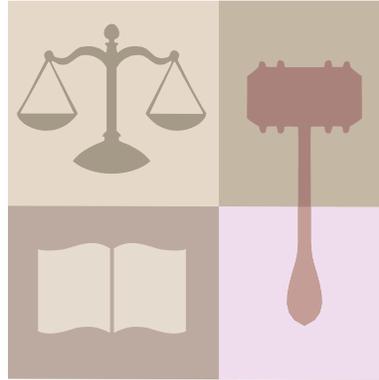


TOWN OF SMITHFIELD PLANNING BOARD AGENDA PACKET



Chairman: Stephen Upton

Vice-Chairman: Daniel Sanders

Members:

Mark Lane

Ashley Spain

Michael Taylor

Eddie Foy

Teresa Daughtry

Oliver Johnson (Alt)

Stephen Wensman, AICP, ALA, Planning Director

Mark Helmer, AICP, Senior Planner

Julie Edmonds, Administrative Assistant

Meeting Date: *Thursday, January 4, 2018*

Meeting Time: *6:00 p.m.*

Meeting Place: *Council Chambers, Smithfield Town Hall*

**AGENDA
PLANNING BOARD
REGULAR MEETING
JANUARY 4, 2018
MEETING TIME: 6:00 PM
TOWN HALL**

Call to Order.

Identify voting members

Approval of the agenda.

Approval of the minutes for December 7, 2017

Old Business

ZA-17-06 Town of Smithfield: The Planning Department is requesting amendments to Town of Smithfield Unified Development Ordinance (UDO), to establish clear standards for maximum cul-de-sacs lengths and concise minimum lot standards for flag shaped lots.

New Business

ZA-17-07 Steve Bryant: The applicant is requesting an amendment to Town of Smithfield Unified Development Ordinance (UDO) Article 6.5, Table of Uses and Activities to allow for restaurants as a permitted use by right within the OI (Office & Institutional) zoning district.

Administrative Actions report

Land Use Permit Report for November, 2017

Site plans currently in review as of January 2, 2018

- Dollar General, West Market Street
- Vehicle Reconditioning Facility(by SUP), South Brightleaf Boulevard

Adjournment

DRAFT
Smithfield Planning Board Minutes
Thursday, December 7, 2017
6:00 P.M., Town Hall, Council Chambers

Members Present:

Chairman Stephen Upton
Oliver Johnson
Michael Taylor
Eddie Foy

Members Absent:

Daniel Sanders
Teresa Daughtry
Mark Lane
Ashley Spain

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Assistant
Stephen Wensman, Planning Director

Staff Absent:

CALL TO ORDER

Mr. Upton identified the members of the board. He asked that each board member please pull microphones down and speak loudly and clearly into them. Mr. Upton also reminded the board that the next Town Council Meeting would be held on January 2, 2018 at 7pm and the next Planning Department Meeting would be held January 4, 2018 at 6pm.

AMENDMENTS TO THE AGENDA

Planning Board member Mark Lane requested the minutes from November 2, 2017; case RZ-17-04 Thomas Concrete be corrected. The record states the motion to approve was unanimous. This is incorrect as he voted no. The correct changes have been made.

APPROVAL OF MINUTES FROM November 2, 2017

Eddie Foy made a motion, seconded by Oliver Johnson to approve the minutes as written.
Unanimous

INTRODUCTION OF STEPHEN WENSMAN, AICP, ALA, PLANNING DIRECTOR

APPROVAL TO OPEN THE PUBLIC HEARING ZA-17-05

Eddie Foy made a motion, seconded by Michael Taylor to open the Public Hearing.
Unanimous

ZA-17-05 Town of Smithfield:

Mr. Helmer stated the applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance Article 5, which will allow for administrative approval of site plans and final plats when found to meet or exceed minimum development standards of the UDO. The proposed ordinance amendment will be a return to the process that was in place prior to UDO updates that were adopted on August 2, 2017. The proposed zoning ordinance amendment will serve to create:

- A time and cost saving development friendly process
- Simplified review process that is allowed by State statute
- Opportunities for express review of existing development expansions
- A reduction in City Council's work load
- A reduction in required paper work for both applicant and staff

Major preliminary subdivisions and planned unit developments will still require Planning Board review and Town Council approval. Special Use permits will still require Town Council approval with no Planning Board review and recommendation required.

A multi-disciplinary technical review committee as described in Article 5.5.4, that may include but is not necessarily limited to, the City Manager, Planning Department, Public Utilities Department, Fire Department, Johnston County Building Inspections and the North Carolina Department of Transportation will continue to review major site plans for compliance with published standards. Upon site plan approval, the UDO Administrator will issue a certificate of zoning compliance in accordance with Article 5.5.5 of the Town of Smithfield UDO.

Mr. Foy asked who the UDO Administrator was.

Mr. Wensman stated that he was the UDO Administrator.

Mr. Foy asked if the Planning Board was deciding to accept the amendment to the UDO or were they recommending it to Town Council.

Mr. Helmer stated the board would review and recommend the amendment of the UDO.

Mr. Foy requested that the board be notified when changes take place such as this text amendment and any approvals approved by Town Council.

Mr. Wensman said it was his intention to give regular updates to the Planning Board about what staff has been doing. We typically give reports to the administrator every week; we can condense that down and give those same reports to you all for what we've done in terms of approvals.

Mr. Upton asked what was considered a major subdivision.

Mr. Helmer said a major subdivision is one that creates more than three lots or requires an extension of public infrastructure.

Eddie Foy made a motion to close the Public Hearing for ZA-17-05, seconded by Michael Taylor Unanimous

Oliver Johnson made a motion to approve ZA-17-05, seconded by Eddie Foy.

Old Business:

No Report

New Business:

A presentation and discussion on upcoming text amendments that will include development standards for flag lots and cul-de-sac street lengths.

Mr. Wensman said as you all know we have a new UDO. We're supposed to review the UDO on a quarterly basis for needed changes. I have a growing list of items that need clarification and possible changes. The changes are typographical errors, definitions that don't align with the use table which can cause confusion and questions for both staff and applicants. There are uses that should be defined that aren't; which again can leave a lot of questions. There are parts of the code that are in conflict with each other. Standards are different in different parts of the code which contradict one another. Tonight, staff would like to begin to initiate that process. We would like to begin doing so as time allots on agendas, not necessarily waiting to make changes once per quarter. We have quite a few things we want to get through, throughout the New Year. You'll see this process where we're going to introduce the topic, hopefully deal with it at the next meeting for recommendation to the Town Council. I recently have dealt with a subdivision of a flag lot that led to some questions.

Mr. Upton asked where the subdivision was located.

Mr. Wensman said his geography of the city was weak but it is located in the ETJ, in South Smithfield off Mallard Rd. In this case we were trying to determine if the flag lot had the appropriate width on the street. As you'll see in my presentation it wasn't entirely clear, my mandate as Planning Director is to go with the least of standards according to the code, that's what I followed. We would like to clarify what those standards are. Everyone should have a copy of this presentation; I've tweaked it a little since it was submitted in your packet. I have an existing definition of a flag lot, it basically says flag lots have non-conforming frontage. The design standards in the code say flag lots are conforming.

Mr. Upton and Mr. Taylor spoke up and said they didn't see a copy of the presentation. Mr. Wensman said it was emailed to each board member. Mr. Upton asked that emails be handed to him instead of emailed. Mr. Johnson asked that the email be resent to him, he can't locate it.

Mr. Wensman stated this section of the code 10.108.147, is saying that flag lots have to meet all standards. However the definition states it doesn't have to meet standards. So they're in conflict with each other. I didn't have a lot of other parts of the code to go on, there's no definition of what street frontage actually is. When you look at the code, it has three or four different standards attached to it depending on the situation. In one case it is ten foot, in another twenty five and forty in another. It's hard to know which to go with, so in this particular situation we went with the least. We can talk about it tonight or at the next meeting, should we change the flag lot definition or should flag lots even be allowed? Some cities don't allow them, some do. If we're going to have a minimum street frontage, should it be ten feet, twenty five,

forty or some other width? Does it apply in all cases or should it be standard when it can be reduced.

Mr. Foy said he thought a flag lot was in a pie shape.

Mr. Wensman said no, it's a lot behind another lot with a small skinny handle to get to it. Essentially you'll have someone's front yard is someone's back yard.

So these are some of the questions we need to answer, we're going to make suggestions for an ordinance next month, at that point we would be looking for a recommendation.

Mr. Upton asked if Mr. Wensman is going to continue on or are we going to stop and continue later.

Mr. Wensman said following this meeting he will resend the presentation so you'll have the questions.

Mr. Wensman said the second text amendment we want to consider is for design standards for cul-de-sacs. Cul-de-sacs shall not exceed 750 feet according to 10.108.18. In the Engineering Design Standards it is 500 feet. In the Supplemental Regulations for Manufactured Home Parks it is 600 feet. That dimension is usually tied to, if the street is blocked, how far a firetruck can fight fire. I spoke with the Fire Chief John Blanton; he said anything fewer than 900 feet would be doable. It comes down to what length the Town prefers. 750 feet is probably more conservative to ensure the fire hose can reach there. Some towns like their cul-de-sacs to be shorter.

Mr. Foy asked if the cul-de-sac starts from when you turn in to the center point of the end.

Mr. Wensman said yes.

Mr. Upton asked if there was any need for the Planning Board to receive this when it was a safety issue.

Mr. Foy spoke up and said yes, I would like to take care of this at the next meeting.

Mr. Foy asked Mr. Wensman what length he personally would suggest and he said 750 feet is what's in our code, it's the minimum standard where others are more restrictive making them shorter.

Mr. Foy asked if there was a difference between a cul-de-sac and a dead-end.

Mr. Wensman said no, except in some cases dead-ends predate the current code where you put a cul-de-sac on it where you can turn around. There are dead-ends that don't have turn arounds on them.

We hope at our next meeting if our agenda allows we will bring text amendments forward on these two items and introduce other items. I'll give examples of what we will cover during the next meeting. We have something in our code that says street trees are required. It gives you a size of the street tree but then they can be substituted for under story trees. Under story trees are half the cost of a street tree. I imagine by default we're going to end up with under story trees instead of street trees throughout our city. We need to clarify what we want, ask for it and if there's an alternative, that it be the right alternative. We still have places in our code that mention conditional use permits instead of special use permits, so those are text errors. There are problems with the non-conforming use code. Minimum acreage for a PUD, is it 5 acres in one section and 25 acres in another, which is it? This is something I am taking seriously and we would like to get through the most important ones before they cause problems for all of us.

Oliver Johnson made a motion to adjourn, seconded by Eddie Foy. Unanimous.

Next Planning Board Meeting:

Our next Planning Board Meeting is scheduled for January 4, 2018 at 6:00 pm.

Oliver Johnson made a motion to adjourn the meeting, seconded by Eddie Foy.

Submitted this 8th day of December, 2017

Julie Edmonds
Administrative Assistant
Planning Department



Request for Planning Board Action

**Application
for Unified
Development
Ordinance
Text
Amendment
ZA-17-06
Date: 01/04/2017**

Subject: Unified Development Ordinance Text Amendment
Department: Planning
Presented by: Stephen Wensman ALA, AICP, Planning Director
Presentation: Business Item

Issue Statement

The Planning Department is requesting an amendment to the Unified Development Ordinance (UDO) that will correct inconsistencies with the flag lot standards and cul-de-sac street standards.

Financial Impact

There will be no financial impact to the Town.

Action Needed

To review the requested application and to make a recommendation to the Town Council for the proposed Unified Development Ordinance text amendment.

Recommendations

The Planning Department recommends approval of the proposed amendments to Appendix A, Article 7 and Article 10 of the UDO and recommends that the Planning Board approve a statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Ordinance
3. Application and Petition for Amendment to the UDO



Staff Report

Application
for Unified
Development
Ordinance
Text
Amendment
ZA-17-06

The Planning Department is requesting text amendments to Appendix A, Article 7 and Article 10 of the Town of Smithfield Unified Development Ordinance (UDO) that removes inconsistencies within the text and clarifies development standards as they pertain to flag lots and cul-de-sac streets.

Analysis:

The proposed zoning ordinance amendment will clarify development standards by:

- Creating a more descriptive definition of a flag lot;
- Eliminating inconsistent standards concerning flag lots;
- Establishing a flag lot width that can accommodate a standard public right-of-way and that will not hinder future planning and development efforts;
- Revising maximum cul-de-sac lengths within manufactured home parks.

Flag Lots:

Flag lots are so named because of the long, slender strips of land resembling flag poles that extend from the typically rectangular main sections of these lots — or the “flags” — out to the street. Each “flag pole” typically provides just enough street frontage for vehicle access and is often shared by several neighbors. Flag lots can also be thought of as permitted lots with reduced street frontage that allow access to otherwise landlocked parcel acreage. Use of flag lots recognizes the environmental and economic advantages in substituting private drive lengths to tap land that would require additional street length and potentially greater disturbance and infrastructure costs.

The negative attributes of flag lots include potential burden on property owners to maintain longer driveways or private streets lengths, potential access constraints for emergency vehicles, and possible house-to-house relationships as flag lot dwellings may be perceived to be in the rear yards of the adjacent residences. In most cases however, the biggest drawback from creating flag lots is that no further land divisions or intensive land uses can occur when the property does not and cannot ever front on a public street due to inadequate land reserves needed for the construction of a public street from the existing

public street to the flag portion of the lot to be divided. However, judicious use of flag lot arrangements can provide distinct benefits in residential design when its use, resulting lot size, dwelling orientation and access considerations are based on sound planning and community design criteria.

With these considerations in mind, the Town of Smithfield Unified Development Ordinance has retained language allowing for newly created flag lots. The proposed amendment clarifies the existing flag lot provisions by creating a better definition of a flag lot. It will require flag lot dimensions to meet or exceed the underlying zoning district dimensional standards and sets the flag pole portion of the lot to a minimum width of 60' measured at the public right-of-way and where the pole portion of the lot intersects the flag portion of the lot.

Cul-De-Sacs Street:

Cul-de-sac lots street frontage requirements will remain at 25'. The proposed ordinance amendment will clarify conflicting cul-de-sac length standards by increasing the maximum cul-de-sac length within planned manufactured home parks to 750 linear feet making them identical to traditional subdivisions standards.

And

Section 10.108 Streets

[Revises Article 10 by referring to Article 8 for required minimum lot widths]

10.108.1.4.2. Lot Width and Depth. All lots shall have a minimum width and street frontage at ~~the building line of 70 feet as required in Article 8, except in the case of the turning circle of cul-de-sacs and a~~ 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 110 feet in depth. Additional lot width and depth shall be required when:

10.108.1.4.2.1. A lot is served by either public water or sewer, but not both: Lot width - 100 feet; Lot depth - 200 feet.

10.108.1.4.2.2. A lot is not served by either public water or sewer: Lot width - 125 feet; Lot depth - 200 feet.

And

Section 10.108 Streets

[Revise Article 10 to refer to Article 8 for required minimum lots width]

10.108.1.4.4. Every lot shall maintain required street frontage as required in Article 8 ~~abut at least 25 feet on one of the following:~~

10.108.1.4.4.1. A public street dedicated to and maintained by the Town of Smithfield or the North Carolina Department of Transportation.

10.108.1.4.4.2. A street constructed 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.

And

Section 10.108 Streets

[Revises Article 10 and sets minimum flag lot street frontage at 60 feet]

10.108.1.4.7. Flag-shaped lots shall only be permitted in cases where the minimum ~~area, lot width, lot depth, and street frontage requirements~~ lot width, lot depth, and street frontage requirements of this Ordinance are complied with and the lot has a minimum street frontage of at least 60 feet in width. ~~If the standards of the zoning district in which the property is located are more stringent, the stricter requirement shall govern.~~

And

Section 7.34 Residential Cluster Developments

[Revises Article 7 and sets minimum lot frontage to 40 feet for lots within a cluster subdivision]

7.34.4.2. Lot Width. 40 feet. ~~On a case-by-case basis, flag lots may be allowed with a minimum street frontage of 10 feet.~~

And

Section 7.18 Manufactured Home Parks.

[Revises maximum cul-de-sac lengths within Manufactured Home Parks]

7.18.14.1. Cul-De-Sacs. Any interior drive designed to be closed shall have a turnaround at the closed end with a minimum right-of-way diameter of 100 feet. The entire right-of-way of such turnaround shall be graded and usable for the turning of motor vehicles. Cul-de-sacs shall not exceed ~~600~~ 750 feet in length.

PART 2

That the Unified Development Ordinance shall be page number as necessary to accommodate these changes.

PART 3

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

Duly adopted this the 6th day of February, 2018.

M. Andy Moore, Mayor

ATTEST

_ Shannan L. Parrish, Town Clerk

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
TEXT AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD PLANNING BOARD
ZA-17-06**

Whereas the Smithfield Planning Board, upon acting on a text 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 Planning Board, upon acting on a text 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 RECCOMENDED FOR ADOPTION BY THE SMITHFIELD PLANNING BOARD AS APPROPRIATE:

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

That the final action regarding text amendment ZA-17-06 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 Planning Board and information provided at the public hearing; and

It is the objective of the Town of Smithfield Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The text 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 Planning Board and information provided at the public hearing. 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 text amendment ZA-17-06 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 Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The text 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:

_____	_____
Petitioner's Name	Address or PO Box
_____	_____
City, State, Zip Code	Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

(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.

_____	_____
Signature of Petitioner	Date

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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Request for Planning Board Action

**Application
for Unified
Development
Ordinance
Text
Amendment
ZA-17-07**

Date: 01/04/2017

Subject: Unified Development Ordinance Text Amendment
Department: Planning
Presented by: Stephen Wensman ALA, AICP, Planning Director
Presentation: Business Item

Issue Statement

Steve Bryant is requesting the an amendment to the Unified Development Ordinance (UDO) that would allow for restaurants as a permitted use in the O/I Office/Institutional District.

Financial Impact

There will be no financial impact to the Town.

Action Needed

To review the requested application and to make a recommendation to the Town Council for the proposed Unified Development Ordinance text amendment.

Recommendations

The Planning Department recommends approval of the proposed amendment to Article 6 of the UDO and recommends that the Planning Board approve a statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Ordinance
3. Application and Petition for Amendment to the UDO



Staff Report

**Application
for Unified
Development
Ordinance
Text
Amendment
ZA-17-07**

Steve Bryant is requesting a text amendment to Article 6 of the Town of Smithfield Unified Development Ordinance (UDO) that will allow restaurants as a permitted use in the O/I Office/Institutional District.

Analysis:

The proposed zoning ordinance amendment will allow an additional use in the Office/Institutional District that:

- Supports the O/I District;
- Provides another option for reuse of existing structures within the District, thus preserves the historically significant structures which reflect the town's heritage;
- Preserves the character of the neighborhood (old period homes);
- Supportive of the Central Business District; and
- Creates no land use conflicts.

The current comprehensive land use plan guides Office/Institutional land uses in areas that have already been developed or require buffering to prevent potential conflicting land uses. The O/I District is intended to buffer residential areas from commercial ones. The Comprehensive Land Use Plan provides caution about commercial infringement into established residential neighborhoods. The Plan states the infringement, "can damage the appearance of the neighborhood, diminish community pride, and cause unsafe traffic conditions for both motorists and pedestrians. Rezoning adjacent to residential uses, particularly those in conflict with the future land use map contained in this plan, should be done with great caution".

Much of the existing O/I District is comprised of existing homes converted into office uses adjacent to the Central Business District. Other areas in the zoning district are in locations

of parks, schools, the Johnston County Community College, the hospital and clinics, and government offices. There remain some single family homes within the O/I District in the area adjacent to the Central Business District. Staff believes restaurants to be a compatible use within the O/I District in that it will serve the district by providing eating options within walking distance while providing another opportunity to utilize the existing homes for non-residential use, thus preserving the existing character of the area. The allowance of restaurants will also contribute to the vitality of the nearby Central Business District.

Staff also believes that allowing restaurants in the O/I District will not create a nuisance or create traffic that is detrimental to the area. The district is well served with roads, on-street parking, sidewalks and other urban amenities such that the use will blend in with the current mix of land uses.

DRAFT ORDINANCE # ZA-17-07
AN ORDINANCE TO AMEND ARTICLE 6 OF THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT
ORDINANCE TO ALLOW RESTAURANTS AS A PERMITTED USE IN THE O/I OFFICE/INSTITUTIONAL
DISTRICT.

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to Article 6 to allow restaurants as a permitted use in the O/I District; and

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

ARTICLE 6. ZONING DISTRICTS

SECTION 6.5 TABLE OF USES AND ACTIVITIES.

P - Permitted Use

PS - Permitted Use with Supplemental Regulations

Blank - Not Permitted

S - Special Use

SS - Special Use with Supplemental Regulations

Uses	Primary Zoning Districts												Overlay Districts		Supplemental Regulations		
	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO
ACCESSORY USES/BUILDINGS																	
Accessory structures/buildings	P	P	P	P	P		P	P	P	P	P	P	P		P		
Accessory uses incidental to any permitted use	PS	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS	PS	PS			Section 7.3
Child care center (as an accessory use for a principal business)							PS	SS	SS	SS	PS	PS					Section 7.4.1
Dwelling in principal business as an accessory use							SS	SS	SS	SS							Section 7.5
Granny pods/temporary health care structures	PS	PS	PS	PS	PS		PS								PS		Section 7.6
Home occupations	PS	PS	PS	PS	PS		PS	PS	PS						PS		Section 7.7
Public or neighborhood swimming pools	S	S	S	S	S		S								S		
Public or private neighborhood tennis courts	S	S	S	S	S		S	P	P	P					S		
Public or private neighborhood basketball courts	S	S	S	S	S		S	P	P	P					S		
Solar energy generating facility, accessory	PS	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS					Section 7.8
Temporary storage facility (portable storage units)	PS	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS					Section 7.9
Wind energy generating facility, accessory	PS	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS					Section 7.10
EDUCATIONAL																	
Community college	S						S	S	S	S	S	S					

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use
S - Special Use

PS - Permitted Use with Supplemental Regulations
SS - Special Use with Supplemental Regulations

Blank - Not Permitted

Uses	<i>Primary Zoning Districts</i>												<i>Overlay Districts</i>		<i>Supplemental Regulations</i>		
	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO
Libraries							P	P	P	P							
Schools, public and private	S	S	S	S	S		P		P								
INSTITUTIONAL																	
Armories							P										
Buildings, governmental							P	P	P	P	P	P	P				
Cemeteries	S						P										
Churches/places of worship	S	S	S	S	S		S		SS	SS							Section 7.32
Civic and fraternal meeting halls							S		S	S							
Clubs, public or private									S	S							
Community centers							P										
Country clubs	S	S	S	S	S												
Crematory										P	P	P					P
Electric substations	S	S	S	S	S		S	S	S	S	S	S	S	S	S	S	S
Governmental uses (i.e., police, fire)	S	S	S	S	S		P	P	P	P	P	P					
Hospitals							P		P	P							
Public uses not otherwise listed	S	S	S	S	S		S	S	S	S	S	S	S	S			
Public utility storage or service yards										S	S	P					
Public utility substations/switching stations	S	S	S	S	S		S	S	S	S	S	S	S	S			
Pump stations (municipally owned)	P	P	P	P	P		P	P	P	P	P	P	P	P			
US postal services							S	S	P	P	P	P					

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use
S - Special Use

PS - Permitted Use with Supplemental Regulations
SS - Special Use with Supplemental Regulations

Blank - Not Permitted

Uses	<i>Primary Zoning Districts</i>												<i>Overlay Districts</i>		<i>Supplemental Regulations</i>			
	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO	
Utility stations	S	S	S	S	S		S	S	S	S	P	P	S	S				
MANUFACTURING AND INDUSTRIAL																		
Asphalt and concrete batch plant												P						
Artisan=s workshop (3,000 square feet or less)	PS						PS	PS	PS	PS	PS							Section 7.11
Artisan=s workshop (greater than 3,000 square feet)										SS	SS	SS						Section 7.11
Bakery products, candy, confectionary manufacturing									S	S	P	P						
Building materials sales and storage									S	S	P	P						
Carpet and upholstery cleaners										P	P							
Clothing and finished fabric products, manufacture of											P	P						
Contractors, building (with outdoor storage)										P	P	P						
Contractors, building (no outside storage)							P	P	P									
Contractors, equipment													P					
Contractors, heavy construction													P					
Contractors, special trades (no storage)								P	P	P	P	P						
Electric motor repair													P					
Electrical and electrical machinery, equipment and supplies								S	S				P					

ARTICLE 6. ZONING DISTRICTS

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Uses	<i>Primary Zoning Districts</i>											<i>Overlay Districts</i>		<i>Supplemental Regulations</i>			
	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD		OS	RHO	ECO
Food processing facilities												P					
Fuel and ice dealers											S	S					
Gas companies with propane/bulk storage										S		S					
Industrial research offices and laboratories											P	P					
Industrial uses not having an injurious effect on the town and not otherwise listed/identified												S					
Light manufacturing uses involving fewer than 35 employees and not otherwise listed/identified									S	S	P						
Lumber and wood products, sales										P		P					
Machinery (engines, construction tools)									S	S		P					
Manufacturing (textiles, clothing, scientific instruments, and small machine assembly)												P					
Manufacturing, processing, or warehousing or transportation use or public use or utility												PS	SS				Section 7.12
Modular office units/temporary office units							PS	SS	SS	SS	PS	PS					Section 7.13
Motion picture production and distribution											P	P					
Motor freight terminals											P	P					
Outlet stores for industrial manufacturing establishments										PS	PS	PS					Section 7.14
Paperboard containers and boxes												P					

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	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO
Refrigeration, heating, and air conditioning machinery (production)									S	S		P					
Research laboratories							S	P	P		P	P					
Screw machine products (bolts, nuts, screws)												P					
Small engine repair									S	P		P					
Tanning, leather												S					
Textiles												P					
Welding repair									S	S		P					
OFFICES, PROFESSIONAL AND SERVICES																	
Clinics							P		P	P							
Electronic data processing							P	P	P	P	P	P					
Engineering, architectural, and surveying offices							P	P	P	P	P						
Financial institutions							P	P	P	P							
Labor unions							P	P	P	P							
Office, computing and accounting machines (sales)							P	P	P	P							
Office, professional							P	P	P	P	S						
Offices (primary uses, not accessory)							P	P	P	P	P						
Opticians and optical goods							P	P	P	P							

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	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO
RECREATIONAL																	
Billiard and pool halls							S	S	S	S							
Boat ramps	S	S	S	S	S		S	S	S	S				S			
Bowling alleys							S	S	S	S							
Dinner theatres							S	S	S	S							
Fairgrounds	SS													SS			Section 7.15
Golf courses	S	S	S	S	S												
Health clubs							P	P	P	P	P						
Mechanical rides (ferris wheels, roller coasters, bumper cars, etc.)									S	S							
Miniature golf/driving ranges									S	S							
Movie theaters								P	P	P							
Nature observation points	S	S	S	S	S		S	S	S	S				S			
Parks and recreation areas	S	S	S	S	S		P	P	P	P							
Playgrounds	S	S	S	S	S		P	P	P	P							
Recreation buildings and facilities for residential developments	S	S	S	S	S					S							
Skating rinks							S	S	S	S							
Video arcades							S	S	S	S							
RESIDENTIAL																	

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	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD		OS	RHO	ECO
Dwelling, multi-family/townhouses/condominiums			S	S	S			S	S	S							
Dwelling, single-family	P	P	P	P	P		S	S	S				P		P		
Dwelling, two family			P	P	P			S	S								
<u>Licensable Facilities:</u> Adult care home	S		S	S													
Family care home	PS	PS	PS	PS	PS		PS										Section 7.16
Family child care home	SS	SS	SS	SS	SS		SS										Section 7.4.2
Family foster home	S	S	S	S													
Multi-unit assisted housing with services	S						S										
Residential child-care facility				S													
Small child care center		PS	PS	PS													Section 7.4.2
Loft and studio apartments							S	S	S								
Manufactured home, Class A on individual lot	PS				PS												Section 7.17
Manufactured home, Class B on individual lot	SS				PS												Section 7.17
Manufactured home park					SS												Section 7.18
Mixed use developments and unified commercial developments								S	S	S							
Planned residential development	S	S	S	S	S		S	S	S								
Recreational vehicle parks											PS						Section 7.33

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Uses	<i>Primary Zoning Districts</i>												<i>Overlay Districts</i>		<i>Supplemental Regulations</i>			
	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO	
Residential cluster development	SS	SS	SS	SS														Section 7.34
Temporary emergency, construction, and repair residences	SS	SS	SS	SS	SS		PS	PS	PS	PS	PS	PS						Section 7.19
Tiny houses				PS														Section 7.20
RETAIL SALES AND SERVICES																		
Adult businesses												SS						Section 7.21
Animal hospitals/ veterinarians									S	S	S							
Antique shops								P	P	P								
Any use which employs, as incidental or subordinate to the primary use of the property, more than 5 coin-operated amusement devices								S	S	S								
Art galleries							P	P	P	P								
Automobile and truck dealers									S	S								
Automobile parts and supply store								P	P	P								
Automobile renting and leasing									S	S								
Automobile sales and automobile broker									S	S								
Automobile service stations									PS	PS		PS						Section 7.22
Barber or beauty shops							P	P	P	P								
Battery charging station							PS	PS	PS	PS	PS	PS						Section 7.23
Battery exchange station							PS	PS	PS	PS	PS	PS						Section 7.23

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	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO
Bed and breakfast	S	S	S	S	S		S	S	S	S							
Boat sales and service									S	S							
Car washes									P	P							
Carpet and rug dealers								P	P	P							
Catering establishments								P	P	S	P						
Commercial animal kennels/boarding facilities including accessory grooming (indoor facilities only)	S								S	S							
Commercial animal kennels/boarding facilities, outdoor kennels										P	S						
Commercial condominiums									S	S							
Convenience food stores								P	P	P							
Convenience stores with gas pumps								S	S	S							
Distilleries								PS		SS	PS						Section 7.24
Drug stores							S	P	P	P							
Exterminating services									S	S		P					
Farmer=s market								S	S	S							
Flea markets/vendor markets									S	S							
Floral and gift shops								P	P	P							
Food stores								P	P	P							
Food trucks										PS							Section 7.25

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	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO
Fortune tellers (to include palm readers, crystal ball reading, tarot card reading, and similar fortune telling techniques).										S							
Funeral homes							S		S	S	S						
Furniture and fixtures								P	P	P							
Gas pumping stations (unmanned, credit cards only)									PS	PS							Section 7.22
Glass and mirror repair sales									P	P		P					
Greenhouses and plant nurseries	P								S	S	P	P					
Hardware stores								S	S	S							
Kennels, private	S																
Laundry and dry cleaning establishments with drive-in windows								SS	SS	SS							Section 7.26
Laundry and dry cleaning establishments without drive-in windows								PS	PS	PS	PS						Section 7.26
Lawn and garden stores									P	P							
Leather products (no tanning or production)								P	P	P							
<u>Licensable Facilities:</u> Child care center								SS	SS	SS	SS	SS					Section 7.4.1
Day care facilities, adult								S	S	S	S	S					
Nursing homes	S		S				S		S	S							
Locksmith, gunsmith								P	P	P	P						

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	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO
Measuring, analyzing, controlling, and optical goods, watches, clocks								P	P	P	P						
Microbrewery								PS	SS	SS							Section 7.24
Mobile food vending cart								PS	PS	PS	PS	PS					Section 7.3.2
Motels/hotels							S	S	S	S							
Motorcycle sales and services									S	S							
Movers, van lines, and storage										S	P	P					
Museums							P	P	P	P							
Newspaper printing and publishing services								S	S	S	P	P					
Package delivery services, commercial								S	S	S		P					
Parking lots, commercial							S	S	S	S	P	P					
Parking structures and underground parking garages, commercial							S	S	S	S	S	S					
Pawnshop or used merchandise store								P	P	P							
Photographers							P	P	P	P							
Pottery and related products								P	P	P	P	P					
Printing and publishing								P	P	P	P	P					
Radio and television broadcasting studios							P	P	P	P	S	P					
Repair shops (radio, television, small appliances, shoes, etc.)								P	P	P							
Restaurants							P	P	P	P							

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Restaurants and cafeterias primarily for employees, patients, or students located in same building as another use and having no outside advertising or drive-in facilities							P	P	P	P	P	P					
Retail businesses								P	P	P							
Shopping center, major									S	S							
Shopping center, minor									P	P							
Signs in accordance with Article 10, Part III	P	P	P	P	P		P	P	P	P	P	P					
Street vendors								PS									Section 7.27
Studios for artists, designers, and photographers, and studios for the performing arts							P	S	S	S	S	S					
Tattoo and body piercing establishments									S	S							
Tire dealers and service								S	S	S		P					
Upholstery shops								S	P	P		P					
Vehicle storage in conjunction with repair									S	S		P					
Video rental								P	P	P							
TRANSPORTATION																	
Bus stations									P	P							
Taxi stands limited to 5 taxis								S	S	S							
Tool, car, truck rental								S	S	S		P					
Towing services										S		P					

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	R-20A	R-10	R-8	R-6	R-MH	PUDS	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AD	OS		RHO	ECO
WHOLESALE SALES AND WAREHOUSING																	
Automobile junkyards												S					
Boat storage									S	S							
Fruit and vegetable markets, wholesale									P	P							
Outdoor sales, service, or storage areas								S	S	S	P	P					
Salvage yards												S					
Warehousing uses, including mini-storage									S	S	S	P	S				
Wholesale merchants									P	P		P					
Wholesale storage of gasoline or bulk terminal plants												S					
OTHER USES																	
Agricultural and forestry uses	P													P			
Bona fide farms and their customary appurtenances	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS			Section 7.28
Solar farms	SS										SS	SS					Section 7.29
Telecommunication facilities	S	S	S	S	S		S	S	S	S	S	S	S	S			
Temporary office units	PS	PS	PS	PS	PS		PS	PS	PS	PS	SS	SS	SS	SS			Section 7.13
Temporary uses	SS	SS	SS	SS	SS		SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	Section 7.30
Wind farms	SS										SS	SS	SS				Section 7.31

PART 2

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

Duly adopted this the 6th day of February, 2018.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
TEXT AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD PLANNING BOARD
ZA-17-07**

Whereas the Smithfield Planning Board, upon acting on a text 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 Planning Board, upon acting on a text 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 RECOMMENDED FOR ADOPTION BY THE SMITHFIELD PLANNING BOARD AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE IS ADOPTED,

That the final action regarding text amendment ZA-17-07 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 Planning Board and information provided at the public meeting; and

It is the objective of the Town of Smithfield Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The text 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 Planning Board 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 text amendment ZA-17-07 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 Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The text amendment does not promote this and therefore is neither reasonable nor in the public interest.

Petition for Amendment to the Unified Development Ordinance

Petitioner: Steve Bryant, 252 Lakeview Drive, Four Oaks, N.C. 27524

Current property owners: Bobby J. and Anne P. Eason, 716 Chestnut Drive, Smithfield, N.C. 27577

Property: 216 S. Third St., Smithfield, N.C. 27577
The property is for sale and is now under contract.

Zoning: Office and Institution (O&I)

Request is made by the buyer, Steve Bryant, to allow a restaurant in this zoning. The current owners have agreed to this request.

Statement of Justification.

In keeping with a goal of the Town of Smithfield to encourage quality development in the downtown business area, this petitioner seeks to advance the goal with a re-use of an existing building. The petitioner plans to have a restaurant. It will not create a conflicting use within the district but an enhancement. It will serve the public interest by providing a complementary use and service to the existing businesses and people already there.

It is hoped that this re-use of a building--in an area already developed--will strengthen the district and become a model that could encourage other property owners to do the same with their existing buildings. It may also encourage more creative uses for existing structures in the district.



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 November 2017

				Permit Fees	Permits Issued
Major Site Plan				\$100.00	1
Land Use				\$1,350.00	15
Sign				\$450.00	9
Report Period Total:				\$1,900.00	25
Fiscal YTD Total:				\$7,775.00	113
Z17-000207	Zoning	Land Use	Carolina Pickers	938 North Brightleaf Blvd	
Z17-000206	Zoning	Land Use	Clayton Homes of Goldsboro	1346 Barbour Rd	
Z17-000209	Zoning	Sign	The Black Bell Gallery & Lounge	329 East Market Street	
Z17-000211	Zoning	Land Use	Carolina Outreach, LLC	831 South Brightleaf Blvd	
Z17-000210	Zoning	Land Use	Automobile Sales	1803 South Brightleaf Blvd	
Z17-000212	Zoning	Sign	Auto Trader Sales & Service LLC.	1195 Brogden Road	
Z17-000214	Zoning	Land Use	Ready Set Escape	1304-E West Market Street	
Z17-000213	Zoning	Sign	Raynor Shine Auto Works, Inc.	119 Airport Industrial Drive	
Z17-000215	Zoning	Sign	United Community Bank	128 North Second Street	
Z17-000216	Zoning	Sign	United Community Bank	403 South Brightleaf Blvd	
Z17-000218	Zoning	Land Use	Wildside Clothing	1025 Outlet Center Dr Ste 740	
Z17-000217	Zoning	Land Use	McDonald's	884 West Market Street	
Z17-000219	Zoning	Sign	Wildside Clothing	1025 Outlet Center Dr Ste 740	
Z17-000220	Zoning	Land Use	Reliable Income Tax Service	506 South Seventh Street	
Z17-000221	Zoning	Land Use	Nutrition Club	1307 North Brightleaf Blvd	
Z17-000222	Zoning	Land Use	SFD Addition	456 Cloverdale Drive	
Z17-000223	Zoning	Sign	Carter's	1025 Outlet Center Dr Ste 740	
Z17-000226	Zoning	Land Use	Spanky's Christmas Trees	404 North Brightleaf Blvd	
Z17-000224	Zoning	Land Use	Uprep Outfitters/Uprimp Boutique	1304-E West Market Street	
Z17-000229	Zoning	Sign	Haines Vision Care	1319 North Brightleaf Blvd	
Z17-000228	Zoning	Land Use	enclosed carport	102 East WILSON Street	
Z17-000227	Zoning	Sign	Reliable Income Tax Service	506 South Seventh Street	
Z17-000230	Zoning	Land Use	Johnston County Liquidations	36-A East Edgerton Street	
SP17-000048	Site Plan	Major Site Plan	Classic Ford	1324 North Brightleaf Blvd	
Z17-000231	Zoning	Land Use	Hair Salon/Home Occupation	710 Wilsons Mills Road	



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BOARD ACTIONS REPORT - 2017

	November	Calendar Year to date
Town Council		
Rezoning	1	3
Conditional Use / Special Use	1	11
Ordinance Amendment	0	4
Major Subdivisions	0	0
Annexations	0	0
Special Events	3	12
Site Plan	1	2
Planning Board		
Rezoning	1	5
Condition Use	0	8
Ordinance Amendment	0	3
Subdivisions	0	0
Annexations	0	0
Major Site Plan	1	2
Board of Adjustment		
Variance	0	1
Admin Appeal	0	0
Historic Properties Commission		
Certificate of Appropriateness	0	0
Historic Landmarks	0	0