



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, July 11, 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 JULY 11,2023
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

1. Proclamation: Declaring July as Parks and Recreation Month in the Town of Smithfield
(Mayor – M. Andy Moore) See attached information.....1

Public Hearings:

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) See attached information.....3

Citizens Comments

Consent Agenda Items:

1. Approval of Minutes:
 - a. May 4, 2023 – Budget Session
 - b. June 6, 2023 – Regular Meeting
(Town Clerk – Shannan Parrish) Will be provided prior to the meeting
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.
(Planning Director – Stephen Wensman) See attached information.....57

3. Special Event: July Movie Night – The Parks and Recreation Department is requesting to hold an event at 150 South Front Street (Amphitheater) on July 22, 2023 from 5:00 pm until 10:00 pm. This request includes the use of amplified sound.
(Planning Director – Stephen Wensman) See attached information.....61
4. Special Event: Youth Jubilee – True Vine Apostolic Ministries is requesting to hold an event at Smith Collins Park on July 22, 2023 from 9:00 am until 6:00 pm. This request includes the use of amplified sound.
(Planning Director – Stephen Wensman) See attached information.....65
5. Special Event: Buck Wild Bash – Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on July 22, 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.....69
6. Special Event: Back to School Giveaway – John **Palacios with Iglesia La Hermosa Church is requesting to hold an event at 600 Durwood Stephenson Parkway on August 5, 2023 from 10:00 am until 5:00 pm.** This request includes the use of amplified sound.
(Planning Director – Stephen Wensman) See attached information.....79
7. Special Event: 9/11 Celebration of First Responders – The "e" Rotary Club is requesting to hold an event at 350 East Market Street on September 9, 2023 from 2:00 pm until 3:30 **pm.** Over 100 people are expected to attend the event.
(Planning Director – Stephen Wensman) See attached information.....83
8. Consideration and request for approval to promote a Firefighter II to the rank of Fire Engineer
(Interim Fire Chief – Jeremy Daughtry) See attached information.....87
9. Consideration and request for approval to allow employees to donate accumulated sick leave hours to an employee in the General Government Department
(Town Manager – Michael Scott) See attached information.....89
10. Consideration and request for approval to allow employees to donated accumulated sick leave hours to an employee in the Public Utilities – Water/Sewer Department
(Public Utilities Director – Ted Credle) See attached information.....91
11. Consideration and request for approval of a budget amendment in the amount of \$11,300 for the Neuse River Amphitheater Project
(Parks and Recreation Director – Gary Johnson) See attached information.....93
12. Consideration and request for approval to adopt additional year end budget amendments
(Finance Director – Greg Siler) See attached information.....97
13. Consideration and request for approval to install additional stop signs at Hood Street and South Crescent Drive
(Interim Chief of Police – James Grady) See attached information.....103

14. Consideration and request for approval of an Interlocal Agreement with Johnston County for Fire Service (Interim Fire Chief – Jeremy Daughtry) <u>See</u> attached information.....	107
15. Consideration and request for approval of an agreement with Piedmont Natural Gas for sewer line access (Public Utilities Director – Ted Credle) <u>See</u> attached information.....	119
16. Consideration and request for approval to issue a purchase order for a bucket truck for the Electric Department (Public Utilities Director – Ted Credle) <u>See</u> attached information.....	125
17. Consideration and request for approval to enter into an agreement with North State Resurfacing in the amount of \$34,300 for the conversion and renovation of two tennis courts to six permanent pickleball courts at Community Park (Parks and Recreation Director – Gary Johnson) <u>See</u> attached information.....	131
18. New Hire Report (Town Manager – Michael Scott) <u>See</u> attached information.....	145

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 known as Rosewood Drive (Planning Director – Stephen Wensman) <u>See</u> attached information.....	147
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 (Public Utilities Director – Ted Credle) <u>See</u> attached information.....	161
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) <u>See</u> attached information.....	173
4. Discussion concerning the State Transportation Improvement Program (STIP) project list (Planning Director – Stephen Wensman) <u>See</u> attached information.....	177

Councilmember’s Comments

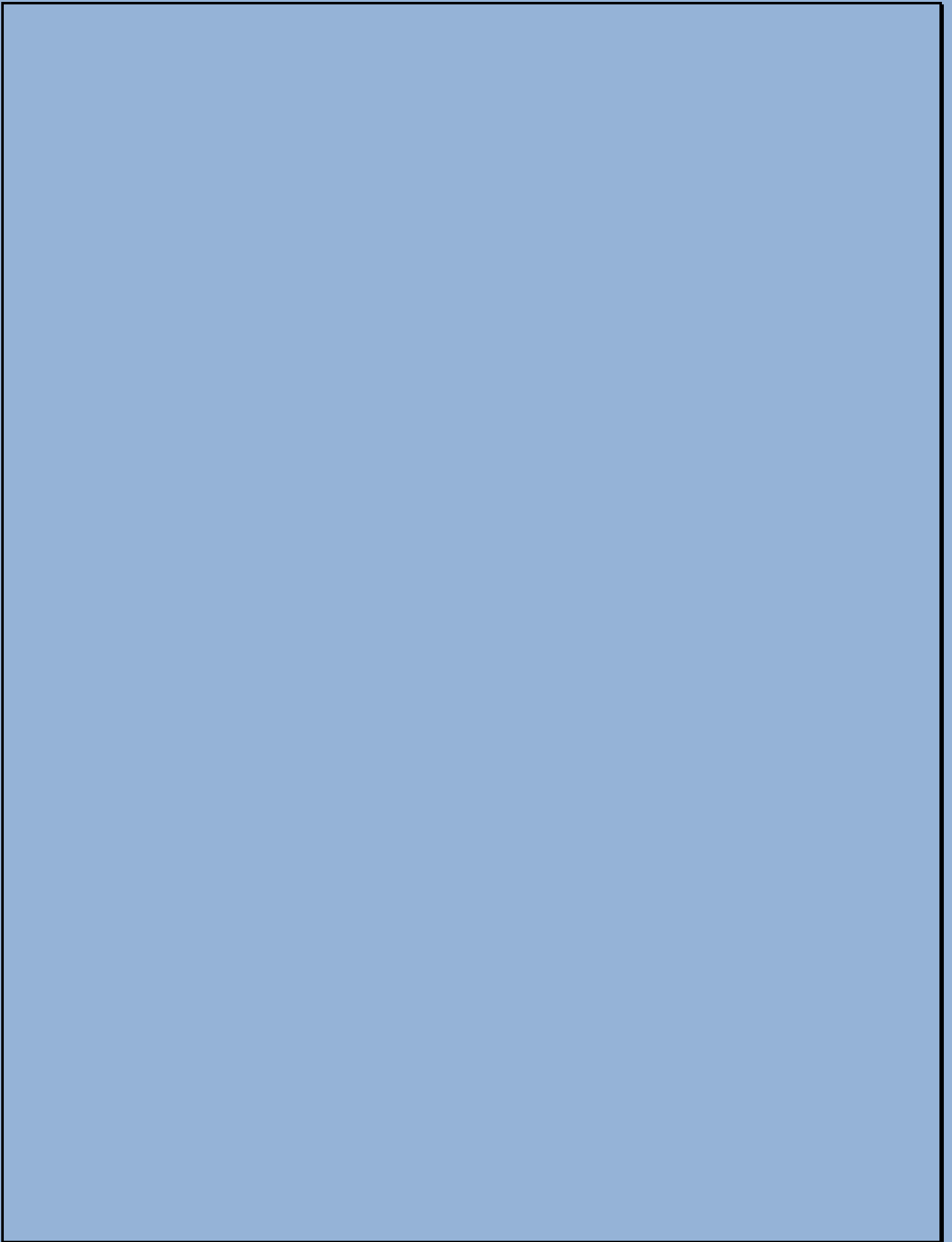
Town Manager’s Report

- Financial Report (Will be provided prior to the meeting)
- Department Reports (See attached information)..... 211

- **Manager's Report** (Will be provided at the Meeting)

Adjourn

Presentation



**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

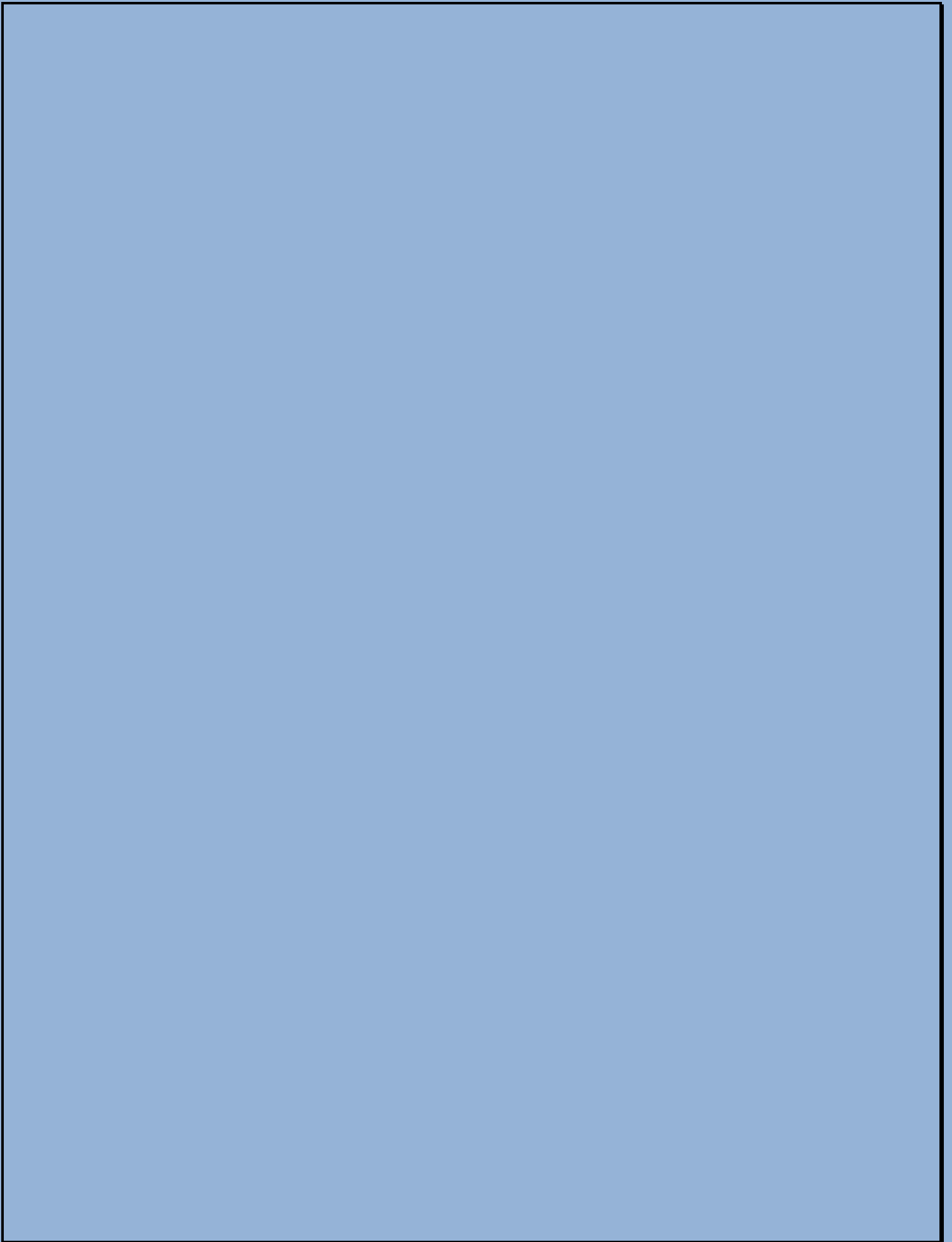
WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

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.

M. Andy Moore, Mayor

Public Hearing





Request for Town Council Action

Public
Hearing: ZA-23-06
Date: 07/11/2023

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

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

To hold a public hearing 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 **Unified Development Ordinance** for Articles 2, 10 and Appendix A
3. Consistency Statement
4. Application for Zoning Text Amendment



Staff Report

Public
Hearing: ZA-23-06

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.]

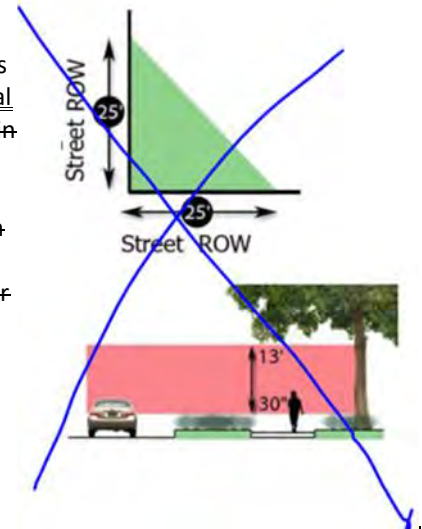
No person shall construct, reconstruct, or repair any driveway within the town without first obtaining from the UDO Administrator a zoning permit to do so. Such person shall construct, reconstruct, and repair such driveway under the supervision of the UDO Administrator, and in accordance with town specifications.

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.

...

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.

...

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.~~

...

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.

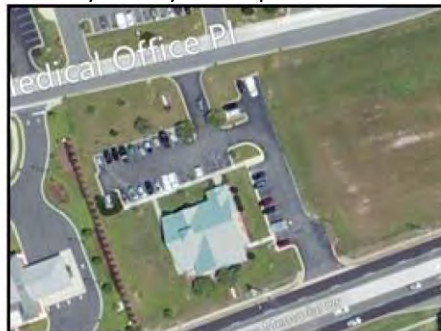
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10.2.10. Lateral Access.

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~~ 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 on 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

...

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.~~

...

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.

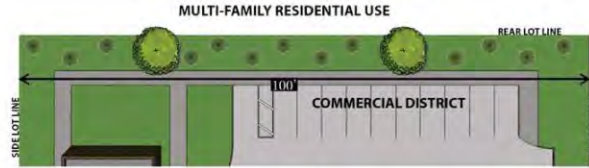
Zoning District and/or Use To Be Developed (below)	Adjacent Land Use				
	Industrial	Commercial	Single-Family Residential	Multi-Family Residential (10 or more parking), PUD, PRD	Open Space
Industrial	N/A	Type A	Type C	Type C or D	Type C or D

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

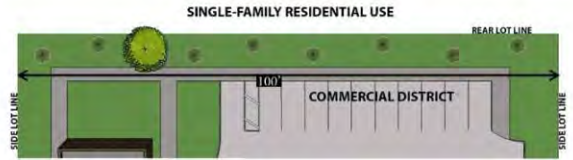
Bufferyard requirements as they pertain to the Table of Uses and Activities (~~Section 6.5~~ Section 6.6) are as follows:

- (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, ~~RHQ~~, 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.



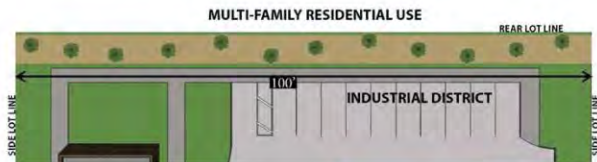
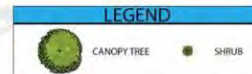
Type A - Bufferyard Example:
 1000 Square Feet of Non-Residential Lot Line Adjacent to a Residential Use=
 2 Canopy Tree and
 12 Shrubs



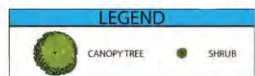
Type B - Bufferyard Example:
 1000 Square Feet of Residential Lot Line Adjacent to a Residential Use -OR- Non-Residential Lot Line Adjacent to a Non-Residential Use=
 1 Canopy Tree and
 8 Shrubs



Type C - Bufferyard Example:
 Canopy Tree and
 Shrubs
 6' Max High Fence



Type D - Bufferyard Example:
 Shrubs (6' Max High Fence)
 6' Max High Fence
 3:1 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.

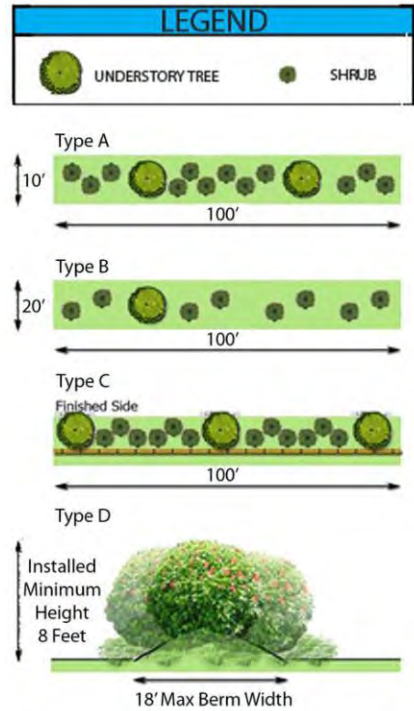
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10.15.3. Dumpsters or Other Trash Holding Areas.

~~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.

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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.~~

...

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

...

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, NCDENR, 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.

...

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 1, 2, 3, 4, and 5	3 (4)	5 (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.

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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.

Cluster development. (~~Amended 10/3/2017~~) Cluster development means the grouping of buildings in order to conserve land resources and provide for innovation in the design of the project including minimizing stormwater runoff impacts. This term includes nonresidential development as well as single-family residential and multi-family developments. ~~For the purpose of this ordinance, planned unit developments and mixed use development are considered as cluster development.~~

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.

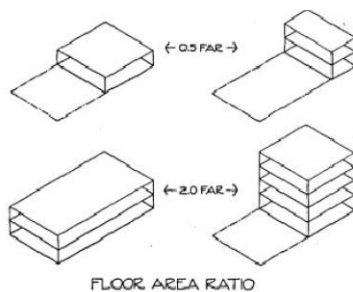
Commercial amusement use. ~~Any use which provides entertainment, amusement, or recreation activities for commercial gain. This definition shall not include special events or functions customarily sponsored by or associated with schools, churches, nonprofit organizations, civic groups, fraternal orders, 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.~~

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~~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 ~~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:

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.

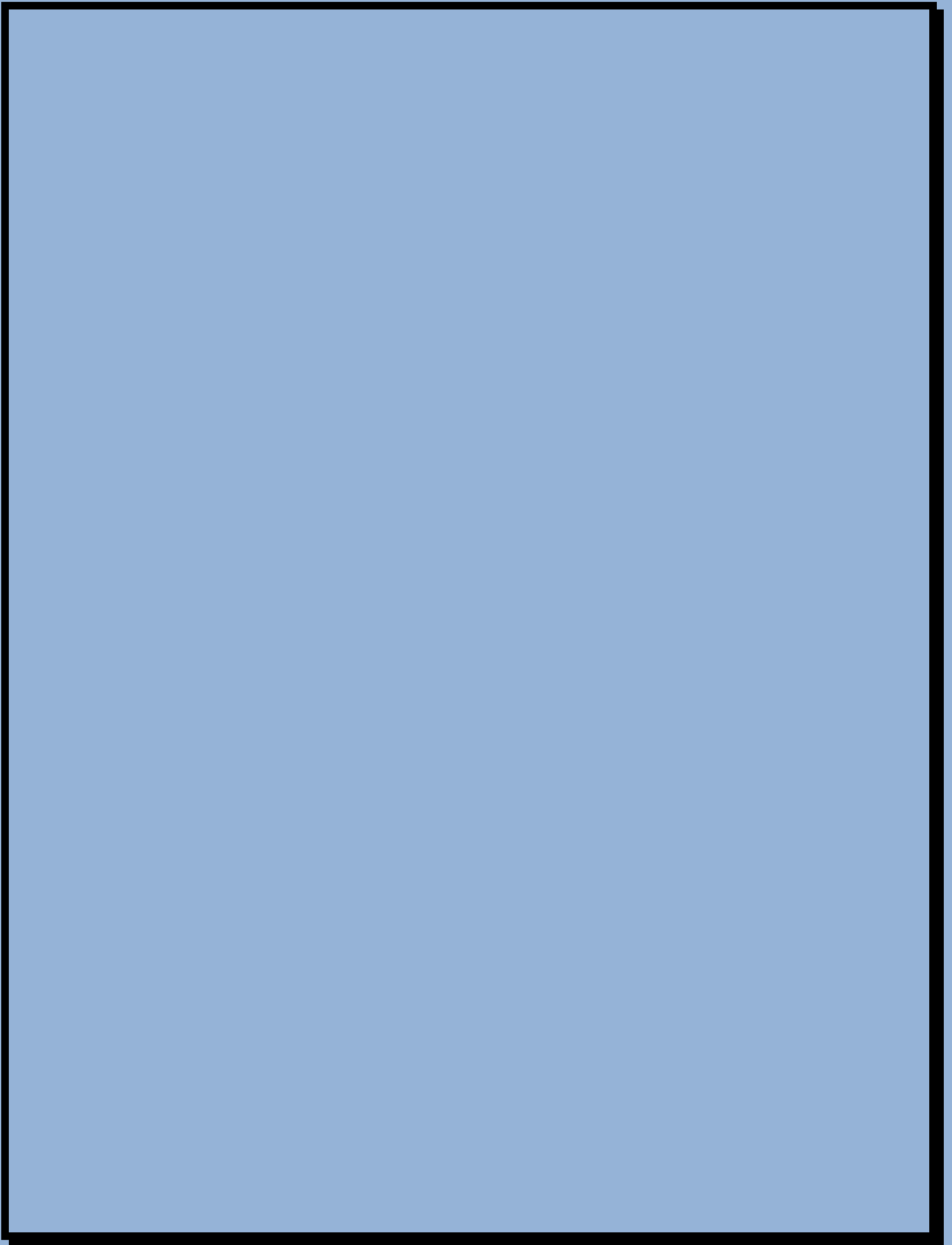
Stephen Mason
Signature of Petitioner

Date

FOR OFFICE USE ONLY

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

Consent Agenda Items





Request for Town Council Action

Consent
Agenda
Item:
Date: 07/11/2023

Application
for
Temporary
Use Permit

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

Issue Statement

The Council is being asked to allow Lesly Barrios to use the Town Commons Amphitheater for a Church event on July 16, 2023

Financial Impact

N/A

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**

Lesly Barrios is requesting to hold a Church event at the Town Commons Amphitheater located at 109 South Front Street on July 16, 2023 from 9:00 am to 9:00 pm. Amplified sound in the form of a microphone and PA system will be used. Over 100 people are expected to attend. Food will be provided. 4 trash cans have been requested.



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>Amp. theater</u> Name of Event	<u>109 S Front St, Smithfield NC</u> Location of Event/Use (exact street address) 27577
--------------------------------------	---

APPLICANT:

Name Lesly Barrios

Address 1012 S Second St. Smithfield

Phone number 919.634.5468

Email address Ministerios.emmanuel14@gmail

Event date July 16, 2023

Event start time 9 am

Event set up time 10 am

Sound Amplification Type PA system/micro.

Sound Amplification Time _____

PROPERTY OWNER:

Name E.

Address _____

Phone number _____

Email address _____

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

Event end time 9 pm

Event cleanup time 8 pm

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

Food Trucks (if applicable) (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)? Front Street

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

Are event trash cans needed? (Y) or N How many? 4

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

Church event, food and live concert

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 \$
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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.

<u>Lesty Barrios</u> Applicant's Name (Print)	<u>Lesty Barrios</u> Signature	<u>6/12/23</u> Date
Planning Director Signature:	<u>[Signature]</u>	Date: <u>6/13/23</u>



Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 07/11/2023

Subject: Parks and Recreation
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow Parks and Recreation to hold a July Movie Night at the **Town Commons** Amphitheater.

Financial Impact

N/A

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

Smithfield Parks and Recreation is requesting to hold a July Movie Night at the **Town Commons** Amphitheater on July 22, 2023 from 5:00 pm to 10:00 pm. Amplified sound will be used during that same time. Over 100 people are expected to attend. No security or trash can are needed.



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>July Movie Night</u>	<u>Neuse River Ampitheater</u>
Name of Event	Location of Event/Use (exact street address)

APPLICANT:

Name Tiffany Pearson & Smithfield P & R

Address 600 M Durwood Stephenson Pkwy

Phone number 919-934-2148

Email address tiffany.pearson@smithfield-nc.com

Event date July 22nd

Event start time 5:00 pm

Event set up time 4Pm

Sound Amplification Type 5pm-10pm

Sound Amplification Time 5-10pm

PROPERTY OWNER:

Name Smithfield Parks & Recreation

Address _____

Phone number 919-934-2148

Email address tiffany.pearson@smithfield-nc.com

Will alcohol be sold or served? Y or **N**

Event end time 10PM

Event cleanup time 10pm

Will food or goods be sold? Y or **N**

Food Trucks (if applicable) _____ (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)? Ampitheater

If any town streets require closure, please list all street names. NO

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

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

Showing a movie at the ampitheater. Movie starts at Sundown.

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.

Tiffany Pearson _____ 6/2/2023
 Applicant's Name (Print) Signature Date

Smithfield P&R _____
 Planning Director Signature: _____ Date: 6/13/23



Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 07/11/2023

Subject: True Vine Apostolic Ministries
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow **True Vine Apostolic Ministries** to hold a Youth Jubilee Church program at Smith Collins Park on July 22, 2023.

Financial Impact

N/A

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**

True Vine Apostolic Ministries is requesting to hold a Youth Jubilee Church program at Smith-Collins Park on July 22, 2023 from 9:00 am to 6:00 pm. Amplified sound will be used beginning at 10:00 am. 6 trash cans have been requested. No food or goods will be sold.



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) _____

Smith-Collins Park

Youth Jubilee @ True Vine <small>Name of Event</small>	502 Martin Luther King Dr. <small>Location of Event/Use (exact street address)</small> Smithfield, NC 27577
---	---

Apostolic Ministries

APPLICANT:

Name Eric Thomas

Address 702 Second Ave. Smithfield

Phone number 910-224-4562

Email address Ericthomas9490@yahoo.com

Event date 7/15/2023

Event start time 9:00am

Event set up time 7:00am

Sound Amplification Type microphone/PA sys

Sound Amplification Time 10:00am

PROPERTY OWNER:

Name _____

Address _____

Phone number _____

Email address _____

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

Event end time 6:00pm

Event cleanup time 5:00pm

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

Food Trucks (if applicable _____) (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: NA
(If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? yes

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

Are event trash cans needed? Y or N How many? 6

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

Church youth program open to the community and public for outreach.

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.

Eric Thomas [Signature] 6/5/23
Applicant's Name (Print) Signature Date

Planning Director Signature: [Signature] Date: 6/6/23



Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 07/11/2023

Subject: Buck Wild Bash
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 an event (Buck Wild Bash) on July 22, 2023.

Financial Impact

N/A

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. Event Information



Staff Report

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

Bulldog Harley-Davidson is requesting to hold Buck Wild Bash at their dealership located at 1043 Outlet Center Drive. This event would be held on July 22, 2023 from 10:00 am to 4:00 pm. The purpose of this event is to unite the community, gain awareness of the business and raise funds for the rescue of animals. There will be live music, local vendors, food trucks, games and giveaways. Canned beer and non-alcoholic drinks will be available. Security will be provided by NC Special Police. Smithfield Police will be contacted to provide additional security. Over 100 people are expected to attend.



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) _____

Buck Wild Bash	1043 Outlet Center Drive
Name of Event	Location of Event/Use (exact street address)

APPLICANT:

Name Taylor Viane

Address 6626 Vaughn Road Fayetteville, NC 28304

Phone number 910-733-9660

Email address taylor.f@bakeramericancycles.com

Event date July 22, 2023

Event start time 10am

Event set up time 8am

Sound Amplification Type Band

Sound Amplification Time 10am

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 4pm

Event cleanup time 4-6pm

Will food or goods be sold? Y or N

Food Trucks (if applicable) 6 (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're hosting another live free concert at Bulldog HD for our customers and the community. The Event is free to attend
and we aim to unite the community with a fun experience. We welcome local vendors and food trucks to join in
the experience and also raise funds for charities. Buckcherry will be the live band performing at 1pm!

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.

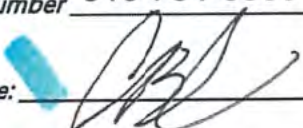
Taylor Viane Taylor Viane 6/21/23
Applicant's Name (Print) Signature Date

Planning Director Signature: Stephen Wern Date: 6/25/23

OWNERS AUTHORIZATION

I hereby give CONSENT to Taylor Viane (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 Zip 28304
Phone number 910-734-8509 Email carson@bulldogharleydavidson.com
Signature:  Date: 6/21/23

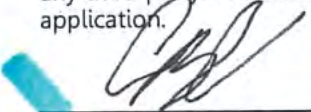
OWNER'S CONSENT FORM

Name of Event: Buck Wild Bash Submittal Date: 6/22

OWNERS AUTHORIZATION

I hereby give CONSENT to Taylor Viane (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.

 Carson Baker 6/21/23
Signature of Owner Print Name Date



Buck Wild Bash - Bulldog Harley-Davidson & Fresh Start Rescue

Date: Saturday July 22, 2023

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 Buckcherry, local vendors, food trucks, beverages (canned beer and non-alcoholic), 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)

The Taco Shack - Laura Lee (984) 277-4782

From the Ashes - Philip Bailey (919) 819-3185

Morty & Friends Hot Dogs - Andy (919) 917-6854

Butter's Cool Spot Ice Cream - Brian (919) 780-3854

Sweet Southern Snoballs - Beth (919) 291-3355

Proposed Signage: Next page

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

Owner: Carson Baker 910-734-8509

BULLDOG HARLEY-DAVIDSON'S
BUCK WILD BASH
 SATURDAY JULY 22 10 AM - 4 PM

Buckcherry LIVE AT 1PM

FREE TO ATTEND!
 Come rock 'n roll with us!

VENDORS & FOOD TRUCKS

DYNO TRUCK

BIKINI BIKE WASH

BEER, BIKES, BABES & MORE!

More updates coming soon- follow us on Facebook for all our event updates & details! @bulldogharleydavidson

1043 Outlet Center Drive
 Smithfield, NC 27577
 919-338-1592
 www.bulldogharleydavidson.com

BULLDOG
 Harley-Davidson

FRESH START RESCUE

When you come to this Bulldog event, you help us raise money for our friends at Fresh Start Rescue!

Proposed Signage

Map

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



Date: 4-5-22

Name of Establishment: The Taco Shack Permittee: Alicia Sanchez
Location Address: 3590 US Hwy 13 South Manager/Person in Charge: Alicia Sanchez
City: Goldsboro State NC Zip: 27530 County: Wayne
Billing Name: The Taco Shack Status Code: I T K
Billing Address: 2264 Dobbersville Establishment ID: 06096030125
City: Mt. Olive State: NC Zip: 28365 Map #: _____ Parcel ID: _____
Email Address: asanchez112184@gmail.com Lat. _____ Long. _____
Phone: 919-330-8025 Fax: _____ Emergency Phone Number: _____

Permission is granted to operate a Mobile Food Unit 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 Capacity _____ Category # 0 1 2
Water Supply: Municipal/Community On-Site

Pushcart/Mobile Food Unit operating in conjunction with: The Plowhouse 10609601
Restaurant or Commissary Name and ID Number

Conditions/Remarks: Mobile Food Unit must return to commissary daily for servicing.
Any menu or equipment changes must be pre approved by Wayne Co. Env. Health.
Maintain all cold held foods 41°F. Maintain bleach sanitizer 50-200ppm.

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: [Signature] Title: Owner Date: 4-5-22
Manager/Person In Charge
Signed: Alan Moore REHS#: 1734 Date: 4-5-2
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

Name of Establishment: MORTY & FRIENDS HOT DOG HOUSE Permittee: ARTHUR ANDREWS
 Location Address: 541 S. RALEIGH ST. Manager/Person in Charge: ARTHUR ANDREWS
 City: ANGIER State: NC Zip: 27501 County: Harnett
 Billing Name: MORTY & FRIENDS HOT DOG HOUSE Status Code: 1 - New Permit Opening Sheet
 Billing Address: 541 S. RALEIGH ST. Establishment ID: 5043040039
 City: ANGIER State: NC Zip: 27501 Map #: _____ Parcel ID: _____
 Email Address: MORTYANDFRIENDSHDH@GMAIL.COM Lat: _____ Long: _____
 Phone: (919) 917-6854 Fax: _____ Emergency Phone Number: (919) 917-6854

Permission is granted to operate a 4 - Push Carts 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 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: _____
 Restaurant or Commissary Name and ID number

Conditions/Remarks:

Conditions: Pushcart must return to the commissary once a day when operating. Utensils shall be washed, rinsed and sanitized at commissary. Dry goods and food shall be stored at the commissary. Water shall be obtained from commissary and wastewater shall be discarded at commissary. A designated potable water supply shall be provided and used only for providing water to the pushcart. The operator shall inform the health department of set up times and locations at least monthly. Operator shall notify other counties of operation in their counties prior to operation. Menu and equipment changes shall have prior approval by the health department. Condiments shall be pre-packaged and ready to heat/cook. Slaw and chili are to be pre-packaged from an approved source. No vegetable cutting permitted on unit. Only hot dogs and fully cooked sausage dogs are permitted. No leftovers permitted. Cold holding equipment must be maintained at 41F or less during transportation. Hot foods must be maintained at 135F or above.

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.

Signed By: VIOLETTE, GALE Manager/Person in Charge: [Signature] Date: 06/08/2023
 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



Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 07/11/2023

Subject: Back to School Giveaway
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow John Palacios to hold a back-to-school giveaway on August 5, 2023.

Financial Impact

N/A

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**

John Palacios with Iglesia La Hermosa Church is requesting to hold a back-to-school giveaway at 600 Durwood Stephenson Parkway on August 5, 2023 from 10:00 am to 5:00 pm. Amplified sound will be used beginning at 12:00 pm. School supplies will be given away. No trash cans or security have been requested.



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) _____

Back To School Giveaway Families Unidas United Families	600 Durwood Stephenson Pkwy
Name of Event	Location of Event/Use (exact street address)

APPLICANT:

Name John Palacios

Address 1130 Maudis Rd, Bailey NC 27807

Phone number 252-458-3696

Email address obispo@yahoo.com

Event date 8/5/2023

Event start time 10 AM - 5:00 pm

Event set up time 10:00 am

Sound Amplification Type speakers/micro

Sound Amplification Time 12 pm

PROPERTY OWNER:

Name Town of Smithfield

Address 350 E. Market St.

Phone number (919) 934-2116

Email address obispo@yahoo.com

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

Event end time 5:00 pm

Event cleanup time _____

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

Food Trucks (if applicable) 0 (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)? yes

If any town streets require closure, please list all street names. NO

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

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

activity for BACK to school
give away school supplies,
it's a church event to reach out -

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.

John Palacios [Signature] 6/25/23
Applicant's Name (Print) Signature Date

Planning Director Signature: [Signature] Date: 6/25/23



Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 07/11/2023

Subject: 9/11 Celebration of First Responders
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow the Rotary Club to hold a 9/11 Celebration of First Responders event on September 9, 2023.

Financial Impact

N/A

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 Smithfield Rotary Club is requesting to hold a 9/11 Celebration of First Responders on September 9, 2023 from 2:00 pm-3:30 pm. It will be held around 350 East Market Street. A rain date of September 16, 2023 has been requested. No other requests have been made by the applicant.



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) _____

80th Anniversary

<i>9/11</i> Name of Event	<i>Celebration of First Responder 356 Market St</i> Location of Event/Use (exact street address)
------------------------------	---

APPLICANT:

Name Darius Wallace

Address 108 N. Rodenick Dr

Phone number 919-300-1067

Email address dw@csco610@yahoo.com

Event date 9/9/2023

Event start time RAIN DATE 9/16/23

Event set up time _____

Sound Amplification Type None

Sound Amplification Time None

PROPERTY OWNER:

Name _____

Address _____

Phone number _____

Email address _____

Will alcohol be sold or served? Y or N _____

Event end time _____

Event cleanup time _____

Will food or goods be sold? Y or N _____

Food Trucks (if applicable) _____ (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)? _____

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

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

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

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.

Doris Wallace Doris Wallace 5/18/23
Applicant's Name (Print) Signature Date

Planning Director Signature: Stephen Wong Date: 5/18/23



Request for Town Council Action

Consent
Agenda
Item: Personnel
Promotion
Date: 07/11/2023

Subject: Personnel Promotion
Department: Fire Department
Presented by: Interim Fire Chief – Jeremey Daughtry
Presentation: Consent Agenda Item

Issue Statement

This is a request to promote a Firefighter II to the position of Fire Engineer. Under the **Town’s Employee Handbook, promotions to a higher pay grade will be accompanied** by an increase to the next pay grade minimum, or to an increase of up to 10% at the **Manager’s discretion**. Recommendation is to increase the salary by 10%.

Financial Impact

This salary increase will be covered by the Fire Departments current budget and will not require a budget amendment to the current salary line item. In this case, the required salary increase for the 2023/2024 Budget will be \$5,485.71

The proposed promotion will result in an increase of \$20.25/hr. to \$22.28/hr. based on an average of 84 hours bi-weekly.

This promotion would be effective 07/17/2023.

Action Needed

Approval of the requested promotion.

Recommendation

Upon consultation with HR, staff recommends approval of this promotion.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Consent
Agenda
Item: Personnel
Promotion

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has completed an assessment of a prospective employee for the position of Fire Engineer for the Fire Department. The Department has this vacancy in accordance with **approved staffing levels in the current year's budget**. The prospective Fire Engineer is an in-house candidate. The candidate is well-qualified for this position and is a highly regarded member of Town staff. Council is asked to approve this promotion.



Request for Town Council Action

Consent Agenda Item:
Date: 07/11/2023
Donation of Sick Leave

Subject: Request for Approval of Donation of Sick Leave
Department: General Government
Presented by: Town Manager – Michael L. Scott
Presentation: Consent Agenda Item

Issue Statement

Staff is requesting the approval of the donation of sick time to a requesting employee from fellow employees.

Financial Impact

None expected.

Action Needed

Consideration and approval of request.

Recommendation

Approval of request not to exceed 240 hours of donated sick hours to the requesting employee.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Consent
Agenda
Item: Donation
of Sick
Leave

The employee has a medical condition not associated with work, that will require him to miss time. This time would concur with approved FMLA leave totaling a maximum of 12 weeks. The employee is requesting the donation of 240 hours of sick leave to be donated from other employees.

Staff has reviewed this request and seeks approval from Council to allow other employees to donate sick hours to the requesting employee. If approved, all donations of time must be completed and submitted no later than July 17, 2023 and will not exceed a maximum of 240 hours.

No donated sick leave hours will be utilized until all of the employee's personal sick/vacation hours are exhausted. In addition, as the employee accumulates sick/vacation hours, those hours will also be utilized prior to those donated by other employees.



Request for Town Council Action

Consent Agenda Item:
Date: 07/11/2023
Donation of Sick Leave

Subject: Request for Approval of Donation of Sick Leave
Department: Public Utilities
Presented by: Public Utilities Director - Ted Credle
Presentation: Consent Agenda Item

Issue Statement

Staff is requesting the approval of the donation of sick time to a requesting employee from fellow employees.

Financial Impact

None expected.

Action Needed

Consideration and approval of request.

Recommendation

Approval of request not to exceed 320 hours of donated sick hours to the requesting employee.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Consent
Agenda
Item: Donation
of Sick
Leave

This employee has a medical condition not associated with work, that will require him to miss approximately 8-10 weeks of time. This time would concur with approved FMLA leave totaling a maximum of 12 weeks. The employee is requesting the donation of 320 hours of sick leave to be donated from other employees.

Staff has reviewed this request and seeks approval from Council to allow other employees to donate sick hours to the requesting employee. If approved, all donations of time must be completed and submitted no later than July 17, 2023 and will not exceed a maximum of 320 hours.

No donated sick leave hours will be utilized until all of the employee's personal sick/vacation hours are exhausted. In addition, as the employee accumulates sick/vacation hours, those hours will also be utilized prior to those donated by other employees.



Request for Town Council Action

Consent Agenda Item: Amphitheater Budget Amendment
Date: 07/11/2023

Subject: Budget Amendment for the Neuse River Amphitheater
Department: Parks and Recreation
Presented by: Parks and Recreation Director – Gary Johnson
Presentation: Consent Agenda Item

Issue Statement: The Parks and Recreation Department is requesting a year end budget amendment in the amount of \$11,300 for the Neuse River Amphitheater Project.

Financial Impact

Approved Budgeted Amount for FY 2022-23: \$989,500.00

Amount of Purchase/Bid/ Contract: an additional \$ 11,300.00

Action Needed: Approve and allocate the use of tourism funds (2% fund) in the amount of \$ 11,300.00 for the overage of additional items added to the scope of work at the Neuse River Amphitheater.

Recommendation: Approve and allocate the use of tourism funds (2% fund) in the amount of \$ 11,300.00 for the overage of additional items added to the scope of work at the Neuse River Amphitheater.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Documentation



STAFF REPORT

Consent: Amphitheater
Agenda: Budget
Item: Amendment
Date: 7/11/2023

The Parks and Recreation Department is requesting the use of 2% tourism fund monies to offset the additional cost of the Neuse River Amphitheater renovation project. During the project, after discussions with administration, additional items were added to the scope of work. These additional items, included additional sod, permitting fees, unsuitable soils, additional structural work to the stage, additional stage lighting, and additional concrete work for more accessibility. These additional items, after taking into consideration contingency and allowances in the original scope of work, exceeded the contract amount by \$ 11,300.00.

The Parks and Recreation Department is requesting a budget amendment in the amount of \$ 11,300.00 to be reimbursed using 2% tourism fund monies.

**NEUSE RIVER
OPEN COST ISSUES LOG**

4/13/2023

PCO#	CE#	Description	Date Submitted	Submitted Amount	Comments
		THIRD PARTY LOCATES FOR ELECTRICAL		\$550	BBC
		JOCO BUILDING PERMIT FEE		\$1,000	BBC
		THIRD PARTY INSPECTIONS		\$1,595	BBC
		UNSUITABLE SOILS		\$3,975	earthwork
		ADDITIONAL STRUCTURAL WORK AT STAGE		\$2,500	amph.
		ADDED SOD		\$5,000	landscape
		ADDED CONCRETE WORK		\$8,660	landscape
		ADDED LIGHTS AT STAGE		\$2,500	amph.
		SUBTOTAL OF CONTINGENCY/ADDITIONAL ITEMS		\$25,780	
		AMOUNT OF CONSTRUCTION CONTINGENCY & ALLOWANCES IN CONTRACT		\$15,442	\$0
OCO #1 (WITH MARKUPS)				11300	



PROJECT #: 17315 Neuse River Amphitheater
 PROJECT ADDRESS: 200 S. Front Street
 Smithfield, NC 27577

PROPOSED CHANGE PRICING DETAILS

PCO #: 1				
PCO Description: Construction Contingency and signage allowance reconciliation with project adds				
DATE: 5/18/2023				
Item #	Work Description:	Subcontractor	Cost	Cost Subtotal
01	Amphitheater Renovations	Varnedoe	\$ 5,000	\$ 5,000
02	Site Demo & Earthwork	Varnedoe	\$ 3,975	\$ 3,975
03	Landscape & Hardscape	Varnedoe	\$ 13,660	\$ 13,660
04	Misc. Metals: Site Railings	3 Sons		\$ -
05	Signage Allowance	Balfour Beatty	\$ (5,000)	\$ (5,000)
06	Construction Contingency	Balfour Beatty	\$ (10,442)	\$ (10,442)
7	General Conditions: BBC	Balfour Beatty	\$ 3,145	\$ 3,145
				\$ -
Subtotals:			\$ 10,338	\$ 10,338
	Subguard Insurance:	1.50%	\$ 155	\$ 155
	General Liability Insurance:	1.10%	\$ 124	\$ 124
	Builders Risk Insurance:	0.50%	\$ 57	\$ 57
	P&P Bond:	0.78%	\$ 88	\$ 88
	Subtotal:		\$ 10,762	\$ 10,762
	General Contractor OH & Profit:	5.00%	\$ 538	\$ 538
Total Value of Change:			\$ 11,300	\$ 11,300

CLARIFICATIONS AND ASSUMPTIONS	
1	
2	



Request for Town Council Action

Consent
Agenda
Item: Additional
Year End
Budget
Amendments
Date: 07/11/2023

Subject: Additional FY23 Year-End Budget Amendments
Department: Finance Department
Presented by: Finance Director - Greg Siler
Presentation: Consent Agenda Item

Issue Statement - Year-end budget amendments are often required to balance departmental or capital projects budgets. An explanation is provided under each proposed budget amendment. All budget changes can be accomplished using contingency dollars.

Financial Impact – None as contingency funds are used.

Action Needed – Board approval is required.

Recommendation – Approve Budget Amendments.

Approved: Town Manager Town Attorney

Attachments

1. Additional Year-End Budget Amendments for 2022-2023



Staff Report

Consent
Agenda
Item: Additional
Year End
Budget
Amendments

Year-end budget amendments are often required at year end to balance departmental budgets or capital projects. An explanation is provided under each proposed budget amendment. All budget changes are accomplished using contingency dollars.

Budget amendments are often the result of additional expenditures related to unforeseen circumstances or additional needs brought before council. No fund balance appropriations were needed.

BUDGET AMENDMENTS
June 30, 2023

<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			
10-10-76-6200-5970-9101 Parks and Rec - Transfer To SCIF Fund	\$ -	\$ 11,300	\$ 11,300
10-00-9990-5300-0000 General Fund Contingency	<u>25,638</u>	<u>(11,300)</u>	<u>14,338</u>
	<u>\$ 25,638</u>	<u>\$ -</u>	<u>\$ 25,638</u>

To fund additional cost of Amphitheatre

3. Expenditures			
10-10-76-6200-5970-9101 Parks and Rec - Transfer To SCIF Fund	\$ -	\$ 2,319	\$ 2,319
10-00-9990-5300-0000 General Fund Contingency	<u>14,338</u>	<u>(2,319)</u>	<u>12,019</u>
	<u>\$ 14,338</u>	<u>\$ (0)</u>	<u>\$ 14,338</u>

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

4. Expenditures			
10-10-76-6200-5970-9101 Parks and Rec - Transfer To SCIF Fund	\$ -	\$ 10,001	\$ 10,001
10-00-9990-5300-0000 General Fund Contingency	<u>12,019</u>	<u>(10,001)</u>	<u>2,018</u>
	<u>\$ 12,019</u>	<u>\$ -</u>	<u>\$ 12,019</u>

To fund additional cost of Splash Pad

WATER FUND

5. Expenditures

30-71-7200-5300-3300 Water Plant - Supplies/Operations
30-00-9990-5300-0000 Water/Sewer Contingency

\$	749,950	\$	25,400	\$	775,350
	187,791		(25,400)		162,391
<u>\$</u>	<u>937,741</u>	<u>\$</u>	<u>-</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>-</u>	<u>\$</u>	<u>2,319</u>	<u>\$</u>	<u>2,319</u>
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Expenditure

21-60-6200-5700-7401 Splash Pad/Parking

<u>\$</u>	<u>536,330</u>	<u>\$</u>	<u>2,319</u>	<u>\$</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>\$</u>	<u>2,319</u>	<u>\$</u>	<u>10,001</u>	<u>\$</u>	<u>12,320</u>
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Expenditure

21-60-6200-5700-7401 Splash Pad/Parking

<u>\$</u>	<u>538,649</u>	<u>\$</u>	<u>10,001</u>	<u>\$</u>	<u>548,650</u>
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To fund additional cost of Splash Pad

8. Revenue

21-75-3870-3870-0000 Transfer From GF

<u>\$</u>	<u>12,320</u>	<u>\$</u>	<u>11,300</u>	<u>\$</u>	<u>23,620</u>
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Expenditure

21-60-6200-5700-7400 Amphitheatre

<u>\$</u>	<u>989,500</u>	<u>\$</u>	<u>11,300</u>	<u>\$</u>	<u>1,000,800</u>
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To fund additional cost of Amphitheatre

Approved by the Smithfield Town Council this the 11th day of July, 2023

M. Andy Moore

ATTEST:

Shannan Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item: Approval
of
additional
stop signs
Date: 07/11/2023

Subject: Approval to add addition stop sign on Hood St.
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 Crescent 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 Crescent Drive

Recommendation

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

Approved: Town Manager Town Attorney

Attachments:

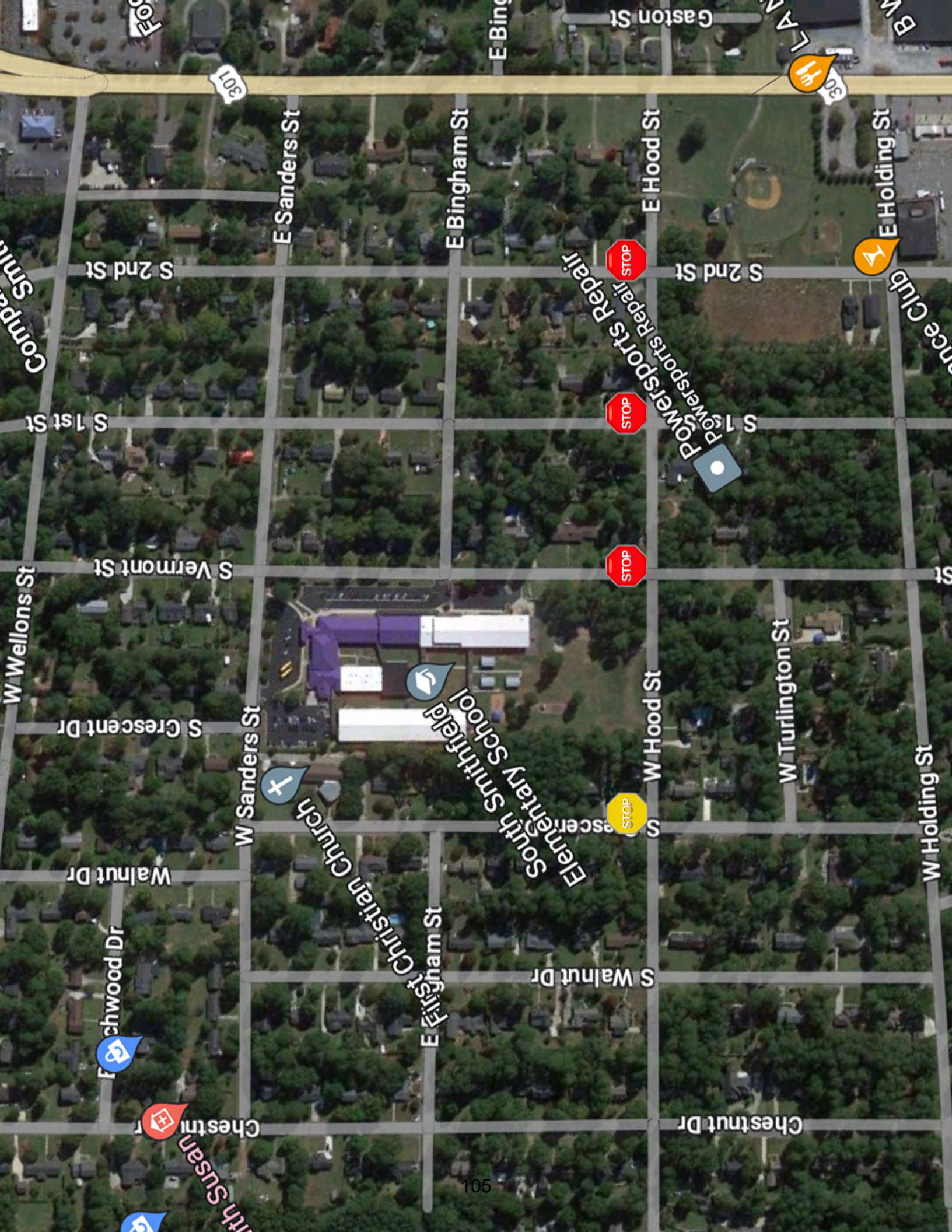
1. Staff Report
2. Overview map



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. It has been determined that vehicles stop at Hood and Vermont Streets. Vehicles then speed and turn onto South Crescent Drive near the school. This location 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 a stop sign at Hood and Crescent, this will lower the speed of vehicles in the area by the school.



307

307

307

E Sanders St

E Bingham St

E Hood St

E Holding St

S 2nd St

S 2nd St

S 1st St

S 1st St

S Vermont St

W Wellons St

S Crescent Dr

W Sanders St

W Wellons St

South Smithfield Elementary School

First Christian Church

Walnut Dr

W Hood St

W Turlington St

W Holding St

S Walnut Dr

W Wellons Dr

S Chestnut Dr

S Chestnut Dr



Request for Town Council Action

Consent
Agenda
Item: Inter-local
Agreement
for Fire
Protection
Date: 07/11/2023

Subject: Inter-local Agreement for Fire Service with Johnston County
Department: Fire Department
Presented by: Interim Fire Chief - Jeremey Daughtry
Presentation: Consent Agenda Item

Issue Statement

The Smithfield Fire Department is seeking consideration to authorize the approval of the 2023-2024 Inter-local Agreement for Fire Service with Johnston County. The Smithfield Fire Department provides service in the unincorporated areas around the Town of Smithfield. This agreement is renewed for the provision of service and collection of Rural Fire Tax and the Johnston County Fire Service Supplemental Funding Matrix.

Financial Impact

If not approved the Town will collect neither the Rural Fire Tax nor the Johnston County Fire Service Supplemental Funding Matrix funds. Also, Mutual-Aid from other Departments will not be provided when needed.

Action Needed

To approve the Fire Protection Contract for a period not to exceed one year and authorize the Mayor to execute the contract.

Recommendation

The Fire Department recommends approval of this contract

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Letter from Johnston County Fire Marshal – Ryan L. Parker
3. Interlocal Agreement for provision of Fire Protection Services



Staff Report

Consent
Agenda
Item: Inter-local
Agreement
for Fire
Protection

The Interlocal Agreement for Provision of Fire Protection Services is a contract between the Town of Smithfield and Johnston County to provide fire protection services within the Smithfield Fire District. This agreement also authorizes the use of mutual aid to be received and given within Johnston County. This agreement will allow the Town of Smithfield to receive fire tax funds collected by Johnston County within the Smithfield Fire District along with the Johnston County Fire Service Supplemental Funding Matrix funds. The funding matrix was approved by the Johnston County Commissioners during the Johnston County **Commissioners' meeting on June 19, 2023. The Johnston County Fire Marshal's Office has** been tasked with the development of minimum performance standards for all fire departments in Johnston County which constitutes this Interlocal Agreement to decrease from a two-year contract to a one-year contract.



June 25, 2023

Town of Smithfield Fire Department
111 S Fourth St
Smithfield, NC 27577

Dear Chief:

There have been minor changes to our fire service contract for the dates of July 1, 2023 to June 30, 2024. You received a copy of the 2023-2024 contract by email on 06/23/2023. **The current contract will expire on June 30, 2023, coinciding with the execution of this new contract.**

Enclosed, you will find two copies of your 2023-2024 fire contract for your department's approval signatures. Please examine this document and notify me immediately if there are any questions or discrepancies. The following actions are required of your agency

1. Sign Page 8 of the contract document as designated for approval (two signatures).
2. **Return the signed documents to our office by June 30, 2023.**

Once approved with all signatures, one of the original signed documents will be returned to you. Again, if you have any questions, please do not hesitate to call me.

Sincerely,

Ryan L. Parker

Ryan L. Parker
Fire Division Chief/Fire Marshal

Enclosures



**NORTH CAROLINA
JOHNSTON COUNTY**

INTERLOCAL AGREEMENT FOR PROVISION OF FIRE PROTECTION SERVICES

This Agreement (sometimes referred to as "Contract"), made and entered into this the first day of July, 2023, by and between County of Johnston, a political subdivision of the State of North Carolina, hereinafter referred to as the "County," and the Town of Smithfield, a body politic and corporate of the State of North Carolina, hereinafter referred to as the "Town" or "Contractor";

WHEREAS, the Town and the County are authorized pursuant to N.C. General Statute § 160A-460, *et seq.*, to enter into an interlocal agreement; and

WHEREAS, the Town and the County wish to enter into such an agreement by which the County will assess and collect a special fire tax and the Town will provide certain fire protection services as described herein.

Now therefore, in consideration of the mutual promises contained herein and other good and valuable consideration, the parties hereto contract and agree as follows:

- 1) The County agrees that it will cause to be assessed or levied a special fire tax within statutory limits after consultation with the Town; and will collect said fire tax on an ad valorem basis on property within the Smithfield Fire Protection Service District (hereinafter the "District").
- 2) The Town, after consultation with the Fire District Tax Commission for the District, shall submit in writing to the Johnston County Fire Marshal a proposed budget and the requested rate of fire tax to be levied by the established deadline each year. This request shall be forwarded to the Johnston County Manager and the Johnston County Board of Commissioners for consideration by the Johnston County Board of Commissioners. The Johnston County Board of Commissioners will determine and approve, in its discretion, the amount to be assessed or levied, taking into consideration the needs of the citizens of the District and the budget projections submitted by the Town and the recommendations of the Fire District Tax Commission.
- 3) "Fire Department" as used herein refers to the Town, acting by and through its Fire Department.
- 4) (a) Funds collected by the County as a result of said special fire tax shall be distributed in accordance with the rate of fire tax levied per hundred dollars valuation of all real property and personal property in the District and the provisions established by the Johnston County Finance Office.

(b) Fire Department shall receive a one-time funding supplement paid in twelve equal installments by County with county general funds in accordance with the supplemental funding formula shown on the Johnston County Fire Service Supplemental Funding Matrix attached hereto as Exhibit 1.
- 5) Fire Protection Service District (N.C. General Statute 153A-301) funds levied and collected by the County and paid to the Fire Department by the County and supplemental funding paid



to Fire Department by County pursuant to the Johnston County Fire Service Supplemental Funding Matrix shall be used exclusively for fire department operations to provide fire protection and emergency services in the District, whether within or outside the Town's corporate boundaries, and other areas of response as dispatched and to meet the standards established by this Agreement.

- 6) The Fire Department will furnish fire protection and related emergency services pursuant to the standards set forth by the North Carolina Department of Insurance, County, and all other pertinent federal, state, and local laws and regulations within the Fire District (sometimes referred to herein as "primary service area") and shall provide the necessary equipment, personnel, and those things necessary for furnishing such protection in the District. The District is defined in the map of the Fire Protection Service District on record with the Clerk to the Johnston County Board of Commissioners and in the GIS/Land Records Management of Johnston County. The services shall be in accordance with minimum standards set forth in this Agreement and all future amendments adopted in accordance with paragraph 18 of this Agreement. The Fire Department shall furnish said fire protection without charge to all persons and property located in the District in an efficient and competent manner. This provision shall not prohibit the Fire Department from recouping costs and expenses from incidents or from entering into contracts with the Federal, State, or local governments or utility companies for the provision of emergency protection services for a fee, or from applying for and/or receiving any donations, grants, or contributions of any kind, whether governmental or private.
- 7) Fire Department agrees that County has the right to inspect all books and accounts of Fire Department at any time. Said inspection shall be conducted by the Johnston County Board of Commissioners through the Johnston County Fire Marshal, the Johnston County Finance Officer, or other designees of the Johnston County Board of Commissioners. The Fire Department shall furnish all applicable materials and financial statements for the purpose of the annual audit conducted by the Town in conformity with General Accepted Accounting Principles or other comprehensive basis of accounting. The Town shall follow the applicable statutory procedures for letting of public contracts for fire apparatus, equipment, and construction as may be amended by the North Carolina Legislature from time to time. Fire Department shall maintain an accurate inventory of any property with a purchase price of \$5,000.00 or greater purchased in whole or in part with County Fire District funds for the purpose of providing and furnishing fire protection services to the Fire District pursuant to this Agreement.
- 8) If any condition of this Agreement is not being fulfilled by Fire Department to the satisfaction of County, in County's sole discretion, the Johnston County Finance Officer has the right to withhold any and all funds to be paid to Fire Department under this Agreement at any time and until such time as the Fire Department complies with the terms of this Agreement. If Fire Department refuses or fails to provide fire protection services, facilities, or functions as contemplated under this Agreement and to the sole satisfaction of County, the Johnston County Fire Marshal shall investigate the cause of said refusal or failure. During the investigation by the Johnston County Fire Marshal, County may withhold any and all funds due and payable to Fire Department. If the investigation by the Johnston County Fire Marshal determines that Fire Department has refused or failed to perform the duties and obligations of it as required herein, and certifies the results of the investigation to the County Manager, the County Manager may instruct the Finance Officer to withhold any and all funds



to be aid to Fire Department under this Agreement until a resolution regarding the refusal or failure to perform is reached by the parties. If a resolution is unable to be reached by the parties, County, in its sole discretion, may withhold any and all funds to be paid to Fire Department under this Agreement, terminate this Agreement for cause, or take any other such action as County deems necessary to protect the citizens of the District. Fire Department's failure to file reports required of it to any Federal, State, or local authority shall be grounds for County to terminate this Agreement with Fire Department for cause. If this Agreement is terminated by County for cause, Fire Department shall be liable to County for any and all funds appropriated and paid to Fire Department during the fiscal year in which the termination occurs. Additionally, Fire Department shall not be relieved of its obligations to County under paragraph (7) of this Agreement. Nothing herein shall affect Fire Department's ultimate rights to payments, or County's responsibility for payments, as outlined herein for services actually rendered by Fire Department prior to the effective date of any termination. Nothing herein shall prevent County and Fire Department, in the event of a termination of this Agreement for any reason, from entering into an agreement to provide services beyond the effective date of any such termination.

- 9) The Fire Department shall obtain and keep in force during the term of this contract the following minimum insurance coverage:
- a. Worker's Compensation: Coverage for all paid and volunteer workers meeting the statutory requirements of the State of North Carolina;
 - b. Comprehensive General Liability, Malpractice, and Errors and Omissions: Coverage with minimum limits of \$1,000,000.00 per occurrence, \$1,000,000.00 aggregate combined single minimum for bodily injury liability and property damage liability;
 - c. Business Auto Policy: Coverage with minimum limits of \$1,000,000.00 per occurrence combined single limit for bodily injury liability and property damage liability. This shall include owned vehicles, hired, and non-owned vehicles and employee non-ownership.
 - d. Management or Directors and Officers Liability: Coverage with minimum limits of \$1,000,000.00 per claim and \$2,000,000.00 aggregate.
 - e. Umbrella Liability: Coverage with a minimum limit of \$1,000,000.00 with underlying coverage of auto liability, general liability, employer's liability, and \$1,000,000.00 aggregate.
 - f. County as an Additional Insured: County of Johnston shall be named as an additional insured on all policies of insurance required hereunder. Fire Department shall furnish County a certificate of insurance annually.
 - g. Indemnity Agreement: Fire Department shall and hereby agrees to indemnify and save harmless County, from any and all liability and expenses, including attorney's fees, court costs, and other costs incurred by County caused by the negligent acts or omissions of Fire Department, its volunteers, agents and employees.
 - h. Nothing contained herein shall be construed as a waiver of immunity by the County.
- 10) The Fire Department shall provide services within the District (N.C. General Statute 153A-233) and maintain a minimum of a 9S/E rating or better with the North Carolina Department of Insurance, Office of State Fire Marshal. The Fire Department, shall continuously comply with all applicable laws, ordinances, and State regulations. Fire Department shall submit to the Johnston County Fire Marshal a written plan outlining how it will maintain or upgrade its current insurance rating when requested by the Johnston County Fire Marshal.



11) The Fire Department shall use reporting software supplied by Johnston County. The following information is required to be reported in the reporting software to be used for compiling reports: 1. Incident; 2. Staff; 3. Hydrants Testing and Maintenance; 4. Training. Fire Incident Reports shall be completed, utilizing the software provided by County, by the 10th day of the month showing completion of the reports for the previous month. The Fire Department shall keep all reports and records on site at Contractor's principal place of business for at least five years from the creation date. All mandatory State and County reports and rosters shall be submitted to the appropriate authority by the requested deadline.

12) The Fire Department shall provide annually to the Johnston County Fire Marshal's Office a current and complete roster of members of the Fire Department to include contact numbers for the Chief and Assistant Chief(s).

13) The Fire Department agrees to provide automatic and mutual aid services to other emergency services providers in Johnston County. The Fire Department understands that other agencies will maintain their own liability policies and be responsible for their own expenses. The Fire Department further agrees that it will be responsible for its own expenses while responding to a request for mutual aid to another agency within the county. The current automatic aid agreement is included in Appendix A of this contract.

In areas where the fire district has been extended to six miles, the Fire Department agrees to maintain agreements with adjoining districts to respond with a minimum of one apparatus capable of transporting a minimum of 1,000 gallons of water to all alarms involving reported structure fires. This apparatus will be dispatched simultaneously with the department within whose district the incident occurs.

14) The Fire Department shall obtain a criminal history record check of applicants to and current members of Fire Department in accordance with N.C.G.S. Sect 143B-943 and applicable North Carolina law, as may be amended from time to time.

15) The following minimal performance standards are agreed upon by the County, Town, and the Fire Department and are part of this contract:

- a. The Fire Department shall comply with the procedures for radio communications and established protocols for the dispatch of emergencies as defined by the Johnston County Communications Center Protocols.
- b. The Fire Department officer in charge at all fire scenes shall attempt to determine the origin and cause of every fire. When the officer in charge cannot determine the origin and cause of the fire, or if the cause is suspected to be of an incendiary nature, the officer in charge shall request assistance from the Johnston County Fire Marshal's Division.
- c. The Fire Department shall keep all records on site for minimum period of five (5) years. These records include all those "Records and Documents" required to be maintained in order to meet and/or retain 9S classification, as published in that memo entitled "Requirements to Meet the 9S Rating for Initial Certification/Re-Inspection of Fire Departments in North Carolina," or any superseding memorandum or directive,



published by the Office of the State Fire Marshal. All State and County required reports and rosters shall be submitted by the requested deadlines.

- d. The Fire Department shall adopt a standard operating guideline that addresses the number of firefighters required on all types of fire calls. A current, valid copy of the Contractor's guideline shall be kept on file with the Johnston County Fire Marshal. The Fire Department shall place at least four (4) personnel on the scene to operate at least one (1) pumper on all structure fire calls.
- e. The Fire Department shall have the minimum standard training requirements, as established by the State of North Carolina, for providing fire, rescue, and emergency management services. The Fire Department shall maintain training levels in accordance with National Incident Management System (NIMS) directives.
- f. The Fire Department shall participate in at least two (2) or more county wide mutual aid trainings each year.
- g. The Fire Department shall develop a pre-fire incident survey and update it annually for all commercial buildings within the Fire Protection Service District. Facilities that should be given priority are those buildings displaying NFPA 704 placards, as well as hazardous, institutional, and assembly occupancies. The Fire Department agrees to cooperate with local fire code enforcement officials to determine hazards and occupancies. Upon request, the Johnston County Fire Marshal or his designee shall assist the Fire Department in developing pre-fire incident surveys for buildings within the Johnston County Fire Marshal's fire code enforcement service area.
- h. If pressurized fire hydrants are located within the fire district, the Fire Department shall adhere to the guidelines established by the Johnston County Public Utilities Department for the flowing of hydrants. The Fire Department shall immediately report any malfunctions or damage to hydrants to the entity owning the water system. The Fire Department shall conduct fire hydrant testing and maintenance on not less than an annual basis. Testing shall ensure that every wet and dry fire hydrant in the Fire Protection Service District is flushed and checked for accessibility, functionality, visibility, and operation. Records of fire hydrant tests and maintenance conducted by the Fire Department shall be completed and maintained in compliance with the North Carolina Rating System.
- i. The Fire Department shall follow the Johnston County Emergency Operations Plan when responding to an emergency or disaster.
- j. During a declared State of Emergency affecting the County, the Fire Department shall assist, within the limits of its personnel and equipment and capabilities and with deference to its primary service area, to the extent possible with the following services: 1) Debris removal from roadways; 2) Traffic Control; 3) Alert and notification; 4) Search and rescue; 5) Evacuation; and 6) other life saving and property protection measures as necessary. Request for additional assistance outside the primary service area shall be directed to the Fire Chief or designee. All operations shall be in accordance with the Johnston County Emergency Operations Plan.



- k. The Fire Department should have a public fire/life safety education program or similar activities for, at a minimum, educating persons regarding life safety from fire.
- l. When determining the need and location of additional facilities (fire stations, etc.), the Fire Department shall participate in a planning process involving the County Fire Marshal which evaluates, at a minimum, the needs of the department, the effects on property owners, the effects on insurance grading, and the impacts on adjoining fire districts.
- m. Each Fire Department may elect to voluntarily participate in certain services. Each department that provides these services shall be contracted or franchised for the operation of such service, pursuant to the rules set forth by the Johnston County Board of Commissioners. If the Fire Department has chosen to participate in any of these programs, the agreements can be found as Appendices of this contract:

SERVICE	APPENDIX #
Aid Agreement for Fire Protection	A
Medical Services	B
Rescue Services	C
Cardiac Arrest Assistance Agreement	

- 16) This agreement shall become effective the first day of July 2023, and remain in effect until June 30, 2024, subject to the continued legal existence of the District and the Fire Department, and further subject to the termination provisions of paragraph 8 and 17 hereof.
- 17) This agreement may not be transferred or assigned by the Town, nor may the services contracted for herein be sub-contracted to other parties unless approved by the Johnston County Board of Commissioners.
- 18) This contract may be terminated by either party upon advance notification to the other party by certified mail at least sixty (60) days prior to termination.
- 19) Either party may propose an amendment to this agreement by submitting the amendment in writing at least sixty (60) days in advance of the amendment's proposed effective date. Amendments to this agreement must be approved by both the County and the Town prior to becoming effective.
- 20) If any part of this Contract is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that part shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this Contract.
- 21) This contract is not intended to serve for the benefit of any third party. The rights and obligations contained herein belong exclusively to the entities that are parties hereto and no third party shall rely upon anything contained herein as a benefit to that third party.
- 22) The terms and provisions herein contained constitute the entire agreement by and between the County and the Town and shall supersede all previous communications, representations,



or agreements, either oral or written between the parties hereto with respect to the subject matter hereof.

- 23) **RELATIONSHIP OF THE PARTIES.** The relationship of the parties established by this Agreement is solely that of independent contractors, and nothing contained in this contract shall be construed to (i) give any party the power to direct or control the day-to-day activities of the other; (ii) constitute such parties as partners, joint ventures, co-owners or otherwise as participants in a joint or common undertaking; (iii) make either party an agent of the other for any purpose whatsoever; or (iv) give either party the authority to act for, bind, or otherwise create or assume any obligation on behalf of the other. Nothing herein shall be deemed to eliminate any fiduciary duty on the party of the Fire Department to the County that may arise under the law or under the terms of this Agreement.
- 24) **IRAN DIVESTMENT AND DIVESTMENT FROM COMPANIES BOYCOTTING ISRAEL.** By signing this agreement Contractor certifies that as of the date of execution they are not listed on the Final Divestment List created by the NC Office of State Treasurer pursuant to NCGS 147 Article 6E, Iran Divestment Act, Iran Divestment Act Certification. Contractor shall not utilize any subcontractor that is identified on the Final Divestment List. Any organization defined under NCGS 147-86.80(2), Divestment from Companies Boycotting Israel, shall not engage in business totaling more than \$1,000 with any company or business that boycotts Israel. A list of companies that boycott Israel is maintained by the NC Office of State Treasurer, pursuant to NCGS 147-86.81(a)(1). Any company listed as boycotting Israel is not eligible to do business with any State agency or political subdivision of the State.
- 25) **E-VERIFY.** Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if Contractor utilizes a subcontractor, Contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
- 26) **NOTICES:** All notices or other communications which shall be made pursuant hereto shall be in writing and shall be deemed to be given and received (a) when hand delivered to the address stated below, (b) three (3) days after being mailed to the address stated below, postage prepaid by certified or registered mail of the United States, return receipt requested to the address set forth below:

TO FIRE DEPARTMENT: Town of Smithfield Fire Department
111 S. Fourth Street
Smithfield, NC 27577
Attn: Fire Chief

TO COUNTY: Johnston County Emergency Services
Post Office Box 530 (mail)
120 S. Third Street (physical)
Smithfield, North Carolina 27577
Attn: Johnston County Fire Marshal

**JOHNSTON COUNTY
EMERGENCY SERVICES**

120 S. Third Street | PO Box 530 | Smithfield, NC 27577



Kevin Hubbard
Emergency Services Director

Main Office Phone: (919) 989-5050 | Fax: (919) 989-5052

With copy to:

County of Johnston
Post Office Box 1049 (mail)
Courthouse 206-B
207 E. Johnston Street (physical)
Smithfield, North Carolina 27577
Attn: County Attorney

27) Either party to this Contract may change its designated person or designated address at any time and from time to time by giving notice of such change to the other party in the manner set forth above.

IN TESTIMONY WHEREOF, the County has caused this instrument to be executed by the Chairman of the Board of County Commissioners and attested by the Clerk to the Board of County Commissioners, and **Town of Smithfield** has caused this instrument to be signed in its name by its Mayor, attested by its Clerk, all by the authorization of their respective Boards duly given.

Johnston County Board of County Commissioners

By: _____
Chairman: R.S. (Butch) Lawter, Jr.

Attest:

Clerk

Town of Smithfield

By: _____
Mayor

Attest:

Clerk

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____
J. Chad McLamb, Finance Officer



Request for Town Council Action

Agreement
Consent with
Agenda Item: Piedmont
Natural
Gas
Date: 07/11/2023

Subject: Approve Agreement with Piedmont Natural Gas
Department: Public Utilities
Presented by: Public Utilities Director – Ted Credle
Presentation: Consent Agenda Item

Issue Statement

Piedmont Natural Gas wishes to enter into a “blanket” agreement, covering the next five (5) years. This agreement will allow Piedmont to video sections of the Town sewer system that could be affected by the possible construction of natural gas lines.

Financial Impact

None. The cost to the Town is nothing, as the work will be performed by a contractor chosen and paid by Piedmont Natural Gas/Duke Energy.

Action Needed

Approve the proposed agreement and authorize the Town Manager to execute the agreement

Recommendation

Staff recommends the approval of the agreement and to authorize the Town Manager to execute the agreement

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Proposed Agreement



Staff Report

Consent
Agenda
Item: Approve
Agreement

Parker Stockstill Construction (Parker) is a contractor that has been hired by Duke Energy/Piedmont Natural Gas (P/D) to provide video recording services in affected municipal utility systems, should P/D wish to install natural gas lines in areas of eastern North Carolina. **Parker will video the nearby gravity sewer systems "before" and "after" construction to make sure the P/D project did not damage the municipal sewer lines and will provide copies of their findings to the municipalities. Should damage be caused by the P/D project, P/D/ will affect repairs, at no cost to the municipality. This agreement will last for a period of five (5) years.**

To this end, Parker wishes to facilitate an agreement between the Town and P/D. This agreement allows P/D and their contractor (Parker) to perform video services when a project may be affecting the Town sanitary sewer collection system. Both the Town Attorney and the P/D legal department have reviewed the agreement and approved of the agreement, as attached.

Staff is asking the Council to approve the agreement authorize the Town Manager to execute the agreement.

**

SEWER ACCESS AGREEMENT

This Sewer Access Agreement ("Agreement") is made and effective this 11th day of July, 2023 (the "Effective Date") by and between Piedmont Natural Gas Company, Inc. ("Piedmont"), and the Town of Smithfield ("City/Town"). Piedmont and City are each a "Party" and collectively, the "Parties".

WHEREAS, The City is the owner of certain sanitary sewer facilities located in Johnston County ("Sewer System"); and

WHEREAS, Piedmont seeks consent to access the Sewer System to perform closed circuit video inspection, location survey activities, sewer cleaning activities, and sewer repair activities on the Sewer System and its natural gas facilities (the "Work") to mitigate risk and damage to natural gas distribution systems and sewer facilities; and

WHEREAS, The Parties have mutually agreed to enter into this Agreement in order to memorialize the specific terms of the access to the Sewer System by Piedmont.

NOW, THEREFORE, in consideration of the execution of this Agreement, and other valuable and good consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1) The City hereby grants to Piedmont, and Piedmont accepts from the City, a non-transferable, non-exclusive, right to access the Sewer System (including any City property upon which the Sewer System is located) solely to perform the Work by Piedmont and its employees, agents, and contractors (each a "Piedmont Party" and collectively, the "Piedmont Parties") and for no other purpose, subject to the Piedmont Parties' compliance with the terms and conditions set forth herein. The rights granted hereunder are solely for performance of the Work by Piedmont. No Piedmont Party shall access the Sewer System for any other purpose nor shall any Piedmont Party allow any other person or parties into the Sewer System without prior written consent from the City.

- a) Piedmont agrees that its rights to access the Sewer System shall at all times be subordinated to the City's right to use the Sewer System.
- b) No Piedmont Party shall (i) construct, alter, modify, relocate or remove any improvement in or on the Sewer System without the City's prior consent; (ii) disturb or interfere with the City's operations or use of the Sewer System, except as standard Work practices may reasonably require; (iii) damage any part of the Sewer System or any personal property owned or held by the City or its employees, agents or contractors; (iv) create or permit any liens to attach to the Sewer System; or (v) create or cause any sewer blockages, backups, spills, or accidental discharges.
- c) Any and all costs and expenses for all Work shall be the sole responsibility of

Piedmont. The City shall have no liability for any costs or expenses or any other costs and expenses of any Piedmont Party under this Agreement.

- d) Piedmont shall, at Piedmont's sole cost and expense, promptly restore or cause to be restored any portion of the Sewer System or City property damaged by any Piedmont Party. Repairs to the Sewer System shall be made in accordance with the City's design and construction standards and specifications effective at the time of the Work. Restoration shall be to approximately the same condition that the Sewer System or property was in immediately prior to the Work. Nothing herein shall prevent Piedmont from using contractors or subcontractors to fulfill its repair obligations contemplated in this Section l(d) or elsewhere in the Agreement. If requested by Piedmont, City shall promptly provide a list of contractors which it uses to perform the applicable repair or restoration tasks.
- e) For clarity, the Work will be performed with the goal of identifying damage to Piedmont's natural gas facilities and any damage to the Sewer System directly caused by the boring of natural gas lines. Piedmont shall make a reasonable effort to report to the City any open and obvious problems observed within the Sewer System; provided, however, Piedmont shall be under no obligation to identify or report to the City any damages to the Sewer System which are not of a nature that could be reasonably related to the Work or to natural gas line boring and shall not be liable or responsible for failing to discover or report any such issues.

2) The initial term of this Agreement shall be for five (5) years from the Effective Date. Thereafter, this Agreement will automatically renew for successive one (1) year terms unless one Party notifies the other Party in writing at least sixty (60) days prior to the renewal date of its election to terminate the Agreement.

3) During the term, Piedmont shall maintain adequate comprehensive general liability insurance coverage, either through a policy or policies of insurance or a program of self-insurance, and any other insurance required by law.

4) All Work undertaken in or on the Sewer System by any Piedmont Party shall be performed in a workman like manner and in accordance with applicable laws. Piedmont shall be responsible for obtaining all necessary permits and approvals applying to such Work.

5) Piedmont shall keep all content, results, and products of the Work and any other information regarding the City's operations obtained or observed while accessing the Sewer System confidential and will not disclose the same to any third parties, without the prior written consent of the City, except such information may be disclosed (i) to the officers, directors, employees, contractors and agents of Piedmont who need to know such information for the purpose of performing or evaluating the Work or (ii) as required by law.

6) Piedmont shall indemnify and hold the City harmless from any and all liabilities, damages, losses, claims, expenses, suits, costs or demands (collectively, "Claims"), that the City may

sustain or incur to the extent caused by the negligent actions or omissions of the Piedmont Parties, except to the extent such Claims arise out of the negligence or willful misconduct of City or its employees, agents or contractors. Notwithstanding anything to the contrary herein, neither Party shall be liable to the other Party for any incidental, indirect, special, punitive or consequential damages (including without limitation any damages relating to lost profits or loss of use) ("Consequential Damages") arising in connection with this Agreement unless such Consequential Damages are due to such Party's gross negligence, misrepresentation; fraud; willful, wanton, or reckless act or omission; or any other intentional conduct of the Party. The terms of this Section shall survive termination or expiration of this Agreement.

7) No waiver or delay in enforcement of any breach of any term, covenant or condition of this Agreement shall be construed as a waiver of any preceding or succeeding breach of any other term, covenant or condition of this Agreement. Should any provision of this Agreement be held by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provision shall be modified by the parties to be compliant with the law and, as modified, enforced. All other terms and conditions of this Agreement shall remain in full force and effect and shall be construed in accordance with the modified provision, as if such illegal, invalid or unenforceable provision had not been contained herein.

8) Except in cases of merger or sale of assets, the rights granted herein are not assignable by Piedmont without prior written consent of City, such consent not to be unreasonably withheld, conditioned, or delayed. City agrees that Piedmont may use subcontractors for any portion of the Work as necessary and determined in Piedmont's sole discretion. The rights granted hereby are binding upon the Parties and their respective successors and assigns and confer no rights to the public or any other person or entity not a party to this Agreement. Any addition or modification to this Agreement must be made in writing and signed by both Parties.

9) This Agreement, and all rights and obligations of the Parties relating to this Agreement, shall be governed by and construed in accordance with the laws of the State of North Carolina, without regard to the conflicts of law principles.

10) This Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof. This Agreement may be executed with electronic signatures and in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Transmission of images of signed signature pages by e-mail or other electronic means shall be effective as if originals.

11) For clarity, nothing in this Agreement shall govern the Parties' respective rights, obligations, remedies, defenses or liabilities with respect to any issues or matters which may be identified as a result of the Work, but which do not actually arise from the Work performed under this Agreement. Neither party waives any rights of any kind whatsoever with respect to any issue or matter which does not arise from the Work performed under this Agreement.

12) Forum Selection. In any action arising from or to enforce this agreement, the parties

agree (a) to the jurisdiction and venue exclusively of the state courts in Johnston County, North Carolina.

13) Pre-Audit Certification. This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act to assure compliance with NCGS 159-28.

Greg Siler, Town Budget Officer

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed and delivered for and in their names by their duly authorized officers or representatives all as of the day and year first above written above.

Piedmont Natural Gas Company, Inc.

By: _____

Print Name: _____

Title: _____

Town of Smithfield

By: _____

Print Name: Michael L. Scott

Title: Town Manager



Request for Town Council Action

Consent Purchase of
Agenda Bucket
Item: Truck
Date: 07/11/2023

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

Issue Statement

The purchase of a new bucket truck was approved by Town Council as part of the FY 2023 – FY 2024 budget process. In that process, Council agreed to place one-half of the funds aside to place this order; knowing that such trucks often take 12-14 months to manufacture. **The balance of funds for this order will be set aside in next year's budget process.**

Financial Impact

This budget year, \$200,000 was set aside for this truck. The balance will be **allocated in next year's** budget. Current pricing shows \$380,194.

Action Needed

Approve the order of the proposed bucket truck.

Recommendation

Staff recommends approval of the bucket truck from Altec.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Price Quotes



Staff Report

Consent
Agenda
Item: Purchase of
Bucket 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 bucket truck for the Electric Division in Public Utilities. The amount set aside for this purchase is \$200,000. The balance of the funds **will be budgeted in next year's funding.**

Similar to Fire vehicles, this truck will take between 12- 14 months to manufacture, once ordered. Staff is asking the Council to approve the order for, and subsequent manufacture of, the proposed bucket truck; so, we can replace truck #804; which is 15 years old and needs almost constant maintenance. Staff obtained quotes and have submitted the appropriate vehicle for approval.

Staff is asking Council to approve the order, so the manufacturing process can begin.

**



Altec Industries, Inc.

Quote Number: 1385980
Opportunity Number: 23009990
Sourcewell Contract #: 110421-ALT
Date: 5/15/2023

Quoted for: Town of Smithfield (NC)
Quoted by: Carynn Spencer
Phone: 640-682-4103 / Email: carynn.spencer@altec.com
Altec Account Manager: Brian Carnahan

REFERENCE ALTEC MODEL		Sourcewell Price
AN56E-OC	Overcenter Articulating Aerial Device with Material Handling, Extended Side	\$253,390

(A.) SOURCEWELL OPTIONS ON CONTRACT (Unit)

1			
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(A1.) SOURCEWELL OPTIONS ON CONTRACT (General)

1	DP	Dica Pads and Pad Holder - 24" x 24" x 1", With Rope Handle (Pair)	\$952
2	DP	Dica Pads and Pad Holder - 24" x 24" x 1", With Rope Handle (Pair)	\$952
3	CH	Cone Holder, Fold Over Post Style	\$415
4	BK	WATER CASK (Includes Bracket)	\$428
5	BK	WATER CASK (Includes Bracket)	\$428
6	SPOT4	SIX (6) POINT STROBE SYSTEM (LED)	\$1,220
7	TBE	ELECTRIC TRAILER BRAKE CONTROLLER. Controls Trailers with Electric Brakes, Wired to 7-Way Plug Next to Pintle Hook	\$475
8	PSWI	PURE SINE WAVE INVERTER.1800 Watts Continuous. GFCI Outlet at Rear	\$3,833
9	VRI	120 Volt GFCI Receptacle, Includes Weather-Resistant Enclosure	\$365
SOURCEWELL OPTIONS TOTAL:			\$262,093

(B.) OPEN MARKET ITEMS (Customer Requested)

1	UNIT	Elevator Unit ILO Standard Unit	\$6,531
2	UNIT & HYDRAULIC ACC	Wireholder Sheave Combo, Subbase Storage, Hose Reel and Hoses	\$4,546
3	BODY	Custom Body ILO Stock Body Including Aluminum Boxes, Lights	\$36,258
4	BODY & CHASSIS ACC	Ladder Rack, Rear Step, Grab Handles, Reciever Tube, Wire Reel Holders	\$2,377
5	ELECTRICAL	Flood Lights, Underbody Lighting, Grounding Package, Power Strip	\$6,204
6	FINISHING	DOT Certification	\$213
7	CHASSIS	Custom Chassis ILO Stock Chassis	\$40,432
8	OTHER	Altec MY Adjustment	\$20,825
OPEN MARKET OPTIONS TOTAL:			\$117,386

SUB-TOTAL FOR UNIT/BODY/CHASSIS: \$379,479
Delivery to Customer: \$715

TOTAL FOR UNIT/BODY/CHASSIS: \$380,194

(C.) ADDITIONAL ITEMS (items are not included in total above)

1			
2			
3			

Pricing valid for 45 days

NOTES

PRICING: Altec will make every effort to honor this quotation, subject to the following provisions. Prices for equipment with production start dates 12 months and beyond are budgetary only due to irregular cost inflation and market volatility. These prices will be reviewed based on market conditions and confirmed closer to the production date. Quotes and orders with chassis model year beyond the current open order bank, should be considered estimates only. Altec's turn-key pricing is subject to change in accordance with chassis pricing received from the OEM. Chassis model year, specifications and price will be reviewed and confirmed when specific model year information becomes available from the OEM and that chassis price difference will be passed through to the customer.

PAINT COLOR: White to match chassis, unless otherwise specified

WARRANTY: Standard Altec Warranty for Aerials and Derricks - One (1) year parts warranty One (1) year labor warranty Ninety (90)

TO ORDER: To order, please contact the Altec Account Manager listed above.

CHASSIS: Per Altec Commercial Standard

DELIVERY: No later than 57-60 months ARO, FOB Customer Location

TERMS: Net 30 days

BEST VALUE: Altec boasts the following "Best Value" features: Altec ISO Grip Controls for Extra Protection, Only Lifetime Warranty on Structural Components in Industry, Largest Service Network in Industry (Domestic and Overseas), Altec SENTRY Web/CD Based Training, Dedicated/Direct Gov't Sales Manager, In-Service Training with Every Order.

TRADE-IN: Please ask your Altec Account Manager for more information

BUILD LOCATION: Roanoke, VA



VN-50/55/60-I

Non-Overcenter Aerial Lift



DEMAND BETTER

239" Upper Boom
Insulation Cap (VN-55-I)

Two-Man Platform with
700 lb. Capacity (VN-55-I)



\$295,000
No Platform Lifter
None Over Center

- Working Height: Up to 60' 5"
- Horizontal Reach: Up to 36' 2"



For more information about the VN-50/55/60 or any of the other outstanding VERSALIFT machines, contact your authorized VERSALIFT Distributor or call 1.800.825.1085.



CUSTOMER ORDER ACKNOWLEDGEMENT

Terex Utilities, Inc. - 3140 15th Avenue SE - Watertown, SD 57201 - Phone: 605-882-4000

Date: 31-MAY-2023 Quote Number: QU30438-TU-1 Unit: OPTIMA-HR55

Town of Smithfield (NC)
230 Hospital RD
Smithfield, NC 27577

Baseline Price: \$325,452.15
Grand Total Each: \$325,452.15

This written description and attached specifications represents Terex South Dakota, Inc. and shall not be released, disclosed, nor duplicated without the written permission of Terex South Dakota, Inc.

Prices are subject to change until shipment. Applicable taxes and surcharges to be added. Taxes, shipping, handling and lead times are estimates and subject to change. Quoted prices are based on total package and subject to change if all items not purchased. All prices quoted are in U.S.dollars unless otherwise specified. Payment by cash or certified check only. Chassis price based off current pricing available at time of quote. Pricing is subject to change based on vehicle sourcing; final price to be confirmed prior to time of invoice. Chassis payment is due within 30 days of chassis receipt at our facility. Quote withdrawn after 60 days.

Please ensure the accuracy of the specifications and drawings you provide. Changes made after receipt of order may incur additional charges. If you are trading equipment in, you warrant that: You have good title to the trade-in; it is free of all liens and encumbrances; all information you have provided related to the trade-in is true and correct.

Terex purchased chassis through Terex preferred International Dealer will include at no additional cost a special tow package for 12months/unlimited mileage to nearest International Dealership for a warrantable failure. Coverage limited to \$550 per incident. Roadside assistance call 1-800-448-7825.

Terex purchased chassis through Terex preferred Freightliner Dealer will include at no additional cost a special tow package for 12months/unlimited mileage/KM extended towing coverage \$550 cap FEX applies. Roadside assistance call 1-800-FTL-HELP.

Notes:

- 1) Delivery Terms are CPT .
 - Delivery to customer included.
- 2) Payment Terms are Net 30 Days .
- 3) Delivery days from receipt of order shall be 520-720 Days .

Buyer hereby agrees to purchase the products in this quotation, subject to Seller's Terms and Conditions of Sale.

Terex Utilities, Inc.

Project Leader: Jay Meier

Account Manager: Seth Houtsma

\$ 325,425.15

Updated Price

Bucket Truck

grees

Date: _____



Request for Town Council Action

Consent Pickleball
Agenda Courts
Item: Conversion
Date: 07/11/2023

Subject: Pickleball Court Conversion Project
Department: Parks and Recreation
Presented by: Parks and Recreation Director – Gary Johnson
Presentation: Consent Agenda Item

Issue Statement: The Parks and Recreation Department is requesting to enter into contract with North State Resurfacing for the conversion and renovation of two tennis courts to six permanent pickleball courts at Smithfield Community Park.

Financial Impact

Approved Budgeted Amount for FY 2023-2024: \$ 0 (grant funds to be used)
Amount of Purchase/Bid/ Contract: \$ 34,300.00

Action Needed: Approve the request for the Parks and Recreation Department to enter into contract with North State Resurfacing in the amount of \$ 34,300.00 for the conversion and renovation of two tennis courts to six permanent pickleball courts at Smithfield Community Park.

Recommendation: Approve the request for the Parks and Recreation Department to enter into contract with North State Resurfacing in the amount of \$ 34,300.00 for the conversion and renovation of two tennis courts to six permanent pickleball courts at Smithfield Community Park.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. RFQ 1
3. RFQ 2
4. North State Resurfacing Bid
5. Hodges Sealcoating and Striping Bid.



STAFF REPORT

Consent Pickleball
Agenda Court
Item: Conversion
Date: 07/11/2023

After discussions with and a recommendation from the Town of Smithfield Parks and Recreation Advisory Board, the Parks and Recreation Department requests to convert two of the tennis courts at Smithfield Community Park into six permanent pickleball courts. The projected cost of the project was \$ 60,000.00

The Department received approval from Town Council to seek grant funding for the project from the Johnston County Visitor's Bureau Capital Improve Grant Program. Application was also made to the Johnston County Open Space Grant Program. The Town was awarded grants in the amount of \$ 30,000.00 from the JCVB Grant Fund and \$ 28,500.00 from the Johnston County Open Space Grant Fund for a total of \$ 58,500.00. These grants are matching fund grants, however, they both may be used as matching funds.

An RFQ was advertised and invitations to bid were sent out to qualified contractors. After receiving only two bids, a second RFQ was advertised with no additional bids received.

The bids received were:

<u>CONTRACT</u>	<u>BID</u>
North State Resurfacing	\$ 34,300.00
Hodge Sealcoating and Striping	\$ 50,300.00

Both bids included resurfacing, renovation and crack repair. Additional fencing and concrete work were not included and will be bid and contracted separately.

The Parks and Recreation Department is requesting authorization to enter into contract with North State Resurfacing in the amount of \$ 34,300.00 to convert two tennis courts into six permanent pickleball courts at Smithfield Community Park.



Request for Proposal

Pickleball Court Conversion Project
Town of Smithfield
Parks and Recreation Department

Issued: May 15, 2023

Submission Deadline: 5:00 pm, June 14, 2023

Contact Information:

Gary Johnson
600 M. Durwood Stephenson Pkwy
Smithfield, NC 27577
(919) 934-2148
gary.johnson@smithfield-nc.com

Project Location

Smithfield Community Park
600 M. Durwood Stephenson Pkwy
Smithfield, NC 27577

The Town of Smithfield Parks and Recreation Department is seeking proposals from qualified firms for the resurfacing and converting of two tennis courts into six permanent pickleball courts. The project will involve the removal of existing tennis courts lines, posts and nets; resurfacing of the courts; installation of new pickleball court posts, nets and lines, to meet the standards of USA Pickleball.

Scope of Work:

- Removal of existing tennis court posts and nets
- Repair and resurfacing of the courts to meet USA Pickleball Standards
- Installation of new pickleball court lines
- Installation of new pickleball nets and posts
- Construction of new fencing to separate the courts

Proposal Requirements:

- Detailed description of the proposed work
- Timeline (length of time for construction) for completion of the project
- Itemized cost for the completion of the project, including all materials and labor
- Qualifications and experience of the firm and its personnel
- References from previous clients

Submission of Proposals:

Proposals must be submitted in person or mail to:

Gary Johnson
600 M. Durwood Stephenson Pkwy
PO Box 2344
Smithfield, NC 27577

Or electronically to:

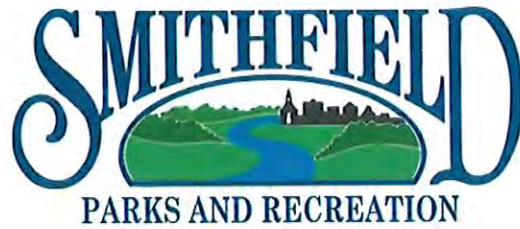
gary.johnson@smithfield-nc.com

Deadline to submit proposals is Wednesday, June 14 at 5:00 pm

The Town of Smithfield reserves the right to reject any or all proposals and to waive any irregularities or informalities in the proposals received.

Contact Information:

For questions or additional information, please contact Gary Johnson, Director of Parks and Recreation at (919) 934-2148 or gary.johnson@smithfield-nc.com .



Second Request for Proposal

Pickleball Court Conversion Project
Town of Smithfield
Parks and Recreation Department

Issued: June 20, 2023

Submission Deadline: 3:00 pm, June 30, 2023

Contact Information:

Gary Johnson
600 M. Durwood Stephenson Pkwy
Smithfield, NC 27577
(919) 934-2148
gary.johnson@smithfield-nc.com

Project Location

Smithfield Community Park
600 M. Durwood Stephenson Pkwy
Smithfield, NC 27577

The Town of Smithfield Parks and Recreation Department is seeking proposals from qualified firms for the resurfacing and converting of two tennis courts into six permanent pickleball courts. The project will involve the removal of existing tennis courts lines, posts and nets; resurfacing of the courts; installation of new pickleball court posts, nets and lines, to meet the standards of USA Pickleball.

Scope of Work:

- Removal of existing tennis court posts and nets
- Repair and resurfacing of the courts to meet USA Pickleball Standards
- Installation of new pickleball court lines
- Installation of new pickleball nets and posts
- Construction of new fencing to separate the courts

Proposal Requirements:

- Detailed description of the proposed work
- Timeline (length of time for construction) for completion of the project
- Itemized cost for the completion of the project, including all materials and labor
- Qualifications and experience of the firm and its personnel
- References from previous clients

Submission of Proposals:

Proposals must be submitted in person or mail to:

Gary Johnson
600 M. Durwood Stephenson Pkwy
PO Box 2344
Smithfield, NC 27577

Or electronically to:

gary.johnson@smithfield-nc.com

Deadline to submit proposals is Friday, June 30 at 3:00 pm

The Town of Smithfield reserves the right to reject any or all proposals and to waive any irregularities or informalities in the proposals received.

Contact Information:

For questions or additional information, please contact Gary Johnson, Director of Parks and Recreation at (919) 934-2148 or gary.johnson@smithfield-nc.com .



Proposal for Town of Smithfield Pickleball Conversion

Proposal for Town of Smithfield Tennis Court Resurfacing



PO Box 387 • Wendell, NC 27591 • Phone: 919-365-7500

Gary Johnson
Phone: 9196285454

Smithfield, NC 27

Job Address:
600 M. Durwood Stephenson Pkwy
Smithfield, NC 27577

Print Date: 7-3-2023

Proposal for Town of Smithfield Pickleball Conversion

www.northstateresurfacing.com

NC License#: 73842
VA License#: 2705157542

Thank you for allowing us to provide a proposal for your project. Established in 1990, North State Resurfacing specializes in the construction and resurfacing of tennis courts, basketball courts, pickleball courts and a wide variety of multi-use recreational surfaces.

Customer satisfaction is our main goal. Superior materials, quality workmanship and attention to detail have earned us an excellent reputation with our clients. As an authorized distributor and applicator of **Nova Sports USA**, the world's best all-weather sports surface and **DecoTurf**, the surface of the US Open since 1978, we offer several different types of surfaces to meet your needs.

North State Resurfacing is also the exclusive developer and installer of the **North State Polyester System** – an innovative, guaranteed process for repairing cracks.

Fully licensed, bonded and insured, we have the experience and technical support to address a wide variety of surfaces and field conditions. We would greatly appreciate the opportunity to assist you with your project.

The Conversion of 2 Tennis Courts into 6 Pickleball Courts

Mobilization

Items	Description
Mobilization	Includes travel, setup, and labor.

Net Post Foundations

Items	Description
Pickleball Net Post Foundations	Dig and set concrete foundations for pickleball courts and center strap anchors. Net post foundations will be 24" x 24" wide and 36" in depth with sleeves. Center strap anchors will be 12" x 12" wide and 12" in depth.

Surface Preparation

Items	Description
Court Debris Removal	Clean and scrape courts of all loose material, dirt, foreign matter and debris.
Birdbaths/Depressions	Patch any depressions holding more than 1/8" of water after being allowed to drain for one hour using an acrylic patch material.
Patch Work	Patch any structural cracks, dings, etc. in the asphalt surface using an acrylic patching material.

Surfacing

Items	Description
Acrylic Resurfacer	Apply one (1) coat of Plexipave, sand filled acrylic resurfacer, (or equivalent) to the entire court surface as a filler coat following the manufacturer's directions and application rates.
Plexipave Ultra Performance	Apply two (2) coats of Plexipave, sand filled color resurfacer, (or equivalent) to the entire court surface as a color coat following the manufacturer's directions and application rates.

Playing Lines

Items	Description
Line Primer	Prior to painting lines, provide one (1) coat of Nova Seal-A-Line (or equivalent) to seal tapes for a crisp/sharp line edge.
Pickleball Lines	Layout, tape and hand paint 2" wide pickleball lines using Novatex, textured acrylic line paint (or equivalent). Dimensions of the playing lines are to conform to USAPA specifications.

Completion

Items	Description
New Pickleball Posts	Provide and install six (6) sets of Putterman pickleball net posts with external wind reels and removable handles.
Install New Nets	Provide and install six (6) Putterman nets including center straps.
Clean & Inspection	Clean job site, dispose of all debris and leave courts ready for play.

Options

Options are not included in the TOTAL price. Each option is an addition.

Items	Description
Guardian Crack Repair	Resurface as specified in the main proposal except install the Guardian Crack Repair System over 450' of structural cracks, following the manufacturer's directions. Additional \$7,000.00

Total Price: \$27,300.00

Color: As desired from color chart. Please view selections at:

[California Sport Surfaces](#)

[Nova Sports](#)

Payment: Individual billings as the work progresses. Unpaid balances are subject to finance charges of 1.5% per month.

Guarantee: One (1) year against defective materials and labor unless otherwise noted. The appearance of cracks are not guaranteed unless:

1. Installation of the North State Polyester System is guaranteed for two (2) years against the appearance of cracks.
2. Installation of Fortress 97423 Polyester Fabric over individual cracks are guaranteed not to reappear for one (1) year. All other areas are not guaranteed.
3. Installation of GU2518-9 Guardian Crack Repair or equivalent over individual cracks are guaranteed not to reappear for two (2) years. All other areas are not guaranteed.
4. Installation of new asphalt surface is guaranteed for one (1) year against the appearance on cracks.

Weather Limitations:

- * Air and surface temperatures must be 50 degrees F and rising.
- * Installation cannot be performed when rain is imminent or extremely high humidity prevents drying.
- * Installation cannot be performed if the surface temperature is above 140 degrees F.

Notes:

- This proposal may be withdrawn by us if not accepted within **30** days.
- Owner shall provide potable water and electricity to within 200' of courts.
- Suitable access to the courts shall be provided along with an area for washing our equipment.
- Occasionally crack repair may cause dead spots or buckling of the surface, this should be considered normal.
- Standing water (birdbaths) may only be minimized due to possible inadequate slope/drainage.
- The Contract Price does not include boring through any rock. North State is willing to perform said work upon the parties' mutually signing a written change order.
- One (1) mobilization included, each additional @ \$3,000.00
- Rust stains caused by asphalt content are not guaranteed.

- Damages caused by miscellaneous growth under or within the asphalt surface such as roots, fungus, etc. are not guaranteed.
- Layout, traffic control, permits, testing and inspection not included unless specifically noted above.
- Not responsible for any damages to property associated with accessing the courts such as curbs, gutters, walkways, etc.
- North State Resurfacing shall not be held liable for consequences resulting from damage to underground utilities or objects that are not adequately located by the property owner and/or the governing local underground locating service.
- North State Resurfacing carries appropriate Liability and Workman's Compensation insurance.
- Owner shall carry Fire, Tornado and any other pertinent insurance.
- Owner responsible for re-seeding grass and replacement of any shrubbery that may be disturbed during the project.
- Owner shall provide suitable area for storing materials such as fencing and electrical components.
- Owner understands that North State Resurfacing relies upon the Owner's promise to pay according to the terms of this Proposal/Contract. Therefore, a late charge of one and one half percent (1-1/2%) per month (18% per annum) will be added to all past due accounts. If it becomes necessary to employ a collection agency, or to initiate legal proceedings in order to enforce this agreement, North State Resurfacing shall be entitled to recover their costs and attorneys' fees, and such fees shall be added to this Proposal/Contract.
- Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

*Only one proposal can be approved. Approving this will decline all other available proposals.

Eddie Hodge
 2240 Poole Rd
 Salisbury, NC. 28146



662-643-3663
 Hodgesealcoating.com
 Eddiehodge@juno.com

Smithfield Parks & Rec.

600 M. Durwood Stephenson Pkwy.

Smithfield , NC. 27577

Proposal

Date: 5/19/23

NOTE: Proposal for converting two Tennis courts into six Pickleball courts.
 (Total Square footage: 12,960 sq. Ft.) Contact: Gary Johnson 919 934 2148

Work Description

- Remove existing Tennis net poles/fill and resurface holes.
- Boar 12 new Pickleball post holes/set sleeves in concrete
- Apply one coat *Sportmaster* resurfacer to entire slab (12,960 sq. ft.).
- Apply two coats each of a two-color pattern to six Pickleball courts & borders (as seen below).
- Layout and stripe six Pickleball courts using white stripes

Borders: Forest Green

Courts: Light Blue



Resurface, color and stripe	\$23,900.00
Repair 450' of cracks using Rightway crack repair system	\$13,500.00
Bore holes and set in concrete 12 Pickleball net posts. (\$650 x 12)	\$7800.00
Poles and nets (6 sets x \$850)	\$5100.00



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:

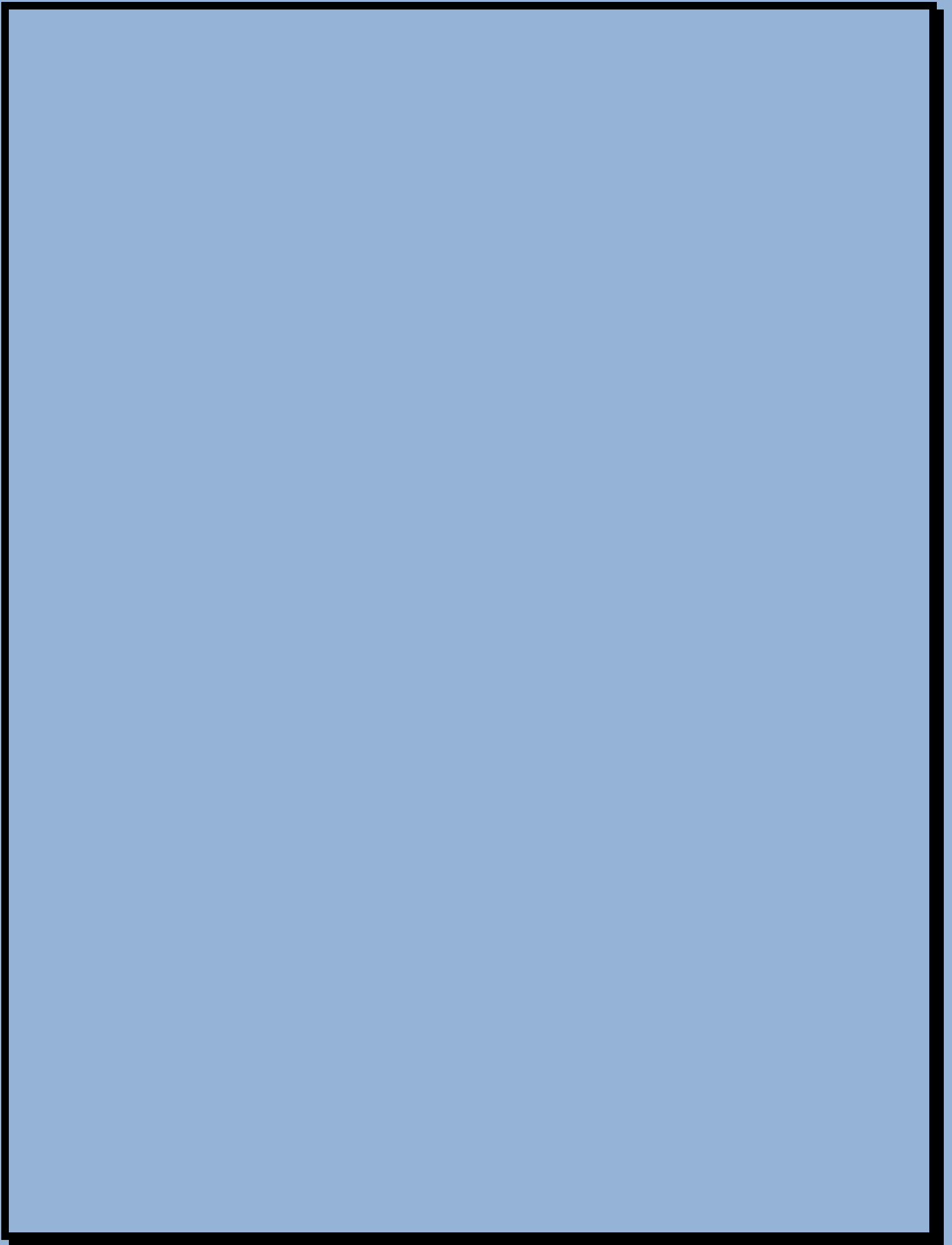
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Police Chief	Police	10-20-5100-5100-0200
Police Officer	Police	10-20-5100-5100-0200
P/T Firefighter	Fire	10-20-5300-5100-0210
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200
Aquatics Supervisor	P&R – Aquatics	10-60-6220-5100-0200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

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2023-2024 Budget.

<u>Position</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.

Business Items





Request for Town Council Action

Business Item: Rosewood Drive Closure
Date: 07/11/2023

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

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Business Item

Issue Statement

NC Statutes 160A-299 requires the Town Council adopt a Resolution of Intent to close public right-of-way as the first step to closing public right-of-way.

Financial Impact

None

Action Needed

To adopt resolution of intent to permanently close public right-of-way.

Recommendation

Staff recommends the Council adopt the Resolution of Intent to permanently close a portion of Rosewood Drive right-of-way, located to the east of South Crescent Drive, and to schedule and advertise for a public hearing for the closure.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. **730** (13-2023) Intent to permanently close a portion of Rosewood Drive
3. Closure Petition
4. Area Map



Staff Report

Business Item:	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.

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 adopt the Resolution No. **730** (13-2023), Resolution of Intent to Permanently Close a portion of the Rosewood Drive to the east of South Crescent Drive public right-of-way, and to schedule and advertise for a public hearing for the permanent right-of-way closure.

**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 S. 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 11th day of July, 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 _____, and duly seconded by Councilmember _____, 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:

_____	_____	_____
_____	_____	_____
_____	—	

This the 11th day of July, 2023, at ___ o'clock p.m.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

NORTH CAROLINA
JOHNSTON COUNTY

I hereby certify that the foregoing is a true and accurate copy of a resolution duly adopted by the Town Council of the Town of Smithfield, North Carolina, at a meeting held July 11, 2023, at 7 o'clock p.m. at the Town Hall in the Town of Smithfield.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the official corporate seal of said Town of Smithfield to be affixed, this the ____ of July, 2023

Shannan L. Parrish, Town Clerk

NORTH CAROLINA
JOHNSTON COUNTY

I, Bethany B. McKeel, a Notary Public, do hereby certify that Shannan L. Parrish, Town Clerk, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this ___ day of July, 2023

Bethany B. McKeel, Notary Public

My Commission Expires: August 6, 2024



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	Smithfield	State NC Zip 27577
Daytime Phone	919-524-7937	Email Patrick.e.harris@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).	

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.	Date of Map 6-12-2023
--	--------------------------

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

- 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.
- 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.
- 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).
- 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.

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 C. Law
Jed/Asst

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, E J Wellons S/D

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 651, 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: _____ (Corporate Name)
Ralph S. Morgan (SEAL)
Gloria M. Morgan (SEAL)
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 Ralph S. Morgan and wife, Gloria M. Morgan Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my 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 _____ personally came before me this day and acknowledged that _____ he is _____ 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, sealed 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. Messing REGISTER OF DEEDS FOR Johnston COUNTY
by Cheryl W. Dutton Deputy/Assistant - Register of Deeds

Pro \$ 2.00
Reg. \$ 8.00
Stamp \$ 400.00

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.

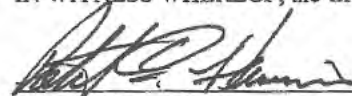
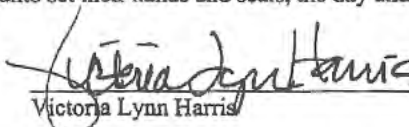
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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.

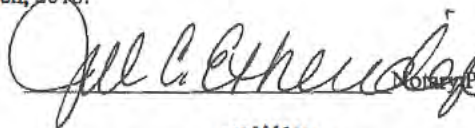
 (SEAL)  (SEAL)
Patrick Edward Harris Victoria Lynn Harris

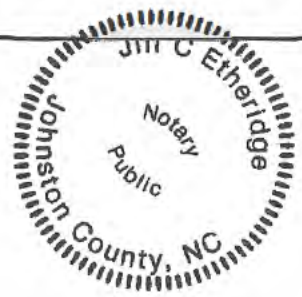
**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

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

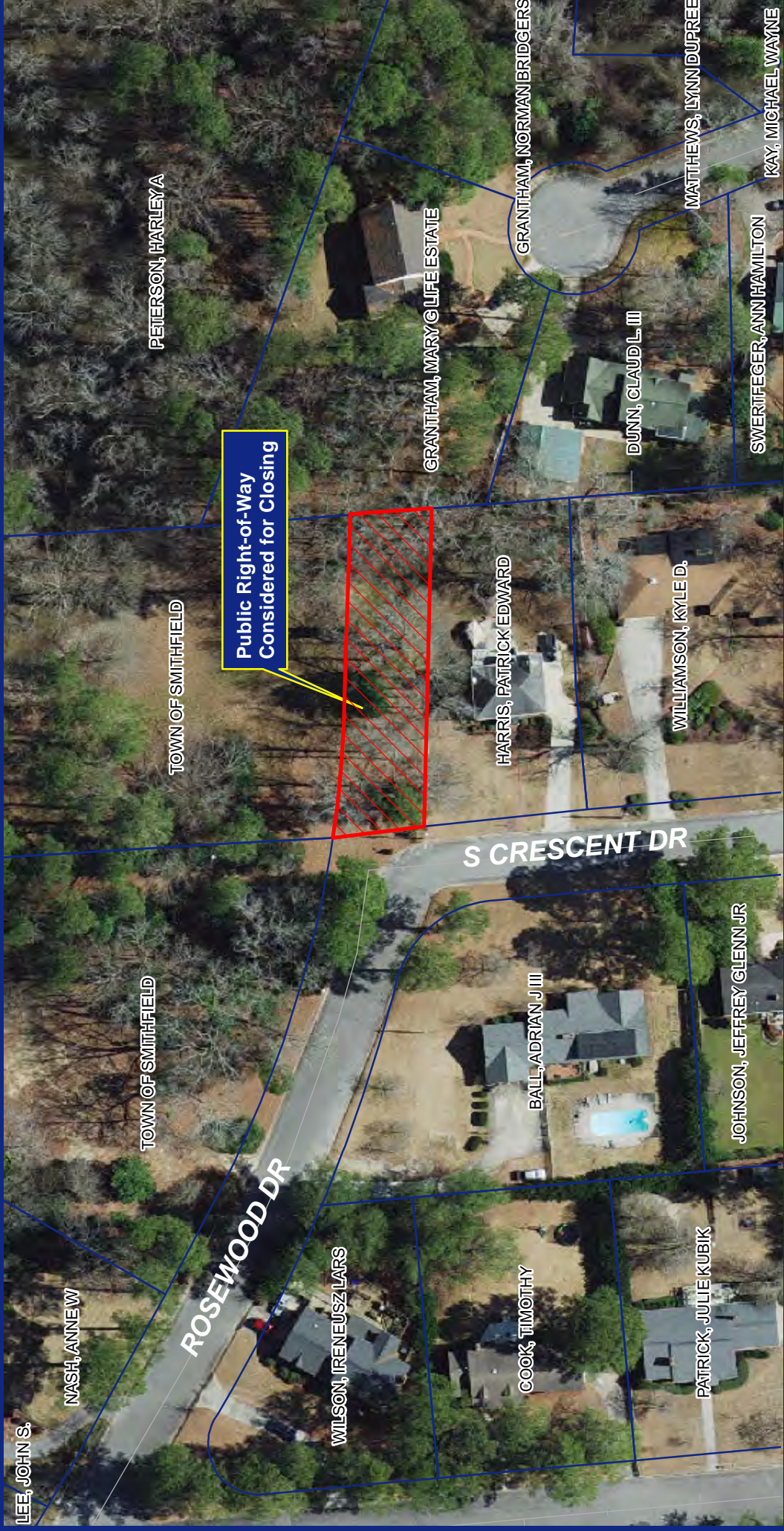
Adjacent Property Owners:
Town of Smithfield
Patrick & Victoria Harris
Norman B. Grantham III

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



Request for Town Council Action

Business NCDOT
Item: Agreement
Date: 07/11/2023

Subject: Approve Agreement with the NCDOT
Department: Public Utilities
Presented by: Public Utilities Director – Ted Credle
Presentation: Business Item

Issue Statement

The North Carolina Department of Transportation (NCDOT) will be improving the intersection of I-95 and US-70 business. To complete these improvements, Town utilities will have to be relocated, according to approved engineering plans; and a new water line will be constructed between US-70 and Mallard Road. As such, the Town desires for the NCDOT to add the cost of such improvements **to their contractor's bid** and the Town will pay the NCDOT for Town portions of work. The NCDOT is asking for the Town to enter into an agreement that covers this work.

Financial Impact

None, this year. Funds have been budgeted (\$730,000) so far to cover this agreement. The remainder of the agreement funds will be budgeted in the upcoming FY 2024 – 2025 fiscal year. The total cost of the agreement is \$1,014,548.49.

Action Needed

Approve the proposed agreement and authorize the Town Manager to execute the agreement

Recommendation

Staff recommends the approval of the agreement and to authorize the Town Manager to execute the agreement

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Proposed Agreement
3. Exhibit Maps of Project Area



Staff Report

Business NCDOT
Item: Agreement

In October of 2023 the NCDOT will be letting a construction project to improve the intersection of I-95 and US-70 Business Highway in Smithfield. It is anticipated that construction of the project will be completed in late 2025. As part of this project underground utilities (water, sanitary sewer, storm drainage) will have to be relocated to avoid conflicts with the new on-ramps and travel lanes. Within this project area, the Town of Smithfield owns the water & the sanitary sewer. **Additionally, a new 12" water line will be constructed** between US-70 and Mallard Road, along the northern right-of-way of the newly constructed road.

To avoid the Town having to hire a contractor to execute the relocation, the Town has asked if the NCDOT would include this work as part of their awarded contract. To this end, the NCDOT has included such work and needs to enter into an agreement with the Town, for payment of these services. The NCDOT has forwarded the proposed agreement, for an amount of \$1,014,548.49. Funds for this agreement will be taken from the East Smithfield Water System fund line. Currently, there is \$730,000 in that fund line, so additional funds **will be budgeted in next year's process to cover Town obligations. According to the proposed** agreement, the Town will not have to pay until the project is complete, so there is time to budget the funds, next fiscal year.

Staff is asking the Council to approve the agreement authorize the Town Manager to execute the agreement.

**

AGREEMENT OVERVIEW

DATE: 6/14/2023

NORTH CAROLINA
JOHNSTON COUNTY

PROJECT NUMBERS

TIP NUMBER:

WBS ELEMENTS:

PARTIES TO THE AGREEMENT:

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION "DEPARTMENT"

AND

TOWN OF SMITHFIELD "MUNICIPALITY"

SCOPE OF TIP PROJECT: Project consists of interchange improvements at exit 95 at the I-95 and US 70 Business exit.

PURPOSE OF THIS AGREEMENT: To identify municipal participation in utility relocation and/or betterment costs.

ESTIMATED COSTS TO OTHER PARTY: \$1,014,548.49

PAYMENT TERMS: The Department will bill the Town of Smithfield upon completion of the work.

MAINTENANCE: The **Town of Smithfield** is responsible for all utility maintenance

EFFECTIVE DATES OF AGREEMENT:

START: Upon Full Execution of this Agreement

END: When work is complete and all terms are met.

This **AGREEMENT** is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the **Department** and the Town of Smithfield, hereinafter referred to as the **Municipality**; and collectively referred to as the "**PARTIES.**"

The parties to this Agreement, listed above, intend that this Agreement, together with all attachments, schedules, exhibits, and other documents that are referenced in this Agreement and refer to this Agreement, represents the entire understanding between the parties with respect to its subject matter and supersedes any previous communication or agreements that may exist.

I. WHEREAS STATEMENTS

WHEREAS, this Agreement is made under the authority granted to the **Department** by the North Carolina General Assembly under General Statutes of North Carolina (NCGS), particularly Chapter 136-27.1 and 136 27.3; and,

WHEREAS, the **Department** has plans to make certain street and highway constructions and/or traffic control improvements; and,

WHEREAS, the **Municipality** has requested that the **Department** perform work or provide services; and,

WHEREAS, the Parties hereto wish to enter into an agreement for scoped work to be performed or provided by the **Department** (including construction, reviews, goods or services) with reimbursement for the costs thereof by the **Municipality** as hereinafter set out; and,

WHEREAS, the **Department** and the **Municipality** have agreed that the jurisdictional limits of the Parties, as of the date of entering the agreement for the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the Parties hereto for the purposes of this Agreement; and,

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

II. RESPONSIBILITIES

- The **Department** shall be responsible for all phases of project delivery to include, utility relocation as shown in the **PROJECT DELIVERY** Provision.
- The **Municipality** shall be responsible for payment as shown in the **COSTS AND FUNDING** Provision

III. PROJECT DELIVERY REQUIREMENTS

A. CONSTRUCTION

1. At the request of the **Municipality**, the **Department** shall place provisions in the construction contract for Project I-5972 for the contractor to adjust and relocate utility lines and/or provide betterment. The work is described as follows: Water and sewer relocation and the addition of a new waterline on Mallard drive.
2. Said work shall be accomplished in accordance with plan sheets, attached hereto as Exhibit "A", cost estimate attached hereto as Exhibit "B", and project specific provisions, if applicable, attached hereto as Exhibit "C".

B. MAINTENANCE

1. Upon the satisfactory completion of the relocations and adjustments of the utility lines covered under this Agreement, the **Municipality** shall assume normal maintenance operations to the said utility lines. Upon completion of the construction of the highway

project, the **Municipality** shall release the **Department** from any and all claims for damages in connection with adjustments made to its utility lines; and, further, the **Municipality** shall release the **Department** of any future responsibility for the cost of maintenance to said utility lines. Said releases shall be deemed to be given by the **Municipality** upon completion of construction of the project and its acceptance by the **Department** from its contractor unless the **Municipality** notifies the **Department**, in writing, to the contrary prior to the **Department's** acceptance of the project.

2. The **Municipality** obligates itself to service and to maintain its facilities to be retained and installed over and along the highway within the **Department's** right-of-way limits in accordance with the mandate of the North Carolina General Statutes and such other laws, rules, and regulations as have been or may be validly enacted or adopted, now or hereafter.
3. If at any time the **Department** shall require the removal of or changes in the location of the encroaching facilities which are being relocated at the **Municipality's** expense, the **Municipality** binds itself, its successors and assigns, to promptly remove or alter said facilities, in order to conform to the said requirement (if applicable per G.S. 136-27.1), without any cost to the **Department**.

IV. COSTS AND FUNDING

A. PROJECT COSTS

1. The **Municipality** shall be responsible for relocation, and/or betterment, costs for work as shown on the attached Exhibit "A". The estimated cost to the **Municipality** is \$1,014,548.49 as shown on the attached Exhibit "B".
2. It is understood by both parties that this is an estimated cost and is subject to change.

B. INVOICING BY THE Department

1. Upon completion of the highway work, the **Department** shall submit an itemized invoice to the **Municipality** for costs incurred. Billing will be based upon the actual bid prices and actual quantities used and shall include charges due to the **Department** for administration and oversight of the work.
2. Reimbursement shall be made by the **Municipality** in one final payment within sixty (60) days of said invoice.
3. If the **Municipality** does not pay said invoice within sixty (60) days of the date of the invoice, the **Department** shall charge interest on any unpaid balance at a variable rate of the prime plus one percent (1%) in accordance with G.S. 136-27.3.
4. Any cost incurred due to additional utility work requested by the **Municipality** after award of the construction contract, shall be solely the responsibility of the **Municipality**. The **Municipality** shall reimburse the **Department** 100% of the additional utility cost.
5. In the event the **Municipality** fails for any reason to pay the **Department** in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the **Department** to withhold so much of the **Municipality's** share of funds

allocated to said **Municipality** by North Carolina General Statute, Section 136-41.1, until such time as the **Department** has received payment in full.

C. DOWN PAYMENT OR PRE-PAYMENT

1. Any down payments are due at the time the agreement is fully executed.
2. At any time prior to final billing by the **Department**, the **Municipality** may prepay any portion of the estimated cost by sending payment per the attached cover memo. The **Department** will provide a final billing based on the fixed cost, less any previous payments that have been made.

V. STANDARD PROVISIONS

A. AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all parties by means of a written Supplemental Agreement.

B. ASSIGNMENT OF RESPONSIBILITIES

The **Department** must approve any assignment or transfer of the responsibilities of the **Municipality** set forth in this Agreement to other parties or entities.

C. AGREEMENT FOR IDENTIFIED PARTIES ONLY

This Agreement is solely for the benefit of the identified parties to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.

D. OTHER AGREEMENTS

The **Municipality** is solely responsible for all agreements, contracts, and work orders entered into or issued by the **Municipality** to meet the terms of this Agreement. The **Department** is not responsible for any expenses or obligations incurred for the terms of this Agreement except those specifically eligible for the funds and obligations as approved by the **Department** under the terms of this Agreement.

E. AUTHORIZATION TO EXECUTE

The parties hereby acknowledge that the individual executing this Agreement has read this Agreement, conferred with legal counsel, fully understands its contents, and is authorized to execute this Agreement and to bind the respective parties to the terms contained herein.

F. DEBARMENT POLICY

It is the policy of the **Department** not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the **Municipality** certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or **Department** and that it will not enter into

agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

G. INDEMNIFICATION

To the extent authorized by state and federal claims statutes, the **Municipality** shall be responsible for its actions under the terms of this agreement and save harmless the FHWA (if applicable), the **Department**, and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns to the extent allowed by law, from and against any and all claim for payment, damages and/or liabilities of any nature, asserted against the **Department** in connection with this Agreement. The **Department** shall not be liable and shall be held harmless from any and all third-party claims that might arise on account of the **Municipality's** negligence and/or responsibilities under the terms of this agreement.

H. AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

I. DOCUSIGN

Department and Municipality acknowledge and agree that the electronic signature application DocuSign may be used, at the sole election of the Department or the Municipality, to execute this Agreement. By selecting "I Agree," "I Accept," or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the DocuSign application, Department and Municipality consent to be legally bound by the terms and conditions of Agreement and that such act constitutes Department's signature as if actually signed by Department in writing or Municipality's signature as if actually signed by Municipality in writing. The Department and Municipality also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. The Department and Municipality acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the DocuSign application, will have the same effect as physical delivery of the paper document bearing an original written signature.

J. GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

ACCOUNTS RECEIVABLE
UTILITY CONSTRUCTION AGREEMENT
1000018863

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **DEPARTMENT** and the **MUNICIPALITY** by authority duly given.

Town of Smithfield

FED TAX ID: _____

REMITTANCE ADDRESS:

AUTHORIZED SIGNER: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(FINANCE OFFICER)

PRINT NAME: _____

DATE: _____

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

PRESENTED TO BOARD OF TRANSPORTATION ITEM O: _____(Date)

PROJECT REFERENCE NO. 1-5972
SHEET NO. UC-5

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

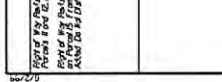
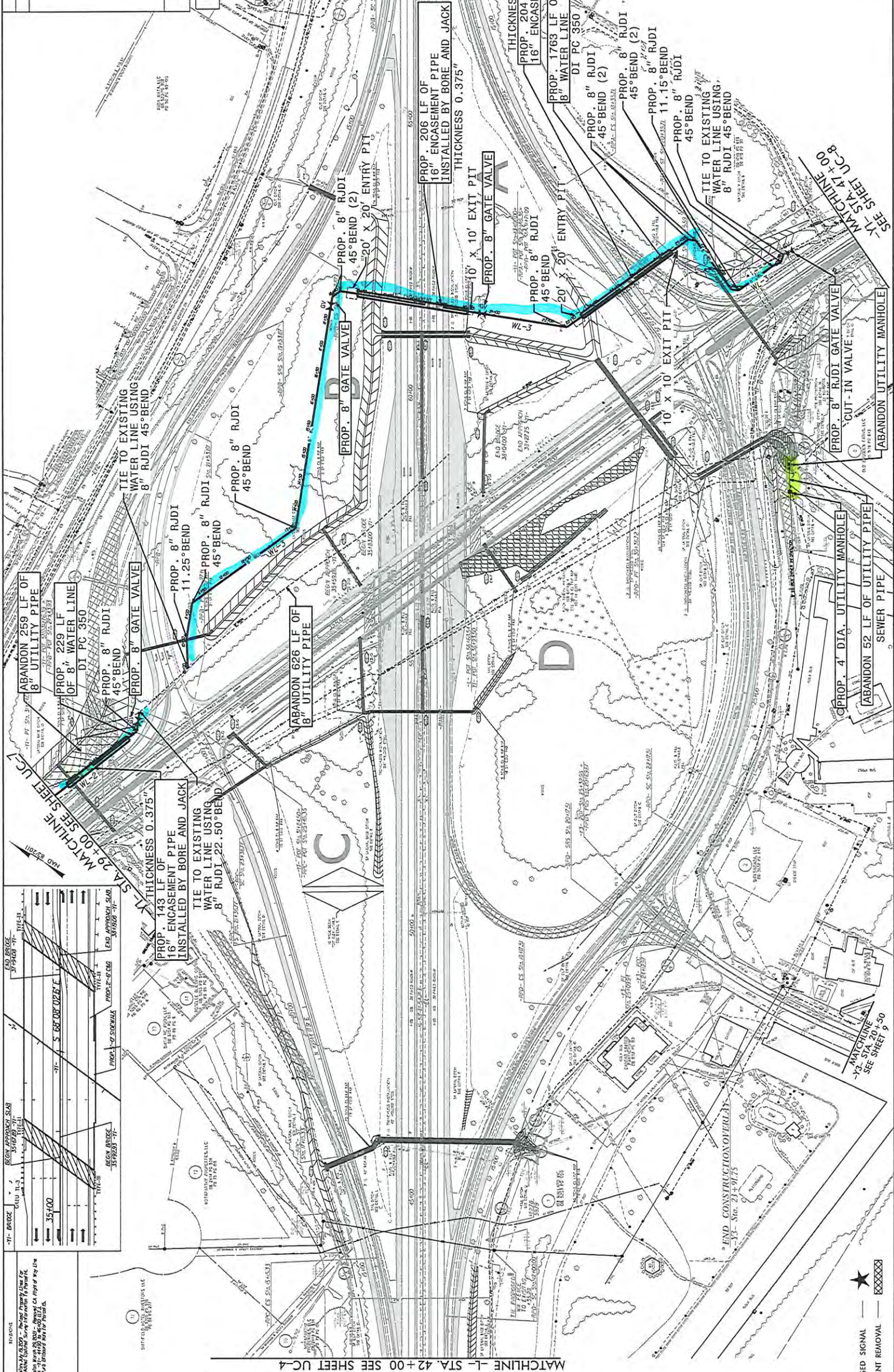
INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

UTILITY CONSTRUCTION PLANS

GRAPHIC SCALE
0 25 50 100
FEET

RKK
Raleigh, NC
6501 Six Forks Road, Room 1.5.416.700
Raleigh, North Carolina 27615-3999
NC License No. F-21112
www.RKK.com
Responsible People | Charlene S.M.A.2024



MATCHLINE -L- STA. 42+00 SEE SHEET UC-4

MATCHLINE -L- STA. 70+00 SEE SHEET UC-6

PROPOSED SIGNAL
PAVEMENT REMOVAL

MATCHLINE -L- STA. 41+00
SEE SHEET UC-8

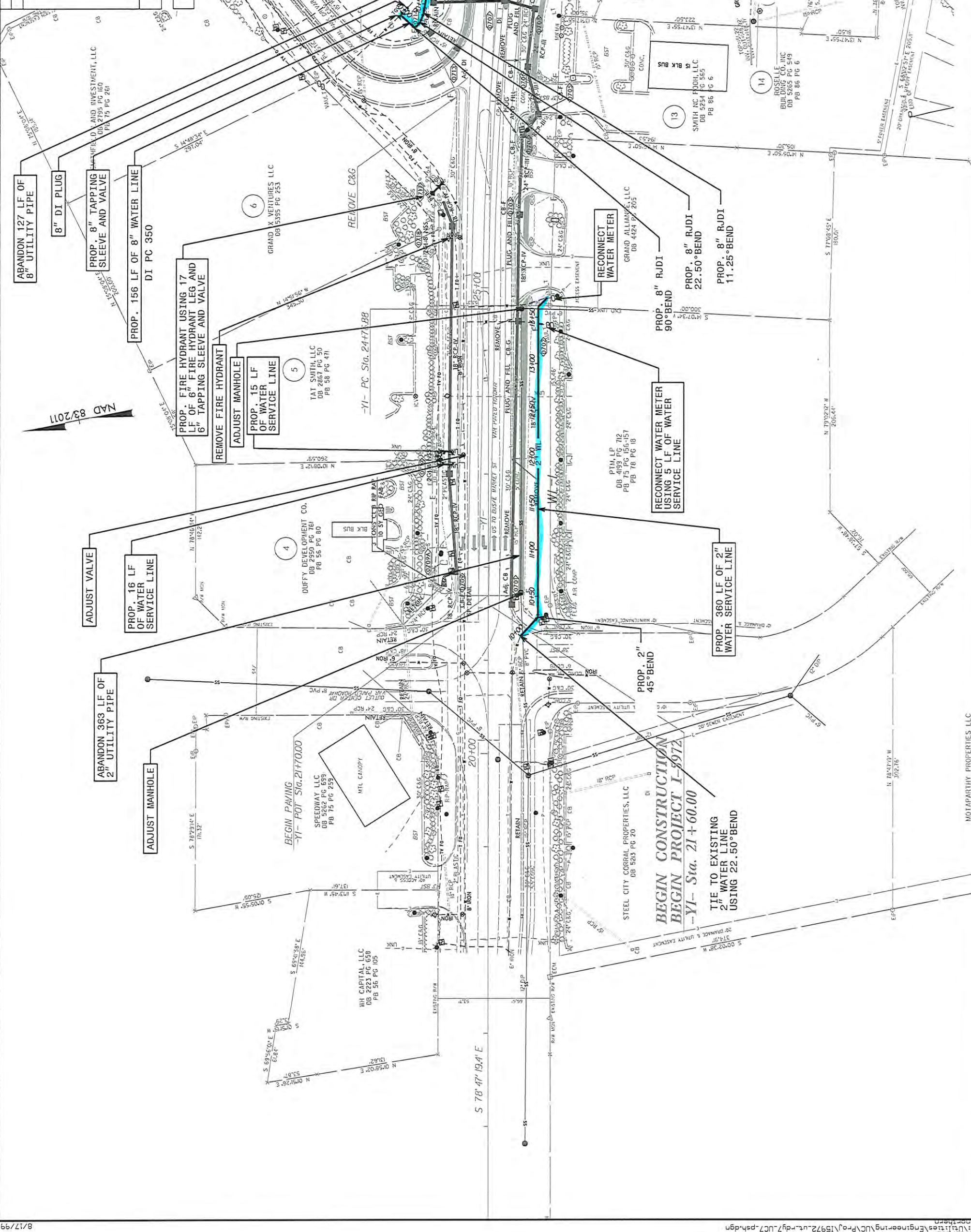
MATCHLINE -L- STA. 20+50
SEE SHEET 9

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

UTILITY CONSTRUCTION PLANS



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P: 817.978.5560
6001 So. Forts Road, Suite 100
Houston, Texas 77055-1599
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PRELIMINARY PLANS
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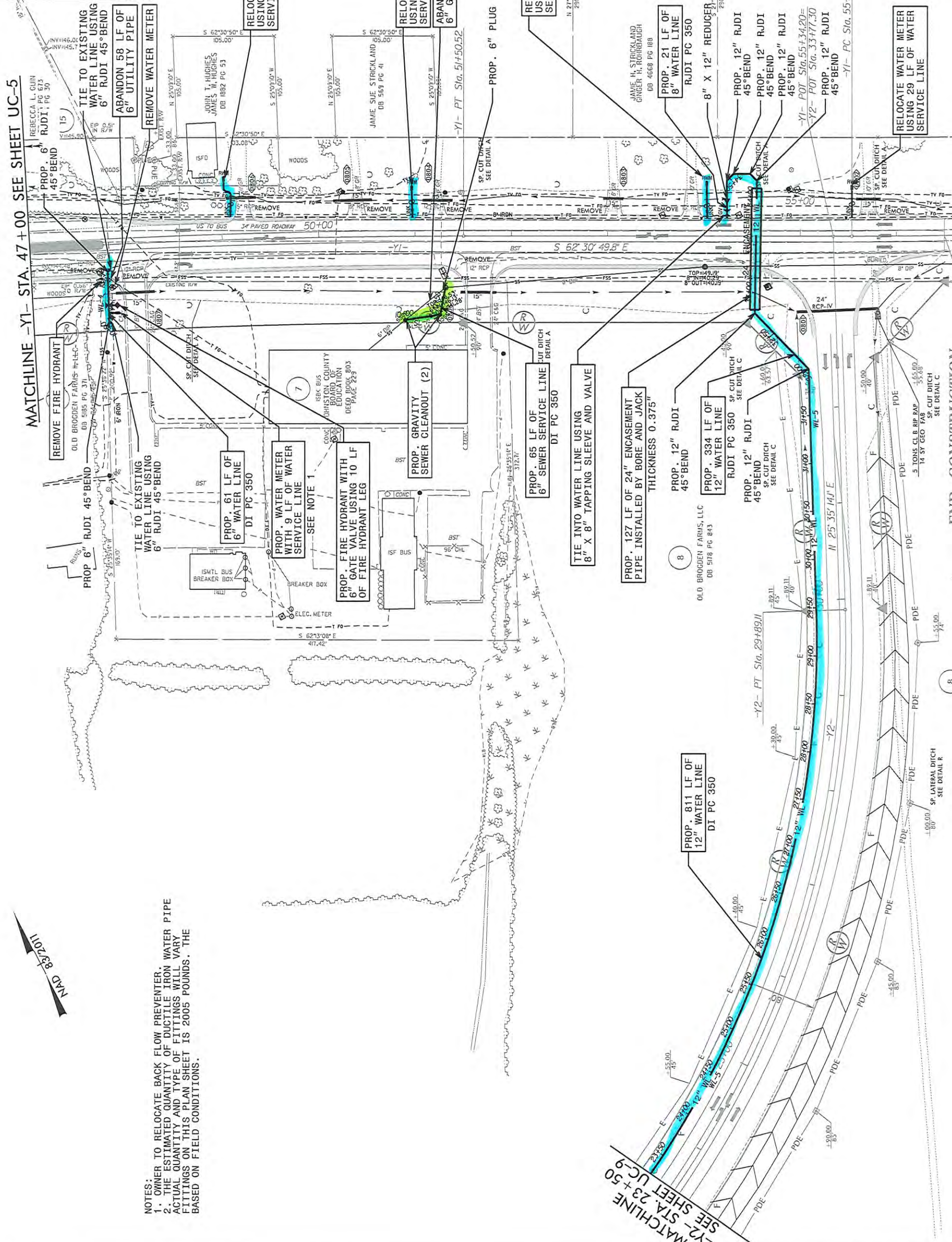
INCOMPLETE PLANS
 DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL
 UNLESS ALL SIGNATURES COMPLETED

UTILITY CONSTRUCTION PLANS

MATCHLINE -Y1- STA. 47+00 SEE SHEET UC-5

NOTES:
 1. OWNER TO RELOCATE BACK FLOW PREVENTER.
 2. THE ESTIMATED QUANTITY OF DUCTILE IRON WATER PIPE ACTUAL QUANTITY AND TYPE OF FITTINGS WILL VARY FITTINGS ON THIS PLAN SHEET IS 2005 POUNDS. THE BASED ON FIELD CONDITIONS.



MATCHLINE -Y2- STA. 23+50 SEE SHEET UC-9

END CONSTRUCTION
END PROJECT I-5972
 -Y1- Sta. 56+50.00



Request for Town Council Action

Business Appointment
Agenda to the
Item: Water/Sewer
Authority
Date: 07/11/2023

Subject: Appointments of Town Council Members to the Johnston County Water and Sewer Authority Steering Committee

Department: General Government

Presented by: Town Manager – Michael Scott

Presentation: Business Item

Issue Statement:

With adoption of Resolution No. 729 (12-2023) at the June meeting, the Mayor & Council will need 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.

Financial Impact:

N/A

Action Needed:

Selection and approval of Council members to serve as the appointee and the alternate to the Water & Sewer Authority in Johnston County.

Recommendation:

Selection and approval of Council members to serve as the appointee and the alternate to the Water & Sewer Authority in Johnston County.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 729 (12-2023)



STAFF REPORT

Business Agenda Item: Appointments to the Water/Sewer Authority
Date: 07/11/2023

At the June meeting, the Town Council adopted Resolution No. 729 (12-2023) supporting the study of a Water and Sewer Authority in Johnston County. As part of the Resolution, the Town Council was asked to appoint members of the Town Council to serve as Appointee and Alternate.

TOWN OF SMITHFIELD
RESOLUTION NO. 729 (12-2023)
SUPPORTING THE STUDY OF A WATER AND SEWER
AUTHORITY IN JOHNSTON COUNTY

WHEREAS, water and wastewater services are essential to ensuring a community's public health, environmental health, and economic development; and

WHEREAS, Johnston County is among the fastest-growing counties in the state and will continue to see more demand for high-quality water and wastewater services; and

WHEREAS, Johnston County local elected officials have been discussing cooperative opportunities in water and wastewater for several years and wish to move the discussion to action; and

WHEREAS, the Town of Smithfield, supports the provision of safe, reliable, and cost-effective water and sewer services to the residents and businesses of the Town of Smithfield; and

WHEREAS, communities working together have proven to be a method to assure reliability, economy of scale, and shared cost when growing, maintaining, and operating water and wastewater system; and

WHEREAS, during a joint meeting of Mayors and the Chairman of the Johnston County Board of Commissioners on April 19, 2023, a consensus was reached to formalize an effort to study a water and sewer authority in Johnston County. Further, it was agreed that each local government would be requested to adopt a resolution indicating their support of moving forward with studying the feasibility of a water and sewer authority; and

WHEREAS, those in attendance at the April 19, 2023 meeting asked Triangle J Council of Governments to provide a draft resolution for the local governments to consider, which would formalize their interest in studying a water and sewer authority and create a Steering Committee for the study; and

WHEREAS, the group asked Triangle J to take the lead in facilitating the Steering Committee; and

WHEREAS, the Town of Smithfield desires to be a supportive and active regional partner for any forthcoming countywide water and sewer authority study,

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

We support researching the development of a countywide water and sewer authority, and we support Triangle J Council of Government facilitating a Johnston County Water/Sewer Authority Steering Committee. The Steering Committee will include one elected official from each participating community. Further, we direct staff to collaborate with the effort and participate as requested by the steering committee and/or Triangle J. Further, we appoint _____ as the Steering Committee Appointee to represent the Town of Smithfield and _____

to serve as the alternate to the Steering Committee.

This resolution shall take effect immediately.

M. Andy Moore, Mayor
Town of Smithfield, North Carolina

Duly adopted by the Town of Smithfield and witness my hand and the common seal of the Town of Smithfield, North Carolina, this 6th day of June, 2023.

Attest:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Business STI
Item: Projects
Date: 07/11/2023

Subject: STI P7 Project List
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Business Item

Issue Statement

The Upper Coastal Plain Rural Planning Organization UCPRPO is working to update the STI P7 Project list (transportation projects) and would like to know if the Town has any new priority projects to add to the list.

Financial Impact

Action Needed

To review the current STI and consider adding new projects to the list as needed.

Recommendation

Staff recommends the Council review the STI and consider adding new projects to the list as needed.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. UCPRPO STI P-7 Regional Highway and Non-Highway Projects
3. SPOT June BOT Update presentation



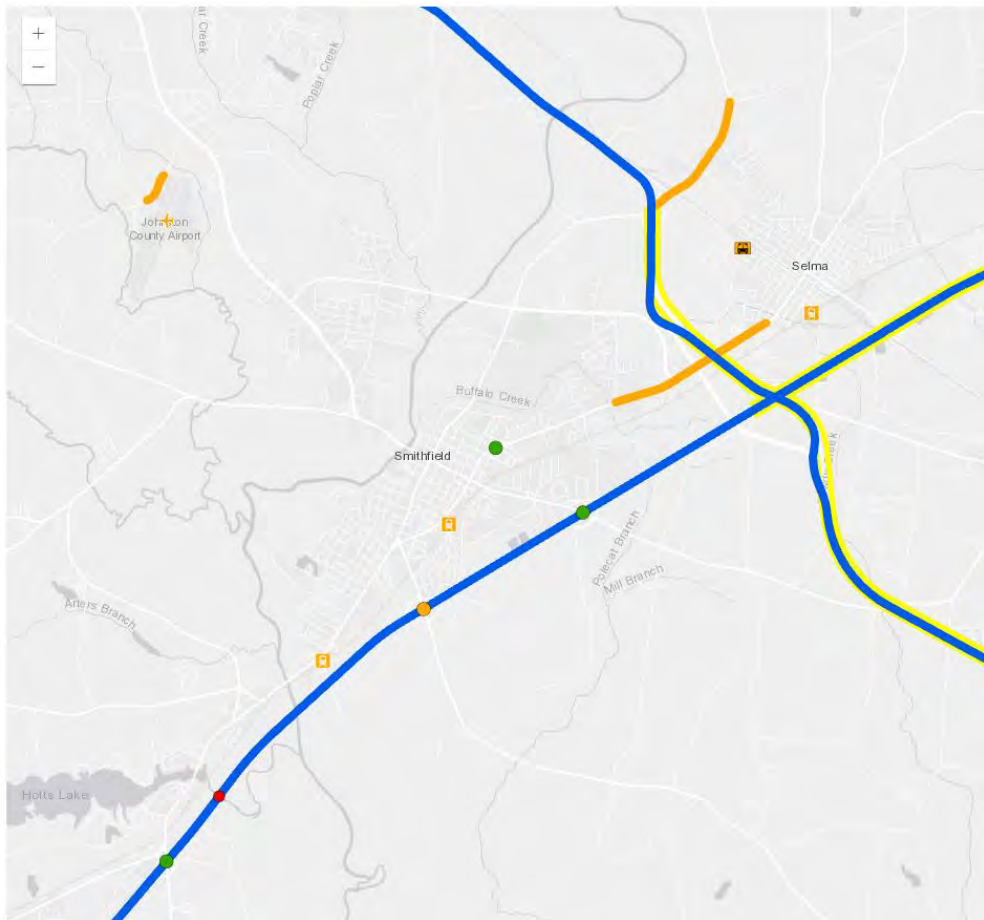
Staff Report

Business STI
Item: Projects

Overview:

The 2024-2033 State Transportation Improvement Program (STIP) funded several projects of importance to the Town of Smithfield, some that came from the P6 STI:

- U-5726 SR 1623 (Booker Dairy Road) to SR 2302 (Ricks Road). Construct access management improvements (Super Street Design).
- I-5972 Upgrade to Market Street / I-95 interchange.
- I-6061 SR 1007 Brogden Road / I-95 interchange.
- RX-2004L US301 S Bridge over the Neuse River.
- RX-2004K Lee Street/CSX rail crossing safety improvements.
- RX-2004L Walpat Road CSX rail crossing safety improvements.
- R-5950 Widen Swift Creek Road from Industrial Drive near Johnston Regional Airport.
- R-5795 US 301 to I-95 access management.



The UPCRPO is currently working on the P7 STI Prioritization and would like to know if the Town has any new projects to add to STI.

STI P7 Projects Draft (Smithfield area):

The following Smithfield projects are on the draft list:

- 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.
- (new)_____ Improvements to Market Street Downtown Smithfield.

Potential Additional Projects:

Given the growth in the Town, the Council may want to consider:

- Buffalo Road widening to 3-lanes from US-70 bypass to M. Durwood Stephenson Parkway (**This is 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).
- Others? The Council should consider other projects that are needed in the Town for growth.

UCRPO STI P7 REGION HIGHWAY PROJECTS (6/28/23) - **DRAFT**

P6 SCORES P6 SCORES P6 SCORES

SPOT ID	TIP	Project Category	Route / Facility Name	From / Cross Street	To / Cross Street	Description	Specific Improvement Type	Cost to NCDOT	Statewide Mobility Quantitative Score (Out of 100)	Regional Impact Total Score (Out of 100)	Division Needs Total Score (Out of 100)	County(s)	Notes
H170729		Statewide Mobility	I-42, US 70	SR 2309 (Creech's Mill Road)	SR 2314 (Pondfield Road)	Upgrade Roadway to Interstate Standards	3 - Upgrade Expressway to Freeway	\$108,500,000	63.791	41.031	23.7405	Johnston	Carryover Project - Does not need to be resubmitted
H192588		Regional Impact	Alt 264 (Raleigh Rd Pkwy)	NC 42 (Ward Avd)		Intersection improvements with round-about	8 - Improve Intersection	\$3,600,000	N/A	45.00	32.90	Wilson	Carryover Project - Does not need to be resubmitted
H090224-B	R-3407B	Regional Impact	NC 33	NC 42 at Scott's Crossroads	NC 222 at Belvoir Crossroads	Widen to Multi-Lanes	1 - Widen Existing Roadway	\$ 64,400,000	N/A	23.80	18.67	Pitt, Edgecombe	Completed or Active NEPA
H111270	U-6000	Regional Impact	NC 58	NC 42/Ward Blvd. (SR 1516)	Forest Hills Rd. (SR 1165)	Widen Roadway to Multi-Lane Facility with Bicycle and Pedestrian Accommodations	1 - Widen Existing Roadway	\$ 11,975,000	N/A	25.78	21.84	Wilson	On Division List
H170663	R-5761	Regional Impact	NC 242	US 301 (N Wall St)	SR 1168 (Tarheel Rd)	Widen to 4 lane highway with median and sidewalks (4E Section). Provide a four lane divided cross section for NC 242 North from its junction with US 301 Hwy to its intersection with Interstate 40. The addition of a median will allow for better controlled access which will provide more mobility as the corridor develops in the near future. Recent development and proposed new development in the near future means an increase in AADT thereby creating the need for controlled access for safe mobility.	1 - Widen Existing Roadway	\$ 14,000,000	N/A	22.08	17.19	Johnston	
H111268		Regional Impact	NC 58	SR 1320 (Airport Blvd)	NC 42, SR 1516 (Ward Boulevard)	Upgrading NC 58 Between Airport Blvd. (SR 1320) and NC 42/Ward Blvd. (SR 1516) to a Four-Lane Divided Boulevard with a Raised 23 - Foot Median with Bicycle and Pedestrian Lanes, and Curb and Gutter.	11 - Access Management	\$ 43,000,000	N/A	31.95	24.04	Wilson	Need to add all three legs of "Triangle"
H111275		Regional Impact	NC 42	I-795, US 264	SR 1165 (Forest Hills Road)	Upgrade This Corridor to a Four-Lane Divided Boulevard with a Raised 23-Foot Median with Bicycle and Pedestrian Lanes, and Curb and Gutter. Realignment Is Proposed, As Part of This Project at NC 42/ Old Raleigh Rd. (SR 1136) and Airport Blvd. (SR 1158) Due to the Proximity of This Intersection to Several Schools in the Area.	11 - Access Management	\$ 28,700,000	N/A	25.52	19.38	Wilson	
H170537	U-3464	Regional Impact	US 301 (S Brightleaf Boulevard), NC 96 (S Brightleaf Boulevard)	SR 1341 (Galliee Road)	SR 1007 (Brogden Road)	SR 1341 (Galliee Road) to SR 1007 (Brogden Road). Widen to Multi-lanes.	1 - Widen Existing Roadway	\$ 31,900,000	N/A	34.45	27.34	Johnston	
H170543	U-3464	Regional Impact	US 301 (S Brightleaf Boulevard), NC 96 (S Brightleaf Boulevard)	I-95	SR 1341 (Galliee Road)	Widen to Multi-Lanes.	1 - Widen Existing Roadway	\$ 28,700,000	N/A	26.36	22.91	Johnston	
H170666		Statewide Mobility	I-95	US 301 (N Church St, Kenly)		Upgrade interchange to diamond interchange allowing for future widening of I-95 and include a safe and convenient connection to NC 222. In Kenly.	8 - Improve Interchange	\$ 12,500,000	50.60	28.96	19.88	Johnston	
H171618		Regional Impact	US 258 (Mutual Boulevard)	I-87, US 64		Construct US 64 Westbound off-Ramp in Princeville	9 - Convert Grade Separation to Interchange	\$ 12,500,000	N/A	16.90	12.17	Edgecombe	RECOMMEND REMOVAL DUE TO LOW SCORE
H192565		Regional Impact	US 258 (Western Blvd)	NC 122 (Howard St)	US 64/I-87	Access Management, improve intersections, and pedestrian facilities - Widen to 4 Lanes - in Tarboro	1 - Access Management	\$15,400,000	N/A	39.33	30.20	Edgecombe	Town of Tarboro (via CB Brown 1/18/19)
H192582		Regional Impact	NC 210	Black Creek Rd	BUS 70 (W Market St)	Widen highway. To be determined	1 - Widen Existing Roadway	\$58,800,000	N/A	32.70	25.16	Johnston	Johnston (via Durwood Stephenson email 7/17/18)
H170115		Statewide Mobility	I-87, US 64	Nash/Wake Co	Egcombe/Martin Co	Upgrade to Interstate Standards	Modernization	\$289,800,000	42.90	25.77	15.06	Nash/Edgecombe	Legislation (Possible INFRA Grant) - Cost makes project prohibitive
H192665		Division Needs	US 301 (S Brightleaf Blvd)	SR 1007 (Brogden Rd)		Upgrade intersection to improve mobility and safety.	8 - Intersection Improvement	\$3,600,000	N/A	38.63	27.94	Johnston	Smithfield
		Regional Impact	Alt 64 (Western Blvd)	Sunset Ave	Howard Ave	Access Management, improve intersections, and pedestrian facilities - Widen to 4 Lanes - in Tarboro	11 - Access Management					Edgecombe	Town of Tarboro (via CB Brown 4/25/2023)
		Regional Impact	US 70 Bus (Market St)	Neuse River	US 301 (Brightleaf Blvd)	Access Management, improve intersections, and pedestrian facilities	11 - Access Management					Johnston	Submitted by Smithfield

UCRPO IS ALLOCATED A TOTAL OF 23 PROJECTS TO BE PRIORITIZED IN "P7"

= "Carryover" Project - Does not need to be re-submitted

= "Holding Tank" project - Needs to be re-submitted

= "New" project - Needs to be re-submitted

UCPRPO STI P7 DIVISION HIGHWAY PROJECTS (6/28/2023) - **DRAFT**

P6 SCORES P6 SCORES P6 SCORES

SPOT ID	TIP	Project Category	Route / Facility Name	From / Cross Street	To / Cross Street	Description	Specific Improvement Type	Cost to NCDOT	P6 SCORES			County(s)	Notes
									Statewide Mobility Quantitative Score (Out of 100)	Regional Impact Total Score (Out of 70)	Division Needs Total Score (Out of 50)		
H090891		Division Needs	SR 1927 (East Anderson Street)	Webb Road	I-95	Widen to Three (3) Lanes from I-95 to Webb Street in Johnston County	1 - Widen Existing Roadway	\$ 10,000,000	N/A	N/A	15.17	Johnston	Low Score (15.17)
H090895		Division Needs	SR 1900 (Noble Street)	SR 1003 (Buffalo Road)	US 301	Expand to Three(3) Lanes from SR 1003 to US 301	1 - Widen Existing Roadway	\$ 13,663,000	N/A	N/A	12.75	Johnston	Low Score (12.75)
H150459		Division Needs	SR 1323 (Tilghman Rd N)	NC 42 (Ward Blvd)	SR 1332 (Lake Wilson)	Widen from two 10' lanes to two 14' lane facility with 11' turn lane, curb and gutter with bike lanes and sidewalks. Section 3B	1 - Widen Existing Roadway	\$ 18,800,000	N/A	N/A	17.09	Wilson	Low Score (17.09)
H170353		Division Needs	New Route	NC 58 (Nash St)	SR 1323 (Tilghmam Rd)	Construct the Wilson Northern Connector; This is phase 1 of 2; 4 lane highway from NC 58 to SR 1323 (Tilghmam Rd). R/W has been reserved but not purchased.	5 - Construct Roadway on New Location	\$ 27,900,000	N/A	N/A	27.09	Wilson	Scores 27.09
H192662		Division Needs	SR 1211 (W Howard Ave)	64 Alt - Western Blvd	NC 33 - N Main St	Access Control with wide median and bike/pedestrian improvements	11 - Access Control	\$15,800,000	N/A	N/A	10.86	Edgecombe	RECOMMEND REMOVAL DUE TO LOW SCORE
H192664		Division Needs	SR 1003 (Buffalo Rd)	SR 1934 (Old Beulah Rd)	SR 1939 (Live Oak Church Rd)	Widen to Three (3) Lanes	1 - Widen Existing Roadway	\$14,000,000	N/A	N/A	19.32	Johnston	Johnston Co - Score 19.32
H192668		Division Needs	SR 1913 (Wilson's Mills Rd)	US 70 Bus (W Market St)	M Durwood Stephenson Hwy	Widen to three lanes with pedestrian facilities.	1 - Widen Existing Roadway	\$14,500,000	N/A	N/A	18.76	Johnston	Smithfield - Score 11.01
		Division Needs	SR 2530 (Holts Pond Rd)	New Ballpark Rd	W 3rd St	Widen to three lanes and modernization with pedestrian and bike facilities	1 - Widen Existing Roadway		N/A	N/A		Johnston	Request Princeton
		Division Needs	SR 1501 (Swift Creek Rd)	SR 1907 (Strickland Rd)		Improve intersection to roundabout	8 - Intersection Improvement		N/A	N/A		Johnston	Request by Wilson's Mills
		Division Needs	SR 1205 (W Wilson St)	Alt 264 (Western Blvd)	Albermarle St	Access Control with wide median	11 - Access Control		N/A	N/A		Edgecombe	Request by Tarboro

UCPRPO IS ALLOCATED A TOTAL OF 23 PROJECTS TO BE PRIORITIZED IN "P7"

- = "Carryover" Project - Does not need to be re-submitted
- = "Holding Tank" project - Needs to be re-submitted
- = "New" project - Needs to be re-submitted

C.B. Brown, UCPRPO TAC Chair

James M. Salmons, UCPRPO Transportation Planner

UCRPO STI P7 NON-HIGHWAY PROJECTS (6/6/2023) - **DRAFT**

AVIATION

SPOT ID	Mode	TIP	Project Category	Route / Facility Name	From / Cross Street	To / Cross Street	Description	Specific Improvement Type	Cost to NCDOT	County(s)	NOTES
A171642	Aviation	AV-5897	Division Needs	ETC - Tarboro-Edgecombe Airport: Runway Extension to 5000'	Edgecombe County		Upgrade runway by 1000 ft to a length of 5000 ft. (3771)	0530 - Runway Length: Construction	\$ 3,620,000	Edgecombe	
A130494	Aviation	AV-5844	Division Needs	ETC - Tarboro-Edgecombe Airport	ECT - Corporate Apron and Hangar	N/A	Expand the Corporate Apron by 8,350 SF and construct a 70' X 80' Hangar. (includes Project Request Numbers: 2898)	1200 - Aircraft Apron / Helipad Requirements	\$ 570,000	Edgecombe	
A130498	Aviation		Division Needs	JNX - Johnston Regional Airport	JNX - Taxiway Widening	N/A	The existing taxiway pavements will be approaching the end of their useful life and require pavement rehabilitation. Assumed design would include a 3" asphalt maintenance overlay. The taxiways will be widened to 50' at this time to conform to C-III standards. (includes Project Request Numbers: 2129)	1100 - Taxiway Requirements	\$ 4,100,000	Johnston	
A130499	Aviation	AV-5847	Division Needs	JNX - Johnston Regional Airport	JNX - T-Hangars, Apron and Corporate Area Site Prep	N/A	This project provides for construction of Phase I of the new corporate area development. Phase I will include the construction of a new t-hangar area and construction of a new apron. Elements of construction will include clearing and grubbing, grading and drainage, paving, and erosion control measures. (includes Project Request Numbers: 2127)	1240 - Corporate and T-hangar Taxiway: Construction	\$ 8,945,000	Johnston	
A150741	Aviation		Division Needs	ETC - Tarboro-Edgecombe Airport	ETC - T-Hangars & Taxilane	N/A	Tarboro Airport T-Hangars & Taxilane - Partner Connect Project #3431	1900 - Hangars	\$ 550,000	Edgecombe	

BIKE/PEDESTRIAN

B150570	BikePed		Division Needs	SR 1120 - W Hanes St Middlesex Elementary School	Morgan St	Middlesex Elementary School	Construct sidewalks from down town Middlesex Park to Middlesex Elementary School along W Hanes St.	7 - Protected Linear Pedestrian Facility (Pedestrian)	\$ 176,600	Nash	
B170684	BikePed		Division Needs	NC 43 (E Hamlet Street)	S Sally Jenkins Street	16th Street to Vidant walking trail	Construct sidewalk along NC 43 (E Hamlet Street)	7 - Protected Linear Pedestrian Facility (Pedestrian)	\$ 232,000	Edgecombe	

RAIL

R171628	Rail		Statewide	NS H/CSX A/CSX SE	Carolina	New York	Construction and implementation of Southeastern North Carolina Passenger Rail Service. Service to run from Raleigh to Wilmington via Selma and Fayetteville using the NS H Line, CSX A Line, and CSX SE Line.	Other passenger rail improvements	\$ 750,000,000	Bladen, Brunswick, Columbus, Cumberland, Harnett, Johnston, Robeson, Wake	
	Rail		Statewide	Commuter Rail - Smithfield/Selma to Raleigh	Raleigh	Selma/Smithfield	Create commuter rail service from Selma/Smithfield to Raleigh Union Station - Extend the Piedmont Rail Service	Commuter Rail Service		Johnston/Wake	
	Rail		Statewide	Commuter Rail - Smithfield/Selma to Raleigh	Carolina	Goldsboro	Create commuter rail service from Raleigh to Goldsboro Union Station - Extend the Piedmont Rail Service	Commuter Rail Service		Wake/Johnston/Wayne	
	Rail		Statewide	SR 1003 (Buffalo Rd)			Rail/Highway Grade Separation Interchange	Interchange Improvement		Johnston	
	Rail		Statewide	US 70 Bus (E Market St)			Replace Rail Bridge over US 70 Bus (E Market St)	Interchange Improvement			

TRANSIT

	Transit		Division Needs	5 Expansion Vehicles for Microtransit	JCATS		Purchase 5 Expansion vehicles for Micro-Transit	Expansion Vehicles	\$ 100,000	Johnston	
	Transit		Division Needs	Scheduling Software	JCATS		Purchase scheduling software	Demand Response	\$ 100,000	Johnston	

UCRPO IS ALLOCATED A TOTAL OF 23 PROJECTS TO BE PRIORITIZED IN "P7"

= "Carryover" Project from STI P5 - Does not need to be re-submitted
 = "Holding Tank" project from STI P5 - Needs to be re-submitted
 = "New Project"



NORTH CAROLINA
Department of Transportation

SPOT June BOT Update

184

Strategic Prioritization Office of Transportation (SPOT)

June 15, 2023

Today's Topics

- Workgroup Update
- Recommended P7 Prioritization Process
- Review changes from P6
- Next Steps
- Questions & Open Discussion



Workgroup Update



Workgroup Update

#	<u>Decision Point / Topic</u>	<u>Consensus Date</u>	<u>Description of Consensus Decision / Notes</u>	<u>Prioritization Process Category</u>
15	Resiliency – Statewide Model Segment Analysis	1/24/23	Do not pursue for P7	Scoring - Highway
16	Socio-Economic Analysis – IMD Equity and Transportation	1/24/23	Incorporate TDI into SPOT Online for testing; implementation TBD	Scoring - All
17	Socio-Economic Analysis – Socio-Economic Geospatial Analysis	1/24/23	Add new data sets	Scoring - All
18	Highway Criteria – Accessibility/Connectivity	1/24/23	Coordinate with Planning	Scoring - Highway
19	Highway Criteria – Multimodal	1/24/23	Coordinate with Planning	Scoring - Highway
20	Carryover Definition	1/24/23	Continue using P6 definition	Projects to Score
21	Number of Submittals	1/24/23	Continue using P6 formula	Projects to Score
22	Number of Local Input Points	1/24/23	Continue using P6 formula	Local Input Points
23	TDI Implementation	2/14/23	Use only for testing in Highway and BikePed	Scoring - All
24	Carryover of P6 Submittals	2/14/23	Two P6 submittals to be included with Carryovers	Projects to Score
25	Ferry Scoring	2/14/23	Use P6 Methodology with updated SITs	Scoring - Ferry
26	Aviation Scoring	2/14/23	Use P6 Methodology with updated SITs	Scoring - Aviation
27	Economic Competitiveness Models	2/14/23	Continue TREDIS; explore the use of other outputs	Scoring - Highway
28	Bike/Ped Points of Interest	3/14/23	Do not pursue relative Points of Interest	Scoring - Bike/Ped
29	Bike/Ped Points of Interest	3/14/23	Continue with manual employment data entry	Scoring - Bike/Ped
30	TDI Implementation	3/14/23	Use a two-mile buffer for Highway projects	Scoring - Highway
31	Bike/Ped Scoring	3/14/23	Use P6 Methodology with POI adjustments	Scoring - Bike/Ped
32	Normalization / Modal Allocation	4/11/23	Use P6 Methodology	Funding
33	LIP Donations	4/11/23	Use P6 Methodology	Local Input Points
34	LIP Flexing	4/11/23	Use P6 Methodology	Local Input Points
35	Submittal Donations	4/11/23	Use P6 Methodology	Projects to Score
36	Area-Specific Weights	4/11/23	Use P6 Methodology	Scoring - All
37	Transit Scoring	4/11/23	Use P6 Methodology with minor Revisions	Scoring - Transit
38	Rail Modernization Scoring	4/11/23	Used methodology Developed by Rail	Scoring - Rail
39	Rail Scoring	4/11/23	Use P6 Methodology	Scoring - Rail
40	Highway Scoring	5/9/23	P6 Methodology with updates to A/C criteria and Road Diets	Scoring - Highway

Summary of Workgroup Efforts

Prioritization Workgroup - Our Charge

The Department shall endeavor to continually improve the methodology and criteria used to score highway and non-highway projects. The Department is directed to continue the use of a workgroup process to develop improvements to the prioritization process.

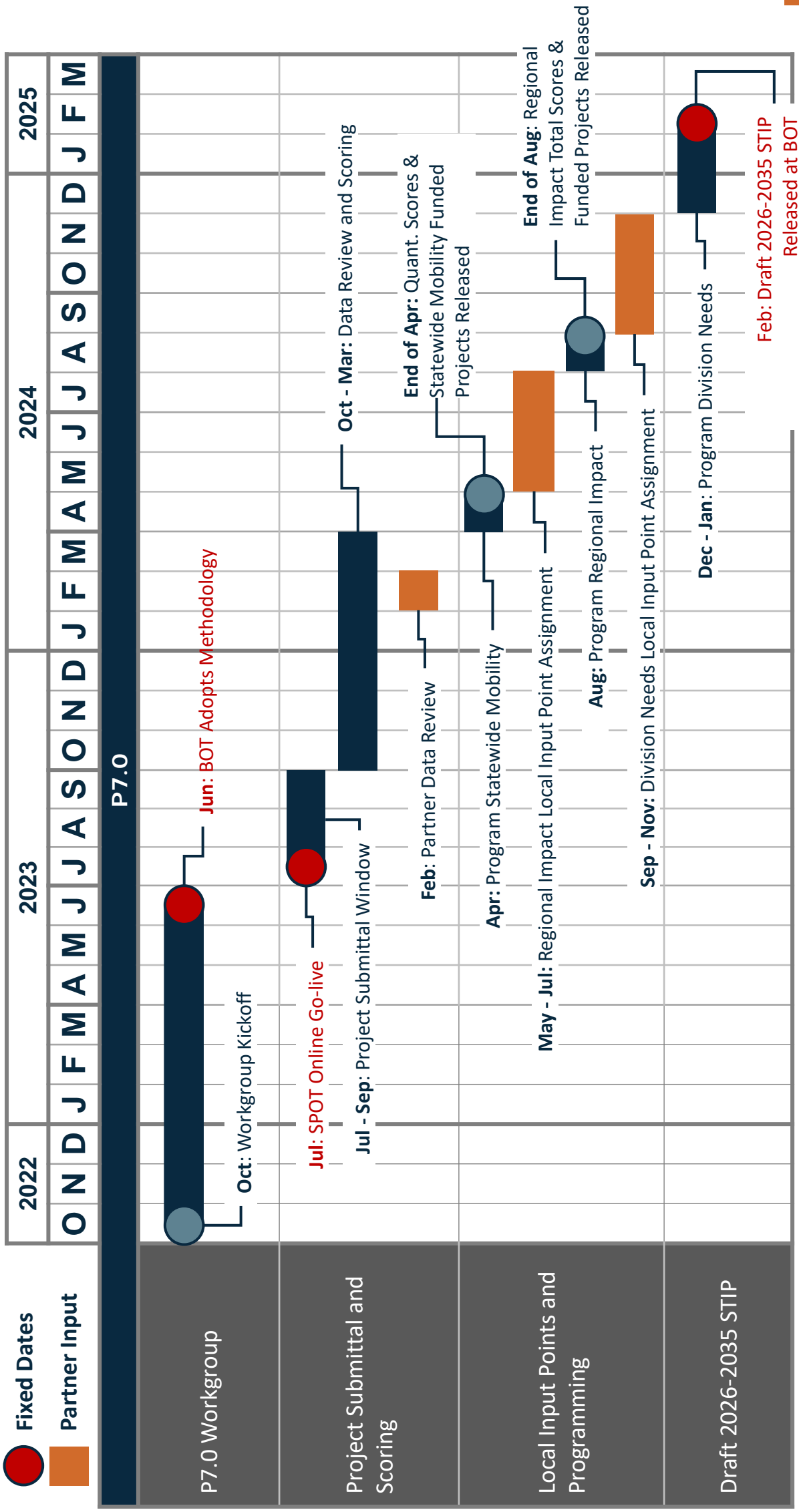


Recommended P7 Prioritization Process



Recommended P7 Schedule

Recommended P7 Process

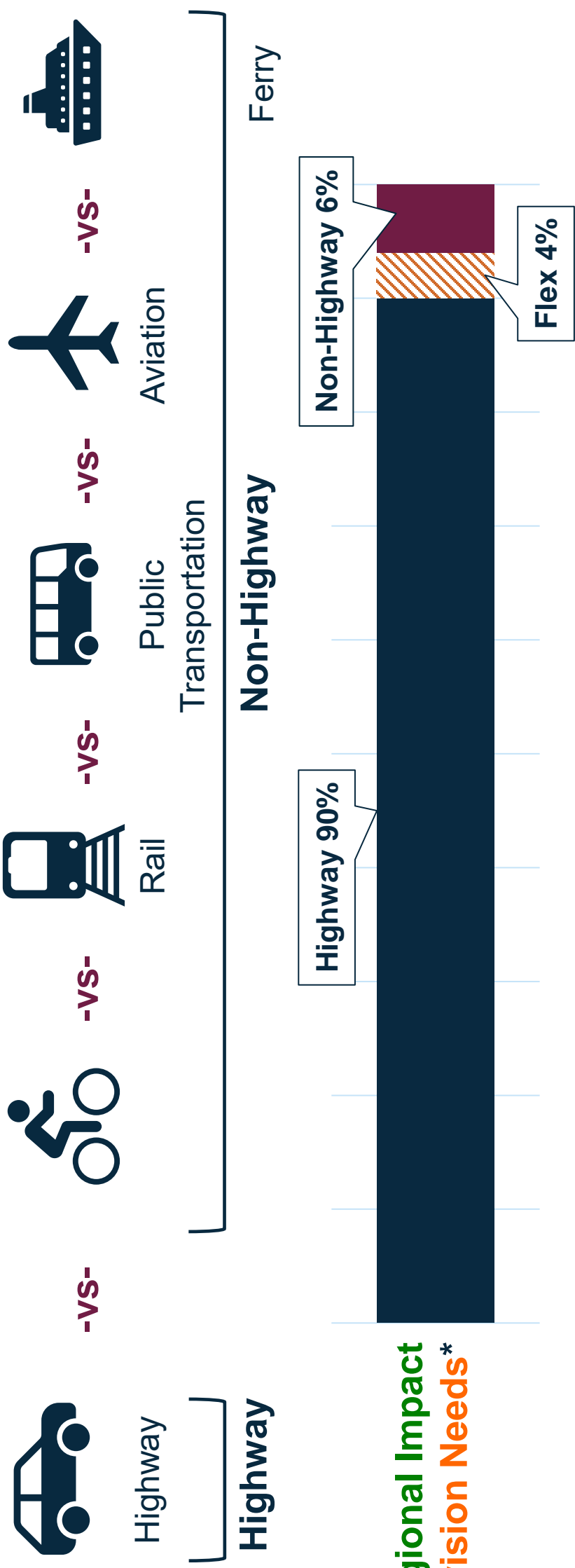


Recommended P7 Schedule Highlights

- June 2023
- July thru September 2023
- October 2023 thru March 2024
- April 2024 thru end of 2024
- Early 2025



Recommended P7 Modal Allocation



Regional Impact & Division Needs*

***Statewide Mobility** – No modal allocation, competition based only on quantitative scores

Recommended P7 Carryover, Submittals and Local Input Points

- In the adopted 2024 -2033 STIP and not scheduled for delivery
- Have completed environmental documents
- Sibling of programmed projects
- Two New Projects from P6.0 (per partner discretion)



Recommended P7 Highway - Mobility

Criteria	Measure Description	Statewide Mobility (100%)	Regional Impact (70%)	Division Needs (50%)
Congestion	[Volume] and [Volume/Capacity]	30%	20%	15%
Benefit/Cost	[10-year Travel Time Savings benefit] + [10-year Safety Benefit] / [Cost to NCDOT]	25%	20%	15%
Safety	SEG: Crash Density, Crash Severity, Crash Rate, Safety Benefits INT: Crash Frequency, Crash Severity, Safety Benefits	10%	10%	10%
Freight	[Truck Volumes] and [Truck Percentage]	25%	10%	5%
Economic Competitiveness	TREDIS Model Output: [% Change in Long-Term Jobs] and [% Change in County Economy over 10 years]	10%	-	-
Accessibility / Connectivity	[Measurement of county economic distress indicators] and [degree the project upgrades mobility of the roadway]	-	10%	5%



Recommended P7 Highway - Modernization

Criteria	Measure Description	Statewide Mobility (100%)	Regional Impact (70%)	Division Needs (50%)
Congestion	[Volume] and [Volume/Capacity]	10%	5%	-
Safety	SEG: Crash Density, Crash Severity, Crash Rate, Safety Benefits INT: Crash Frequency, Crash Severity, Safety Benefits	25%	25%	20%
Freight	[Truck Volumes] and [Truck Percentage]	25%	10%	5%
Lane Width	Existing lane width vs. DOT design standard	10%	10%	5%
[Paved] Shoulder Width	Existing paved shoulder width vs. DOT design standard	20%	10%	10%
Pavement Condition	Existing Pavement Condition Rating (PCR) along the project	10%	10%	10%



Recommended P7 Aviation Scoring

Criteria	Measure Description	Statewide Mobility (100%)	Regional Impact (70%)	Division Needs (50%)
NCDOA Project Rating	NCDOA Project Rating	40%	30%	25%
FAA ACIP Rating	FAA Airport Capital Improvement Plan (ACIP) Rating	30%	15%	10%
Constructability Index	Sum of metrics rating project constructability	10%	10%	5%
Benefit/Cost	Total Economic Contribution / Cost to NCDOT + Funding Leverage	20%	15%	10%



Recommended P7 Bicycle and Pedestrian Scoring

Criteria	Measure Description	Statewide Mobility (100%)	Regional Impact (70%)	Division Needs (50%)
Safety	Number of crashes, crash severity Safety / exposure risk Safety benefit for separation from vehicles	N/A	N/A	20%
Accessibility/ Connectivity	Points of Interest Connections of infrastructure Designated routes	N/A	N/A	15%
Demand/Density	Density of households and employees	N/A	N/A	10%
Cost Effectiveness	Criteria scores / Cost to NCDOT	N/A	N/A	5%



Recommended P7 Ferry Scoring

Criteria		Statewide Mobility (100%)	Regional Impact (70%)	Division Needs (50%)
Asset Condition	Asset Condition Rating	N/A	15%	15%
Benefits	Monetized number of hours saved compared to driving	N/A	10%	10%
Accessibility/ Connectivity	Points of Interest	N/A	10%	10%
Asset Efficiency	Maintenance cost vs. replacement cost	N/A	15%	15%
Capacity/ Congestion	Vehicles left behind at departure vs. total vehicles carried by route	N/A	20%	-



Recommended P7 Public Transportation Scoring – Mobility

Criteria	Measure Description	Statewide Mobility (100%)	Regional Impact (70%)	Division Needs (50%)
Impact	New trips generated by project	N/A	15%	10%
Demand/ Density	New trips generated by project, existing trips on route Service population	N/A	20%	10%
Efficiency	New trips generated by project, existing trips on route New and existing revenue hours Number of seats	N/A	10%	10%
Cost Effectiveness	New trips generated by project Cost to NCDOT Lifespan of project	N/A	25%	20%



Recommended P7 Public Transportation Scoring Response

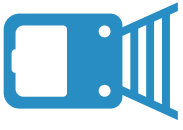
– Demand

Criteria	Measure Description	Statewide Mobility (100%)	Regional Impact (70%)	Division Needs (50%)
Impact	New trips generated by project	N/A	10%	10%
Demand/ Density	New service hours generated by project, existing service hours Service population	N/A	20%	15%
Efficiency	Vehicle utilization ratio for system	N/A	15%	10%
Cost Effectiveness	New trips generated by project Cost to NCDOT Lifespan of project	N/A	25%	15%



Recommended P7 Public Transportation Scoring – Facility

Criteria	Measure Description	Statewide Mobility (100%)	Regional Impact (70%)	Division Needs (50%)
Impact	New trips generated by project	N/A	20%	15%
Demand/ Density	Ridership growth trend for system over 5 years	N/A	10%	10%
Efficiency	Efficiency Score (trips, park and ride spaces, square footage, number of vehicle bays, etc.)	N/A	15%	10%
Cost Effectiveness	New trips generated by project Cost to NCDOT Lifespan of project	N/A	25%	15%



Recommended P7 Rail Scoring

Criteria		Measure Description	Statewide Mobility * (100%)	Regional Impact (70%)	Division Needs (50%)
Benefit-Cost	Monetized Benefits / Cost to NCDOT	+ Funding Leverage	35%	25%	10%
System Opportunities	Points of interest NC Transportation Network freight corridors Employment density Multimodal benefit		15%	10%	15%
Safety	Rail Div. SARAH Investigative Index (crash potential)		30%	15%	10%
Capacity and Diversion	Rail and passenger vehicle volumes and capacity		10%	10%	10%
Economic Competitiveness	Job creation Unemployment rate		10%	10%	5%

Review Changes from P6

Changes to Administrative Items

- Recommend a minimum non -highway percentage of 6% compared to 4% in P6
- Recommend a flex percentage of 4% compared to 6% in P6
- For P7 only allow two additional carryovers of projects initially submitted in the previous round
- Update the population and roadway data to reflect most recent conditions
- Update the population data to reflect most recent conditions



Changes to Highway Scoring

- Expand Improve Mobility measure to include roundabouts, upgrade intersection to interchange, and ITS/Signal System projects
- Allow Road Diet projects to score as either mobility or modernization projects
- Projects will only be scored as modernization projects if the project submitter requests



Changes to Non -Highway Scoring



- Revised specific improvement types to better align projects to the prioritization process



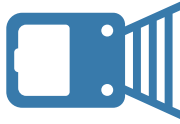
- Expand Points of Interest data set to include grocery stores, convenience stores, and pharmacies
- Grocery and convenience store eligibility based on acceptance of Supplemental Nutrition Assistance Program (SNAP) benefits



- Revised specific improvement types so that all current and future projects can be easily categorized



- Clarified that micro -transit projects are eligible in the demand response categorization
- Clarified that mobility hubs are eligible in the transit facilities categorization



- Developed a new specific improvement type for modernization projects with a corresponding scoring system

Next Steps



Next Steps – Conditional on Board of Transportation Approval

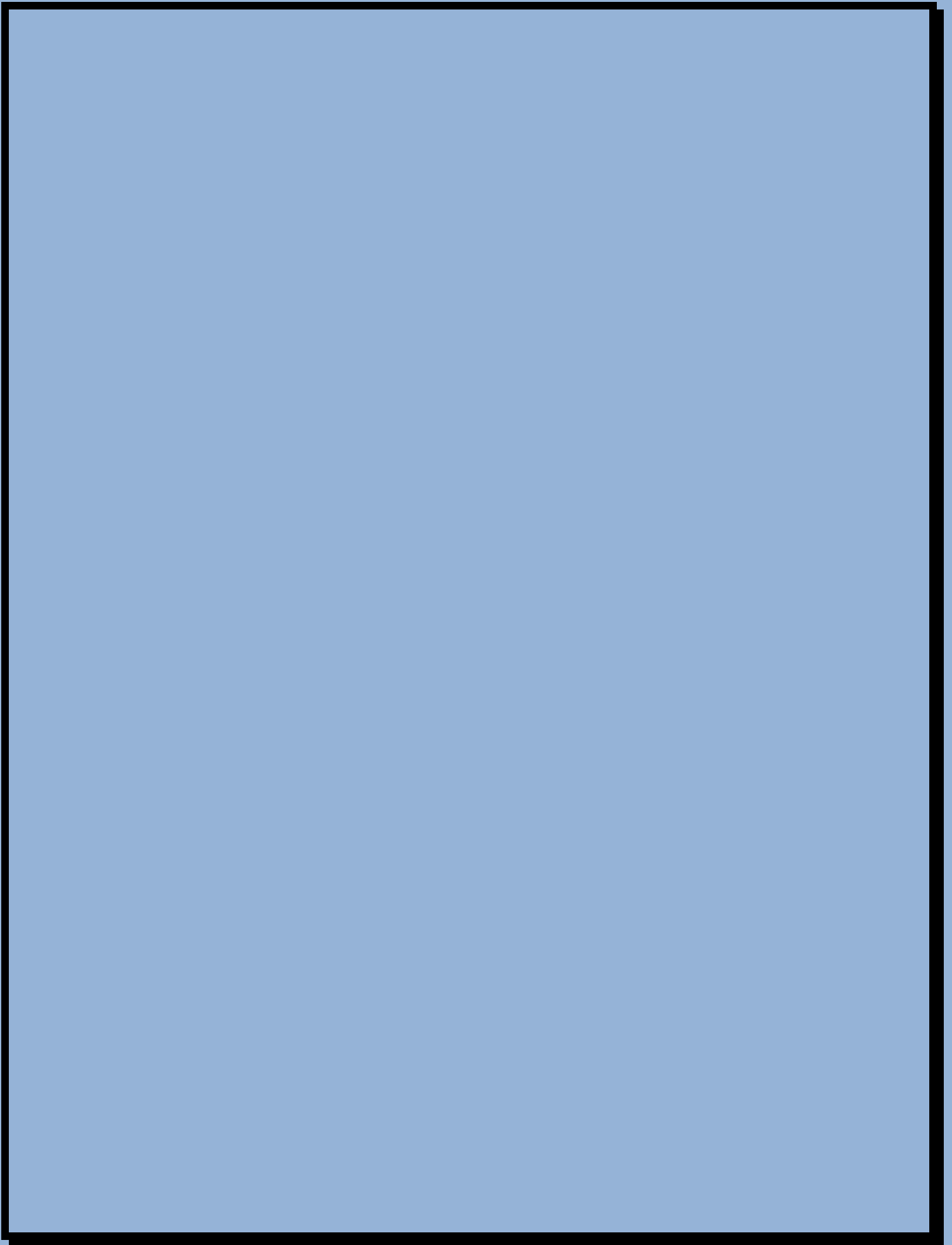
- July through September 2023
- October 2023 through March 2024
- First quarter of 2024
- Summer and Fall of 2024



Questions



Department Reports





Planning Department Development Report

Monday, July 3, 2023

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:

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:

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 **First 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 recommended 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: **Ram Rent-All**

Request: Free standing storage building

Location 804 North Brightleaf Boulevard

Tax ID#: 15006010 PIN#: 260413-02-1766

Project Status **Approved**

Notes: 1,800 square foot metal building

Site Plan 2023-04

Submittal Date: 2/10/2023

Planning Board Review:

Board of Adjustment Review: 3/30/2023

Town Council Hearing Date:

Approval Date: 4/13/2023

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: Under Construction

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: Site plan approved

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 in third staff review

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 May 2023

Permit Fees		Permit Fees	Permits Issued
Zoning	Land Use	\$1250.00	13
Zoning	Land Use	\$200.00	2
Site Plan	Major Site Plan	\$200.00	2
Site Plan	Minor Site Plan	\$2,025.00	75
Zoning	Sign	\$250.00	5
Report Period		\$3,925.00	97
Fiscal YTD Total:		\$25,065.00	454

SP23-000128	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000129	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000130	Site Plan	Minor Site Plan	Single Family dwelling	Buffalo Road
SP23-000131	Site Plan	Minor Site Plan	single Family Dwelling	Buffalo Road
SP23-000132	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000133	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000134	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000135	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000136	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000138	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000139	Site Plan	Minor Site Plan	single Family Dwelling	Buffalo Road
SP23-000140	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000141	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000142	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000143	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000144	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000145	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000146	Site Plan	Minor Site Plan	single Family Dwelling	Buffalo Road
SP23-000147	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000148	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000149	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000150	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000151	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road

SP23-000152	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000153	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000154	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000155	Site Plan	Minor Site Plan	Single Family dwelling	Buffalo Road
SP23-000156	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000157	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000158	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000159	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000160	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000161	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000162	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000163	Site Plan	Minor Site Plan	single Family Dwelling	Buffalo Road
SP23-000164	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000165	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000166	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000167	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000168	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000169	Site Plan	Minor Site Plan	single Family Dwelling	Buffalo Road
SP23-000170	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000171	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000172	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000173	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000174	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000175	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000176	Site Plan	Minor Site Plan	Single Family dwelling	Buffalo Road
SP23-000177	Site Plan	Minor Site Plan	Single Family dwelling	Buffalo Road
SP23-000178	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000179	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000180	Site Plan	Minor Site Plan	Single Family dwelling	Buffalo Road
SP23-000181	Site Plan	Minor Site Plan	Single Family dwelling	Buffalo Road
SP23-000182	Site Plan	Minor Site Plan	Single Family Dwelling	Buffalo Road
SP23-000137	Site Plan	Minor Site Plan	Attached open sided structure	568 West Market St
SP23-000107	Site Plan	Minor Site Plan	Single Family Dwelling	161 Galilee Brach Dr
SP23-000108	Site Plan	Minor Site Plan	Single Family Dwelling	173 Galilee Branch Dr
SP23-000109	Site Plan	Minor Site Plan	Single Family Dwelling	195 Galilee Branch Road
SP23-000110	Site Plan	Minor Site Plan	Single Family Dwelling	187 Galilee Branch Dr
SP23-000111	Site Plan	Minor Site Plan	Single Family dwelling	209 Galilee Branch Dr
SP23-000112	Site Plan	Minor Site Plan	Single Family Dwelling	1226 S Second St
SP23-000113	Site Plan	Minor Site Plan	Single Family Dwelling	1122 S Second St

SP23-000114	Site Plan	Minor Site Plan	Single Family Dwelling	1218 S Second St
SP23-000115	Site Plan	Minor Site Plan	Single Family Dwelling	1214 S Second St
SP23-000116	Site Plan	Minor Site Plan	Single Family Dwelling	1210 S Second St
SP23-000117	Site Plan	Minor Site Plan	Single Family Dwelling	1206 S Second St
SP23-000118	Site Plan	Minor Site Plan	Single Family Dwelling	150 Hill Road
SP23-000119	Site Plan	Minor Site Plan	12' x 16' Accessory Structure	208 East Church St
SP23-000120	Site Plan	Minor Site Plan	Single Family Dwelling	Galilee Road
SP23-000121	Site Plan	Minor Site Plan	Single Family Dwelling	Galilee Road
SP23-000122	Site Plan	Minor Site Plan	Single Family Dwelling	Galilee Road
SP23-000123	Site Plan	Minor Site Plan	Single Family Dwelling	Galilee Road
SP23-000124	Site Plan	Major Site Plan	Take Five Oil Change	1309 N Brightleaf Blvd
SP23-000125	Site Plan	Major Site Plan	Johnston County Central	1000 East Huntley St
SP23-000126	Site Plan	Minor Site Plan	10' x 12' Accessory Building	910 East St
SP23-000127	Site Plan	Minor Site Plan	Single Family Dwelling (1009	1009 Lemay St
SP23-000183	Site Plan	Minor Site Plan	Single Family Dwelling	407 Collier St
Z23-000086	Zoning	Land Use	Temp Fireworks	1299 N Brightleaf Blvd
Z-4131	Zoning Permit	Land Use	Gorgeous Nails and Spa	517 East Market St
Z23-000079	Zoning	Land Use	New Beginnings Church of	834 S Third St
Z23-000080	Zoning	Land Use	AT&T	2317 S Brightleaf Blvd
Z23-000075	Zoning	Land Use	Spencer's Gifts	1025 Outlet Center Dr
Z23-000071	Zoning	Land Use	Dollar Tree	104 N Brightleaf Blvd
Z23-000076	Zoning	Sign	Dollar Tree Sign Package	104 N Brightleaf Blvd
Z23-000072	Zoning	Land Use	T-Mobile Antenna swap	46 Bradford Court
Z23-000074	Zoning	Land Use	Rural Urgent Care LLC	211 Tyler Dr
Z23-000070	Zoning	Land Use	Resilience Martial Arts	109 S Third St
Z23-000073	Zoning	Land Use	Sazon Catracho Restaurante	388-B Venture Dr
Z23-000078	Zoning	Sign	Perfume Outlet	1025 Outlet Center Dr
Z23-000069	Zoning	Land Use	Johnston County Social	714 N St
Z23-000084	Zoning	Land Use	Cattail Q Food Truck	1130 N Brightleaf Blvd
Z23-000077	Zoning	Sign	Forever 21	1025 Outlet Center Dr
Z23-000081	Zoning	Sign	UNCPN Family Medicine	127 East Market St
Z23-000082	Zoning	Land Use	Keystone Novelties	724 N Brightleaf Blvd
Z23-000083	Zoning	Sign	Keyston Novelties	724 N Brightleaf Blvd
Z23-000085	Zoning	Land Use	Chic Beauty Factory Nail	20 Noble St



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING May 31, 2023**

I. STATISTICAL SECTION

Month Ending May 31, 2023	May 2023	May 2022	Total 2023	Total 2022	YTD Difference
Calls for Service	1858	1901	8257	9926	-1669
Incident Reports Completed	125	159	595	702	-107
Cases Closed	54	73	303	471	-168
Accident Reports	95	84	379	390	-11
Arrest Reports	67	85	313	446	-133
Burglaries Reported	2	14	24	32	-8
Drug Charges	8	14	68	110	-42
DWI Charges	7	8	25	39	-14
Citations Issued	157	209	659	1324	-665
Speeding	32	104	177	577	-400
No Operator License	39	54	173	292	-119
Registration Violations	20	21	67	153	-86

II. PERSONNEL UPDATE

The police department currently has 7 vacant officer positions and 1 Records Clerk position vacancy. One new hire graduated BLET Training at JCC. He is currently in Field Training. One officer is out on light duty, and one is out on sick leave. We participated in the Ham and Yam event and attempted to recruit new officers for the Police Department. We coordinated with other town departments to help their recruitment efforts during this same event. We held interviews for open civilian 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. The community policing program was involved in the Ham and Yam event. We passed out safety information as well as Kids Safe and ID theft information.

REPORTED UCR OFFENSES FOR THE MONTH OF MAY 2023

PART I CRIMES	May 2022	May 2023	+/-	Percent Changed	Year-To-Date 2022	Year-To-Date 2023	+/-	Percent Changed
MURDER	0	0	0	N.C.	0	1	1	N.C.
RAPE	0	1	1	N.C.	3	1	-2	-67%
ROBBERY	1	1	0	0%	1	2	1	100%
Commercial	1	0	-1	-100%	1	1	0	0%
Individual	0	1	1	N.C.	0	1	1	N.C.
ASSAULT	11	3	-8	-73%	32	24	-8	-25%
* VIOLENT *	12	5	-7	-58%	36	28	-8	-22%
BURGLARY	13	2	-11	-85%	30	22	-8	-27%
Residential	9	1	-8	-89%	17	10	-7	-41%
Non-Resident.	4	1	-3	-75%	13	12	-1	-8%
LARCENY	47	38	-9	-19%	192	154	-38	-20%
AUTO THEFT	6	4	-2	-33%	16	10	-6	-38%
ARSON	0	0	0	N.C.	1	1	0	0%
* PROPERTY *	66	44	-22	-33%	239	187	-52	-22%
PART I TOTAL:	78	49	-29	-37%	275	215	-60	-22%
PART II CRIMES								
Drug	11	14	3	27%	114	77	-37	-32%
Assault Simple	5	6	1	20%	39	44	5	13%
Forgery/Counterfeit	1	2	1	100%	4	7	3	75%
Fraud	6	9	3	50%	41	49	8	20%
Embezzlement	1	0	-1	-100%	3	2	-1	-33%
Stolen Property	0	1	1	N.C.	3	2	-1	-33%
Vandalism	4	7	3	75%	27	21	-6	-22%
Weapons	0	0	0	N.C.	3	1	-2	-67%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	0	0	0	N.C.	1	1	0	0%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	2	0	-2	-100%	2	0	-2	-100%
D. W. I.	9	7	-2	-22%	38	19	-19	-50%
Liquor Law Violation	1	0	-1	-100%	10	1	-9	-90%
Disorderly Conduct	0	1	1	N.C.	5	5	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	37	23	-14	-38%	123	137	14	11%
PART II TOTAL:	77	70	-7	-9%	413	367	-46	-11%
GRAND TOTAL:	155	119	-36	-23%	688	582	-106	-15%

N.C. = Not Calculable



Town of Smithfield
Fire Department
May 2023

I. Statistical Section

	May
Confirmed Structure Fires	2
EMS Responses	147
Misc./Other Calls	28
Mutual Aid Calls	13
TOTAL EMERGENCY RESPONSES	217

	May	YTD
Fire Inspections	107	414
Public Fire Education Programs	1	5
# Of Children Educated	150	193
# Of Adults Educated	20	160
Plans Review Construction/Renovation Projects	19	117
Fire Department Permits reviewed / Issued	53	167
Business Preplans	0	1
Fire Related Injuries & Deaths	0	0
# Of Civilian Deaths	0	0
# Of Civilian Injuries	0	1

II. Major Revenues

	May	YTD
Inspections	\$900.00	\$3,800.00
Fire Recovery USA	\$935.20	\$6,291.22

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 7 of 23 days
- Special Properties meetings with County Inspections
- Ham & Yam Festival
- Smoke Alarm Canvas
- Pub Ed-Fire Drill at the American Leadership Academy Lower School
- Digital Plans Preparation/Software/Monitor Etc.
- May 2 – ESO reporting software Meeting
- May 5 – Standby for Fireworks
- May 13 – Smoke Alarm Canvas
- May 19 – Participated in the Feed the Heroes Friday event

- May 19-21 & 26-28 – NC Water Rescue Certification Course
- May 24 & 25 – Ride for the Wall event

V. Upcoming Plans

- Website Update Continues
- District/Inspection Zones Development
- FIT Course
- Smoke Alarm Canvas NCOSFM Sponsored
- JCC Fire Drill Library
- Digital Plans Preparation/Software/Monitor Etc.

Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
May 31, 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 Orders - 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 17 Work Orders – 1,320lbs. of Cold Patch was used for 26 Potholes.

II. Major Revenues

None hired for the month.

III. Major Expenses for the Month:

None

IV. Personnel Update:

No one hired for the month of May.

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting on "Back & lift safety".
with Jaime Pearce with Wellness Works.

**Town of Smithfield
Public Works Department
May 31, 2023**



201 Total Work Orders completed by the Public Works Department
4 Burials, at \$725.00 each = \$2,900.00
0 Cremation Burial, \$425.00 each = \$0
\$1,000 Sunset Cemetery Lot Sales
\$0 Riverside Extension Cemetery Lot Sales
478.45 tons of household waste collected
168. tons of yard waste collected
3.81 tons of recycling collected
0 gallons of used motor oil were recycled
0 scrap tires were recycled

**Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
May 31, 2023**



I. Statistical Section

- 4 Burials
- 2 Works Orders – Buildings & Facilities Division
- 73 Work Orders – Grounds Division
- 3 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$1,000.00
Riverside Ext Cemetery Lot Sales:	\$0.
Grave Opening Fees:	\$2,900
Total Revenue:	\$3,900

III. Major Expenses for the Month:

The Appearance Division purchased no major items for the Month.

IV. Personnel Update:

No one hired 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 "Back & lifting Safety Talk" with Jaime Pearce with Wellness Works.



Smithfield Appearance Commission

Smithfield Appearance Commission

Agenda

Tuesday, May 16, 2023

5:00 PM

Opening

Call to Order

Invocation

Commission Business:

Approval of Meeting Minutes

Financial Report

Agenda Items

Updates

- Thanks to Peggy
- 95 Signage
- Emery's meeting with garden club
- College Pond Trail Additions

Updates/Action Items

- Donated trees and ordering brochures
- T-shirts and polos
- More involvement/collaboration options
 - Spring cleaning
 - Other

Closing

Adjourn

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
May 31, 2022**



I. Statistical Section

- 3 Preventive Maintenances
- 0 North Carolina Inspections
- 21 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None for the month

IV. Personnel Update:

No one was hired for the month of May.

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned vehicles. The Public Works Department safety meeting was on "Back & Lifting SafetyTalk" with Jaime Pearce with Wellness Works

Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
May 31, 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 Orders - 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 17 Work Orders – 1,320lbs. of Cold Patch was used for 26 Potholes.

II. Major Revenues

None hired for the month.

III. Major Expenses for the Month:

None

IV. Personnel Update:

No one hired for the month of May.

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting on "Back & lift safety".
with Jaime Pearce with Wellness Works.



Work Orders List for 05/01/2023 - 05/31/2023

WORK ORDER INFO	LOCATION & ASSET	DUE & STATUS	TIME & COST	PROCEDURE ANSWERS
#1054 Clean curb line Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/01/2023	Total Time Costs \$10.33 Total Time 30m 0s Total Costs \$10.33	
#1059 Cut ditch Medium Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/01/2023	Total Time Costs \$51.65 Total Time 2h 30m 0s Total Costs \$51.65	
#1060 Tree leaning in street Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/01/2023	Total Time Costs \$5.17 Total Time 15m 0s Total Costs \$5.17	
#1061 Trim tree Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/01/2023	Total Time Costs \$6.89 Total Time 20m 0s Total Costs \$6.89	
#1069 Clean out ditch Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/02/2023	Total Time Costs \$20.66 Total Time 1h 0m 0s Total Costs \$20.66	

WORK ORDER INFO	LOCATION & ASSET	DUE & STATUS	TIME & COST	PROCEDURE ANSWERS
#1072 Clean catchbasin Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/02/2023	Total Time Costs Total Time Total Costs	\$82.64 4h 0m 0s \$82.64
#1076 Fix banner down town Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/03/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33
#1086 Cut fema lots FEMA Lots Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/04/2023	Total Time Costs Total Time Total Costs	\$41.32 2h 0m 0s \$41.32
#1087 Cut back limbs on greenway with John deere tractor Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/04/2023	Total Time Costs Total Time Total Costs	\$61.98 3h 0m 0s \$61.98
#1093 Deliver cones & trash cans for ham & ham Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/05/2023	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
#1095 Cut back ditch Drainage Ethan Bryant	Drainage Division Street Division	05/05/2023 ✓ Done Completed by Ethan Bryant on 05/08/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33
#1097 Cut back Drainage Ethan Bryant	Drainage Division Drainage Division	05/05/2023 ✓ Done Completed by Ethan Bryant on 05/08/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33
#1052 Clean dirt out of curb line Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/08/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33
#1078 Street washing away at drain High Streets Division Ethan Bryant		✓ Done Completed by Ethan Bryant on 05/08/2023	Total Time Costs Total Time Total Costs	\$20.66 1h 0m 0s \$20.66
#1107 Cut grass on outlet Center dr & welcome sign Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/09/2023	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
#1120 Scrape dirt roads south Smithfield Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/10/2023	Total Time Costs Total Time Total Costs	\$61.98 3h 0m 0s \$61.98
#1129 Limbs blocking view of stop sign Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/11/2023	Total Time Costs Total Time Total Costs	\$3.44 10m 0s \$3.44
#1131 Fill in ruts Low Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/11/2023	Total Time Costs Total Time Total Costs	\$15.50 45m 0s \$15.50
#1137 Fix sink hole Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/12/2023	Total Time Costs Total Time Total Costs	\$82.64 4h 0m 0s \$82.64
#1144 Ditch washing Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/15/2023	Total Time Costs Total Time Total Costs	\$30.99 1h 30m 0s \$30.99
#1150 Pick up debris in middle of road Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/16/2023	Total Time Costs Total Time Total Costs	\$5.17 15m 0s \$5.17

#1153
Cleaned up vacant lot
High
Sanitation Division
Streets Division
 michael Sliger
 Tony Burnette
 Ethan Bryant
 Seth Walls
 Savino Zapata

✓ Done
 Completed by michael Sliger
 on 05/17/2023

#1164
Cut limbs
Drainage
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant
 on 05/18/2023

Total Time Costs \$6.89
 Total Time 20m 0s
Total Costs \$6.89

#1165
Cut low hanging limbs on sidewalk
Drainage
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant
 on 05/18/2023

Total Time Costs \$10.33
 Total Time 30m 0s
Total Costs \$10.33

#1184
Get paint off street
Drainage
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant
 on 05/22/2023

Total Time Costs \$41.32
 Total Time 2h 0m 0s
Total Costs \$41.32

#1188
Stopsign torn down
Drainage
 Ethan Bryant

✓ Done
 Completed by Ethan Bryant
 on 05/22/2023

Total Time Costs \$10.33
 Total Time 30m 0s
Total Costs \$10.33

#1190	Drainage Division	✓ Done	Total Time Costs	\$41.32
Put up American Flags	Street Division	Completed by Ethan Bryant on 05/23/2023	Total Time	2h 0m 0s
High			Total Costs	\$41.32
Streets Division				
Appearance Division				
Ethan Bryant				
#1193	Drainage Division	✓ Done	Total Time Costs	\$6.89
Blind corner	Drainage Division	Completed by Ethan Bryant on 05/23/2023	Total Time	20m 0s
Drainage			Total Costs	\$6.89
Ethan Bryant				
#1206	Drainage Division	✓ Done	Total Time Costs	\$5.17
Blind corner	Street Division	Completed by Ethan Bryant on 05/25/2023	Total Time	15m 0s
High			Total Costs	\$5.17
Streets Division				
Ethan Bryant				
#1207	Drainage Division	✓ Done	Total Time Costs	\$5.17
Limbs blocking view of stop sing	Street Division	Completed by Ethan Bryant on 05/25/2023	Total Time	15m 0s
High			Total Costs	\$5.17
Streets Division				
Ethan Bryant				

WORK ORDER INFO

LOCATION & ASSET

DUE & STATUS

TIME & COST

PROCEDURE ANSWERS

#1221	Drainage Division	✓ Done	Total Time Costs	\$10.33
Water leak	Drainage Division	Completed by Ethan Bryant on 05/26/2023	Total Time	30m 0s
Drainage			Total Costs	\$10.33
Ethan Bryant				
#1229	Drainage Division	✓ Done	Total Time Costs	\$15.50
Sink hole in road	Drainage Division	Completed by Ethan Bryant on 05/30/2023	Total Time	45m 0s
High			Total Costs	\$15.50
Drainage				
Ethan Bryant				
#1231	Drainage Division	✓ Done	Total Time Costs	\$15.50
Cut fema lot	Drainage Division	Completed by Ethan Bryant on 05/30/2023	Total Time	45m 0s
Drainage			Total Costs	\$15.50
Ethan Bryant				
#1232	Drainage Division	✓ Done	Total Time Costs	\$15.50
Cut fema lot	Drainage Division	Completed by Ethan Bryant on 05/30/2023	Total Time	45m 0s
Drainage			Total Costs	\$15.50
Ethan Bryant				
#1233	Drainage Division	✓ Done	Total Time Costs	\$5.17
Cut fema lot	Drainage Division	Completed by Ethan Bryant on 05/30/2023	Total Time	15m 0s
Drainage			Total Costs	\$5.17
Ethan Bryant				
#1234	Drainage Division	✓ Done	Total Time Costs	\$5.17
Cut fema lot	Drainage Division	Completed by Ethan Bryant on 05/30/2023	Total Time	15m 0s
Drainage			Total Costs	\$5.17
Ethan Bryant				

WORK ORDER INFO	LOCATION & ASSET	DUE & STATUS	TIME & COST	PROCEDURE ANSWERS
#1235 Cut fema lot Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/30/2023	Total Time Costs Total Time Total Costs	\$5.17 15m 0s \$5.17
#1236 Cut fema lot Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/30/2023	Total Time Costs Total Time Total Costs	\$5.17 15m 0s \$5.17
#1237 Cut fema lot Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/30/2023	Total Time Costs Total Time Total Costs	\$5.17 15m 0s \$5.17
#1238 Cut fema lot Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/30/2023	Total Time Costs Total Time Total Costs	\$5.17 15m 0s \$5.17
#1246 Cut ditch Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/31/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33
#1249 Cut blind corner Drainage Ethan Bryant	Drainage Division Drainage Division	✓ Done Completed by Ethan Bryant on 05/31/2023	Total Time Costs Total Time Total Costs	\$10.33 30m 0s \$10.33

WORK ORDER INFO

LOCATION & ASSET

DUE & STATUS

TIME & COST

PROCEDURE ANSWERS

#1254

Cut fema lot

Drainage

Ethan Bryant

Drainage Division

Drainage Division

✓ Done

Completed by Ethan Bryant
on 05/31/2023

Total Time Costs

Total Time

\$5.17

15m 0s

Total Costs

\$5.17

Signed off by

Date

Lawrence Davis

From: Tammy McLamb
Sent: Wednesday, June 28, 2023 10:30 AM
To: Lawrence Davis
Subject: Utility Cuts

Hey Lawrence, utility cuts that were patched in May are below....

Please let me know if you need additional information.

Date:	Address:	Size:	Emailed to PW on:	Date of Repair
04/18/23	509 E. Johnston St.	12x5	05/04/23	05/10/23
04/19/23	509 S. 5th St.	(2) cuts: 5x7 and 6x6	05/04/23	05/10/23
05/01/23	1312 S. Crescent Dr.	28x5	05/04/23	05/10/23
05/02/23	302 E. Rose St.	5x8	05/04/23	05/10/23
05/03/23	102 Shady Lane Dr.	8x9	05/04/23	05/10/23
05/10/23	210 Stancil St.	10x5	05/17/23	05/31/23
05/12/23	Massey St. & S. 6th St.	8x10	05/17/23	05/25/23
05/16/23	406 S. 7th St.	6x6	05/17/23	05/31/23
05/17/23	E. Johnston St. / between S. 7th & S. 6th St.	(6) cuts: 8x21; 4x21; 7x21; 8x21; 5x26; 3x14	05/17/23	05/25/23
05/17/23	S. 6th St. / between E. Johnston & E. Church	8x16	05/17/23	05/31/23
05/18/23	512 Oak St.	5x16	05/26/23	05/31/23
05/22/23	521 Mill St.	11x3	05/26/23	05/31/23

Have a blessed day!

Town of Smithfield
Public Works Sanitation Division
Monthly Report
May 31, 2023



I. Statistical Section

The Division collected from approximately 4,150 homes, 4 times during the month

- a. Sanitation forces completed 48 work orders
- b. Sanitation forces collected tons 478.45 Tons of household waste
- c. Sanitation forces disposed of 84 loads of yard waste and debris at Spain Farms Nursery
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 2.67 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 3.81 tons of recyclable plastic
- h. Recycled 1,180 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 0 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 300 lbs. of aluminum cans for \$ 18.00
- c. Sold 3,240 lbs. of shredder steel for \$ 283.50 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$ 3,024 for disposal of yard waste and debris. Cox Repair Services was paid \$600 for towing HHW Tk# 303.

IV. Personnel Update:

There were no new hires in the month of May. Public works continues to work with Mitchells Temporary services to feel 2 vacant positions in Sanitation.

V. Narrative of monthly departmental activities:

The department worked closely with Downtown Development providing traffic control and trash cans for their Events. The Public Works Department safety meeting was on Back & Lifting safety presented by Jamie Pearce.

Community Service Workers worked 62 hrs.

Employee Hire report. May 31, 2023.

The Public Works Department has posted CDL positions for the Town of Smithfield at JCC Johnston Community College, Town website, and word of mouth.

We currently have 3 vacancies.

2 Sanitation operators and 1 Storm water operator.

Goal is to be fully staffed in all departments before December 2023.



MONTHLY REPORT FOR MAY, 2023

PROGRAMS STATISTICS	MAY, 2023		MAY, 2022	
NUMBER OF PROGRAMS	7		8	
TOTAL ATHLETICS PARTICIPANTS	438		448	
TOTAL NON/ATHLETIC PARTICIPANTS	720		71	
NUMBER OF GAMES PLAYED	114		70	
TOTAL NUMBER OF PLAYERS (GAMES)	2990		1818	
NUMBER OF PRACTICES	38		53	
TOTAL NUMBER OF PLAYER(S) PRACTICES	470		636	
SARAH YARD COMMUNITY CENTER VISITS	130		116	
	MAY, 2023	22/23 FY YTD	MAY, 2022	21/22 FY YTD
PARKS RENTALS	61	719	56	569
USERS (PARKS RENTALS)	2264	22511	2473	18161
TOTAL UNIQUE CONTACTS	6,574		5,114	
	MAY, 2023	22/23 FY YTD	MAY, 2022	21/22 FY YTD
FINANCIAL STATISTICS				
PARKS AND RECREATION REVENUES	\$ 4,729.00	\$ 90,863.00	\$ 4,900.00	\$ 62,914.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 96,269.00	\$ 778,980.00	\$ 61,795.00	\$ 693,728.00
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ -	\$ 195,399.00	\$ -	\$ 84,098.00
SYCC EXPENDITURES	\$ 1,415.00	\$ 27,724.00	\$ 1,644.00	\$ 36,187.00
SYCC CAPITAL OUTLAY	\$ -	\$ 21,500.00	\$ -	\$ 8,500.00

NOTES: HELD THE GRAND OPENIN FOR THE NEUSE RIVER AMPHITHEATER
CONTINUED FUN AND FELLOWSHIP SOFTBALL, YOUTH BASEBALL, YOUTH SOFTBALL, T-BALL



SRAC MONTHLY REPORT FOR MAY, 2023

PROGRAMS STATISTICS	MAY, 2023		MAY, 2022	
NUMBER OF PROGRAMS	20		15	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	3069		4607	
	MAY, 2023	22/23 FY YTD	MAY, 2022	21/22 FY YTD
SRAC MEMBER VISITS	3871	37680	3260	32420
DAY PASSES	1560	14767	1483	11471
RENTALS (SRAC)	39	258	34	433
USERS (SRAC RENTALS)	952	27287	1540	20421
TOTAL UNIQUE CONTACTS	9,452		10,890	
	MAY, 2023	22/23 FY YTD	MAY, 2022	21/22 FY YTD
FINANCIAL STATISTICS				
SRAC REVENUES	\$ 80,489.00	\$ 685,822.00	\$ 82,306.00	\$ 573,771.00
SRAC EXPENDITURES - OPERATIONS	\$ 81,083.00	\$ 919,988.00	\$ 54,654.00	\$ 824,698.00
CAPITAL OUTLAY EXPENDITURES	\$ -	\$ 165,915.00	\$ 470.00	\$ 15,726.00
SRAC MEMBERSHIPS	3335		2610	

NOTES:

- 2200+ SWIM LESSONS
- SRAC SHARKS SUMMER SWIM TEAM
- WHEEL THROWING POTTERY CLASS
- HAND BUILDING POTTERY CLASS
- SUMMER PROGRAMMING / CAMPS REGISTRATION



- **Statistical Section**

- Electric CP Demand 20,651 Kw relative to April's demand of 19,440 Kw.
- Electric System Reliability was 99.985%, with four (4) recorded main line outages; relative to April's 99.9949%.
- Raw water treated on a daily average was 4.984 MG relative to 4.866 MG for April; with maximum demand of 6.013 MG relative to April's 5.506 MG.
- Total finished water to the system was 143.823 MG relative to April's 133.893 MG. Average daily for the month was 4.639 MG relative to April's 4.463 MG. Daily maximum was 5.250 MG (May 31st) relative to April's 5.073 MG. Daily minimum was 3.478 MG (May 16th), relative to April's 3.550 MG.

- **Miscellaneous Revenues**

- Water sales were \$254,665 relative to April's \$244,023
- Sewer sales were \$452,101 relative to March's \$433,304
- Electrical sales were \$1,089,372 relative to March's sales of \$1,147,171
- Johnston County Water purchases were \$202,412 for 82.617 MG relative to April's \$183,071 for 74.723 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$899,399 relative to April's \$845,764.
- Johnston County sewer charge was \$214,737 for 54.359 MG relative to April's \$227,670 for 57.209 MG.

- **Personnel Changes**

- Luke Beasley began work as Electric Line Technician on May 15.



**Town of Smithfield
Electric Department
Monthly Report
May, 2023**

I. Statistical Section

- Street Lights repaired –9
- Area Lights repaired 5
- Service calls – 48
- Underground Electric Locates -233
- Poles changed out/removed or installed -12
- Underground Services Installed -3

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Safety Meeting on Arc Flash and Ladder Safety
- The Electrical Dept. has a full crew, all positions have been filled.

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. helped the Street Dept. put out Flags for Memorial Day.
- The Electrical Dept. is working on replacing old poles and upgrading lines around town.



WATER & SEWER

May 2023 Monthly Report

● DISCONNECT WATER	2
● RECONNECT WATER	4
● TEST METER	3
● TEMPORARY METER SET	2
● DISCOLORED WATER CALLS	5
● LOW PRESSURE CALLS	8
● NEW/RENEW SERVICE INSTALLS	6
● LEAK DETECTION	16
● METER CHECKS	29
● METER REPAIRS	19
● WATER MAIN/SERVICE REPAIRS	5
● STREET CUTS	9
● REPLACE EXISTING METERS	10
● INSTALL NEW METERS	13
● FIRE HYDRANTS REPAIRED	0
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS/SINK HOLES	6
● CLEANOUTS INSTALLED	8
● INSPECTIONS	13
● CAMERA SEWER	5
● SEWER MAIN CLEANED	248 2585 LF

- SERVICE LATERALS CLEANED 1046 LF
- SERVICE CALLS 120
- LOCATES 199

- SERVICED AND MAINTAINED ALL 21 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- HELPED PUBLIC WORKS CLEAN STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

Major Expenses for the Month of May
 Vac truck had major work done.

Personnel Updates

Upcoming Projects for the Month of June

Contractor working on Townhomes on Wilson's Mill's Rd.

Starting the sewer replacement on Underwood Ave.

Contractor working on 210 project installing sewer and starting water.

Contractor working on Brogden Rd & Walpat Rd.



MONTHLY WATER LOSS REPORT

May 2023

(9) - Meters with slow washer leaks

(3) – ¾" Line, 1/8" hole, 1day

1 1/2" Line, 1/8" hole, 2day

2" Line, 1/8" hole, 3day

Smithfield Water Plant
Distribution Sampling Site Plan

Hydrant Flushing

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	05/25/23	3	15	7965	10	North Street	05/24/23	3	15	17820	40
Computer Drive	05/25/23	3	15	31860	10	West Street	05/24/23	2.8	15	78030	50
Castle Drive	05/25/23	3	15	7965	10	Regency Drive	05/24/23	2.7	15	63720	60
Parkway Drive	05/25/23	3	15	63720	40	Randers Court	05/24/23	3	15	15930	40
Garner Drive	05/25/23	3	15	63723	40	Noble Street	05/24/23	2.5	15	15930	40
Hwy 210 LIFT ST.	05/25/23	3	15	15930	40	Fieldale Dr#1(L)	05/24/23	2.5	15	63720	40
Skyland Drive	05/25/23	3	15	7965	10	Fieldale Dr#2(R)	05/24/23	2	15	63720	40
Bradford Street	05/25/23	3	15	15930	10	Heather Court	05/24/23	2	15	15930	40
Keillie Drive	05/25/23	3	15	7965	10	Reeding Place	05/24/23	3	15	15930	40
Edgewater	05/26/23	2.8	15	7965	10	East Street	05/24/23	2.5	15	63720	40
Edgcombe	05/26/23	3	15	15930	40	Smith Street	05/24/23	2.5	15	63720	40
Valley Wood	05/26/23	3	15	63720	40	Wellons Street	05/24/23	2.5	15	63720	40
Creek Wood	05/26/23	3	15	63720	40	Kay Drive	05/17/23	3	15	38985	15
White Oak Drive	05/26/23	3	15	7965	10	Huntington Place	05/17/23	2.5	15	38985	15
Brookwood Drive	05/26/23	3	15	22515	5	N. Lakeside Drive	05/17/23	2.5	15	9750	15
Runnymede Place	05/26/23	3	15	31860	10	Cypress Point	05/17/23	2.5	15	34890	12
Nottingham Place	05/26/23	3	15	38985	10	Quail Run	05/17/23	2.5	15	8715	12
Heritage Drive	05/26/23	3	15	38985	10	British Court	05/17/23	2.5	15	8715	12
Noble Plaza #1	05/26/23	2.8	15	9750	10	Tyler Street	05/17/23	1.5	15	78030	60
Noble Plaza #2	05/26/23	3	15	9750	10	Yelverton Road	05/17/23	1.5	15	63720	40
Pinecrest Street	05/26/23	3	15	19500	10	Ava Gardner	05/17/23	2.5	15	63720	40
S. Sussex Drive	05/26/23	3	15	31860	10	Waddell Drive	05/17/23	2	15	7965	10
Elm Drive	05/26/23	3	15	9750	10	Henly Place	05/17/23	3	15	8715	12
						Birch Street	05/17/23	3	15	34890	12
Coor Farm Supply	05/23/23	2	15	7965	10	Pine Street	05/17/23	2.5	15	38985	15
Old Goldsboro Rd.	05/23/23	3	15	7965	10	Oak Drive	05/17/23	3	15	37695	14
Hillcrest Drive	05/23/23	3	15	31860	10	Cedar Drive	05/22/23	3	15	31860	10
Eason Street	05/23/23	3	15	38985	40	Aspen Drive	05/22/23	2.5	15	34890	12
Magnolia circle	05/23/23	2	15	78030	40	Furlonge Street	05/22/23	3	15	34890	12
Rainbow Drive	05/23/23	3	15	19500	60	Golden Corral	05/22/23	2.5	15	40290	16
Rainbow Circle	05/23/23	3	15	19500	60	Holland Drive	05/22/23	3	15	9750	15
Moonbeam Circle	05/24/23	2.5	15	19500	60	Davis Street	05/22/23	3	15	34890	12
Ray Drive	05/24/23	2.5	15	15930	60	Caroline Ave.	05/22/23	3	15	31860	10
Will Drive	05/24/23	3	15	63720	40	Johnston Street	05/22/23	2.5	15	38985	15
Michael Lane	05/24/23	3	15	63721	40	Ryans	05/22/23	2.5	90	9750	15
Ward Street	05/24/23	3	15	15930	40						

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