL E. HARDEE | RA20 | CG | 40.5 ACRES |
| 05 | 47497 | KARL E. HARDEE | RA20 | CG | 40.6 ACRES |
| 06 | 59472 | THOMAS G. AND ELLEN R. HARDEE | RA20 | CG | 40.9 ACRES |
| 07 | 06837 | JAMES L. AND MARGARET DEAN | RA20 | CG | 40.4 ACRES |
| 08 | 44139 | QULE J. GORTON | OR | CG | 40.4 ACRES |
| 09 | 44138 | QULE J. GORTON | RA20 | CG | 43.6 ACRES |
| 10 | 08789 | KARL E. HARDEE | RA20 | CG | 47.5 ACRES |
| 11 | 24890 | THOMAS HOLDINGS, LLC | OR | CG | 44.3 ACRES |
| 12 | 51082 | KARL E. HARDEE | RA20 | CG | 41.9 ACRES |

LEGEND:
R/W RIGHT-OF-WAY

TOTAL AREA
28.9 ACRES +-



SURVEYOR'S NOTES:
THIS IS NOT A FIELD RUN BOUNDARY SURVEY. THIS DRAWING WAS MADE COMPILED THE MOST RECENT DEEDS AND PLATS FOUND ON THE PITT COUNTY WEB SITE AND COURT HOUSE RESEARCH BY OTHERS SUPPLIED TO THIS FIRM. THIS PLAT IS FOR REZONING PURPOSES ONLY AND SHOULD NOT BE USED FOR ANY LEGAL PURPOSE SUCH AS PROPERTY TRANSFER, SURVEYING OR DEED DESCRIPTIONS. THIS SURVEYOR DOES NOT WARRANT ANY OF THE BOUNDARY INFORMATION SHOWN HEREON.



| ADJOINING PROPERTIES | | | |
|----------------------|-------------|---------------------------------------|----------------|
| NO. | PARCEL ID # | PROPERTY OWNER | CURRENT ZONING |
| 01 | 071081 | PINEWOOD MEMORIAL PARK, INC. | RA20 |
| 02 | 069656 | THE EAST CAROLINA BANK | CG |
| 03 | 070654 | RAMUS & ASSOC. DEV. CO., LLC | CG |
| 04 | 066442 | RAMUS INC. | CG |
| 05 | 068167 | CHARLES C. MCALPIN | CG |
| 06 | 043764 | SHILOH BLVD | OR & RA20 |
| 07 | 025564 | 5111 OF GREENVILLE | RA20 |
| 08 | 010412 | V. STEW, LLC | RA20 |
| 09 | 009731 | DARBELL V. & JANET A. ELKS | RA20 |
| 10 | 030723 | REUBEN P. TURNER | RA20 |
| 11 | 017280 | CENTURY FINANCIAL SERVICES GROUP, LLC | RA20 |
| 12 | 023333 | JOYCE H. MCGOY | CG |
| 13 | 067735 | JENNIFER E. MCGOYS | RA20 |
| 14 | 033069 | V. STEW, LLC | RA20 |
| 15 | 030916 | BERRY GENE HARDEE | RA20 |
| 16 | 058442 | WILLIAM CLAUDE HARDEE | RA20 |
| 17 | 008710 | JAMES LEWIS HARDEE | RA20 |
| 18 | 008710 | JAMES LEWIS HARDEE | RA20 |
| 19 | 008774 | CONNIE A. & MONA G. HARDEE | RA20 |
| 20 | 050523 | JAMES LEWIS HARDEE | RA20 |
| 21 | 050520 | KARL E. HARDEE | RA20 |
| 22 | 009729 | KARL E. HARDEE | RA20 |
| 23 | 024660 | TIMOTHY HOLDINGS, LLC | RA20 |
| 24 | 014114 | MARY BOUD MAHAN | RA20 |
| 25 | 043817 | BENJAMIN DIXIE KITCHEN | RA20 |
| 26 | 24890 | THOMAS HOLDINGS, LLC | RA20 |
| 27 | 44139 | QULE J. GORTON | CG |

FREELAND & ASSOCIATES, INC.
SURVEYORS • ENGINEERS
323 WEST STONE AVE.
GREENVILLE S.C. 29609
TEL. (864) 271-4924 FAX: (864) 233-0315
EMAIL: info@freeland-associates.com

DRAWN: JMP PARTY CHIEF: N/A CHECKED: JCC
REF. PLAT BOOK: N/A
REF. DEED BOOK: N/A
TAX MAP: SEE INDIVIDUAL PARCELS
DATE OF SURVEY: N/A
DATE DRAWN: 10-9-09
DRAWING NO.: 62162
DATE OF LAST REVISION:

0' 200' 400' 600'
SCALE: 1" = 200'

PLS: JAMES R. FREELAND
NO: L-2836

STATE OF NORTH CAROLINA
PITT COUNTY

RE-ZONING PLAT
FOR
WLA ENTERPRISES, INC
JAMES K. PRICE
1415 STUART ENGALS BLVD
MT. PLEASANT, SC 29464

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date:
10/20/2009
Time: 6:30 PM

Title of Item: City Council Action

Explanation: Actions taken at September 10, 2009 City Council meeting.

Fiscal Note: N/A

Recommendation: Review

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Attachments / click to download

[September 10, 2009 City Council Agenda](#)

Greenville City Council Agenda

Thursday, September 10, 2009
7:00 PM
City Council Chambers

- I. Call Meeting to Order
- II. Invocation - Council Member Mercer
- III. Pledge of Allegiance
- IV. Roll Call
- V. Approval of Agenda
- VI. Special Recognitions • Certificate of Achievement for Excellence in Financial Reporting • Presentation by Pitt County Schools Superintendent Dr. Beverly Reep
- VII. Appointments
 1. Appointment to the Advisory Board of the 10-Year Plan to End Chronic Homelessness Committee
 2. Appointments to Boards and Commissions
- VIII. Consent Agenda
 3. Minutes of the August 10, 2009 City Council meeting - Approved
 4. Resolution accepting dedication of rights-of-way and easements for Kittrell Farms Patio Homes, Section 1, Phase 1; Meadow Woods, Section 2, Phase 1; and Ironwood Subdivision, Phase 5 - Adopted (Resolution No. 09-46)

Resolution No. 09-46
 5. North Carolina Department of Transportation agreement for intersection improvements at Memorial Drive and Thomas Langston Road - Approved
 6. Resolution accepting responsibility for maintenance of two North Carolina Department of Transportation funded landscape projects - Adopted (Resolution No. 09-47)

Resolution No. 09-47

7. Ordinance rescinding and revising speed limit ordinances for various State-maintained roads throughout the City of Greenville to concur with North Carolina Department of Transportation ordinances - Adopted (Ordinance No. 09-69)

Ordinance No. 09-69
8. Resolution supporting passenger rail service to Greenville - Adopted (Resolution No. 09-48)

Resolution No. 09-48
9. Amendment 4 to the contract with Kimley-Horn and Associates for Phase II of the Stantonsburg Road/Tenth Street Connector Project - Approved (Contract No. 1429D)

Contract No. 1429D
10. Purchase of two hybrid electric transit buses for expansion of GREAT service - Approved
11. Amendment of Greenville Utilities Commission's Water Capital Projects Budget for the Water Treatment Plant Raw Water Pump Station Improvements Project - Adopted (Ordinance No. 09-70)

Ordinance No. 09-70
12. Contract with L.I.F.E. of NC, Inc. to operate an ex-offender reentry program - Approved

Contract No. 1813
13. Reimbursement resolution for Greenville Utilities Commission's heavy equipment purchases through installment loan - Adopted (Resolution No. 09-49)

Resolution No. 09-49
14. Budget ordinance amendment #2 to the 2009-2010 City of Greenville budget and amendment to Ordinance #07-92 and ordinances establishing the Community Development Block Grant Recovery Project and the Public Transportation Capital Assistance Recovery Grant Project - Adopted (Ordinance Nos. 09-71, 09-72, and 09-73)

Ordinance No. 09-71

Ordinance No. 09-72

Ordinance No. 09-73

15. Various tax refunds - Approved

IX. Old Business

16. Status report on 609 Wyatt Street

X. New Business

17. Ordinance requested by H. M. Wilson Development, LLC to rezone 34.142 acres located 1,300+ feet west of Allen Road between Teakwood Subdivision and Woodridge Commercial/Industrial Park from R9S (Residential-Single-family [Medium Density]) to R6 (Residential [High Density Multi-family]) and R6A-RU (Residential [Medium Density Multi-family]) with a RU (restricted use) residential overlay (single-family and duplex only) - Amended and sent back to the Planning and Zoning Commission
18. Ordinance requested by Caviness & Cates Building and Development Company to amend the maximum porch size that may project into a required front or rear yard from 100 square feet to 200 square feet - Adopted (Ordinance No. 09-74)

Ordinance No. 09-74

19. Ordinance requested by the Community Development Department to amend the zoning ordinance by (i) including a definition for the use entitled "Mental health, emotional or physical rehabilitation center" and to establish specific criteria for such use, and (ii) including a definition for the new use entitled "Mental health, emotional or physical rehabilitation day program facility" and to list such use in the table of uses - Adopted (Ordinance No. 09-75)

Ordinance No. 09-75

20. Department of Housing and Urban Development Consolidated Annual Performance and Evaluation Report - Approved

Public Comment Period

Other Items of Business

21. Ordinance requested by the Community Appearance Commission to amend

Article D of Chapter 3 of Title 2 of the City Code - Adopted (Ordinance No. 09-76)

Ordinance No. 09-76

22. Greenville Bicycle Friendly Task Force Report and Recommendation - Adopted (Ordinance No. 09-77)

Ordinance No. 09-77

23. Financial audit for the fiscal year ended June 30, 2009 - Approved
24. Relocation assistance for businesses impacted by the Stantonsburg Road/10th Street Connector Project - Continued to October 8, 2009
25. Crime free rental house program
26. Special task force on public safety
27. Acceptance of funding from the United States Department of Justice under the American Recovery and Reinvestment Act of 2009 - Approved
28. Fork Swamp Greenway Construction - Approved
29. Review of construction and demolition debris removal
30. Resolution endorsing the candidacy of Mildred A. Council, MSW, Mayor Pro-Tem of the City of Greenville, to the Board of Directors of the National League of Cities - Adopted (Resolution No. 09-50)

Resolution No. 09-50

XI. Comments from Mayor and City Council

XII. City Manager's Report

XIII. Closed Session

- To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as privileged or confidential being the Open Meetings Law
- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body

XIV. Adjournment

Item # 3



City of Greenville, North Carolina

Meeting Date:
10/20/2009
Time: 6:30 PM

Title of Item: Planning and Zoning Rules of Procedure

Explanation: This is a copy of the Rules of Procedure that were adopted by the Commission on September 15, 2009.

Fiscal Note: N/A

Recommendation: Review

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Attachments / click to download

[Rules of Procedure](#)

Revised 1/28/92
Revised 9/20/94
Revised 8/19/97
Revised 1/17/06
Revised 6/20/06
Revised 9/15/09

RULES OF PROCEDURES
PLANNING AND ZONING COMMISSION
GREENVILLE, NORTH CAROLINA

I. General Rules

The Greenville Planning and Zoning Commission shall be governed by the terms of Chapter 160A, Article 19 of the General Statutes of North Carolina and applicable ordinances of the City of Greenville.

II. Officers and Duties

A. Chairman. The chairman, who is a member of the Greenville Planning and Zoning Commission, shall be elected by the Greenville Planning and Zoning Commission. The chairman shall decide all points of order and procedure subject to these rules. The chairman's term of office shall be for one (1) year and shall run from the first day of July of one year to the last day of June of the succeeding year. The chairman shall be eligible for re-election to one (1) additional term.

B. Vice-Chairman. A vice-chairman shall be elected by the Commission in the same manner and for the same term as the chairman. The vice-chairman shall serve as acting chairman in the absence of the chairman and at such times shall have the same powers and duties of the chairman.

C. Secretary. The Director of Community Development of the City of Greenville or his designee shall serve as secretary to the Commission. The secretary shall keep all records and shall generally perform the clerical work of the Commission.

III. Members and Terms

A. Membership and terms of the Planning and Zoning Commission shall be governed by Title 9, Chapter 2 of the Greenville City Code, as amended.

B. Any alternate member may serve for any regular member without regard to which jurisdiction the alternate or the regular member was originally appointed by.

IV. Orientation of Newly Appointed Members

Prior to participation and/or vote concerning any item before the Commission, each member shall first be required to attend an orientation meeting with the Director of Community Development or his authorized representative.

Notwithstanding the foregoing, in the event a member's attendance is required to achieve a quorum for a meeting, the member may participate and/or vote concerning any item before the Commission until such time as his attendance is not necessary for the maintenance of a quorum.

Each member shall be provided a copy of the following materials: Zoning Regulations, Subdivision Regulations, Comprehensive Plan, Rules of Procedures and Commissioner's Reference Handbook.

At the first commission meeting following a member's orientation, the Director of Community Development or representative shall report for the minutes the qualification of new members under this section.

V. Meetings

A. Regular Meetings. Regular meetings of the Commission shall be held on the third Tuesday of each month at 6:30 p.m. in the Council Chambers of City Hall.

B. Special Meetings. Special meetings of the Commission may be called at any time by the Chairman. Notice of the time and place of a special meeting shall be given in accordance with the Open meetings Law of North Carolina.

C. Quorum. Five (5) members of the Greenville Planning and Zoning Commission shall constitute a quorum for a meeting.

D. Voting. All regular members of the Commission shall vote on all matters before the Commission, with the exception of the Chairman who may vote only to break a tie. The alternate members shall fill in for vacancies occurring because of regular members being absent in accordance with the provisions on alternate membership. On all matters, a majority vote of those members present and eligible to vote shall be necessary to pass on any motion.

E. Conflict of Interest. No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which a member is prohibited from voting under G.S. 160A-381(d) in that the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In all other cases, a failure to vote by a member who is physically present, or who was withdrawn without being excused by a majority vote of the remaining members present shall be recorded as an affirmative vote.

F. Except as provided otherwise in these rules, the City Code or State Law, Roberts Rules of Order current edition shall govern the parliamentary procedure of the Commission.

G. Decisions. The decisions of the Greenville Planning and Zoning Commission as filed in its minutes shall be a public record available for inspection in the office of the Director of Community Development.

H. Attendance. Regular attendance shall be required for continued membership on the Greenville Planning and Zoning Commission. Whenever a member of the Greenville Planning and Zoning Commission has missed three (3) consecutive regular meetings or fails to attend seventy-five (75) percent of all regularly scheduled meetings, the Chairman will then immediately notify the City Council that a vacancy exists on the Commission.

Upon such notification, the City Council will thereupon appoint a new member to fill said vacancy which appointment will be for the duration of the unexpired term of the member whose position has been vacated or notify the Board of County Commissioners that a vacancy exists in a county appointed position.

VI. Annual Report

The Community Development Department shall prepare and submit at the end of each calendar year to the Commission an annual report of the Commission's activities for the year. The report shall contain a statement of the number of cases reviewed along with other data deemed appropriate for inclusion in the report.

VII. Special Use Permit

The Greenville Planning and Zoning Commission is authorized to approve a special use permit to develop a specific planned unit development (PUD) and a specific land use intensity development (LUI).

VIII. Subdivision Review Board

A. The Subdivision Review Board as established by Title Chapter 5, of the Greenville City Code is authorized to consider approval of final subdivision plats, minor subdivision plats and soil erosion and sedimentation control plans in accordance with said Title.

B. Membership. The Subdivision Review Board shall consist of the following: the General Manager of the Greenville Utilities Commission, the Director of Community Development, and the Director of Public Works, or their respective designated appointee. The Director of Community Development or his designated appointee shall serve as Chairman and Secretary of the Subdivision Review Board. The Secretary shall keep all records and shall generally perform the clerical work of the Board.

C. Meetings. The Subdivision Review Board meeting shall be held on the second and fourth Wednesday of each month at 4:30 p.m. in the City of Greenville, Community Development Department.

D. Quorum. Three (3) members of the Subdivision Review Board shall constitute a quorum for a meeting.

E. Voting. All members of the Subdivision Review Board shall be eligible to vote on any matter. A majority vote of those members present shall be required to pass on any motion.

IX. Amendments

These rules may, within the limits allowed by law, be amended by majority vote provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Adopted this 15th day of September, 2009.

Bill Lehman Bill Lehman, Chairman

ATTEST: Merrill Flood Merrill Flood, Secretary