



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

Sloan Stevens

Travis Scott

David Barbour

Stephen Rabil

Roger A. Wood

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

Town Council

Agenda

Packet

Meeting Date: Tuesday, August 8, 2023

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577



**TOWN OF SMITHFIELD
TOWN COUNCIL AGENDA
REGULAR MEETING AUGUST 8, 2023
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

1. Administering Oath of Office to New Police Officer Jacob Gibbons
(Mayor – M. Andy Moore) See attached information.....1

Public Hearings:

1. RZ-23-01 Johnston County: The applicant is requesting to rezone a 49.02-acre tract of land from the R-20A (Residential-Agricultural) zoning district and B-3 (Highway Entrance Business) zoning district to the O/I (Office/Institutional) zoning district. The property considered for rezoning is located on the east and west side of Yelverton Grove Road, approximately 480 feet south of its intersection with US 70 Highway Business East Smithfield and further identified as Johnston County Tax ID# 15L11012.
(Planning Director – Stephen Wensman) See attached information.....3
2. Right-of-Way Closure: Mr. Patrick E. Harris is requesting to permanently close a 50-foot wide by 200-foot-long section of unimproved public right-of-way know as Rosewood Drive. The public right-of-way considered for permanent closure is located on the northeast side of the intersection of Crescent Drive and Rosewood Drive and immediately south of property owned by the Town of Smithfield which is identified as Johnston County Tax ID# 15037010. Adoption of Resolution No. 731 (14-2023) is also needed.
(Planning Director – Stephen Wensman) See attached information.....27
3. ZA-23-07 Town of Smithfield: The applicant is requesting an amendment to the Unified Development Ordinances, Article 2 for the creation of a side-walk fee in lieu policy and program
(Planning Director – Stephen Wensman) See attached information.....41

Citizens Comments

Consent Agenda Items:

1. Approval of Minutes:
 - a. June 6, 2023 – Closed Session (Under Separate Cover)
 - b. July 11, 2023 – Regular Meeting
 - c. July 11, 2023 – Closed Session (Under Separate Cover)
 - d. July 25, 2023 – Special Session
 - e. July 25, 2023 – Closed Session (Under Separate Cover)
 (Town Clerk – Shannan Parrish) See attached information.....49

2. Special Event: Homegrown Harley Honkey-Tonk – Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on August 12, 2023 from 10:00 am until 4:00 pm. This request includes the use of amplified sound, food trucks and alcohol sales.
 (Planning Director – Stephen Wensman) See attached information.....63

3. Special Event: Renaissance Festival – the FRC Team 6004 f(x) Robotics **is requesting to hold an event in the parking lot behind the Public Library on September 23, 2023 from 10:00 am until 2:00 pm.**
 (Planning Director – Stephen Wensman) See attached information.....77

4. Consideration and request for approval to adopt revisions to the employee pay scale
 (HR Director – Tim Kerigan) See attached information.....83

5. Bid Award in the amount of \$74,019 to Capital Ford (NC **Sheriff's** Association approved vendor) for the purchase of a dump truck for the Public Utilities – Water/Sewer Department
 (Public Utilities Director – Ted Credle) See attached information.....97

6. Consideration and request for approval to adopt Resolution No. 732 (15-2023) accepting public dedication (not maintenance) of public lands or facilities for streets, parks, and public utility lines for Twin Creeks Phase 1
 (Planning Director – Stephen Wensman) See attached information.....107

7. Consideration and request for approval to adopt Resolution No. 733 (16-2023) accepting public dedication (not maintenance) of public lands or facilities for streets, parks, and public utility lines for Floyd Landing
 (Planning Director – Stephen Wensman) See attached information.....111

8. Consideration and request for approval to adopt Resolution No. 734 (17-2023) accepting public dedication (not maintenance) of public lands or facilities for streets, parks, and public utility lines for Marin Woods
 (Planning Director – Stephen Wensman) See attached information..... 115

9. Consideration and request for approval to adopt Resolution No. 735 (18-2023) accepting public dedication (not maintenance) of public lands or facilities for streets, parks, and public utility lines for Harvest Run
 (Planning Director – Stephen Wensman) See attached information.....119

10. Consideration and request for approval to adopt Resolution No. 736 (19-2023) accepting public dedication (not maintenance) of public lands or facilities for streets, parks, and public utility lines for Whitley Townes Planning Director – Stephen Wensman) <u>See</u> attached information.....	123
11. Consideration and request for approval to adopt Resolution No. 737 (20- 2023) for the “balance” funding of the Lead and Copper Inventory Project (Public Utilities Director – Ted Credle) <u>See</u> attached information.....	127
12. Consideration and request for approval to install an additional stop sign at Hood Street and South Chestnut Drive (Interim Chief of Police – James Grady) <u>See</u> attached information.....	133
13. New Hire Report (HR Director – Tim Kerigan) <u>See</u> attached information.....	137
14. Special Event: Oktoberfest – Oak City Collection is requesting to hold an event in the 100 block of South Third Street on October 7, 2023 from 9:00 am until 10:00 pm. This request includes the use of amplified sound, food trucks the closure of South third Street. (Planning Director – Stephen Wensman) <u>See</u> attached information.....	139

Business Items:

1. ZA-23-06 Town of Smithfield: The applicant is requesting an amendment to Unified Development Ordinances, Article 2, 10 and Appendix A. The amendment will update existing performance standards, clarify vague wording, and break up large blocks of text into subsections and update definitions. (Planning Director – Stephen Wensman) <u>See</u> attached information.....	145
2. Consideration and request for approval to adopt Ordinance No. 517-2023 repealing and enacting speed limits on NC 210 in Smithfield (Planning Director – Stephen Wensman) <u>See</u> attached information.....	199
3. Discussion concerning post-employment health benefits (Town Manager – Michael Scott) <u>See</u> attached information.....	205

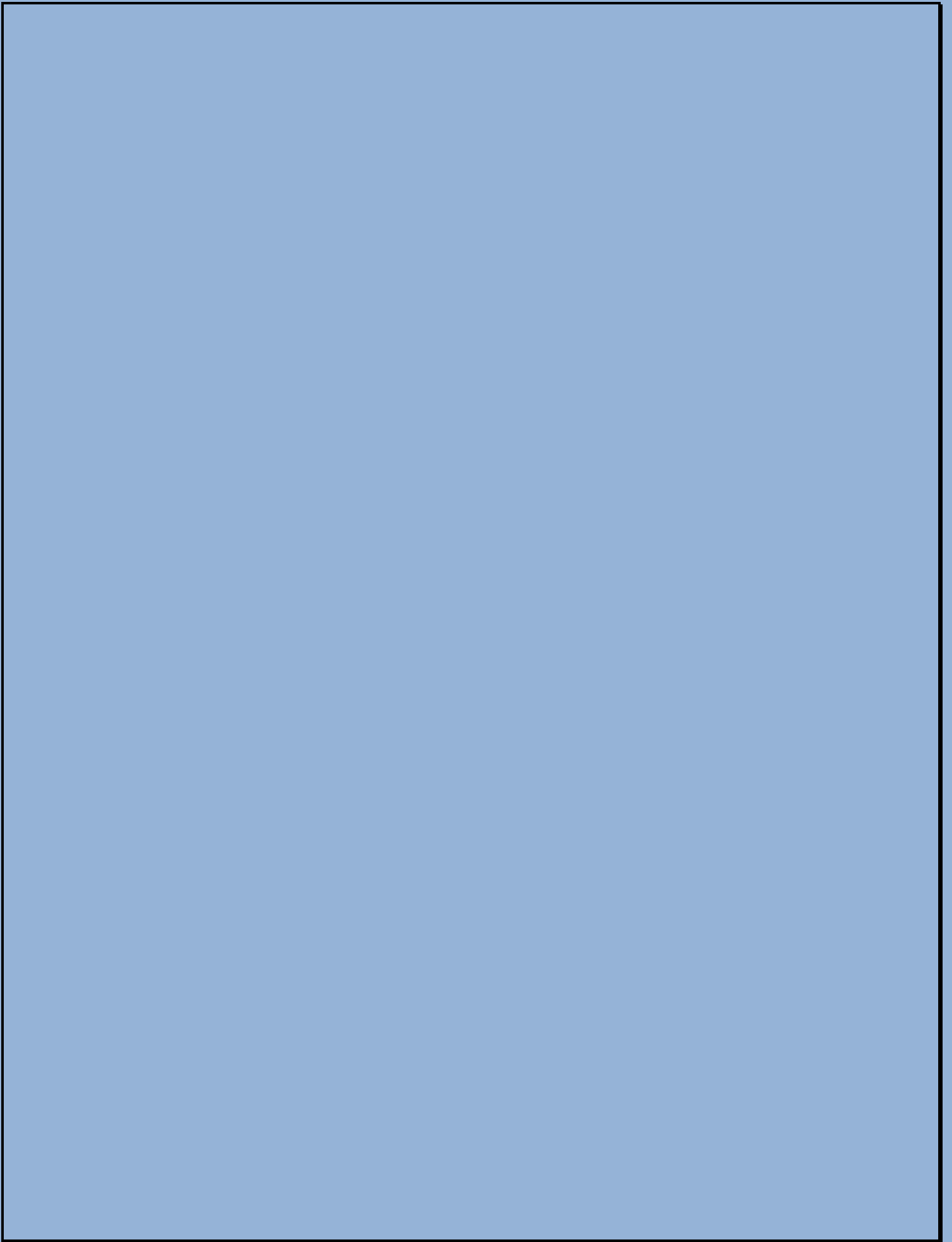
Councilmember’s Comments

Town Manager’s Report

- Financial Report (See attached information).....207
- Department Reports (See attached information).....209
- **Manager’s Report** (Will be provided at the Meeting)

Adjourn

Presentation





Request for Town Council Action

Presentation: Police Oath
of Office
Date: 08/08/2023

Subject: Oath of Office
Department: Police Department
Presented by: Interim Chief of Police – James Grady
Presentation: Presentations

Issue Statement

The Smithfield Police Department has hired a new officer to fill existing vacancies within the Police Department. Jacob Gibbons has been hired to fill one of these positions. Jacob Gibbons recently graduated B.L.E.T at Johnston Community College.

Financial Impact

Approved Budgeted Amount for FY 2022-2023: Covered by the Current Budget

Action Needed

Administer the oath of office to Officer Jacob Gibbons and welcome him into the Smithfield Community.

Recommendation

Administer the oath of office to Officer Jacob Gibbons and welcome him into the Smithfield Community.

Approved: Town Manager Town Attorney

Attachments:

1. Oath of Office



Staff Report

Presentation: Oath
of
Office

OATH OF OFFICE SMITHFIELD POLICE DEPARTMENT

"I, Jacob Gibbons, the undersigned, do solemnly swear or affirm that I will support the Constitution of the United States; that I will faithfully and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are, or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States; that I will be alert and vigilant to enforce the criminal laws of this state; that I will not be influenced in any manner on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as a law enforcement officer according to the best of my skill, abilities and judgment, so help me God."

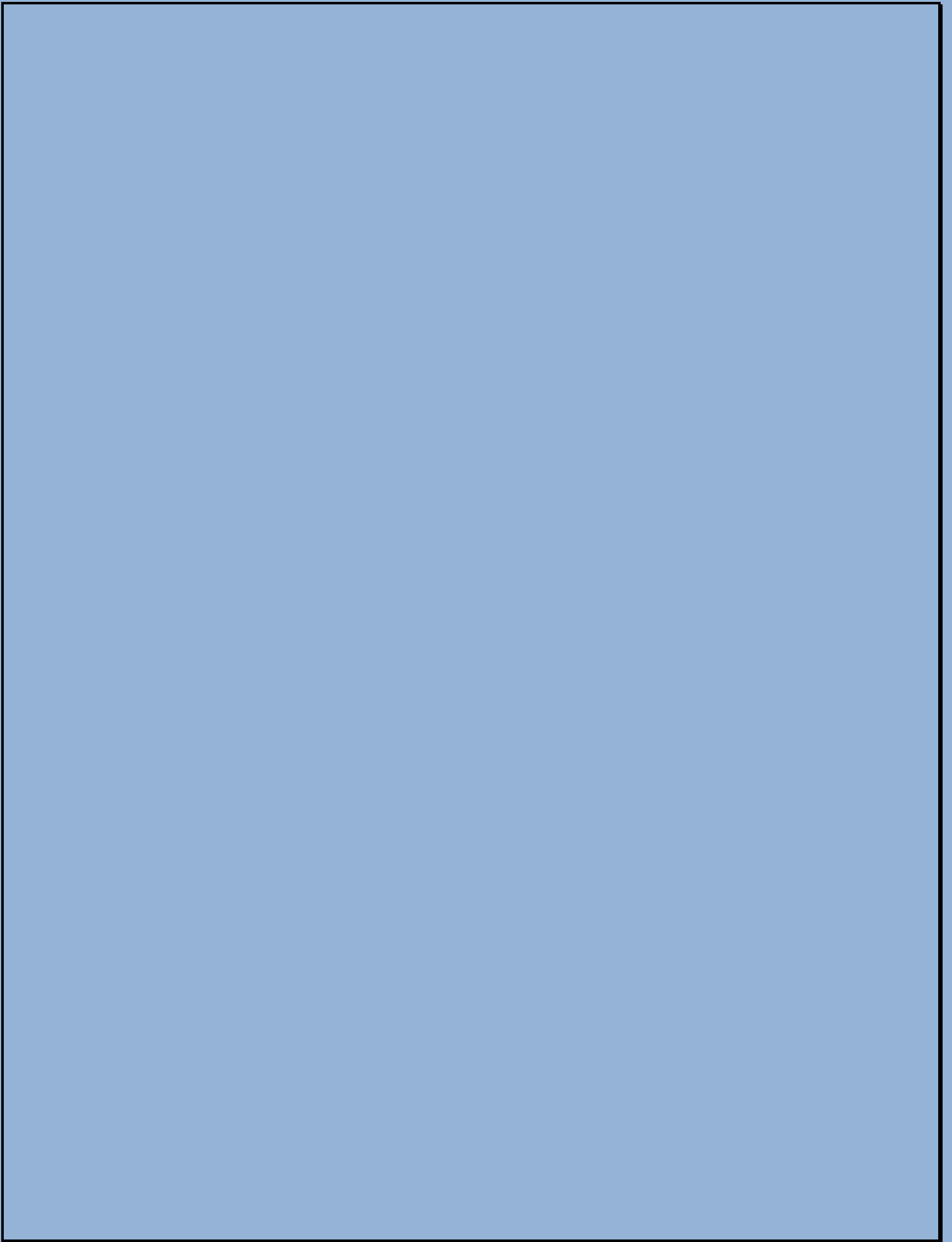
Signature

Date

Sworn to and subscribed before me this the ____ day of _____, 2023

M. Andy Moore, Mayor

Public Hearings





Request for Town Council Action

Public
Hearing RZ-23-01
Date: 08/08/2023

Subject: Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

Johnston County is requesting a zoning map amendment to rezone a 49.02-acre property about 430 feet south of the intersection of US Highway 70 Business East and Yelverton Grove Road from R-20A (Residential-Agricultural) and B-3 (Highway Entranceway Business) to O/I (Office/Institutional) for future Government Offices and Storage Buildings and Service Yards.

Financial Impact

Government property is tax-exempt.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the rezoning and to make a decision to approve or deny the request.

Recommendation

Planning Staff and the Planning Board recommend approval of the rezoning, RZ-23-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan, as amended by the rezoning, and other adopted plans, and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Consistency Statement
3. Application
4. Adjacent Owners List and Certification
5. Rezoning Map
6. Planning Board Minutes
7. Legal Advertisement



Staff Report

REQUEST:

Johnston County is requesting a zoning map amendment to rezone a 49.02-acre property near the intersection of US Highway 70 Business East and Yelverton Grove Road from R-20A (Residential-Agricultural) and B-3 (Highway Entranceway Business) to O/I (Office/Institutional) for future Government Offices and Storage Buildings and Service Yards.

PROPERTY LOCATION:

The property is located roughly 430 feet south of the US 70 Business East and Yelverton Grove Road intersection, on both sides of Yelverton Grove Road.

SITE DATA:

Tax ID# 15L11012
 Acreage: 49.02
 Present Zoning: R-20A (Residential/Agricultural) and B-3 (Highway Entranceway Business)
 Proposed Zoning: O/I Office Institutional
 Existing Use: Agriculture
 Proposed Use: Government Offices/ Storage Building and Service Yard.
 Town/ETJ: ETJ (Town with Annexation)
 Fire District: Smithfield
 School Impacts: None
 Parks and Recreation: None
 Water Provider: Smithfield
 Sewer Provider: Smithfield
 Electric Provider: Duke

EXISTING CONDITIONS/ENVIRONMENTAL:

The property is not located within a floodplain.

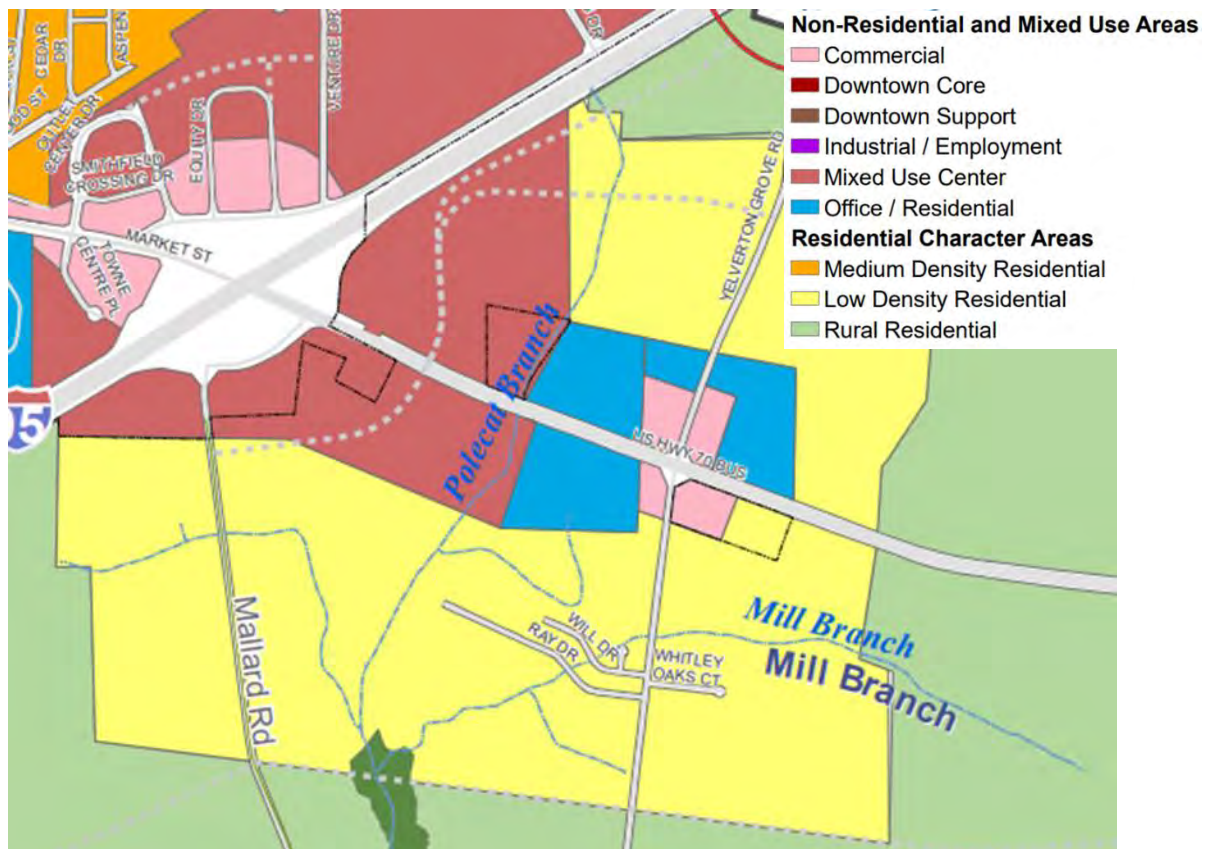
ADJACENT ZONING AND LAND USES: (see attached map for complete listing)

	Zoning	Existing Land Uses
North	B-3/O-I/LI	Manufacturing, Commercial Bank, and vacant properties
South	RMH/R-20A	Rural Residential and Manufactured Home Subdivision
East	R-20A	Agriculture
West	R-20A	Agriculture

ANALYSIS:

The County is requesting the rezoning for an expansion of its government campus East of I-95. In recent years, the County has constructed the Detention Center and Public Safety Center on the north side of US 70 Business East. The land to be rezoned will be used for government offices, storage buildings and service yards. All are permitted uses within the Office/Institutional zoning district.

- Split Zoning. The property to be rezoned is technically split zoned with the area within 500 feet of US Hwy 70 Business being zoned B-3 Highway Entranceway Business. The remainder of the property is zoned R-20A Residential-Agricultural. The **County’s application does not reflect this split zoning.**
- Comprehensive Plan. The comprehensive plan guides the specific property for Rural Residential and Agriculture, however, the plan did guide for expanded Office/Residential uses adjacent and to the north of the subject property. Approval of the zoning map amendment will automatically amend the comprehensive plan.



CONSISTENCY STATEMENT (Staff Opinion):

With approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- Consistency with the Comprehensive Growth Management Plan - *The Comprehensive Plan guides the specific property for Low Density Residential but*

does guide additional Office/Residential land use in the general area. Approval of the rezoning will amend the comprehensive plan.

- o Consistency with the Unified Development Code – *the site will be developed in conformance with the UDO. The proposed governmental uses are permitted uses in the UDO.*
- o Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses. The rezoning expands upon the County's government campus in the area.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of the rezoning, RZ-23-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan, as amended by the rezoning, and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to approve of zoning map amendment, RZ-23-01, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan, as hereby amended, and other adopted plans, and that the amendment is reasonable and in the public interest.”

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-23-01**

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,

That the final action regarding zoning map amendment RZ-23-01 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan*, as amended by the rezoning, and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public meeting; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE FAILS,

That the final action regarding zoning map amendment RZ-23-01 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

REZONING APPLICATION

Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached), (1) electronic submittal and the application fee.

Name of Project: Johnston County Government Buildings Acreage of Property: 49.02 +/-
 Parcel ID Number: 260300-46-7578 Tax ID: 15L11012
 Deed Book: 1355 Deed Page(s): 974
 Address: _____
 Location: Intersection of US Hwy 70 Bus and Yelverton Grove Road

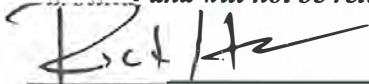
Existing Use: Agriculture/Wooded Proposed Use: Government Uses
 Existing Zoning District: RA-20
 Requested Zoning District O&I
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: <u>\$400.00</u>
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APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject zoning map amendment. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.



Print Name



Signature of Applicant

6-7-23

Date

TOWN OF SMITHFIELD

REZONING REQUEST BY COUNTY OF JOHNSTON FOR TAX ID 15L11012

STATEMENT OF JUSTIFICATION

The property is located on Yelverton Grove Road approximately 500 feet south of U.S. Hwy 70 Business East in the Town of Smithfield ETJ. County of Johnston seeks to rezone the 49+/- acre tract of land from Town of Smithfield R-20A (Residential-Agriculture) zoning district to the O/I (Office/Institutional) zoning district. The proposed use is Institutional - Government Offices and incidental Accessory Uses for Government Offices. Johnston County desires to construct county facilities at this location to support growing County operation in order to better serve the citizens of Johnston County. This location is in close proximity to other county facilities.

According to the Town of Smithfield Official Zoning Map, the subject property is immediately adjacent to properties currently zoned Light Industrial, Office/Institutional, B-3 Highway Entranceway Business District to the north, Residential Manufactured Home Residential District to the south, B-3 Highway Entranceway and RA-20A Residential-Agricultural District to east, and RA-20A Residential-Agriculture District to the west. Though the future land use map has identified the subject property as guided for low density residential, it is adjacent to property identified on the future land use map as Office/Institutional and Mixed Use Center. Further, the Office/Institutional District is designed for uses at low to moderate densities and should be used as a transitional zone between areas of conflicting land uses, which the proposed rezoning accomplishes. Because adjacent properties within this corridor are currently zoned and developed as industrial and commercial, the use of this site for non-residential is contextually consistent and appropriate. Compatibility issues with surrounding land uses are unlikely.

The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance as all existing land uses on the subject property are permitted in the Office/Institutional Zoning District and all future land uses will be permitted in accordance with the Town of Smithfield Unified Development Ordinance.

JOHNSTON COUNTY

01-18-94

\$400.00



Real Estate Excise Tax

Excise Tax \$400.00

State of North Carolina, Johnston Co
Filed for Registration at 4:29 P.M.
January 18 1994 in the
Register of Deeds Office
Recorded in Book 1355 Page 974
By Charles W. Batten, Deputy
Register of Deeds

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No. 15L11012
Verified by County on the day of 19
by

Mail after recording to Wallace Ashley, Jr., Attorney at Law
P.O. Box 1392, Smithfield, N.C. 27577

This instrument was prepared by Wallace Ashley, Jr., Attorney at Law

Brief description for the Index 45.7 Acres, Smithfield Township

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 18 day of January, 1994, by and between

GRANTOR

GRANTEE

MARVIN E. HILL AND WIFE,
MARY OWENS HILL

JAMES WILLIAM HUGHES (UNMARRIED)

2435 U.S. 70 E. Business
Smithfield, N.C. 27577

CONVEYANCE OF THIS PROPERTY
HAS BEEN DULY NOTED ON THE
TAX RECORDS. *By 1-18-94*
TAX SUPERVISOR

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Smithfield Township,

Johnston County, North Carolina and more particularly described as follows:
BEGINNING at a stake in Pole Cat Branch, John Hughes' corner, and runs with said line South 87 degrees 30 minutes East 1567.5 feet to a stake; thence North 5 degrees East 198 feet to a stake, G.I. Stallings' corner; thence with said line South 76 degrees East 1277.1 feet to a stake in the bank of a ditch; thence with said ditch South 17 degrees West 684.75 feet to a pine stump; thence South 5 degrees West 264 feet to a stake; thence North 83 West 1158.3 feet to a stake; thence North 64 degrees 30 minutes West 1765.5 feet to a black gum in the fun of Pole Cat Branch; thence up the run of said Branch to a stake, the point of BEGINNING, containing 45.7 acres, more or less and being the same tract conveyed to Marvin E. Hill and wife, Mary Owens Hill, in deed from M. Winston Hill et al dated May 4, 1984 and recorded at 10:00 A.M., May 10, 1984, in Book 956, page 488, Johnston County Registry. This is also the same tract conveyed to Claude Hill in deed from T.J. Cunningham and wife, Susie Cunningham, dated February 24, 1921, and recorded in Book 83, page 488, Johnston County Registry and the same tract devised to H. Grainger Hill in Item Five of the Last Will of Claud Hill dated March 21, 1940 and duly probated in Will Book 16, page 231, Office of the Clerk of Superior Court of Johnston County.

TOGETHER WITH all tobacco and other allotments applicable to the above-described tract designated as Tract No. 6869 under Farm No. 3778 in the Johnston County A.S.C. Office. The 1993 basic tobacco allotment applicable

to the above-described tract was 1.35 acres, 2959 pounds, and 31.5 acres of cropland. Grantor further agrees to execute such documents in the Johnston County A.S.C. Office as may be required of them to transfer the a. lotments applicable to said tract to the Grantee.

This property is conveyed subject to 1994 County of Johnston ad valorem taxes and Grantee assumes and agrees to pay the same.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 956, page 488, Johnston County Registry

A map showing the above described property is recorded in Plat Book page.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

- Title to the property hereinabove described is subject to the following exceptions:
- (1) Easement to Carolina Power & Light Co. dated August 29, 1945, recorded in Book 447, page 113, Johnston County Registry.
 - (2) Right of way of North Carolina Secondary Road No. 2508.
 - (3) Riparian rights of adjoining landowners in Pole Cat Branch and ditch.
 - (4) 100-foot easement and right of way to Carolina Power and Light Company, dated April 2, 1930, recorded in Book 260, page 43, Johnston County Registry and December 22, 1980, recorded in Book 887, page 202, Johnston County Registry.
 - (5) Rural Line Permit to Carolina Telephone & Telegraph Co., dated October 12, 1959, recorded in Book 571, page 246, Johnston County Registry.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in his corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

By: Marvin E. Hill (Corporate Name) (SEAL)
Mary Owens Hill (SEAL)
 President
 ATTEST: _____ (SEAL)
 Secretary (Corporate Seal) _____ (SEAL)

USE BLACK INK ONLY



NORTH CAROLINA, JOHNSTON County.
 I, a Notary Public of the County and State aforesaid, certify that MARVIN E. HILL AND WIFE, MARY OWENS HILL Grantor, personally appeared before me this day and acknowledged execution of the foregoing instrument. Witness my hand and official stamp or seal, this 18th day of January, 1984.
 My commission expires: 4-12-1992 Patsy J. Olive Notary Public

SEAL-STAMP NORTH CAROLINA, _____ County.
 I, a Notary Public of the County and State aforesaid, certify that _____ Secretary of _____ personally came before me this day and acknowledged that _____ he is _____ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary.
 Witness my hand and official stamp or seal, this _____ day of _____, 19____.
 My commission expires: _____ Notary Public

The foregoing Certificate(s) of Patsy J. Olive N.P.

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

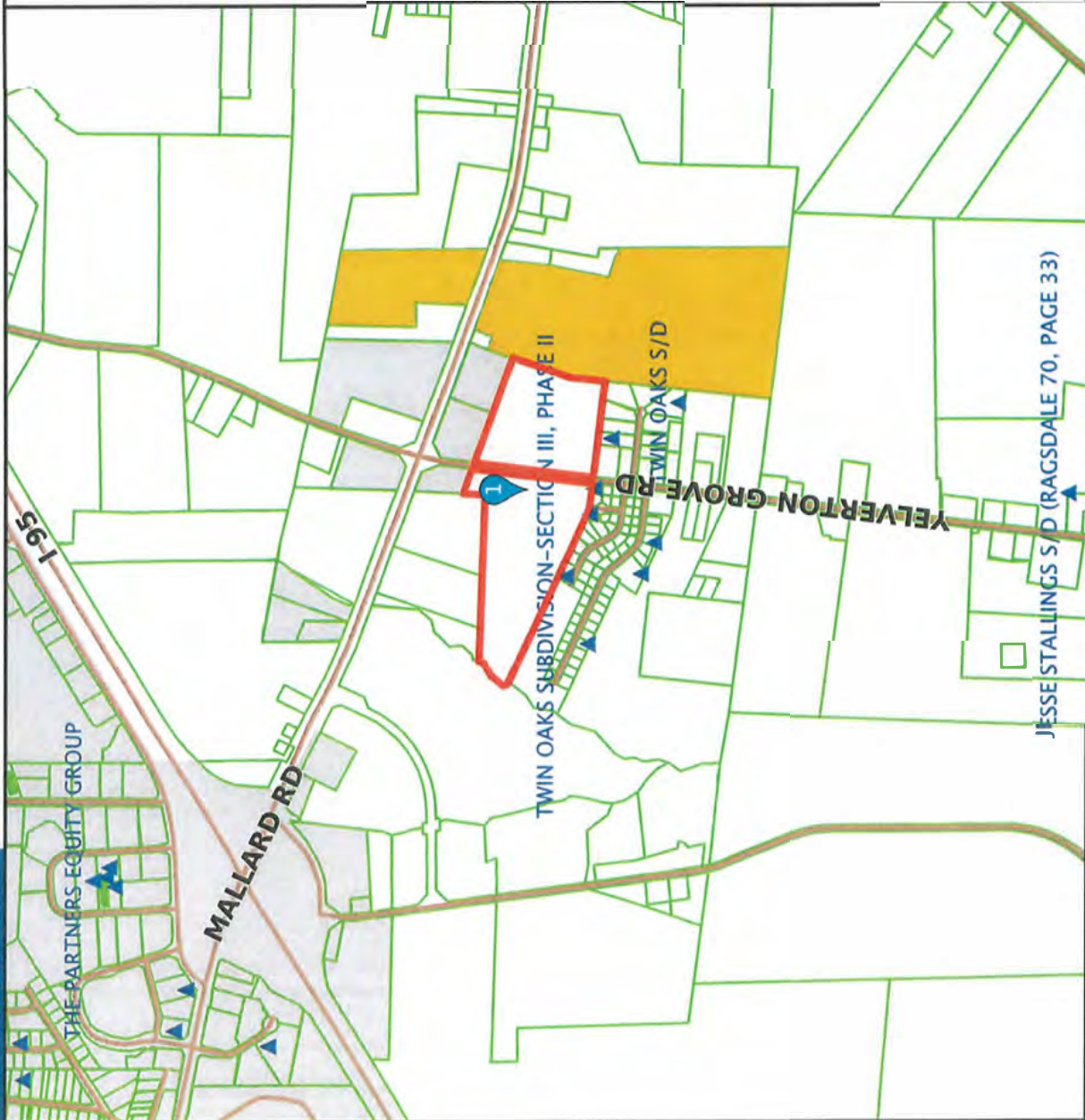
By Phyllis N. Wall REGISTER OF DEEDS FOR Johnston COUNTY
Cherry W. Darter Deputy/Assistant Register of Deeds

Pro. \$ 2.00
 Reg. \$ 2.00
 Stamp \$ 400.00



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.



Result

id: 15L11012
 Tag: 15L11012
 NCPin: 260300-46-7578
 Mapsheet No: 2603
 Owner Name 1: HUGHES, JOHN TIMOTHY
 Owner Name 2:
 Mail Address 1: 2435 US HIGHWAY 70 BUS E
 Mail Address 2:
 Mail Address 3: SMITHFIELD, NC 27577-7788
 Site Address 1:
 Site Address 2:
 Book: 01355
 Page: 0974
 Market Value: 178650
 Assessed Acreage: 49.020
 Calc. Acreage: 49.020
 Sales Price: 200000
 Sale Date: 1994-01-18



Scale: 1:18738 - 1 in. = 1561.52 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

"HUGHES TRACT" - List of Adjacent Property Owners

Owner Name(s)	Deed Book, & Page	Tax ID #	NC PIN	Approx. Ac.
OLD BROGDEN FARMS, LLC	DB 6134, PG 445	15L11005H	260300-37-3200	78.98
ROBERTS & WELLONS INC		15L11009A	260300-58-1246	29.8
TOBACCO ROAD PROPERTIES LLC	DB 5055, PG 690	15L11199A	260300-47-6386	9.33
COUNTY OF JOHNSTON	DB 5272, PG 536	15L11011F	260300-57-6256	2.23
AGCAROLINA FARM CREDIT FLCA	DB 3172, PG 232	15L11011A	260300-67-1100	5.03
AGCAROLINA FARM CREDIT FLCA	DB 3147, PG 71	15L11011D	260300-66-5973	5.0
GLEND A ARANETA PHILLIPS MASSEY, HAROLD DOUGLAS STALLINGS		15L11014A	260300-75-0660	86.22
RANDY LEE MUCCULLEN	DB 4279, PG 813	15J11008O	260300-65-3529	1.28
CHANCE W MASSENGILL, JO ANN R MASSENGILL	DB 1090, PG 314	15J11008I	260300-65-1681	1.05
NATHAN O FIELDS	DB 4679, PG 84	15J11008J	260300-65-0646	0.94
RANDY HICKS, THERESA WEST	DB 4923, PG 700	15J11008L	260300-55-9622	1.0
SPENCE E POWELL III	DB 3383, PG 259	15J11008B	260300-55-6782	1.49
JASON D MURRAY, ALISA F MURRAY	DB 2670, PG 2	15J11009B	260300-55-4881	0.23
JYMCO DEVELOPMENT		15J11009H	260300-55-3891	0.27
JYMCO DEVELOPMENT		15J11009I	260300-55-2833	0.34
JYMCO DEVELOPMENT		15J11010G	260300-55-1827	0.38
JYMCO DEVELOPMENT		15J10010H	260300-55-0952	0.31
JYMCO DEVELOPMENT		15J10010I	260300-45-9967	0.36
JYMCO DEVELOPMENT		15J11010J	260300-46-8063	0.31
JYMCO DEVELOPMENT		15J11010K	260300-46-7078	0.22
JYMCO DEVELOPMENT		15J11010L	260300-46-6182	0.22
JYMCO DEVELOPMENT		15J11008M	260300-46-0287	8.18

Adjacent Property Owners of
RZ-23-01

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15111014A	260300-75-0660	MASSEY, GLENDA ARANETA	1064A 7 LAKES DR	WEST END	NC	27376-9081
15111199A	260300-47-6386	TOBACCO ROAD PROPERTIES	100 OAK TREE DR	SELMA	NC	27576-3540
15111009A	260300-58-1246	ROBERTS & WELLONS INC	PO BOX 1046A	SMITHFIELD	NC	27577
15111009B	260300-55-4881	MURRAY, JASON D	1478 YELVERTON GROVE RD	SMITHFIELD	NC	27577-0000
15111008O	260300-65-3529	MCCULLEN, RANDY LEE	238 BONNIE AVE	SMITHFIELD	NC	27577-0000
15111008B	260300-55-6782	POWELL, SPENCE E III	1610 B YELVERTON GROVE	SMITHFIELD	NC	27577-0000
15111011F	260300-57-6256	COUNTY OF JOHNSTON	PO BOX 1049	SMITHFIELD	NC	27577-0000
15111008M	260300-46-0287	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111010K	260300-46-7078	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111010I	260300-45-9967	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111010F	260300-55-1739	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111010H	260300-55-0952	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111010J	260300-46-8063	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111009I	260300-55-2833	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111010G	260300-55-1827	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111010L	260300-46-6182	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111008I	260300-65-1681	MASSENGILL, CHANCE W	53 WHITLEY OAKS COURT	SMITHFIELD	NC	27577-7583
15111009H	260300-55-3891	JYMCO DEVELOPMENT	1586 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7583
15111012	260300-46-7578	HUGHES, JOHN TIMOTHY	2435 US HIGHWAY 70 BUS E	SMITHFIELD	NC	27577-7788
15111008L	260300-55-9622	HICKS, RANDY	33 WHITLEY OAKS CT	SMITHFIELD	NC	27577-8747
15111008J	260300-65-0646	FIELDS, NATHAN O	43 WHITLEY OAKS CT	SMITHFIELD	NC	27577-8747
15111005H	260300-37-3200	OLD BROGDEN FARMS, LLC	6317 BAYSWATER TRL	RALEIGH	NC	27612-6608
15111011D	260300-66-5973	AGCAROLINA FARM CREDIT	PO BOX 14789	RALEIGH	NC	27620-4789
15111011A	260300-67-1100	AGCAROLINA FARM CREDIT	PO BOX 14789	RALEIGH	NC	27620-4789



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-23-01 were notified by First Class Mail on 7-24-23.

Mark E. Helmer
Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

24th day of July, 2023

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on January 15, 2028
(Seal)





PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

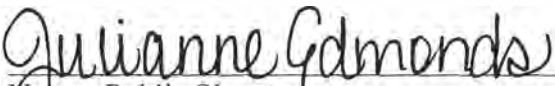
I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-23-01, were notified by First Class Mail on 6-26-23.

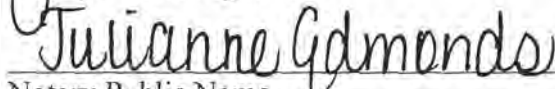

Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

26th day of June, 2023

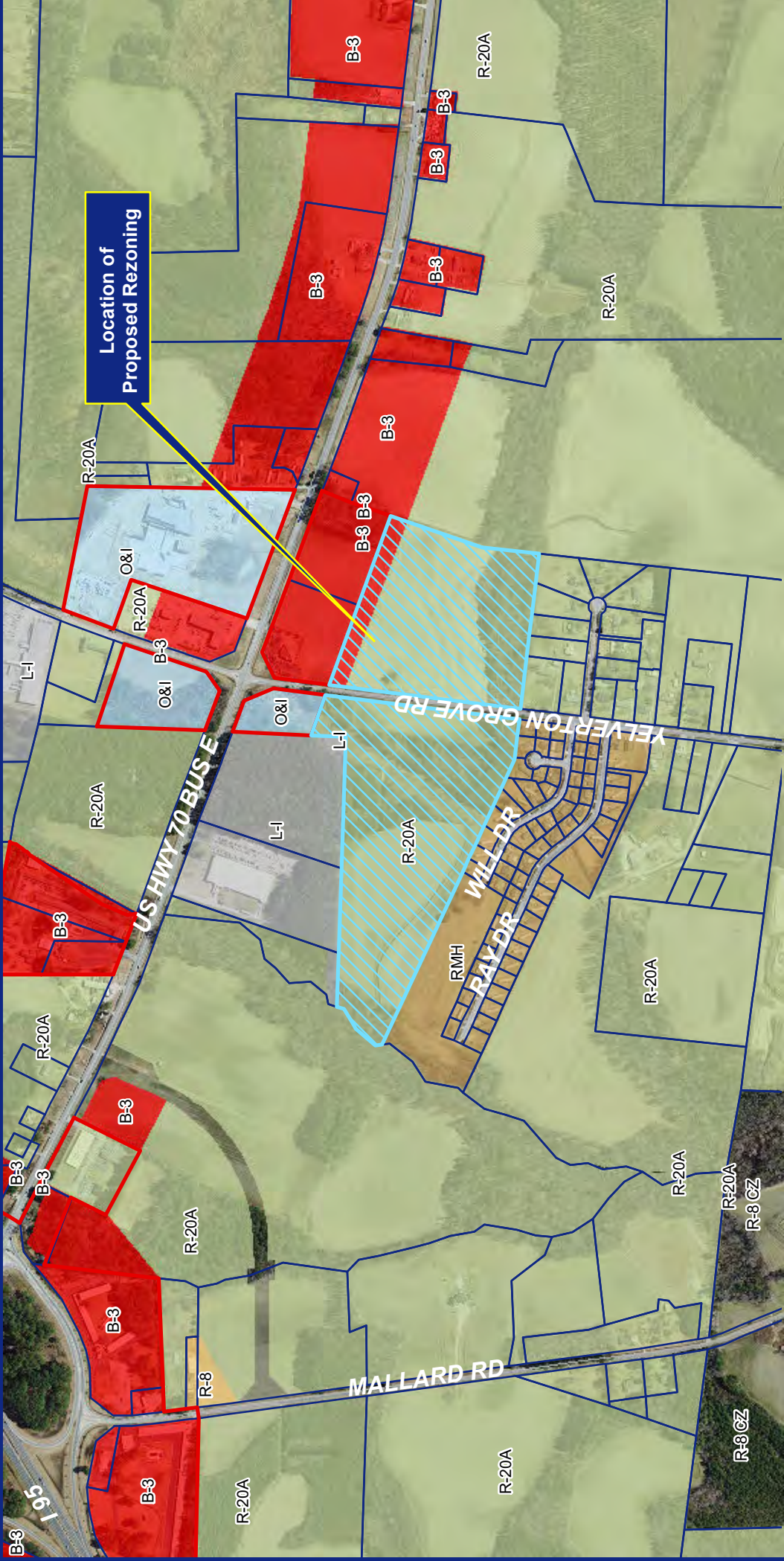

Notary Public Signature


Notary Public Name

My Commission expires on 1-15-2028
(Seal)



1400 Block of Yelverton Grove Road



File Number:
RZ-23-01

Project Name:
Johnston County
Rezoning

Existing Zoning:
R-20A (Residential-
Agricultural) & B-3
(Highway Entrance
Business)

Proposed Zoning:
OI (Office & Institutional)

Existing Land Use:
Agricultural / Woodland

Tax ID#:
15L11012

Owner:
John Hughes

Applicant:
Johnston County



1 in = 800 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 7/6/2023

**Town of Smithfield
Planning Board Minutes
Thursday, July 13th, 2023
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Mark Lane
Vice-Chairman Debbie Howard
Bryan Stanley
Alisa Bizzell
Doris Wallace

Members Absent:

Ashley Spain
Wiley Narron

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA Doris Wallace made a motion to approve the agenda; seconded by Bryan Stanley. Unanimously approved

APPROVAL OF MINUTES for May 4th, 2023

Debbie Howard made a motion to approve the minutes, seconded by Doris Wallace. Unanimously approved.

NEW BUSINESS

RZ-23-01 Johnston County: Mr. Helmer stated that Johnston County government is requesting to rezone a 49.02-acre tract of land from the R-20A (Residential-Agricultural) zoning district and B-3 (Highway Entrance Business) zoning district to the O/I (Office/Institutional) zoning district. The property considered for rezoning is located on the east and west side of Yelverton Grove Road, approximately 480 feet south of its intersection with US 70 Highway Business East Smithfield and further identified as Johnston County Tax ID# 15L11012.

Mr. Helmer stated that Johnston County is requesting the rezoning for an expansion of its government campus East of I-95. In recent years, the County has constructed the Detention Center and Public Safety Center on the north side of US 70 Business East. The land to be rezoned will be used for government offices, storage buildings and service yards. All are permitted uses within the Office/Institutional zoning district.

Mr. Helmer stated the property to be rezoned is technically split zoned with the area within 500 feet of US Hwy 70 Business being zoned B-3 Highway Entranceway Business. The remainder of

the property is zoned R-20A Residential-Agricultural. The County's application does not reflect this split zoning.

- **Comprehensive Plan.** The comprehensive plan guides the specific property for Rural Residential and Agriculture, however, the plan did guide for expanded Office/Residential uses adjacent and to the north of the subject property. Approval of the zoning map amendment will automatically amend the comprehensive plan.

CONSISTENCY STATEMENT (Staff Opinion):

With approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Staff considers the action to be consistent and reasonable:

- **Consistency with the Comprehensive Growth Management Plan** -*The Comprehensive Plan guides the specific property for Low Density Residential but does guide additional Office/Residential land use in the general area.*
- **Consistency with the Unified Development Code** – *the site will be developed in conformance with the UDO. The proposed governmental uses are permitted uses in the UDO.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses. The rezoning expands upon the County's government campus in the area.*

RECOMMENDATION:

Planning Staff recommends approval of RZ-23-01 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan, as amended by the rezoning, and other adopted plans, and that the amendment is reasonable and in the public interest.

Debbie Howard asked Mark Helmer if he had a signed copy of the owner's consent form?

Mr. Helmer said yes that he did.

Brian Leonard, a local surveyor/engineer stated the signed owner's consent was submitted to the Town. The County will be using this property to expand their government uses, specifically it's administrative and service-based facility. There are riparian buffers along the southern and western property boundaries. Any landscaping requirements will help to supplement any of these buffer zones. NCDOT reported there was 1200 vehicles per day on Yelverton Grove Rd in 2021. The County is prepared to provide all required off-site street improvements and or any utility extension or improvements. The County is requesting a straight rezoning to O&I.

Mark Lane asked when the traffic study numbers were completed?

Brian Leonard said a traffic count was conducted in 2021.

Mark Lane said that he lives on Yelverton Grove Rd and when he tries to turn off of that road onto Hwy 70 Business, he easily sits there 6 or 7 minutes before he can go. He said this is an issue now, before this land is even developed. Some type of plan must be put in place to control the traffic.

Brian Leonard agreed, he said something will need to be done. At the very minimum they expect turn lanes to be required by NCDOT. They expect a traffic study to be required once the size and kind of facility has been determined.

Debbie Howard made a motion to recommend approval of zoning map amendment, RZ-23-01, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan, as hereby amended, and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Bryan Stanley. Unanimously approved

ZA-23-07 Town of Smithfield: Mr. Helmer stated that the applicant is requesting an amendment to the Unified Development Ordinances, Article 2 for the creation of a side-walk fee in lieu policy and program.

Mark Helmer stated that staff is requesting the Planning Board recommend approval of the following amendments to the Unified Development Ordinance, Article 2, Section 2.22 to allow payment in lieu of required sidewalk construction with Town Council approval.

The Town requires a 5' wide sidewalk along all commercial frontages when new construction is proposed. Developers and contractors often complain about, "sidewalks to nowhere" because adjacent properties do not have sidewalks. The intent of the requirement is to slowly build a network of sidewalks as sites develop or redevelop, but in some instances, the complaint is valid in that an actual sidewalk network is unlikely to develop or it is so far into the future, the sidewalks do not make practical sense.

This ordinance would allow a fee in lieu of sidewalk construction with Town Council approval on a site-by-site basis when requested. It would base the fee on an engineer's estimate for the actual sidewalk construction and the fee in lieu would be held in separate account to be spent yearly on sidewalks elsewhere in town where they are most needed. The intent would be to use the funds to fill in gaps in existing sidewalk networks and build out from commercial centers as needed. The Town Attorney was sent the amendment for review which is pending.

Mark Lane said that he didn't agree with us requiring sidewalks and now choosing to change it.

Mark Helmer said the projects will still be responsible for sidewalks, however if there is a circumstance where we know they will be destroyed a year from now and rebuilt that would be

why we would need a fee in lieu of the sidewalk construction. It's not relieving the project of their responsibility to build sidewalk but giving the Town more flexibility in where to spend limited sidewalk dollars.

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-23-07 for a fee in lieu of sidewalk construction with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Doris Wallace made a motion to recommend approval of zoning text amendment, ZA-23-07, amending Article 2, Section 2.22, to allow a fee in lieu of sidewalk construction finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest with the condition that

1. language be added requiring the developer to submit multiple estimates
2. Developers be required to show a hardship when requesting to pay a fee-in-lieu of sidewalk construction
3. That a legal review by the Town attorney is favorable.

Seconded by Alisa Bizzell. Unanimously approved.

Adjournment

Being no further business, Bryan Stanley made a motion to adjourn; seconded by Debbie Howard.

Unanimously approved

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, August 8, 2023, in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

RZ-23-01 Johnston County: The applicant is requesting to rezone a 49.02-acre tract of land from the R-20A (Residential-Agricultural) zoning district and B-3 (Highway Entrance Business) zoning district to the O/I (Office/Institutional) zoning district. The property considered for rezoning is located on the east and west side of Yelverton Grove Road, approximately 480 feet south of its intersection with US 70 Highway Business East Smithfield and further identified as Johnston County Tax ID# 15L11012.

Right-of-Way Closure: Mr. Patrick E. Harris is requesting to permanently close a 50-foot wide by 200-foot-long section of unimproved public right-of-way know as Rosewood Drive. The public right-of-way considered for permanent closure is located on the northeast side of the intersection of Crescent Drive and Rosewood Drive and immediately south of property owned by the Town of Smithfield which is identified as Johnston County Tax ID# 15037010.

ZA-23-07 Town of Smithfield: The applicant is requesting an amendment to the Unified Development Ordinances, Article 2 for the creation of a sidewalk fee in lieu policy and program.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run Legal ad in the News and Observer on July 26, 2023 and August 2, 2023



Request for Town Council Action

Public Hearing: Rosewood Drive Closure
Date: 08/08/2023

Subject: Resolution to Permanent Close a portion of Rosewood Drive
Public Right-of-Way

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Public Hearing

Issue Statement

NC Statutes 160A-299 requires the Town Council hold a public hearing and adopt a Resolution to close public right-of-way.

Financial Impact

None

Action Needed

To hold a public hearing and adopt Resolution No. 731 (14-2023) to permanently close public right-of-way.

Recommendation

Staff recommends the Council hold a public hearing and adopt the Resolution No. 731 (14-2023) to permanently close a portion of Rosewood Drive right-of-way.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 731 (14-2023) to permanently close a portion of Rosewood Drive right-of-way
3. Closure Petition
4. Location Map
5. Adjacent Property Owners Notification Certification



Staff Report

Public
Hearing

Rosewood
Drive
Closure

Petition Description:

Patrick Harris owns the property adjacent and east of the unused Rosewood Drive public right-of-way and he has petitioned for the closure of the town right-of-way. The Town of Smithfield owns the property to the west of the public right-of-way.

Analysis:

The segment of Rosewood Drive, located to the east of South Crescent Drive, is vacant with no street or utility infrastructure within it. The right-of-way serves no purpose for the town or residents.

Besides Mr. Harris, the Town is the only other abutting property owner with a property interest.

If the closure is approved by the Town, the petitioner will be required to provide a legal description and record a plat for the closure.

Action Requested:

The Town Council is requested to hold a public hearing and adopt the Resolution No. 731 (14-2023), Resolution to Permanently Close a portion of Rosewood Drive to the east of S. Crescent Drive public right-of-way.

**TOWN OF SMITHFIELD
RESOLUTION NO. 731 (14-2023)
ORDERING THE CLOSING OF THAT PORTION OF
ROSEWOOD DRIVE FROM S. CRESCENT DRIVE TO ITS EASTWARD TERMINATION.**

WHEREAS, on the 11th day of July, 2023, the Town Council adopted a resolution entitled "Resolution Declaring the Intent of the Town Council of the Town of Smithfield to Consider the Closing of a portion of North Ninth Street of Rosewood Drive from South Crescent Drive to its Eastward Termination in Smithfield, North Carolina at its next regular monthly meeting, hereinafter "the Meeting", on Tuesday August 8, 2023 at 7 pm at the town hall in Smithfield, NC; and

WHEREAS, pursuant to the Resolution the Town Clerk was directed to publish the Resolution in the Johnstonian News once each week for four successive weeks; and

WHEREAS, the Town Clerk has advised the Town Council that the Resolution was published in the Johnstonian News as directed; and

WHEREAS, pursuant to the Resolution the Town Clerk was directed to notify all persons owning property abutting on that portion of Rosewood Drive from S. Crescent to its eastward termination, as shown on the county tax records by certified or registered mail of the meeting and the purpose thereof; and

WHEREAS, pursuant to the Resolution the Town Clerk was directed to cause adequate notices of the proposed closing and of the public hearing to be posted at two locations on the public way as required by G.S. 160A-299; and

WHEREAS, the Town Clerk has advised the Town Council that adequate notices were posted on the applicable street(s) as required by G.S. 160A-299; and

WHEREAS, pursuant to the Resolution, a public hearing was held on the 8th day of August 2023, at which time all persons were granted full and complete opportunity to appear and be heard on the question of whether or not the closing would be detrimental to the public or the property rights of any individual; and,

WHEREAS, after said public hearing and after full and complete consideration of the matter, it now appears to the satisfaction of the Town Council that the closing of said street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street

or in the subdivision in which the street is located, will as a result of the closing be thereby deprived of a reasonable means of ingress and egress to his or her property;

NOW, THEREFORE, subject to the reservation of easements to the Town of Smithfield for utility purposes as shown on a map recorded in Book of Maps __ , page __ in the office of the Johnston County Register of Deeds, the portion of Rosewood Drive from South Crescent Drive to its eastward termination is hereby closed and abandoned, and all right, title, and interest that may have been vested in the public in said area for street purposes is hereby released and abandoned to the abutting property owners in accordance with the provisions of G.S. 160A-299. The portion of the Street abandoned, subject to the reservation of easements through the abandoned street for utility purposes by the Town of Smithfield, is more particularly described as follows:

{Metes and Bounds will be inserted prior to recordation}

Upon closing, the right-of-way vests in the adjoining property owners, each taking property from the centerline to their respective boundary. If the owners want to divide the right-of-way differently, they must themselves make that division by boundary agreement or conveyance. Any person aggrieved by the street closing, who has standing, has 30 days to appeal.

The Town Clerk is hereby ordered and directed to file in the Office of the Register of Deeds of Johnston County a certified copy of this resolution and order.

This the 8th day of August, 2023, at ___ o'clock p.m.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

Street Closing Petition Permanent Closing of Public Streets and Alleys

3	This petition was submitted by:	
Name	Patrick E. HARRIS	
Mailing Address	701 S Crescent Drive	
City	State	Zip
Smithfield	NC	27577
Daytime Phone	Email	
919-524-7937	PatrickEHARRIS@gmail.com	
4	Today's Date 6-12-2023	
5	Johnston County Property Map – Attached is a copy of the Johnston County Property Map showing the subject street or alley and surrounding properties (obtain from Johnston County GIS https://mapclick6.johnstonnc.com/mapclick/MapClick4/).	
6	Recorded Plat – Attached is a copy of the Recorded Plat showing the subject street or alley and surrounding properties (obtain from the Johnston County Register of Deeds).	

<p>We, the undersigned property owners, owning land abutting the street or alley shown on the attached map, hereby petition the Smithfield Town Council to close and withdraw acceptance of dedication of such land for street purposes. The parcel identification numbers below refer to parcels as shown on the attached map.</p>	<p>Date of Map</p> <p>6-12-2023</p>
--	-------------------------------------

Parcel Identification Number	15037009A	Road Frontage (from Deed)	
Property Owner	Patrick E. + Victoria L. HARRIS		
Mailing Address	701 S Crescent Drive		
City	State	Zip	
Smithfield	NC	27577	
Signature	Patrick E. Harris + Victoria L. Harris		

Parcel Identification Number	15037010	Road Frontage (from Deed)	
Property Owner	TOWN OF Smithfield		
Mailing Address	PO Box 761		
City	State	Zip	
Smithfield	NC	27577	
Signature			

Parcel Identification Number		Road Frontage (from Deed)	
Property Owner			
Mailing Address			
City	State	Zip	
Signature			

Parcel Identification Number		Road Frontage (from Deed)	
Property Owner			
Mailing Address			
City	State	Zip	
Signature			



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

Street Closing Petition Permanent Closing of Public Streets and Alleys

Section B: Notice to Petitioners	
1	Please read the petition and all other information carefully, it is important that you understand what you are signing and how it will affect you.
2	Find your property on the enclosed map. Each lot is assigned a number and you must sign opposite the number that indicates your lot. If you own more than one affected property, you must sign beside each parcel listed that you own.
3	Make sure your deed and the petition map's road frontage correspond with one another. If there is a discrepancy, write the road frontage noted on your deed in the space provided on the petition.
4	Sign the petition as signed on the deed. If multiple owners, signatures must be listed in the same manner as on the deed.
5	If you are signing on behalf of a corporation, give your title and place your corporate seal over your signature.

Note: Incorrect signatures are not binding on the petition and may cause delay in processing.
If you have any questions, call the Planning Department at 919-934-2116, ext. 111. Please read the below excerpt from the North Carolina General Statutes that describes the process of law that must be followed by the Town to close a street or alley.

N.C.G.S. 160A-299 Procedure for Permanently Closing Streets and Alleys

a	When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and call a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing, a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley. If the street or alley is under the authority and control of the Department of Transportation, a copy of the resolution shall be mailed to the Department of Transportation. At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of the individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would be thereby deprived of reasonable means of ingress or egress to this property, the council may adopt an order closing the street or alley. A certified copy of the order (or judgement of the court) shall be filed in the office of the register of deeds of the county in which the street or any portion thereof, is located.
b	Any person aggrieved by the closing of any street or alley, including the Department of Transportation if the street or alley is under its authority and control, may appeal the council's order to the General Court of Justice within 30 days after its adoption. The court shall hear the matter de novo, and shall have full jurisdiction to try the issues arising and to order the street or alley closed upon proper findings of fact by the jury. No cause of action or defense founded upon the invalidity of any proceedings taken closing any street or alley may be asserted, nor shall the validity of the order be open to question in any court upon any ground whatever, except in an action or proceeding begun 30 days after the order is adopted.
c	Upon closing of a street or alley in accordance with this section, all right, title and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

Street Closing Petition Permanent Closing of Public Streets and Alleys

Section A: Submittal Requirements

Please include all of the following (please check off) – If any information is missing from the petition package, you will be asked to complete the petition and re-submit. Carefully check the list below before submitting petition.

	<p>Filing Fee. Please refer to the Development Fee Schedule for the current fee. This fee is intended to cover a portion of the cost of advertising and public notification. In the event the Town of Smithfield Town Council chooses to adopt a resolution to close the street or alley, petitioner(s) will be responsible for the fees for recording recombination plats. The petitioner(s) will be billed for the balance by the Town Clerk.</p>
	<p>Recorded Plat and Johnston County Property Identification Map (https://mapclick6.johnstonnc.com/mapclick/MapClick4/). The petitioner(s) must obtain a Johnston County Property map from Johnston County GIS and recorded plat from the Johnston County Register of Deeds, showing the existing roadway to be closed and all abutting properties. Both maps are required at the time of submittal.</p>
	<p>Description of the Street or Alley. The petitioner(s) must list the description of the street or alley (using the form on page 3 of this application, and give his/her name, address, city, state, zip code and telephone number).</p>
	<p>List of Abutting Property Owners. The parcel identification number, names and addresses of the property owners abutting the street right-of-way should be listed on page 4 and 5. The petitioner(s) should obtain the signature of each abutting property owner listed on the petition.</p>

Street and Alley Closing Process

In order to meet all legal requirements regarding closing a street or alley or abandoning a public right-of-way, petitioner(s) may wish to employ legal counsel and/or the services of a licensed professional surveyor. This will also assure property owners of clear title to the petitioned property if the Town Council chooses to adopt a resolution to close the street.

Once the petition has been received, the Planning Department will coordinate a review of the proposed street closing with other Town Departments and local utility companies. Town Administration will make a recommendation to the City Council. The Council will hold a public hearing, and then decide if the closing is in the public interest. If they determine that it is, they will pass a resolution closing the street or alley. At this time, the abutting property owners may submit recombination plats showing the new property lines to the Planning Department, wherein they will be authorized for recording in the Johnston County Register of Deeds office. All items listed above should be mailed to:

Town of Smithfield
 Planning Department
 PO Box 761
 Smithfield, NC 27577

Or delivered to: 350 East Market Street, Smithfield, NC 27577

JOHNSTON COUNTY NC 11/17/2000 \$400.00
STATE OF NORTH CAROLINA Real Estate Excise Tax

400.00
Excise Tax

State of North Carolina, Johnston Co.
Filed for Registration at 9:55 A.M.
November 17 20 00 in the
Register of Deeds Office
Recorded in Book 1990 Page 738
Cecil M. Massengill
Register of Deeds
By *Clayton S. ...*
JED/MSR

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No. 15037010
Verified by County on the day of
by

Mail after recording to GRANTEE

This instrument was prepared by Spence, Spence & Tetreault, P.A., Post Office Box 1335, Smithfield, NC 27577

Brief description for the Index Crescent Avenue, EJ Wellons 31D

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 17th day of November 2000, by and between

GRANTOR

Ralph S. Morgan and wife,
Gloria M. Morgan

GRANTEE

Town of Smithfield,
a NC Municipal Corporation

Post Office Box 761
Smithfield, NC 27577

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Smithfield, Smithfield Township, Johnston

County, North Carolina and more particularly described as follows:
BEING a tract of land located in the Town of Smithfield, North Carolina, and lying between the E. J. Wellons' Subdivision as shown on a map recorded in Plat Book 9, Page 147, and Neuse River and more particularly described as follows:

BEGINNING at a stake in the property line of Crescent Drive when extended and runs thence North 01 deg 29 min 09 sec West 310.30 feet to an iron stake on the southern bank of Neuse River; thence South 86 deg 58 min 14 sec East along the southern bank of the Neuse River 201.89 feet to an iron stake in the line of Peterson Estate; thence as their line South 00 deg 02 min 07 sec West 205.9 feet to a concrete monument, a corner of N. B. Grantham, Jr. Subdivision; thence continuing South 00 deg 02 min 07 sec West along said subdivision line 104.10 feet to an iron stake in the line of the proposed Rose Street Extension; thence as the right of way of said proposed Rose Street Extension North 86 deg 52 min 50 sec West 192.39 feet to the point of beginning and containing 1.400 acres, more or less, according to a map prepared by Thomas M. Moore, R. E. dated April 6, 1972, entitled "Leonardus J. M. Josemans and wife, Maria C. Thoolen Josemans, Smithfield Township, Johnston County, North Carolina.

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page.....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:
Restrictive covenants recorded in Book 631, Page 99, Johnston County Registry.

Grantee agrees that the land shall be used only for purposes compatible with open space, recreational, or wetlands management practices.

Grantee agrees that no new structures or improvements shall be erected on the premises other than a restroom or a public facility that is open on all sides and is functionally related to the open space use.

Grantee acknowledges that no future disaster assistance from any federal source for any purpose related to the property may be sought, nor will such assistance be provided

Grantee agrees that it shall convey the property or any interest therein, only to another public entity and only with prior approval from NCEM and the Regional Director of FEMA. Such conveyance shall be made expressly subject to the above referenced conditions and restrictions which shall run with the property in perpetuity and be appurtenant to the land conveyed..

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

BY: Ralph S. Morgan (Corporate Name) (SEAL)
BY: Gloria M. Morgan (SEAL)
President
ATTEST: _____ (SEAL)
Secretary (Corporate Seal)

USE BLACK INK ONLY



NORTH CAROLINA, Johnston County.
I, a Notary Public of the County and State aforesaid, certify that Ralph S. Morgan and wife, Gloria M. Morgan Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness in hand and official stamp or seal, this 17th day of November 2000.
My commission expires: 11-11-02 Michelle C Ball Notary Public

SEAL-STAMP

NORTH CAROLINA, _____ County.
I, a Notary Public of the County and State aforesaid, certify that _____ Secretary of _____ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, seated with its corporate seal and attested by _____ as its _____ Secretary.
Witness my hand and official stamp or seal, this _____ day of _____
My commission expires: _____ Notary Public

The foregoing Certificate(s) of Michelle C Ball N.P.

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Cecil M. Messeriel REGISTER OF DEEDS FOR Johnston COUNTY
Clayton D. Dutton Deputy/Assistant - Register of Deeds

Pro \$ 2.00
Reg \$ 8.00
Stamp \$ 900.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$0.00

Parcel ID No.: 15037009A

This instrument was prepared by/Please return to: Spence, Berkau & McLamb, PA, PO Box 1335, Smithfield, NC 27577

Brief Description for the Index: 701 Crescent Drive Smithfield – Recombination Map recorded in Book 51, page 310, JCR

THIS DEED made this _____ day March, 2018 by and between

GRANTOR	GRANTEE
Patrick Edward Harris and wife, Victoria Lynn Harris	Patrick Edward Harris and wife, Victoria Lynn Harris 701 S. Crescent Drive Smithfield, NC 27577

***** The purpose of this deed is to create tenants by the entirety in the Grantees. *****

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Smithfield Township, Johnston County, North Carolina and more particularly described as follows:

Being all of a lot containing 16,376 square feet and a 997 square foot lot as shown on map prepared by Dennis R. Blackmon, RLS, dated January 30, 1998 and entitled "Recombination Map for Annie S. Woodard, Edward Jackson and Craig M. Ennis" and recorded in Plat Bok 51, page 310, Johnston County Registry.

The property hereinabove described was devised to Grantor by instrument recorded in Book 2719, page 575 and Book 2609, Page 25, Johnston County Registry.

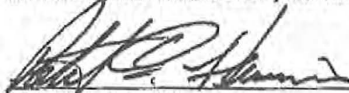
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

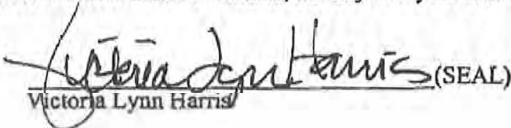
Title to the property hereinabove described is subject to the following exceptions:

**Easements, Restrictions and Rights of Way of record.
2017 Johnston County Ad Volorem taxes.**

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, the day and year first above written.


Patrick Edward Harris

(SEAL)


Victoria Lynn Harris

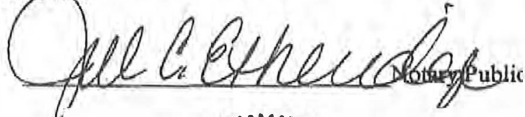
(SEAL)

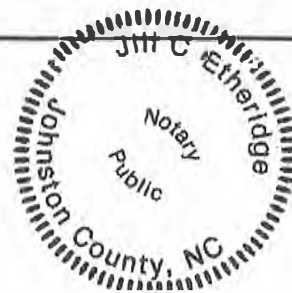
**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

I, a Notary Public of the County and State aforesaid, certify **Patrick Edward Harris and Victoria Lynn Harris**, Grantors, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal this the 20th day of March, 2018.

My Commission expires: 8/23/2022


Notary Public



Right-of-Way Closure

Project Name:
Rosewood Drive
Right-of-Way Closure

Location:
Northeast side of the
Intersection of Rosewood Dr.
and South Crescent Drive

Tax ID#:
15037010, 15037009A,
15038027

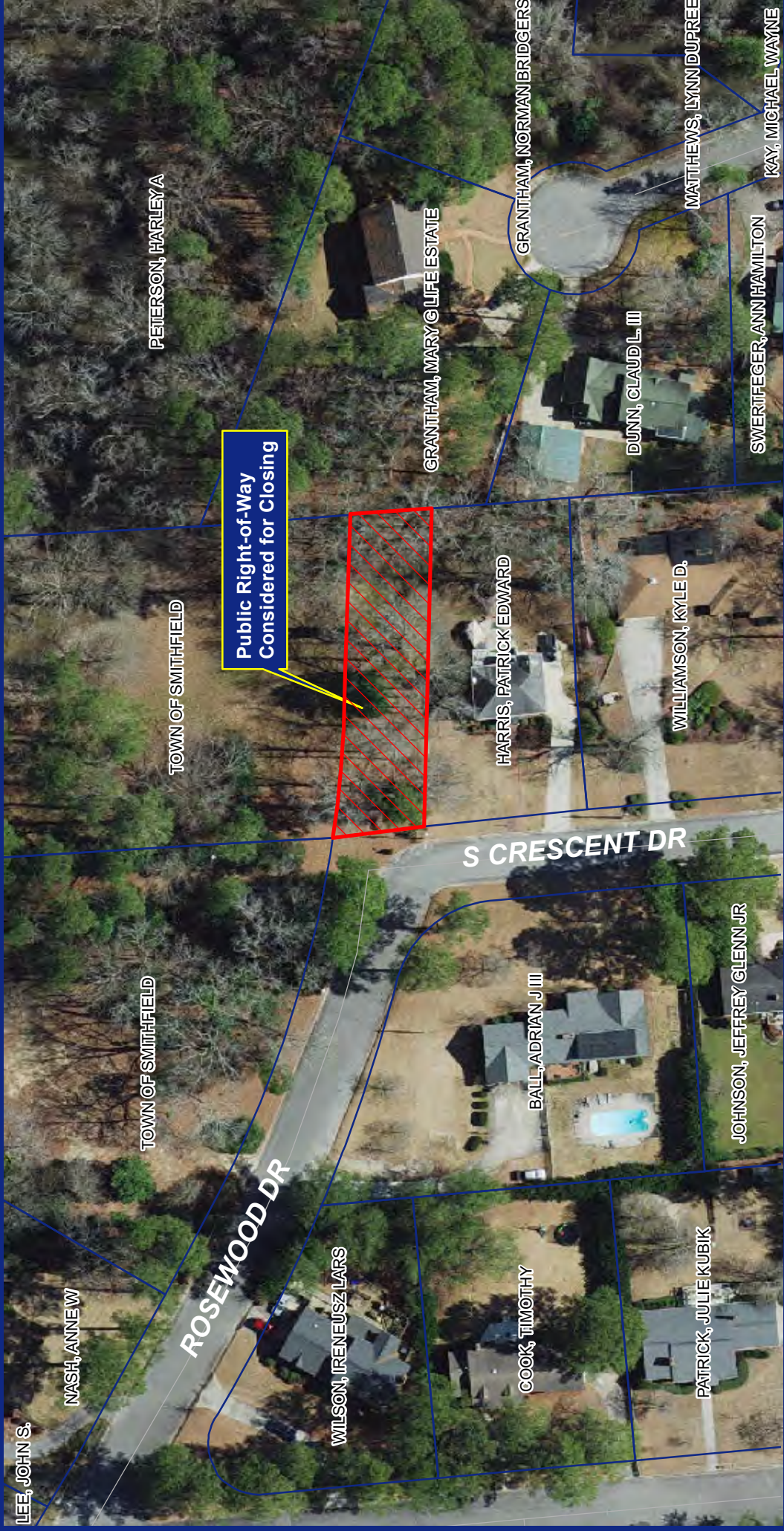
Adjacent Property Owners:
Town of Smithfield
Patrick & Victoria Harris
Norman B. Grantham III

Existing Zoning:
R-10 (Residential)

Applicant:
Patrick Harris



Map created by the Mark E. Helmer,
AICP, CFM, Senior Planner on 6/28/2023



Public Right-of-Way
Considered for Closing



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, Rosewood Drive right-of-way closure, were notified by First Class Mail on 7-24-23.



Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

24th day of July, 2023



Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on January 15, 2028
(Seal)





Request for Planning Board Action

Public
Hearing: ZA-23-07
Date: 08/08/2023

Subject: Zoning Text Amendment
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

Request to amend the Unified Development Ordinance, Article 2, Section 2.22, to allow payment in lieu of required sidewalk construction with Town Council approval.

Financial Impact

None.

Action Needed

The Town Council is respectfully requested to hold a public hearing and to review the zoning text amendment and to make a decision whether to approve, approve with changes, or to deny the request.

Recommendation

Planning Staff and the Planning Board recommend approval of the zoning text amendment, ZA-23-07, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Draft Zoning Text Amendment
2. Consistency Statement
3. Application



Staff Report

Public Hearing: ZA-23- 07

REQUEST:

Staff and the Planning Board recommend approval of the following amendment to the Unified Development Ordinance, Article 2, Section 2.22 to allow payment in lieu of required sidewalk construction with Town Council approval.

ANALYSIS:

The Town requires a 5’ wide sidewalk along all commercial frontages with new construction. **Developers and contractors often complain about, “sidewalks to nowhere” because** adjacent properties do not have sidewalks. The intent of the requirement is to slowly build a network of sidewalks as sites develop or redevelop, but in some instances, the complaint is valid in that an actual sidewalk network is unlikely to develop or it is so far into the future, the sidewalks do not make practical sense.

This ordinance would allow a fee in lieu of sidewalk construction with Town Council approval on a site-by-site basis when requested. It would **base the fee on an engineer’s estimate for the actual** sidewalk construction and the fee in lieu would be held in separate account to be spent yearly on sidewalks elsewhere in town where they are most needed. The intent would be to use the funds to fill in gaps in existing sidewalk networks and build out from commercial centers as needed. The Town Attorney was sent the amendment for review which is pending.

PLANNING BOARD REVIEW/RECOMMENDATION:

The Planning Board reviewed the request on July 13, 2023, and recommended approval, but recommended the fee in lieu be granted only when the developer has shown hardship and that the Town Attorney review the ordinance.

CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment as consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of the zoning text amendment, ZA-23-07, for a fee in lieu of sidewalk construction with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

STAFF RECOMMENDED MOTION:

Staff recommends the following motions:

“move to approve zoning text amendment, ZA-23-07, amending Article 2, Section 2.22, to allow a fee in lieu of sidewalk construction finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that **the amendment is reasonable and in the public interest.”**

ORDINANCE # ZA-23-07
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 2, SECTION 2.22 TO ALLOW A FEE IN LIEU OF SIDEWALK
CONSTRUCTION

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 8, Section 8.9 as it pertains to building height in the B-3 Highway Entranceway Business District.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

[Amend Article 2, Section 2.22, allowing a fee in lieu of sidewalk construction with Town Council approval.]

PART 1

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

SECTION 2.22 SIDEWALKS.

2.22.1. All new O/I (Office/Institutional), B-1 (CBD), B-2 (General Business), and B-3 (Highway Entranceway Business) district construction permitted following the adoption of this Ordinance shall be required to construct five (5) foot sidewalk(s) on the street right-of-way. The sidewalk(s) shall comply with the Town of Smithfield Standards and Specifications document and NCDOT requirements.

2.22.2. Payment in lieu of sidewalk construction may be permitted by the Town Council on a case-by-case basis. When authorized by the Town Council, the developer shall pay to the Town the costs of that required sidewalk construction. When costs are paid in lieu of construction for a project, the developer shall have no further obligation to the Town for sidewalk construction for that project. The Town shall place such fees in a designated fund used by the Town for general sidewalk construction throughout the Town.

PART 2

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

PART 3

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

Duly adopted this the 8th day of August 2023.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
ZA-23-07

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD Town Council AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT,

That the final action regarding zoning ordinance amendment, ZA-23-07, is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the regularly scheduled meeting of Town Council; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE FAILS,

That the final action regarding zoning ordinance amendment, ZA-23-07, is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment does not promote this and therefore is neither reasonable nor in the public interest.



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

Petition for Amendment to the Unified Development Ordinance

Pursuant to Article 4 of the Town of Smithfield Unified Development Ordinance, Proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. The application for any amendment shall contain a description of the proposed zoning regulation.

APPLICANT INFORMATION:

Stephen Wensman PLANNING 350 E. MARKET ST
 Petitioner's Name DIRECTOR Address or PO Box

SMITHFIELD 919-934-2116 ext. 1114
 City, State, Zip Code Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

Fee in lieu of sidewalk construction.

(Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

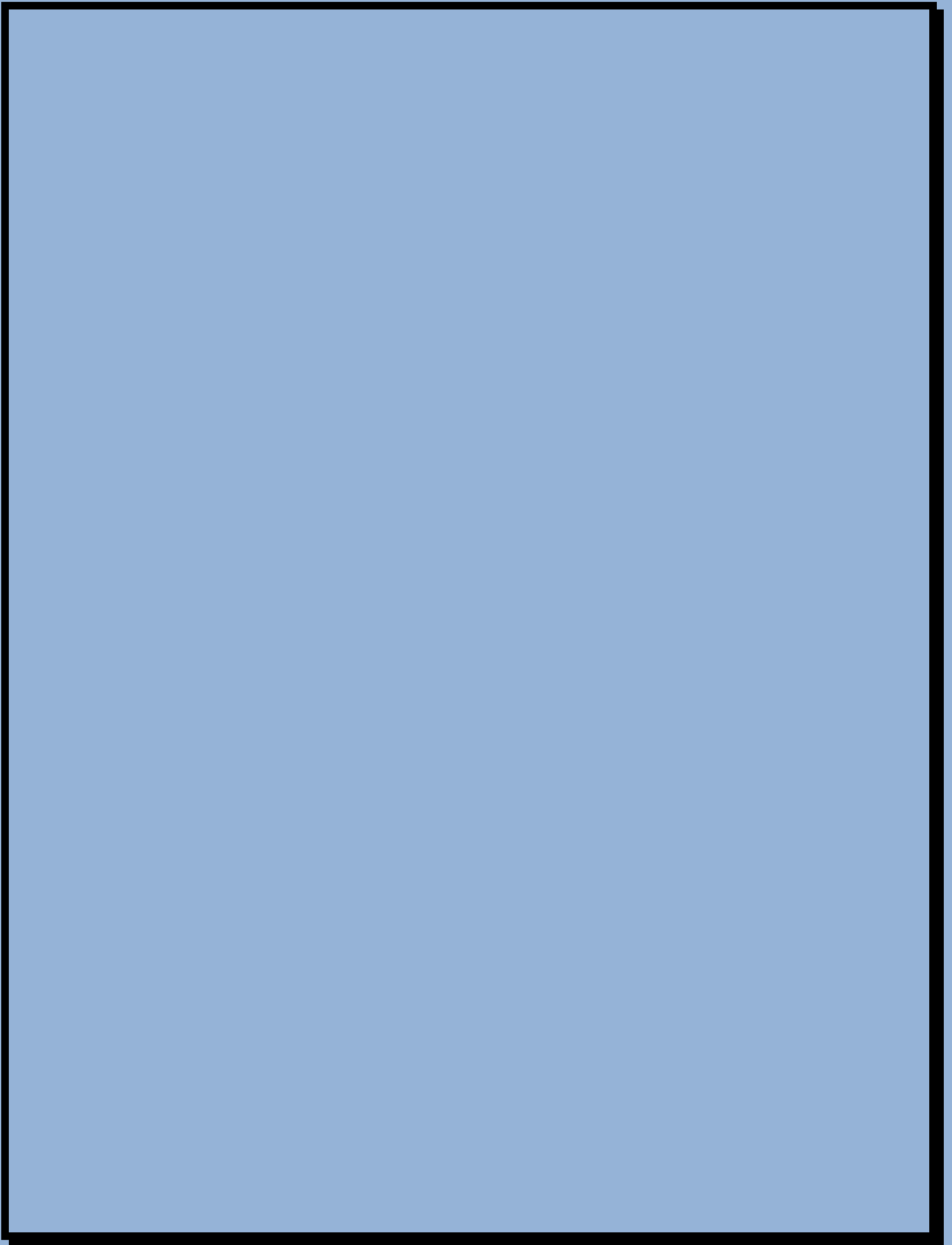
Stephen Wensman 7/4/23
 Signature of Petitioner Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Amount Paid: _____

Consent

Agenda Items



The Smithfield Town Council met in regular session on Tuesday, July 11, 2023 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

John A. Dunn, Mayor Pro-Tem
Marlon Lee, District 1
Sloan Stevens, District 2
Travis Scott, District 3
Roger Wood, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Dr. David Barbour, District 4

Administrative Staff Present

Michael Scott, Town Manager
Jeremy Daughtry, Interim Fire Chief
Lawrence Davis, Public Works Director
James Grady, Interim Police Chief
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources
Eric McDowell, IT Director
Shannan Parrish, Town Clerk
Greg Siler, Finance Director
Stephen Wensman, Planning Director

Also Present

Robert Spences, Jr., Town Attorney
Bill Dreitzler, Town Engineer

Administrative Staff Absent

Ted Credle, Public Utilities Director

CALL TO ORDER

Mayor Moore called the meeting to order at 7:00 pm.

INVOCATION

The invocation was given by Councilman Scott followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilman Wood made a motion, seconded by Councilman Scott, to approve the agenda with the following amendments:

Remove from the Consent Agenda:

- Item 2. Special Event: Church Event – Lesley Barrios is requesting to hold an event at 150 South Front Street (Amphitheater) on July 16, 2023 from 9:00 am until 9:00 pm. This request includes the use of amplified sound.
- Item 9. Consideration and request for approval to allow employees to donate accumulated sick leave hours to an employee in the General Government Department
- Item 13. Consideration and request for approval to install an additional stop signs at Hood Street and South Crescent Drive

Consent Agenda Item 12: updated budget amendments as distributed at the meeting

Add to the Agenda:

- Closed Session Pursuant to NCGS 143-318.11 (a) (6)

Unanimously approved

PRESENTATIONS:

1. Proclamation: Declaring July as Parks and Recreation Month in the Town of Smithfield

Mayor Moore presented the following proclamation to Parks and Recreation Director Gary Johnson.

**PROCLAMATION
DESIGNATING JULY AS PARKS AND
RECREATION MONTH
IN THE TOWN OF SMITHFIELD**

WHEREAS, Parks and Recreation is an integral part of communities throughout this country, including the Town of Smithfield; and

WHEREAS, Parks and Recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, Parks and Recreation promotes time spent in nature, which positively impacts mental health and well-being; and

WHEREAS, Parks and Recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, Park and Recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS, Parks and Recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, Parks and Recreation is fundamental to the environmental well-being of our state; and

WHEREAS, Parks and Recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our state and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS the Town of Smithfield recognizes the benefits derived from Parks and Recreation resources.

NOW THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim the month of July as Parks and Recreation Month in the Town of Smithfield.

PUBLIC HEARINGS:

- 1. Unified Development Ordinance Text Amendment - Town of Smithfield (ZA-23-06):** The applicant was requesting an amendment to Unified Development Ordinances, Article 2, 10 and Appendix A. The amendment will update existing performance standards, clarify vague wording, and break up large blocks of text into subsections and update definitions.

Councilman Wood made a motion, seconded by Councilman Stevens, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman explained that for several years, staff has been working on updates to

the UDO, Article 10 development performance standards. These standards work hand in hand with Town's Standard Specifications and Details Manual (Manual) to guide new development. Staff has been working on updates to the Manual with a consulting firm, KCI, which has informed this UDO update.

This update:

- Moves street design specifications from the UDO to the Manual.
- Moves performance standards in the Manual to Article 10
- Moves performance standards in Article 2 are being moved to Article 10.
- Adds definitions for terms in the Table of Uses and some needed left out of the 160D update.
- Updates performance standards to address issues, clarifies vague wording, and breaks up large blocks of text into subsections.

Mr. Wensman summarized the following changes to each section:

Article 2 - General Regulations

- Moves performance standards related to lot requirements and dimensions, driveways, and dumpsters to Article 10.
- Removes Section 2.21, Site Visibility Triangle standard replacing it with a reference to the Town's Standard Detail and Specifications Manual.
- Updates Section 2.22 Sidewalks to include reference to the Manual and the Pedestrian Plan.

Article 10- Performance Standards - Part I. Off-Street Parking

- 10.2 - Clarifying, updating and breaking up Off-Street Parking Requirements to be more readable.
 - Requires paved parking (no gravel parking).
 - Requires new residential driveways to be paved, except in R20A
 - aligns junk vehicle exception with administrative code.
 - Adds a standard for semi-tractor and trailer parking.
 - Updates parking lot s with More than Four Spaces requirements.
 - Clarifies and updates curbing requirements.
 - Updates wheel bumper requirements.
 - 10.2.10 – Adds UDO administrator's ability to waive lateral access if it provides no public benefit or if not feasible. Removes BOA Adjustment text. The BOA holds hearings on appeals and variances only.
 - 10.2.13.1 –BOA does not make modifications and appeals are already codified in Article 4.
- 10.3 – Update parking standards for Multi-family (from Clayton's Code) and for Restaurants. Also allows UDO Administrator to determine parking requirements when standards are unclear. Appeals by BOA.
- 10.5 Off-Street Loading Requirements updated.
 - The BOA only hears variances and appeals.
- 10.6 Driveways section updated –
 - Requires paved driveways (concrete, bituminous, etc. – no gravel), except within the R-20A.
 - Residential driveways cannot exceed 50% of the front yard area.
 - Broke up the section for readability.
 - 10.6.4 –Driveway Location(s) section updated aligned with Manual.
 - 10.6.6 – Delete's brick driveway section. Brick driveways are not permitted within the public right of way, but are permitted on private property with a standard driveway apron in the public right of way.
 - References Standard Specifications and Details Manual

Article 10- Performance Standards - Part II. Landscape Requirements

- 10.8 Applicability Standards– Clarifies applicability.
 - 10.8.4.3 Triggers compliance with "Expansion of Structure by 25%" only, deleting and 10 or more parking spaces.
- 10.9 –Tree Resource Management
 - require a zoning permit for forestry activities to ensure compliance with State and local ordinances.
 - Removes the misplaced section car dealerships. Prior to final plat, the lots do not exist.
- 10.10.2 – The planting details are to be moved from Appendix B of the UDO to the Standard Specification and Details Manual.

- 10.13.1.8 – Fixes a typo in the Streetyard requirements.
- 10.14 – Adds dimensions to Type C and D bufferyards and removes the reference to PRD (no longer exists in UDO)
- 10.15.3 – Dumpster regulations from Section 2.27 moved and updated
- 10.15.4 - Clarified Encroachment section.
- 10.15.5 – Create buffer requirements for double fronted lots.
- 10.16 – Added requirement that landscape plans identify planting bed edges, bed material, sod and seeded areas, identify irrigation if applicable, and landscape notes or planting instructions.

Article 10- Performance Standards - Part IV. Lighting Ordinance

- 10.34.3 – General Standards for Outdoor Lighting-
 - Site Plans are administrative and do not get reviewed by the Planning Board and Town Council.
 - 10.34.3.6 – Section deleted because it conflicts with requirement for cutoff fixtures.
- 10.34.4 – Updated lighting in parking lots and outdoor areas
 - PB and Town Council do not review site plans.
 - Require downcast shoebox style fixtures with LEDs
 - Updated outdoor display lighting standard.
 - Update to require recessed lighting for vehicular canopies.
- 10.34.7 – Section updated to prohibit flood lights and removes references to PB and TC review and approval because site plan approvals are administrative.

Article 10- Performance Standards - Part V. Traffic Impact Study

- 10.41.1 Struck reference to BOA as they have no involvement in Traffic Studies.

Article 10- Performance Standards - Part VIX. Overlay Districts

- 90.93 - ECO District regulations to be deleted. Article 7 requires outdoor storage to be screened with fencing and landscaping, and requires paving.
- 10.94 – Struck rowhouses Section because the same can be achieved through the conditional zoning process.

Article 10- Performance Standards - Part X. Subdivision Regulations

- 10.96 – Added applicability incorporating Section 1.3.4.3 and updating to conform with 160D.
- 10.100 – Update code references in table.
- 10.107 – Update reference from NCDENR to NCDEQ.
- 10.xxx – Add Cluster Mailbox standards.
- 10.110 Streets
 - Add references to Standard Detail and Specifications Manual and deleted engineering standards (moved to Manual).
 - Updated to current Street terminology matching the Transportation Plan.
 - Incorporated Section 2.15 Lot Requirement/Dimensions.
 - Updated lot area requirements with reference to Article 8.
 - Increased the minimum lot area for septic lots to 1 acre based on a recommendation from Johnston County.
 - Added a minimum depth for double-fronted lots.
- 10.110.1.5 – Updated easement requirements.
- 10.110.2 – Updated private street requirements to reference the Standard Detail and Specifications Manual and HOA documents to be reviewed and approved by the Town Attorney.
- 10.110.3. Updated Marginal Street Access section with updated terminology.
- 10.110.5 – Updated section on half-streets.
- 10.110.9 - 10.110.17- street standards are contained in the Town's Standard Detail and Specifications Manual referenced herein.
- 10.110.14 – Alley's section updated.
- 10.110.19 – PUD Streets updated requiring sidewalks on both sides of PUD streets.
- 10.110.20 – Updated to reference Manual.
- 10.111.2. – Updated to match Fire Code.
- 10.111.6 - Updated temporary turnaround requirements to meet Fire Code.
- 10.112 – Sidewalks.

- Updated sidewalk requirements.
- Added reference to the Manual and the Pedestrian Plan.
- 10.113.1. Water and Sewerage Systems.
 - Added On-site wastewater (septic) systems shall be located on the lot in which the system serves unless an alternative location within an easement is approved by the Town Council.
 - Constructed according to the Standard Specifications and Details Manual.
- 10.116. Effect of Plat Approval on Dedications and Acceptances
 - Acceptance of dedications by resolution has been deleted and will now be administrative with the signing of the final plat by the Manager. According to 160D-806. Effect of plat approval on dedications. The approval of a plat shall not be deemed to constitute the acceptance by the local government or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. However, any governing board **may** by resolution accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its planning and development regulation jurisdiction.
- 10.117 Adjustments. Deleted this section. BOA approves variances per Section 4.10.
- 10.119 Added missing exempt plat certificate.

Appendix A- Definitions

- Added definitions per 160D.
- Added or modified definitions to reflect land use terminology in Section 6.6.

Mayor Moore asked if there were any questions or comment from the Council.

Mayor Pro-Tem Dunn questioned why Section 2.21 was being removed. Mr. Wensman responded the section would be moved into the Engineering Standards which was not finalized.

Councilman Scott questioned the Board of Adjustment appeal process since the Council had no involvement with the process. Mr. Wensman responded the appeal process was already in the Code and it followed the state general statutes.

Mr. Wensman made the Council aware of a proposed amendment concerning minimum – maximum parking requirements due to some issues with multifamily and restaurant parking. He explained that for 1-bedroom units, there would be 1.5 parking spaces. For 2 bedroom or more units, the requirement was 2 spaces per unit plus one guest parking for 4 units. The current code had no requirements for guest parking. For restaurants, the current code stated that 1 parking space was required for every 150 square feet of enclosed space. The proposed amendment would be 1 space per every three seats including outdoor seating.

Councilman Stevens questioned lot widths as referenced in 10.110 Streets. Mr. Wensman responded that in the R-8 zoning district, the lot size was 8000 square feet and, in the R-6 zoning district, the lot size was 6000 square feet.

Mayor Pro-Tem Dunn questioned if the amount of required parking for a 2-bedroom, 4-unit complex would be 2.25 required parking spaces. Mr. Wensman stated that was correct and the intent was to require some guest parking as a part of the standards.

Mayor Moore asked if there was anyone in attendance that wished to speak on the matter. There was no one in attendance that wished to speak on the matter.

Councilman Scott made a motion, seconded by Councilman Wood, to close the public hearing. Unanimously approved.

Kenneth Altman expressed his appreciation to the Council for discussing this matter.

Councilman Stevens made a motion, seconded by Councilman Wood, to table adoption of ZA-23-06 pending further discussions. Unanimously approved.

CITIZEN'S COMMENTS:

- Mike Reddick of the Johnston Central High School National Alumni Association's KIDS Summer Program expressed his appreciation to the Fire Department, Police Department and the Parks and Recreation Department for spending time with the children participating in the summer program. In honor of Interim Fire Chief Jeremy Daughtry's birthday, Mr. Reddick presented him with a card made by the children participating in the KIDS Summer Program.
- Alice Vick, a resident of Smithfield, expressed some concerns to the Council regarding the Police Department and some of its officers.
- Alisa Bizzell, a resident of Smithfield, expressed concerns about excessive speeding on Martin Luther King Jr. Drive. She explained there were many elderly people who live in the area and they were fearful because of the excessive speeding. She asked the Council to remedy the situation.

Mayor Moore responded he and Councilman Lee have personally witnessed cars speeding on that particular street. He asked Interim Police Chief James Grady to investigate the matter.

- Gary Steward, a resident of Smithfield, expressed his appreciation to the Council for approving the conversion of two tennis courts at Community Park into six pickleball courts.

CONSENT AGENDA:

Councilman Rabil made a motion, seconded by Wood, to approve the following items as listed on the Consent Agenda:

1. The following minutes were approved:
 - May 4, 2023 – Budget Session
 - June 6, 2023 – Regular Meeting
2. Special Event – July Movie Night: Approval was granted to allow the Parks and Recreation Department to hold an event at 150 South Front Street (Amphitheater) on July 22, 2023 from 5:00 pm until 10:00 pm. Amplified sound was also approved
3. Special Event – Youth Jubilee: Approval was granted to allow True Vine Apostolic Ministries to hold an event at Smith Collins Park on July 22, 2023 from 9:00 am until 6:00 pm. Amplified sound was also approved.
4. Special Event – Buck Wild Bash: Approval was granted to allow Bulldog Harley Davidson to hold an event at 1043 Outlet Center Drive on July 22, 2023 from 10:00 am until 4:00 pm. Amplified sound, food truck sales and alcohol sales were also approved.
5. Special Event – Back to School Giveaway: Approval was granted to allow John Palacios with Iglesia La Hermosa Church to hold an event at 600 Durwood Stephenson Parkway on August 5, 2023 from 10:00 am until 5:00 pm. Amplified sound was also approved.
6. Special Event – 9/11 Celebration of First Responders: Approval was granted to the Rotary E Club to hold an event at 350 East Market Street on September 9, 2023 from 2:00 pm until 3:30.
7. Approval was granted to allow employees to donate accumulated sick leave hours to an employee in the Public Utilities – Water/ Sewer Department.
8. Approval of a budget amendment in the amount of \$11,300 for the Neuse Rive Amphitheater Project.
9. Approval of additional year end budget amendments

<u>GENERAL FUND</u>	<u>BEFORE</u>	<u>ADJ.</u>	<u>AFTER</u>
1. Expenditures			
10-40-4210-5400-9527 D/S Knuckleboom Truck	\$ 17,350	\$ 425	\$ 17,775
10-00-9990-5300-0000 General Fund Contingency	<u>26,063</u>	<u>(425)</u>	<u>25,638</u>
	<u>\$ 43,413</u>	<u>\$ -</u>	<u>\$ 43,413</u>

To fund additional loan payment on knuckleboom truck

2. Expenditures			
10-76-6200-5970-9101 Parks and Rec - Transfer			\$ 7,767
To SCIF Fund	\$ -	\$ 7,767	
10-00-9990-5300-0000 General Fund Contingency	<u>25,638</u>	<u>(7,767)</u>	<u>17,871</u>
	<u>\$ 25,638</u>	<u>\$ -</u>	<u>\$ 25,638</u>

To fund additional cost of Amphitheatre

3. Expenditures			
10-76-6200-5970-9101 Parks and Rec - Transfer			\$ 10,086
To SCIF Fund	\$ 7,767	\$ 2,319	
10-00-9990-5300-0000 General Fund Contingency	<u>17,871</u>	<u>(2,319)</u>	<u>15,552</u>
	<u>\$ 25,638</u>	<u>\$ (0)</u>	<u>\$ 25,638</u>

To fund additional cost of Splash Pad as approved at the November 1, 2022 Council Meeting

4. Expenditures			
10-76-6200-5970-9101 Parks and Rec - Transfer			\$ 18,177
To SCIF Fund	\$ 10,086	\$ 8,091	
10-00-9990-5300-0000 General Fund Contingency	<u>15,552</u>	<u>(8,091)</u>	<u>7,461</u>
	<u>\$ 25,638</u>	<u>\$ -</u>	<u>\$ 25,638</u>

To fund additional cost of Splash Pad

WATER FUND

5. Expenditures			
30-71-7200-5300-3300 Water Plant - Supplies/Operations	\$ 749,950	\$ 25,400	\$ 775,350
30-00-9990-5300-0000 Water/Sewer Contingency	<u>187,791</u>	<u>(25,400)</u>	<u>162,391</u>
	<u>\$ 937,741</u>	<u>\$ -</u>	<u>\$ 937,741</u>

To fund additional chemical cost

SCIF FUND

6. Revenue			
21-75-3870-3870-0000 Transfer From GF	<u>\$ -</u>	<u>\$ 2,319</u>	<u>\$ 2,319</u>

Expenditure

21-60-6200-5700-7401 Splash Pad/Parking	<u>\$ 536,330</u>	<u>\$ 2,319</u>	<u>\$ 538,649</u>
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To fund additional cost of Splash Pad as approved at the November 1, 2022 Council Meeting

7. Revenue			
21-75-3870-3870-0000 Transfer From GF	<u>\$ 2,319</u>	<u>\$ 8,091</u>	<u>\$ 10,410</u>

Expenditure

21-60-6200-5700-7401 Splash Pad/Parking	<u>\$ 538,649</u>	<u>\$ 8,091</u>	<u>\$ 546,740</u>
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To fund additional cost of Splash Pad

8. Revenue			
21-75-3870-3870-0000 Transfer From GF	<u>\$ 10,410</u>	<u>\$ 7,767</u>	<u>\$ 18,177</u>

Expenditure

21-60-6200-5700-7400 Amphitheatre	<u>\$ 989,500</u>	<u>\$ 7,767</u>	<u>\$ 997,267</u>
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To fund additional cost of Amphitheatre

9. Revenue			
21-60-3850-3850-0000 SCIF Interest	<u>\$ -</u>	<u>\$ 5,443</u>	<u>\$ 5,443</u>

Expenditure

21-60-6200-5700-7401 Splash Pad/Parking	\$ 546,740	\$ 1,910	\$ 548,650
21-60-6200-5700-7400 Amphitheatre	<u>997,267</u>	<u>3,533</u>	<u>1,000,800</u>
	<u>\$ 1,544,007</u>	<u>\$ 5,443</u>	<u>\$ 1,549,450</u>

To budget for interest earned on each SCIF project

WATER PLANT EXPANSION FUND

10. Expenditure			
43-71-7200-5700-4501 Engineering/Design	\$ 1,370,000	\$ 76,000	\$ 1,446,000
43-71-7200-5700-4505 Contingency	<u>572,500</u>	<u>(76,000)</u>	<u>496,500</u>
	<u>\$ 1,942,500</u>	<u>\$ -</u>	<u>\$ 1,942,500</u>

To increase engineering/design budget to cover additional cost using contingency funds

10. Approval of an Interlocal Agreement with Johnston County for Fire Services.
{Attached hereto and made an official part of these minutes is the Interlocal Agreement. Which is on file in the Office of the Town Clerk}
11. Approval of an agreement with Piedmont Natural Gas for sewer line access.
{Attached hereto and made an official part of these minutes is the Agreement with Piedmont Natural Gas. Which is on file in the Office of the Town Clerk}
12. Approval to allow staff to submit a purchase order for the purchase of a bucket truck for the Electric Department.

13. Approval of an agreement with North State Resurfacing for in the amount of \$34,300 for the conversion and renovation of two tennis courts to six permanent pickleball courts at Community Park
{Attached hereto and made an official part of these minutes is the Agreement North State Resurfacing. Which is on file in the Office of the Town Clerk}

14. New Hire Report

<u>Recently Hired</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Water Plant Operator Trainee	PU – Water Plant	30-71-7200-5100-0200	\$16.87 (35,089.60/yr.)
Records Clerk Specialist	Police	10-20-5100-5100-0200	\$16.87 (35,089.60/yr.)
P/T Athletics Assistant	P&R – Recreation	10-60-6200-5100-0210	\$10.00/hr.
P/T Life Guards	P&R – Aquatics	10-60-6220-5100-0210	\$10.00/hr.

<u>Current Vacancies</u>	<u>Department</u>	<u>Budget Line</u>
Police Chief	Police	10-20-5100-5100-0200
Police Officer	Police	10-20-5100-5100-0200
P/T Firefighter	Fire	10-20-5300-5100-0210
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200
Aquatics Supervisor	P&R – Aquatics	10-60-6220-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

BUSINESS ITEMS:

1. Consideration and request for approval to adopt Resolution No. 730 (13-2023) to begin the process to permanently close a 50-foot wide by 200-foot-long section of unimproved public right-of-way know as Rosewood Drive

Planning Director Stephen Wensman explained a request was received by Patrick Harris to close an unimproved public right-of-way. Mr. Harris’s property was adjacent and east of the unused Rosewood Drive public right-of-way. The Town of Smithfield owns the property to the west of the public right-of-way. Mr. Wensman further explained the segment of Rosewood Drive, located to the east of South Crescent Drive, was vacant with no street or utility infrastructure within it. The right-of-way served no purpose for the Town or residents.

Town Manager Michael Scott directed Council to page 160 of the agenda packet which showed a map of the area. He explained the area was a green space and had always been a green space.

Councilman Scott made a motion, seconded by Councilman Rabil, to adopt Resolution No. 730 (13-2023) to begin the process to permanently close a 50-foot wide by 200-foot-long section of unimproved public right-of-way know as Rosewood Drive. Unanimously approved.

**TOWN OF SMITHFIELD
 RESOLUTION 730 (13-2023)
 DECLARING THE INTENT OF THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD TO CONSIDER
 CLOSING THAT PORTION OF ROSEWOOD DRIVE FROM SOUTH CRESCENT DRIVE TO ITS
 EASTERWARD TERMINATION.**

WHEREAS, G.S. 160A-299 authorizes the Town of Smithfield to close streets and public alleys; and

WHEREAS, the Town Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of Rosewood Drive from South Crescent Drive to its eastward termination;

NOW, THEREFORE, BE IT RESOLVED by the Town of Smithfield that:

- (1) A meeting will be held at 7 p. m. on the 8th day of August, 2023, in the Town Hall Council Chambers to

consider a resolution closing that portion of Rosewood Drive from South Crescent Drive to its eastward termination.

- (2) The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Johnstonian News.
- (3) The Town Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
- (4) The Town Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Upon motion duly made by Councilmember Scott, and duly seconded by Councilmember Rabil, the above resolution was duly adopted by the Town Council at the meeting held on the 11th day of July, 2023, in the Town Hall.

Upon call for a vote the following Councilmembers voted in the affirmative:

Councilman Scott	Councilman Rabil	Mayor Pro-Tem Dunn
Councilman Lee	Councilman Stevens	Councilman Wood

Upon call for a vote the following Councilmembers voted in the negative: None

2. Consideration and request for approval to enter into an agreement with NCDOT for the relocation of underground utilities and construction of a water line associated with the I-95 and US 70 Business Highway Improvement Project

Town Manager Michael Scott addressed the Council on a request to enter into an agreement with NCDOT. He explained NCDOT would begin the process to improve the intersection of I-95 and US 70 Business East. As part of the project, the Town has some responsibility to move any utilities out of the right-of-way so the road can be expanded or moved. NCDOT will pay for 75% of the cost while the Town is responsible for the remaining 25%. They would not be moving existing lines, but installing new lines. The request was to allow NCDOT to move the lines for the Town as part of their contract to improve the interchange. Also, a new 12" water line would be constructed between US-70 and Mallard Road, along the northern right-of-way of the newly constructed road. The Town Manager further explained that NCDOT will no longer allow any access off of a ramp; therefore, the current road will be replaced with a connector road from Market Street to Mallard Road. In anticipation of this project, the past three budgets have included funding for this project. There was currently \$730,000 in a Capital Project Fund for this construction project. The remaining funds needed would be budgeted in the next fiscal year. The cost of the project was estimated at \$1.14 million with the Town's portion being due at the completion of the project estimated to be the fall of 2025.

Councilman Scott questioned if the project would be completed in phases. The Town Manager responded the project would be completed as one project.

Mayor Pro-Tem Dunn questioned the number of years the Council has been saving for this project. The Town Manager responded that this would be the third fiscal year.

Mayor Pro-Tem Dunn further questioned how likely the construction costs would remain as proposed. The Town Manager responded he was confident that the completed project would be within budget.

Councilman Wood made a motion, seconded by Councilman Lee, to approve an agreement with NCDOT for the relocation of underground utilities and construction of a water line associated with the I-95 and US 70 Business Highway Improvement Project. Unanimously approved.

Mayor Moore expressed his appreciation to Johnston County Board of Commissioners Vice Chairman Patrick Harris (in attendance) for the Commissioner's financial support of the water plant expansion project. The Mayor further stated that if the Commissioners could offer any financial support for this project, the Town would greatly appreciate it.

3. Consideration and request for approval to appoint a member of the Town Council to serve as the appointee and another member of the Town Council to serve as an alternate to the Johnston County Water/Sewer Authority Steering Committee

Town Manager Michael Scott explained that last month the Council adopted a resolution to join the Johnston County Water/Sewer Authority Steering Committee. At that time, the Council chose to table a decision on who to appoint to the committee since the Mayor was absent from the meeting.

Mayor Moore stated by being a part of the committee the Town was not obligated to anything. It was just to begin the process of studying such an authority.

Mayor Moore stated he was appointing Councilman Scott to serve as the appointee and Councilman Stevens to serve as the alternate to the Johnston County Water/Sewer Authority Steering Committee.

4. Discussion concerning the State Transportation Improvement Program (STIP) project list

Planning Director Stephen Wensman he serves on the Upper Coastal Plain Rural Planning Organization (UCPRPO) which is a rural planning transportation committee for staff. Mayor Moore serves on the Elected Officials committee. Mr. Wensman stated there was a biannual process of determining priority projects for NCDOT funding. It was known as the STI P7 process list. The leader of the Rural Planning Organization asked for input as to the priorities of the Town. He lighted the below list of Smithfield projects on the STI P7 draft list. They are as follows:

- H170537 (U-3464) Widen US301 from Galilee Road to Brogden Road.
- H170543 (U-3464) Widen US301 from I-95 to Galilee Road.
- H192582 Widen NC210 from Black Creek Road to W Market Street.
- H192665 Upgrade Brogden/US 301S intersection.
- H192668 Widen Wilson's Mills Road to 3-Ln from W Market Street to M. Durwood Stephenson Parkway.
- Improvements to Market Street Downtown Smithfield

Staff was asked to determine if there were additional projects which are as follows:

- Buffalo Road widening to 3-lanes from US-70 bypass to M. Durwood Stephenson Parkway (This was an identified gateway corridor in the Town's Comprehensive Plan and there has been a lot in development interest in the area adjacent to the road).
- Brogden Road improvements from US 301 S to Wal-Pat Road (the intersections on both ends of this segment are already in the STI. The warehouse being constructed at the corner of Brogden and Walpat will add additional truck traffic to the area).

Councilman Rabil suggested the following:

- Widening of Market Street from the College to Nineth Street.

Mayor Moore stated he serves on the Upper Coastal Planning Organization and he does have to vote on these projects. He asked the Council if there were any other recommendations to please make sure they discussed their ideas with him so they could be added to the list.

Councilmembers Comments:

- Councilman Lee recognized former Councilman Charles Williams who was in attendance. He agreed with Alyssa Bizzell concerning excessive speeding on Martin Luther King, Jr. Drive. He also stated his concerns about children crossing the street from Smith Collins Park to the Splash Pad. He felt that a sign was not going to slow down drivers in that area. Also, he expressed his appreciation to David Allen the former principal at Smithfield Selma High School for all this hard work at the school. Councilman Lee informed the Council that Crystal Gregory the former principal of the Innovation Academy had been named the new

principal of Smithfield Selma High School.

In regards to the CDBG Housing Revitalization Project, Councilman Lee asked the Manager for an update.

The Town Manager stated he anticipated that the last construction project would be completed this week or next. There were also two total constructions that should be completed by September or October.

- Councilman Scott expressed his appreciation to everyone who participated in the Independence Day Celebration. He brought to the attention the Interlocal Agreement as approved on the Consent Agenda. This agreement will bring an additional \$214,000 in revenue to the Town through the Rural Fire District Tax which is to be ongoing revenue for the Town. He further stated a plan should be developed for the Fire Department in regards to its Capital Improvement Plan and staffing.
- Mayor Moore expressed his appreciation to Sarah Edwards and others for all of the Fourth of July Festivities. Mayor Moore stated this was an election year and he wanted to assure the staff and citizens that he would continue to conduct his job as the Mayor and continue to conduct the Council meetings in a highly efficient and orderly manner with the interest of all the citizens at the forefront. He truly believed that each member of Council believed the same.

Town Manager's Report:

Town Manager Michael Scott gave a brief update to the Council on the following items:

- "Fun in the Park" is scheduled for Saturday, July 15th at Smith Collins Park from 1:00 to 4:00 pm.
- The River Rat Regatta has been scheduled for August 12th.
- The August Council Meeting has been scheduled for August 8th so those available can attend the police department's National Night Out on August 1st.
- Improvements are scheduled on the Duke Energy substation on Hospital Road for July 23rd from 1:00 am until 5:00 am. Work will be done on the substation – therefore ALL customers on the affected circuits will be without power for those 4 hours in the night. The outage will affect everyone north of Sanders Street to Kellie Drive, from the railroad to the river. Of course, this work is "weather permitting" and the rain date is July 30th during the same time window.
- Changes will be made to the way the County purifies its water for the South Smithfield Water District. This will take place on July 17th. This may create some water discoloration and/or smell. Additional information is attached to this report.

Closed Session: Pursuant to NCGS 143-318.11 (a) (6)

Councilman Wood made a motion, seconded by Councilman Scott, to go into Closed Session pursuant to the aforementioned statute. Unanimously approved at approximately 8:26 pm.

Reconvene in Open Session

Councilman Scott made a motion, seconded by Councilman Stevens, to reconvene the meeting in Open Session. Unanimously approved at approximately 9:09 pm

No action taken following the Closed Session.

Adjourn

Councilman Stevens made a motion, seconded by Councilman Wood, to adjourn the meeting. The meeting adjourned at approximately 9:10 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

The Smithfield Town Council met in Special Session on Tuesday, July 25, 2023 at 6:30 pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Marlon Lee, District 1
Sloan Sevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

Mayor Pro-Tem, John Dunn

Administrative Staff Present

Michael Scott, Town Manager
Ted Credle, Public Utilities Director
Tim Kerigan, Human Resources Director
Shannan Parrish, Town Clerk

Also Present

Bob Spence, Jr., Town Attorney

Call to Order

Mayor Moore called the meeting to order at 6:30 pm

Closed Session Pursuant to NCGS 143-318.11 (a) (3)

Councilman Wood made a motion, seconded by Councilman Barbour, to enter into Closed Session pursuant to the aforementioned statute. Unanimously approved at 6:32 pm.

Reconvene In Open Session

Councilman Barbour made a motion, seconded by Councilman Wood, to reconvene in Open Session. Unanimously approved at 8:50 pm.

Adjourn

Councilman Barbour made a motion, seconded by Councilman Wood, to recess the adjourn the meeting. The meeting adjourned at approximately 8:51 pm.

ATTEST:

M. Andy Moore, Mayor

Shannan L. Parrish, Town Clerk



Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 08/08/2023

Subject: Homegrown Harley Honkey-Tonk
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow Bulldog Harley-Davidson to hold Homegrown Harley Honkey-Tonk on August 12, 2023.

Financial Impact

Action Needed Council approval of the Temporary Use Permit Application

Recommendation Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Proposed Signage
4. Area Map
5. Food Truck Information



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

Bulldog Harley-Davidson is requesting to hold Homegrown Harley Honkey-Tonk at 1043 Outlet Center Drive on August 12, 2023 from 10:00 am to 4:00 pm. This event will be raising money for Fresh Start Rescue. Live music by David Lee Murphy will be played beginning at 10:00 am. Food, goods and alcohol will be sold. NC Special Police, Llc will be present for security.



Temporary Use Permit Application

Completed applications must be submitted at least 4 weeks prior to the event by emailing Julie Edmonds at julie.edmonds@smithfield-nc.com or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event _____
 - Over 100 people in attendance
 - Live Band or Amplified Sound _____
 - Requires closure or blockage of Town Street
 - Involves Food Trucks
 - Requires Security (potential safety, security concerns)
 - Involves structures larger than 200 square feet and canopies larger than 400 square feet
 - Involves Town Park property
 - Involves Fireworks (Contact Smithfield Fire Department 919-934-2468)

OTHER TEMP USES

- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) _____

Homegrown Harley Honkey-Tonk

Name of Event

1043 Outlet Center Drive Smithfield 27577 (Bulldog Harley-Davidson)

Location of Event/Use (exact street address)

APPLICANT:

Name Taylor Forrester

Address 6626 Vaughn Road Fayetteville NC 28304

Phone number 910-733-9660

Email address taylor.f@bakeramericancycles.com

Event date Saturday August 12th 2023

Event start time 10:00 AM

Event set up time 8:30 AM

Sound Amplification Type Live Band

Sound Amplification Time 10:00 AM

PROPERTY OWNER:

Name Carson Baker

Address 1508 Hope Mills Road Fayetteville NC 28304

Phone number 910-734-8509

Email address carson@bulldogharleydavidson.com

Will alcohol be sold or served? Y or N

Event end time 4:00 PM

Event cleanup time 4-6:00 PM

Will food or goods be sold? Y or N

Food Trucks (if applicable) 5 (Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, A Copy of the Vehicle or Trailer Registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: NC Special Police LLC
(If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? No

If any town streets require closure, please list all street names. _____

Are event trash cans needed? Y or N How many? _____ We will provide

Please provide a detailed description of the proposed temporary use or special event:

We are hosting a live concert event featuring David Lee Murphy to raise money for

Fresh Start Rescue and bring the community together! We will have lots of local vendors, food trucks, beer, and music.

Temporary Use Submittal Checklist:

1. Completed Temporary Use Permit application
2. Other documentations deemed necessary by the administrator
3. Application fee - \$100
4. Site plan, if required by the administrator

Method of Payment: Cash _____ Check# _____ Credit Card _____ Amount \$ _____

Payment Received By: _____

Date: _____

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

Applicant's Name (Print) _____ Signature _____ Date _____

Planning Director Signature: Stephen Wren Date: 7/19/23

OWNERS AUTHORIZATION

I hereby give CONSENT to Taylor Forrester (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Property owners name (print) Carson Baker
Address 1508 Hope Mills Road Fayetteville NC Zip 28304
Phone number 910-734-8509 Email carson@bulldogharleydavidson.com
Signature: [Handwritten Signature] Date: 7/12/23

OWNER'S CONSENT FORM

Name of Event: Homegrown Harley Honkey-Tonk Submittal Date: 7/12/2023

OWNERS AUTHORIZATION

I hereby give CONSENT to Taylor Forrester (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

[Handwritten Signature] Carson Baker 7/12/23
Signature of Owner Print Name Date



Homegrown Harley Honkey Tonk

Bulldog Harley-Davidson & Fresh Start Rescue

Date: Saturday August 22nd

Time: 10am - 4pm

Location: Bulldog Harley-Davidson - 1043 Outlet Center Drive, Smithfield, NC, 27577. Event will be held outside at our dealership

Purpose: To unite the community, gain awareness for our business, and raise funds for the rescue of animals.

Event Description: Live, free concert featuring country artist David Lee Murphy, local vendors, food trucks, beverages (canned beer and non-alcoholic), bikini bike wash, games, and giveaways. Family friendly, all are welcome.

Temporary Structures: We will have a stage with a roof on our property along with multiple vendor tents (10 x 20ft max)

Traffic and Parking: There are multiple entries and exits to the outlet mall, which leads to our parking lot where the event will be held. We have rented the parking lot adjacent to our dealership for the day to accommodate all the additional traffic. (See attached map on next page)

Restroom Facilities: 12 stalls in our showroom building, 4 stalls in our second building. We will have 10 additional portable toilets throughout the event site along with 4 hand washing stations.

Trash Removal: 16 trash cans throughout the event site, trash cans throughout the buildings, 6 permanent outdoor trash cans around the property. We have rented additional dumpsters to accommodate trash. One employee staffed to strictly monitor trash cans and empty as needed.

Food Trucks & Contact Information: (Location for food trucks on attached map)

Skullie's Street - Catherine Long (919)394-3978

BlackBerry Creek Kettle Corn - Laura Fountain (919)703-7481

C&S Ice - Sean Stasberry (609)257-8967

The Dogfather - Mike Davis (919)632-0525

Big Erv BBQ & 910 Sweets - Leigh Ann Manuel

Proposed Signage: Next page

Event Coordinator: Taylor Viane (Forrester) 910-733-9660

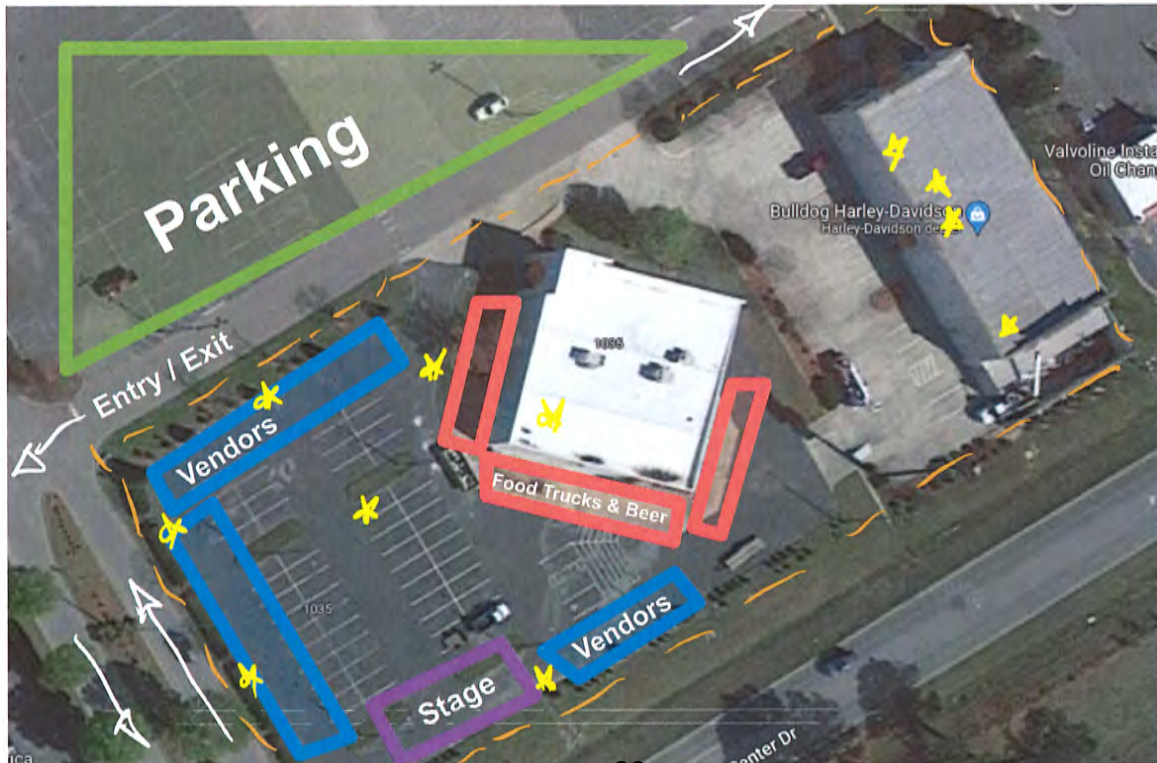
Owner: Carson Baker 910-734-8509

Proposed Signage



Map

- Entry & Exit Path *White arrows*
- Parking
- Restroom Facilities *Yellow stars*
- Stage
- Vendors
- Food & Beverage
- Event Area *Orange dashed line*



Time In: 12 : 00 am pm Time Out: 01 : 10 am pm Total 1 hr 10 minutes

New Transitional Plan Review

BIG ERV BBQ & 910 SWEETS THE NEIGHBORHOOD PITSTOP
Name of Establishment

6627 OLD BUNCE RD,
Address 1:

FAYETTEVILLE NC 28314
City: State: ZIP:

ERVIN MANUEL & LEIGH ANN MANUEL
Permittee

ERVIN MANUEL
Manager or Person in charge

Mailing Address Same
ERVIN MANUEL
Mailing Name

6416 RIGELWOOD ST
Mailing Address 1

FAYETTEVILLE NC 28314
City: State: ZIP:

(919) 525-7063 () - (919) 525-7063
Phone Fax Emergency Phone Number

EARTHQUAKE42001@YAHOO.COM
Email Address:

26 Cumberland
County #

5-5 - Municipal/Community 3-3 - Municipal/Community III 92
Water Supply Wastewater System Risk Category Territory # Capacity:

0255 Enter the last 4 digits, 5 if necessary 3 - Mobile Food 1
Facility ID Old Facility ID Operate as Status Code

Permit Date: 02 / 09 / 2022

Map # Parcel ID # TFE Expiration Date: / /

Lat. Long. Push Cart or MFU Pushcart MFU

Pushcart/Mobile Food Unit operating in conjunction with: Restaurant or Commissary ID:

Transitional Permit Conditions: Transitional Permit Expires: / / 90 days 180 days
Conditions/Remarks Non-Compliant items completed by:

- 1. Before deviating from original menu submitted, notify Cumberland County Department of Public Health-Environmental Health Division (CCDPH) to obtain approval. (menu is in file.)
- 2. Report to commissary for cleaning & servicing each day the mobile food unit (mfu) is in operation.
- 3. Potable water shall be obtained from an approved source. Wastewater shall be disposed of in an approved sanitary sewer system.

Characters Remaining
2310

Non-Compliant Remarks Click the checkbox to add non-compliant remarks.

Characters Remaining
4000

[Signature]
EHS Signature:

Establishment Assigned To:
2810-Oxendine, Michael

[Signature]
Manager/Person in charge

2452-Diggs, Orlando 02 / 09 / 2022
EHSID Date:

OWNER

02 / 09 / 2022
Date:

Title

Department of Health and Human Services
Division of Public Health
Environmental Health Section

Permit Transitional Permit
Date: 02/09/2022

Name of Establishment: BIG ERV BBQ&910 SWEETS THE NEIGHBORHOOD Permittee: ERVIN MANUEL & LEIGH ANN MANUEL
Location Address: 6627 OLD BUNCE RD,
City: FAYETTEVILLE State: NC Zip: 28314 Manager/Person in Charge: ERVIN MANUEL
Billing Name: ERVIN MANUEL County: Cumberland
Billing Address: 6416 RIGELWOOD ST
City: FAYETTEVILLE State: NC Zip: 28314 Status Code: 1
Email Address: EARTHQUAKE42001@YAHOO.COM Establishment ID: 5026030255
Phone: (919) 525-7063 Fax: _____ Map #: _____ Parcel ID: _____
Emergency Phone Number: (919) 525-7063 Lat: _____ Long: _____

Permission is granted to operate a 3 - Mobile Food as defined in G.S. 130A-247(l) and 130A-248, Regulation of Food and Lodging Facilities. See permit requirements in Rules. This permit is not transferable and may be revoked for failure to comply with all requirements.

Wastewater Systems: Municipal/Community On-Site System Capacity: _____ Category #: 0 1 2
Water Supply: Municipal/Community On-Site System 3 4
Pushcart/Mobile Food Unit operating in conjunction with: _____ Restaurant or Commissary Name and ID number: _____

Conditions/Remarks:
Establishment assigned to: 2810-Oxendine, Michael
Permit and Non-Compliant Conditions are on the attached addendum....

Transitional Permit Conditions

Attachments

This permit shall expire on _____ and is not renewable. All non-compliant items listed herein and on attached pages (if applicable) must be completed within 90 180 days _____ days. This establishment must close if all noncompliant items are not corrected by the expiration date.

Received By: [Signature] Title: OWNER Date: 02/09/2022
Manager/Person in Charge

Signed By: [Signature] REHS#: 2452-Diggs, Orlando Date: 02/09/2022
Division of Public Health

Purpose: General Statute 130A-248(b) states "No establishment shall commence or continue operation without a permit or transitional permit issued by the Department. The permit or transitional permit shall be issued to the owner or operator of the establishment and shall not be transferable. If the establishment is leased, the permit or transitional permit shall be issued to the lessee and shall not be transferable. If the location of an establishment changes, a new permit shall be obtained for the establishment. A permit shall be issued only when the establishment satisfies all of the requirements of the rules. The Commission shall adopt rules establishing the requirements that must be met before a transitional permit may be issued, and the period for which a transitional permit may be issued. The Department may also impose conditions on the issuance of a permit or transitional permit in accordance with rules adopted by the Commission. A permit or transitional permit shall be immediately revoked in accordance with G.S. 130A-23(d) for failure of the establishment to maintain a minimum grade of C. A permit or transitional permit may otherwise be suspended or revoked in accordance with G.S. 130A-23." Preparation: Local environmental health specialists shall issue a permit every time a change in permit status is indicated. Prepare an original and one copy for: 1. Original to be left with the owner or operator. 2. Copy for the local health department. Disposition: Please refer to Records Retention and Disposition Schedule 8.B.6., for County/District Health Departments which is published by the North Carolina Division of Archives & History. Additional forms may be ordered from: Environmental Health Section, 1632 Mail Service Center, Raleigh, NC 27699-1632, (Courier 52-01-00)

Comment Addendum - Attachment

Establishment Name: BIG ERV BBQ&910 SWEETS
THE NEIGHBORHOOD PITSTOP
Location Address: 6627 OLD BUNCE RD,
City: FAYETTEVILLE State: NC
County: Cumberland Zip: 28314
Wastewater System: Municipal/Community On-Site System
Water Supply: Municipal/Community On-Site System
Permittee: ERVIN MANUEL & LEIGH ANN MANUEL
Telephone: (919) 525-7063

Establishment ID: 5026030255

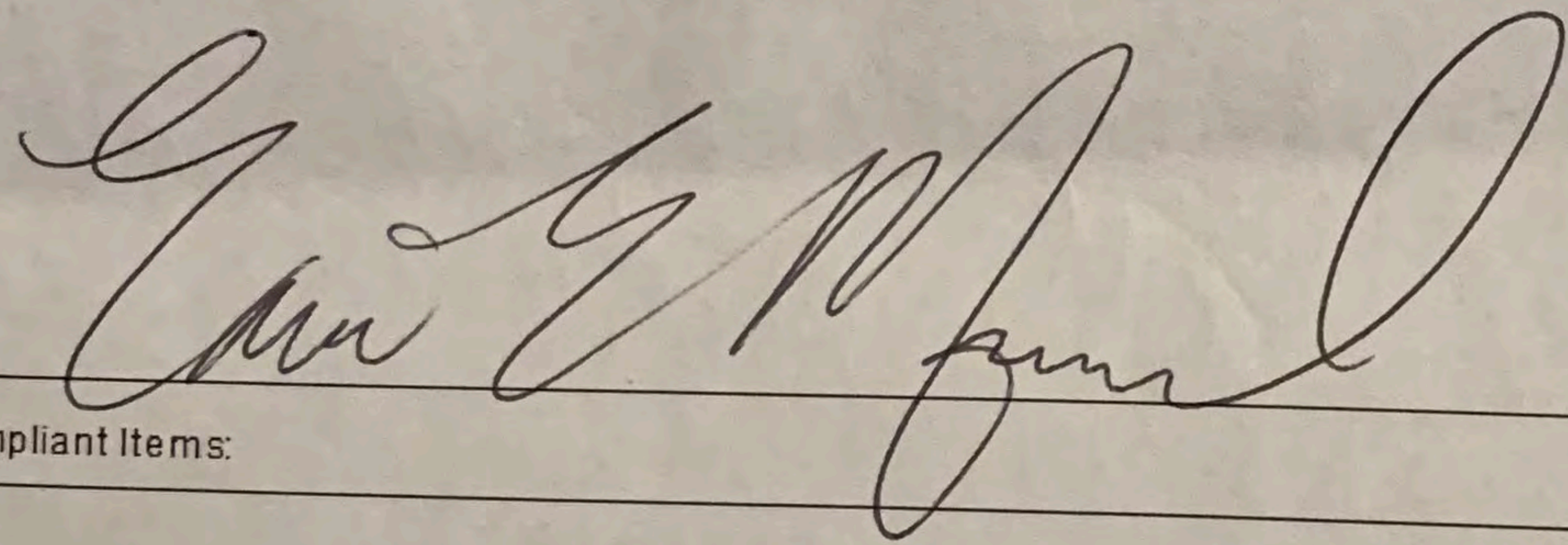
Date: 02/09/2022

Status Code: I

Category #: III

Conditions/Remarks (continued):

1. Before deviating from original menu submitted, notify Cumberland County Department of Public Health-Environmental Health Division (CCDPH) to obtain approval. (menu is in file.)
 2. Report to commissary for cleaning & servicing each day the mobile food unit (mfu) is in operation.
 3. Potable water shall be obtained from an approved source. Wastewater shall be disposed of in an approved sanitary sewer system.
 4. Food shall be stored at the commissary. Supplies may be stored at the commissary or on the unit (IE CUPS, UTENSILS). No items shall be stored at the home.
 5. Food shall be prepared (marinating and/or washing of meats & produce for example) at commissary.
 6. All foods shall be cooked on the mfu or at commissary.
 7. All foods shall be purchased from approved sources.
 8. Notify CCDPH of the locations, dates & times in which the mfu will be in operation.
 9. Notify CCDPH whenever there is a change in location or contact information.
 10. If setting up in another county, notify the health department of that particular county before doing so.
 11. If participating in any event which exceeds one (1) day, a Temporary Food Establishment (TFE) permit may be required; therefore, contact the local health department in the county where the event is occurring.
 12. Within 210 days, there shall be at least one certified food protection manager (CFPM) on duty at all times.
 13. YOU SHALL OPERATE ATLEAST 1 DAY WEEK IN YOUR PERMITTED COUNTY
 14. ALL MOBILE FOOD UNITS SHALL SIGN IN AND OUT ON LOG PROVIDED BY THEIR ASSIGNED COMMISSARY.
- Failure to comply with any of the above requirements may result in suspension and/or revocation of this permit



Non-Compliant Items:

Name of Establishment: SKULLIES STREET Q Permittee: CATHERINE LONG
 Location Address: 1216 PARKWAY DR Manager/Person in Charge: _____
 City: GOLDSBORO State: NC Zip: 27534 County: Wayne
 Billing Name: _____ Status Code: A - Open For Business
 Billing Address: _____ Establishment ID: 6096030092
 City: _____ State: _____ Zip: _____ Map #: _____ Parcel ID: _____
 Email Address: tarheels197555@gmail.com Lat: 35.383254 Long: -77.934904
 Phone: (919) 394-3978 Fax: _____ Emergency Phone Number: _____

Permission is granted to operate a 3 - Mobile Food as defined in G.S. 130A-247(I) and 130A-248, Regulation of Food and Lodging Facilities. See permit requirements in Rules. This permit is not transferable and may be revoked to failure to comply with all requirements.

Wastewater Systems: Municipal/Community On-Site System Capacity: _____ Category #: 2
 Water Supply: Municipal/Community On-Site System
 Pushcart/Mobile Food Unit operating in conjunction with: WHATS THE DILLA COMMISSARY / 6096150007
 Restaurant or Commissary Name and ID number

Conditions/Remarks:

Conditions: Cook to serve items only. No food prep on MFU.
 Remarks:

Attachments

Transitional Permit Conditions

This permit shall expire on _____ and is not renewable. All non-compliant items listed herein and on attached pages (if applicable) must be completed within 90 / 180 days. This establishment must close if all noncompliant items are not corrected by the expiration date.

Received By: _____ Title: _____ Date: _____
 Manager/Person in Charge
 Signed By: Lewis, Scott REHS#: 1539 Date: 04/19/2018
 Division of Public Health

Purpose: General Statute 130A-248(b) states "No establishment shall commence or continue operation without a permit or transitional permit issued by the Department. The permit or transitional permit shall be issued to the owner or operator of the establishment and shall not be transferable. If the establishment is leased, the permit or transitional permit shall be issued to the lessee and shall not be transferable. If the location of an establishment changes, a new permit shall be obtained for the establishment. A permit shall be issued only when the establishment satisfies all of the requirements of the rules. The Commission shall adopt rules establishing the requirements that must be met before a transitional permit may be issued, and the period for which a transitional permit may be issued. The Department may also impose conditions on the issuance of a permit or transitional permit in accordance with rules adopted by the Commission. A permit or transitional permit shall be immediately revoked in accordance with G.S. 130A-23(d) for failure of the establishment to maintain a minimum grade of C. A permit or transitional permit may otherwise be suspended or revoked in accordance with G.S. 130A-23." Preparation: Local environmental health specialists shall issue a permit every time a change in permit status is indicated. Prepare an original and one copy for: 1. Original to be left with the owner or operator. 2. Copy for the local health department. Disposition: Please refer to Records Retention and Disposition Schedule 8.B.6., for County/District Health Departments which is published by the North Carolina Division of Archives & History. Additional forms may be ordered from: Environmental Health Section, 1632 Mail Service Center, Raleigh, NC 27699-1632, (Courier 52-01-00)

N.C. Department of Health and Human Services
 Division of Public Health
 Environmental Health Section

PERMIT TRANSITIONAL PERMIT

Date: 04/01/2022

Name of Establishment: The Dogfather
 Location Address: 64 Steve Rdg
 City: Willow Springs State: NC Zip: 27592
 Billing Name: Rebekah Davis
 Billing Address: _____
 City: _____ State: _____ Zip: _____
 Email Address: bkdavis11@yahoo.com
 Phone: (919) 345-3097 Fax: _____

Permittee: Rebekah Davis
 Manager/Person in Charge: _____
 County: JOHNSTON
 Status Code: I T K
 Establishment ID: 04051031642
 Map #: _____ Parcel ID: _____
 Lat. _____ Long. _____
 Emergency Phone Number: (919) 345-3097

Permission is granted to operate a Mobile Food Units as defined in G.S. 130A-247(1) and 130A-248, Regulation of Food and Lodging Facilities. See permit requirements in Rules. This permit is not transferable and may be revoked for failure to comply with all requirements.

Wastewater System: Municipal/Community On-Site System Capacity 0 Category # 0 1 2
 Water Supply: Municipal/Community On-Site Supply 3 4
 Pushcart/Mobile Food Unit operating in conjunction with: J-Tops BBQ / 04051011530
 Restaurant or Commissary Name and ID Number

Conditions/Remarks:

Unit must report to the commissary each day of operation for fresh water fill up, to empty waste water, to prepare food, store food, restock supplies, trash disposal and for utensil washing. No food prep or servicing of MFU can occur at any other location. Bulk processing of fruits, vegetables and raw meats must not be processed on MFU. Limited prep (washing/cutting/etc.) is allowed in designated prep location. MFU must stay plugged in to power, or with generator running so that all coolers maintain proper temp at all times! Only hot holding/cold holding/cooking and assembly can occur on mobile food unit. All food handling must occur within the enclosed portion of the unit. At all times MFU is operating it must maintain the following: 1) Keep hot foods 135 degrees or above. 2) Keep cold foods 41 degrees or lower 3) Wash hands frequently. 4) No bare hand contact with ready to eat foods (use gloves/tongs/deli paper, etc.). 5) Must have hot water 110 degrees or above and cold running water at all times. 6) Sanitizer. 7) Test strips. 8) Accurate metal stem thermometers for checking food temps. 9) No waste water leaks. 10) Coolers/freezers working and holding proper temperature. 11) Electricity. Numbers 1-11 must be done at all times unit is in operation and all state rules must also be followed. If other foods want to be added, contact this department prior to starting. Only limited cooling of foods is permitted on mobile food unit! If cooling needs to occur, this should happen at the commissary where adequate cooling space exists.

Call this department for notification of locations where you will operate. You must operate some in Johnston County so that an inspection can be conducted! If inspections are not conducted, permit suspension/revocation may occur. If going to other counties to operate, call that county for permission PRIOR to going. The county you want to work in must give permission PRIOR to going. Within 210 days, there must be a person on duty at all times that is a Certified Food Protection Manager. Keep permit on unit at all times for review. Contact this office on a MONTHLY basis to notify of locations operation. Vin# 53NBE1622N1095496 Tag# DA-10952

ATTACHMENTS

Transitional Permit Conditions

This permit shall expire on _____ and is not renewable. All non-compliant items listed herein and on attached pages (if applicable) must be completed within 90 / 180 days. This establishment must close if all noncompliant items are not corrected by the expiration date.

Received By: Rebekah Davis Title: Owner Date: 4/01/2022
 Manager/Person In Charge
 Signed: John P. Kelly REHS RS#: 1848 Date: 04/01/22
 Division of Environmental Health 919-921-0109

Purpose: General Statute 130A-248(b) states "No establishment shall commence or continue operation without a permit or transitional permit issued by the Department. The permit or transitional permit shall be issued to the owner or operator of the establishment and shall not be transferable. If the establishment is leased, the permit or transitional permit shall be issued to the lessee and shall not be transferable. If the location of an establishment changes, a new permit shall be obtained for the establishment. A permit shall be issued only when the establishment satisfies all of the requirements of the rules. The Commission shall adopt rules establishing the requirements that must be met before a transitional permit may be issued, and the period for which a transitional permit may be issued. The Department may also impose conditions on the issuance of a permit or transitional permit in accordance with rules adopted by the Commission. A permit or transitional permit shall be immediately revoked in accordance with G.S. 130A-23(d) for failure of the establishment to maintain a minimum grade of C. A permit or transitional permit may otherwise be suspended or revoked in accordance with G.S. 130A-23." Preparation: Local environmental health specialists shall issue a permit every time a change in permit status is indicated. Prepare an original and one copy for: 1. Original to be left with the owner or operator. 2. Copy for the local health department. Disposition: Please refer to Records Retention and Disposition Schedule 8.B.6., for County/District Health Departments which is published by the North Carolina Division of Archives & History. Additional forms may be ordered from: 1632 Mail Service Center, Raleigh, NC 27699-1632, (Courier 52-01-00) EHS 1341 (Revised 07/12) Environmental Health Section

Name of Establishment: WHAT'S THE DILLA COMMISSARY Permittee: CATHERINE LONG
 Location Address: 1216 PARKWAY DR Manager/Person in Charge: CATHERINE LONG
 City: GOLDSBORO State: NC Zip: 27534 County: Wayne
 Billing Name: CATHERINE LONG Status Code: A - Open For Business
 Billing Address: 417 QUAIL DR Establishment ID: 6096150007
 City: GOLDSBORO State: NC Zip: 27534 Map #: _____ Parcel ID: _____
 Email Address: tarheels197555@gmail.com Lat: 35.383254 Long: -77.934904
 Phone: (919) 394-3978 Fax: _____ Emergency Phone Number: _____

Permission is granted to operate a 15 - Commissary (Pushcarts/Mobile Foods) as defined in G.S. 130A-247(I) and 130A-248, Regulation of Food and Lodging Facilities. See permit requirements in Rules. This permit is not transferable and may be revoked to failure to comply with all requirements.

Wastewater Systems: Municipal/Community On-Site System Capacity: _____ Category #: 3
 Water Supply: Municipal/Community On-Site System

Pushcart/Mobile Food Unit operating in conjunction with: _____ / _____
Restaurant or Commissary Name and ID number

Conditions/Remarks:

Conditions: This commissary is for the Whats the Dilla MFU, Whats the Scoop Push cart, and Street Q MFU.

Remarks:

Attachments

Transitional Permit Conditions

This permit shall expire on _____ and is not renewable. All non-compliant items listed herein and on attached pages (if applicable) must be completed within 90 / 180 days. This establishment must close if all noncompliant items are not corrected by the expiration date.

Received By: _____ Title: _____ Date: _____
 Manager/Person in Charge

Signed By: Lewis, Scott REHS#: 1539 Date: 04/17/2018
 Division of Public Health

Purpose: General Statute 130A-248(b) states "No establishment shall commence or continue operation without a permit or transitional permit issued by the Department. The permit or transitional permit shall be issued to the owner or operator of the establishment and shall not be transferable. If the establishment is leased, the permit or transitional permit shall be issued to the lessee and shall not be transferable. If the location of an establishment changes, a new permit shall be obtained for the establishment. A permit shall be issued only when the establishment satisfies all of the requirements of the rules. The Commission shall adopt rules establishing the requirements that must be met before a transitional permit may be issued, and the period for which a transitional permit may be issued. The Department may also impose conditions on the issuance of a permit or transitional permit in accordance with rules adopted by the Commission. A permit or transitional permit shall be immediately revoked in accordance with G.S. 130A-23(d) for failure of the establishment to maintain a minimum grade of C. A permit or transitional permit may otherwise be suspended or revoked in accordance with G.S. 130A-23." Preparation: Local environmental health specialists shall issue a permit every time a change in permit status is indicated. Prepare an original and one copy for: 1. Original to be left with the owner or operator. 2. Copy for the local health department. Disposition: Please refer to Records Retention and Disposition Schedule 8.B.6., for County/District Health Departments which is published by the North Carolina Division of Archives &History. Additional forms may be ordered from: Environmental Health Section, 1632 Mail Service Center, Raleigh, NC 27699-1632, (Courier 52-01-00)

Name of Establishment: SSQ CATERING Permittee: CATHERINE LONG
 Location Address: 1216 B PARKWAY DR Manager/Person in Charge: CATHERINE LONG
 City: GOLDSBORO State: NC Zip: 27534 County: Wayne
 Billing Name: SSQ CATERING Status Code: A - Open For Business
 Billing Address: 417 QUAIL DR Establishment ID: 6096030123
 City: GOLDSBORO State: NC Zip: 27534 Map #: _____ Parcel ID: _____
 Email Address: goldsbороfoodtrucks@gmail.com Lat: _____ Long: _____
 Phone: (919) 344-3978 Fax: _____ Emergency Phone Number: _____

Permission is granted to operate a 3 - Mobile Food as defined in G.S. 130A-247(I) and 130A-248, Regulation of Food and Lodging Facilities. See permit requirements in Rules. This permit is not transferable and may be revoked to failure to comply with all requirements.

Wastewater Systems: Municipal/Community On-Site System Capacity: _____ Category #: 2
 Water Supply: Municipal/Community On-Site System
 Pushcart/Mobile Food Unit operating in conjunction with: WHATS THE DILLA COMMISSARY / 609615007
 Restaurant or Commissary Name and ID number

Conditions/Remarks:

Conditions: 1. all TCS foods must be cold at 41 degrees. 2. First compartment of 3 comp sink is for utensil wash only. 2nd compartment is not for use. The 3 compartment is for HAND WASHING ONLY.

Remarks:

Attachments

Transitional Permit Conditions

This permit shall expire on _____ and is not renewable. All non-compliant items listed herein and on attached pages (if applicable) must be completed within 90 / 180 days. This establishment must close if all noncompliant items are not corrected by the expiration date.

Received By: _____ Title: _____ Date: _____
 Manager/Person in Charge
 Signed By: Lewis, Scott REHS#: 1539 Date: 02/16/2022
 Division of Public Health

Purpose: General Statute 130A-248(b) states "No establishment shall commence or continue operation without a permit or transitional permit issued by the Department. The permit or transitional permit shall be issued to the owner or operator of the establishment and shall not be transferable. If the establishment is leased, the permit or transitional permit shall be issued to the lessee and shall not be transferable. If the location of an establishment changes, a new permit shall be obtained for the establishment. A permit shall be issued only when the establishment satisfies all of the requirements of the rules. The Commission shall adopt rules establishing the requirements that must be met before a transitional permit may be issued, and the period for which a transitional permit may be issued. The Department may also impose conditions on the issuance of a permit or transitional permit in accordance with rules adopted by the Commission. A permit or transitional permit shall be immediately revoked in accordance with G.S. 130A-23(d) for failure of the establishment to maintain a minimum grade of C. A permit or transitional permit may otherwise be suspended or revoked in accordance with G.S. 130A-23." Preparation: Local environmental health specialists shall issue a permit every time a change in permit status is indicated. Prepare an original and one copy for: 1. Original to be left with the owner or operator. 2. Copy for the local health department. Disposition: Please refer to Records Retention and Disposition Schedule 8.B.6., for County/District Health Departments which is published by the North Carolina Division of Archives &History. Additional forms may be ordered from: Environmental Health Section, 1632 Mail Service Center, Raleigh, NC 27699-1632, (Courier 52-01-00)



Request for Town Council Action

Consent
Agenda
Item: Application
for
Temporary
Use Permit
Date: 08/08/2023

Subject: Renaissance Festival
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow the FRC Team 6004 f(x) Robotics to hold a Renaissance Festival on September 23, 2023.

Financial Impact

Action Needed Council approval of the Temporary Use Permit Application

Recommendation Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

The FRC Team 6004 f(x) Robotics is requesting to hold a Renaissance Festival at 305 E. Market Street on September 23, 2023 from 10:00 am to 2:00 pm. Food and goods will be sold. They've requested to close the parking lot behind the library. This event is raising money for F.O.X. Focus on DeXterity. It will allow exceptional children (EC) to trace various shapes, numbers, and letters through a handheld device mounted on a robot. Food, games, and presentation material will be available.



Temporary Use Permit Application

Completed applications must be submitted at least 4 weeks prior to the event by emailing Julie Edmonds at julie.edmonds@smithfield-nc.com or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event _____
 - Over 100 people in attendance
 - Live Band or Amplified Sound _____
- Requires closure or blockage of Town Street
- Involves Food Trucks
- Requires Security (potential safety, security concerns)
- Involves structures larger than 200 square feet and canopies larger than 400 square feet
- Involves Town Park property
- Involves Fireworks (Contact Smithfield Fire Department 919-934-2468)

OTHER TEMP USES

- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) _____

Renaissance Festival

305 E Market Street, Smithfield, NC, 27577

Name of Event

Location of Event/Use (exact street address)

APPLICANT:

Name FRC Team 6004 f(x) Robotics

Address 700 M Durwood Stephenson Pkwy, Smithfield, NC, 27577

Phone number Troy Brindle (919) 922-5429

Email address Troy Brindle ne14porsche@gmail.com

Event date September 23

Event start time 10 AM

Event set up time 8 AM to 10 AM

Sound Amplification Type _____

Sound Amplification Time _____

PROPERTY OWNER:

Name Town of Smithfield

Address 305 E Market Street, Smithfield, NC, 27577

Phone number (984) 985-2665

Email address _____

Will alcohol be sold or served? Y or (N)

Event end time 2 PM

Event cleanup time 2 PM to 4 PM

Will food or goods be sold? (Y) or N

Food Trucks (if applicable) N/A (Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, A Copy of the Vehicle or Trailer Registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: N/A
(If using Smithfield Police, applicant must contact the PD to schedule security.) 3RD

Will any town property be used (i.e., streets, parks, greenways)? Yes, Market Street Library Park

If any town streets require closure, please list all street names. parking lot behind library

Are event trash cans needed? Y or N (N) How many? _____

Please provide a detailed description of the proposed temporary use or special event:

This event is raising money for Project Focus On dexterity (F.O.X.) to allow exceptional children (EC) to trace various shapes, numbers, & letters through a hand-held device mounted on a robot. The event will be a Renaissance Festival with games,

Temporary Use Submittal Checklist: Food, drinks, presentations, (midieval), and robots!

- 1. Completed Temporary Use Permit application
- 2. Other documentations deemed necessary by the administrator
- 3. Application fee - \$100
- 4. Site plan, if required by the administrator

Method of Payment: Cash _____ Check# _____ Credit Card _____ Amount \$ _____

Payment Received By: _____

Date: _____

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

Troy Brindle [Signature] 7/13/23
Applicant's Name (Print) Signature Date
(FRC Team 6004 f(x) Robotics)
Planning Director Signature [Signature] Date: 7/19/23

OWNERS AUTHORIZATION

I hereby give CONSENT to _____ (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Property owners name (print) Town of Smithfield
Address _____ Zip 27577
Phone number _____ Email _____
Signature: _____ Date: _____

OWNER'S CONSENT FORM

Name of Event: Town of Smithfield Submittal Date: _____

OWNERS AUTHORIZATION

I hereby give CONSENT to _____ (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner

Print Name

27577
Date



Request for Town Council Action

Consent
Agenda
Item:
Date:

Proposed
Revision to
the Pay
Scale
08/08/2023

Subject: Proposed Revision to the Employee Pay Scale

Department: General Government – Human Resources

Presented by: Human Resources Director – Tim Kerigan

Presentation: Consent Agenda

Issue Statement

On June 6, 2023, Council approved a +2% pay adjustment to full-time employees. The proposed revision to the Pay Scale reflects this +2% adjustment.

Financial Impact

None expected.

Action Needed

Approval to adopt the proposed Pay Scale.

Recommendation

Staff recommends the approval and adoption of the proposed Pay Scale.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Current Pay Scale
3. Proposed Pay Scale



Staff Report

Consent
Agenda
Item: Proposed
Revision to
the Pay
Scale

The adopted budget on June 06, 2023 approved a two (2) percent salary adjustment for all full-time employees to be implemented in July 2023 and a merit increase with a maximum of two (2) percent to be implemented in January 2024.

This proposed revision to the Pay Scale takes into account the two (2) percent salary adjustment, whereas the merit increase will have no bearing on the pay scale.

If approved, this revised Pay Scale would have no adverse effect to the Adopted FY 2023-2024 Budget. This revised pay scale would implement the direction Council provided to the Town Manager at the time of the Adopted Budget.

This proposed revision affects all full-time employees.

SMITHFIELD, NC
2022-2023 PAY RANGES
Effective 08/01/2022

Column1	Column2	Column3	Column4	Column42	Column5	Column6
<u>Job Class</u>	<u>Grade</u>	<u>Minlmmum</u>	<u>Hourly</u>	<u>Bi-Weekly</u>	<u>Mid-Point</u>	<u>Maximum</u>
Part-time Seasonal or Temporary	8		10.00		16.50	25.00
Part-time Seasonal or Temporary - Instructor	9		15.00		20.00	25.00
Sanitation - Maintenace Worker	10	32,198.40	15.48	1,238.40	41,052.96	49,907.52
Streets - Maintenance Worker	10	32,198.40	15.48	1,238.40	41,052.96	49,907.52
Admin Support Specialist I Fire	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Admin Support Specialist I General	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Admin Support Specialist I Police	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Admin Support Specialist I SRAC	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Collections Assistant	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Customer Service Representative	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Equipment Operator - General - PW/PU	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Facility Maint Specialist - Parks & Rec	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Facility Maint Specialist - Public Works	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Police Records Specialist	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Sanitation - Equipment Operator	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Stormwater - Equipment Operator	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Street Sign Specialist	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Water Plant Operator (Trainee)	11	35,089.60	16.87	1,349.60	44,739.24	54,388.88
Admin Support Specialist II General	12	36,878.40	17.73	1,418.40	47,019.96	57,161.52
Admin Support Specialist II Parks & Rec	12	36,878.40	17.73	1,418.40	47,019.96	57,161.52
Admin Support Specialist II Planning	12	36,878.40	17.73	1,418.40	47,019.96	57,161.52
Admin Support Specialist II Utilities	12	36,878.40	17.73	1,418.40	47,019.96	57,161.52
Animal Control Officer	12	36,878.40	17.73	1,418.40	47,019.96	57,161.52
Assistant Aquatics Supervisor	12	36,878.40	17.73	1,418.40	47,019.96	57,161.52
Sr. Customer Service Rep	12	36,878.40	17.73	1,418.40	47,019.96	57,161.52
Utility Line Mechanic	13	37,024.00	17.80	1,424.00	47,205.60	57,387.20
Water Plant Operator I	13	37,024.00	17.80	1,424.00	47,205.60	57,387.20
Meter Technician	14	38,916.80	18.71	1,496.80	49,618.92	60,321.04
Water Plant Mechanic	14	38,916.80	18.71	1,496.80	49,618.92	60,321.04
Water Plant Operator II	14	38,916.80	18.71	1,496.80	49,618.92	60,321.04
Pump Station Mechanic	15	39,104.00	18.80	1,504.00	49,857.60	60,611.20
Wastewater System Technician	15	39,104.00	18.80	1,504.00	49,857.60	60,611.20
Accounts Payable Technician I	16	40,705.60	19.57	1,565.60	51,899.64	63,093.68
Administrative Assistant - Public Works - Streets	16	40,705.60	19.57	1,565.60	51,899.64	63,093.68
Equipment Mechanic - Public Works	16	40,705.60	19.57	1,565.60	51,899.64	63,093.68
Zoning Enforcement Officer	16	40,705.60	19.57	1,565.60	51,899.64	63,093.68
Facility Maintenance Supervisor - Parks & Rec (E)	17	42,764.80	20.56	1,644.80	54,525.12	66,285.44
Human Resources Technician	17	42,764.80	20.56	1,644.80	54,525.12	66,285.44

SMITHFIELD, NC
2022-2023 PAY RANGES
Effective 08/01/2022

Payroll/Accounting Technician II	17	42,764.80	20.56	1,644.80	54,525.12	66,285.44
Public Works Crew Leader - Sanitation	17	42,764.80	20.56	1,644.80	54,525.12	66,285.44
Public Works Crew Leader - Streets	17	42,764.80	20.56	1,644.80	54,525.12	66,285.44
Water Plant Operator III	18	42,931.20	20.64	1,651.20	54,737.28	66,543.36
Water/Sewer Crew Leader	19	43,160.00	20.75	1,660.00	55,029.00	66,898.00
Water/Sewer Utility Line Crew Leader	19	43,160.00	20.75	1,660.00	55,029.00	66,898.00
Athletic Program Supervisor	20	44,886.40	21.58	1,726.40	57,230.16	69,573.92
Engineering Technician	20	44,886.40	21.58	1,726.40	57,230.16	69,573.92
Recreation Program Supervisor	20	44,886.40	21.58	1,726.40	57,230.16	69,573.92
Not Assigned	21	47,153.60	22.67	1,813.60	60,120.84	73,088.08
Marketing & Communications Specialist	22	47,361.60	22.77	1,821.60	60,386.04	73,410.48
Aquatics Center Supervisor (E)	23	49,524.80	23.81	1,904.80	63,144.12	76,763.44
Public Works Superintendent (E)	24	52,020.80	25.01	2,000.80	66,326.52	80,632.24
Recreation Center Supervisor	24	52,020.80	25.01	2,000.80	66,326.52	80,632.24
IT Analyst/Billing Supervisor (E)	25	52,249.60	25.12	2,009.60	66,618.24	80,986.88
Police Accreditation Manager	25	52,249.60	25.12	2,009.60	66,618.24	80,986.88
IT Specialist (E)	26	54,600.00	26.25	2,100.00	69,615.00	84,630.00
Sr. Planner	26	54,600.00	26.25	2,100.00	69,615.00	84,630.00
Chief Water Plant Operator	27	54,870.40	26.38	2,110.40	69,959.76	85,049.12
Water Plant Chemist	27	54,870.40	26.38	2,110.40	69,959.76	85,049.12
Recreation & Aquatics Center Director (E)	28	60,236.80	28.96	2,316.80	76,801.92	93,367.04
		-				
Town Clerk (E)	29	60,548.80	29.11	2,328.80	77,199.72	93,850.64
Water Plant Superintendent (E)	29	60,548.80	29.11	2,328.80	77,199.72	93,850.64
		-				
Assistant Finance Director	30	63,564.80	30.56	2,444.80	81,045.12	98,525.44
Technology (IT) Director	31	63,856.00	30.70	2,456.00	81,416.40	98,976.80
Not Assigned	32	66,414.40	31.93	2,554.40	84,678.36	102,942.32
HR Director (E)	33	66,768.00	32.10	2,568.00	85,129.20	103,490.40
Water/Sewer Superintendent (E)	33	66,768.00	32.10	2,568.00	85,129.20	103,490.40
Not Assigned	34	69,721.60	33.52	2,681.60	88,895.04	108,068.48
Not Assigned	35	73,216.00	35.20	2,816.00	93,350.40	113,484.80
		86				

SMITHFIELD, NC
2022-2023 PAY RANGES
Effective 08/01/2022

Finance Director (E)	36	76,856.00	36.95	2,956.00	97,991.40	119,126.80
Parks & Recreation Director (E)	36	76,856.00	36.95	2,956.00	97,991.40	119,126.80
Public Works Director (E)	36	76,856.00	36.95	2,956.00	97,991.40	119,126.80
Planning Director (E)	36	76,856.00	36.95	2,956.00	97,991.40	119,126.80
Public Utilities Director/ORC (E)	37	80,704.00	38.80	3,104.00	102,897.60	125,091.20
Not assigned	38	84,739.20	40.74	3,259.20	108,042.48	131,345.76
Town Manager (E)	99					

**PUBLIC SAFETY
2022-2023 PAY SCALE**

Effective 08/01/2022

<i>Column 1</i>	<i>Column2</i>	<i>Column3</i>	<i>Column4</i>	<i>Column5</i>	<i>Column6</i>
FIRE Job Class	Range	Minimum	Hourly	Mid-Point	Maximum
Fire Fighter I (ABC Shift 42 HR/W)	116	41,081.04	18.81	52,378.33	63,675.61
Fire Fighter I (Day Shift - 40 HR/W)	116A	41,080.00	19.75	52,377.00	63,674.00
Fire Fighter II (42 HR/W)	117	43,134.00	19.75	54,995.85	66,857.70
Fire Engineer (42 HR/W)	118	45,318.00	20.75	57,780.45	70,242.90
Fire Lieutenant (42 HR/W)	119	47,589.36	21.79	60,676.43	73,763.51
Not Assigned (42 HR/W)	120	51,717.12	23.68	65,939.33	80,161.54
Not Assigned (42 HR/W)	121	52,459.68	24.02	66,886.09	81,312.50
Fire Inspector I (40 HR/W)	122	55,099.20	26.49	70,251.48	85,403.76
Fire Captain (42 HR/W, ABC Shift)	122A	55,102.32	25.23	70,255.46	85,408.60
Fire Inspector II (40 HR/W)	123	57,844.80	27.81	73,752.12	89,659.44
Fire Inspector III (40 HR/W)	124	61,110.40	29.38	77,915.76	94,721.12
Not Assigned (42 HR/W)	125	65,585.52	30.03	83,621.54	101,657.56
Not Assigned (42 HR/W)	126	67,005.12	30.68	85,431.53	103,857.94
Assistant Chief (E)	127	70,220.80	33.76	89,531.52	108,842.24
Fire Chief (E)	129	81,307.20	39.09	103,666.68	126,026.16

**PUBLIC SAFETY
2022-2023 PAY SCALE**

Effective 08/01/2022

Column1	Column2	Column3	Column4	Column5	Column6
POLICE Job Class	Range	Minimum	Hourly	Mid-Point	Maximum
Police Officer I (43 HR/WK)	218	48,789.52	21.82	62,206.64	75,623.76
Police Officer II - (43 HR/WK)	219	51,204.40	22.90	65,285.61	79,366.82
Master Police Officer - (43 HR/WK)	220	53,775.80	24.05	68,564.15	83,352.49
Police Sergeant - (43 HR/WK)	221	56,324.84	25.19	71,814.17	87,303.50
Not Assigned (43 HR/WK)	222	59,119.84	26.44	75,377.80	91,635.75
Police Lieutenant (43 HR/WK)	223	62,250.24	27.84	79,369.06	96,487.87
Not Assigned (43 HR/WK)	224	65,403.00	29.25	83,388.83	101,374.65
Not Assigned (43 HR/WK)	225	68,622.84	30.69	87,494.12	106,365.40
Police Captain (E)	226	72,820.80	35.01	92,846.52	112,872.24
Not Assigned (40 HR/W)	227	76,481.60	36.77	97,514.04	118,546.48
Not Assigned (40 HR/W)	228	80,308.80	38.61	102,393.72	124,478.64
Not Assigned (40 HR/W)	229	84,323.20	40.54	107,512.08	130,700.96
Police Chief (E)	230	87,692.80	42.16	111,808.32	135,923.84

ELECTRIC - PAY SCALE

Effective 08/01/2022

Column1	Column2	Column3	Column4	Column5	Column7	Column8
<i>ELECTRIC</i>	<i>Job Class</i>	Minimum	Hourly	Bi-Weekly	Mid-Point	Maximum
Electric Line Technician	318	47,756.80	22.96	1,596.80	60,889.92	74,023.04
Not Assigned	319	50,148.80	24.11	1,928.80	63,939.72	77,730.64
Journeyman Lineman	320	52,020.80	25.01	2,000.80	66,326.52	80,632.24
Not Assigned	321	54,641.60	26.27	2,101.60	69,668.04	84,694.48
Electric Line Crew Leader	322	57,304.00	27.55	2,204.00	73,062.60	88,821.20
Not Assigned	323	60,174.40	28.93	2,314.40	76,722.36	93,270.32
Not Assigned	324	63,190.40	30.38	2,430.40	80,567.76	97,945.12
Not Assigned	325	66,352.00	31.90	2,552.00	84,598.80	102,845.60
Electric Distr Superintendent (E)	326	70,761.60	34.02	2,721.60	90,221.04	109,680.48

**SMITHFIELD, NC
2023-2024 PAY RANGES
Effective 07/17/2023**

<u>Job Class</u>	<u>Grade</u>	<u>Minlimum</u>	<u>Hourly</u>	<u>Bi-Weekly</u>	<u>Mid-Point</u>	<u>Maximum</u>
Part-time Seasonal or Temporary			10.00			25.00
Part-time Seasonal or Temporary - Instructor			15.00			25.00
Maintenace Worker - Sanitation	9	32,843.20	15.79	1,263.20	41,875.08	50,906.96
Maintenace Worker - Streets	9	32,843.20	15.79	1,263.20	41,875.08	50,906.96
Not Assigned	10	34,486.40	16.58	1,326.40	43,970.16	53,453.92
Admin Support Specialist I Fire	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Admin Support Specialist I General	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Admin Support Specialist I Police	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Admin Support Specialist I SRAC	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Collections Assistant	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Customer Service Representative	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Equipment Operator - General	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Facility Maint Specialist Parks & Rec	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Facility Maint Specialist Public Works	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Meter Reader	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Police Records Specialist	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Street Sign Specialist	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Water Plant Operator (Trainee)	11	35,796.80	17.21	1,376.80	45,640.92	55,485.04
Utility Line Mechanic	12	36,129.60	17.37	1,389.60	46,065.24	56,000.88
Admin Support Specialist II General	13	37,606.40	18.08	1,446.40	47,948.16	58,289.92
Admin Support Specialist II Parks & Rec	13	37,606.40	18.08	1,446.40	47,948.16	58,289.92
Admin Support Specialist II Planning	13	37,606.40	18.08	1,446.40	47,948.16	58,289.92
Admin Support Specialist II Utilities	13	37,606.40	18.08	1,446.40	47,948.16	58,289.92
Animal Control Officer	13	37,606.40	18.08	1,446.40	47,948.16	58,289.92
Assistant Aquatics Supervisor	13	37,606.40	18.08	1,446.40	47,948.16	58,289.92
Sr. Customer Service Rep	13	37,606.40	18.08	1,446.40	47,948.16	58,289.92
Water Plant Operator I	14	37,772.80	18.16	1,452.80	48,160.32	58,547.84
Meter Technician	15	39,686.40	19.08	1,526.40	50,600.16	61,513.92
Pump Station Mechanic	15	39,686.40	19.08	1,526.40	50,600.16	61,513.92
Wastewater System Tech	15	39,686.40	19.08	1,526.40	50,600.16	61,513.92
Water Plant Mechanic	15	39,686.40	19.08	1,526.40	50,600.16	61,513.92
Water Plant Operator II	15	39,686.40	19.08	1,526.40	50,600.16	61,513.92
Accounts Payable Tech I	16	41,516.80	19.96	1,596.80	52,933.92	64,351.04
Administrative Assistant -Public Works Street	16	41,516.80	19.96	1,596.80	52,933.92	64,351.04
Equipment Mechanic Public Works	16	41,516.80	19.96	1,596.80	52,933.92	64,351.04
Zoning Enforcement Officer	16	41,516.80	19.96	1,596.80	52,933.92	64,351.04
Facility Maint Supervisor - Parks & Rec (E)	17	43,617.60	20.97	1,677.60	55,612.44	67,607.28
Human Resources Technician	17	43,617.60	20.97	1,677.60	55,612.44	67,607.28
Payroll/Accounting Technician II	17	43,617.60	20.97	1,677.60	55,612.44	67,607.28

Proposed

SMITHFIELD, NC
2023-2024 PAY RANGES
Effective 07/17/2023

Job Class	Grade	Minlimum	Hourly	Bi-Weekly	Mid-Point	Maximum
Public Works Crew Leader - Appearance/General	17	43,617.60	20.97	1,677.60	55,612.44	67,607.28
Public Works Crew Leader - Sanitation	17	43,617.60	20.97	1,677.60	55,612.44	67,607.28
Public Works Crew Leader - Streets	17	43,617.60	20.97	1,677.60	55,612.44	67,607.28
Water Plant Operator III	17	43,617.60	20.97	1,677.60	55,612.44	67,607.28
Water/Sewer Crew Leader	18	44,033.60	21.17	1,693.60	56,142.84	68,252.08
Water/Sewer Utility Line Crew Leader	18	44,033.60	21.17	1,693.60	56,142.84	68,252.08
Athletic Program Supervisor	19	45,780.80	22.01	1,760.80	58,370.52	70,960.24
Engineering Technician	19	45,780.80	22.01	1,760.80	58,370.52	70,960.24
IT Support Specialist (E)	19	45,780.80	22.01	1,760.80	58,370.52	70,960.24
Recreation Program Supervisor	19	45,780.80	22.01	1,760.80	58,370.52	70,960.24
Marketing & Communications Specialist (E)	20	48,318.40	23.23	1,858.40	61,605.96	74,893.52
Aquatics Center Supervisor (E)	21	50,523.20	24.29	1,943.20	64,417.08	78,310.96
IT Analyst/Billing Supervisor (E)	22	53,289.60	25.62	2,049.60	67,944.24	82,598.88
Police Accreditation Manager	22	53,289.60	25.62	2,049.60	67,944.24	82,598.88
Public Works Superintendent (E)	22	53,289.60	25.62	2,049.60	67,944.24	82,598.88
Recreation Center Supervisor	22	53,289.60	25.62	2,049.60	67,944.24	82,598.88
Chief Water Plant Operator	23	55,972.80	26.91	2,152.80	71,365.32	86,757.84
Senior Planner	23	55,972.80	26.91	2,152.80	71,365.32	86,757.84
Water Plant Chemist	23	55,972.80	26.91	2,152.80	71,365.32	86,757.84
Recreation & Aquatics Center Director (E)	24	61,755.20	29.69	2,375.20	78,737.88	95,720.56
Town Clerk (E)	24	61,755.20	29.69	2,375.20	78,737.88	95,720.56
Water Plant Superintendent (E)	24	61,755.20	29.69	2,375.20	78,737.88	95,720.56
Assistant Finance Director (E)	25	64,833.60	31.17	2,493.60	82,662.84	100,492.08
Technology (IT) Director (E)	25	64,833.60	31.17	2,493.60	82,662.84	100,492.08
HR Director (E)	26	68,099.20	32.74	2,619.20	86,826.48	105,553.76
Water/Sewer Superintendent (E)	26	68,099.20	32.74	2,619.20	86,826.48	105,553.76
Not Assigned	27	70,657.60	33.97	2,717.60	90,088.44	109,519.28
Not Assigned	28	73,299.20	35.24	2,819.20	93,456.48	113,613.76
Not Assigned	29	76,044.80	36.56	2,924.80	96,957.12	117,869.44
Finance Director (E)	30	78,395.20	37.69	3,015.20	99,953.88	121,512.56
Parks & Recreation Director (E)	30	78,395.20	37.69	3,015.20	99,953.88	121,512.56
Public Works Director (E)	30	78,395.20	37.69	3,015.20	99,953.88	121,512.56
Planning Director (E)	30	78,395.20	37.69	3,015.20	99,953.88	121,512.56
Public Utilities Director/ORC (E)	31	82,326.40	39.58	3,166.40	104,966.16	127,605.92
Not Assigned	32	86,424.00	41.55	3,324.00	110,190.60	133,957.20
Town Manager (E)	99	92				

PUBLIC SAFETY
2023-2024 PAY SCALE

<i>Column 1</i>	Column2	Column3	Column4	Column5	Column6
FIRE Job Class	Range	Minimum	Hourly	Mid-Point	Maximum
Fire Fighter I (ABC Shift 42 HR/W)	116	41,910.96	19.19	53,436.47	64,961.99
Fire Fighter I (Day Shift - 40 HR/W)	116A	41,912.00	20.15	53,437.80	64,963.60
Fire Fighter II (42 HR/W)	117	44,007.60	20.15	56,109.69	68,211.78
Fire Engineer (42 HR/W)	118	46,235.28	21.17	58,949.98	71,664.68
Fire Lieutenant (42 HR/W)	119	48,550.32	22.23	61,901.66	75,253.00
Not Assigned (42 HR/W)	120	52,743.60	24.15	67,248.09	81,752.58
Not Assigned (42 HR/W)	121	53,508.00	24.50	68,222.70	82,937.40
Fire Inspector I (40 HR/W)	122	56,201.60	27.02	71,657.04	87,112.48
Fire Captain (42 HR/W, ABC Shift)	122A	56,194.32	25.73	71,647.76	87,101.20
Fire Inspector II (40 HR/W)	123	59,009.60	28.37	75,237.24	91,464.88
Fire Inspector III (40 HR/W)	124	62,337.60	29.97	79,480.44	96,623.28
Fire Marshall (E)	125	66,872.00	32.15	85,261.80	103,651.60
Not Assigned (42 HR/W)	126	68,337.36	31.29	87,130.13	105,922.91
Assistant Chief (E)	127	71,635.20	34.44	91,334.88	111,034.56
Fire Chief (E)	129	82,929.60	39.87	105,735.24	128,540.88

PUBLIC SAFETY
2023-2024 PAY SCALE

Column1	Column2	Column3	Column4	Column5	Column6
POLICE Job Class	Range	Minimum	Hourly	Mid-Point	Maximum
Police Officer I (43 HR/WK)	218	49,773.36	22.26	63,461.03	77,148.71
Police Officer II - (43 HR/WK)	219	52,232.96	23.36	66,597.02	80,961.09
Master Police Officer - (43 HR/WK)	220	54,849.08	24.53	69,932.58	85,016.07
Police Sergeant - (43 HR/WK)	221	57,442.84	25.69	73,239.62	89,036.40
Not Assigned (43 HR/WK)	222	60,304.92	26.97	76,888.77	93,472.63
Police Lieutenant (43 HR/WK)	223	63,502.40	28.40	80,965.56	98,428.72
Not Assigned (43 HR/WK)	224	66,722.24	29.84	85,070.86	103,419.47
Not Assigned (43 HR/WK)	225	69,986.80	31.30	89,233.17	108,479.54
Police Captain (E)	226	74,276.80	35.71	94,702.92	115,129.04
Not Assigned (40 HR/W)	227	78,020.80	37.51	99,476.52	120,932.24
Not Assigned (40 HR/W)	228	81,910.40	39.38	104,435.76	126,961.12
Not Assigned (40 HR/W)	229	86,008.00	41.35	109,660.20	133,312.40
Police Chief (E)	230	89,440.00	43.00	114,036.00	138,632.00

Proposed

ELECTRIC - PAY SCALE

Effective 07/17/2023

Column1	Column2	Column3	Column4	Column5	Column7	Column8
<i>ELECTRIC</i> <i>Job Class</i>		Minimum	Hourly	Bi-Weekly	Mid-Point	Maximum
Electric Line Technician	318	48,713.60	23.42	1,596.80	62,109.84	75,506.08
Not Assigned	319	51,147.20	24.59	1,967.20	65,212.68	79,278.16
Journeyman Lineman	320	53,060.80	25.51	2,040.80	67,652.52	82,244.24
Not Assigned	321	55,744.00	26.80	2,144.00	71,073.60	86,403.20
Electric Line Crew Leader	322	58,448.00	28.10	2,248.00	74,521.20	90,594.40
Not Assigned	323	61,380.80	29.51	2,360.80	78,260.52	95,140.24
Not Assigned	324	64,459.20	30.99	2,479.20	82,185.48	99,911.76
Not Assigned	325	67,683.20	32.54	2,603.20	86,296.08	104,908.96
Electric Distr Superintendent (E)	326	72,176.00	34.70	2,776.00	92,024.40	111,872.80



Request for Town Council Action

Consent
Agenda
Item: Purchase of
Dump Truck
Date: 08/08/2023

Subject: Purchase of a New Dump Truck
Department: Public Utilities – Water/Sewer Department
Presented by: Public Utilities Director – Ted Credle
Presentation: Consent Agenda Item

Issue Statement

The purchase of a new dump truck was approved by Town Council as part of the FY 2023 – FY 2024 budget process. To complete that process, Public Utilities had saved **½ the cost in last year's budget process and designated ½ the cost in this year's budget.**

Financial Impact

This budget year, \$75,000 was set aside for this truck. Last year \$75,000 was also allocated. The total cost of purchase is \$74,019 – with additional funds need for lights, stickers, trailer hitching, etc. Presumed cost is ~\$80,000.

Action Needed

Approve the order of the proposed dump truck.

Recommendation

Staff recommends approval of the dump truck from Capital Ford.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Vehicle Specification
3. Price Quote
4. Approved Vendor List – **NC Sheriff's Association**



Staff Report

Consent
Agenda
Item: Purchase of
Dump Truck


As part of the approved budget for the present fiscal year (2023-2024), the Town Council approved funding to purchase one-half of a new dump truck for the Water & Sewer Division in Public Utilities. The total amount set aside for this purchase is \$150,000. Staff obtained the quote **from an "approved vendor" on the NC Sheriff's Association (already approved through the State bid process)** and has submitted the appropriate vehicle for approval.

Staff is asking Council to approve the dump truck order.

**



Photos may be stock images.

 Window Sticker

Vehicle Notes

Oxford White 2022 Ford F-450SD 10FT DUMP/SHORT SIDES 2D Standard Cab Power Stroke 6.7L V8 DI 32V OHV Turbodiesel RWDABS brakes, Compass, Traction cont...

[Read More...](#)

Hide Chassis Details

Stock Number	CB97311
Stock Type	New
Year	2022
Make	Ford
Model	F-450
Class	4 99
Drive Train	4x2

Cab Type	Regular
Vehicle Trim	10FT DUMP/SHORT SIDES Commercial
Vehicle VIN	1FDTF4GT0NDA28489
Interior Color	Gray
Exterior Color Description	Oxford White
Engine Cylinder Count	8
Engine	Intercooled Turbo Diesel V-8 6.7 L/406
Transmission Type	Automatic
Rear Wheels	Dual
Fuel Type	Diesel
Engine Make	Ford
Engine Size (L)	6.7
Horsepower	475
Brake Type	Hydraulic

Hide Vehicle Options

- o ENGINE: 6.7L 4V OHV POWER STROKE V8 TURBO DIESEL B20 -inc: Diesel Exhaust Fluid (DEF) tank intelligent oil-life monitor and manual push-button engine-exhaust braking 332 Amp Alternators 4.10 Axle Ratio Transmission Power Take-Off Provision mobile and stationary PTO modes Dual 78-AH 750 CCA Batteries
- o GVWR: 16
- o 500 lb Payload Package
- o AM/FM Stereo w/MP3 Player

[View All](#)



CAPITAL
RALEIGH, NC

COMMERCIAL
TRUCKS

**COMMERCIAL
TRUCK SALES
RALEIGH**

919-713-5062

Photos may be stock images.

Hide Body Details



Manufacturer

PJ's

Truck Bodies & Equipment Co.

Body Type

Landscape Dump

Body Line

Landscape Dump

Body Model

10' Landscape

Body Material

Steel

Body Length

10'

Body Color

Black

Side Description

Solid, Permanent Mount

Side Height

10⁸"

Bulkhead Type	With Window
Bulkhead Height	42"
Cab Shield Description	1/2 Cab Shield (24") Cab Protector
Door Type	Barn
Door Description	2 Piece Solid
Door Height	18"
Hoist Model	GS615 EMDA
Hoist Type	Electric/Hydraulic
Hoist Description	Single Cylinder Scissor
Hoist Style	Double Acting
Hitch Description	Receiver Tube - 2 1/2" Hitch With Sleeve 20K with Safety Chain Hooks
Hitch Size	2 1/2"
Trailer Plug Type	7 Pin Flat
Toolbox Type	Under Body
Toolbox Quantity	1
Toolbox Location	Driver's Side
Toolbox Height	18"
Toolbox Length	36"
Toolbox Depth	18"
Toolbox Color	Black
Camera Description	Factory Backup Camera
Alarm Type	Back Up
Mud Flaps Manufacturer	PJ's

Landscape Dump Features

Landscape truck bodies from PJ's Truck Bodies are built to hold up during heavy landscape use, but they can also be used for other lighter-duty commercial needs. We provide landscape trucks that are perfect for hauling lawn equipment and light-duty tractors, with plenty of options available to suit your specific needs.

These custom landscape truck bodies are an ideal replacement for heavy, bulky, hard-to-maneuver industrial landscape trailers. These bodies can also be fitted for a tow receiver when needing to tow a trailer.

Capital Ford, Inc.

Government Sales Division

From
Phone #
E-Mail

Jennifer Romano Gov't Sales
Office 919-790-4648 Fax 919-871-6917
jromano@capitalford.com

July 27th 2023
Town of Smithfield

2022 F450 Crew Cab DRW CC 4x4 179" WB	\$ 57,330.00
Painted White/Vinyl Interior/ Delivered	Included
6.7 Diesel Power Stroke V-8	Included
X4L 4.30 Limited Slip Axle	Included
90L Power Equipment Group	Included
17F XL Décor Package	Included
Engine Block Heater	Included
Platform Running Boards	Included
52B Trailer Brake Controller	Included
Trans Power Take-Off Provision	Included
Utility Lighting System	Included
67A 332 Amp Alternator	Included
872 Rear Camera Prep Package	Included
924 Privacy Glass	Included
96V XL Value Package	Included
PJ'S Landscape Dump	\$ 16,689.00

In Stock Unit CB97311

TOTAL PRICE

\$ 74,019.00

Remit to
jromano@capitalford.com
Capital Ford of Raleigh
4900 Capital Blvd
Raleigh NC 27616

Capital Ford, Inc.

Government Sales Division

From
Phone #
E-Mail

Jennifer Romano Gov't Sales
Office 919-790-4648 Fax 919-871-6917
jromano@capitalford.com

July 27th 2023
Town of Smithfield

2022 F550 Regular Cab 2wd	\$ 59,760.00
White with Gray vinyl interior	Included
XL Trim	Included
Air conditioning	Included
AM/FM Stereo	Included
6.7L Power Stroke V8 Diesel	Included
10 speed auto transmission	Included
4.88 Ratio Limited Slip Axle	Included
Power Equipment Group	Included
Platform Running Boards	Included
Engine Block Heater	Included
Trailer Brake Controller	Included
Trans PTO	Included
40 Gallon aft of axle fuel tank	Included
332 Amp Alternator	Included
Cruise Control	Included
Exterior Back Up Alarm	Included
PJ's Landscape Dump	\$ 17,672.00

In Stock Unit CB96841

TOTAL PRICE

\$ 77,432.00

Remit to
jromano@capitalford.com
Capital ford of Raleigh
4900 Capital Blvd
Raleigh NC 27616

Capital Ford, Inc.

Government Sales Division

From
Phone #
E-Mail

Jennifer Romano Gov't Sales
Office 919-790-4648 Fax 919-871-6917
jromano@capitalford.com

July 27th 2023
Town of Smithfield

2024 F750 Reg Cab Cab & Chassis DRW	\$ 73,265.00
Painted White/Vinyl interior/ Delivered	included
7.3L V-8 Gas	included
6 spd Auto Transmission	included
6.50 Axle Ratio	included
Power Equipment Group	included
Back Up Alarm-Electric	included
110V AC Outlet	included
Trans Power Take off Gas	included
Front Stabilizer Bar	included
Auxiliary Switch(4)	included
De-Rate to 25,999	included
PJ'S Landscape Dump	\$ 28,440.00

State of NC price Concession discount used for stock truck

In Stock Unit CB97114

TOTAL PRICE	\$ 101,705.00
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Remit to
jromano@capitalford.com
Capital ford of Raleigh
4900 Capital Blvd
Raleigh NC 27616

North Carolina Sheriffs' Association
2022-2023 Vehicle & Motorcycle Awarded Dealers
Bid 22-08-0913R and Bid 23-09-0912
(Effective October 2nd, 2022 - October 1, 2023)

22-08-0913R Awarded Dealers				Contact Name	Address	City	State	Zip Code	E-Mail Address	Office	Mobile	Fax
Beach House Harley-Davidson	Richard Noyes	6620 Market Street	Wilmington	NC	28405		(910) 575-9997		(910) 575-9997		(910) 754-5271	(910) 754-5271
Beach House Harley-Davidson	Adam Ibrahim	6620 Market Street	Wilmington	NC	28405		(910) 575-9997	adam@bhh-d.com	(910) 575-9997		(910) 620-3649	(910) 754-5271
Beach House Harley-Davidson	Ashley Vereyken	6620 Market Street	Wilmington	NC	28405		(910) 791-9997	ash@cchd.com	(910) 791-9997		(336) 953-1049	(910) 754-5271
Beach House Harley-Davidson	Amy Ibrahim	6620 Market Street	Wilmington	NC	28405		(910) 791-9997	amy@cchd.com	(910) 791-9997		(910) 291-8172	(910) 754-5271
Capital Chevrolet, Inc.	Rod Mitchell	9820 Capital Boulevard	Wake Forest	NC	27587		(919) 573-8530	rmitchell@capitalchevroletnc.com	(919) 573-8530		(252) 204-9637	
Capital Chevrolet, Inc.	Jeri Lynn Baxter	9820 Capital Boulevard	Wake Forest	NC	27587		(919) 834-2908	jerilyn.baxter@capitalchevroletnc.com	(919) 834-2908		(919) 871-6917	
Capital Ford, Inc.	Jennifer Romano	4900 Capital Boulevard	Raleigh	NC	27616		(919) 790-4648	jromano@capitalford.com	(919) 790-4648		(919) 524-9232	(919) 871-6917
Capital Ford, Inc.	Brian Clifton	4900 Capital Boulevard	Raleigh	NC	27616		(919) 878-4845	brian.clifton@capitalford.com	(919) 878-4845		(757) 641-1232	(757) 498-2310
Hall Ford Elizabeth City	Jake Clarke	1310 N. Road Street	Elizabeth City	NC	27909		(757) 498-2303	jake.clark@hellauto.com	(757) 498-2303		(336) 887-4043	(336) 887-4043
Ilderton DCJR	Catherine Martin	701 S. Main Street	High Point	NC	27260		(336) 822-8702	cmartin@ilderton.com	(336) 822-8702		(336) 887-4043	(336) 887-4043
Ilderton DCJR	Kim Tuttle	701 S. Main Street	High Point	NC	27260		(336) 822-8707	ktuttle@ilderton.com	(336) 822-8707		(336) 887-4043	(336) 887-4043
Ilderton DCJR	Greg Graves	701 S. Main Street	High Point	NC	27260		(336) 822-8708	ggraves@ilderton.com	(336) 822-8708		(336) 887-4043	(336) 887-4043
Ilderton DCJR	Fleet Department	701 S. Main Street	High Point	NC	27260		(336) 822-8708	fleet@ilderton.com	(336) 822-8708		(336) 887-4043	(336) 887-4043
Mercedes Benz of Durham	Brian Fleming	110 Kentington Drive	Durham	NC	27713		(919) 354-7766	brian.fleming@hendrickauto.com	(919) 354-7766		(919) 593-4106	(919) 354-7452
Modern Chevrolet of Winston-Salem	Randy Andrews	5955 University Parkway	Winston-Salem	NC	27105		(336) 722-4191	randrews@modernauto.com	(336) 722-4191		(336) 531-0048	(336) 531-0048
Modern Chevrolet of Winston-Salem	Chip Absher	5955 University Parkway	Winston-Salem	NC	27105		(336) 722-4191	abshetchip@gmail.com	(336) 722-4191		(828) 221-8081	(336) 531-0048
Modern Chevrolet of Winston-Salem	Joe Joy	5955 University Parkway	Winston-Salem	NC	27105		(336) 767-8260	jjoy@modernauto.com	(336) 767-8260		(336) 722-4191	(336) 744-2136
Modern Nissan of Winston-Salem	Joe Joy	5795 University Parkway	Winston-Salem	NC	27105		(336) 767-8260	jjoy@modernauto.com	(336) 767-8260		(336) 722-4191	(336) 744-2136
Modern Toyota Scion	Rodney Vorwald	3178 Peters Creek Pkwy	Winston-Salem	NC	27127		(336) 785-3100	rvorwald@modernauto.com	(336) 785-3100		(336) 669-8934	(336) 785-8468
Modern Toyota Scion	Nancy Smith	3178 Peters Creek Pkwy	Winston-Salem	NC	27127		(336) 785-3100	nsmith@modernauto.com	(336) 785-3100		(336) 972-1093	(336) 785-8468
Modern Toyota Scion	Jim Butler	3178 Peters Creek Pkwy	Winston-Salem	NC	27127		(336) 785-3100	jbutler@modernauto.com	(336) 785-3100		(336) 785-8468	(336) 785-8468
Parks Ford (Previously Four Seasons Ford)	Jeff Williams	601 Duncan Hill Road	Hendersonville	NC	28792		(828) 693-4281 ext. 6253	jeffwilliams@parksautogroup.com	(828) 693-4281 ext. 6253		(828) 279-4933	(828) 696-8993
Parks Ford (Previously Four Seasons Ford)	Adam Milner	601 Duncan Hill Road	Hendersonville	NC	28792		(828) 693-4281	amilner@parksautogroup.com	(828) 693-4281		(828) 458-1904	(828) 696-8993
Performance CDJR	Gene Daniel	605 Warsaw Road	Clinton	NC	28328		(910) 592-5337	gdaniel@ramclinton.com	(910) 592-5337		(910) 214-5740	(910) 592-5008
Performance CDJR	Amy Hill	605 Warsaw Road	Clinton	NC	28328		(910) 592-5337	ahill@ramclinton.com	(910) 592-5337		(336) 687-7964	(910) 592-5008
Performance Ford	Gene Daniel	213 Southeast Boulevard	Clinton	NC	28328		(910) 592-5337	gdaniel@ramclinton.com	(910) 592-5337		(910) 214-5740	(910) 592-5008
Performance Ford	Dianne Nelms	213 Southeast Boulevard	Clinton	NC	28328		(910) 592-5337	dnelms@ramclinton.com	(910) 592-5337		(910) 214-2956	(910) 592-5008
Piedmont Truck Center	Spencer Wood	412 South Regional Road	Greensboro	NC	27409		(336) 668-2401	swood@piedmonttruckcenter.com	(336) 668-2401		(336) 688-2239	(336) 668-2494
23-09-0912 Awarded Dealers				Contact Name	Address	City	State	Zip Code	E-Mail Address	Office	Mobile	Fax
Capital Ford, Inc.	Jennifer Romano	4900 Capital Boulevard	Raleigh	NC	27616		(919) 790-4648	jromano@capitalford.com	(919) 790-4648		(919) 524-5232	(919) 871-6917
Capital Ford, Inc.	Brian Clifton	4900 Capital Boulevard	Raleigh	NC	27616		(919) 878-4845	brian.clifton@capitalford.com	(919) 878-4845		(919) 871-6917	(919) 871-6917
Ilderton DCJR	Catherine Martin	701 S. Main Street	High Point	NC	27260		(336) 822-8702	cmartin@ilderton.com	(336) 822-8702		(336) 887-4043	(336) 887-4043
Ilderton DCJR	Kim Tuttle	701 S. Main Street	High Point	NC	27260		(336) 822-8707	ktuttle@ilderton.com	(336) 822-8707		(336) 887-4043	(336) 887-4043
Ilderton DCJR	Greg Graves	701 S. Main Street	High Point	NC	27260		(336) 822-8708	ggraves@ilderton.com	(336) 822-8708		(336) 887-4043	(336) 887-4043
Ilderton DCJR	Fleet Department	701 S. Main Street	High Point	NC	27260		(336) 822-8708	fleet@ilderton.com	(336) 822-8708		(336) 887-4043	(336) 887-4043
Parks Ford (Previously Four Seasons Ford)	Jeff Williams	601 Duncan Hill Road	Hendersonville	NC	28792		(828) 693-4281 ext. 6253	jeffwilliams@parksautogroup.com	(828) 693-4281 ext. 6253		(828) 279-4933	(828) 696-8993
Parks Ford (Previously Four Seasons Ford)	Adam Milner	601 Duncan Hill Road	Hendersonville	NC	28792		(828) 693-4281	amilner@parksautogroup.com	(828) 693-4281		(828) 458-1904	(828) 696-8993



Request for Town Council Action

Consent
Agenda
Item: Public
Dedication
Date: 08/08/2023

Subject: Public Dedication for Twin Creeks Phase 1
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is requested to adopt Resolution No. 732 (15-2023) accepting the public dedication of public of lands or facilities for streets, parks, easements, and public utility lines for the Twin Creeks Phase 1 subdivision.

Financial Impact

None

Action Needed

Town Council approval of Resolution No. 732 (15-2023) accepting the public land and facilities dedication for Twin Creeks Phase 1.

Recommendation

Staff recommends the Town Council approve Resolution No. 732 (15-2023) accepting the public land and facilities dedication for Twin Creeks Phase 1.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 732 (15-2023)
3. Twin Creeks Phase 1 Preliminary Plat



Staff Report

Consent
Agenda
Item: Public
Dedication

Overview:

Pursuant to NCGS 160D-806 the approval of a plat shall not be deemed to constitute or effect the acceptance by the municipality or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. To be effective, all offers of dedication must be accepted by resolution.

The preliminary plat for Twin Creeks Phase 1 was approved by the Town Council with public right-of-way for streets, utilities, and easements for utilities. This resolution will formally accept them for public dedication in accordance with NCGS 160D-806 and Section 10.116 of the UDO.

Note: Acceptance of public dedication does not commit the Town to maintenance of the infrastructure, until the improvements are constructed, inspected for compliance with Town ordinances and standards, and accepted by the Town Council for maintenance upon recommendation from the Town Staff.

Recommendation:

Staff recommends the Town Council approve Resolution No. 732 (15-2023) accepting the public land and facilities dedication for Twin Creeks Phase 1.

RESOLUTION NO. 732 (15-2023)
RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLAT
TWIN CREEKS PHASE 1

WHEREAS, G.S. 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Smithfield Planning Department has acted to approve the preliminary plat named in this resolution on 1/4/22; and,

WHEREAS, the preliminary plat named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Smithfield Town Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the Town of Smithfield to accept the offered dedication on the plat named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council, North Carolina:

Section 1. The Town of Smithfield accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision final plat:

Twin Creeks Phase 1 Subdivision Map Book 97 Page 437

Section 2. Acceptance of dedication of lands or facilities shall not place on the Town any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the Town, or as provided by the laws of the State of North Carolina.

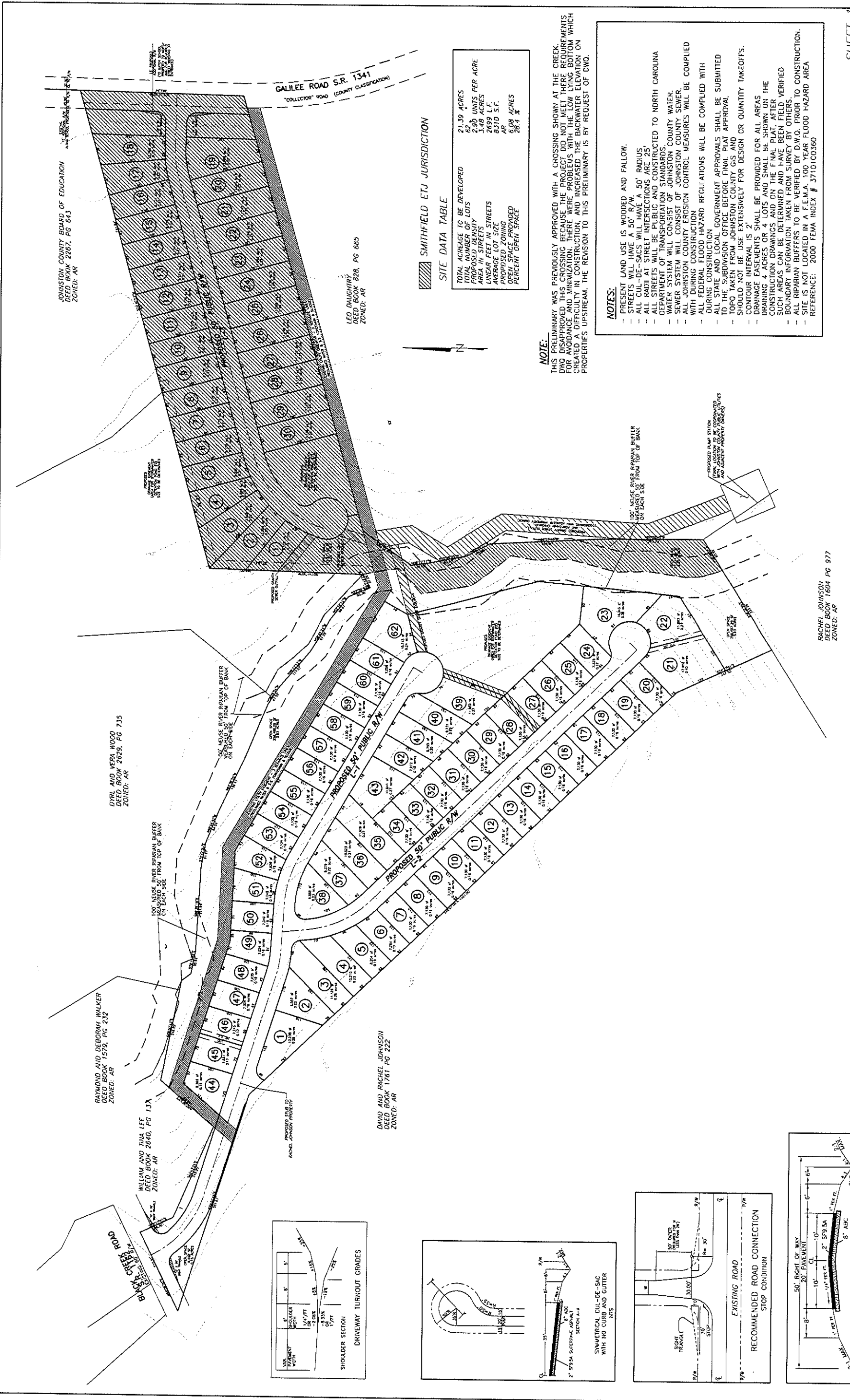
Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 8th day of August, 2023 in Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



SMITHFIELD ETJ JURISDICTION

SITE DATA TABLE

TOTAL ACREAGE TO BE DEVELOPED	21.39 ACRES
NUMBER OF LOTS	61
PROPOSED DENSITY	2.86 UNITS PER ACRE
AREA IN STREETS	3.48 ACRES
LINEAR FEET IN STREETS	2699 L.F.
AVERAGE LOT SIZE	0.3510 A.C.
PROPOSED ZONING	AR
OPEN SPACE PROVIDED	6.08 ACRES
PERCENT OPEN SPACE	28.4 %

NOTE:

THIS PRELIMINARY WAS PREVIOUSLY APPROVED WITH A CROSSING SHOWN AT THE CREEK. DWO DISAPPROVED THIS CROSSING BECAUSE THE PROJECT DID NOT MEET THERE REQUIREMENTS FOR AVOIDANCE AND MINIMIZATION. THERE WERE PROBLEMS WITH THE LOW LYING BOTTOM WHICH CREATED A DIFFICULTY IN CONSTRUCTION, AND INCREASED THE BACKWATER ELEVATION ON PROPERTIES UPSTREAM. THE REVISION TO THIS PRELIMINARY IS BY REQUEST OF DWO.

NOTES:

- PRESENT LAND USE IS WOODED AND FALLOW.
- STREETS WILL HAVE A 50' R/W.
- ALL SIDE DRIVEWAYS WILL HAVE A 50' RADIUS.
- ALL STREETS WILL BE PAVED.
- ALL STREETS WILL BE UNDER THE JURISDICTION OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- WATER SYSTEM WILL BE UNDER THE JURISDICTION OF JOHNSTON COUNTY WATER.
- ALL JOHNSTON COUNTY EROSION CONTROL MEASURES WILL BE COMPLIED WITH DURING CONSTRUCTION.
- ALL FEDERAL FLOOD HAZARD REGULATIONS WILL BE COMPLIED WITH DURING CONSTRUCTION.
- ALL STATE AND LOCAL GOVERNMENT APPROVALS SHALL BE SUBMITTED TO THE SUBDIVISION OFFICE BEFORE FINAL PLAT APPROVAL.
- TOPG TAKEN FROM JOHNSTON COUNTY GIS AND SHOULD NOT BE USED EXTENSIVELY FOR DESIGN OR QUANTITY TAKEOFFS.
- CONTOUR INTERVAL IS 2'.
- DRAINAGE EASEMENTS SHALL BE PROVIDED FOR ALL AREAS DRAINING 4 ACRES OR 4 LOTS AND SHALL BE SHOWN ON THE CONSTRUCTION DRAWINGS AND ON THE FINAL PLAT. AFTER SUCH AREAS CAN BE DETERMINED AND HAVE BEEN FIELD VERIFIED BOUNDARY INFORMATION TAKEN FROM SURVEY BY OTHERS.
- ALL RIPARIAN BUFFERS TO BE VERIFIED BY D.W.O. PRIOR TO CONSTRUCTION.
- SITE IS NOT LOCATED IN A F.E.M.A. 100 YEAR FLOOD HAZARD AREA.
- REFERENCE: 2000 FEMA INDEX # 37101C0360

SHEET 1

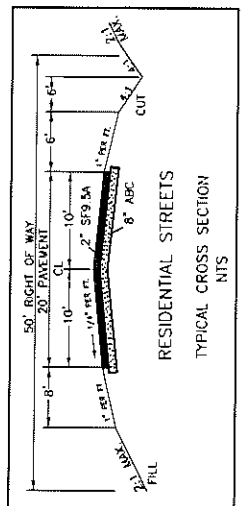
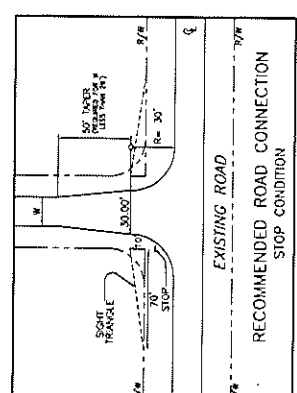
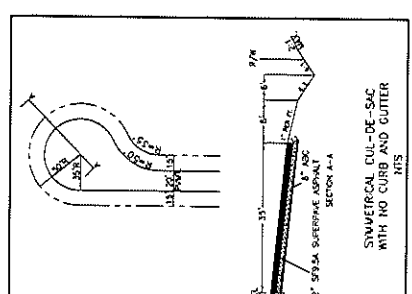
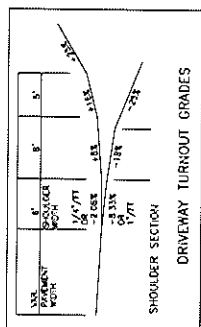
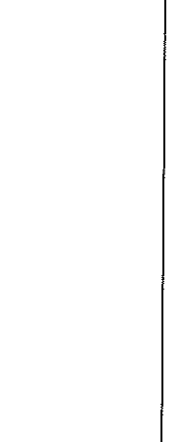
PRELIMINARY PLAN FOR	
TWIN CREEKS	
JOHNSTON COUNTY	
ENGINEERING and SURVEYING	JOHNSTON COUNTY
DATE 2/28/07	JOB SWITHFIELD TOWNSHIP
SCALE 1"=100'	DRAWN BY CJH
REVISIONS	DWG. NO.
	AR
	JJ-SMITHFIELD-CONST
	ZONED
	OWNER CHEYENNE DEV LLC



OWNER
NAVAGO INVESTMENT COMPANY, LLC
 4908 WESTERN BLVD, STE 200
 RALEIGH, NC 27606

STEWART-PROCTOR, PLLC
 ENGINEERING and SURVEYING
 319 CHESAPEAKE ROAD SUITE 106
 RALEIGH, NC 27603 FAX 919 779-1661
 TEL. 919 779-1855

DATE 2/28/07	SURVEYED BY
SCALE 1"=100'	DRAWN BY CJH
REVISIONS	DWG. NO.
	AR
	JJ-SMITHFIELD-CONST
	ZONED
	OWNER CHEYENNE DEV LLC





Request for Town Council Action

Consent
Agenda
Item:
Date: Resolution
to Accept
Public
Dedication
08/08/2023

Subject: Resolution to Accept Public Dedications for **Floyd's Landing**
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

To adopt Resolution No.733 (16-2023) accepting public dedication of public of lands or facilities for streets, parks, and public utility lines for the **Floyd's Landing** subdivision.

Financial Impact

None, the resolution does not constitute an acceptance of the improvements for maintenance.

Action Needed

Town Council approval of Resolution No.733 (16-2023) accepting the public land and facilities dedication for **Floyd's Landing**.

Recommendation

Staff recommends the Town Council approve Resolution No.733 (16-2023) accepting the public land and facilities dedication for **Floyd's Landing**

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 732 (15-2023)
3. **Floyd's Landing** Preliminary Plat



Staff Report

Consent
Agenda
Item: Resolution
to Accept
Public
Dedication

Overview:

NCGS 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction. The **Town's Unified Development Ordinance, Article 10, Section 10.116.2** requires all offers of public dedication to be accepted by resolution:

SECTION 10.116 EFFECT OF PLAT APPROVAL ON DEDICATIONS AND ACCEPTANCES.

10.116.1. Plat Approval Shall Not Constitute Acceptance.

Pursuant to NCGS 160D-806, the approval of a plat shall not be deemed to constitute or effect the acceptance by the municipality or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. To be effective, all offers of dedication must be accepted by resolution.

10.116.2. Acceptance of Dedications.

10.116.2.1. At the time of submittal of a preliminary plat with streets, utilities, or other proposed to be dedicated for acceptance by the Town as public, the Town Council will decide if it will approve the dedication, subject to the street(s), parks, utilities, sidewalks, or other complying with all Town requirements for acceptance. The Town of Smithfield is not obligated to accept any offer of dedication.

10.116.2.2. Acceptance of dedication will be provided by adoption of a resolution of acceptance by the Town of Smithfield Town Council.

The Town Council approved the preliminary plat for **Floyd's Landing** which is soon to be under construction. Staff is recommending approval of the resolution accepting public dedications for **Floyd's Landing**.

Acceptance of public dedication does not commit the Town to maintenance of the infrastructure. Acceptance for maintenance of the public infrastructure will occur after all improvements constructed, inspected for compliance with Town ordinances and standards, and accepted by the Town Council for maintenance upon recommendation from the Town Staff.

Recommendation:

Staff recommends the Town Council approve Resolution No.733 (16-2023) accepting the public land and facilities dedication for **Floyd's Landing**.

RESOLUTION NO. 733 (16-2023)
RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLAT
FLOYD LANDING

WHEREAS, G.S. 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Smithfield Planning Department has acted to approve the preliminary plat named in this resolution on 5/3/2022 and,

WHEREAS, the preliminary plat named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Smithfield Town Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the Town of Smithfield to accept the offered dedication on the plat named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council, North Carolina:

Section 1. The Town of Smithfield accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision final plat:

Floyd Landing Subdivision Map Book _____ Page _____

Section 2. Acceptance of dedication of lands or facilities shall not place on the Town any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the Town, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 8th day of August, 2023 in Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

GENERAL NOTES

- BOUNDARY, TOPOGRAPHIC AND EXISTING CONDITIONS SHALL BE VERIFIED BY THE ENGINEER PRIOR TO CONSTRUCTION.
- PROPERTIES SHOWN HEREON ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD THAT WOULD BE REVEALED BY A THOROUGH TITLE SEARCH. THIS MAP IS NOT TO BE USED AS A BASIS FOR A RECORD OF ALL SUCH EASEMENTS THAT MAY AFFECT THESE PROPERTIES.
- PROPERTIES, EASEMENTS, UTILITIES AND UTILITIES SHOWN ARE BASED UPON FIELD SURVEYS AND AVAILABLE RECORD DRAWINGS. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING EXISTING CONDITIONS, INCLUDING UTILITIES PRIOR TO STARTING CONSTRUCTION AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES.
- PRIOR TO ANY DIGGING, ALL CONTACT 811 AT LEAST 48 HOURS PRIOR TO ANY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN CONFORMANCE TO THE TOWN OF SMITHFIELD STANDARDS AND SPECIFICATIONS.
- CONFORMANCE TO THE NCDOT STANDARDS AND SPECIFICATIONS SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
- SUBJECT PROPERTY ARE LOCATED IN A FLOOD HAZARD AREA "FLOODWAY" ZONE (FE, ELEV 125' AND "ZONE X" PER FEMA FIRM PANEL MAP NUMBER 170185000K AND 170186000K DATED JUNE 20, 2018.
- NO WETLAND AREA ALLOWED WITHIN INDIVIDUAL LOT AREA.

SITE DATA

PROPERTY ID: 1507814, 15077058H & 15077058C, 1507812 & 1507812B

OVERALL LOT AREAS:
 PHASE 1 TOWNHOMES= ± 147,733 AC
 APARTMENTS= ± 47,832 AC
 RETAIL LOT AREA= ± 9,356 AC
 RETAIL OPEN SPACE AREA= ± 3,127 AC
 TOTAL= ± 208,038 AC

SINGLE FAMILY/TOWNHOME LOT:
 PUBLIC R/W= ± 14,273 AC
 LOT AREA= ± 23,357 AC
 NATURAL OPEN SPACE= ± 85,106 AC
 USED OPEN SPACE= ± 147,322 AC
 TOTAL= ± 147,322 AC

SINGLE FAMILY:
 UNITS= ± 88
 AVERAGE UNIT SIZE= ± 1,606-2,100 SF
 AVERAGE # OF BEDS= ± 3 BEDROOMS
 MINIMUM LOT SIZE= ± 5,175 SF
 MAX. BUILDING HT.= ± 3'

TOWNHOMES:
 UNITS= ± 220
 MAX BUILDING HT.= ± 35' (5 STORY)
 AVERAGE SIZE= ± 1,400-1,600 SF
 AVERAGE # OF BEDS= ± 2-3 BEDROOMS
 PUBLIC STREETS= ± 10,989 LF

EXISTING IMPERVIOUS= ± 3,010 SF (0.069 AC)
 PROPOSED IMPERVIOUS= ± 170,657 SF (3.913 AC)
 (26.5% SF IMP LOT)

INFRASTRUCTURE PER PHASE

PHASE	ACREAGE	TOWNHOMES	SINGLE FAMILY
PHASE 1	± 62,161 AC	± 255 LF	± 2,551 LF
PHASE 2	± 30,384 AC	± 255 LF	± 2,551 LF
PHASE 3	± 54,638 AC	± 1,568 LF	± 1,568 LF
TOTAL	± 147,183 AC	± 515 LF	± 6,670 LF

NO.	REVISIONS	DATE
1	RELAY ENHANCE FROM ROAD A TO ROAD B PER COMMENTS	3/22/22



CE GROUP
 301 GLENWOOD AVE, 220
 RALEIGH, NC 27603
 PHONE: 919-367-8790
 FAX: 919-322-0032
 www.cegroupinc.com
 License # C-1739

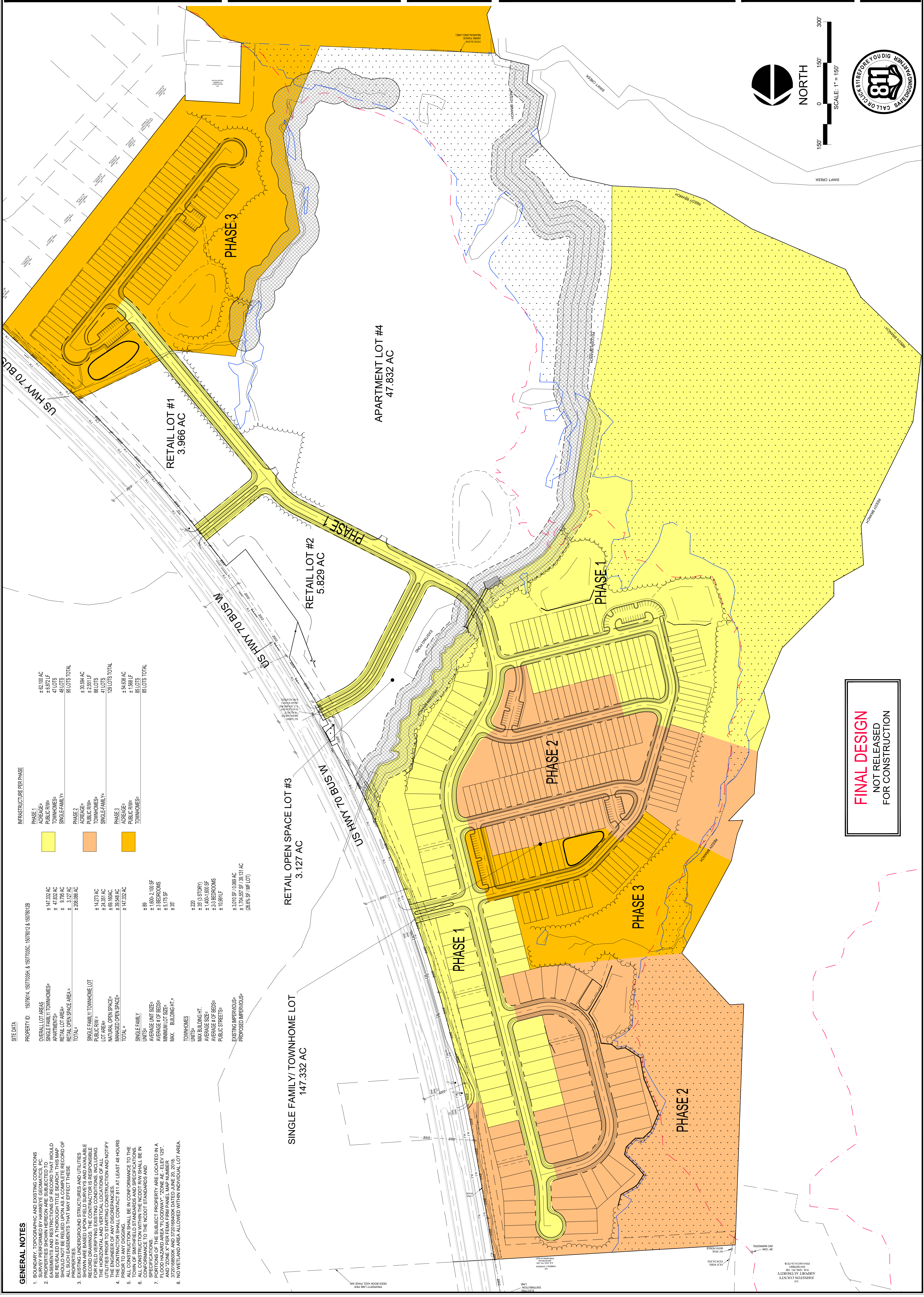


**FLOYD LANDING
 CONSTRUCTION PLANS
 PRELIMINARY PLAT**
 SMITHFIELD, NORTH CAROLINA

Date: FEBRUARY 22, 2022
 Scale: 1" = 150'
 Drawn: JPD
 Checked: AJF
 Project No: 127-343
 Computer Draw Name: 127-343 preliminary plat

Sheet No: **3** Of **3**

NORTH
 SCALE: 1" = 150'



**FINAL DESIGN
 NOT RELEASED
 FOR CONSTRUCTION**



Request for Town Council Action

Consent
Agenda
Item:
Date: Resolution
to Accept
Public
Dedication
08/08/2023

Subject: Resolution to Accept Public Dedications for Marin Woods
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

To adopt Resolution No. 734 (17-2023) accepting public dedication of public of lands or facilities for streets, parks, and public utility lines for the Marin Woods subdivision.

Financial Impact

None, the resolution does not constitute an acceptance of the improvements for maintenance.

Action Needed

Town Council approval of Resolution No. 734 (17-2023) accepting the public land and facilities dedication for Marin Woods.

Recommendation

Staff recommends the Town Council approve Resolution No. 734 (17-2023) accepting the public land and facilities dedication for Marin Woods

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 734 (17-2023)
3. Marin Woods Preliminary Plat



Staff Report

Consent
Agenda
Item: Resolution
to Accept
Public
Dedication

Overview:

NCGS 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction. The **Town's Unified Development Ordinance, Article 10, Section 10.116.2** requires all offers of public dedication to be accepted by resolution:

SECTION 10.116 EFFECT OF PLAT APPROVAL ON DEDICATIONS AND ACCEPTANCES.

10.116.1. Plat Approval Shall Not Constitute Acceptance.

Pursuant to NCGS 160D-806, the approval of a plat shall not be deemed to constitute or effect the acceptance by the municipality or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. To be effective, all offers of dedication must be accepted by resolution.

10.116.2. Acceptance of Dedications.

10.116.2.1. At the time of submittal of a preliminary plat with streets, utilities, or other proposed to be dedicated for acceptance by the Town as public, the Town Council will decide if it will approve the dedication, subject to the street(s), parks, utilities, sidewalks, or other complying with all Town requirements for acceptance. The Town of Smithfield is not obligated to accept any offer of dedication.

10.116.2.2. Acceptance of dedication will be provided by adoption of a resolution of acceptance by the Town of Smithfield Town Council.

The Town Council approved the preliminary plat for Marin Woods which is now under construction. The developer has nearly completed the public improvements for Phase 1 and is soon to be requesting final plat. Staff is recommending approval of the resolution accepting public dedications for Marin Woods.

Acceptance of public dedication does not commit the Town to maintenance of the infrastructure. Acceptance for maintenance of the public infrastructure will occur after all improvements constructed, inspected for compliance with Town ordinances and standards, and accepted by the Town Council for maintenance upon recommendation from the Town Staff.

Recommendation:

Staff recommends the Town Council approve Resolution No. 734 (17-2023) accepting the public land and facilities dedication for Marin Woods.

RESOLUTION NO. 734 (17-2023)
RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLAT
MARIN WOODS

WHEREAS, G.S. 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Smithfield Planning Department has acted to approve the preliminary plat named in this resolution on 3/1/2022 and,

WHEREAS, the preliminary plat named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Smithfield Town Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the Town of Smithfield to accept the offered dedication on the plat named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council, North Carolina:

Section 1. The Town of Smithfield accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision final plat:

Marin Woods Subdivision: Map Book _____ Page _____

Section 2. Acceptance of dedication of lands or facilities shall not place on the Town any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the Town, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

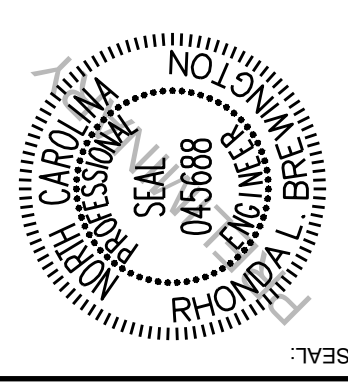
Adopted the 8th day of August, 2023 in Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

NO.	REVISIONS	DATE	BY

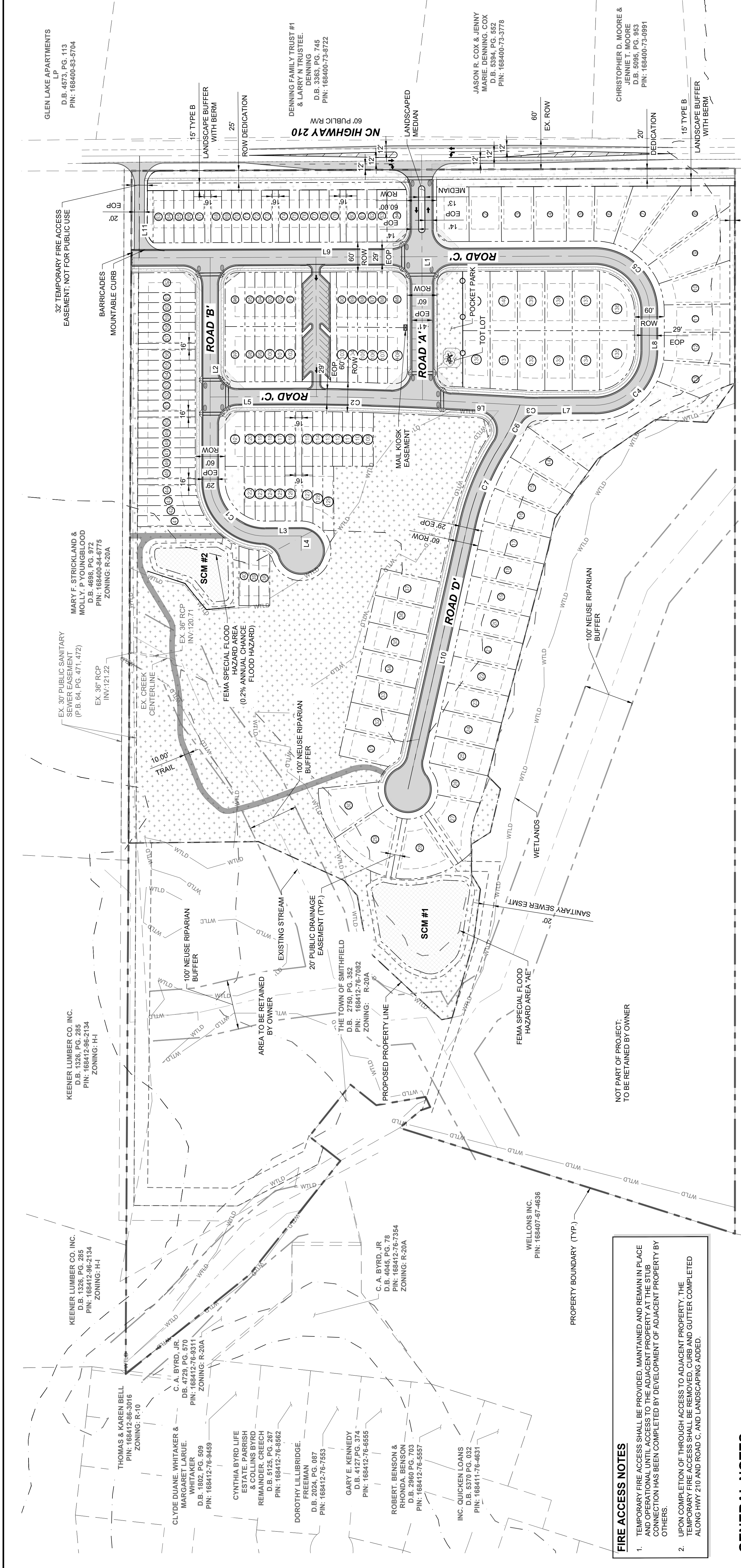


STRONGROCK ENGINEERING GROUP
 STRONG ROCK ENGINEERING GROUP, PLLC | COMPANY LICENSE # P-2166
 6801 FALLS OF NEUSE RD, SUITE 108 RALEIGH, NC 27615 | JOSH@STRONGROCKENGINEERING.COM

NOT FOR CONSTRUCTION
SCALE AS SHOWN
DESIGNED BY RLB
DRAWN BY SRG
CHECKED BY JML

MARIN WOODS SUBDIVISION
 PRELIMINARY MASTER PLAN
 SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

DRAWING SHEET
C-3.0
 04 OF 10



GENERAL NOTES:

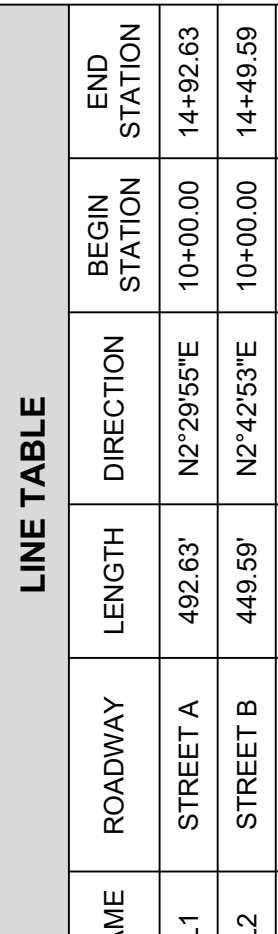
- ALL CONSTRUCTION SHALL BE PER TOWN OF SMITHFIELD & NCDOT STANDARDS AND SPECIFICATIONS.
- ALL DIMENSIONS ARE IN FEET AND TO BACK OF CURB UNLESS OTHERWISE NOTED.
- ALL SITE ELEMENTS ARE PERPENDICULAR TO EACH OTHER UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, RIGHT-OF-WAYS AND UTILITIES, PUBLIC OR PRIVATE, BEFORE WORKING IN THESE AREAS.
- PROTECT ALL PROPERTY MONUMENTS AND PINS. MONUMENTS AND PINS THAT WILL BE DISTURBED DURING CONSTRUCTION SHALL BE REFERENCED AND REPLACED BY A LICENSED LAND SURVEYOR AT THE COST OF THE CONTRACTOR.
- CONTRACTOR SHALL MAINTAIN THE SITE IN SUCH A MANNER THAT WORKMEN AND THE PUBLIC WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE.
- CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT AND AT LEAST ONCE A WEEK DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO ANY EXISTING ITEM AND/OR MATERIAL DUE TO CONSTRUCTION OPERATIONS. ALL DAMAGE TO EXISTING UTILITIES, STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.
- IF DEPARTURES FROM THE DRAWINGS OR SPECIFICATIONS ARE DEEMED NECESSARY BY THE CONTRACTOR, DETAILS OF SUCH DEPARTURES AND REASONS THEREOF SHALL BE SUBMITTED IN WRITING TO THE FACILITY DESIGNER FOR REVIEW AND BE ALLOWED WITHOUT APPROVAL BY THE FACILITY DESIGNER.
- ANY AND ALL QUANTITIES SHOWN OR IMPLIED ON THE PLANS ARE FOR ESTIMATION PURPOSES ONLY.
- APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.
- ENTRY SIGNS SHALL BE LOCATED IN A DEDICATED EASEMENT. SIGN MUST REMAIN OUT OF SIGHT TRIANGLES AS SHOWN ON PLANS. ENTRY SIGNS WILL REQUIRE A SEPARATE SIGN PERMIT.
- ALL ASPHALT EDGES SHALL BE SAW CUT TO PROVIDE A GOOD LONGITUDINAL JOINT. MILL 1.5 FEET @ 1.5 INCHES DEEP MINIMUM TO PROVIDE A LONGITUDINAL LAP JOINT FOR FINAL SURFACE LAYER. NO MILLING SHALL BE LEFT FOR A PERIOD OF TIME GREATER THAN 48 HOURS BEFORE A STREET IS TO BE PAVED OR RESURFACED.
- COMMON OPEN SPACE SHALL BE OWNED & MAINTAINED BY HOMEOWNERS ASSOCIATION.
- ANY SPECIALTY STREET SIGNS, INCLUDING POSTS, SHALL BE SUBMITTED TO THE TOWN OF SMITHFIELD FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
- ALL PUBLIC AND PRIVATE EASEMENTS SHALL BE RECORDED AS PART OF THE FINAL PLAT OF THE SUBDIVISION. EASEMENTS BASED ON CENTER OF UTILITY OR PIPE SHALL BE PER AS-BUILT LOCATIONS.
- AREAS OF PARENT PARCEL THAT ARE NOT SUBDIVIDED TO CREATE SINGLE FAMILY RESIDENTIAL LOTS ARE TO REMAIN AS ONE PARCEL TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION OF THE NEIGHBORHOOD.
- ALL OPEN SPACE AREAS INCLUDING WALKING TRAILS WILL BE OPEN TO THE PUBLIC. COMMUNITY CENTER WILL BE RESTRICTED TO THOSE WHO LIVE IN THE NEIGHBORHOOD.
- MAINTENANCE FOR AMENITY, OPEN SPACE, & WALKING TRAILS SHALL BE THE RESPONSIBILITY OF THE HOA.

LINE TABLE

NAME	ROADWAY	LENGTH	DIRECTION	BEGIN STATION	END STATION
L1	STREET A	492.63'	N2°29'55"E	10+00.00	14+92.63
L2	STREET B	449.59'	N2°42'53"E	10+00.00	14+49.59
L3	STREET B	72.67'	N87°30'05"W	16+22.80	16+95.46
L4	STREET B	30.01'	N3°49'25"E	16+95.47	17+25.47
L5	STREET C	150.44'	S87°30'05"E	29+78.82	31+29.26
L6	STREET C	197.77'	S84°15'29"E	24+98.00	26+95.77
L7	STREET C	113.64'	S87°30'05"E	23+56.06	24+69.69
L8	STREET C	80.00'	N2°42'53"E	21+03.69	21+83.68
L9	STREET C	930.48'	N87°30'05"W	10+00.00	19+30.48
L10	STREET D	546.24'	N15°25'12"E	12+62.44	18+08.68
L11	FIRE ACCESS	204.98'	N2°53'12"E	10+00.00	12+04.98

CURVE TABLE

NAME	ROADWAY	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION	BEGIN STATION	END STATION
C1	STREET B	110.00'	173.20'	155.86'	N42°23'36"W	14+49.59	16+22.79
C2	STREET C	5000.00'	283.04'	283.01'	S85°52'47"E	26+95.77	29+78.82
C3	STREET C	500.00'	28.30'	28.30'	S85°52'47"E	24+69.69	24+98.00
C4	STREET C	110.00'	172.37'	155.27'	N47°36'24"E	21+83.68	23+56.05
C5	STREET C	110.00'	173.20'	155.86'	N42°23'36"W	19+30.48	21+03.68
C6	STREET D	400.00'	90.72'	90.53'	N28°35'58"E	10+00.00	10+90.72
C7	STREET D	500.00'	171.71'	170.87'	N25°15'31"E	10+90.72	12+62.44



FIRE ACCESS NOTES

- TEMPORARY FIRE ACCESS SHALL BE PROVIDED, MAINTAINED AND REMAIN IN PLACE AND OPERATIONAL UNTIL ACCESS TO THE ADJACENT PROPERTY AT THE STUB CONNECTION HAS BEEN COMPLETED BY DEVELOPMENT OF ADJACENT PROPERTY BY OTHERS.
- UPON COMPLETION OF THROUGH ACCESS TO ADJACENT PROPERTY, THE TEMPORARY FIRE ACCESS SHALL BE REMOVED, CURB AND GUTTER COMPLETED ALONG HWY 210 AND ROAD C, AND LANDSCAPING ADDED.

GENERAL NOTES:

- APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.
- ENTRY SIGNS SHALL BE LOCATED IN A DEDICATED EASEMENT. SIGN MUST REMAIN OUT OF SIGHT TRIANGLES AS SHOWN ON PLANS. ENTRY SIGNS WILL REQUIRE A SEPARATE SIGN PERMIT.
- ALL ASPHALT EDGES SHALL BE SAW CUT TO PROVIDE A GOOD LONGITUDINAL JOINT. MILL 1.5 FEET @ 1.5 INCHES DEEP MINIMUM TO PROVIDE A LONGITUDINAL LAP JOINT FOR FINAL SURFACE LAYER. NO MILLING SHALL BE LEFT FOR A PERIOD OF TIME GREATER THAN 48 HOURS BEFORE A STREET IS TO BE PAVED OR RESURFACED.
- COMMON OPEN SPACE SHALL BE OWNED & MAINTAINED BY HOMEOWNERS ASSOCIATION.
- ANY SPECIALTY STREET SIGNS, INCLUDING POSTS, SHALL BE SUBMITTED TO THE TOWN OF SMITHFIELD FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
- ALL PUBLIC AND PRIVATE EASEMENTS SHALL BE RECORDED AS PART OF THE FINAL PLAT OF THE SUBDIVISION. EASEMENTS BASED ON CENTER OF UTILITY OR PIPE SHALL BE PER AS-BUILT LOCATIONS.
- AREAS OF PARENT PARCEL THAT ARE NOT SUBDIVIDED TO CREATE SINGLE FAMILY RESIDENTIAL LOTS ARE TO REMAIN AS ONE PARCEL TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION OF THE NEIGHBORHOOD.
- ALL OPEN SPACE AREAS INCLUDING WALKING TRAILS WILL BE OPEN TO THE PUBLIC. COMMUNITY CENTER WILL BE RESTRICTED TO THOSE WHO LIVE IN THE NEIGHBORHOOD.
- MAINTENANCE FOR AMENITY, OPEN SPACE, & WALKING TRAILS SHALL BE THE RESPONSIBILITY OF THE HOA.



Request for Town Council Action

Consent
Agenda
Item:
Date: Resolution
to Accept
Public
Dedication
08/08/2023

Subject: Resolution to Accept Public Dedications for Harvest Run
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

To adopt Resolution No. 735 (18-2023) accepting public dedication of public of lands or facilities for streets, parks, and public utility lines for the Harvest Run subdivision.

Financial Impact

None, the resolution does not constitute an acceptance of the improvements for maintenance.

Action Needed

Town Council approval of Resolution No. 735 (18-2023) accepting the public land and facilities dedication for Harvest Run.

Recommendation

Staff recommends the Town Council approve Resolution No. 735 (18-2023) accepting the public land and facilities dedication for Harvest Run

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 735 (18-2023)
3. Harvest Run Preliminary Plat



Staff Report

Consent
Agenda
Item: Resolution
to Accept
Public
Dedication

Overview:

NCGS 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction. The **Town's Unified Development Ordinance, Article 10, Section 10.116.2** requires all offers of public dedication to be accepted by resolution:

SECTION 10.116 EFFECT OF PLAT APPROVAL ON DEDICATIONS AND ACCEPTANCES.

10.116.1. Plat Approval Shall Not Constitute Acceptance.

Pursuant to NCGS 160D-806, the approval of a plat shall not be deemed to constitute or effect the acceptance by the municipality or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. To be effective, all offers of dedication must be accepted by resolution.

10.116.2. Acceptance of Dedications.

10.116.2.1. At the time of submittal of a preliminary plat with streets, utilities, or other proposed to be dedicated for acceptance by the Town as public, the Town Council will decide if it will approve the dedication, subject to the street(s), parks, utilities, sidewalks, or other complying with all Town requirements for acceptance. The Town of Smithfield is not obligated to accept any offer of dedication.

10.116.2.2. Acceptance of dedication will be provided by adoption of a resolution of acceptance by the Town of Smithfield Town Council.

The Town Council approved the preliminary plat for Harvest Run which is soon to be under construction. Staff is recommending approval of the resolution accepting public dedications for Harvest Run.

Acceptance of public dedication does not commit the Town to maintenance of the infrastructure. Acceptance for maintenance of the public infrastructure will occur after all improvements constructed, inspected for compliance with Town ordinances and standards, and accepted by the Town Council for maintenance upon recommendation from the Town Staff.

Recommendation:

Staff recommends the Town Council approve Resolution No. 735 (18-2023) accepting the public land and facilities dedication for Harvest Run.

RESOLUTION NO. 735 (18-2023)
RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLAT
HARVEST RUN

WHEREAS, G.S. 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Smithfield Planning Department has acted to approve the preliminary plat named in this resolution on 3/1/2022 and,

WHEREAS, the preliminary plat named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Smithfield Town Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the Town of Smithfield to accept the offered dedication on the plat named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council, North Carolina:

Section 1. The Town of Smithfield accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision final plat:

Harvest Run Subdivision: Map Book _____ Page _____

Section 2. Acceptance of dedication of lands or facilities shall not place on the Town any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the Town, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 8th day of August, 2023 in Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item: Resolution
to Accept
Public
Dedication
Date: 08/08/2023

Subject: Resolution to Accept Public Dedications for Whitley Townes
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

To adopt Resolution No. 736 (19-2023) accepting public dedication of public of lands or facilities for streets, parks, and public utility lines for the Whitley Townes subdivision.

Financial Impact

None, the resolution does not constitute an acceptance of the improvements for maintenance.

Action Needed

Town Council approval of Resolution No. 736 (19-2023) accepting the public land and facilities dedication for Whitley Townes.

Recommendation

Staff recommends the Town Council approve Resolution No. 736 (19-2023) accepting the public land and facilities dedication for Whitley Townes

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 736 (19-2023)
3. Whitley Townes Preliminary Plat



Staff Report

Consent
Agenda
Item: Resolution
to Accept
Public
Dedication

Overview:

NCGS 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction. The **Town's Unified Development Ordinance, Article 10, Section 10.116.2** requires all offers of public dedication to be accepted by resolution:

SECTION 10.116 EFFECT OF PLAT APPROVAL ON DEDICATIONS AND ACCEPTANCES.

10.116.1. Plat Approval Shall Not Constitute Acceptance.

Pursuant to NCGS 160D-806, the approval of a plat shall not be deemed to constitute or effect the acceptance by the municipality or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. To be effective, all offers of dedication must be accepted by resolution.

10.116.2. Acceptance of Dedications.

10.116.2.1. At the time of submittal of a preliminary plat with streets, utilities, or other proposed to be dedicated for acceptance by the Town as public, the Town Council will decide if it will approve the dedication, subject to the street(s), parks, utilities, sidewalks, or other complying with all Town requirements for acceptance. The Town of Smithfield is not obligated to accept any offer of dedication.

10.116.2.2. Acceptance of dedication will be provided by adoption of a resolution of acceptance by the Town of Smithfield Town Council.

The Town Council approved the preliminary plat for Whitley Townes. Staff is recommending approval of the resolution accepting public dedications for Whitley Townes.

Acceptance of public dedication does not commit the Town to maintenance of the infrastructure. Acceptance for maintenance of the public infrastructure will occur after all improvements constructed, inspected for compliance with Town ordinances and standards, and accepted by the Town Council for maintenance upon recommendation from the Town Staff.

Recommendation:

Staff recommends the Town Council approve Resolution No. 736 (19-2023) accepting the public land and facilities dedication for Whitley Townes.

RESOLUTION NO. 736 (19-2023)
RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLAT
WHITLEY TOWNES

WHEREAS, G.S. 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Smithfield Planning Department has acted to approve the preliminary plat named in this resolution on 6/7/2022; and,

WHEREAS, the preliminary plat named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Smithfield Town Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the Town of Smithfield to accept the offered dedication on the plat named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council, North Carolina:

Section 1. The Town of Smithfield accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision final plat:

Whitley Townes Subdivision: Map Book _____ Page _____

Section 2. Acceptance of dedication of lands or facilities shall not place on the Town any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the Town, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 8th day of August, 2023 in Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item: Resolution
Approval
Date: 08/08/2023

Subject: Approve the Resolution Providing Funds for the Lead & Copper Project

Department: Public Utilities

Presented by: Public Utilities Director – Ted Credle

Presentation: Consent Agenda Item

Issue Statement

The approval of the attached, proposed Resolution to provide funds for the lead & copper project, should the State not fund the entirety of the project

Financial Impact

The resolution does not cost the Town additional funds. The entirety of the project was already allocated in the budget from Line item 45-71-7200-5700-7411, per Council approval on May 2, 2023.

Action Needed

Approval of Resolution No. 737 (20-2023) by the Town Council

Recommendation

Staff recommends the approval of Resolution No. 737 (20-2023)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. E-mail explaining need for resolution
3. Proposed Resolution No. 737 (20-2023)



Staff Report

Consent
Agenda
Item: Resolution
Approval

The NCDEQ has asked all funding applicants to submit a resolution that commits the **Applicant to provide any "balance" of funds to complete the lead & copper inventory project;** in the event the NCDEQ does provide funding, but not 100% of the funding. The Applicant will commit to provide the remaining funds to complete the project.

In this case, Smithfield Town Council already committed the balance of funds on May 2, 2023; so, there would be no further obligation on behalf of the Town. In fact, the project may get fully funded, or partially funded, depending on the award granted by the NCDEQ. Such action would end up saving the Town money. Determination of the awards will begin in late September 2023.

Staff is asking the Council to approve the resolution.

**

Ted Credle

From: Whitaker, Amanda <awhitaker@withersravenel.com>
Sent: Monday, July 24, 2023 2:09 PM
To: Ted Credle
Cc: Smith, Mark
Subject: Lead Service Line Info
Attachments: RESOLUTION BY GOVERNING BODY OF APPLICANT_LSL.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning,

The State Water Infrastructure Authority met last week. As part of this meeting staff presented a plan for Lead Service Line projects. They indicated that those communities that submitted solicitations would need to submit final application info by August 18th. I believe the only thing that wasn't included in the solicitation was a resolution. This wasn't required at the time.

Staff indicated that they would be reaching out to each community to let them know what is needed to complete their application. So you should be receiving an email from someone at DWI. However, I have attached a resolution template for you to place on the next board agenda for adoption. DWI has set a deadline of August 18th, but it was noted they would work with applicants to get items needed to complete the application process.

If you would please forward any correspondence from DWI regarding the application items needed so we can assist you in the process. Also please place the attached resolution on the agenda for the boards August meeting.

They anticipate making the first awards at the September 19th board meeting. Below is a screenshot from the presentation.

Item K – Update for Lead Service Line Replacement Program – Program Schedule

Expected Funding Rounds for the 2022 BIL LSLR funds			
Approximate Application Due date	Approximate SWIA Meeting (Award date)	Estimated min 2022 LSLR Funds Available (Includes PF)	Estimated min 2022 Principal Forgiveness Available
August 18, 2023	September 19, 2023	\$22,345,913	\$14,220,127
November 1, 2023	December 12, 2023	\$22,345,913	\$14,220,127
December, 2023	February, 2024	\$22,345,913	\$14,220,127
March, 2024	April, 2024	TBD*	TBD*
Totals		\$67,037,740	\$42,660,380

*Awards in 2024 are dependent on funding demand and pending award of 2023 BIL LSLR funds. Initial Funding Round (Sept 23 awards) limited to systems that provided a LSLR solicitation form. Division will provide as much time as practicable for those systems to update project information to complete the application.

64

Thanks, Amanda



Amanda Whitaker

DIRECTOR OF FUNDING SERVICES



t: 336.605.3009

d: 919.238.0448

Greensboro, NC

WITHERSRAVENEL.COM

RESOLUTION NO. 737 (20-2023)
BY GOVERNING BODY OF APPLICANT

WHEREAS, The Town of Smithfield has need for and intends to construct, plan for, or conduct a study in a project described as Lead Service Line Inventory, and

WHEREAS, The Town of Smithfield intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD:

That Town of Smithfield, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Smithfield to make a scheduled repayment of the loan, to withhold from the Town of Smithfield any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Michael L. Scott, Town Manager, the **Authorized Representative** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 8th day of August, 2023 at Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and Town Clerk of the Town of Smithfield does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Town of Smithfield duly held on the 8th day of August, 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of August, 2023.

(Signature of Recording Officer)

Shannan L. Parrish

Town Clerk



Request for Town Council Action

Consent
Agenda
Item: Approval
of
additional
stop signs
Date: 08/08/2023

Subject: Approval to add addition stop sign on Hood Street
Department: Police Department
Presented by: Interim Chief of Police - James Grady
Presentation: Consent Agenda Item

Issue Statement

Due to speeding complaints, staff is requesting for additional stop signs to be placed at Hood Street and South Chestnut Drive

Financial Impact

Cost of two stop signs from Public Works. \$100.00

Action Needed

Council to approve adding additional stop signs at Hood and South Chestnut Drive

Recommendation

Approval to add additional stop signs at Hood and South Chestnut Drive

Approved: Town Manager Town Attorney

Attachments:

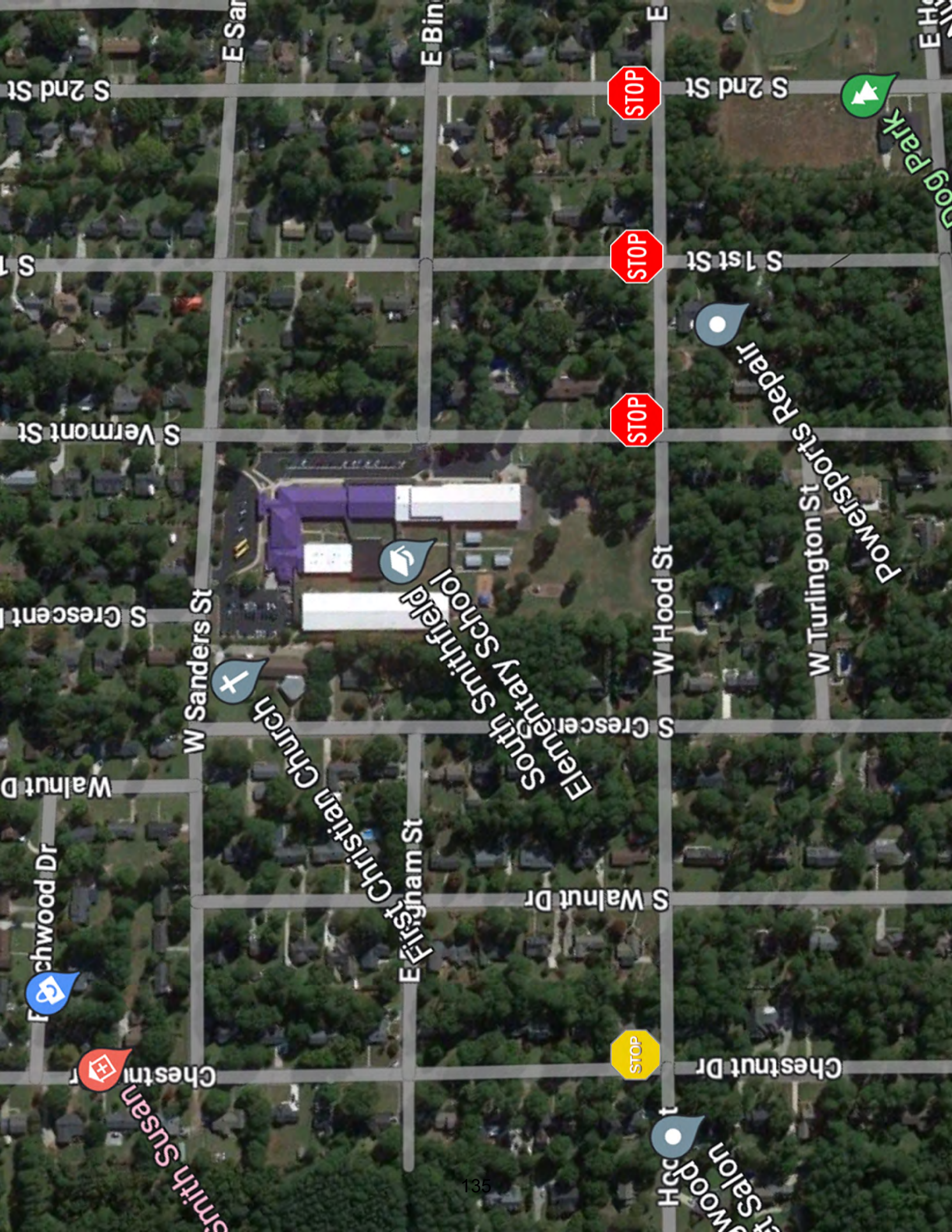
1. Staff Report
2. Overview Map



Staff Report

Consent Approval of
Agenda additional
Item: stop signs

The Police Department has received several complaints about speeding near the South Smithfield Elementary School and the surrounding streets. It has been determined that vehicles stop at Hood and Vermont Street. Vehicles then speed near the school and surrounding streets. This area has a lot of pedestrians and children in the area. Hood Street has a stop sign at every intersection until you reach the school. By adding stop signs at Hood and South Chestnut Drive this will lower the speed of vehicles in the area by the school and surrounding streets.



South Smithfield Elementary School

First Christian Church

Powersports Repair

Dog Park

STOP

STOP

STOP

STOP

E Sar

E Bin

E

E H

S 2nd St

S 2nd St

S 1st St

S 1st St

S Vermont St

S Crescent St

W Hood St

W Turlington St

Walnut Dr

S Walnut Dr

Chestnut Dr

Chwood Dr

E Fignam St

H Wood

Fit Salon

Smith Susan



Staff Report

Consent
Agenda
Item: New Hire / Vacancy Report

Background

Per Policy, upon the hiring of a new or replacement employee, the Town Manger or Department Head shall report the new/replacement hire to the Council on the Consent Agenda at the next scheduled monthly Town Council meeting.

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Fire Chief	Fire	10-20-5300-5100-0200
Police Chief	Police	10-20-5100-5100-0200
Police Officer	Police	10-20-5100-5100-0200
Public Works Crew Leader	PW – General Services	10-60-5500-5100-0200
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2022-2023 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Aquatics Center Supervisor (E)	P&R – Aquatics	10-60-6220-5100-0200	\$24.29/hr. (\$50,523.20/yr.)
Police Records Specialist	Police	10-20-5100-5100-0200	\$17.21/hr. (\$35,796.80/yr.)
P/T SRAC Staff - General	P&R – Aquatics	10-60-6220-5100-0210	\$12.00/hr.
P/T SRAC Staff - Instructor	P&R – Aquatics	10-60-6220-5100-0230	\$15.00/hr.
Sanitation Equipment Operator	PU – Water/Sewer	10-40-5800-5100-0200	\$16.87/hr. (\$35,089.60/yr.)
Water Plant Operator – Trainee	PU – Water Plant	30-71-7200-5100-0200	\$16.87/hr. (\$35,089.60/yr.)



Request for Town Council Action

Consent
Agenda
Item:
Date: Application
for
Temporary
Use Permit
08/08/2023

Subject: Octoberfest
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to authorize the closing of the 100 block of South 3rd Street for an Octoberfest type festival on October 7, 2023 from 12:00 pm to 9:00 pm.

Financial Impact

None. May have an economic impact to downtown.

Action Needed

Council approval of the Temporary Use Permit Application with the contingent that the promoter has adequate indemnity liability coverage for the Town.

Recommendation

Staff recommends approval of the Temporary Use Permit Application, contingent on promoter having adequate indemnity coverage for the Town.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Sketch of area



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

Jud Patterson of the Oak City Collection is seeking authorization to close the 100 block of South 3rd Street on October 7th from 9:00 am to 10:00 pm to hold an Oktoberfest type event between the hours of 12:00 pm and 9:00 pm. The applicant has removed his request for a beer garden and hopes to work with DSDC to have beer vendor(s) similar to the previous Brews and Blues event in July. If an agreement cannot be reached with DSDC, no beer will be held at the event.

A small band will play polka type music from the sidewalk area and food trucks will be on hand for food service. A sketch of the area is attached.



Temporary Use Permit Application

Completed applications must be submitted at least 4 weeks prior to the event by emailing Julie Edmonds at julie.edmonds@smithfield-nc.com or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event _____
- Over 100 people in attendance
- Live Band or Amplified Sound _____
- Requires closure or blockage of Town Street
- Involves Food Trucks
- Requires Security (potential safety, security concerns)
- Involves structures larger than 200 square feet and canopies larger than 400 square feet
- Involves Town Park property
- Involves Fireworks (Contact Smithfield Fire Department 919-934-2468)

OTHER TEMP USES

- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) _____



<u>OCTOBER (OCTAVA) FEST</u> Name of Event	<u>3rd STREET (100 BLOCK)</u> Location of Event/Use (exact street address)
---	---

APPLICANT:

Name JUD PATTERSON

Address 105 S. 3rd St.

Phone number 919-810-7472

Email address nihongodmindspring.com

Event date 10-7-2023

PROPERTY OWNER:

Name TOWN OF SMITHFIELD

Address _____

Phone number _____

Email address _____

Event start and end time 12:00 pm - 9:00 pm

Event set up and clean up time 9:00 am - 10:00 pm

Sound Amplification Type BAND - SPEAKERS

Sound Amplification Times 1:00 pm - 9:00 pm

Will alcohol be sold or served? (Y) or N (Y) *ABC Not provided to staff. JMN*

Will food or goods be sold? (Y) or N (Y)

Food Trucks (if applicable 4) (Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, A Copy of the Vehicle or Trailer Registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: _____
(If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? 3rd STREET (100 BLOCK)

If any town streets require closure, please list all street names. " "

Are event trash cans needed? Y or N How many? N

Please provide a detailed description of the proposed temporary use or special event:

We would like to have OCTOBERFEST related food, beer, and music (POUKA). We anticipate having a large tent with a beer garden possibly co-sponsored by AUA WACONS Museum

Temporary Use Submittal Checklist:

- 1. Completed Temporary Use Permit application
- 2. Other documentations deemed necessary by the administrator
- 3. Application fee - \$100
- 4. Site plan, if required by the administrator

Method of Payment: Cash _____ Check# _____ Credit Card _____ Amount \$ _____

Payment Received By: _____

Date: 7/31/2023

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

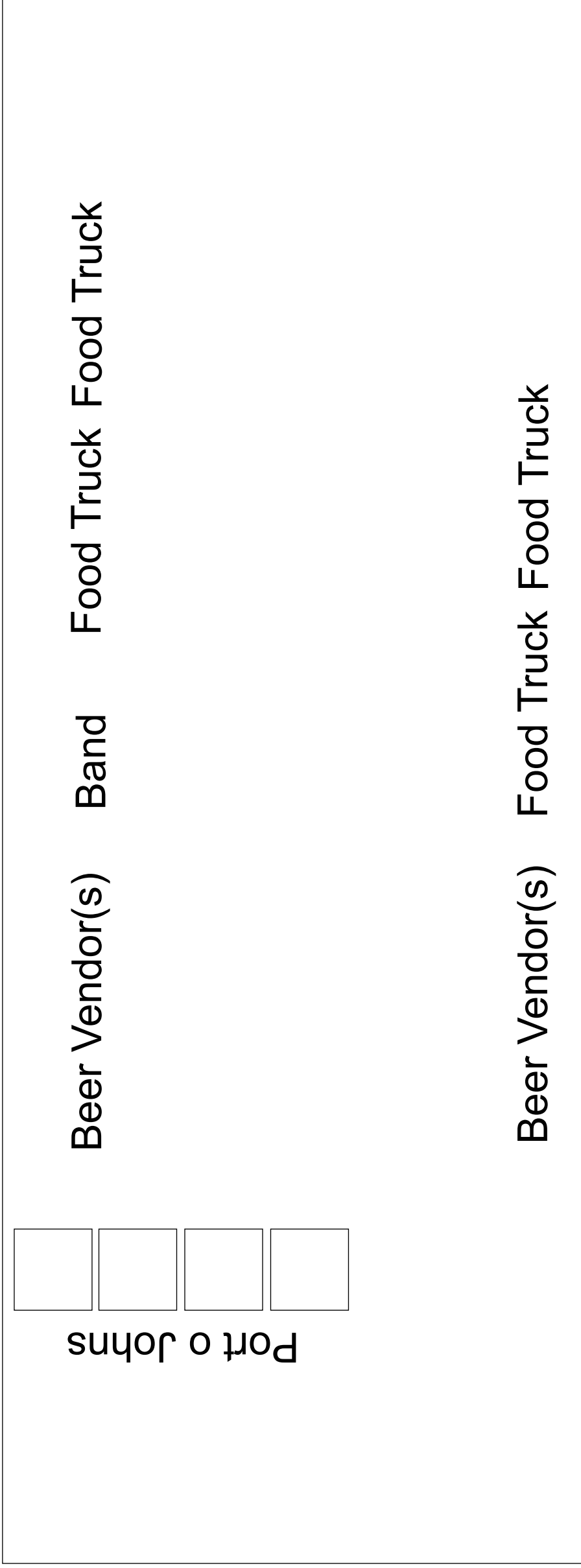
JUDSON J. PATTERSON _____ 7/31/2023
Applicant's Name (Print) Signature Date

Town Planning Director Signature: STEPHEN WENSMAN _____ Date: 7/31/23

Market Street

Sheriff / Courthouse

SoDoSoPa

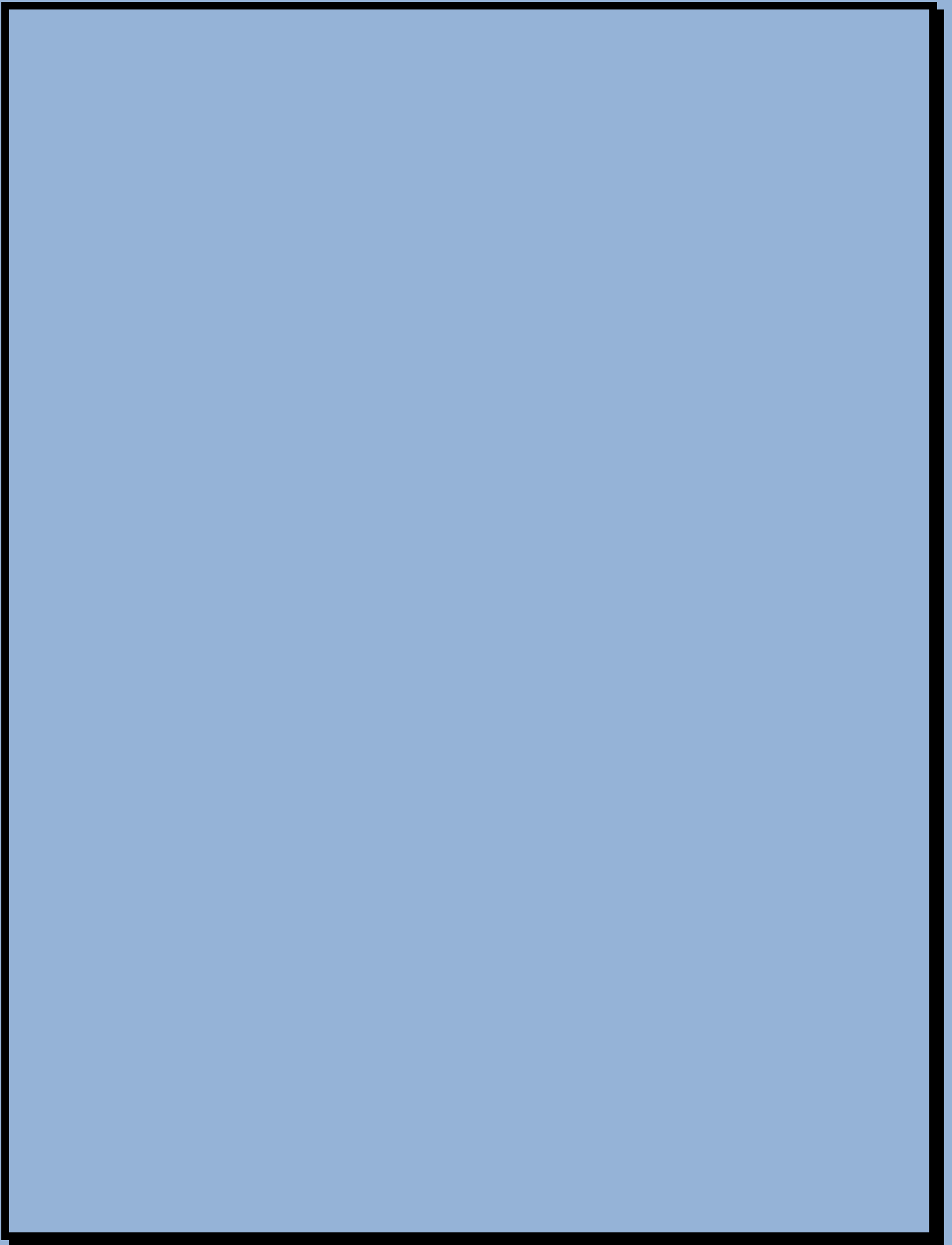


Johnston Street

Howell Theatre

Not really to scale, but I think you get the idea.

Business Items





Request for Town Council Action

Business
Agenda ZA-23-06
Item:
Date: 08/08/2023

Subject: Articles 2, 10, and Appendix A Updates
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Business Item

Issue Statement

Planning Staff requests the Planning Board review the draft updates to UDO Articles 2, 10 and Appendix A.

Financial Impact

None

Action Needed

The public hearing for the rezoning was held on July 11, 2023 but the decision was tabled for Council to further review the amendments. The Council is requested to continue to review the proposed UDO Amendments to Articles 2, 10 and Appendix A to approve, approve with changes, or deny the request.

Recommendation

Staff and the Planning Board recommend approval of zoning text amendment, ZA-23-06, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Draft UDO Articles 2, 10 and Appendix A
3. Consistency Statement
4. Application for Zoning Text Amendment



Staff Report

Business
Agenda ZA-23-06
Item:

Note:

A public hearing was held on July 11, 2023 for this amendment, but the Council tabled the item for further review. Staff presented Article 2 changes and Article 10 Part I. Staff is requesting the Council continue to review the remaining amendment sections and to make a decision to approve, approve with changes or to deny the request.

Overview:

For several years, Staff has been working on updates to the UDO, Article 10 development **performance standards. These standards work hand in hand with Town's Standard Specifications and Details Manual (Manual)** to guide new development. Staff has been working on updates to the Manual with a consulting firm, KCI, which has informed this UDO update.

This update:

- Moves street design specifications from the UDO to the Manual.
- Moves performance standards in the Manual to Article 10
- Moves performance standards in Article 2 are being moved to Article 10.
- Adds definitions for terms in the Table of Uses and some needed left out of the 160D update.
- Updates performance standards to address issues, clarifies vague wording, and breaks up large blocks of text into subsections.

Draft Amendment:

The following summarizes the changes to each section:

Article 2 - General Regulations

- Moves performance standards related to lot requirements and dimensions, driveways, and dumpsters to Article 10.
- Removes Section 2.21, Site Visibility Triangle standard replacing it with a reference to **the Town's** Standard Detail and Specifications Manual.
- Updates Section 2.22 Sidewalks to include reference to the Manual and the Pedestrian Plan.

Article 10- Performance Standards - Part I. Off-Street Parking

- 10.2 - Clarifying, updating and breaking up Off-Street Parking Requirements to be more readable.
 - Requires paved parking (no gravel parking).
 - Requires new residential driveways to be paved, except in R20A
 - aligns junk vehicle exception with administrative code.
 - Adds a standard for semi-tractor and trailer parking.
 - Updates parking lot s with More than Four Spaces requirements.
 - Clarifies and updates curbing requirements.
 - Updates wheel bumper requirements.
 - 10.2.10 – **Adds UDO administrator’s ability to waive lateral access** if it provides no public benefit or if not feasible. Removes BOA Adjustment text. The BOA holds hearings on appeals and variances only.
 - 10.2.13.1 –BOA does not make modifications and appeals are already codified in Article 4.
- 10.3 – Update parking standards for Multi-family (from Clayton’s Code) and for Restaurants. Also allows UDO Administrator to determine parking requirements when standards are unclear. Appeals by BOA.
- 10.5 Off-Street Loading Requirements updated.
 - The BOA only hears variances and appeals.
- 10.6 Driveways section updated –
 - Requires paved driveways (concrete, bituminous, etc. – no gravel), except within the R-20A.
 - Residential driveways cannot exceed 50% of the front yard area.
 - Broke up the section for readability.
 - 10.6.4 –Driveway Location(s) section updated aligned with Manual.
 - 10.6.6 – **Delete’s brick driveway section. Brick driveways are not permitted** within the public right of way, but are permitted on private property with a standard driveway apron in the public right of way.
 - References Standard Specifications and Details Manual

Article 10- Performance Standards - Part II. Landscape Requirements

- 10.8 Applicability Standards– Clarifies applicability.
 - **10.8.4.3 Triggers compliance with “Expansion of Structure by 25%” only,** deleting and 10 or more parking spaces.
- 10.9 –Tree Resource Management
 - require a zoning permit for forestry activities to ensure compliance with State and local ordinances.
 - Removes the misplaced section car dealerships. Prior to final plat, the lots do not exist.
- 10.10.2 – The planting details are to be moved from Appendix B of the UDO to the Standard Specification and Details Manual.
- 10.13.1.8 – Fixes a typo in the Streetyard requirements.
- 10.14 – Adds dimensions to Type C and D bufferyards and removes the reference to PRD (no longer exists in UDO)
- 10.15.3 – Dumpster regulations from Section 2.27 moved and updated
- 10.15.4 - Clarified Encroachment section.
- 10.15.5 – Create buffer requirements for double fronted lots.

- 10.16 – Added requirement that landscape plans identify planting bed edges, bed material, sod and seeded areas, identify irrigation if applicable, and landscape notes or planting instructions.

Article 10- Performance Standards - Part IV. Lighting Ordinance

- 10.34.3 – General Standards for Outdoor Lighting-
 - Site Plans are administrative and do not get reviewed by the Planning Board and Town Council.
 - 10.34.3.6 – Section deleted because it conflicts with requirement for cutoff fixtures.
- 10.34.4 – Updated lighting in parking lots and outdoor areas
 - PB and Town Council do not review site plans.
 - Require downcast shoebox style fixtures with LEDs
 - Updated outdoor display lighting standard.
 - Update to require recessed lighting for vehicular canopies.
- 10.34.7 – Section updated to prohibit flood lights and removes references to PB and TC review and approval because site plan approvals are administrative.

Article 10- Performance Standards - Part V. Traffic Impact Study

- 10.41.1 Struck reference to BOA as they have no involvement in Traffic Studies.

Article 10- Performance Standards - Part VI X. Overlay Districts

- 90.93 - ECO District regulations to be deleted. Article 7 requires outdoor storage to be screened with fencing and landscaping, and requires paving.
- 10.94 – Struck rowhouses Section because the same can be achieved through the conditional zoning process.

Article 10- Performance Standards - Part X. Subdivision Regulations

- 10.96 – Added applicability incorporating Section 1.3.4.3 and updating to conform with 160D.
- 10.100 – Update code references in table.
- 10.107 – Update reference from NCDENR to NCDEQ.
- 10.xxx – Add Cluster Mailbox standards.
- 10.110 Streets
 - Add references to Standard Detail and Specifications Manual and deleted engineering standards (moved to Manual).
 - Updated to current Street terminology matching the Transportation Plan.
 - Incorporated Section 2.15 Lot Requirement/Dimensions.
 - Updated lot area requirements with reference to Article 8.
 - Increased the minimum lot area for septic lots to 1 acre based on a recommendation from Johnston County.
 - Added a minimum depth for double-fronted lots.
- 10.110.1.5 – Updated easement requirements.
- 10.110.2 – Updated private street requirements to reference the Standard Detail and Specifications Manual and HOA documents to be reviewed and approved by the Town Attorney.
- 10.110.3. Updated Marginal Street Access section with updated terminology.
- 10.110.5 – Updated section on half-streets.

- 10.110.9 - 10.110.17- **street standards are contained in the Town’s Standard Detail** and Specifications Manual referenced herein.
- 10.110.14 – **Alley’s section updated.**
- 10.110.19 – PUD Streets updated requiring sidewalks on both sides of PUD streets.
- 10.110.20 – Updated to reference Manual.
- 10.111.2. – Updated to match Fire Code.
- 10.111.6 - Updated temporary turnaround requirements to meet Fire Code.
- 10.112 – Sidewalks.
 - Updated sidewalk requirements.
 - Added reference to the Manual and the Pedestrian Plan.
- 10.113.1. Water and Sewerage Systems.
 - Added On-site wastewater (septic) systems shall be located on the lot in which the system serves unless an alternative location within an easement is approved by the Town Council.
 - Constructed according to the Standard Specifications and Details Manual.
- 10.116. Effect of Plat Approval on Dedications and Acceptances
 - Acceptance of dedications by resolution has been deleted and will now be administrative with the signing of the final plat by the Manager. According to 160D-806, Effect of plat approval on dedications. The approval of a plat shall not be deemed to constitute the acceptance by the local government or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. However, any governing board may by resolution accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its planning and development regulation jurisdiction.
- 10.117 Adjustments. Deleted this section. BOA approves variances per Section 4.10.
- 10.119 Added missing exempt plat certificate.

Appendix A- Definitions

- Added definitions per 160D.
- Added or modified definitions to reflect land use terminology in Section 6.6.

Note: *The UDO is a living document that will require continual refinement to address new land uses and situations that exist.*

Consistency Statement (Staff and Planning Board’s **opinion**):

Planning Staff and Planning Board find the zoning text amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

Recommendation:

Planning Staff and the Planning Board recommend approval of zoning text amendment, ZA-23-06, with a statement declaring the request consistent with the Town of Smithfield

Comprehensive Growth Management Plan and that the request is reasonable and in the public interest

Suggested Motion:

“move to approve zoning text amendment, ZA-23-06, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

ORDINANCE # ZA-23-06
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLES 2, 10, AND APPENDIX A, UPDATE TO
PERFORMANCE STANDARDS.

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Articles 2, 10, and Appendix A for a general update of performance standards.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

PART 1

[Revise Article 2, striking sections to be moved to Article 10 Performance Standards and miscellaneous updates.]

~~Sec. 2.15. Lot Requirements/Dimensions.~~

~~2.15.1. [Side Lot Lines.]~~

~~Insofar as practical, side lot lines which are not right of way lines shall be at right angles to straight street lines or radial to curved street lines.~~

~~2.15.2. [Sufficient Area.]~~

~~Every lot shall have sufficient area, dimensions, and street access to permit a principal building to be erected thereon in compliance with all lot size and dimensions, yard space, setback, and other requirements of this ordinance.~~

~~2.15.3. [Irregularly Shaped Lots.]~~

~~The location of required front, side, and rear yards on irregularly shaped lots shall be determined by the UDO Administrator. The determination will be based on the spirit and intent of this ordinance to achieve an appropriate spacing and location of buildings and structures on individual lots.~~

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~~Sec. 2.20. Driveways; Permit Required.~~

2.20.1. [Obtaining a Permit.]

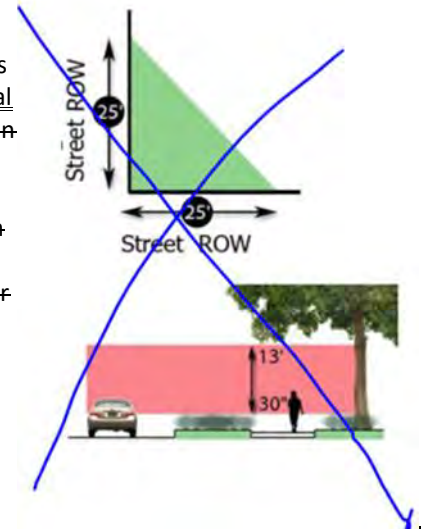
No person shall construct, reconstruct, or repair any driveway within the town without first obtaining from the UDO Administrator a zoning permit to do so. Such person shall construct, reconstruct, and repair such driveway under the supervision of the UDO Administrator, and in accordance with town specifications.

2.20.2. [Distance; Intersection.]

No portion of any residential driveway intersection with a town public street shall be closer than twenty (20) feet to the corner of any intersection, measured along the right-of-way line. In commercial and industrial zones, this distance shall be thirty six (36) feet. The width of any driveway intersection with the public street shall not exceed thirty six (36) feet at its intersection with curb and street line. Driveway connections to the State of North Carolina Department of Transportation controlled streets must be requested from and approved by DOT on its standard form. Driveways that have double lane ingress and egress (four [4] lanes) shall be a minimum forty eight (48) feet width at intersection with curb and street line.

Sec. 2.21. Street Intersection Sight Visibility Triangle.

The land adjoining town-maintained street intersections or egress to a town-maintained street from off-street parking areas shall be kept clear of obstructions to protect the visibility and safety of motorists and pedestrians in accordance with the Smithfield Standard Detail and Specifications Manual and . On a corner lot, nothing shall be erected, placed, or allowed to grow in a manner so as materially to impede vision between a height of thirty (30) inches and thirteen (13) feet in a triangular area formed by a diagonal line between two (2) points on the right-of-way lines, twenty five (25) feet from where they intersect. A clear view shall be maintained on corner lots from thirty (30) inches to thirteen (13) feet in vertical distance. Intersections of or with state maintained streets shall comply with NCDOT sight distance triangle requirements. Parcels in the B-1 district are exempt from this section, unless otherwise required by NCDOT standards.



Sec. 2.22. Sidewalks.

All new O/I (Office/Institutional), B-1 (CBD), B-2 (General Business), and B-3 (Highway Entranceway Business) district construction permitted following the adoption of this Ordinance shall be required to construct five (5) foot sidewalk(s) or eight (8) foot wide trail in accordance with the Town's Pedestrian Plan, on or adjacent to the street right-of-way. If the required sidewalk/trail is to be constructed adjacent to a thoroughfare right-of-way, it shall be constructed within an unobstructed easement of at least ten (10) feet in width. The sidewalk(s)/trails(s) shall comply with the Town of Smithfield Standard Detail and Specifications Manual. document and NCDOT requirements.

Sec. 2.23. Curb Cuts.

Construction of curb cuts for purposes of ingress and egress to property abutting a town public right-of-way shall be approved by the UDO Administrator. The North Carolina Department of Transportation is the approval authority where said curbs affect access to State Highways. Provision for all access work done on state highway right-of-way is subject to approval by the NCDOT.

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~~Sec. 2.27. Dumpsters.~~

~~In all zoning districts, dumpsters must be located on a concrete pad with a six-foot high solid enclosure with solid gates.~~

...

PART 2

[Revise Article 10, to update performance standards in conjunction with updates to the Standard Detail and Specifications Manual.]

10.2.1. Off-Street Parking Requirements.

There shall be provided at the time of the erection of any building, at the time an existing structure is demolished in order to permit new construction, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from one ~~type of land use category or occupancy~~ to another, permanent off-street parking space in accordance with ~~in the amount specified by~~ this Ordinance. Such parking:

~~10.2.1.1. space may~~ shall be provided in a parking garage or properly graded and paved parking lot in accordance with this ordinance. ~~open space.~~

~~10.2.1.2. All parking areas~~ shall be designed so that ingress to and egress from such area shall be established and maintained so that all vehicular traffic shall enter and leave the lot by forward motion of the vehicle.

~~10.2.1.3. Except for multi-family and single-family uses, all off-street parking and loading in the Entry Corridor Overlay District shall be provided in the rear of the principal structure.~~

~~10.2.1.4. shall not be permitted in a~~ No off-street parking or loading shall be permitted in a required street yard or buffer yard, ~~or open space~~, except in the case of a single or two family dwelling. No required off-street parking shall be ~~or located on~~ within five feet of a right-of-way line, or within any public right-of-way ~~or encroach by more than 50% on any required setback, or into any required streetyard.~~ Under no circumstances shall parking be located within five feet of a right-of-way line.

...

10.2.3. Vehicle Storage.

10.2.3.1. Residential Districts. Vehicles intended for personal use may be parked or stored on property zoned for residential use, except within the R-20 A zoning district, on a driveway in accordance with Section 10. 6, except one (1) junked motor vehicle which can be located in the rear yard (off driveway, as defined by the town's zoning ordinance, if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering. The town inspector has the authority to determine whether any junked or inoperable motor vehicle is adequately concealed as required by this provision. The covering must remain in good repair and must not be allowed to deteriorate. Any additional junked motor vehicle must be kept in a garage or building structure that provides a complete enclosure so that the junked motor vehicle cannot be seen from a public street or abutting property. A garage or building structure means either a lawful, nonconforming use or a garage or building structure erected pursuant to the lawful issuance of a building permit and which has been constructed in accordance with all zoning and building code regulations. No more than one (1) commercial truck, van, or trailer may be driven home and must be parked in a garage or carport or in the driveway and never on the street. Inoperative vehicles, including trucks, vans, or trailers, may not be stored in a residential district.

10.2.3.2. Business and Industrial Districts. Customer and employee parking is permitted along with the parking and storing of governmental or commercial vehicles, in any business or industrial district. Inoperative vehicles shall only be permitted to be parked or stored while undergoing repairs at a commercial garage or automobile service station or if stored in an approved junk or wrecking salvage yard. Overnight parking or storage of tractor trailers in commercial districts is strictly limited to vehicles associated with the commercial establishment operating on the premises.

10.2.4. Parking Space Arrangements and Dimensions.

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10.2.4.6 Semi-Tractor and Tractor Trailer Parking. Semi-tractor and tractor trailer parking shall be paved with either asphalt or concrete except for Heavy and Light Industrial zoning districts which shall be in accordance with Section 7.2. Such parking shall be striped such that the parking space is at least 12 feet in width and at least 55 feet in length exclusive of driveways, aisles, ramps, maneuvering space, columns, work areas, and shall have a vertical clearance of not less than 14 feet.

10.2.5. Parking Lots with More than Four Spaces.

10.2.5.1. Surfacing. All required off-street parking lots and associated driveway, interior access drive to and from such off-street parking areas shall be hard surfaced with asphalt, concrete or other similar material to provide a durable, dust-free surface shall be graded and surfaced with blacktop, concrete, brick, or other such surfacing material to ensure a dustless surface condition.

10.2.5.2. Markings. Each parking stall shall be striped in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), with four (4) inch white lines, marked off and maintained so as to be distinguishable.

10.2.5.3. Lighting. Any lighting shall be so arranged as to direct the light and glare away from streets and adjacent property in accordance with Part IV of this ordinance.

10.2.5.4. Yards. Except in the Entry Corridor Overlay District, a All such required parking lots shall not encroach within a required streetyard or bufferyard and shall be in conformance with Section 10.2.1.4. observe a minimum front yard of of not less than five feet and a side yard on a corner lot of not less than five feet. Parking lots in residential agricultural and residential districts shall of have front yards of not less than 15 feet and side and rear yards of not less than five feet.

10.2.5.5. Curb/Gutter. ~~Curb and gutter is~~ The required for all new yards shall be set off from parking lots, driveways, and interior access driveways or interior access drives shall have continuous curb/gutter. Breaks in the curb/gutter may be permitted if the engineer's design of the parking lot requires a break to obtain effective stormwater control.

10.2.5.6. Drainage. Parking lots shall not drain onto or across public sidewalks, or into adjacent property except into a natural watercourse or a drainage easement. In already developed areas where this condition would be impossible to meet, the UDO Administrator may exempt the developer from this requirement, provided that adequate provision is made for drainage that protects the public safety and welfare.

10.2.5.7. At locations where a sidewalk abuts a 19-foot-deep parking bay, the sidewalk shall be a minimum width of six (6) feet. If less than 6 feet, a wheel bumper shall be required and ~~Separation of Bumper and Walkways. In the event any parking stall abuts upon a walkway,~~ there shall be a space of three and a half (3½) feet between the wheel bumper or curb and the edge of the walkway.

10.2.5.8. Entrances and Exits. These shall be provided in accordance with Section 10.6 of this ordinance.

10.2.5.9. Parking lots in the B-3 and Industrial Zoning Districts shall be in accordance with Section 7.2 of this Ordinance. ~~Special requirements apply to parking lots in the B-3 and the Industrial districts in addition to the requirements of this Article.~~

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10.2.8. Separation from Walkways, Sidewalks, and Streets.

All parking, loading, and service areas shall be separated from walkways, sidewalks, and streets by concrete curbing ~~or other suitable protective device~~ to prevent vehicles from intruding into these areas.

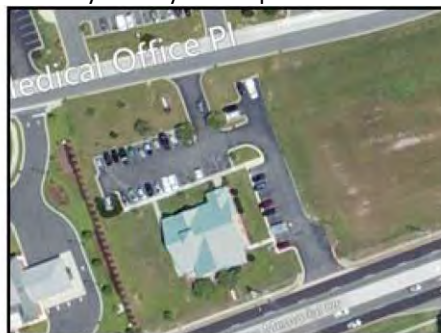
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10.2.10. Lateral Access.

All new nonresidential development, specifically commercial development, shall provide lateral access to adjacent property which is either: (1) existing nonresidential, or (2) zoned nonresidential. In the site plan process review, lateral access shall be displayed and labeled clearly by showing the appropriate connections. All lateral access connections shall be a minimum of twenty (20) feet in width and maximum of twenty-four (24) feet in width. The UDO Administrator may waive from the lateral access requirements in circumstances where there would be little public benefit to providing a lateral access or the if the access is ~~if this section is determined not to be feasible due to particularities of the parcel, the Board of Adjustment may modify the requirements herein.~~



Cross access provided between sites



Cross access for future development

...

10.2.13. Exceptions.

10.2.13.1. The UDO Administrator may withhold a permit or certificate of occupancy if a parking layout not specifically prohibited by this section would be likely to cause avoidable safety or traffic congestion problems until modification is made. ~~The applicant may appeal the UDO Administrator's decision to the Board of Adjustment under the normal procedure for an appeal.~~

~~10.2.13.2. If a peculiar characteristic of an establishment makes the requirements in this section clearly unrealistic, the Board of Adjustment may grant the applicant a parking modification.~~

...

Sec. 10.3. Minimum/Maximum Parking Requirements.

The minimum number of required off-street parking spaces shall be calculated as follows. In the case of a building or use not expressly provided for, the number of off-street access spaces shall be the same as for a similar use or inclusive category which is provided for. Where there is more than one (1) use in a single structure, or on a single tract, or two (2) or more instances of the same use, the minimum number of required off-street parking spaces shall be equal to the sum of the requirements of the various uses, except for shopping centers which are expressly provided for.

Classification	Off-Street Parking Requirement
RESIDENTIAL	
Dwelling, Single-Family	2 spaces
Dwelling, Manufactured Home	2 spaces
Dwelling, Multi-Family	
- One bedroom	1.5 spaces per unit
— Two bedrooms	1.75 <u>2</u> spaces per unit
- Three <u>Two</u> bedrooms <u>or</u> more	2 spaces per unit <u>plus 1 guest parking space per 4 units.</u>
ACCESSORY USES/BUILDINGS	
Accessory Business or Residential Unit (Incl. Home Occupations)	2 spaces per business or residence
Accessory Buildings	Same ratio as the principal use
EDUCATIONAL, OFFICE/INSTITUTIONAL, AND RETAIL SALES AND SERVICES	
Retail, Enclosed	1 space per 200 square feet
Retail, Outdoor (incl. commercial recreation)	1 space per 600 square feet of parcel area
Restaurant	<u>1 space per 3 seats including outdoor seats</u> 150 square feet enclosed floor area
Office (including medical clinics)	4 spaces per 1,000 square feet
Lodging	1 space per room plus 1 space per employee
Institutional/Civic	5 spaces per 1,000 square feet
Hospital	1.5 spaces per patient room plus 3 spaces per 1,000 square feet of office area.
Child care facility/adult day care facility	1 space per 4 persons of licensed capacity.

Schools, Elementary or Junior High	3 spaces for each room used for administration offices, class instruction, or 1 space for each 6 seats in auditorium and other places of assembly or facilities available for the public, whichever is greater
Schools, Senior High	1 space per school employee and 1 space per 4 students
Assembly	1 space per 3 fixed seats plus 1 space per 3 movable seats
Other	Determined by the UDO Administrator in consideration of an approved study prepared by a registered engineer with expertise in Transportation Engineering
MANUFACTURING AND INDUSTRIAL USES	
Adult and sexually oriented businesses	1 space per 500 square feet of gross floor area
All other industrial uses	1 space per employee
RECREATION USES	
The most applicable of the following standards shall apply for all recreational uses, including auditoriums, assembly halls, or stadiums:	1 space per 4 fixed seats; 1 space for each 40 square feet of floor area available in establishment as a meeting room; 1 space for each 150 square feet of gross floor area; 1 space per 600 square feet of parcel area.
TEMPORARY USES/STRUCTURES	
To be determined by the UDO Administrator based on the site specific conditions and principal use.	
AGRICULTURAL USES	
To be determined by the UDO Administrator based on the site specific conditions.	

Note: The maximum parking allowed shall not exceed one hundred fifty (150) percent of the minimum parking specified in this section.

Special situations which are not covered by the above shall be ~~handled~~ determined by the ~~Board of Adjustment~~ UDO Administrator. ~~The Board of Adjustment shall make the final determination as to the number of spaces to be required, but shall in all cases give due consideration to the needs therefor.~~

...

10.5.2. Design.

...

10.5.2.3. Each required off-street loading space shall be designed with appropriate means of vehicular access and circulation to a street from a driveway in a manner which will least interfere with traffic movements. Loading areas shall be designed such that vehicles shall enter and leave the site by forward motion of the vehicle.

10.2.2.4. Parking areas for passenger vehicles are prohibited where it may conflict with truck circulation or maneuvering into the truck loading areas.

10.5.3. Spaces.

The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the development in question. The following table indicates the number and size of spaces that, presumptively, satisfy the standard set forth in this subsection. However, the permit-issuing authority may require more or less loading and unloading area if reasonably necessary to satisfy the foregoing standard.

Use	Off-Street Loading Requirement
Office and Institutional Uses including Hotels and Motels	One space for each 50,000 square feet of gross floor area or fraction thereof.
Retail Business	One space for each 20,000 square feet of gross floor area or fraction thereof.
Wholesale Trade and Industry	One space for each 10,000 square feet of gross floor area or fraction thereof.
Elementary, Junior High, High Schools, Kindergartens, Nurseries, and Day Care Centers	One space for each 50,000 square feet of gross floor area of fraction thereof, plus a safe place off the street for the loading and unloading of children from automobiles and buses.

~~Exceptions. If a peculiar characteristic of an establishment makes the requirements of this section clearly unrealistic, the Board of Adjustment may grant the applicant a modification of the loading requirements in regard to that particular establishment.~~

~~The UDO Administrator may allow a new use to be established in an existing building even if all loading requirements of this section cannot be met for the new use, provided that as much loading space as can reasonably be provided is provided by the use and traffic or safety hazards will not be created.~~

Sec. 10.6. Driveways.

10.6.1. General.

~~After the date of passage of this section, only All driveways designed, approved, constructed, and surfaced in accordance with the provisions herein shall be allowed to provide motor vehicle access to or from any property upon which a building has been constructed, reconstructed, or physically altered.~~

~~10.6.1.1. All Driveways driveways shall be paved with either asphalt or concrete, or with alternative paving material (e.g., concrete pavers, brick, "turfstone" or similar pervious material) determined to exhibit equivalent wear resistance and load bearing characteristics as asphalt or concrete, except those for single-family properties in the R-20A zoning district.~~

~~10.6.1.2. Driveways and parking may cover a maximum of 50 percent of the front yard of single-family or two-family lot, unless restrictions on impervious surface coverage pose greater restrictions.~~

~~10.6.1.3. All new driveway aprons shall be constructed in accordance with the Town's Standard Detail and Specifications Manual.~~

~~10.6.1.4. Before a building zoning permit is issued for the construction, reconstruction, or change in use of any building or land used for purposes other than a single or two-family residence, all driveways shall be reviewed and approved by the Planning Director-Administrator. Private driveways serving single-family and two-family dwellings shall not be regulated by the provision of this Ordinance. "Construction, reconstruction, or change in use" refers to those improvements made to the site involving overall structure size or to~~

changes in use which would require the addition of one or more parking spaces under the provision of Article 10, Part I, Off Street Parking and Off Street Loading Requirements; it is not intended to refer to construction activities which merely involve changes to exterior architectural features (e.g., painting, addition of siding, roofing activities, etc.).

10.6.1.5. Discontinued driveway access. When the use of any driveway has been permanently discontinued, the property owner of that driveway shall, at his expense, replace all necessary curbs, gutters, aprons, sidewalks, and appurtenances thereto, within sixty (60) days of receipt of a written notice from the Administrator.

10.6.1.6. Driveway conflicts. No driveway shall conflict with any municipal facility such as traffic signal standards, catch basins, fire hydrants, crosswalks, loading zones, bus stops, utility poles, fire-alarm supports, meter boxes, and sewer clean-outs or other necessary structures, except with the express approval of the Director of Public Works. Any adjustments to municipal facilities to avoid such conflicts shall be at the expense of the driveway applicant.

10.6.2. Permit Requirements.

A permit must be obtained from the ~~Public Works Director~~ Planning Director with approval from the Public Works Director prior to the removal, alteration, or construction of any curb, driveway, gutter, and/or pavement or prior to the performance of any other work in any public or private street. Conditions governing the issuance of such a permit are:

10.6.2.1. A continuing indemnity bond with sufficient surety acceptable to the town may be required of the party performing the work. All work must be done in conformity with the standards established herein.

10.6.2.2. The town shall be indemnified for any damages it might sustain as a result of the breach of condition above. The damages payable to the town shall be the amount required to make such an improvement conform to town standards.

Based on the Town of Smithfield Schedule of Fees, a fee shall be paid to the town at the time the application for a driveway permit is made.

10.6.3. Submission of Plans.

Two copies of plans showing the location and dimensions of all proposed improvements shall be filed with the ~~Planning Director~~ Administrator for approval prior to the issuance of a driveway permit ~~for uses other than single or two-family residential.~~

All design and construction of driveways shall conform to ~~the requirements of the Town of Smithfield Standard Detail and Specifications Manual.~~ North Carolina Department of Transportation.

10.6.4. Driveway Location(s).

10.6.4.1. A safe means of ingress and egress shall be provided for all parking spaces that is in conformance with the Town's Standard Detail and Specifications Manual. ~~and All driveways for uses other than single and two-family residential and shall conform to the Town's Standard Detail and Specifications Manual.~~

10.6.4.2. Two (2) driveways entering the same street from a single lot shall be permitted only if the minimum distance between the closest edges of the driveways equals or exceeds fifty (50) feet, except for two-family residential lots.

10.6.4.3. Three (3) driveways entering the same street from a single lot shall be permitted only if the minimum distance between the closest edges of the driveways equals or exceeds one hundred fifty (150) feet and the third driveway is deemed necessary by the Town for reasonable service to the property without

undue impairment of safety, convenience, and utility of the roadway. Normally, not more than two driveways shall be permitted for any single property frontage.

~~10.6.4.4. Four (4) or more driveways entering the same street from a single lot shall be prohibited.~~

10.6.4.5. In no case may the total width of all driveways exceed fifty (50) percent of the total property frontage.

10.6.4.6. No driveway (nearest edge) shall be located within 10 feet of a side lot property line for multi-family, commercial or industrial property, except in the case of a shared driveway (single curb/access point) utilized by two or more lots.

10.6.4.7. No driveway (nearest edge) shall be located within 25 feet of a local road intersection ~~on a secondary road and~~ or within 40 feet of a primary collector road intersection except in the case where no other lot access to a public street or town-approved private road is available.

...

10.6.6. Brick Driveways.

~~Brick driveways will be allowed consisting of smooth, hard-burned clay bricks with an appropriate concrete base conforming to the Town of Smithfield design standards of the Administrator. In the event repairs are required after brick driveways are installed due to utility replacement or other construction work, the driveway applicant shall pay that portion of the repair cost which exceeds the cost of repair using standard concrete six (6) inches in thickness. Normal maintenance or replacement will be the responsibility of the driveway applicant.~~

PART II. LANDSCAPE REQUIREMENTS

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Sec. 10.8. Applicability.

The three (3) standard requirements in this section are: Parking Facility Requirements (Section 10.13), Bufferyard Requirements (Section 10.14), and Screening of Dumpsters (Section 10.15.3). ~~The requirements of this article 10, Part II~~ These three (3) standard requirements shall be applicable to the following situations:

10.8.1. Single-Family-Residential-Development.

When a major residential subdivision with new roadways are proposed.

10.8.2. All New Single-Family-Residential Homes on Existing Lots.

All new single-family and duplex dwellings on existing lots shall comply landscape regulations of Section 10.13.1.8.2, Single-Family and Town House Residential Developments.

10.8.3. Multi-Family Residential Development.

When ten (10) or more parking spaces are required for all phases of development excluding all manufactured home parks.

10.8.4. Nonresidential Development.

10.8.4.1. New Construction. When a permitted use, a use or combination of uses contained within a conditional use permit require ten (10) or more parking spaces.

10.8.4.2. Existing Development. When there is a change from an existing use to a new use which requires additional parking and the new use requires ten (10) or more parking spaces.

10.8.4.3. Expansion of Structure. When there is an expansion of an existing structure by greater than twenty-five (25) percent of the gross floor area ~~and that use requires ten (10) or more additional parking spaces.~~

10.8.4.4. Expansion of Site Improvements. When there is an expansion of site improvements by greater than twenty-five (25) percent of the site's hard surface area.

10.8.4.5. Reconstruction of Structure. When there is damage or destruction to an existing structure beyond fifty (50) percent of its assessed value, the reconstruction must conform to the new construction standards of this section.

10.8.4.6. Expansion of Parking Facility. When there is an expansion of the parking facility by a minimum of ten (10) percent of the parking with a minimum of ten (10) total spaces.

Sec. 10.9. Tree Resource Management.

Tree resource management regulations shall apply to all protected trees for both new and existing development in accordance with this Section 10.9. A zoning permit shall be required prior to removal of trees to ensure compliance with state and local regulations. ~~No building permit or certificate of occupancy shall be issued for any improvements upon a property where the provisions of this section have not been complied with.~~

10.9.1. Exemptions.

All properties within the town's jurisdiction shall comply with the requirements of Section 10.9, Tree Resource Management, except as otherwise exempted below:

10.9.1.1. Small Trees. Any tree with a diameter/caliper less than eight (8) inches (circumference of twenty-five (25) inches) or less measured at diameter at breast height (DBH) may be cut at any time without a permit, except replacement plantings.

10.9.1.2. Nursery. A business location where trees are grown specifically for sale, as part of a primary commercial activity, shall be exempt.

10.9.1.3. Utility Construction. Companies and governmental agencies installing and maintaining utilities in easements and rights-of-way shall be exempt when acting in accordance with approved construction plans.

10.9.1.4. Wetlands Mitigation. Wetlands mitigation shall be exempt when working in accordance with an approved plan of the US Army Corps of Engineers or North Carolina Department of Environment and Natural Resources (NCDENR).

10.9.1.5. Hazardous Conditions. If any tree shall be determined to be in a hazardous condition so as to (i) immediately endanger the public health, safety, or welfare, or (ii) cause an immediate disruption of public service, the Public Utilities/Public Works director may determine that replacement with additional trees is necessary. In making determinations, the Public Utilities/Public Works Director shall utilize such professional criteria and technical assistance as may be necessary.

10.9.1.6. Certain Forestry Activities. Only activity associated with growing, managing, and harvesting trees on lands taxed on a present-use value as forest land, or activity being conducted in accordance with a forest management plan shall be exempt from tree resource management. Forestry activities are only permitted in the R-20A Zoning District in accordance with Section 6.5, Table of Uses and Activities.

10.9.1.7. Acts of God. The UDO Administrator may waive the requirements of this article during an emergency such as a hurricane, tornado, windstorm, tropical storm, flood, or other act of God.

~~**10.9.1.8.** Certain Property Types. This article shall not apply to the following types of property in the manner noted:~~

~~10.9.1.8.1. Except for the construction of single family residences in subdivisions prior to the recording of a final plat for the subdivision, single family residences are exempt from this article.~~

~~10.9.1.8.2. Property used for a business primarily engaged in the sale and display of motor vehicles, manufactured housing, boats, recreational vehicles, or similar equipment may have the required landscaping within the streetyard installed at a minimum height of eighteen (18) inches at planting and not exceeding three (3) feet at maturity.~~

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10.10.2. [Installation Details.]

Plants shall be installed in accordance with the Town of Smithfield Standard Detail and Specifications Manual. ~~per the installation details included in Appendix B of this ordinance.~~

...

10.13.1.8 Streets Yards.

10.13.1.8.1. Commercial Developments. Street yards shall be provided with a minimum depth of fifty (50) percent of the required front or corner side yard setback as measured perpendicular to the street right-of-way, provided that no street yard in excess of fifteen (15) feet in depth shall be required. The width of the planting strip may vary, but the minimum width cannot be less than seven (7) feet and the average width shall be at least ten (10) feet. The planting area must be covered with living material, including trees, shrubs and/or ground cover, so that no soil is exposed at a rate of two (2) canopy tree and ~~twenty two~~ (20) shrubs per every one hundred (100) linear feet of road frontage. Canopy trees can be replaced by understory trees if in conflict with overhead utilities. Required trees shall be placed in a planting strip on private property and not within the street right-of-way. No required street yard tree can be planted further than fifteen (15) feet from the edge of the right-of-way to meet this requirement.

...

Sec. 10.14. Bufferyard Requirements.

Bufferyards are required for multi-family residential development with ten (10) or more parking spaces and nonresidential development as outlined in Section 10.8. See the table below to determine the type of bufferyard required.

Zoning District and/or Use To Be Developed (below)	Adjacent Land Use				
	Industrial	Commercial	Single-Family Residential	Multi-Family Residential (10 or more parking), PUD, PRD	Open Space
Industrial	N/A	Type A	Type C	Type C or D	Type C or D

Commercial	Type A	50% of Type A	Type B	Type A	Type C or D
Multi-Family Residential (10 or more parking), PUD, PRD	Type C or D	Type A	Type A	N/A	N/A

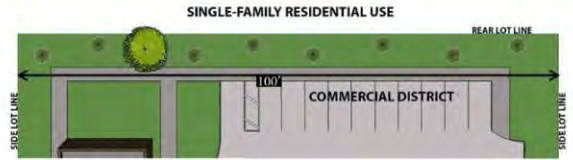
Bufferyard requirements as they pertain to the Table of Uses and Activities (~~Section 6.5~~ Section 6.6) are as follows:

- (1) Industrial shall include all uses allowed within the LI and HI Districts.
- (2) Commercial shall include all uses allowed within the O/I, B-1, B-2, and B-3 Districts.
- (3) Multi-Family Residential shall include all uses allowed within the R-6, R-8, R-MH, PUD, B-1, B-2, and B-3 Districts.
- (4) Single-Family Residential shall include all uses allowed within the R-6, R-8, R-10, R-20A, R-MH, PUD, ~~RHO~~, O/I, B-1, B-2, B-3 Districts.
- (5) Manufactured Home Parks and Junkyards shall provide buffer Type C or D.

The following provides examples of Type A to D bufferyards.



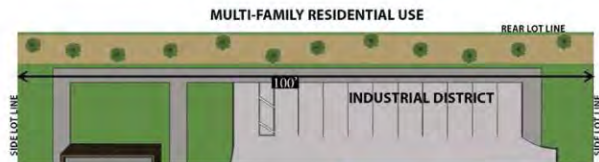
Type A - Bufferyard Example:
 1000 Square Feet of Non-Residential Lot Line Adjacent to a Residential Use=
 2 Canopy Tree and
 12 Shrubs



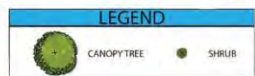
Type B - Bufferyard Example:
 1000 Square Feet of Residential Lot Line Adjacent to a Residential Use -OR- Non-Residential Lot Line Adjacent to a Non-Residential Use=
 1 Canopy Tree and
 8 Shrubs



Type C - Bufferyard Example:
 Canopy Tree and
 Shrubs
 6' Max High Fence



Type D - Bufferyard Example:
 8 Shrubs (4/4' Way in Size)
 6' Max High Fence
 3:1 Max High Slope



Type A Bufferyard Screening.

Minimum of 10 feet wide. For every 1,000 square feet, the screen shall consist of a combination of a minimum of 2 Canopy Trees and 12 Shrubs distributed evenly throughout the Bufferyard. (Shrubs shall be 3' minimum at planting and 6' minimum at maturity.)

Type B Bufferyard Screening.

Minimum width of 20 feet, For every 1,000 square feet, or fraction thereof, the screen shall consist of a combination of a minimum of 1 Canopy Tree and 8 Shrubs. (Shrubs shall be 3' minimum at planting and 6' minimum at maturity.)

OPTIONS TO TYPE A AND/OR TYPE B

Type C Bufferyard Screening.

The design, color and materials of any fence or screen used to meet bufferyard requirements shall be approved by the UDO Administrator. The side of the fence facing the affected property owner shall be the finished side of the fence. The planting shall be three canopy trees and 12 shrubs per 100 linear feet of fencing. All planted screening required to be used in conjunction with a fence shall be approved by the UDO Administrator and planted on the finished side of the fence facing the affected use, and the remaining plantings shall be equally distributed in the bufferyard. The width of the planting bed shall be no less than five (5) feet and shall be wide enough to accommodate the plantings at maturity.

Type D Bufferyard Screening.

An earthen berm may be used in conjunction with planted vegetation made up of small, intermediate, and large shrubs, as approved by the UDO Administrator, provided that the combined height of the berm and planted vegetation shall be an installed minimum height of 6 feet. The slope of the berm shall be stabilized with vegetation and no steeper than 1½:1. The height of the berm shall be a maximum of 8 feet, with a level or rounded area on top of the berm. The berm shall be constructed of compacted earth. Depending upon plant type, plantings should be close enough to ensure an opaque screen at maturity.

NOTE: It is recommended and encouraged that native species and related cultivars be planted.

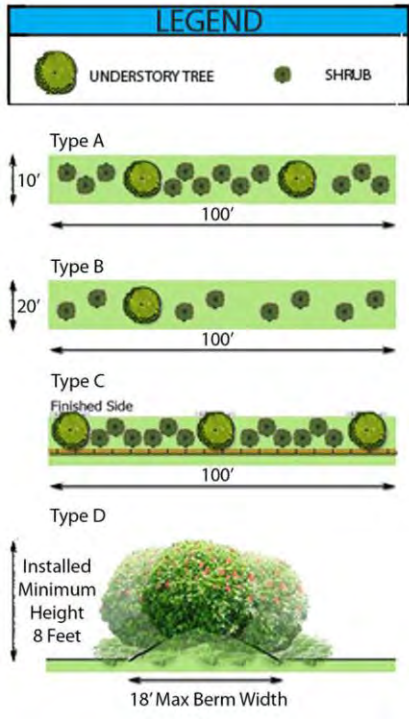
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10.15.3. Dumpsters or Other Trash Holding Areas.

~~All dumpsters or other trash holding areas shall be screened on three (3) sides by means of an opaque fence, opaque wall, or solid vegetative buffer.~~ In all zoning districts, dumpsters must be located on a concrete pad with a six (6) foot high solid enclosure with solid gates. All dumpsters or other trash holding areas shall be accessed internally to the site.

10.15.4. Encroachment into Setbacks.

10.15.4.1. If an existing building structure is located within a setback where the implementation of the streetyard and/or bufferyard requirements are physically impossible and the encroachment into the yard (streetyard or bufferyard) allows for a minimum of three (3) feet of planting area, only the required shrubs shall be planted.



10.15.4.2. If the encroachment into the yard (streetyard or bufferyard) allows for less than three (3) feet of planting area, no planting shall be required in that yard.

10.15.5. Double Fronted Lots.

On all commercial, industrial, institutional, multifamily development (except townhouses) with street frontage on both the front and rear property lines, a 15' vegetated street yard shall be required along the rear frontage consisting of one tree per 50 lineal feet of road frontage: 20 shrubs per 100 lineal feet of road frontage. Single-family-dwelling and townhouses subdivisions shall provide a minimum 15' class C buffer.

Sec. 10.16. Landscape Plan.

Landscape plans shall be submitted with minor or major site plans, special use permit application, and/or request for a zoning certificate of compliance, if Section 10.8 applies. The plans shall be drawn to scale and prepared by a landscape architect, licensed landscape contractor, architect, engineer, or other licensed design professional. These plans shall contain the following information:

10.16.1. Date of plan preparation.

10.16.2. Project name and description of land use.

10.16.3. Project owner and mailing address.

10.16.4. A tree removal permit is required for the removal of any protected trees as specified in Section 10.9.2.

10.16.5. A map at a scale of one (1) inch equals one hundred (100) feet or less showing:

10.16.5.1. North arrow.

10.16.5.2. Scale.

10.16.5.3. Approximate locations and species of all existing hardwood trees at least eight (8) inches DBH, all conifer trees at least twelve (12) inches DBH, and all protected trees (see subsection 10.9.2.1). The canopy drip line of those trees shall be delineated. If groves of protected trees exist that will not be removed or disturbed, it is permitted to label the grove as such on the map, stating the approximate number of protected trees and species mix, without specifying data on each individual tree.

10.16.5.4. Note on plan stating that prior to any clearing, grading, or construction activity, tree protection fencing will be installed around protected trees or groves of trees. And no construction workers, tools, materials, or vehicles are permitted within the tree protection fencing.

10.16.5.5. Locations, dimensions and square footages of required buffer strips and parking lot landscaping.

10.16.5.6. Details of required landscaping showing species, dimensions, and spacing of planted materials, including turfgrass sod or seeded areas, and the use and protection of existing vegetation.

10.16.5.7. All existing and proposed utilities and if applicable, their associated easements.

10.16.5.8. Location and square footage of structures and parking lots.

10.16.5.9. Adjacent zoning districts.

10.16.5.10. Approximate locations of all trees greater than eight (8) inches DBH within required buffers and of all areas of natural vegetation to be used as part of the buffer.

10.16.5.11. Setbacks of all structures and specifications and shielding of certain uses, as required.

10.16.5.12. Location of planting bed edges with edging and mulch materials identified.

10.16.5.13 Identification or notes indicating provisions for irrigation or other water supplies.

10.16.5.14. Landscape plan notes and special planting instructions.

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Sec. 10.34. Outdoor Lighting.

...

10.34.3. General Standards for Outdoor Lighting.

10.34.3.1. Unless otherwise specified in Sections 10.34.4 through 10.34.9 below, the maximum light level shall be 0.5 maintained footcandle at any property line in a residential district, or on a lot occupied by a dwelling, congregate care, or congregate living structure, and 2.0 maintained footcandle at any public street right-of-way, ~~unless otherwise approved by the Planning Board and Town Council.~~

10.34.3.2. All flood lights shall be installed such that the fixture shall be aimed down at least forty-five (45) degrees from vertical, or the front of the fixture is shielded such that no portion of the light bulb extends below the bottom edge of an external shield. Flood lights and display lights shall be positioned such that any such fixture located within fifty (50) feet of a public street right-of-way is mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed fifteen (15) degrees from perpendicular to the right-of-way.

10.34.3.3. All flood lamps emitting one thousand (1,000) or more lumens shall be aimed at least sixty (60) degrees down from horizontal, or shielded such that the main beam from the light source is not visible from adjacent properties or the public right-of-way.

10.34.3.4. All wall pack fixtures shall be cutoff fixtures.

10.34.3.5. Service connections for all freestanding fixtures installed after application of this ordinance shall be installed underground.

~~**10.34.3.6.** Within the B-3 District, all outdoor lighting fixtures shall be at minimum semi-cutoff fixtures.~~

10.34.3.7. All light fixtures installed by public agencies, their agents, or contractors for the purpose of illuminating public streets are otherwise exempt from this regulation. For regulations regarding street lighting, see Section 10.35.

10.34.4. Lighting in Parking Lots and Outdoor Areas.

10.34.4.1. Other than flood lights and flood lamps, all outdoor area and parking lot lighting fixtures ~~of more than two thousand (2,000) lumens~~ shall be cutoff fixtures or comply with subsection 10.34.4.3.

10.34.4.2. The mounting height of all outdoor lighting, except outdoor sports field lighting and outdoor performance area lighting, shall not exceed forty-one (41) feet above finished grade, ~~unless approved by the Planning Board and Town Council as having no adverse effect.~~

10.34.4.3. Lighting in parking lots shall be shoebox style, downward facing with flush lens and fixtures shall be LED with a correlated color temperature that does not exceed 3000K,

10.34.4.4. Outdoor display areas shall have a maximum point of illuminance of 24 maintained footcandles (FC).

10.34.4.5. Exceptions:

10.34.4.5.1. Non-cutoff fixtures may be used when the maximum initial lumens generated by each fixture shall not exceed nine thousand five hundred (9,500) initial lamp lumens per fixture.

10.34.4.5.2. All metal halide, mercury vapor, fluorescent, induction, white high pressure sodium, and color improved high pressure sodium lamps used in non-cutoff fixtures shall be coated with an internal white frosting inside the outer lamp envelope.

10.34.4.5.3. All metal halide fixtures equipped with a medium base socket must utilize either an internal refractive lens or a wide-body refractive globe.

10.34.4.5.4. All non-cutoff fixture open-bottom lights shall be equipped with full cutoff fixture shields that reduce glare and limit uplight.

10.34.5. Lighting for Vehicular Canopies.

Areas under a vehicular canopy shall have a maximum point of horizontal illuminance of 24 maintained footcandles (FC). Areas outside the vehicular canopy shall be regulated by the standards of Section 10.34.4 above. Lighting under vehicular canopies shall be designed with a recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the vehicular canopy so as not to create glare off-site. ~~Acceptable methods include one or more of the following:~~

~~**10.34.5.1.** Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the vehicular canopy.~~

~~**10.34.5.2.** Light fixture incorporating shields, or shielded by the edge of the vehicular canopy itself, so that light is restrained to five (5) degrees or more below the horizontal plane.~~

~~**10.34.5.3.** Surface mounted fixture incorporating a flat glass that provides a cutoff fixture or shielded light distribution.~~

~~**10.34.5.4.** Surface mounted fixture, typically measuring two (2) feet by two feet, with a lens cover that contains at least two (2) percent white fill diffusion material.~~

~~**10.34.5.5.** Indirect lighting where light is beamed upward and then reflected down from the underside of the vehicular canopy. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the vehicular canopy.~~

~~**10.34.5.6.** Other methods approved by the Planning Board.~~

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10.34.7. Lighting of Outdoor Display Areas.

10.34.7.1. Parking lot outdoor areas shall be illuminated in accordance with the requirements for Section 10.34.4 above. Outdoor display areas shall have a maximum point of illuminance of twenty-four (24) maintained footcandles (FC).

10.34.7.2. All light fixtures shall meet the IESNA definition of cutoff fixtures. Forward throw fixtures (type IV light distribution, as defined by the IESNA) are required within twenty-five (25) feet of any public street right-of-way. ~~Alternatively, directional fixtures (such as flood lights) may be used provided they shall be aimed and shielded in accordance with Sections 10.34.3.1 and 10.34.3.2 of this ordinance.~~

10.34.7.3. The mounting height of outdoor display area fixtures shall not exceed forty-one (41) feet above finished grade, ~~unless approved by the Planning Board and Town Council as having no adverse effect.~~

...

10.34.10. Permits.

~~A permit is required for any work involving outdoor lighting.~~ The applicant ~~for any permit required for work involving outdoor lighting~~ shall submit documentation at time of site plan ~~or plot plan~~ approval that the proposed lighting plan complies with the provisions of this Ordinance. The submission shall contain, but not be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in this Ordinance:

10.34.10.1. A point-by-point footcandle array in a printout format indicating the location and aiming of illuminating devices. The printout shall indicate compliance with the maximum maintained footcandles required by this ordinance.

10.34.10.2. Description of the illuminating devices, fixtures, lamps, supports, reflectors, poles, raised foundations and other devices (including, but not limited to, manufacturers or electric utility catalog specification sheets and/or drawings, and photometric report indicating fixture classification [cutoff fixture, wall pack, flood light, etc.]).

The UDO Administrator or his/her designee(s) may waive any or all of the above permit requirements, provided the applicant can otherwise demonstrate compliance with this ordinance.

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PART V. TRAFFIC IMPACT STUDY

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10.41.1. Special Use Permits.

10.41.1.1. Time of Submission. The traffic impact study shall be submitted to the UDO Administrator with, and as a part of, the application for the special use permit.

10.41.1.2. Implementation. The UDO Administrator and such other agencies or officials as may appear appropriate in the circumstances of the case shall review the impact study to analyze its adequacy in solving any traffic problems that will occur due to the proposed use.

The Town Council ~~or Board of Adjustment, as appropriate,~~ shall consider the impact study and the analysis of the impact study before the application is approved or denied. The Town Council ~~or Board of Adjustment, as appropriate,~~ may decide that certain improvements on or adjacent to the site or on roadways or intersections for which the improvements are needed to adequately and safely accommodate site traffic are mandatory for special use permit approval and may make these improvements conditions of approval, may require modifications in the use, or may deny the permit.

10.41.2. Site Plan Approval.

10.41.2.1. Time of Submission. The traffic impact study will be submitted to the UDO Administrator with, and as a part of, the site plan.

10.41.2.2. Implementation. The UDO Administrator and such other agencies or officials as may appear appropriate in the circumstances of the case shall review the impact study to analyze its adequacy in solving any traffic problems that will occur due to development proposed on the site plan. The UDO Administrator may recommend that certain improvements on or adjacent to the site or on roadways or intersections for which the improvements are needed to adequately and safely accommodate site traffic are mandatory for site plan approval and may require these improvements to be on the approved site plan.

...

PART IX. OVERLAY DISTRICTS

...

~~Sec. 10.93. Entry Corridor Overlay Districts.~~

~~These districts are established to provide development standards for particular roadway corridor areas as shown on the official zoning map which are in addition to those provided by the other zoning districts established by the Unified Development Ordinance. The purpose for establishing these entry corridor overlay districts is first, to recognize the importance that different roadway corridors play in defining the town's character as town entryways and, second, to protect and preserve both the aesthetics of these important roadways and their traffic handling capabilities, thereby contributing to the general welfare of the Town of Smithfield.~~

~~It is the intent of this ordinance that development existing as of the date of its enactment shall not be required to comply with the regulations contained herein unless such development is expanded by twenty (20) percent or more of the gross enclosed floor area of the principal structure.~~

~~10.93.1. Permitted Uses.~~

~~Same as for underlying zoning district(s).~~

~~10.93.2. Special Uses.~~

~~Same as for underlying zoning district(s).~~

~~10.93.3. Prohibited Uses.~~

~~Same as for underlying zoning district(s).~~

~~10.93.4. Development Standards.~~

~~Dimensional requirements and all other development standards shall be the same as for underlying zoning district(s) except as modified herein.~~

~~**10.93.4.1. Thoroughfare Protection.** No improvements other than driveways, sidewalks, parking, and landscaping shall be permitted within the limits of projected rights-of-way as specified in the Official Thoroughfare Plan.~~

~~**10.93.4.2. Setbacks.** Setbacks shall be the same as for the underlying zoning district; provided, however, one (1) or more principal structures may be authorized within the setback under the following circumstances:~~

~~**10.93.4.2.1.** Such principal structure(s) is not situated within ten (10) feet of the projected right-of-way line of an entry corridor roadway;~~

~~10.93.4.2.2.~~ Parking for the site is placed to the side or rear of such structure(s) so that it is screened from view from the entry corridor by means of such structure(s) and vegetative buffering as provided in Article 10, Part II.

~~10.93.4.2.3.~~ The landscaping requirement for parking lots located to the side or rear of the principal structure may be reduced by twenty (20) percent.

~~10.93.4.2.4.~~ The required parking spaces for parking lots located to the side or rear of the principal structure may be reduced by twenty (20) percent.

~~10.93.4.3.~~ Driveways. Driveways serving a development parcel shall be permitted in accordance with the standards of the North Carolina Department of Transportation (NCDOT); provided, however, a development parcel shall be limited to no more than one (1) driveway on any road and no more than three (3) driveways total, unless a major site plan has been approved with additional driveways. Additional driveways may be permitted when they are necessary to improve traffic movement, increase sight distances, or for other safety reasons. Developers are encouraged to share parking areas and driveways with adjoining developments.

~~10.93.4.4.~~ Outdoor Storage. Outdoor storage shall be screened from view with six-foot high opaque vegetation or fencing, so that it is not visible from a roadway or adjacent properties. Provided, however, this section shall not apply to the outdoor display of goods for sale.

~~10.93.4.5.~~ Signs. Signs shall be governed by the regulations contained in Article 10, Part III except as modified below:

~~10.93.4.5.1.~~ Pole Signs. Pole signs are prohibited.

~~10.93.4.5.2.~~ Freestanding Signs. Each development parcel may include no more than one (1) freestanding sign, which shall not exceed seventy (70) square feet in size and ten (10) feet in height, measured from street grade, for each thoroughfare on which the site has driveway access. For purposes of this paragraph, a development parcel does not include out parcels associated with approved major site plans.

~~10.93.4.6.~~ Exceptions:

~~10.93.4.6.1.~~ Single family and two family residential dwellings shall be required to comply with the provisions of subsections 10.93.4.1 to 10.93.4.3, above, but they shall not be required to comply with the remaining regulations of the Entry Corridor Overlay Zoning Classification.

~~10.93.4.6.2.~~ Small lots, defined as lots with less than one hundred (100) feet of frontage on an entry corridor roadway or with less than one hundred (100) feet of depth, may have site constraints which make strict compliance with the regulations contained in this section a hardship. In such cases, the Board of Adjustment for the town may approve deviations from such regulations so long as the plans of development are consistent with an approved minor site plan.

~~10.93.4.7.~~ Nonconformities. Uses, structures, and lots rendered nonconforming by this ordinance shall be governed by the provisions of Article 9 of the Unified Development Ordinance; provided, however, structures, other than signs, existing as of the effective date of this ordinance which are destroyed by fire or other act of God shall be entitled to be rebuilt in their preexisting location regardless of the degree of damage.

Sec. 10.94. Rowhouse Overlay Districts.

This district is established to provide development standards for high density single family residential areas which are in addition to those provided by the underlying zoning districts established by the Unified Development Ordinance. The purpose of establishing this rowhouse overlay district is to allow high density single family residential development in locations where it will be compatible with adjacent land uses.

~~10.94.1. Allowable Zoning Districts.~~

~~B-1, R-6, R-8, and O/I.~~

~~10.94.2. Permitted Uses.~~

~~None~~

~~10.94.3. Special Uses.~~

~~Dwelling, single family; accessory uses; and home occupations.~~

~~10.94.4. Prohibited Uses.~~

~~All uses not specifically permitted by issuance of a special use permit.~~

~~10.94.5. Parking.~~

~~All required parking shall be located in the rear yard.~~

~~10.94.6. Minimum Zoning District Area.~~

~~Twenty thousand (20,000) square feet of contiguous area within the RHO Overlay District. (Note: It is intended that the RHO District will include multiple parcels.)~~

~~10.94.7. Yard, Area, and Height Requirements.~~

~~Refer to Article 8. Minimum yard requirements may be modified through the issuance of a special use permit~~

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PART X. SUBDIVISION REGULATIONS

Sec. 10.96. Applicability.

Sec. 10.96. Applicability.

10.96.1. Subdivision regulations shall be applicable to all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets.

10.96.2. Exempt Plats

Exempt plats are not subject to the regulations of this Ordinance and include the following:

10.96.2.1. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the local government as shown in its subdivision regulations.

10.96.2.2. The division of land into parcels greater than 10 acres where no street right-of-way dedication is involved.

10.96.2.3. The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.

10.96.2.4 The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of this Ordinance.

10.96.2.5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

10.96.3 Minor Subdivision Plats

Plat recordation is required for the division of a tract or parcel of land in single ownership if all of the following criteria are met:

10.96.3.1. The tract or parcel to be divided is not exempted under subdivision (2) of subsection (a) of this section.

10.96.3.2. No part of the tract or parcel to be divided has been divided under this subsection in the 10 years prior to division.

10.96.3.3. The entire area of the tract or parcel to be divided is greater than 2 acres.

10.96.3.4. After division, no more than three lots result from the division.

10.96.3.5. After division, all resultant lots comply with all of the following:

- a. All lot dimension size requirements of the applicable land-use regulations, if any.
- b. The use of the lots is in conformity with the applicable zoning requirements, if any.
- c. A permanent means of ingress and egress is recorded for each lot.

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Sec. 10.101. Information To Be Provided On Preliminary And Final Plats.

The preliminary and final plats shall depict or contain the information indicated in the following table. An "X" indicates that the information is required.

Information	Preliminary Plat	Final Plat
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, town boundaries, county lines if on or near subdivision tract.	X	
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X	X
Name of proposed subdivision.	X	X

Statement from the Johnston County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are to be used in the subdivision, AND/OR statement from the County Public Utilities that application has been made for public water and/or sewer permits.	X	
Graphic scale.	X	X
North arrow and orientation.	X	X
Concurrent with submission of the Preliminary Plat to the town, the subdivider or planner shall submit copies of the Preliminary Plat and any accompanying material to any other applicable agencies concerned with new development, including, but not limited to: District Highway Engineer, County Board of Education, U.S. Army Corps of Engineers, State Department of Natural Resources and Community Development, for review and recommendation.	X	
List the proposed construction sequence.	X	
Stormwater plan see Article 10, Part VI.	X	
Show existing contour lines with no larger than five-foot contour intervals.	X	
New contour lines resulting from earth movement (shown as solid lines) with no larger than five-foot contour intervals (existing lines should be shown as dotted lines).	X	
Survey plat, date(s) survey was conducted and plat prepared, the name, address, phone number, registration number and seal of the Registered Land Surveyor.	X	X
Names, addresses, and telephone numbers of all owners, mortgagees, land planners, architects, landscape architects and professional engineers responsible for the subdivision (include registration numbers and seals, where applicable).	X	X
Date of the drawing(s) and latest revision date(s).	X	X
The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X	
State on plans any variance request(s).	X	
Show existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining. Show wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site.	X	
The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X	X
Show the minimum building setback lines for each lot.	X	X
Provide grading and landscape plans. Proposed plantings or construction of other devices to comply with the screening requirements of Article 10, Part II.	X	

Show location of all proposed entrance or subdivision signage (see Section 10.23.1).	X	
Show pump station detail including any tower, if applicable.	X	
Show area which will not be disturbed of natural vegetation (percentage of total site).	X	
Label all buffer areas, if any, and provide percentage of total site.	X	X
Show all riparian buffer areas.	X	X
Show all watershed protection and management areas per Article 10, Part VI.	X	X
Soil erosion plan.	X	
Show temporary construction access pad.	X	
Outdoor illumination with lighting fixtures and name of electricity provider.	X	
The following data concerning proposed streets:		
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X	X
Traffic signage location and detail.	X	
Design engineering data for all corners and curves.	X	X
For office review; a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage.	X	
Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X	X
When streets have been accepted into either the municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with the Town of Smithfield construction standards.	X	X
If any street is proposed to intersect with a state maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulations.	X	
(1) Evidence that the subdivider has applied for such approval.	X	
(2) Evidence that the subdivider has obtained such approval.	X	

The location and dimensions of all:		
Utility and other easements.	X	X
Pedestrian and bicycle paths.	X	X
Areas to be dedicated to or reserved for public use.	X	X
The future ownership (dedication or reservation for public use to governmental body or for owners to duly constituted Homeowners' association) of recreation and open space lands.	X	X
Required riparian and stream buffer per Article 10, Part VI.	X	X
The site/civil plans for utility layouts including:		
Sanitary sewers, invert elevations at manhole (include profiles).	X	
Storm sewers, invert elevations at manhole (include profiles).	X	
Best management practices (BMPs)	X	
Stormwater control structures	X	
Other drainage facilities, if any.	X	
Impervious surface ratios	X	
Water distribution lines, including line sizes, the location of fire hydrants, blow offs, manholes, force mains, and gate valves.	X	
Gas lines.	X	
Telephone lines.	X	
Electric lines.	X	
Plans for individual water supply and sewage disposal systems, if any.	X	
Provide site calculations including:		
Acreage in buffering/recreation/open space requirements.	X	X
Linear feet in streets and acreage.	X	X
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the US Department of Interior's National Register of Historic Places.	X	X
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X	X
The accurate locations and descriptions of all monuments, markers, and control points.	X	X
Proposed deed restrictions or covenants to be imposed upon newly created lots. Such restrictions are mandatory when private recreation areas are established. Must include statement of compliance with state, local, and federal regulations.	X	X
A copy of the erosion control plan submitted to the Regional Office of NCDEQ-DNRCD, when land disturbing activity amounts to one acre or more.	X	

All certifications required in Section 10.119.	X	X
Any other information considered by either the subdivider, UDO Administrator, Planning Board, or Town Council to be pertinent to the review of the plat.	X	X
Improvements guarantees (see Section 5.7.8.10 5.8.2.6).		X

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Sec. 10.107. Erosion and Sedimentation Control.

The preliminary plat shall be accompanied by a written statement from NCDEQ ~~NCDEMR~~, or the UDO Administrator, as the case may be, that any required soil erosion and sedimentation control plan has been approved.

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Sec. 10.109 Cluster Mailbox Units (CBU).

A shelter for any United States Postal Service (USPS)-required CBUs in districts permitting residential units is required and shall meet the following additional requirements:

10.109.1. Location.

10.109.1.1. Mail kiosks should be located on a lot deeded to a homeowners' association and be no more than 50 feet from an off-street motorized vehicle parking lot as measured from curb to CBU

10.109.1.2. On-Street. Mail kiosks may be located along (outside) a public right-of-way with parallel on-street parking, where other location options are not feasible, where provided in compliance with the provisions of this Subsection. The required 12-foot travel lanes in either direction shall be maintained at all times.

10.109.2. Structural Cover. A structural cover, meeting the North Carolina State Building Code, may be provided over mail kiosks. Such cover shall have a minimum overhang of two (2) feet where mail is delivered and unloaded. For purposes of this ordinance, structural covers provided for mail kiosks shall not be considered accessory structures and therefore do not require compliance with accessory structure standards.

10.109.3. Pedestrian Access. Mail kiosks shall be provided with ADA compliant sidewalks. When located in a subdivision or development where sidewalks are required, a sidewalk connection shall be provided from the mail kiosks to the sidewalk network within the public right-of-way. When located in a subdivision or development where sidewalks are not provided, such sidewalk access to the mail kiosks shall connect to the required parking.

10.109.4. Parking. In addition to satisfying off-street Motorized Vehicle Parking space requirements the following minimum and maximum off-street short-term (marked and signed for 10-minute maximum) motorized vehicle parking space requirements must also be met:

<u>Number of Mailboxes</u>	<u>Required Parking Spaces</u>
<u>0-20</u>	<u>3</u>
<u>21-60</u>	<u>2</u>

<u>61-80</u>	<u>3</u>
<u>81-100</u>	<u>4</u>
<u>101+</u>	<u>4 plus 1 per each additional 50 mailboxes or portion thereof above 100</u>

Sec. 10.110. Streets.

10.110.1. Design Standards.

The design of all streets and roads within the jurisdiction of this ordinance shall be designed, dedicated and constructed in accordance with town policies, standards of this ordinance, the adopted Transportation Plan, and the as it pertains to Town of Smithfield Standard Detail and Specifications Manual, or accepted policies of the North Carolina Department of Transportation, Division of Highways, as taken or modified from the American Association of State Highway Officials (AASHO) manuals. The North Carolina Department of Transportation, Division of Highways' Subdivision Roads, Minimum Construction Standards, January 1, 2000, or the current North Carolina Department of Transportation standards, shall apply for any items not included in this ordinance, or where stricter than this ordinance. The property owner/developer shall utilize good land planning practices and Town standards for the type of subdivision or development proposed. The street network shall provide for the continuation or appropriate extensions of principal streets to adjacent and surrounding areas and provide reasonable means of ingress and egress for the thoroughfare network within or adjacent to the proposed development. The arrangement of streets shall provide for pedestrian connectivity with existing and proposed streets, sidewalks, greenways, multi-use trails, parks, schools and other civic and service uses, and in addition:

10.110.1.1. Conformity to Existing Maps and Plans.

10.110.1.1.1. The location and width of all proposed streets shall be in conformity with the officially adopted ~~Thoroughfare~~ Transportation Plan for the Town of Smithfield and shall be in conformity with all current plans of the Town of Smithfield.

10.110.1.1.2. The proposed street system within a subdivision shall, whenever possible, be tied in with the existing street system. The proposed street system shall also provide for the continuation of the existing town and state systems, whenever possible.

10.110.1.1.3. Connect to Destinations. A proposed subdivision or development shall provide multiple direct connections with the existing local street network to and between local destinations where feasible, such as parks, schools, and shopping without requiring the use of major or minor thoroughfares and streets.

10.110.1.2. All streets shall be labeled on the preliminary plat as: Arterial, Collector, Local Streets, Major Streets and Highways; Collector Streets; Minor Streets; or Cul-de-sacs.

10.110.1.3. Blocks.

10.110.1.3.1. Blocks shall be a maximum of one thousand (1,000) feet and a minimum of four hundred (400) feet in length.

10.110.1.3.2. Blocks shall have sufficient width to provide two (2) tiers of lots, except where another design may be necessary to separate residential development from through traffic or other non-residential uses.

10.110.1.4. Lots. ~~All newly created lots shall comply with the following minimum requirements: The size, shape, and orientation of non-residential lots shall be such as the Planning Board and Town Council deem appropriate for the type of development or use proposed; however, residential, as well as non-residential lots, shall comply with the following minimum requirements:~~

10.110.1.4.1 Insofar as practical, side lot lines which are not right-of-way lines shall be at right angles to straight street lines or radial to curved street lines.

10.110.1.4.2. Every lot shall have sufficient area, dimensions, and street access to permit a principal building to be erected thereon in compliance with all lot size and dimensions, yard space, setback, and other requirements of this Ordinance.

10.110.1.4.3 The location of required front, side, and rear yards on irregularly shaped lots shall be determined by the UDO Administrator. The determination will be based on the spirit and intent of this Ordinance to achieve an appropriate spacing and location of buildings and structures on individual lots.

10.110.1.4.4. Lot Area. All lots shall have a minimum gross area ~~of at least 8,000 square feet in accordance with the standards found in Article 8.~~ Additional lot area shall be required when:

10.110.1.4.1.1. A lot ~~is served by either public sewer, but not water water or sewer, but not both~~ shall have a minimum lot area of 20,000 square feet.

10.110.1.4.1.2. A lot ~~is not served by either public water or sewer~~ shall have a minimum lot area of ~~25,000~~ **43,560 square feet.**

10.110.1.4.5. Lot Width and Depth. All lots shall have a minimum width and street frontage as required in Article 8, except in the case of the turning circle of cul-de-sacs where a minimum width at the street right-of-way line of 25 feet is permissible. ~~Corner lots shall have an extra width of 10 feet to permit adequate setback from side streets.~~ The minimum lot depth of single tier lots (when approved) shall be 125 feet. All other lots shall ~~be~~ have a minimum depth of 110 feet in depth. Additional lot width and depth shall be required when:

10.110.1.4.5.1. A lot is served by either public water or sewer, but not both: shall have a minimum: Lot width - 100 feet; Lot depth - 200 feet.

10.110.1.4.5.2. A lot is not served by either public water or sewer shall have a minimum: Lot width - 125 feet; Lot depth - 200 feet.

10.110.1.4.6. Lot size, shape, and location shall be made with due consideration to topographic conditions, contemplated use, and the surrounding area.

10.110.1.4.7. Every lot shall maintain required street frontage as required in Article 8 on one of the following:

10.110.1.4.7.1. A public street dedicated to and maintained by the Town of Smithfield or the North Carolina Department of Transportation.

~~10.110.1.4.7.2. A privately owned street constructed in conformance with the Town's Standard Detail and Specifications Manual and maintained by an Homeowner's Association. To the standards of the Town or Smithfield or the North Carolina Department of Transportation, with a written agreement concerning the future maintenance of the street.~~

10.110.1.4.8. Double frontage and reverse frontage lots shall be avoided except where necessary to separate residential development from through traffic or non-residential development. The minimum lot depth of any approved double fronted lot shall be 125 feet.

~~10.110.1.4.9. Side lot lines shall be substantially at right angles or radial to street lines.~~

10.110.1.4.10. Flag-shaped lots shall only be permitted in cases where the minimum lot width and lot depth of this ordinance are complied with and the lot has a minimum street frontage of at least sixty (60) feet in width.

10.110.1.5. Easements.

10.110.1.5.1. To provide service to public utility facilities easements of not less than thirty (30) feet in width may be provided for on a subdivision plat.

10.110.1.5.2. To provide access to required engineered stormwater control facilities including BMP SCMs. Easements for stormwater management facilities shall conform to the requirements of the NCDEQ Stormwater Design Manual.

10.110.1.5.3. To provide public access for trails, easements of not less than 30 feet shall be provided for on a subdivision plat.

10.110.1.5.4. The location and extent of such an easement shall be finalized before the approval of the preliminary plat.

10.110.2. Private Streets.

10.110.2.1. Streets designated as private may be allowed in subdivisions when in the opinion of the Town Council they provide adequate ingress and egress onto collector streets, and sufficient assurance is provided through a legally established Homeowners' association, that the street shall be properly maintained.

10.110.2.2. All such streets shall be designated a "private street" on the preliminary plans and final plats. Whenever a private street intersects a U.S. or North Carolina highway or North Carolina secondary road, a statement of approval for the intersection, signed by the District Engineer, North Carolina Department of Transportation, Division of Highways for Johnston County, shall be submitted concurrent with the final plat.

10.110.2.3. All private streets shall conform to the Town's Standard Detail and Specifications Manual ~~must meet Department of Transportation~~ standards for construction and maintenance.

10.110.2.4. A Homeowners' association shall be established for each subdivision containing private streets and drainage systems. The final plat for each such subdivision shall contain a certificate indicating the book and page number of the Homeowners' association covenants, conditions, and restrictions. The covenants, conditions, and restrictions shall specify lot owners' responsibilities for maintenance of private streets and drainage systems and shall provide for assessments to finance all maintenance activities. Covenants shall provide that the Homeowners' association will construct all stub streets prior to offering any connecting for acceptance by NCDOT or the town. Final plats for subdivisions containing private streets and drainage improvements will not be approved until the subdivider's homeowners' association documents have been submitted and approved by ~~the Town Council~~ the Town Attorney.

10.110.3. Marginal Access Streets.

Where a tract of land to be subdivided adjoins a ~~principal~~ arterial street, the subdivider may be required to provide a marginal access street parallel to the arterial street or reverse frontage on a ~~minor~~ local street for the lots to be developed adjacent to the arterial street. Where reverse frontage is established, private driveways shall be prevented from having direct access to the ~~expressway~~ arterial street. In the case of minor subdivisions fronting on an arterial ~~a major highway~~, the ~~Planning Board~~ Town Council may regulate access onto an existing or proposed highway by requiring:

10.110.3.1. That access be limited to a ~~minor~~ local or collector street, when available.

10.110.3.2. That another access design, such as joint driveways, be used to achieve the intent of this regulation.

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10.110.7. Collector and ~~Minor~~ Local Streets.

Collector and ~~minor~~ local streets shall be so laid out that their use by through traffic will be discouraged. Streets shall be designed or walkways dedicated to assure convenient access to parks, playgrounds, schools, and other places of public assembly.

10.110.8. Nonresidential Streets.

The subdivider of a nonresidential subdivision shall provide streets in accordance with the Town's Standard Detail and Specifications Manual, I.F. 4 of the North Carolina Roads, Minimum Construction Standards, January 1, 2000; or current applicable North Carolina Department of Transportation Standards; and the standards of this Ordinance, whichever are stricter in regard to each particular item.

10.110.9. Right-of-Way Widths.

Right-of-way widths shall be in accordance with the Smithfield Standard Detail and Specifications Manual and the Smithfield Transportation Plan. ~~not be less than the following:~~

~~Principal Arterial (Freeways)—350 feet.~~

~~Principal Arterial (Other)—200 feet.~~

~~4-5 Lane Arterial with median—~~

~~4-Lane Arterial—76 feet.~~

~~2-Lane Collector—60~~

~~Major Thoroughfare other than Freeway and Expressway—90 feet.~~

~~Minor Thoroughfare—60 feet.~~

~~Local Street—60 feet (may be no less than 50 feet if approved by Town Council due to special conditions).~~

~~Cul-de-sac turnaround—100 feet diameter for turnaround and 45 feet for street right-of-way.~~

10.110.10. Pavement Widths, Street Design

Streets shall be designed in accordance with the Smithfield Standard Detail and Specifications Manual.

Pavement widths or graded widths shall be as follows:

	<u>Streets with Curb and Gutter</u>	<u>Streets without Curb and Gutter</u>
Minor Thoroughfare Collector	28 ft.	40 ft.
Local Road	24 ft.	20 ft.
Marginal Access (frontage)	24 ft.	20 ft.
Cul-de-sac	24 ft.	20 ft.
Cul-de-sac turnaround	100 ft. in dia.	80 ft. in dia.

Pavement widths for principal arterials and major thoroughfares shall be determined in concert with the Town of Smithfield or the North Carolina Department of Transportation standards and the current and the Smithfield Thoroughfare Plan.

10.110.11. Roads and Street Surfaces.

All public subdivision streets and roads shall be constructed and paved to meet the current requirements of the North Carolina Department of Transportation, Division of Highways' standards for state maintenance.

10.110.12. Tangents.

A tangent of at least one hundred (100) feet shall be provided between reverse curves on all streets.

10.110.13. Street Intersections.

Street intersections shall be laid out as follows:

10.110.13.1. All streets shall intersect as nearly as possible at right angles and no street shall intersect at less than sixty (60) degrees.

10.110.13.2. Intersections with a major street shall be at least one thousand (1,000) feet apart, measured from centerline to centerline.

10.110.13.3. Where a centerline offset (jog) occurs at an intersection, the distance between centerline of the intersecting streets shall be not less than two hundred (200) feet.

10.110.13.4. Property lines at intersections should be set so that the distance from the edge of pavement of the street turnout to the property line will be at least as great as the distance from the edge of pavement to the property line along the intersecting streets. The property line can be established as a radius or as a sight triangle. Greater offsets from the edge of pavement to the property lines will be required, if necessary, to provide sight distance for the vehicle on the side street.

10.110.13.5. Turn lanes or deceleration lanes may be required to be constructed within one hundred fifty (150) feet of any intersection, or other point of ingress or egress, where a substantial number of conflicting turning movements is anticipated, if the Council determines that the safety of motorists and pedestrians merit such construction.

10.110.14. Alleys.

~~10.110.14.1. Alleys shall may be required to serve lots used for commercial and industrial purposes except that this requirement may be waived where other definite and assured provision is made for service access. Alleys shall not be provided in residential subdivisions unless if necessitated by necessary due to unusual circumstances , they are to privately owned and maintained by an homeowners association and are approved by the Planning Board and Town Council.~~

~~10.110.14.2. All alleys shall be designed in accordance with the Town of Smithfield Standard Detail and Specifications Manual. Department of Transportation, Division of Highways' specifications and standards and shall meet the following requirements:~~

Right-of-way width	20 feet
Property line radius at alley intersection	15 feet
Minimum centerline radius when deflection angle of not more than 10 degrees occurs	35 feet
Minimum turnaround diameter of dead end alley (right-of-way width)	80 feet

~~10.110.14.3. Sharp changes in alignment and grade shall be avoided.~~

10.110.14.4. All alleys shall be designed in accordance with North Carolina Department of Transportation Standards.

10.110.15. Geometric Characteristics.

~~The standards outlined below shall apply to all subdivision streets proposed for addition to the state highway system or municipal street system. In cases where a subdivision is sought adjacent to a proposed thoroughfare corridor, the requirements of dedication and reservation discussed under right-of-way shall apply.~~

~~10.110.15.1. Design Speed. The design speeds for subdivision type streets shall be:~~

<u>Urban</u>	<u>Desirable (mph)</u>	<u>Minimum (mph)</u>
Minor Thoroughfares	60	50
Local Streets	40	40

~~10.110.15.2. Desirable and Minimum Grades. The desirable/minimum for subdivision type streets grades in percent shall be:~~

	<u>60 Desirable</u> (50 Minimum)	<u>40 Desirable</u> (40 Minimum)
Type of Topography		
Flat NCDOT Divisions	3	5
1, 2, 3, 4, and 5	(4)	(5)

~~The minimum grade in no case shall be less than one-half (0.5) percent. Grades for one hundred (100) feet each way from intersections should not exceed five (5) percent.~~

10.110.16. Minimum Sight Distances.

In the interest of public safety, the minimum sight distance applicable shall be provided in every instance. Vertical curves that connect each change in grade shall be provided and calculated using the following parameters.

(General practice calls for vertical curves to be multiples of fifty (50) feet. Calculated lengths should be rounded up in each case.)

<u>Design Speed, MPH</u>	<u>20</u>	<u>30</u>	<u>40</u>	<u>50</u>	<u>60</u>
Stopping Sight Distance					
—Min. Stopping Distance, Ft.	150	200	275	350	475
—Des. Stopping Distance, Ft.	150	200	300	450	650
Minimum K* Value For:					
—Min. Crest Vert. Curve	16	28	55	85	160
—Des. Crest Vert. Curve	16	28	65	145	300
—Min. SAG Vert. Curve	24	35	55	75	105
—Des. SAG Vert. Curve	24	35	60	100	155
Passing Sight Distance					
—Min. Passing Distance, Ft. (2 lane)		1,100	1,500	1,800	2,100
—Min. K* Value for Crest Vert. Curve		365	686	985	1,340

K* is a coefficient by which the algebraic difference in grade may be multiplied to determine the length in feet of the vertical curve which will provide minimum sight distance.

Sight distance provided for stopped vehicles at intersections should be in accordance with the Unified Development Ordinance for the Town of Smithfield.

10.110.17. Design Speeds.

The following table shows the maximum degree of curve and related maximum superelevation for design speeds. The maximum rate of roadway superelevation (e) for roads with no curb and gutter is .08. The maximum rate of superelevation for streets with curb and gutter is .06, and .04 being desirable.

<u>Design Speed MPH</u>	<u>Maximum e*</u>	<u>Minimum Radius (Rounded)</u> <u>Feet</u>	<u>Maximum Degree of Curve</u> <u>(Rounded)</u> <u>Degrees</u>
20	.04	125	45.00
30	.04	302	19.00
40	.04	573	10.00
50	.04	955	6.00
60	.04	1528	3.45
20	.06	115	50.00
30	.06	273	21.00
40	.06	509	11.15
50	.06	844	6.45
60	.06	1380	4.15
20	.08	110	53.50
30	.08	252	22.45
40	.08	468	12.15
50	.08	764	7.30
60	.08	1206	4.45

*Maximum rate of roadway superelevation, foot per foot.

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10.110.19. PUD Streets.

10.110.19.1. A dense network of narrow streets with reduced curb radii may be fundamental to sound design. This network serves to both slow and disperse vehicular traffic and provide a pedestrian friendly atmosphere. Such alternate guidelines are encouraged in PUDs when the overall design ensures that non-vehicular travel is to be afforded every practical accommodation that does not adversely affect safety considerations. The overall function, comfort, and safety of a multi-purpose or "shared" street are more important than its vehicular efficiency alone.

10.110.19.2. PUDs should have a high proportion of interconnected streets, sidewalks, and paths. Sidewalks should be provided on both sides of each street. Streets and rights-of-ways are shared between vehicles (moving and parked), bicycles, and pedestrians. A dense network of PUD streets will function in an interdependent manner, providing continuous routes that enhance non-vehicular travel. Most PUD streets should be designed to minimize through traffic by the design of the street and the location of land uses. Streets should be designed to only be as wide as needed to accommodate the usual vehicular mix for that street while providing adequate access for moving vans, garbage trucks, fire engines, and school buses.

10.110.20. Street Construction Standards.

All streets must be constructed ~~to the Town of Smithfield Construction Standards.~~ in conformance with the Town of Smithfield Standard Detail and Specifications Manual.

...

Sec. 10.111. Street Connectivity Requirements.

10.111.1. [Interconnected Street System.]

An interconnected street system is necessary in order to protect the public health, safety, and welfare in order to ensure that streets will function in an interdependent manner, to provide adequate access for emergency and service vehicles, to enhance nonvehicular travel such as pedestrians and bicycles, and to provide continuous and comprehensible traffic routes. All proposed new streets shall be platted according to the current town ~~thoroughfare~~ transportation plan. In areas where such plans have not been completed, the streets shall be designated and located in relation to existing and proposed streets, the topography, to natural features such as streams and tree cover, to public safety and convenience, and to the proposed use of land to be served by such streets.

...

10.111.6. [Extensions.]

Where necessary to provide access or to permit the reasonable future subdivision of adjacent land, rights-of-way, and improvements shall be extended to the boundary of the development. A temporary turnaround may be required where the dead end exceeds one hundred and fifty ~~five hundred (500)~~ (150) feet in length. The platting of partial width rights-of-way shall be prohibited except where the remainder of the necessary right-of-way has already been platted, dedicated, or established by other means.

10.111.7. [Utility Stub-Outs.]

Utility stub-outs shall be provided at all required points of street connectivity.

10.111.8 Ingress/Egress.

Single-family or two-family developments with 30 or more lots and multi-family residential developments with more than 100 dwelling units shall have a minimum of two (2) ingress/ egress points onto a public street, or as required by the Fire Code.

10.111.9. Exemptions.

New subdivisions that intend to provide one (1) new cul-de-sac street shall be exempt from the connectivity requirement when the UDO Administrator determines that the subdivision will provide for connectivity with adjacent future development and there are no options for providing stub streets due to topographic conditions, adjacent developed sites, or other limiting factors.

Sec. 10.112. Sidewalks.

10.112.1. [Construction Required.]

Except as provided in Section 10.112.3, the Town Council may require the construction of sidewalks adjacent to one (1) side of new streets in subdivisions. The sidewalks required by this section shall be ~~four (4)~~ five (5) feet in width ~~if on both sides of the street and five (5) feet in width if on one (1) side of the street.~~ All sidewalks shall be constructed according to the Smithfield Standard Detail and Specifications Manual ~~specifications set forth in the Town of Smithfield construction standards.~~

10.112.2. [Pedestrian Access.]

Whenever the town finds that a means of pedestrian access is necessary from a subdivision to schools, parks, open space, playgrounds, roads, or other facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the developer shall be required to reserve an unobstructed easement of at least ten (10) feet in width and a five-foot sidewalk to provide such access.

10.112.3. [Subdivisions.] Exception.

Subdivisions fronting on major thoroughfares are required to construct ~~four~~-five (5) foot wide sidewalk(s) on the thoroughfare right-of-way or adjacent to the right-of-way in a public easement. If the Smithfield Pedestrian Plan identifies a trail on the thoroughfare frontage or an eight (8) foot wide trail shall be installed in lieu of a sidewalk ~~or~~ whether or not a sidewalk exists on the opposite side of the street. The sidewalk(s) and trails shall comply with the Town of Smithfield Standard Detail and Specifications Manual ~~construction standards and NCDOT requirements~~.

Payment in lieu of sidewalk construction may be permitted by the Town Council.

Sec. 10.113. Utilities.

10.113.1. Water and Sewerage Systems.

10.113.1.1. When available, the subdivider shall connect to the water and sewerage systems owned and operated by the town. For all residential and commercial development, the town may require that the developer install lines larger than required by the development in order to support future growth. The town will pay the material cost difference between the required utilities and the upsized lines.

10.113.1.2. Where public or community water supply and/or sewerage systems are not available or to be provided, a written statement from the County Health Department shall be submitted with the preliminary plat indicating that each lot has adequate land area and soil conditions suitable to accommodate the proposed methods of water supply and sewage disposal. The statement from the County Health Department shall be based upon a field investigation. The field investigation for sewage disposal shall include a sufficient number of percolation tests (at least one (1) per acre) to determine absorption capacity of the soil and test holes at least six (6) feet deep (as needed) to determine the depth to the ground water table, and the presence of rock formations or other impervious strata.

10.113.1.3. All Town utilities shall be installed ~~per town requirements~~ in accordance with the Smithfield Standard Detail and Specifications Manual ~~and~~ at the direction of the Public Utilities Director.

10.114.1.4 On-site wastewater (septic) systems shall be located on the lot which the system serves unless an alternative location within an easement is approved by the Town Council.

...

10.116.2. - Acceptance of Dedications.

10.116.2.1. At the time of submittal of a preliminary plat with streets, utilities, or other proposed to be dedicated for acceptance by the town as public, the Town Council will decide if it will approve the dedication, subject to the street(s), parks, utilities, sidewalks, or other complying with all town requirements for acceptance. The Town of Smithfield is not obligated to accept any offer of dedication.

10.116.2.2. Acceptance of dedication will be provided by ~~adoption of a resolution of~~ administrative approval of the final plat ~~by the Town of Smithfield Town Council.~~

~~Sec. 10.117. Adjustments.~~

The Board of Adjustment may authorize an adjustment from these regulations when, in its opinion, undue hardship may result from strict compliance. In granting any adjustment, the Board of Adjustment shall make the findings required below, taking into account the nature of the proposed subdivision, the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. The Board of Adjustment deliberations of the request must follow quasi-judicial procedures. No adjustment shall be granted unless the Board finds:

~~10.117.1. There are special circumstances or conditions affecting that property such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of this land.~~

~~10.117.2. The adjustment is necessary for the preservation and enjoyment of a substantial property right of the petitioner.~~

~~10.117.3. The circumstances giving rise to the need for the adjustment are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this ordinance.~~

~~10.117.4. The granting of the adjustment will not be detrimental to the public health, safety, and welfare or injurious to other property in the territory in which the property is situated.~~

An appeal to the Board's decision on an adjustment request shall be made to the Town Council. The Council's consideration of the appeal must follow quasi-judicial procedures.

...

Sec. 10.119. Final Plat Certifications and Other Documentation.

10.119.1. Exempt Plats.

10.119.2.1. Exempt Certification. I hereby certify that this recorded plat has been found to comply with the subdivision ordinance of the Town of Smithfield, North Carolina, and that this plat has been approved for recording in the register of deeds of Johnston County.

UDO Administrator

Date

PART 3

[Revise Appendix A, to reflect required 160D changes and to better reflect terms in the table of uses and activities and performance standards.]

Sec. A.3. Definitions.

Abutting. A property which directly touches another piece of property, including those separated by a street, railroad, or other transportation corridor.

Agricultural products. Agricultural products are defined as products obtained primarily through farming or agricultural activities, including but not limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, firewood, and pine straw; bees and beekeeping products; seafood; dairy products, any USDA-recognized

agricultural product. Processed or prepared food products of any kind shall not be considered as agricultural products.

Art gallery. An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. This classification does not include libraries, museums, or non-commercial art galleries.

Assembly Uses/Event Center. The principal use of a site or facility owned and/or operated for social, educational, or recreational purposes for-profit or non-profit. Typical uses include but are not limited to weddings, receptions, private parties, educational/informational workshops, fraternal organizations and union halls defined as assembly uses in the NC State Building Code.

Automobile off street parking (commercial lot). Any building or premises, except a building or premises described as a private garage, used for the storage of motor vehicles for the public or private businesses, including O&I uses.

Automobile repair shop. A building or other structure where the following uses and activities are permitted: major mechanics, body work, straightening of body parts, along with all uses and activities of an automotive care center. The use of a site for the repair of automobiles, noncommercial trucks, motorcycles, motorhomes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. This use includes muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities, but excludes dismantling or salvage.

Automobile service stations. A building or lot dedicated to the rendering of services such as the sale of gasoline, oil, grease, and accessories and the minor repair of automobiles, excluding body work, overhauling, and painting.

Automobile wash or automatic car wash. A building or structure where chain conveyors, blowers, steam cleaners, and other mechanical devices are employed for the purpose of washing motor vehicles.

Automotive care center. Three (3) or more automotive care uses planned and constructed as a single unit, where the following uses and activities associated with each would be permitted:

- (1) — Auto parts store
- (2) — Muffler shop
- (3) — Transmission shop
- (4) — Tune up shop
- (5) — Lubrication shop
- (6) — Auto trim and detail shop, including wash, wax, and vacuum.
- (7) — Tire store with service (including alignment)
- (8) — Brake shop

Uses permitted do not include major mechanical and body work, straightening of body parts, storage of automobiles not in operational condition, or other work involving noises, glare, fumes, smoke, or other characteristics to an extent greater than normally found in facilities of this type.

An automotive care center is not a garage for the general repair of automobiles, or a body shop, but does include an automotive trim shop.

Bulk storage system. A facility containing storage tanks, pipe network, power, and control systems which allow dry bulk materials to be aerated and handled as required. Normally used to store materials which are consumed in relatively large quantities (i.e., barite, bentonite, and cement).

Car wash. A building or structure where chain conveyors, blowers, steam cleaners, and other mechanical devices are employed for the purpose of washing motor vehicles.

Collocation. (Amended 10/3/2017) The placement, installation, maintenance, modification, operation, or replacement of wireless facilities on, under, within, or on the surface of the earth adjacent to existing structures, including utility poles, town utility poles, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes. The term "collocation" does not include the installation of new utility poles, Town utility poles, or wireless support structures.

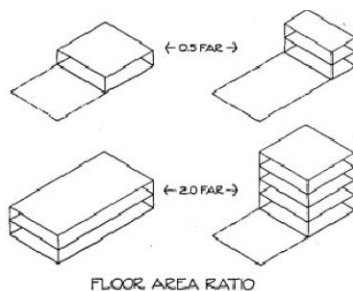
Commercial amusement use. Any use which provides entertainment, amusement, or recreation activities for commercial gain. This definition shall not include special events or functions customarily sponsored by or associated with schools, churches, nonprofit organizations, civic groups, fraternal orders, and charitable institutions.

Data Center. A data center is a building, dedicated space within a building, or a group of buildings used to house computer systems and associated components, such as telecommunications and storage systems.

Entertainment, Indoor. An establishment offering entertainment or games of skill to the general public for a fee or charge where the activity takes place indoors. Typical uses include bowling alleys; indoor tennis facilities; indoor swimming pools; inflatable play equipment; racquet clubs; game rooms including but not limited to video games, mechanical games, pay devices, or tables for which charge in money or some other valuable is made either directly or indirectly; laser tag; escape rooms; climbing walls; trampoline park; and electric go-karts.

Entertainment, Outdoor. An establishment offering entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open, excluding golf courses and public parks. Typical uses include archery ranges, athletic fields, batting cages, golf driving ranges and miniature golf courses, swimming pools and tennis courts.

FAR (Floor Area Ratio). The maximum square foot amount of total floor area including all stories and all uses permitted for each square foot of land area.



Gross density. The numerical value obtained by dividing the total number of dwelling units in a development by the gross area of the tract of land (in acres) within a development. This would include all nonresidential land uses and private streets of the development, as well as rights-of-way of dedicated streets; the result being the number of dwelling units per gross acre of land.

Home occupation. An incidental use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services. The term "home occupation" shall not be deemed to include a tourist home.

Industrial, Heavy. Wholesale and industrial uses that requires an NPDES permit for an industrial discharge and/or requires the use or storage of any hazardous material for the purpose of manufacturing, processing, assembling, finishing, cleaning or developing any product or commodity.

Industrial, Light. Wholesale and warehousing and industrial uses that include fabrication, manufacturing, assembly or processing of materials that do not require an NPDES permit for an

industrial discharge or requires the use or storage of any hazardous material or requires the use or storage of any hazardous material for the purpose of manufacturing, processing, assembling, finishing, cleaning or developing any product or commodity.

Lawn and garden stores. A place of business where retail and wholesale products and produce are sold to the consumer. These stores, which may include a nursery and/or greenhouses, import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

Lot, flag. (Amended 4/3/2018) A lot with two (2) distinct parts:

- (1) The flag, which typically contains building site; and is located behind another lot; and
- (2) The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is no less than 60 feet in width ~~than or equal to the minimum lot width for the zone.~~

M

~~Major and/or multi-unit development.~~ Development consisting of:

- ~~(1) Structures on a tract of two (2) acres or more, or~~
- ~~(2) Nonresidential structures having a total floor area of ten thousand (10,000) square feet or more.~~

Manufacturing and processing. An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales and distribution of such products, but excluding heavy industrial processing. Typical uses include food processing and beverage bottling, large-scale bakeries, electronics assembly, pharmaceuticals, monuments, tobacco products, dry cleaning plants and printing and publishing.

Mini-storage/self-service storage. A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.

Multifamily development. A single building on a single lot or tract containing more than two (2) dwelling units.

Net acreage, acres, land area, square footage of land area. Land area with streets, rights-of-way, driveways which serve as access to more than two (2) dwelling units or uses, and major transmission line easements not included in its measurement.

Parking facility structures and underground parking garages, commercial. Any area (except an accessory use), either open or enclosed, structural or natural, for the storage of a vehicle or vehicles. Each parking facility structure shall have an approved means of ingress and egress. ~~A parking lot is a subclassification of a parking facility.~~

Plant nursery. A use for which the principal purpose is the growing of plants outside or in a greenhouse for wholesale or retail sales.

~~Shopping center, major.~~ Two (2) or more commercial establishments, planned and constructed, as a single unit with off-street parking and loading facilities provided on the property ~~with a total building area of twenty-five thousand (25,000) square feet or greater.~~

~~Shopping center, minor.~~ Two (2) or more commercial establishments, planned and constructed, as a single unit with off-street parking and loading facilities provided on the property ~~with a total building area less than twenty-five thousand (25,000) square feet.~~

Stormwater management definitions. For the purposes of Article 10, Part VI, Stormwater Management, the following items, phrases and words shall have the meaning herein:

- (1) **Approved accounting tool.** The most recent version of the accounting tool for calculating nutrient loading and reduction approved by the Division for the relevant geography and development type under review.
- (2) **Built-upon area (BUA).** Means the same as defined in N.C.G.S. 143-214.7(b2).
- (3) **Design Manual.** The State Stormwater Design Manual approved by the Department for the proper implementation of the State Minimum Design Criteria for engineered stormwater controls. All references herein to the Design Manual are to the latest published edition or revision.
- (4) **Developer.** Means the same as defined in N.C.G.S. 160D-102(11).
- (5) **Development.** Any of the following actions taken by a public or private individual or entity:
 - (a) The division of a lot, tract, or parcel of land into two (2) or more lots, plots, sites, tracts, parcels, or other divisions by plat or deed.
 - (b) Any land change, including, without limitation, clearing, tree removal, grubbing, stripping, dredging, grading, excavating, transporting, and filling of land.

Means the same as defined in N.C.G.S. 143-214.7(a1)(1).
- (6) **Division.** The Division of Water Resources in the Department.¹
- (7) **Existing development.** An individual non-residential site with site plan approval by the Planning Department or a non-residential subdivision with preliminary subdivision approval from the Planning Board. Means the same as defined in 15A NCAC 02H .1002(18).
- (8) **Engineered stormwater control.** A physical device designed to trap, settle out, filter, or otherwise remove pollutants from stormwater runoff; to alter or reduce stormwater runoff velocity, amount, timing, or other characteristics; to approximate the pre-development hydrology on a developed site; or to achieve any combination of these goals. Engineered stormwater control includes physical practices such as constructed wetlands, vegetative practices, vegetated conveyances, filter strips, grassed swales, and other methods installed or created on real property. "Engineered stormwater control" is synonymous with "structural practice," "Primary SCM", "stormwater control facility," "stormwater control practice," "stormwater treatment practice," "stormwater management practice," "stormwater control measures," "structural stormwater treatment systems," and similar terms used in this ordinance. It is a broad term that may include practices that do not require design by a professionally licensed engineer.
- (9) ~~**Land disturbance.** Removal of topsoil, grubbing, stump removal, and/or grading.~~
- (10) **Land disturbing activity.** Means the same as defined in 15A NCAC 02B .0202(33). **Load.** Means the mass quantity of a nutrient or pollutant released into surface waters over a given time period. Load in this ordinance refers to pounds of nitrogen or phosphorus per year.
- (11) **Loading rate.** Means the mass quantity of a nutrient or pollutant released from a given area into surface waters over a given time period. Loading rate in this ordinance refers to pounds of nitrogen or phosphorus per acre per year.
- (12) **Minimum Design Criteria.** Means the same as defined in 15A NCAC 02H .1002(24).
- (13) **Nitrogen.** Means total nitrogen unless specified otherwise.

- (14) 1-year, 24-hour storm. Means the same as defined in 15A NCAC 02H .1002(30).
- (15) Outfall. A point at which stormwater (1) enters surface water or (2) exits the property of a particular owner.
- (16) Owner. The legal or beneficial owner of land, including but not limited to a mortgagee or vendee in possession, receiver, executor, trustee, or long-term or commercial lessee, or any other person or entity holding proprietary rights in the property or having legal power of management and control of the property. "Owner" shall include long-term commercial tenants; management entities, such as those charged with or engaged in the management of properties for profit; and every person or entity having joint ownership of the property. A secured lender not in possession of the property does not constitute an owner, unless the secured lender is included within the meaning of "owner" under another description in this definition, such as a management entity.
- (17) Permanent nutrient offset credits. Means the same as defined in 15A NCAC 02B .0701(38).
- (18) Redevelopment. Means the same as defined in N.C.G.S. 143-214.7(a1)(2).
- (19) Runoff treatment. Means the same as defined in 15A NCAC 02H .1002(43).
- (20) Runoff volume match. Means the same as defined in 15A NCAC 02H .1002(44).
- (21) Total nitrogen. Means the sum of the organic, nitrate, nitrite, and ammonia forms of nitrogen in water.

Street. A public thoroughfare which affords access to abutting property and is recorded as such in the office of the Johnston County Register of Deeds. The following classifications apply:

- ~~(1) **Superhighway.** Major thoroughfares consisting of interstates, freeways, expressways, or parkway links that are characterized by limited access control.~~
- ~~(2) **Major arterial.** A major street in the town's street system that serves as an avenue for the circulation of traffic into, out, or around the town and carries high volumes of traffic. It is designed to carry more than twelve thousand (12,000) but less than twenty four thousand (24,000) trips per day.~~
- ~~(3) **Minor arterial.** A major street in the town's street system that serves as an avenue for the circulation of traffic into, out, or around the town and carries high volumes of traffic. It is designed to carry more than five thousand (5,000) but less than twelve thousand (12,000) trips per day.~~
- ~~(4) **Collector.** A street whose principal function is to carry traffic between minor, local, and subcollector streets and arterial streets but that may also provide direct access to abutting properties. It is designed to carry more than two thousand five hundred (2,500) but less than five thousand (5,000) trips per day. Typically, a collector is able to serve, directly or indirectly, between two hundred and fifty (250) and five hundred (500) dwelling units.~~
- ~~(5) **Subcollector.** A street whose principal functions are both to carry traffic between minor and local streets and collectors, or to join two (2) collectors, or a collector and an arterial, and to serve abutting properties. It is designed to carry more than five hundred (500) but less than two thousand five hundred (2,500) trips per day. Typically, a subcollector is able to serve, directly or indirectly, between fifty (50) and two hundred fifty (250) dwelling units.~~
- ~~(6) **Local road.** A street whose sole function is to provide access to abutting properties. It is designed to carry more than one hundred fifty (150) but less than five hundred (500) trips per day. Typically, a local road is able to serve, directly or indirectly, between fifteen (15) and fifty (50) dwelling units.~~
- ~~(7) **Minor street.** A street whose sole function is to provide access to abutting properties. It is designed to carry one hundred fifty (150) or less trips per day. Typically, a minor street serves fifteen (15) or fewer dwelling units.~~
- ~~(8) **Alley.** A strip of land, owned publicly or privately, set aside primarily for vehicular service access to the back or side of properties otherwise abutting on a street.~~

- (1) Arterial. The arterial system should serve the major centers of activity of an urban area, the highest traffic volume corridors, and the longest trip desires; and should carry a high proportion of the total urban area travel on a minimum of mileage. Arterials consist of Interstates; Other Freeways and Expressways; and Other Principal Arterials.
- (2) Collector. The collector street system provides land access service and traffic circulation within residential neighborhoods, commercial and industrial areas. It differs from the arterial system in that facilities on the collector system may penetrate residential neighborhoods, distributing trips from the arterials through the area to the ultimate destination.
- (3) Local. The local street system consists of all roads not defined as arterials or collectors and primarily provides access to land with little or no through movement.
- (4) Alley. A strip of land, owned publicly or privately, set aside primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

Subdivision, major. All subdivisions shall be considered major subdivision except those defined as minor subdivisions or exempt from subdivision regulations:

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the local government as shown in its subdivision regulations.
- (2) division of land into parcels greater than 10 acres where no street right of way dedication is involved.
- (3) The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
- (4) The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right of way dedication is involved and where the resultant lots are equal to or exceed the standards of the local government, as shown in its subdivision regulations.
- (5) The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

Subdivision, minor. A subdivision shall be considered a minor subdivision if all the following criteria are met:

- (1) The tract or parcel to be divided is not exempted under subdivision (2) of subsection (a) of this section.
- (2) No part of the tract or parcel to be divided has been divided under this subsection in the 10 years prior to division.
- (3) The entire area of the tract or parcel to be divided is greater than 5 acres.
- (4) After division, no more than three lots result from the division.
- (5) After division, all resultant lots comply with all of the following:
 - a. All lot dimension size requirements of the applicable land use regulations, if any. NC General Statutes Chapter 160D Article 8 2
 - b. The use of the lots is in conformity with the applicable zoning requirements, if any.
 - c. A permanent means of ingress and egress is recorded for each lot. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

A minor subdivision is a tract to be subdivided which is five (5) acres or less in size, and three (3) or fewer lots result after subdivision:

- (1) — All of which front on an existing approved public street;
- (2) — Not involving any new public streets or public street improvements, right of way dedication, or prospectively requiring any new street for access to interior property;
- (3) — Not requiring drainage improvements or easements to serve the applicant's property or interior properties;
- (4) — Not involving any utility extensions; and

(5) ~~Not requiring any easements, other than rear and side lot line easements.~~

(6) ~~Not creating any new or residual parcels which do not satisfy the requirements of this ordinance.~~

Temporary emergency, construction or repair residence. A subordinate residence (which may be a Class ~~B~~ A manufactured home, travel trailer) that is ~~located on the same lot as a single-family dwelling made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster, or~~ (ii) is located on the same lot as ~~a~~ while the primary residence that is under construction or undergoing substantial repairs or reconstruction and is occupied by the persons intending to live in such permanent residence when the work is completed.

Temporary office units/modular office units. Factory-fabricated, transportable buildings that are designed to arrive at the site ready for occupancy, except for minor unpacking and connection to utilities, and designed for removal to, and installation at other sites.

Video arcade. An indoor area containing coin-operated video games.

Yard, street. A landscaped area located along a street.

PART 4

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

PART 5

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

Duly adopted this the 6th day of June, 2023.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
ZA-23-06

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT,

That the final action regarding zoning ordinance amendment ZA-23-06 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the regularly scheduled meeting of Town Council; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE FAILS,

That the final action regarding zoning ordinance amendment ZA-23-06 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment does not promote this and therefore is neither reasonable nor in the public interest.



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

Petition for Amendment to the Unified Development Ordinance

Pursuant to Article 4 of the Town of Smithfield Unified Development Ordinance, Proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. The application for any amendment shall contain a description of the proposed zoning regulation.

APPLICANT INFORMATION:

Planning Department	350 E Market Street
_____ Petitioner's Name	_____ Address or PO Box
Smithfield	919-934-2116, ext 1114
_____ City, State, Zip Code	_____ Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:
 Articles 2, 10 and Appendix A to update performance standards in conjunction

 with the updates to the Standard Specifications and Details Manual.

(Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

_____	4/26/23
Signature of Petitioner	Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Amount Paid: _____



Request for Town Council Action

Business	Speed
Agenda	Limit
Item:	Change
Date:	08/08/2023

Subject: Speed Limit Change
Department: Planning Department & Police Department
Presented by: Planning Director – Stephen Wensman
Presentation: Business Item

Issue Statement

Due to increased traffic and identified speed issues, the police department and planning staff contacted NCDOT about reducing the speed limit on Highway 210 between Market Street and the Town Limit at Swift Creek. After review NCDOT agreed with the modification in speed and require the attached ordinance amendments to be approved by Council.

Financial Impact

None

Action Needed

Approve Speed Limit Change and Ordinance as attached.

Recommendation

Approve Speed Limit Change and Ordinance as attached.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Ordinance No. 517-2023
3. NCDOT Certification of Municipal Declarations



Staff Report

Business Speed
Agenda Limit
Item: Change

The Planning Director, Stephen Wensman and the Previous Police Chief, Keith Powell have been working with NCDOT for some time to lower the speed limit on NC 210 between Swift Creek Bridge and Market Street. The speed change will make this stretch of road 35 miles per hour rather than 45 miles per hour. With the new subdivisions being added to this stretch of road, staff felt it was important to decrease the speed limit as soon as possible. After providing time for NCDOT to review the issue, NCDOT has agreed with the change.

The Council will need to adopt the attached ordinance changes to make the reduced speed limit effective.

ORDINANCE NO. 517-2023

AN ORDINANCE CONCURRING WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR SPEED LIMIT REVISIONS INSIDE THE CORPORATE LIMITS OF SMITHFIELD, NORTH CAROLINA

WHEREAS, the Town of Smithfield requested from the North Carolina Department of Transportation for the approval of certification ordinance implementing speed limit modifications on certain state roads within the Corporate Limits; and,

WHEREAS, the Town and the State must concur in this action to modify the speed limits on any state highway located within the limits of the town; and,

WHEREAS, the Town Council desires to cooperate with the Department of Transportation in the designation of speed limit modifications as requested;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, NORTH CAROLINA:

Section 1. Based upon the authority granted by GS 20-141(f), the speed zone modifications proposed by the Department of Transportation (DOT) are hereby approved as follows:

DECLARE THE FOLLOWING SPEED LIMITS ON NC 210

Speed Limit	Route	Description
35 MPH	NC 210	Between 0.18 mile east of SR 1010 and US 70.

RESCIND THE FOLLOWING SPEED LIMITS ON NC 210

Speed Limit	Route	Description
45 MPH	NC 210	NC 210 from a point 0.18 mile east of SR 1010, eastward for 1.12 mile in Smithfield

Section 2. The Town Clerk is hereby authorized and directed to cause this Ordinance, and the attached DOT ordinance certifications as ATTACHMENTS A & B, to be certified and forwarded to the Department of Transportation for its use and files for purposes effectuating the stated speed zone modifications.

Section 3. The Town Manager or his designees are hereby authorized to execute the applicable documents associated with this ordinance.

Section 4. This ordinance shall become effective upon its adoption and approval both by City and Department of Transportation.

Adopted and approved this the 8th day of August, 2023.

M. Andy Moore
Mayor

ATTEST:

Shannan L. Parrish
Town Clerk

**Certification of Municipal Declaration
To Repeal Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1025326

Division: 4 **County:** JOHNSTON

Municipality SMITHFIELD

Type: Municipal Speed Zones

Road: NC 210

Car: 45 MPH

Truck: 45 MPH

Description: NC 210 from a point 0.18 mile east of SR 1010, eastward for 1.12 mile in Smithfield.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance Number: _____

In witness whereof, I have hereunto set my hand and the municipal seal this _____ day of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1084405

Division: 4 **County:** JOHNSTON

Municipality: SMITHFIELD

Type: Municipal Speed Zones

Road: NC 210

Car: 35 MPH

Truck: 35 MPH

Description: Between 0.18 mile east of SR 1010 and US 70.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance Number: _____

In witness whereof, I have hereunto set my hand and the municipal seal this _____ day of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____



Request for Town Council Action

Business
Agenda PEHB
Item:
Date: 08/08/2023

Subject: Post Employee Health Benefit
Department: General Government
Presented by: Town Manager – Michael Scott
Presentation: Business Item

Issue Statement

During a previous Council Meeting, the Manager was asked to prepare information on offering some sort of post employee health benefit to employees who were hired after June 30, 2007. This presentation is part of that request.

Financial Impact

Financial impact would begin in Fiscal Year 2033, and is dependent on the amount of benefit offered for retiree healthcare.

Action Needed

Council should discuss information and make decisions based on its own advice.

Recommendation

Discuss Post Employee Health Benefit and provide the Manager direction, as to how to proceed.

Approved: Town Manager Town Attorney

Attachments:

Staff Report

1. Police Spreadsheet – Separate Attachment
2. Fire Spreadsheet – Separate Attachment
3. Combined Spreadsheet with Current Benefits – Separate Attachment



Staff Report

Business
Agenda PEHB
Item:

During a previous Council session, the Manager was asked to review possibilities of adding a post-employment health benefit for employees that retire from the Town and were hired after June 30, 2007. Attached are spreadsheets for public safety departments and estimated costs associated with such a benefit, along with benefits currently being paid.

The manager was asked to review the possibility of adding this benefit to assist with recruitment and retention in the police department, specifically. The attached information also includes the fire department, though police and fire are listed separately.

Currently the Town has a benefit for those employees hired before July 1, 2007. These **employees are allowed to remain in the Town's insurance risk pool if they leave the Town's** employment with at least 20 years of service. This benefit is paid 100 percent by the Town **until the employee's 65th birthday. At this point, the employee's Medicare Supplement is** reimbursed by the Town until the employee's death. Currently the annual health benefit for employees and retirees who are less than 65 years of age is \$9,722.68 annually.

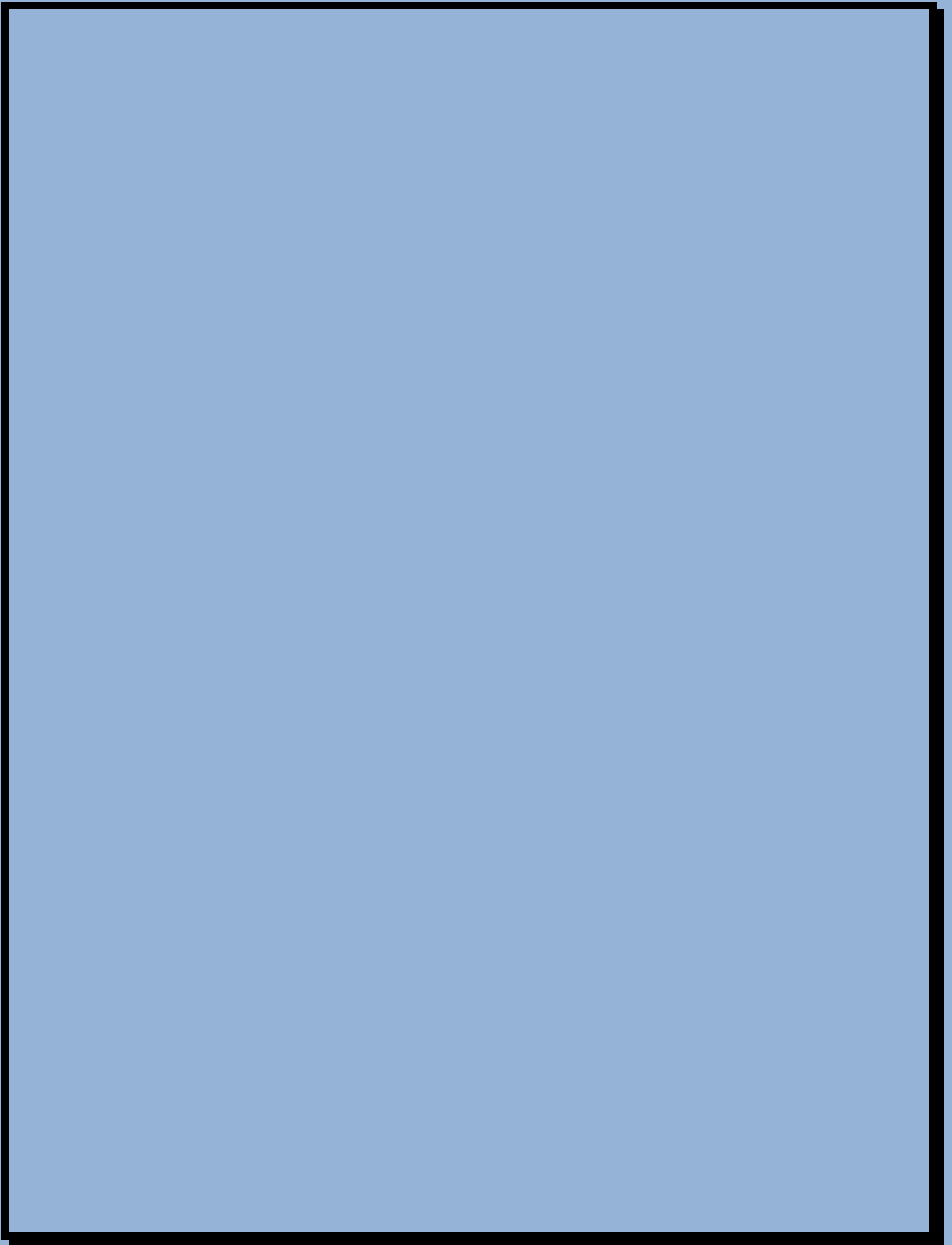
The Manager's recommendation would be to not include retirees hired after June 30, 2007 **in the Town's insurance risk pool. By having retirees** in the employee risk pool, the cost of benefits increase for all employees, along with the employee share of this benefit.

The manager is recommending a benefit for public safety employees, hired after June 30, 2007, completing 25 years of continuous service, will receive an annual stipend, reimbursing the employee up to \$10,000 of insurance premiums per fiscal year. The benefit would terminate **at the end of the month of the employee's 65th birthday.**

If the Council wanted to offer this benefit to all employees, the listed amounts would double in cost for the General Fund. Employees in the Enterprise Funds would be paid based on fee revenue, which may need to be adjusted in fiscal year 2033 in the Water/Sewer Department. The Electric Department will have the defeasance debt (\$1.1 million annually) paid off prior to 2033 and will be able to afford the benefit with proper planning.

By providing this benefit in the manner described, all retirees would be excluded from the insurance risk pool by fiscal year 2047. This will lower insurance premiums to assist paying for the new retiree benefits.

Financial Report

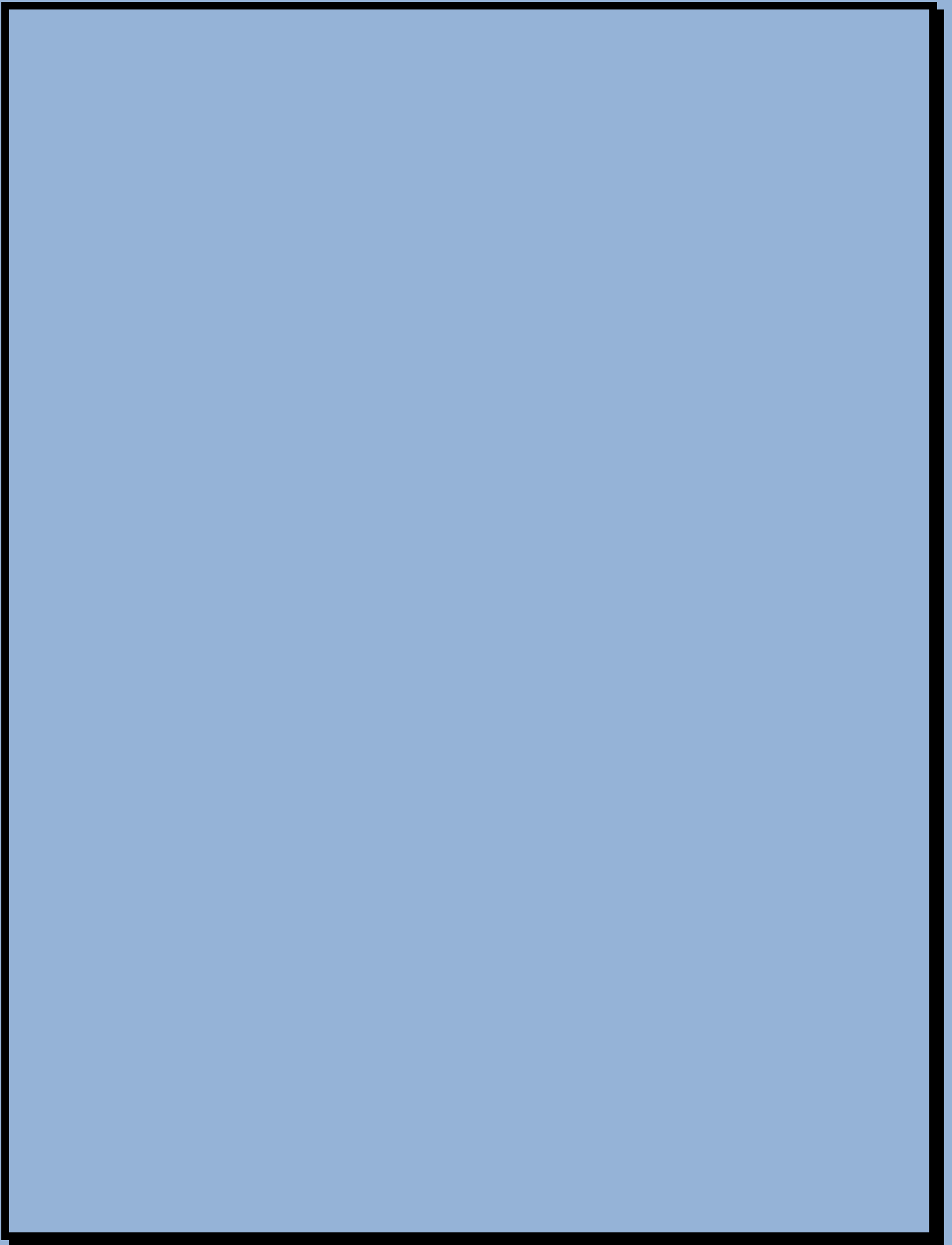


NOTICE

Financial Summaries and Charts for year-end (June 30, 2023) are not included in this month's report. Unlike the other eleven months in the year, expenses and revenues received after June 30th, but for the prior fiscal year are continually applied back to the month of June.

Therefore, the year-end numbers at June 30, 2023, are reported in the annual audit report.

Department Reports





FINANCE DEPARTMENTAL REPORT FOR JUNE, 2023

SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):

Daily Collections/Property Taxes/Other.....	\$2,562,187
Franchise Tax.....	285,227
Sales & Use Tax.....	338,407
Powel Bill.....	_____
Total Revenue	\$3,185,821
Expenditures: General, Water, and Electric.....	\$3,787,405

FINANCE:

- Compiled and submitted monthly retirement report for June on June 22nd.
- Issued 27 purchase orders
- Processed 695 vendor invoices for payment and issued 390 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on June 9th & June 23rd.
- Issued total of 0 renewal privilege licenses for beer and wine sales with 12 outstanding
- Sent 0 past due notices for delinquent privilege license
- Issued 1 peddler license
- Sent 0 notices for grass cutting
- Collected \$0 in grass cutting invoices. Total collected to date is \$9,496.
- Processed 9 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$27,245.02 (EMS: \$6,926.27; SRAC: \$2,022.46; Utility: \$21,593.46; and Other: \$0)
- Penn Credit - Bad Debt Collections received in August \$0; Total collections calendar year-to-date \$23,185.67
- Invoiced 2 grave opening (10-40-3400-3403-0003) for a total of \$725.
- Invoiced Johnston Community College for Police Security on June 30th for June.
- Earned \$29,352 in interest from FCB and paid \$2,934 in fees on the central depository account.
- Paid \$13,590 in credit/debit/Tyler card fees, but received \$8,213 (31-72-3550-3520-0002) in convenience fees

FINANCE DIRECTOR

- Attended Town Council Meeting on June 6th
- Provided Johnston County with Town’s Budget Data and Tax Rates for FY24
- Provided additional water data to Utility Director for water study
- Attended Department Head Meeting on June 5 and 27, 2023
- Paid Utility Sales Tax for May 2023 on June 16, 2023
- Completed Capital Projects spreadsheets for May on June 16, 2023
- Participated in Police Chief Assessment on June 21-22, 2023
- Responded to CDBG Auditors during the June 28th Audit Visit

ASSISTANT FINANCE DIRECTOR

- Created/formatted 2% salary increase spreadsheet for Town Manager.
- Entered & processed all hires/terminations/time for 6.9.2023 payroll in Payroll Tech’s absence
- Uploaded the 2023-2024 Budget on June 16th.
- Schedule and attended call with Cindy Hayden of Mark III to clear up enrollment/benefit discrepancies.
- Put together a position management spreadsheet for HR to complete employee change forms correctly with.
- Attended NC Plans Employer Corner Series on 6.13.23 from 2-3:15
- Attended Local Government Employees’ Retirement System Employer Training on 6.14.23 from 9-11:30
- Attended Empower’s Migration webinar on 6.29.23 at 1 pm.



Planning Department Development Report

Friday, July 28, 2023

Project Name: Slim Chickens
 Request: Free Standing Restaurant
 Location 1311 North Brightleaf Boulevard
 Tax ID#: 14074019A PIN#: 260411-55-9256
 Project Status In First Review
 Notes: Staff Review and Approval

Site Plan 2023-07
Submittal Date: 7/18/2023
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: Bufflo Road Subdivision
 Request: 217 unit subdivision
 Location Buffalo Rd
 Tax ID#: 14A03005 PIN#: 260412-06-3802
 Project Status In First Review
 Notes:

Conditional Zoning 2023-01
Submittal Date: 6/30/2023
Planning Board Review: 8/4/2023
Board of Adjustment Review:
Town Council Hearing Date: 9/5/2023
Approval Date:

Project Name: Johnston County / Yelverton Grove Road Rezoning
 Request: Rezone 49.02 acers from R-20A to OI
 Location Yelverton Grov
 Tax ID#: 15L11012 PIN#: 260300-46-7578
 Project Status In First Review
 Notes: Planning Board Reccomends Approval

Map Amendment 2023-01
Submittal Date: 6/2/2023
Planning Board Review: 7/13/2023
Board of Adjustment Review:
Town Council Hearing Date: 8/1/2023
Approval Date:

Project Name: Sidewalk Fee in lieu of
 Request: Amend Article 2 to create a sidewalk fee in lieu of option
 Location
 Tax ID#: PIN#:
 Project Status In First Review
 Notes: Planning Board Reccomends Approval

Text Amendment ZA-23-07
Submittal Date: 6/2/2023
Planning Board Review: 7/13/2023
Board of Adjustment Review:
Town Council Hearing Date: 8/1/2023
Approval Date:

Project Name: **Big Dan's Car Wash**
 Request: Car wash tunnel
 Location 100 Smithfield Cros
 Tax ID#: 15008045Y PIN#: 260305-09-6780
 Project Status **Second Review Complete**
 Notes: Old Checkers Site

Site Plan SP-23-06	
Submittal Date:	6/1/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **General Design Standards**
 Request: Article 2,10 and Appendix A
 Location
 Tax ID#: PIN:
 Project Status
 Notes: Planning Board reccomends Approval

Text Amendment 2023-06	
Submittal Date:	5/1/2023
Planning Board Review:	5/4/2023
Board of Adjustment Review:	
Town Council Hearing Date:	7/4/2023
Approval Date:	

Project Name: **Airport Industrial Lot 4**
 Request: 8000 sq ft Industrial Flex Space
 Location 154 Airport Ind Drive
 Tax ID#: 15J08017H PIN#: 68500-04-6994
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2023-04	
Submittal Date:	4/19/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Home2Suites**
 Request: 98 Room Hotel
 Location Towne Center Place
 Tax ID#: 15L11001H PIN#: 260305-08-8796
 Project Status **Approved**
 Notes: Staff review and approval

Site Plan 2023-03	
Submittal Date:	3/17/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Smithfield Kia Dealership**
Request: Modifications to previous Ford dealership site
Location 1698 Booker Dairy Road
Tax ID#: 14L10199H PIN#: 260414-34-2689
Project Status **Approved**
Notes: Staff review and approval

Site Plan 2022-13
Submittal Date: 12/12/2022
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **SSS Gym Expansion**
Request: Gym Expansion
Location 700 M.D.S Parkway
Tax ID#: 14075033 PIN#: 260405-08-9280
Project Status **Approved**
Notes: Staff review and approval

Site Plan 2022-14
Submittal Date: 12/12/2022
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **OPW Containment Systems**
Request: Expands parking into adjacent lot
Location 132 Citation Lane
Tax ID#: 15079005E PIN#: 168510-37-9463
Project Status **Approved**
Notes: Construction Completed

Site Plan 2022-12
Submittal Date: 11/21/2022
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **Deacon Jones Chrysler Addition**
Request: 6,800 sq ft addition
Location 1109 North Brightleaf Boulevard
Tax ID#: 15004022 PIN#: 260413-24-1290
Project Status **Approved**
Notes: Under Construction

Site Plan 2022-07
Submittal Date: 8/24/2022
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **Brightleaf Plaza / Enterprise**
 Request: 8,900 sq ft building on a 1.98 ac tract
 Location 819 North Brightleaf Boulevard
 Tax ID#: 15005041 PIN#: 260413-03-5247
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2022-09	
Submittal Date:	8/18/2022
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Brogden Industrial**
 Request: 265,000 sq ft warehouse
 Location 934 Brogden Road
 Tax ID#: 15K11012C PIN#: 169310-35-5200
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2022-05	
Submittal Date:	5/18/2022
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Whitley Townes**
 Request: 70 lot Townhouse Subdivision
 Location West Market Street
 Tax ID#: 15084001 PIN#: 169409-06-6525
 Project Status **Approved**
 Notes: Construction drawings approved

Subdivision 2022-03	
Submittal Date:	4/1/2022
Planning Board Review:	5/5/2022
Board of Adjustment Review:	
Town Council Hearing Date:	6/7/2022
Approval Date:	

Project Name: **Take 5 Oil Change**
 Request: Retail oil change service center
 Location 1307 North Brightleaf Boulevard
 Tax ID#: 14074019 PIN#: 260411-55-6272
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2022-02	
Submittal Date:	3/11/2022
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Floyd's Landing**
 Request: 598 residential units on 698 acres
 Location 2001 US Hwy 70 We
 Tax ID#: 15078012 PIN#: 168500-73-3381
 Project Status **Approved**
 Notes: Construction drawings approved

Subdivision 2022-02	
Submittal Date:	3/4/2022
Planning Board Review:	4/7/2022
Board of Adjustment Review:	
Town Council Hearing Date:	5/2/2022
Approval Date:	

Project Name: **Franklin Towns**
 Request: Preliminary Sub'd for 134 townhouses on 15.9 acers
 Location Wilson's Mills Road
 Tax ID#: 15083049E PIN#: 169406-29-7604
 Project Status **Approved**
 Notes: Under Construction

Subdivision 2022-01	
Submittal Date:	1/7/2022
Planning Board Review:	2/4/2022
Board of Adjustment Review:	
Town Council Hearing Date:	3/1/2022
Approval Date:	

Project Name: **Harvest Run**
 Request: R8-CZ to allow for 69 townhouses and 96 single family
 Location NC 210 Highway
 Tax ID#: 15077009 PIN#: 168400-84-6775
 Project Status **Approved**
 Notes: Constrction Drawings Approved

Conditional Zoning 2021-10	
Submittal Date:	10/1/2021
Planning Board Review:	11/4/2021
Board of Adjustment Review:	
Town Council Hearing Date:	12/7/2021
Approval Date:	

Project Name: **JNX Corporate Hangers**
 Request: Parking and stormwater improvements
 Location 3146 Swift Creek Road
 Tax ID#: 15079017D PIN#: 168500-12-1015
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-17	
Submittal Date:	9/17/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Smithfied PD expansion**
 Request: Addition to existing facility
 Location 110 South Fifth Street
 Tax ID#: 15025048 PIN#: 169419-50-2949
 Project Status **Approved**
 Notes: Under Construction

Conditional Zoning 2021-05	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/9/2021
Approval Date:	

Project Name: **Marin Woods Subdivision**
 Request: 143 units on 31.56 Ac.
 Location NC210 Highway
 Tax ID#: 15077008 PIN#: 168400-74-4498
 Project Status **Approved**
 Notes: Under Construction

Subdivision 2021	
Submittal Date:	7/2/2021
Planning Board Review:	8/5/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	

Project Name: **Ample Storage Expansion**
 Request: 32K additional building area on 1.84 acres
 Location 787 West Market Street
 Tax ID#: 15078199K PIN#: 169413-04-3402
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-16	
Submittal Date:	6/23/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Johnston Health Services**
 Request: 5,370 Sq ft addition to Hospital Complex
 Location 512 North Brightleaf Boulevard
 Tax ID#: 15010058 PIN#: 169416-82-0969
 Project Status **Approved**
 Notes: Under Construction

Site Plan 0202-09	
Submittal Date:	8/24/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	9/4/2020

Project Name: **Johnston County Detention Center**
 Request: Site Plan Approval
 Location 1071 Yelverton Grov Road
 Tax ID#: 15L11011 PIN#: 260300-67-6920
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-02	
Submittal Date:	2/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/14/2020

Project Name: **East River Phase 6-7**
 Request: Townhouse Development
 Location Buffalo Road
 Tax ID#: 14075013 PIN#: 169520-80-3415
 Project Status **Approved**
 Notes: Under Construction

Subdivision 2018-01	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	4/20/2020

Project Name: **East River Phase 3-5**
 Request: Residential Subdivision
 Location Buffalo Road
 Tax ID#: 14075013 PIN#: 169520-80-3415
 Project Status **Approved**
 Notes: Under Construction

Subdivision 2018-01	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	4/20/2020

Project Name: **Twin Creeks Phs 1**
 Request: 28 Lot Subdivision
 Location Gailee Road
 Tax ID#: 15I09011B PIN#: 167300-56-5565
 Project Status
 Notes: Under Construction

Subdivision 2019-01	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Kamdon Ranch**

Request: 110 Lot Division

Location Swift Creek Road

Tax ID#: 15I08020 PIN#: 167400-55-9495

Project Status **Approved**

Notes: Under Construction

Subdivision 2019-02	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/27/2019



Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

Permit Issued for June 2023

Permit Type	Sub Type	Permit Fees	Permits Issued
Zoning	Land Use	\$1400.00	14
Site Plan	Major Site Plan	\$100.00	1
Subdivisions	Major Subdivision	\$250.00	1
Site Plan	Minor Site Plan	\$350.00	11
Zoning	Sign	\$100.00	2
Report Period		\$2,200.00	29
Fiscal YTD Total:		\$27,290.00	485

SP23-000187	Site Plan	Minor Site Plan	10' X 20' Acc Structure	123 NC Highway 210
Z23-000088	Zoning	Land Use	Phantom Fireworks	1233 N Brightleaf Blvd
Z23-000104	Zoning	Land Use	Christy's Boutique	1699 Booker Dairy Rd
Z23-000100	Zoning	Sign	Master Tire Shop	1302 S Brightleaf Blvd
SP23-000190	Site Plan	Minor Site Plan	Single Family Attached	1104 Wilson's Mills Rd
SP23-000191	Site Plan	Minor Site Plan	Single Family Attached	1104 Wilson's Mills Rd
SP23-000192	Site Plan	Minor Site Plan	Single Family Attached	1104 Wilson's Mills Rd
SP23-000193	Site Plan	Minor Site Plan	Single Family Attached	1104 Wilson's Mills Rd
SP23-000195	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Rd
SP23-000196	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Rd
SP23-000185	Site Plan	Minor Site Plan	In Ground Pool	120 Nolan Circle
Z23-000090	Zoning	Land Use	Food Truck	817 S Third St
Z23-000091	Zoning	Land Use	Bondage Photography	709 S Third
Z23-000092	Zoning	Land Use	JoCo Board Of Realtors	709 S Third St
Z23-000093	Zoning	Sign	JoCo Board Of Realtors	709 S Third St
SP23-000186	Site Plan	Minor Site Plan	Single Family Addition	1105 Hancock St
Z23-000095	Zoning	Land Use	UNC Family Medicine	127 East Market St
Z23-000096	Zoning	Land Use	VIP Smoke Shop	1025 Outlet Center Dr
Z23-000097	Zoning	Land Use	Hwy 70 Tobacco	234 W Market St
SP23-000188	Site Plan	Minor Site Plan	Airport Ind Park Lot 4	154 Airport Industrial Dr
Z23-000098	Zoning	Land Use	Mitchener University	714 Wilkins St
SP23-000189	Site Plan	Major Site Plan	Homes2 Suites Hotel	180 Towne Centre Pl
SUB23-000005	Subdivisions	Major Subdivision	Harvest Run	400 NC 210 Highway
Z23-000099	Zoning	Land Use	Ready Set Escape, LLC	1304-D W Market St
Z23-000101	Zoning	Land Use	Blackberry Creek Kettle Corn	514 N Brightleaf Blvd
Z23-000102	Zoning	Land Use	A&E Accounting Group	839 S Brightleaf Blvd
Z23-000103	Zoning	Land Use	Sparkle N Shine Car Wash	1304 S Brightleaf Blvd
SP23-000194	Site Plan	Minor Site Plan	24' x 30' Accessory Structure	316 Rosewood Dr
Z23-000105	Zoning	Land Use	Lexie and the Chi	259-G Venture Dr



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING June 30, 2023**

I. STATISTICAL SECTION

Month Ending June 30, 2023	June 2023	June 2022	Total 2023	Total 2022	YTD Difference
Calls for Service	1793	1730	10,050	11656	-1606
Incident Reports Completed	110	122	705	824	-119
Cases Closed	121	118	424	589	-165
Accident Reports	82	76	461	466	-5
Arrest Reports	71	86	384	532	-148
Burglaries Reported	4	6	28	38	-10
Drug Charges	4	13	72	123	-51
DWI Charges	4	7	29	46	-17
Citations Issued	143	190	802	1514	-702
Speeding	35	73	212	650	-438
No Operator License	36	24	209	336	-127
Registration Violations	19	17	86	170	-84

II. PERSONNEL UPDATE

The police department currently has 10 vacant officer positions. We filled the vacant Records Clerk position with a new hire. One new hire graduated BLET Training in May at JCC. He is currently in Field Training. One officer is out on light duty. We held interviews for open police officer positions. We are doing several background investigations to send new recruits to BLET in August. We currently are looking at one person that is already certified and would be a lateral move if hired. We continue to recruit potential applicants for the open Police Officer positions.

III. MISCELLANEOUS

The department continues its recruitment effort in order to fill vacant positions. We addressed speeding and code violation concerns brought to our attention by citizens. We continue to address these issues and provide feedback to the public. The department continues to prepare for upcoming community events and activities.

REPORTED UCR OFFENSES FOR THE MONTH OF JUNE 2023

PART I CRIMES	June	June	+/-	Percent	Year-To-Date		+/-	Percent
	2022	2023		Changed	2022	2023		Changed
MURDER	0	0	0	N.C.	0	1	1	N.C.
RAPE	0	1	1	N.C.	3	2	-1	-33%
ROBBERY	0	1	1	N.C.	1	3	2	200%
Commercial	0	0	0	N.C.	1	1	0	0%
Individual	0	1	1	N.C.	0	2	2	N.C.
ASSAULT	0	1	1	N.C.	32	25	-7	-22%
* VIOLENT *	0	3	3	N.C.	36	31	-5	-14%
BURGLARY	6	3	-3	-50%	36	25	-11	-31%
Residential	2	2	0	0%	19	12	-7	-37%
Non-Resident.	4	1	-3	-75%	17	13	-4	-24%
LARCENY	40	36	-4	-10%	232	189	-43	-19%
AUTO THEFT	3	2	-1	-33%	19	12	-7	-37%
ARSON	0	0	0	N.C.	1	1	0	0%
* PROPERTY *	49	41	-8	-16%	288	227	-61	-21%
PART I TOTAL:	49	44	-5	-10%	324	258	-66	-20%
PART II CRIMES								
Drug	12	13	1	8%	126	90	-36	-29%
Assault Simple	13	10	-3	-23%	52	54	2	4%
Forgery/Counterfeit	2	1	-1	-50%	6	8	2	33%
Fraud	7	7	0	0%	48	56	8	17%
Embezzlement	1	1	0	0%	4	3	-1	-25%
Stolen Property	1	1	0	0%	4	3	-1	-25%
Vandalism	8	2	-6	-75%	35	23	-12	-34%
Weapons	0	1	1	N.C.	3	2	-1	-33%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	1	0	-1	-100%	2	1	-1	-50%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	1	1	N.C.	2	1	-1	-50%
D. W. I.	5	4	-1	-20%	43	23	-20	-47%
Liquor Law Violation	0	0	0	N.C.	10	1	-9	-90%
Disorderly Conduct	1	1	0	0%	6	6	0	0%
Obscenity	0	0	0	N.C.	0	0	0	N.C.
Kidnap	0	0	0	N.C.	0	1	1	N.C.
Human Trafficking	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	18	19	1	6%	141	154	13	9%
PART II TOTAL:	69	61	-8	-12%	482	426	-56	-12%
GRAND TOTAL:	118	105	-13	-11%	806	684	-122	-15%

N.C. = Not Calculable



I. Statistical Section

	June
Confirmed Structure Fires	2
EMS Responses	145
Misc./Other Calls	41
Mutual Aid Calls	9
TOTAL EMERGENCY RESPONSES	223

	June	YTD
Fire Inspections	97	511
Public Fire Education Programs	1	6
# Of Children Educated	33	226
# Of Adults Educated	2	162
Plans Review Construction/Renovation Projects	21	138
Fire Department Permits reviewed / Issued	58	225
Business Preplans	0	1
Fire Related Injuries & Deaths	0	0
# Of Civilian Deaths	0	0
# Of Civilian Injuries	0	1

II. Major Revenues

	June	YTD
Inspections	\$1,025.00	\$4,825.00
Fire Recovery USA	\$935.20	\$7,226.42

III. Personnel Update:

No vacant Full-time positions, Continuous Part-time positions available, 11 p/t positions current including the p/t fire inspector.

IV. Narrative of monthly departmental activities:

- Squad was in-service 8 of 22 days
- Special Occupancies meeting with County Inspections
- Skyware Global meeting on fire sprinkler system compliance
- Fireworks Sales Tent reviews and inspections
- Pub Ed-Fire Drill at the SRAC
- FIT Class
- JCC Fire Drill at the Learning Resource Center
- June 3 – Smoke Alarm Canvas
- June 7 – Fire Station tour – Station 1
- June 10 – Community Picnic – First Christian Church

- June 10 – Public Education – Smith Collins Park
- June 13 – LEPC meeting – Station 1
- June 29 – Kool Kids Sprinkler - SRAC

V. Upcoming Plans

- Fireworks for Independence Day
- Fireworks Display Class Development
- Outlet Center Knox Box project with light duty workers
- Meeting with PD (CO/progress on Addition and Fire Alarm)
- Reorder Smoke Alarms for next canvas
- Continue progress to full digital plans review



Reporting

Monthly Reports ▼

Jun 1 - Jun 30

Summary

Reporting Details

Recent Activity

Export Data

Custom Dashboards

Assigned To

Due Date

Priority

+ Add Filter

My Filters

Work Orders

Created vs. Completed ▶



214

Created

213

Completed

99.5%

Percent Completed

200 —
150 —
100 —
50 —
0 —

6/1/2023

Reactive vs. Repeatable ▶



210

Reactive

4

Repeatable

1.9%

Repeating Ratio

Contact MaintainX

Lawrence Davis
Settings



**Town of Smithfield
Public Works Department
June 30, 2023**



<u>214</u>	Total Work Orders completed by the Public Works Department
<u>4</u>	Burials, at \$725.00 each = <u>\$2,200.00</u>
<u>0</u>	Cremation Burial, \$400.00 each = <u>\$0</u>
<u>\$2,000.00</u>	Sunset Cemetery Lot Sales
<u>\$0</u>	Riverside Extension Cemetery Lot Sales
<u>487.80</u>	tons of household waste collected
<u>223.40</u>	tons of yard waste collected
<u>7.59</u>	tons of recycling collected
<u>0</u>	gallons of used motor oil were recycled
<u>250</u>	scrap tires were recycled

**Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
June 30, 2023**



I. Statistical Section

- 4 Burials
- 0 Works Orders – Buildings & Facilities Division
- 68 Work Orders – Grounds Division
- 1 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	<u>\$2,000.00</u>
Riverside Ext Cemetery Lot Sales:	<u>\$0</u>
Grave Opening Fees:	<u>\$2,200.00</u>
Total Revenue:	<u>\$4,200.00</u>

III. Major Expenses for the Month:

Paid Capitol Ford \$74,181.00 for New 2023 Ford F350 Pick up.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Appearance Division safety meeting was on "Dehydration "presented by Superintendent Mike Sliger.

Appearance Commission June 2023 Monthly Report:

Next Appearance Commission meeting will be on August 15, 2023, at 5:00 pm in Town Hall.

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
June 30, 2023**



I. Statistical Section

- 1 Preventive Maintenances
- 0 North Carolina Inspections
- 12 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None for the month

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Department safety meeting was on "Dehydration" presented Michael Slier.

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
June 30, 2022**



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 0 Work Orders – 0 Tons of Asphalt was placed in 0 utility cuts, 0 gator areas and 0 overlay.
- c. 0 Work Order – 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 0 Work Orders – 0lbs. of Cold Patch was used for 0 Potholes.

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None

IV. Personnel Update:

No one for the month of June.

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting on "Dehydration" presented by Michael Sliger.



Work Orders List for 06/01/2023 - 06/30/2023

WORK ORDER INFO	LOCATION & ASSET	DUE & STATUS	TIME & COST	PROCEDURE ANSWERS
#1261 Fill sink hole High Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/01/2023	Total Time Costs Total Time 1h 30m 0s Total Costs \$30.99	\$30.99
#1262 Sink hole at catchbasin Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/01/2023	Total Time Costs Total Time 45m 0s Total Costs \$15.50	\$15.50
#1263 Cut rightaway back Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/01/2023	Total Time Costs Total Time 4h 0m 0s Total Costs \$82.64	\$82.64
#1268 Cut bushes back away from curb Low Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/02/2023	Total Time Costs Total Time 30m 0s Total Costs \$10.33	\$10.33

WORK ORDER INFO

LOCATION & ASSET

DUE & STATUS

TIME & COST

PROCEDURE ANSWERS

#1260 Fill sink hole Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Eithan Bryant on 06/05/2023	Total Time Costs Total Time Total Costs	\$30.99 1h 30m 0s \$30.99
#1290 Change stop sign High Signage Ethan Bryant	Drainage Division Street Division	✓ Done Completed by Eithan Bryant on 06/06/2023	Total Time Costs Total Time Total Costs	\$5.17 15m 0s \$5.17
#1294 Put up cross walk signs Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Eithan Bryant on 06/06/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33
#1295 Paint cross walk Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Eithan Bryant on 06/06/2023	Total Time Costs Total Time Total Costs	\$82.64 4h 0m 0s \$82.64
#1304 Repaint lines in cross walk Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Eithan Bryant on 06/07/2023	Total Time Costs Total Time Total Costs	\$82.64 4h 0m 0s \$82.64
#1315 Clean out ditch Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Eithan Bryant on 06/08/2023	Total Time Costs Total Time Total Costs	\$20.66 1h 0m 0s \$20.66

WORK ORDER INFO **LOCATION & ASSET** **DUE & STATUS** **TIME & COST** **PROCEDURE ANSWERS**

#1317 Cut the Ditch back Medium Drainage Ethan Bryant	Drainage Division	✓ Done Completed by Ethan Bryant on 06/08/2023	Total Time Costs Total Time Total Costs	\$6.89 20m 0s \$6.89	
#1325 Cut back Streets Division Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/08/2023	Total Time Costs Total Time Total Costs	\$61.98 3h 0m 0s \$61.98	
#1323 Blount street Medium Streets Division Ethan Bryant		06/08/2023 ✓ Done Completed by Ethan Bryant on 06/09/2023	Total Time Costs Total Time Total Costs	\$30.99 1h 30m 0s \$30.99	
#1319 Cut back ditch Medium Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/09/2023	Total Time Costs Total Time Total Costs	\$15.50 45m 0s \$15.50	
#1335 Cut grass Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/09/2023	Total Time Costs Total Time Total Costs	\$6.89 20m 0s \$6.89	

WORK ORDER INFO LOCATION & ASSET DUE & STATUS TIME & COST PROCEDURE ANSWERS

#1336
Stopsign torn down
Drainage
 Drainage Division
 Drainage Division
 Done
 Completed by Ethan Bryant
 on 06/09/2023
 Total Time Costs
 Total Time
 40m 0s
Total Costs
\$13.77

Ethan Bryant

#1343
Blind corner
Drainage
 Drainage Division
 Drainage Division
 Done
 Completed by Ethan Bryant
 on 06/12/2023
 Total Time Costs
 Total Time
 15m 0s
Total Costs
\$5.17

Ethan Bryant

#1349
Trees blocking view
 on S 3rd St
High
Streets
Division
 Town Hall
 Done
 Completed by Ethan Bryant
 on 06/13/2023
 Total Time Costs
 Total Time
 30m 0s
Total Costs
\$10.33

Ethan Bryant

#1352
Cut fema lot with
bobcat tractor and
bushhog
Drainage
 Drainage Division
 Drainage Division
 Done
 Completed by Ethan Bryant
 on 06/13/2023
 Total Time Costs
 Total Time
 2h 0m 0s
Total Costs
\$41.32

Ethan Bryant

WORK ORDER INFO

LOCATION & ASSET

DUE & STATUS

TIME & COST

PROCEDURE ANSWERS

#1344
Cut back trees from home clear the area

High

Streets Division

Ethan Bryant

Public Works Facility

✓ Done
Completed by Ethan Bryant on 06/13/2023

Total Time Costs
Total Time 1h 11m 23s
Total Costs \$24.58

#1363
Cut rightaway

Drainage

Ethan Bryant

Drainage Division
Drainage Division

✓ Done
Completed by Ethan Bryant on 06/14/2023

Total Time Costs
Total Time 45m 0s
Total Costs \$15.50

#1364
Cut rightaway

Drainage

Ethan Bryant

Drainage Division
Drainage Division

✓ Done
Completed by Ethan Bryant on 06/14/2023

Total Time Costs
Total Time 30m 0s
Total Costs \$10.33

#1361
Clean easement at the end of the block

Streets Division

Ethan Bryant

Drainage Division
Drainage Division

06/14/2023
✓ Done
Completed by Ethan Bryant on 06/14/2023

Total Time Costs
Total Time 45m 0s
Total Costs \$15.50

#1365
Cut rightaway

Drainage

Ethan Bryant

Drainage Division
Drainage Division

✓ Done
Completed by Ethan Bryant on 06/14/2023

Total Time Costs
Total Time 20m 0s
Total Costs \$6.89

WORK ORDER INFO **LOCATION & ASSET** **DUE & STATUS** **TIME & COST** **PROCEDURE ANSWERS**

#1372 Sunset Memorial SECTION G. LOT 248 GRAVE 3	Appearance Division Appearance Division	06/15/2023 ✓ Done Completed by Joey Price on 06/15/2023	Total Time Costs Total Time Total Costs	\$18.37 51m 48s \$18.37	
Appearance Division					
Joey Price Ethan Bryant					
#1367 Sink holes in the yard	Drainage Division	06/14/2023 ✓ Done Completed by Ethan Bryant on 06/15/2023	Total Time Costs Total Time Total Costs	\$20.66 1h 0m 0s \$20.66	
High					
Drainage					
Ethan Bryant					
#1377 Cut grass	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/15/2023	Total Time Costs Total Time Total Costs	\$103.30 5h 0m 0s \$103.30	
Drainage					
Ethan Bryant					
#1381 Cut ditch at pond	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/16/2023	Total Time Costs Total Time Total Costs	\$20.66 1h 0m 0s \$20.66	
Drainage					
Ethan Bryant					
#1382 Deliver, 150 conse	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/16/2023	Total Time Costs Total Time Total Costs	\$20.66 1h 0m 0s \$20.66	
Appearance Division					
Drainage					
Ethan Bryant					

WORK ORDER INFO **LOCATION & ASSET** **DUE & STATUS** **TIME & COST** **PROCEDURE ANSWERS**

#1396 Fill in snkhole with 57 stonel Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/20/2023	Total Time Costs Total Time Total Costs	\$15.50 45m 0s \$15.50	
#1356 Potholes on Industrial Center Drive High Drainage Ethan Bryant	Drainage Division Drainage Division	06/20/2023 ✓ Done Completed by Ethan Bryant on 06/20/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33	Square Feet of repair : 2- 3x3 Bags of Perma Patch used.: 6 Material used : 6 bags Truck(s) #: 412 & 905 Names of worker(s): Ethan&Jb joey zack
#1386 Pavement at at Rose Manor is crumbling NSW St Potholes and street repairs Ethan Bryant	Public Works Facility	06/19/2023 ✓ Done Completed by Ethan Bryant on 06/20/2023	Total Time Costs Total Time Total Costs	\$1.72 5m 0s \$1.72	
#1413 Pothole Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/22/2023	Total Time Costs Total Time Total Costs	\$3.44 10m 0s \$3.44	
#1422 Cut rightaways in east Smithfield Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/23/2023	Total Time Costs Total Time Total Costs	\$61.98 3h 0m 0s \$61.98	

WORK ORDER INFO **LOCATION & ASSET** **DUE & STATUS** **TIME & COST** **PROCEDURE ANSWERS**

#1436 Tree growing out of catchbasin Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/27/2023	Total Time Costs Total Time Total Costs	\$3.44 10m 0s \$3.44
#1441 Limbs broken hanging in street Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/27/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33
#1446 Cut fema lots Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/28/2023	Total Time Costs Total Time Total Costs	\$30.99 1h 30m 0s \$30.99
N3 #1447 Cut fema lot Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/28/2023	Total Time Costs Total Time Total Costs	\$5.17 15m 0s \$5.17
#1448 Cut fema lot Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/28/2023	Total Time Costs Total Time Total Costs	\$5.17 15m 0s \$5.17
#1449 Cut grass Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 06/28/2023	Total Time Costs Total Time Total Costs	\$82.64 4h 0m 0s \$82.64

WORK ORDER INFO

LOCATION & ASSET

DUE & STATUS

TIME & COST

PROCEDURE ANSWERS

#1425
Storm drain in front of property needs to be fixed
High
Drainage
 Ethan Bryant

06/27/2023
✓ Done
 Completed by Ethan Bryant on 06/28/2023

Total Time Costs
 Total Time
Total Costs

\$20.66
 1h 0m 0s
\$20.66

#1450
Crosswalk sign torn down
Drainage
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/28/2023

Total Time Costs
 Total Time
Total Costs

\$5.17
 15m 0s
\$5.17

#1451
Pick up debris out of street
Drainage
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/28/2023

Total Time Costs
 Total Time
Total Costs

\$1.72
 5m 0s
\$1.72

#1424
Sink holes in yard need filled in again
Medium
Drainage
 Ethan Bryant

06/23/2023
✓ Done
 Completed by Ethan Bryant on 06/29/2023

Total Time Costs
 Total Time
Total Costs

\$5.17
 15m 0s
\$5.17

#1456
Bent pole
Drainage
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/29/2023

Total Time Costs
 Total Time
Total Costs

\$5.17
 15m 0s
\$5.17

WORK ORDER INFO **LOCATION & ASSET** **DUE & STATUS** **TIME & COST** **PROCEDURE ANSWERS**

#1457
 Limbs blocking view of speedlimit sign
[Drainage](#)
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/29/2023

Total Time Costs
 Total Time 10m 0s
Total Costs \$3.44

#1460
 Cut rightaway
[Drainage](#)
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/29/2023

Total Time Costs
 Total Time 1h 15m 0s
Total Costs \$25.83

#1461
 Cut rightaway
[Drainage](#)
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/29/2023

Total Time Costs
 Total Time 30m 0s
Total Costs \$10.33

#1462
 Cut rightaway
[Drainage](#)
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/29/2023

Total Time Costs
 Total Time 1h 0m 0s
Total Costs \$20.66

#1467
 Cut rightaway
[Drainage](#)
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/30/2023

Total Time Costs
 Total Time 1h 30m 0s
Total Costs \$30.99

#1468
 Deliver cones
[Drainage](#)
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant on 06/30/2023

Total Time Costs
 Total Time 30m 0s
Total Costs \$10.33

WORK ORDER INFO LOCATION & ASSET DUE & STATUS TIME & COST PROCEDURE ANSWERS

#1472
Cut rightaway
Drainage
 Ethan Bryant

Drainage Division
 Drainage Division

✓ Done
 Completed by Ethan Bryant
 on 06/30/2023

Total Time Costs
 Total Time
Total Costs
 \$20.66
 1h 0m 0s
\$20.66

 Signed off by

 Date

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
June 30, 2023**



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 0 Work Orders – 0 Tons of Asphalt was placed in 0 utility cuts, 0 gator areas and 0 overlay.
- c. 0 Work Order – 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 0 Work Orders – 0lbs. of Cold Patch was used for 0 Potholes.

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None

IV. Personnel Update:

No one for the month of June.

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting on "Dehydration" presented by Michael Sliger.

Lawrence Davis

From: Tammy McLamb
Sent: Monday, July 24, 2023 10:00 AM
To: Lawrence Davis
Subject: Utility Cuts - Repaired in June

Hey Lawrence, utility cuts patched in June are below.....

Date:	Address:	Size:	Date of Repair
05/23/23	525-A S. 5th St.	6x24	06/26/23
05/30/23	703 North St.	22x3	06/26/23
05/31/23	412 N. 2nd St.	6x20	06/26/23
06/06/23	311 N. 4th St.	6x15	06/26/23
06/13/23	702 S. 3rd St.	10x10	06/26/23
06/15/23	407 Collier St., #A	18x8	06/26/23

Thanks!

Tammy McLamb
Administrative Support Specialist
Town of Smithfield Public Utilities
P.O. Box 761
230 Hospital Rd.
Smithfield, NC 27577

919-934-2798 (phone)
919-934-1688 (fax)

Town of Smithfield
Public Works Sanitation Division
Monthly Report
June 30, 2023



I. Statistical Section

The Division collected from approximately 4,159 homes, 4 times during the month

- a. Sanitation forces completed 86 work orders
- b. Sanitation forces collected tons 487.80 Tons of household waste
- c. Sanitation forces disposed of 80 loads of yard waste and debris at Spain Farms Nursery
- d. Town's forces collected 11.17 tons of Yard Debris.
- e. Town's forces collected 6.5 tons of construction debris (C&D)
- f. Town disposed of 250 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 7.59 tons of recyclable plastic
- h. Recycled 3,860 lbs. of cardboard material from the Convenient Site Center
- i. A total of 0 gals of used motor oil was collected at the Convenient Site Center
- j. Recycled 3,060 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$ 0 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$ 0.00
- c. Sold 1517.8 lbs. of shredder steel for \$ waiting on check to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$ 2,880 for disposal of yard waste and debris.
(Paid Joesph Motors \$57,318.39 for used F350 Flatbed to replace truck #315 insurance Claim)

IV. Personnel Update:

Jose Paniagua was hired in the month of June as a Sanitation Equipment operator. Public works continues to work with Mitchells Temporary services to feel 2 vacant positions.

V. Narrative of monthly departmental activities:

The department worked closely with Downtown Development providing traffic control and trash cans for their Farmers Market and 3rd Stretary Events. The Public Works Department safety meeting was on Dehydration presented by Superintendent Mike Sliger.

Community Service Workers worked 104 hrs.



MONTHLY REPORT FOR JUNE, 2023

PROGRAMS STATISTICS	June, 2023		June, 2022	
NUMBER OF PROGRAMS	10		14	
TOTAL ATHLETICS PARTICIPANTS	741		856	
TOTAL NON/ATHLETIC PARTICIPANTS	71		112	
NUMBER OF GAMES PLAYED	90		91	
TOTAL NUMBER OF PLAYERS (GAMES)	2180		1633	
NUMBER OF PRACTICES	26		22	
TOTAL NUMBER OF PLAYER(S) PRACTICES	356		381	
SARAH YARD COMMUNITY CENTER	131		127	
	June, 2023	22/23 FY YTD	June, 2022	21/22 FY YTD
PARKS RENTALS	32	751	36	605
USERS (PARKS RENTALS)	9145	31656	5784	23945
TOTAL UNIQUE CONTACTS	12,493		8,766	
	June, 2023	22/23 FY YTD	June, 2022	21/22 FY YTD
FINANCIAL STATISTICS				
PARKS AND RECREATION REVENUES	\$ 8,070.00	\$ 98,934.00	\$ 5,685.00	\$ 74,314.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 100,906.00	\$ 879,885.00	\$ 100,439.00	\$ 794,169.00
PARKS AND RECREATION EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ -	\$ 195,399.00	\$ 19,266.00	\$ 103,364.00
SYCC EXPENDITURES (OPERATIONS)	\$ 3,676.00	\$ 31,401.00	\$ 5,106.00	\$ 41,294.00
SYCC EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ -	\$ 21,500.00	\$ -	\$ 8,500.00

HIGHLIGHTS HOSTED THE SJBA INVITATIONAL BASEBALL TOURNAMENT (43 TEAMS)
 SPORTS CAMP AT SMITH-COLLINS PARK



SRAC MONTHLY REPORT FOR JUNE, 2023

PROGRAMS STATISTICS	June, 2023		June, 2022	
NUMBER OF PROGRAMS	23		22	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	6050		7184	
	June, 2023	22/23 FY YTD	June, 2022	21/22 FY YTD
SRAC MEMBER VISITS	3947	41627	3406	23242
DAY PASSES	2872	17639	3121	14592
RENTALS (SRAC)	47	305	76	509
USERS (SRAC RENTALS)	3155	30442	2686	23107
TOTAL UNIQUE CONTACTS	16,024		16,397	
	June, 2023	22/23 FY YTD	June, 2022	21/22 FY YTD
FINANCIAL STATISTICS				
SRAC REVENUES	\$ 88,538.00	\$ 774,359.00	\$ 99,037.00	\$ 672,811.00
SRAC EXPENDITURES (OPERATIONS)	\$ 135,849.00	\$ 1,055,839.00	\$ 126,297.00	\$ 948,030.00
SRAC EXPENDITURES (CAPITAL)	\$ -	\$ 165,915.00	\$ 16,026.00	\$ 31,752.00
SRAC MEMBERSHIPS	3392		2238	
HIGHLIGHTS	<p>HOSTED THE 3 LITTLE PIGS TRIATHLON OVER 3000 SWIM LESSONS CONDUCTED</p>			



- **Statistical Section**

- Electric CP Demand 22,443 Kw relative to May's demand of 20,651 Kw.
- Electric System Reliability was 99.9876%, with five (5) recorded main line outages; relative to May's 99.985%.
- Raw water treated on a daily average was 5.511 MG relative to 4.984 MG for May; with maximum demand of 6.038 MG relative to May's 6.013 MG.
- Total finished water to the system was 152.672 MG relative to May's 143.823 MG. Average daily for the month was 5.089 MG relative to May's 4.639 MG. Daily maximum was 5.551 MG (June 30th) relative to May's 5.250 MG. Daily minimum was 4.239 MG (June 8th), relative to May's 3.478 MG.

- **Miscellaneous Revenues**

- Water sales were \$240,622 relative to May's \$254,665
- Sewer sales were \$419,972 relative to May's \$452,101
- Electrical sales were \$1,212,968 relative to May's sales of \$1,089,372
- Johnston County Water purchases were \$254,773 for 103.989 MG relative to May's \$202,412 for 82.617 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$1,032,782 relative to May's \$899,399.
- Johnston County sewer charge was \$175,334 for 44.469 MG relative to May's \$214,737 for 54.359 MG.

- **Personnel Changes**

- Joe Jackson began work as Water Plant Operator Trainee on June 26.



**Town of Smithfield
Electric Department
Monthly Report
June, 2023**

I. Statistical Section

- Street Lights repaired –16
- Area Lights repaired-10
- Service calls – 33
- Underground Electric Locates -220
- Poles changed out/removed or installed -4
- Underground Services Installed -16

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Glucose Screening at the Operation Center.

V. Miscellaneous Activities:

- The Electrical Dept. has only house services & street lights to install at East River Phases 3,4,5,6 & 7 as houses are completed.
- The Electrical Dept. is working on replacing old poles and upgrading lines around town.
- The Electrical Dept. has done the inventory count for the year & are awaiting the auditor (7-5-2023).