



Agenda

Planning and Zoning Commission

August 20, 2013
6:30 PM
Council Chambers, City Hall, 200 W. Fifth Street

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Shelley Basnight
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - July 16, 2013
- V. NEW BUSINESS

REZONINGS

1. Ordinance requested by Collice C. Moore and POHL Partnership to rezone 25.2285 acres located near the southeast corner of the intersection of Old Creek Road and North Creek Drive from RA20 (Residential-Agricultural), RR (Rural Residential - Pitt County's Jurisdiction) and I (Industry) to IU (Unoffensive Industry) and IU-CA (Conservation Area Overlay).

TEXT AMENDMENTS

2. Ordinance to amend the Zoning Ordinance by adding rear yard parking standards specific to the University Neighborhood Revitalization Initiative (UNRI) Overlay District.

OTHER

3. Ordinance requested by Collice Moore to extend the City of Greenville's Extraterritorial Jurisdiction (ETJ) in the North Creek Commercial Park area.

- VI. ADJOURN

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

July 16, 2013

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

Ms Shelley Basnight –Chair-*

Mr. Tony Parker - *	Ms. Chris Darden – *
Mr. Hap Maxwell – *	Ms. Ann Bellis – *
Ms. Linda Rich - X	Mr. Brian Smith - *
Mr. Doug Schrade - *	Mr. Jerry Weitz –*
Ms. Wanda Harrington-*	Mr. Torico Griffin -*
Dr. Kevin Burton- X	

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

VOTING MEMBERS: Maxwell, Parker, Bellis, Harrington, Smith, Griffin, Schrade, Weitz

PLANNING STAFF: Merrill Flood, Community Development Director, Chantae Gooby, Planner II and Elizabeth Blount, Staff Support Specialist II.

OTHERS PRESENT: Dave Holec, City Attorney, and Jonathan Edwards, Communications Technician.

MINUTES: Motion was made by Mr. Smith, seconded by Ms. Bellis, to accept the June 18, 2013 minutes as presented. Motion carried unanimously.

NEW BUSINESS

REZONINGS

ORDINANCE REQUESTED BY CARL DARDEN, AGENT, TO REZONE 0.81 ACRES LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF STANTONSBURG ROAD AND 500+/- FEET EAST OF THE INTERSECTION OF STANTONSBURG ROAD AND ALLEN ROAD FROM MEDICAL-RESIDENTIAL (MR) TO MEDICAL-OFFICE (MO).APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The property is located in the northwest quadrant of the city specifically located along Stantonburg Road. The request involves two separate parcels under common ownership. The property currently has a single family residence and a vacant lot. The proposed rezoning classification could generate a net increase of 196 additional trips per day. Under the current zoning (MR), staff would anticipate the site to yield no more than 13 multi-family units (1, 2 and 3 bedrooms). Under the proposed zoning (MO), staff would anticipate the site to yield 7,762 square feet of medical office space. The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) at the northeast corner

of the intersection of Stantonsburg Road and Allen Road. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the Medical District Land Use Plan Update.

Chairwoman Basnight opened the public hearing.

Mr. Carl Darden, representative for applicant, spoke in favor of the petition. He stated that the request is in compliance with the Future Land Use Plan.

No one spoke in opposition.

Chairwoman Basnight closed the public hearing and opened for board discussion.

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

TEXT AMENDMENT

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING REAR YARD PARKING STANDARDS SPECIFIC TO THE UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT.

Mr. Merrill Flood, Director of Community Development, provided the history of the University Neighborhood Revitalization Initiative (UNRI) Overlay District and its purpose. The group made a recommendation for on street parking and to create standards for rear yard parking. The on street parking was adopted by City Council on June 13, 2103. The committee recommended the following for rear yard parking: rear yard parking being permitted on an approved surface, screened properly and limited to four vehicles per lot with several exemptions to the ordinance. The screening was modified to include screening requirements only if more than one vehicle is parked in the rear. Staff had not had the opportunity to draft the language for the ordinance to encompass the recommendation of the committee since the meeting was during the same time as the Planning and Zoning meeting. Mr. Flood stated that normally the board would table the item and allow staff to develop the amendment but that it is at the discretion of the board.

Mr. Schrade asked if the staff's opinion was to table the item.

Mr. Flood stated that tabling the item would be appropriate.

Mr. Maxwell stated that the ordinance does not clearly state the amount of back yard to be used for parking and who will monitor the screening vegetation. A lot of details in the ordinance are left for interpretation.

Mr. Flood stated that the limiting factor is four vehicles on an approved surface. The zoning ordinance already requires the replacement of vegetation if it dies.

Ms Bellis asked if one car is allowed and another car is added to a residence does the owners automatically have to install a fence.

Mr. Flood stated that a six foot fence can be installed or shrubbery if the vehicles are at the property on a regular use; not just for a guest.

Ms Bellis asked how a guest is defined.

Mr. Flood stated that it would be above the normal use and it would require interpretation of the ordinance and investigation.

Ms Bellis asked if the on street parking is just for residents.

Mr. Flood stated yes and the on street parking has been approved by City Council.

Ms Bellis asked how many on street parking permits per residence.

Mr. Flood stated three parking spaces on site and parking permits are limited to three per dwelling on the street.

Ms Bellis asked if sanitation and rescue have complained about parking on both sides of the street.

Mr. Flood stated that sanitation and rescue were part of the review process and they found that they can provide service with parking on both sides of the street.

Ms Bellis asked how many in the back would be allowed for duplexes.

Mr. Flood stated that duplexes are allowed to have four parking spaces and the current ordinance does not restrict the number of vehicles in the back yard but the new ordinance will have a limit of four vehicles per lot.

Ms Bellis asked about driveways.

Mr. Flood stated that driveways will be used in the computation of available parking area.

Ms Bellis asked the maximum number allowed per lot.

Mr. Flood stated four vehicles per lot.

Mr. Parker asked is the maximum number including the driveway.

Mr. Flood stated four total.

Mr. Parker asked the maximum number of parking for a triplex.

Mr. Flood stated that staff would need to evaluate triplexes.

Mr. Maxwell stated that the approved surfaces should consider run offs to adjoining properties.

Mr. Flood stated that the proper drainage would be covered by the manual standard design and details for residential areas which is addressed by public works.

Mr. Parker asked if the parking for UNRI could set precedence for the rest of the city.

Mr. Flood stated that citizens can make a request to expand a regulation to fit a specific area but the presented recommendations only apply to the overlay district.

Mr. Maxwell asked how the recommendations would affect existing rear yard parking.

Mr. Flood stated that the existing areas will have to conform but they will be given a period of time to bring the area up to compliance.

Mr. Parker asked about enforcement of rear yard parking.

Mr. Flood stated code enforcement and zoning will enforce the ordinance.

Mr. Maxwell asked about the plans to inform the neighborhood about the recommendations.

Mr. Flood stated that a public education campaign would be scheduled after City Council approves the recommendations.

Ms Bellis asked if the rear yard parking enforcement was affiliated with the additional code enforcement officers.

Mr. Flood stated that the Police Department is looking at the area for increased on street parking. Existing Parking Enforcement are working on the committee to determine any additional needs for enforcement of the new requirements.

Ms Bellis asked about the enforcement for Friday and Saturday nights.

Mr. Flood stated that on-street regulations that were adopted by City Council are from 8 am to 5 pm. Issues after 5 pm will be handled through the normal traffic enforcement of the Police Department.

Mr. Parker asked if an owner is having a party every weekend would the attendees be considered guests.

Mr. Flood stated that the attendees would be considered guests just as any normal situation with a party at a home and violations would be enforced by the proper channels.

Mr. Weitz asked what code section the recommendations would be in for the City Code.

Mr. Flood stated the recommendations would be in Title 9 of the Zoning Ordinance.

Mr. Weitz asked did the public provide any comments during the public input meeting.

Mr. Flood stated that approximately thirty people attended and most of the comments centered around on street parking and parking near parks. Only a couple of comments were about parking in the rear yard.

Mr. Weitz asked if there was a written record of the public input meeting.

Mr. Flood stated that Public Works may have a summary of comments but the meeting was not a public hearing.

Mr. Weitz stated that it would be advantageous for the Planning and Zoning Commission to receive a copy.

Mr. Flood stated that there was a summary of comments in the May UNRI meeting that the Commission can receive.

Mr. Weitz asked were the Comprehensive Plans regarding the Historic District considered in the staff report of compliance to the plan.

Mr. Flood stated that staff did consider the Historic District of the Comprehensive Plan. The Historic Preservation Commission is currently doing a rewrite of the design guidelines and has had extensive discussion concerning the recommendations.

Mr. Parker asked if there were any existing rear yard parking regulations for the Historic District.

Mr. Flood stated that the rear yard parking is at the discretion of the HPC and the statement is very general and states that parking should not take away from the quality of the home. The Design Review Committee and the HPC are working closely to review it whenever issues come up.

Mr. Maxwell asked if the HPC had a guideline about the height of fences around the back yard.

Mr. Flood stated yes but in the case of where the two regulations cross then the more restrictive standard will apply; hence, the variation of the screening.

Mr. Weitz asked was the University Neighborhood Plan considered in the consistency.

Mr. Flood stated that the University Neighborhood plan did not speak specifically about parking.

Mr. Weitz stated that the plan does mention drainage impact and a study showed that 1/3 of the residents did experience draining problems. The recommendations will require additional code enforcement and possible additional drainage and run-off problems which will cause a fiscal impact.

Mr. Flood stated that the recommendations have been shared with the City's review agencies.

Chairwoman Basnight asked would Public Works review the plans when an owner wanted to fix their back yard for parking.

Mr. Flood stated yes.

Mr. Parker asked if the ordinance could state that impervious surfaces were unacceptable.

Mr. Flood stated the ordinance creates impervious covering for parking and the UNRI was focusing on not having bare earth parking.

Ms Bellis asked if a permit would be required to fix a back yard for parking.

Mr. Flood stated yes for a driveway; otherwise, a zoning compliance which is a form of a permit would be required.

Mr. Parker asked if the rear yard parking would be part of the driveway permit or part of zoning compliance.

Mr. Flood stated if the owner is not doing any work to the driveway then a zoning compliance would be issued. If they get a driveway permit, the owner would probably be issued both since the regulations are new. Currently there are no standards for rear yard parking so the recommendations give oversight and review.

Mr. Weitz asked if the committee set a front yard limit.

Mr. Flood stated yes and the committee felt that four vehicles per lot on an approved surface was the limiting factor versus stating a percentage.

Mr. Weitz asked if the zoning ordinance defines parking spaces.

Mr. Flood stated that the standards for a parking space are located in the manual standard design details. The space must be able to house the entire vehicle on an approved surface.

Mr. Weitz asked about engineering addressing drainage for the parking.

Mr. Flood stated that when the overlay district was created that other agencies had to sign off and approve that the improvements were made.

Mr. Weitz asked if the Engineering Director was the final authority on the material used for the parking surface.

Mr. Flood stated Subsection G of the recommendations was written so that required improvement materials were utilized for rear yard parking.

Mr. Weitz stated that 9.4.244 of the City's code states that the Director of Engineering could approve what he or she wants concerning parking surfaces.

Mr. Flood stated that Subsection F of the recommendations gives more reliance on the ordinance to ensure approved surfaces are used.

Mr. Weitz stated that the parking regulations and the standards would prohibit the parking surfaces from meeting standards and further studies should take place; otherwise, a lot of variances will be needed.

Mr. Flood stated that parking is a system and had to be looked at in its entirety versus lot per lot. The size of lots in the neighborhood does have limiting factors but the committee decided that regulations for on street and onsite parking were needed due to the limiting factors of the neighborhood.

Mr. Weitz asked if a property had to have four vehicle spaces on their site or get a variance.

Mr. Flood stated no. If the property had four occupants, the property would have to have three onsite parking spaces if the structure met the other standards for four occupants.

Mr. Maxwell asked if the rear yard parking is constructed for four vehicles would the property owner also get 2 on street parking spaces.

Mr. Flood stated yes.

Ms Bellis asked if only four vehicles could be parked on the entire lot.

Mr. Flood stated it can only be a total of four vehicles per lot.

Mr. Parker asked if the recommendations would be brought back to the board as an ordinance.

Mr. Flood stated yes.

Attorney Holec informed the board if they wanted to continue the agenda item that no public hearing was necessary.

Motion made by Mr. Smith, seconded by Ms Harrington, to continue the zoning ordinance text amendment until the next meeting. Motion passed unanimously.

With no further business, motion made by Mr. Smith, seconded by Ms Harrington, to adjourn. Motion passed unanimously. Meeting adjourned at 7:16 p.m.

Respectfully Submitted,

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



City of Greenville, North Carolina

Meeting Date: 8/20/2013
Time: 6:30 PM

Title of Item: Ordinance requested by Collice C. Moore and POHL Parntership to rezone 25.2285 acres located near the southeast corner of the intersection of Old Creek Road and North Creek Drive from RA20 (Residential-Agricultural), RR (Rural Residential - Pitt County's Jurisdiction) and I (Industry) to IU (Unoffensive Industry) and IU-CA (Conservation Area Overlay).

Explanation: **Abstract:** The City has received a request from Collice C. Moore and POHL Parntership to rezone 25.2285 acres located near the southeast corner of the intersection of Old Creek Road and North Creek Drive from RA20 (Residential-Agricultural), RR (Rural Residential - Pitt County's Jurisdiction) and I (Industry) to IU (Unoffensive Industry) and IU-CA (Conservation Area Overlay).

** This rezoning request is in conjunction with a a request to extend the extra-territorial jurisdiction (ETJ).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on August 5, 2013.

On-site sign(s) posted on August 5, 2013.

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

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

Comprehensive Plan:

The subject site is located in Vision Area E.

Martin Luther King, Jr. Highway/Greenville Boulevard, between East 14th Street and North Memorial Drive, is considered a connector corridor. Connector corridors are anticipated to contain a variety of higher intensity activities and uses. Old Creek Road is considered a residential corridor. Along residential corridors, service and retail activities should be specifically restricted to the

associated focus area and linear expansion should be prohibited.

There is a designated intermediate focus area at the intersection of Martin Luther King, Jr. Highway and Old Creek Road. These nodes typically contain 50,000 to 150,000 square feet of conditioned flood space.

The Future Land Use Plan Map recommends commercial (C) at the southwest corner of Martin Luther King, Jr. Highway and Old Creek Road transitioning to industrial (I) to the northeast and south with conservation/open space (COS) as a buffer to the interior very low density residential (VLDR).

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

The Comprehensive Plan specifically states "Growth and Development Goal Statement: Manage the physical development of Greenville to protect its resources and simultaneously promote responsible industrial and retail growth.

Industrial development should be located adjacent to and/or with direct access to major thoroughfares. Good neighbor industries will be permitted with proper buffering and environmental mitigation. Industries that produce excessive noise, pollution, vibrations, light or other public nuisances should not be located near residential areas.

Office/institutional/multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.

Adequate conservation/open space buffers should be provided between areas designated for residential development, as indicated on the future land use map, and any adjacent non-residential land use where a zone transition buffer, such as O to OR, is not a practical option.

Allow new heavy industrial development consistent with the future land use plan map.

Rezone additional parcels for industrial and commercial uses consistent with the future land use plan map. This will accommodate the future demand for additional industrial and commercial development in suitable areas.

Prohibit the development of any industry within the 100-year floodplain that may pose a risk to public health and safety. Such industries may include but not be limited to chemical refining and processing, petroleum refining and processing, and hazard material processing or storage facilities.

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

Based on the analysis comparing the existing zoning (1,043 daily trips) and requested rezoning, the proposed rezoning classification could generate 603 trips to and from the site on Old Creek Road, which is a net *decrease* of 440 trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

History/Background:

The RA20-zoned portion of Tracts 1 and 2 were incorporated into the City's extra-territorial jurisdiction (ETJ) in 1972. The RR-zoned portion of Tracts 1 and 2 are currently located in Pitt County's Jurisdiction and are proposed to be incorporated in the City's ETJ in conjunction with this rezoning request. The RR zoning was established when Pitt County implemented zoning in 2003.

Tract 3 was rezoned to I (Industry) in April, 2013.

Present Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are located in the right-of-way of North Creek Drive.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

Based on a preliminary revised flood study, the property is impacted by the floodway of Moye's Run along its northern, western and southern boundaries.

Surrounding Land Uses and Zoning:

North: RA20 - Agricultural

South: IU - Vacant

East: RA20 and RR: Agricultural and North Woods Subdivision (single-family)

West: CH - Vacant, Gouras Dry Wall and Hardee and Cox Welding

Density Estimates:

Tracts 1 and 2

Under the current zoning (RA20 and RR), staff would anticipate the site to yield no more than 109 single-family lots.

Under the proposed zoning (IU), the site could yield 241,769+/- square feet of warehouse/ mini-storage/industrial space.

Tract 3

Due to the size of the tract, it is undevelopable

The anticipated build-out is 3-5 years.

Fiscal Note: No cost to the City.

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

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

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

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

Attachments / click to download

- [Traffic Memo](#)
- [Location Map](#)
- [Survey](#)
- [Bufferyard and Vegetation Standards](#)

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*

**Rural Residential (RR) Pitt County Zoning
List of Permitted, Special and Conditional Uses**

Agricultural Production
Forestry
Bed and Breakfast Inn
Family Care Home
Manufactured Home on Individual Lot
Manufactured Home Park, 5 or more lots (special use)
Manufactured Home Park, 5 or less lots

Modular Home
Multi-family Dwelling, less than 5 units
Single-family Dwelling
Duplex Dwelling
Caretaker Dwelling
Communication Tower, under 60' in height
Emergency Shelter
Home Occupation
Rural Family Occupation
Athletic Field
Civic, Social and Fraternal Associations
Country Club with Golf Course
Golf Course
Private Campground/RV Park
Private Club or Recreational Facility, Other
Public Club or Recreational Facility, Other
Riding Academy
Swim and Tennis Club
Cemetery or Mausoleum on same property as Church
Cemetery or Mausoleum not on same property as Church
Church or other Place of Worship
College, University, Technical Institute (special use)
Day Care Center, Adult and Child
Elementary or Secondary School
Fire Station/Emergency Medical Service
Library
Nursing and Convalescent Home
Orphanage
Law Enforcement Substation
Retreat/Conference Center
Tutoring/Mentoring Center, less than 5 students
Veterinary Clinic
Radio, Television or Communication Tower, over 60' in height
Sewage Treatment Plant (conditional use)
Utility Lines
Utility Related Appurtenances
Water Treatment Plant (conditional use)
Arts and Crafts Shows
Automobile Parking on same lot as principal use
Christmas Tree Sales
Emergency Shelter
Horse Shows
Outdoor Fruit and Vegetable Markets
Outdoor Religious Events
Shopping Center
Special Temporary Event
Subdivision
Temporary Construction, Storage or Office; Real Estate Sales or Rental Office
Temporary Emergency, Construction, and Repair Residence

I (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
- e. Kennel (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use
- i. Livestock sales pavilion, auditorium, yard, distribution or transshipment facility
- j. Quarry, mining, excavation and works including material storage and distribution; sand, stone, gravel

(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
- 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)
- 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)
- gg. Vocational rehabilitation center
- nn. Industrial laundries

(9) Repair:

- a. Major repair; as an accessory or principal use
- b. Minor repair; as an accessory or principal use
- c. Upholster; automobile, truck, boat or other vehicle, trailer or van
- d. Upholsterer; furniture
- e. Furniture refinishing, stripping or repair facility
- 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
- dd. Industrial implement, machinery or tool 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:

- a. 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
- e. Mobile home repair or rework facility; no sales allowed
- 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 the district; excluding outside storage
- n. Petroleum (bulk) storage facility; excluding retail sales
- o. Feed and grain elevator, mixing, redrying, storage or sales facility
- p. Tobacco redrying or processing plant
- q. Fertilizer or lime manufacture or bulk storage
- r. Manufacturing of acid, toxic chemicals or other hazardous materials or explosive products not otherwise listed
- 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
- w. Bottling or packing plant for hazardous, flammable or explosive materials or products
- y. Recycling collection station of facilities
- z. Metallurgy, steel fabrication, welding
- aa. Meat, poultry or fish processing or packing plant
- bb. Slaughterhouse
- cc. Manufacture of pharmaceutical, biological, botanical, medical, and cosmetic products, and related materials

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

I (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

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

(4) *Governmental:*

- f. Correctional facility

(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
- 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:** None

(10) *Retail Trade:*

- j. Restaurant; regulated outdoor activities

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

(12) *Construction:** None

(13) *Transportation:** None

(14) *Manufacturing/ Warehousing:*

- f. Junkyard automobile graveyard or materials reclamation facility
- x. Sanitary landfill or incinerator; public or private

(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

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

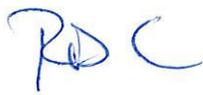
(14) Manufacturing/ Warehousing:

- 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

MEMORANDUM

TO: Chantae M. Gooby, Planning & CD

FROM: Rik DiCesare, P.E., PTOE, City Traffic Engineer 

SUBJECT: Rezoning Thoroughfare/Traffic Volume Report for August 20, 2013, Planning & Zoning Commission Meeting

DATE: August 7, 2013

We have reviewed the following rezoning request:

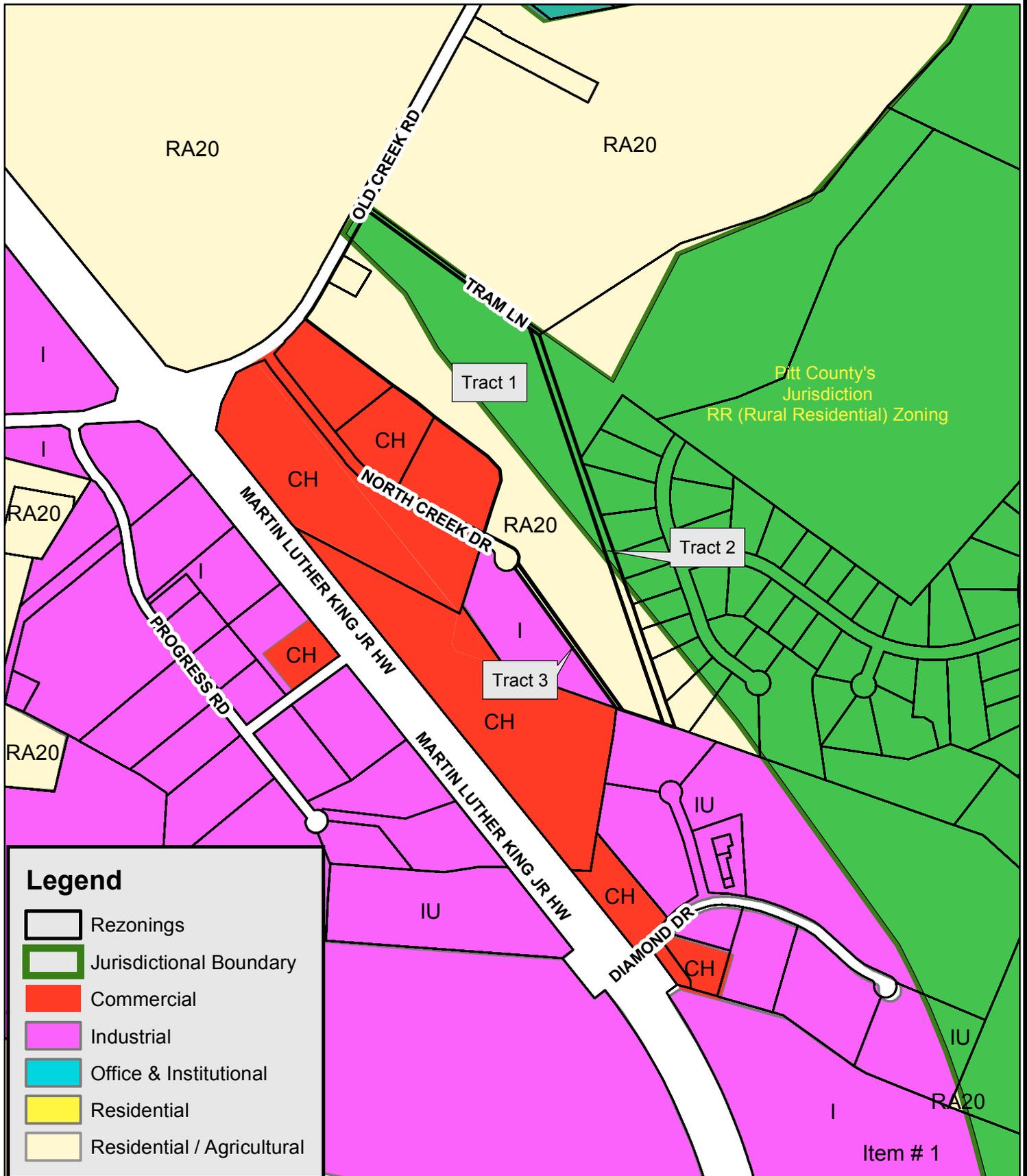
Case #13-06 Collice Moore & POHL Partnership

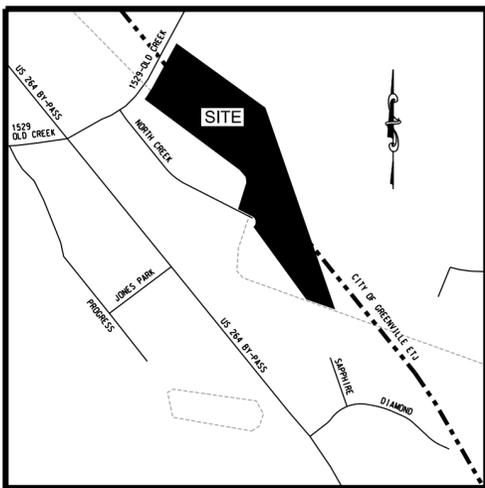
Based on the analysis comparing the existing zoning (1043 daily trips) and requested rezoning, the proposed rezoning classification could generate 603 trips to and from the site on Old Creek Road, which is a net *decrease* of 440 less trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

If you have any questions, do not hesitate to contact me at Ext. 4066, or Stacey Pigford at Ext. 4678.

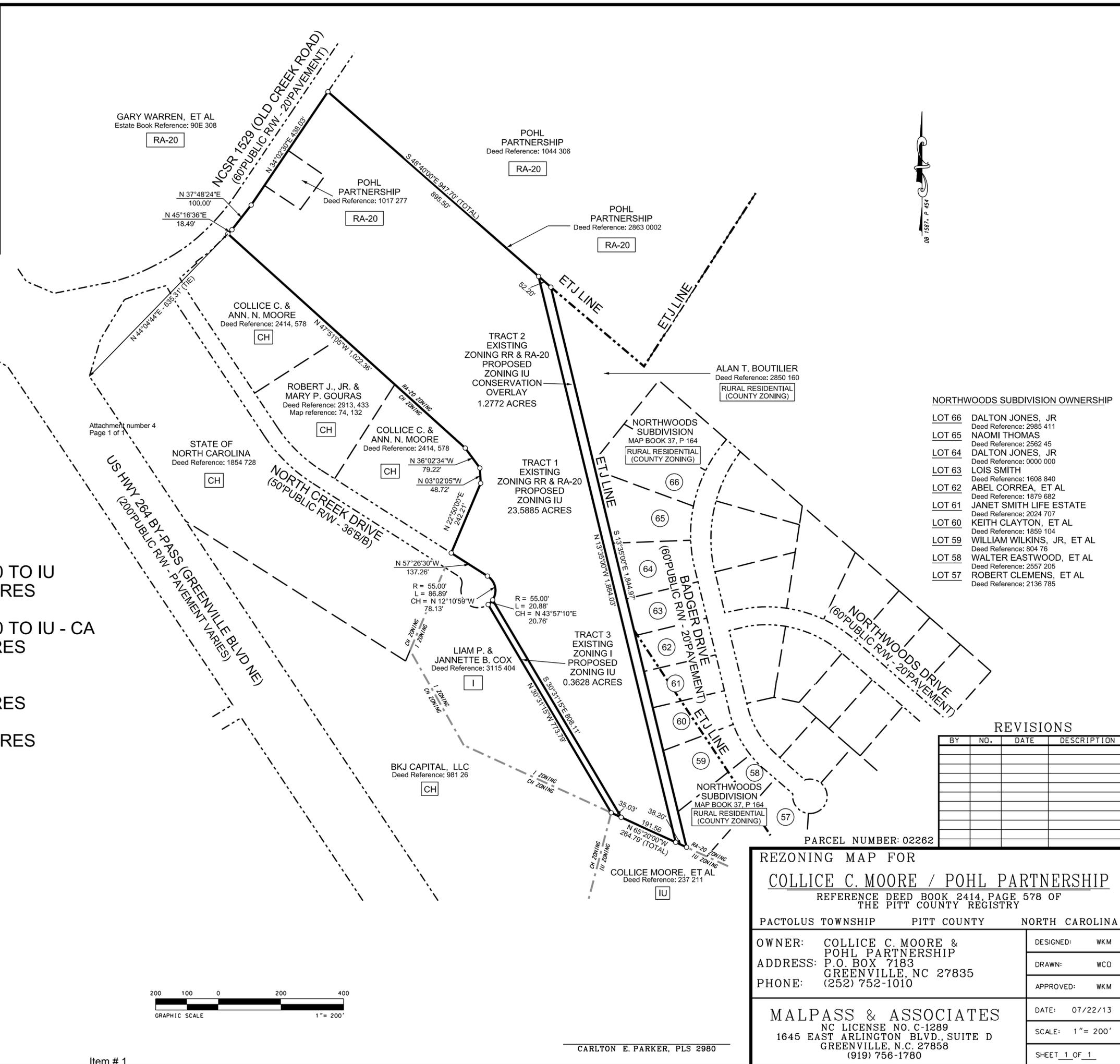
cc: Stacey Pigford, P.E., Assistant Traffic Engineer

Collice C. Moore and POHL Partnership
Tract 1: RA20, RR to IU (23.5885 acres)
Tract 2: RA20, RR to IU-CA (1.2772 acres)
Tract 3: I to IU (0.3628 acres)
TOTAL: 25.2285 acres





VICINITY MAP
1" = 1000'



DB 1567, P. 454

TRACT 1: RR & RA-20 TO IU
23.5885 ACRES

TRACT 2: RR & RA-20 TO IU - CA
1.2772 ACRES

TRACT 3: I TO IU
0.3628 ACRES

TOTAL: 25.2285 ACRES

- NORTHWOODS SUBDIVISION OWNERSHIP**
- LOT 66 DALTON JONES, JR
Deed Reference: 2985 411
 - LOT 65 NAOMI THOMAS
Deed Reference: 2562 45
 - LOT 64 DALTON JONES, JR
Deed Reference: 0000 000
 - LOT 63 LOIS SMITH
Deed Reference: 1608 840
 - LOT 62 ABEL CORREA, ET AL
Deed Reference: 1879 682
 - LOT 61 JANET SMITH LIFE ESTATE
Deed Reference: 2024 707
 - LOT 60 KEITH CLAYTON, ET AL
Deed Reference: 1859 104
 - LOT 59 WILLIAM WILKINS, JR, ET AL
Deed Reference: 804 76
 - LOT 58 WALTER EASTWOOD, ET AL
Deed Reference: 2557 205
 - LOT 57 ROBERT CLEMENS, ET AL
Deed Reference: 2136 785

REVISIONS

BY	NO.	DATE	DESCRIPTION



PARCEL NUMBER: 02262

REZONING MAP FOR
COLLICE C. MOORE / POHL PARTNERSHIP
REFERENCE DEED BOOK 2414, PAGE 578 OF
THE PITT COUNTY REGISTRY

PACTOLUS TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: COLLICE C. MOORE & POHL PARTNERSHIP	DESIGNED: WKM
ADDRESS: P.O. BOX 7183 GREENVILLE, NC 27835	DRAWN: WCO
PHONE: (252) 752-1010	APPROVED: WKM

MALPASS & ASSOCIATES
NC LICENSE NO. C-1289
1645 EAST ARLINGTON BLVD., SUITE D
GREENVILLE, N.C. 27858
(919) 756-1780

DATE: 07/22/13
SCALE: 1" = 200'
SHEET 1 OF 1

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: 8/20/2013
Time: 6:30 PM

Title of Item: Ordinance to amend the Zoning Ordinance by adding rear yard parking standards specific to the University Neighborhood Revitalization Initiative (UNRI) Overlay District.

Explanation: **Abstract:** At the March 19, 2013, meeting of the University Neighborhood Revitalization Initiative (UNRI) Committee, the committee approved recommendations to City Council to develop rear yard parking standards for vehicle parking in rear yards of residential structures located in the overlay district and to make on-street parking within the overlay district controlled access for residents only.

City Council at their April 11, 2013 meeting voted to move forward with ordinance creation and directed staff to hold a public input meeting concerning parking changes in the UNRI Overlay District.

The purpose of this item is to establish rear yard parking standards for vehicles in the UNRI overlay district. The Planning and Zoning Commission first heard initial discussions on this item during the July 16, 2013 meeting of the Planning and Zoning Commission. Just prior to the meeting, the UNRI Committee voted to amend their recommended ordinance for rear yard parking to require screening only when more than one vehicle was parked in the rear yard. Because staff did not have an opportunity to fully evaluate the change, staff recommended that the Planning and Zoning Commission continue the request to the August meeting of the Planning and Zoning Commission. This would allow staff time to develop modified language that reflected the UNRI Committee's intent. After some discussion the Planning and Zoning Commission continued the request to the August 20, 2013 meeting.

Explanation: The UNRI Committee was appointed by City Council following the establishment of the University Neighborhood Revitalization Initiative and overlay district. Objectives established by City Council for the UNRI Committee include the following:

- a. Establish a temporary citizen working group for a period of up to 12 months, composed of 2 appointees each by City officials elected by the district (district council person, at-large council person, and mayor) to assist in implementation of items described below and further define and execute additional revitalization efforts in the overlay district.
- b. Pursue funding sources to establish favorable terms and low interest loans and grants for revitalization of properties for citizens in the overlay district with the goal of encouraging transition/upfit over a period to owner occupied homes.
- c. Pursue a parking permit plan for the overlay district which includes permits by right to all legal residents and/or employees in the overlay district with valid driver's licenses as well as a set number of available permits for purchase to East Carolina University students, staff and faculty. Funds generated will be dedicated to increased code enforcement, trash collection, lighting, security and marketing of best practices for the overlay district.
- d. Launch an active community watch program joining together residents, law enforcement, neighborhood and university groups in the overlay district.
- e. Attach unpaid code violation fees to property tax bills of property owners. The committee has been meeting since December of 2012 and has been actively evaluating all of the established work items. In consideration of the complexities of parking issues, the committee has spent considerable time analyzing parking to develop programs that will ease some of the parking issues within the overlay district.

During the March 19, 2013, meeting of the UNRI Committee, two parking related items were recommended by the committee to City Council for consideration and are listed below:

Item #1. Develop standards that will establish rear yard surface and screening parking standards for dwellings in the overlay district. Suggested standards would limit the number of vehicles on site to four (4), require parking to be on an improved surface and with property screening. Currently there are no standards and the committee felt this would improve the visual appearance of structures within the overlay district.

Item #2. Establish the on-street parking areas within the overlay district as an area for controlled residential parking for residents of the overlay district only.

After evaluation, the committee felt that limiting on-street parking to residents within the overlay district only would improve parking for the residents of the area. It is the desire of the committee that efforts to make the change be timed such that needed changes take place in order to implement the new parking restrictions by the beginning of the fall 2013 semester.

These parking items were recommended to City Council by a 5-1 vote of the UNRI Committee.

City Council at their April 11, 2013, meeting voted to move forward with ordinance creation and directed staff to do so and to hold a public input meeting concerning parking changes for the UNRI Overlay District.

A public input meeting was held on April 29, 2013 to inform citizens of proposed parking changes in the UNRI Overlay District and to receive comments concerning potential changes.

Item #2 (on-street parking standards) was adopted by City Council on June 13, 2013.

Item #1 (rear yard parking standards, Section 9-4-255 of the City Code) is up for action tonight and consists of the following language:

a. Single family dwellings and two family attached dwelling units shall be limited to the parking and/or storage of four vehicles, boats, trailers, campers and the like total per dwelling unit on the subject lot. This requirement is not intended to limit the occasional parking of guests.

Modified Standard Resulting from the July 16, 2013 UNRI Meeting

b. Screening of the rear yard shall be required when more than one vehicle, boat, trailer, camper and the like total are parked and/or stored in the rear yard and are visible from adjoining properties on the side and rear of the subject lot.

c. Screening requirements can be satisfied by either a fence at least six (6) feet in height that creates a complete visual barrier from adjoining properties or with evergreen vegetative materials that are three (3) feet in height at the time of planting and will reach a height of six (6) feet and create a complete visual barrier from adjoining properties within two (2) years of planting. Vegetation materials listed in section 9-4-267(C)(3),(5) and (7) shall be utilized to satisfy screening requirements of this section. The property owner shall be responsible for maintaining all vegetation required by this section in a healthy condition. Any dead, unhealthy or missing vegetation shall be replaced. Replacement shall occur at the earliest suitable planting season.

d. Rear yard parking and/or storage areas shall be constructed of an all-weather material such as asphalt, concrete, brick, CABC or other materials approved by the City engineer and rear yard parking and/or storage areas shall be connected to the front and/or side yard parking and/or storage areas by a driveway constructed of an all-weather material such as asphalt, concrete, brick, CABC or other materials approved by the City engineer.

e. Rear yard parking and/or storage areas shall be contained and delineated by a barrier at least six (6) inches in height.

f. Notwithstanding the provisions related to nonconforming situations contained in Article C of this chapter, the requirements contained herein shall be applicable to all existing and future required or proposed parking areas.

g. The exemption provided in Section 9-4-243 (B) shall not apply to the University Neighborhood Revitalization Initiative Overlay District.

h. The exemption provided in Section 9-4-248 (B) shall not apply to rear yard parking areas in the University Neighborhood Revitalization Initiative Overlay District.

Because the majority of the College View Historic District is located within the UNRI Overlay District the proposed standards were reviewed by the Historic Preservation Commission on June 23, 2013 . The Commission noted the following language from their design guidelines, "it is not appropriate to create large off-street parking areas encompassing so much of the rear yard that the residential character of the site is lost" as their major comment concerning the standards.

This zoning ordinance amendment has been evaluated by the various departments of the City responsible for implementation and administration of the recommended action.

Fiscal Note: No fiscal impact is anticipated.

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

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

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

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

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

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

Attachments / click to download



City of Greenville, North Carolina

Meeting Date: 8/20/2013
Time: 6:30 PM

Title of Item: Ordinance requested by Collice Moore to extend the City of Greenville's Extraterritorial Jurisdiction (ETJ) in the North Creek Commercial Park area.

Explanation: **Abstract:** The City has received a request from Collice C. Moore for an extension of the City of Greenville's Extra-Territorial Jurisdiction (ETJ) for property identified as North Creek Commercial Park, containing approximately 10.1125 acres.

Explanation: When the City of Greenville extended its Extra-Territorial Jurisdiction (ETJ) in 1972, it established the boundary in this area as being 1000 feet east of the right-of-way of US 264. This boundary was drawn irrespective of property lines. Consequently, some properties were split by this boundary, and this property is one of those that were split.

The property owner desires to have the remainder of their property included within the City of Greenville's ETJ for consideration of future development. It is likely that future property uses would require city sewer, requiring voluntary annexation. The inclusion of this property would allow the property owner the opportunity to pursue a City zoning classification so the property can be marketed.

On April 11, 2013, the Greenville City Council adopted a resolution asking the Pitt County Commissioners for approval of the proposed ETJ extension.

On May 15, 2013, the Pitt County Planning Board recommended approval in extending the City's ETJ.

On July 8, 2013, the Pitt County Commissioners approved the request.

Fiscal Note: No costs to the City of Greenville associated with this request.

Recommendation: Conduct a public hearing and approve the attached ordinance extending the extraterritorial jurisdiction of the City of Greenville.

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

Attachments / click to download

[ETJ Extension Request Site Map](#)

[City Resolution](#)

[Pitt County Resolution](#)

[North Creek Commercial Park ETJ Extension 960951](#)

ORDINANCE NO.
AN ORDINANCE EXTENDING THE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, N.C.G.S. 160A-360 allows a municipality to exercise powers conferred by Article 19 of Chapter 160A of the North Carolina General Statutes within a defined extraterritorial jurisdiction;

WHEREAS, in accordance with the provisions of N.C.G.S. 160A-360(e), Pitt County has agreed upon an extension of the City of Greenville extraterritorial jurisdiction to include an area in which the owner of all of the property located in the area has requested that the City of Greenville exercise its extraterritorial jurisdiction;

WHEREAS, N.C.G.S. 160A-360 requires cities exercising extraterritorial jurisdiction to adopt an ordinance specifying the extraterritorial area by setting forth the boundaries of such extraterritorial area by drawing the same on a map or by written description or by a combination of a map and written description;

WHEREAS, the Greenville Planning and Zoning Commission, at its August 20, 2013, meeting, recommended the extension of the extraterritorial area as delineated on a map entitled "Boundaries of the Extraterritorial Jurisdiction of the City of Greenville, North Carolina" and recorded in Map Book 21, Page 129 and 129A -129H, dated April 26, 1972, and approved by the City Council on June 26, 1972, and as amended by ordinances subsequently adopted by the City Council of the City of Greenville; and

WHEREAS, notice of a public hearing to be held on the question of adopting an ordinance extending the extraterritorial jurisdiction of the City of Greenville was published in The Daily Reflector as by law provided and a public hearing was held;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE DOES ORDAIN:

Section 1. That the following described area shall become part of the extraterritorial jurisdiction of the City of Greenville:

To Wit: Extension of the Extraterritorial Jurisdiction of the City of Greenville in the area of North Creek Commercial Park.

Location: North of North Creek Drive and east of Old Creek Road.

Lying and being situate in Pactolus Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point in the eastern right of way of NCSR 1529 (Old Creek Road) said point being located N 40-43-27 E – 1038.93' from the intersection of the eastern right of way of NCSR 1529 and the northern right of way of US Hwy 264 By-pass thence from said point of beginning with the eastern right of way of

NCSR 1529 N 32-02-30 E – 149.67’ to the southern line of the POHL Partnership property as recorded in deed book 1044 page 306 of the Pitt County Registry, thence leaving the eastern right of way of NCSR 1529 with the southern line of the POHL Partnership property S 48-40-00 E – 947.70’ to the western line of the Alan T. Boutilier property as recorded in deed book 2850 page 160, thence leaving with the southern line of the POHL Partnership property thence with the western line of the Alan T. Boutilier property and the western line of Northwoods Subdivision as recorded in map book 37 page 164 S 13-35-00 E – 1129.78’ thence leaving the western line of Northwoods Subdivision N 33-32-30 W – 1919.72’ to the point of beginning containing 10.1125 acres.

Section 2. That the extraterritorial jurisdiction of the City of Greenville shall be the area as shown on the map entitled "Boundaries of the Extraterritorial Jurisdiction of the City of Greenville, North Carolina" recorded in Map Book 21, Page 129 and 129A-129H dated April 26, 1972 and approved by the City Council of the City of Greenville at its June 26, 1972, meeting, those areas added or deleted from the extraterritorial jurisdiction by ordinances subsequently adopted by the City Council of the City of Greenville, and the area described in Section 1 of this Ordinance. Attachment number 1
Page 2 of 2

Section 3. That the City Clerk of the City of Greenville shall cause a certified copy of this Ordinance and map and any subsequent amendments to be recorded in the Office of the Register of Deeds of Pitt County.

Section 4. This Ordinance shall become effective upon adoption.

ADOPTED this 12th day of September, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Document #960951

February 13, 2013

City of Greenville
Planning Department
c/o Mr. Andy Thomas
PO Box 7207
Greenville, NC 27835-7207

**RE: Collice C. Moore/North Creek Commercial Park – Proposed ETJ Extension
Portion of Parcel Number 02262 and Parcel Number 46068**

To whom it may concern,

Collice C. Moore et al hereby requests that the City of Greenville's ETJ be extended to include the property described as a portion of Pitt County parcel number 02262 and Parcel Number 46068, containing approximately 10.5+/- acres located on the eastern side of Old Creek Road as shown on the attached maps. Currently the subject parcel is partially within the City of Greenville's ETJ. The property is currently vacant and is used for agriculture.

The subject property which in not within the City of Greenville's ETJ is currently zoned Pitt County Zoning RR. The portion of the subject property within the ETJ of the City of Greenville is zoned RA-20 and CH. Properties adjacent to the subject property which are within the Pitt County Zoning Jurisdiction, Pitt County Parcel Numbers – 80550, 53832, 53831, 53830, 53829 and 53828 are zoned RR.

Inclusion of the remainder of Parcel Number 02262 and Parcel Number 46068 into the City of Greenville's ETJ will allow the owners of the property to be able to develop the property with the use of sanitary sewer. The developers constructed and paid for a sanitary sewer pump station on an additional adjacent parcel they owned which is owned and operated by Greenville Utilities Commission. The pump station which was constructed as a regional pump station has the potential to provide sewer service to this property as well as large area located outside of the property presently owned by myself.

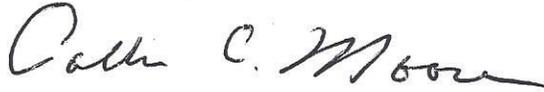
Considerations for Greenville ETJ Expansion

The Following items address considerations as noted by the Pitt County Board of Commissioners Draft Policy for Expansions of Municipal ETJ:

- 1) The City of Greenville currently has subdivision and zoning regulations in place that are administered by a planning board and staff.
- 2) The subject property is adjacent to property currently within the City of Greenville's city limits and ETJ.
- 3) Water and electric service is currently available from Greenville Utilities. Sewer service is available and is presently in place for some of the proposed ETJ extension.

- 4) The subject property is not located within two miles of any other planning jurisdiction's corporate limits. The property's location being adjacent to the existing Greenville City Limits and ETJ would imply there will be no impact to neighboring municipalities.

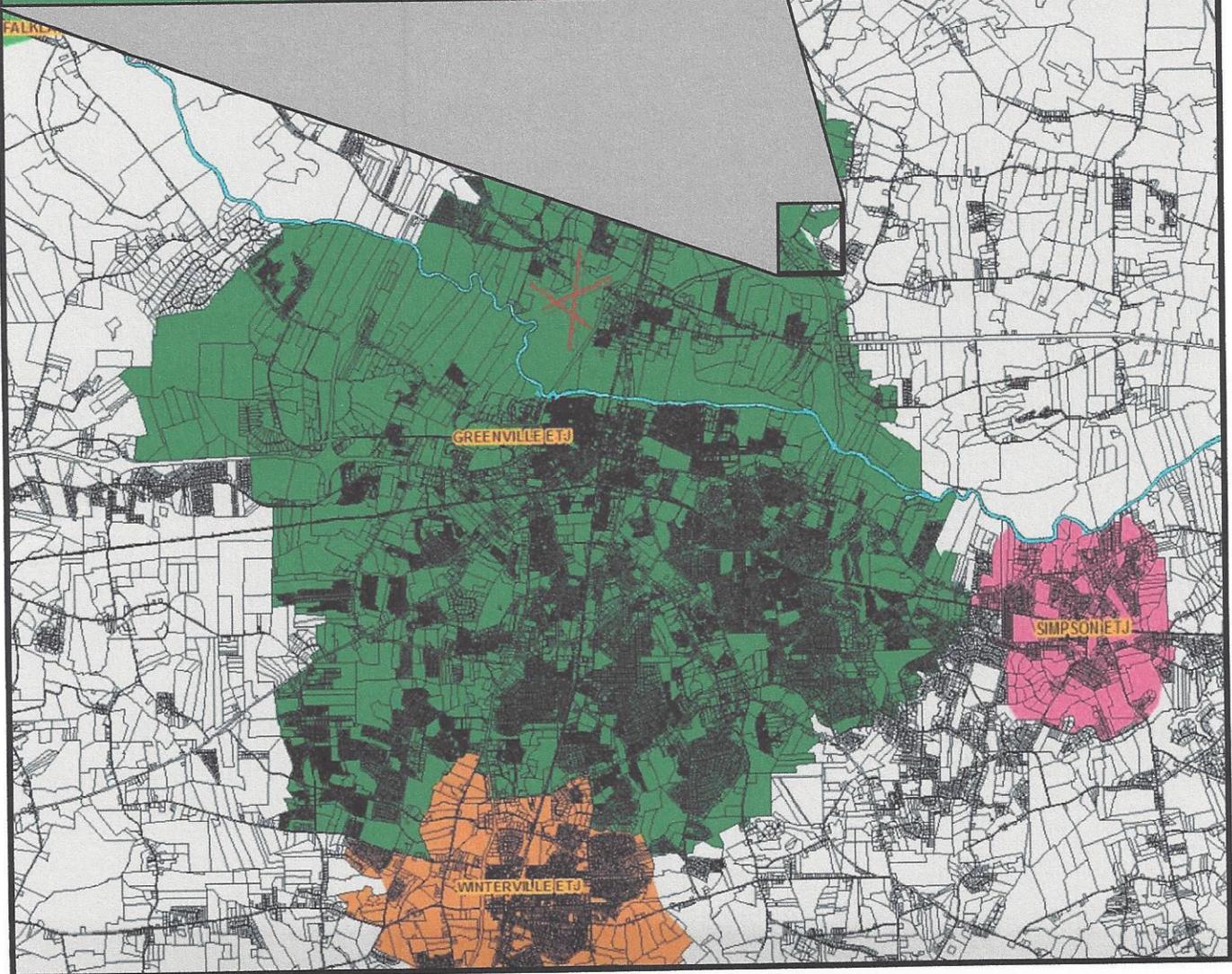
Respectfully

A handwritten signature in cursive script that reads "Collice C. Moore". The signature is written in black ink and is positioned above the typed name.

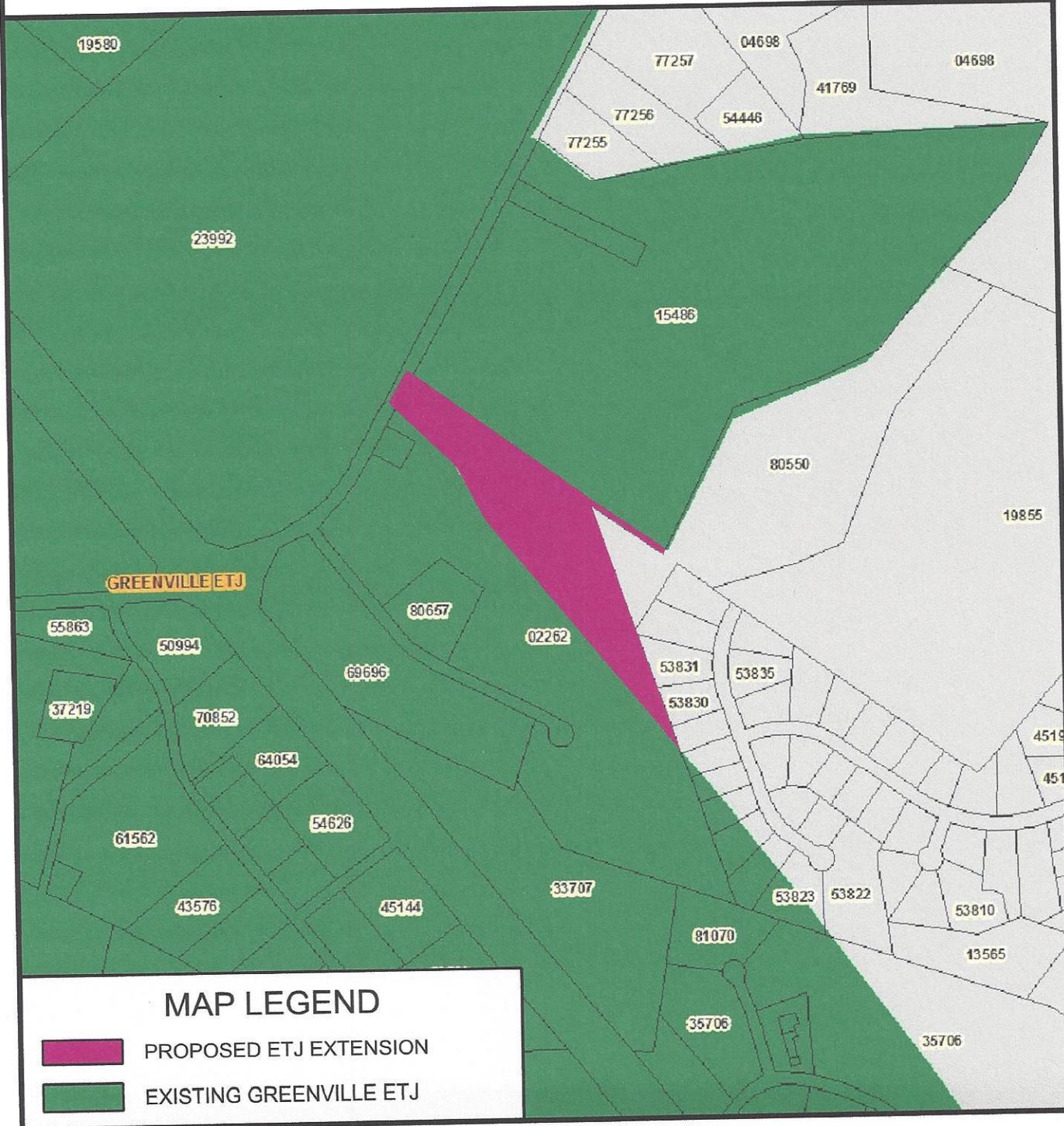
Collice Moore:

Attachments: Maps

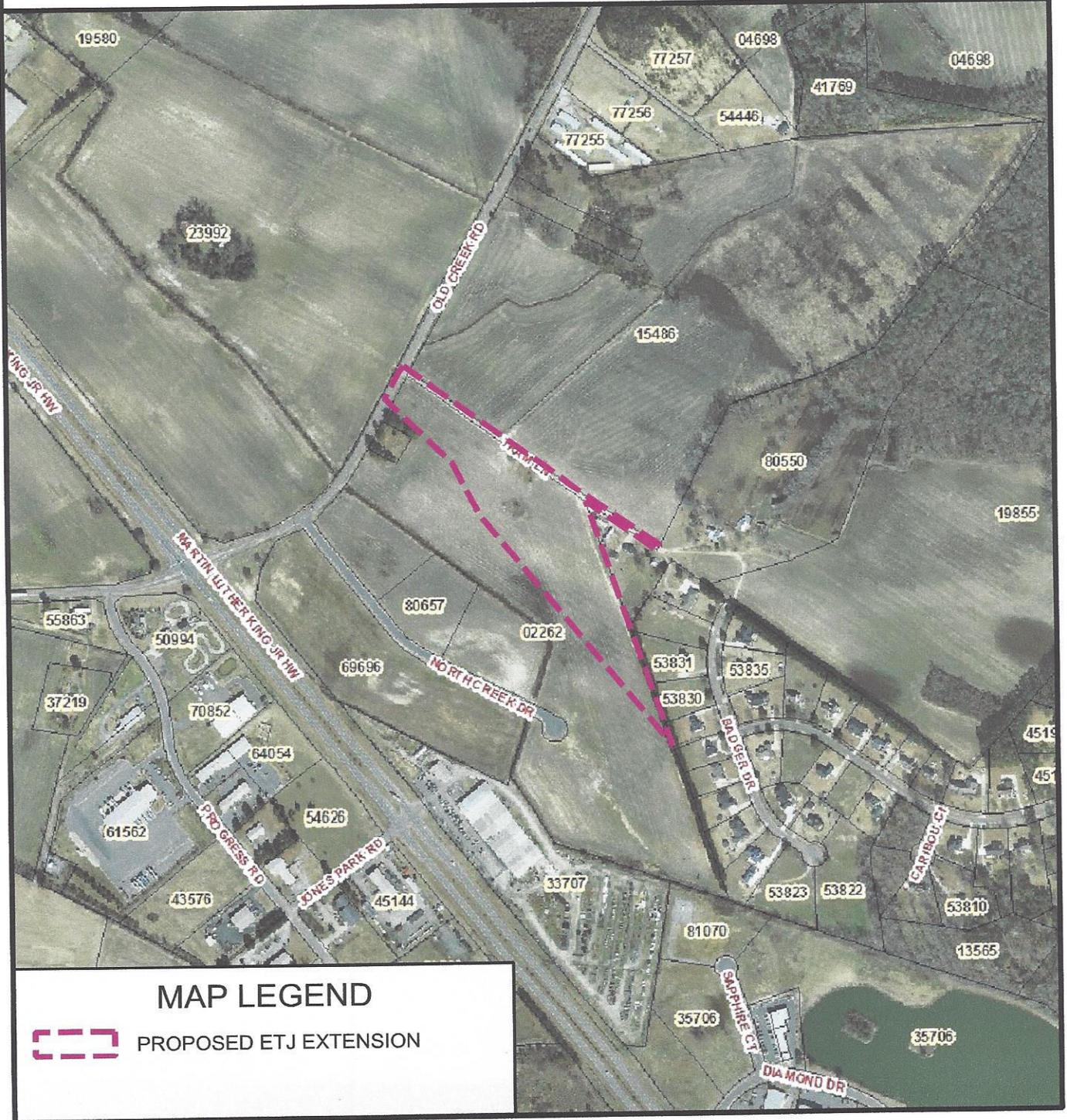
PITT COUNTY ETJ PROPOSAL



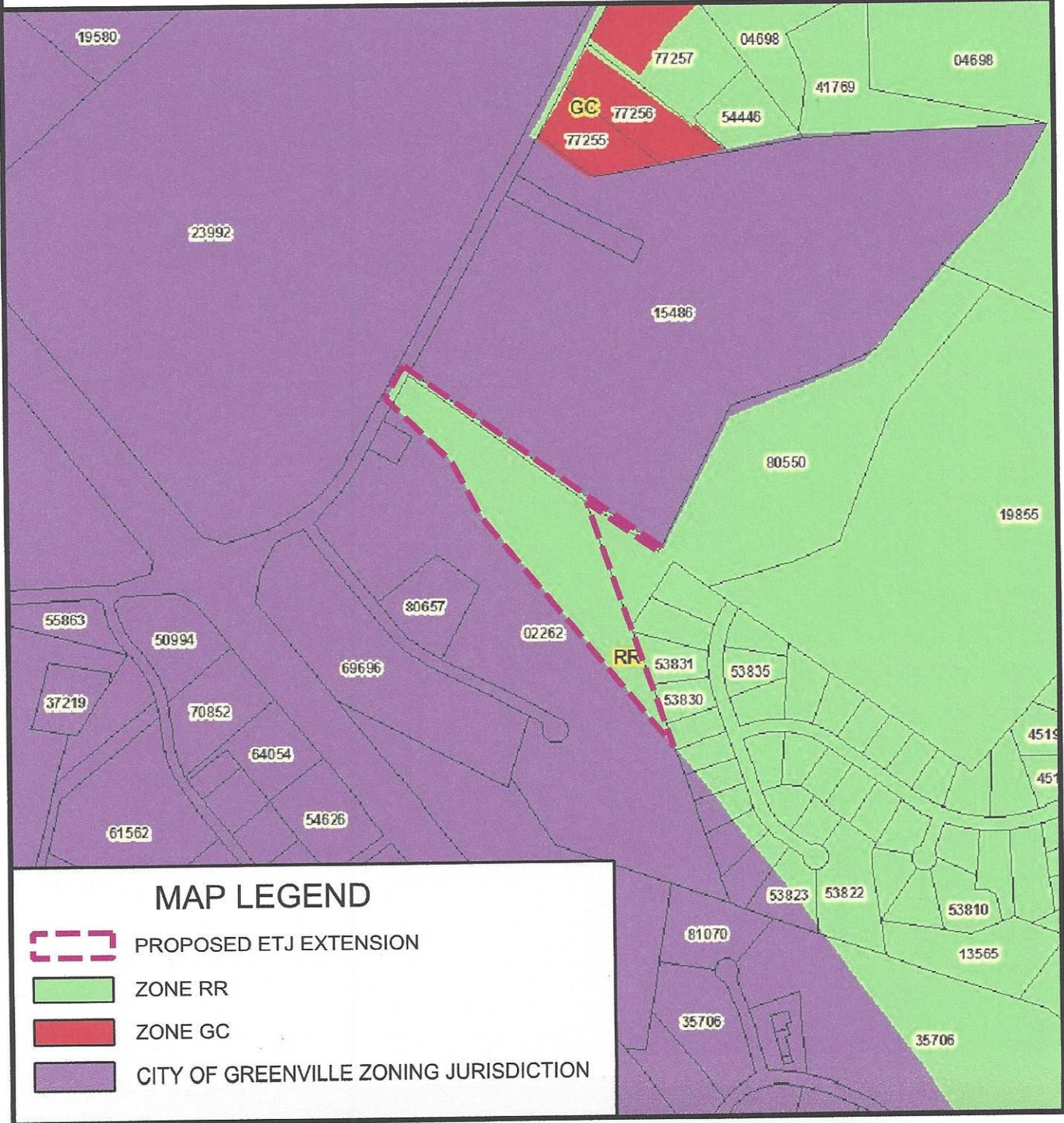
PROPOSED MUNICIPAL EXTRATERRITORIAL JURISDICTION EXTENSION



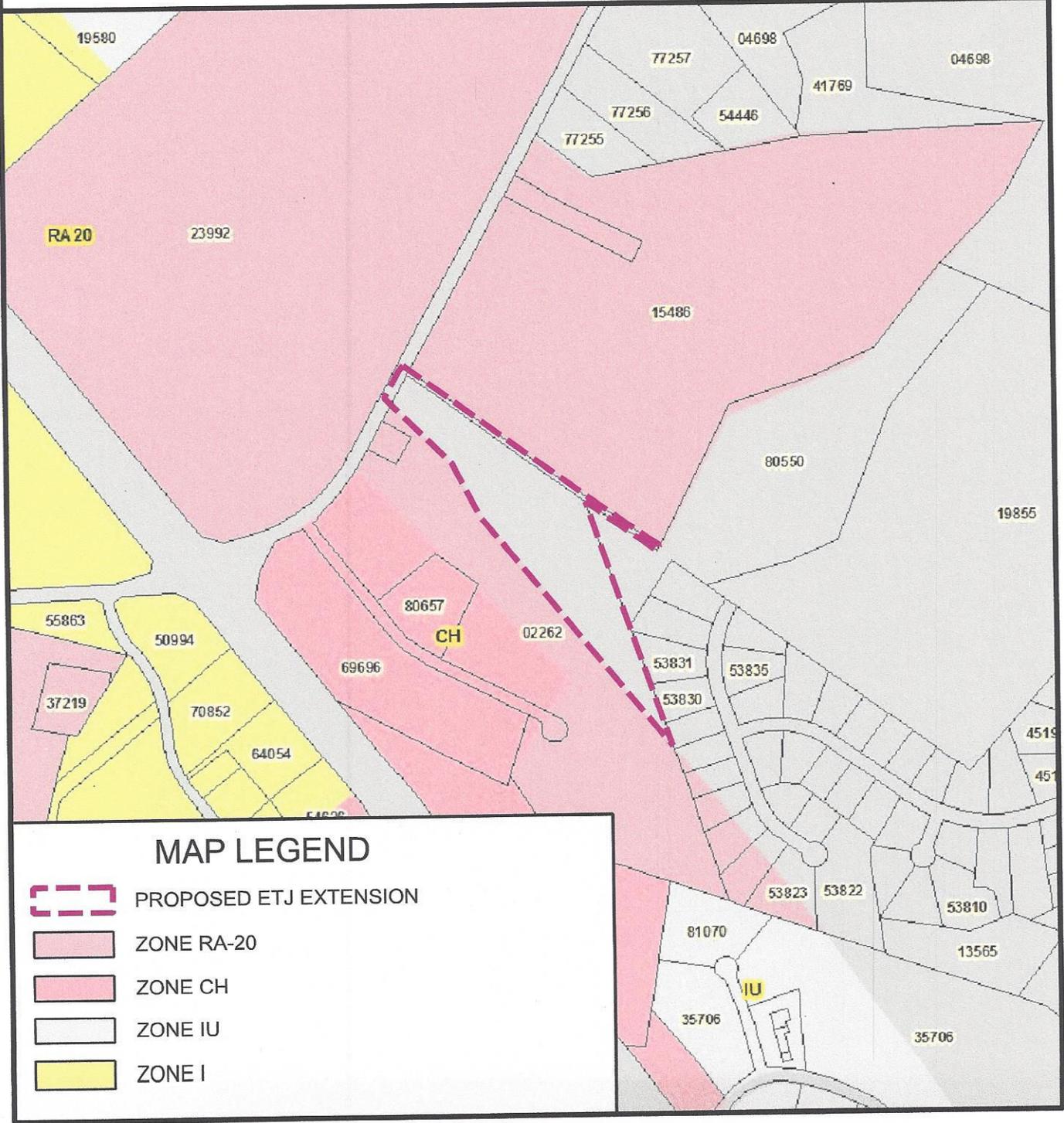
PROPOSED MUNICIPAL EXTRATERRITORIAL JURISDICTION EXTENSION AERIAL PHOTO (2010)



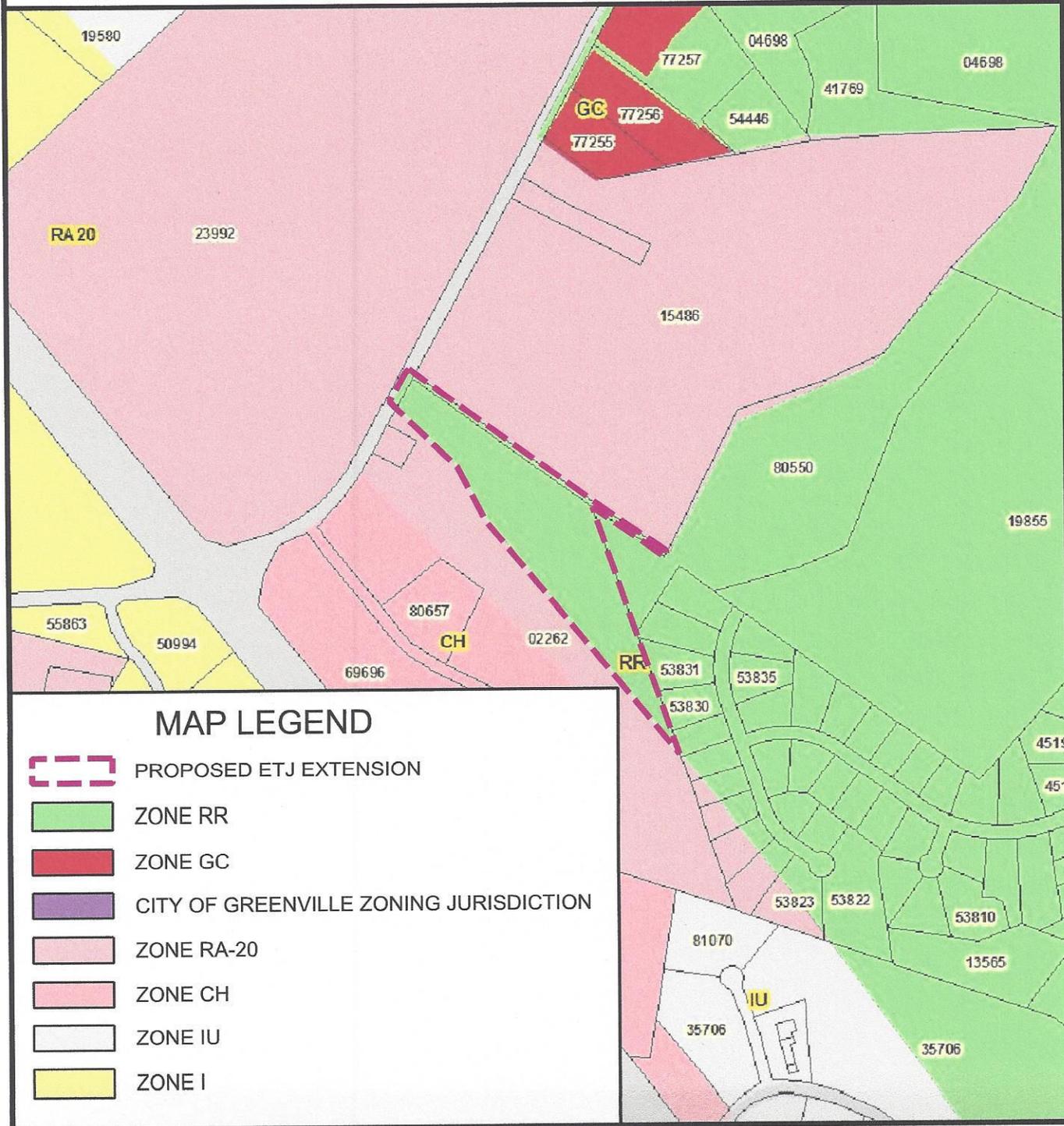
EXISTING PITT COUNTY ZONING



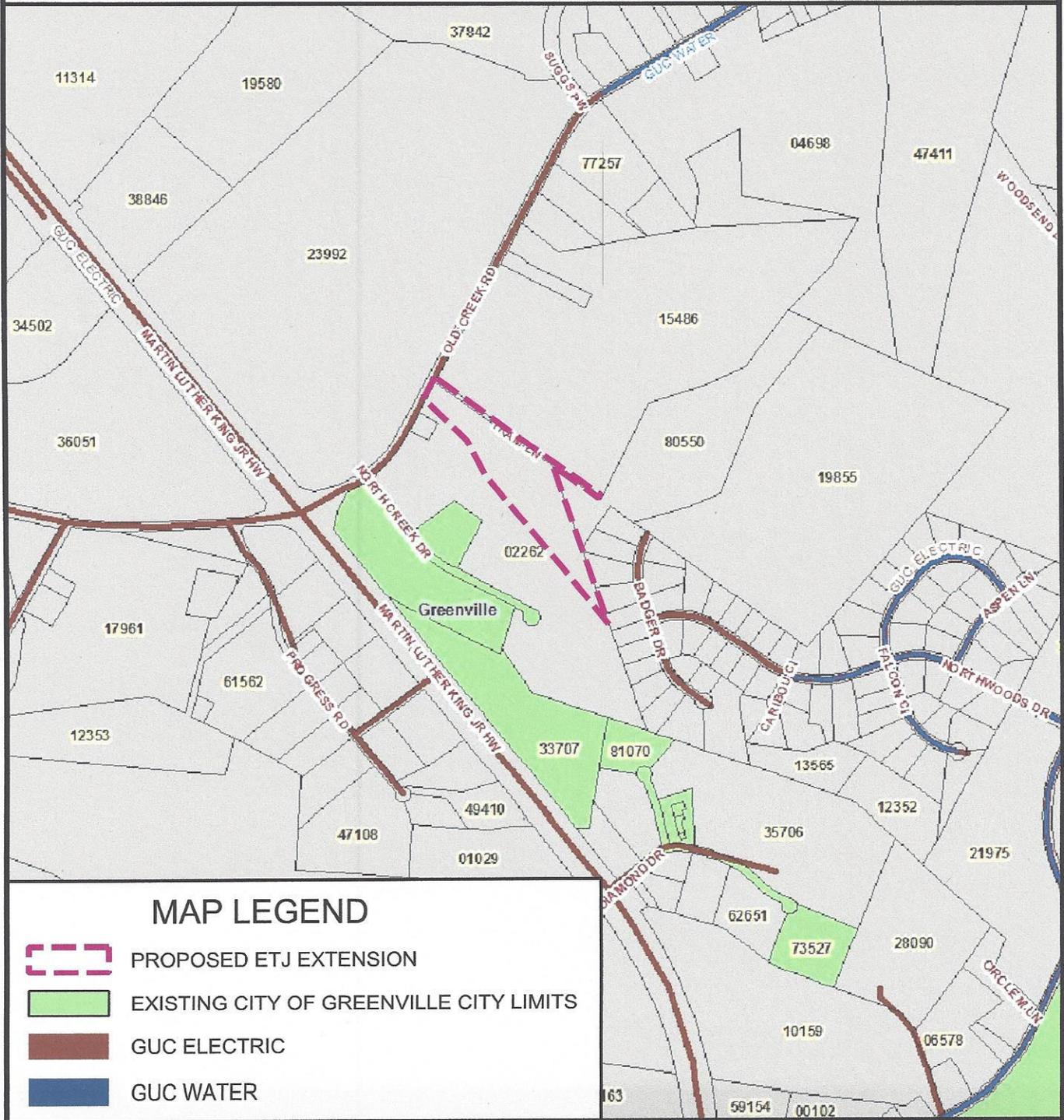
EXISTING CITY OF GREENVILLE ZONING



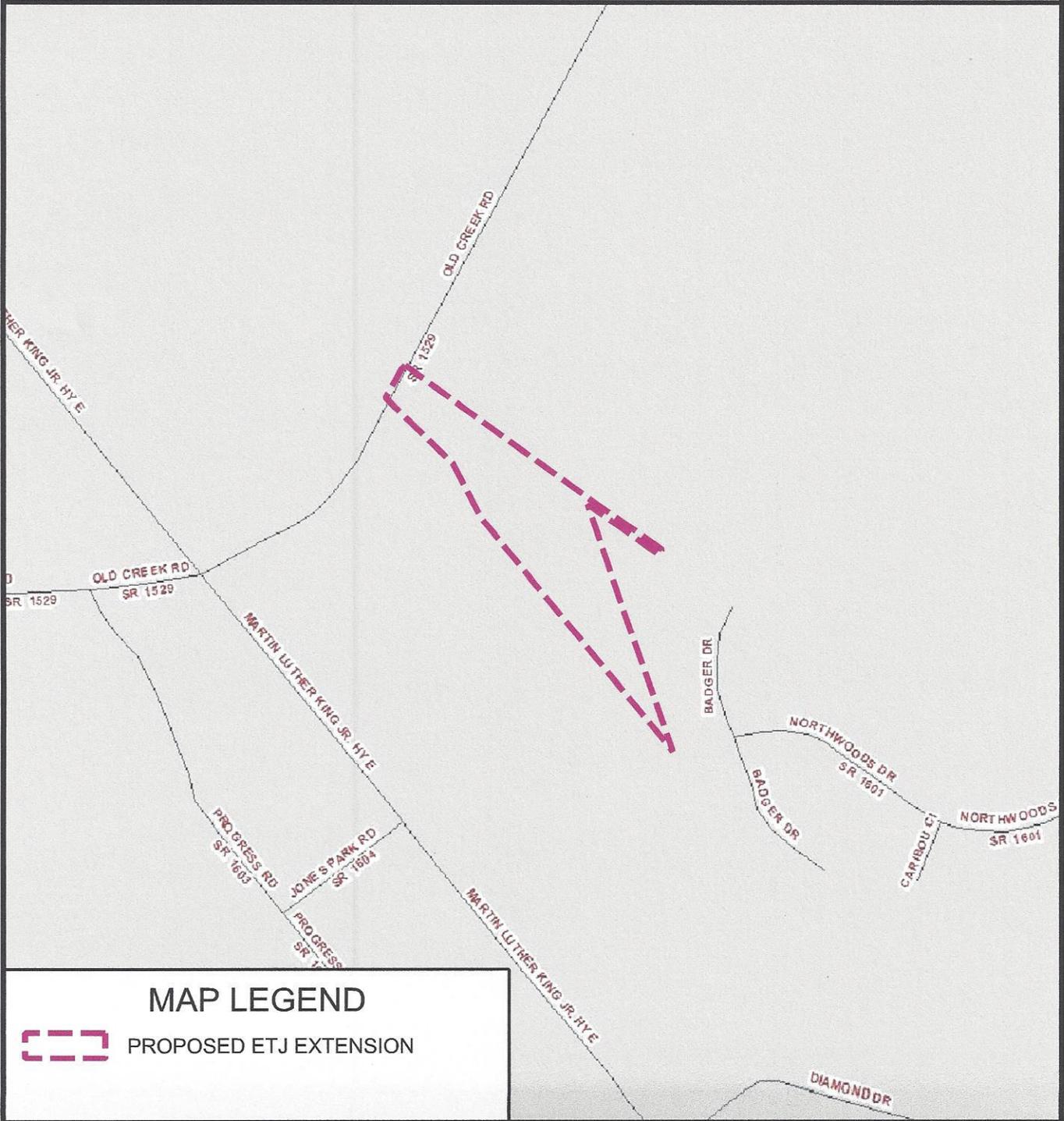
COMBINED PITT COUNTY AND CITY OF GREENVILLE ZONING



EXISTING UTILITY SERVICES



EXISTING THOROUGHFARES

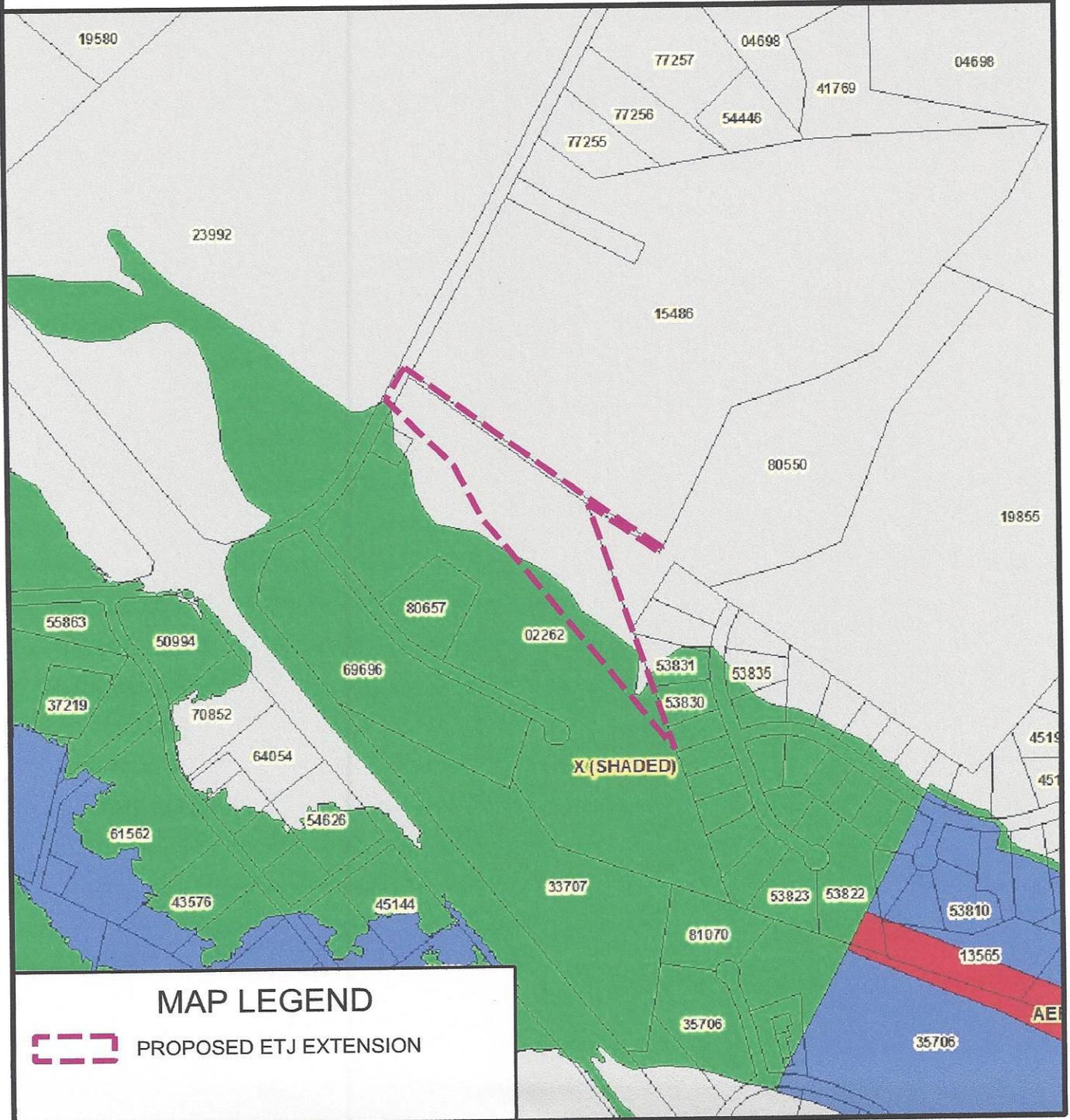


MAP LEGEND



PROPOSED ETJ EXTENSION

PROXIMITY TO EXISTING FLOODWAY



RESOLUTION NO. 020-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE REQUESTING
THE PITT COUNTY BOARD OF COMMISSIONERS TO AGREE TO AN EXTENSION OF
THE CITY OF GREENVILLE'S EXTRATERRITORIAL JURISDICTION

WHEREAS, N.C.G.S. 160A-360 allows a municipality to exercise powers conferred by Article 19 of Chapter 160A of the North Carolina General Statutes within a defined extraterritorial jurisdiction;

WHEREAS, N.C.G.S. 160A-360(e) requires a city and county to agree upon an extension of a city's extraterritorial jurisdiction where a county enforces a zoning ordinance and subdivision regulations and within which the county is enforcing the State Building Code regulations;

WHEREAS, Pitt County enforces a zoning ordinance and subdivision regulations and enforces the State Building Code regulations within areas in the county which are outside the corporate limits and extraterritorial jurisdiction of cities;

WHEREAS, a property owner has requested that the City of Greenville extend its extraterritorial jurisdiction to include his property which is adjacent to the City of Greenville's extraterritorial jurisdiction; and

WHEREAS, City Council desires to approve the request of the property owner by extending its extraterritorial jurisdiction and therefore seeks the agreement of the Pitt County Board of Commissioners for the extension;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby request the Pitt County Board of Commissioners to agree, by a formally adopted resolution as required by N.C.G.S. 160A-360, to an extension of the City of Greenville's extraterritorial powers under Article 19 of Chapter 160A of the North Carolina General Statutes within the area identified in the report entitled "Collice C. Moore/North Creek Commercial Park – Proposed ETJ Expansion" prepared by Malpass and Associates.

This the 11th day of April, 2013.



Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

**PITT COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION
SUPPORTING THE CITY OF GREENVILLE'S REQUEST TO EXTEND
EXTRATERRITORIAL JURISDICTION**

WHEREAS, N.C.G.S. 160A-360 allows a municipality to exercise powers conferred by Article 19 of Chapter 160A of the North Carolina General Statutes within a defined extraterritorial jurisdiction;

WHEREAS, N.C.G.S. 160A-360(e) requires a city and county to agree upon an extension of a city's extraterritorial jurisdiction where a county enforces a zoning ordinance and subdivision regulations and within which the county is enforcing the State Building Code regulations;

WHEREAS, Pitt County enforces a zoning ordinance and subdivision regulations and enforces the State Building Code regulations within areas in the county which are outside the corporate limits and extraterritorial jurisdiction of municipalities;

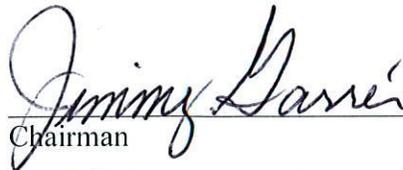
WHEREAS, the City Council of the City of Greenville has requested, by resolution on April 11, 2013, to extend its extraterritorial jurisdiction to include tax parcel 02262 owned by Collice C. and Ann N. Moore, and tax parcel 46068 owned by POHL, LLC located adjacent to the City of Greenville's extraterritorial jurisdiction;

WHEREAS, the Pitt County Board of Commissioners, following a public hearing on June 17, 2013, reviewed the merits of the request per the County's applicable policies and unanimously approved the City's request for the extraterritorial jurisdiction extension; and

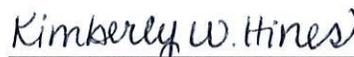
WHEREAS, this proposed extraterritorial jurisdiction extension will take effect at a later date as determined by the City of Greenville once all applicable statutory requirements are met.

NOW, THEREFORE, BE IT RESOLVED that the Pitt County Board of Commissioners affirms by resolution, as required by N.C.G.S. 160A-360, the approval of the requested extension of the City of Greenville's extraterritorial powers under Article 19 of Chapter 160A of the North Carolina General Statutes to include tax parcel 02262 owned by Collice C. and Ann N. Moore, and tax parcel 46068 owned by POHL, LLC.

This the 8th day of July, 2013.


Chairman

ATTEST:


Kimberly Hines, Clerk to the Board

