



PLANNING BOARD AGENDA

Members:

Chairman: Mark Lane (ETJ)

Vice-Chairman: Debbie Howard (Town)

Doris Wallace (Town)

Ashley Spain (ETJ)

Bryan Stanley (Town)

Alisa Bizzell (Town)

Wiley Narron (Alternate)

Tara Meyer (Alternate)

Stephen Wensman, AICP, ALA, Planning Director

Chloe Allen, Planner I

Julie Edmonds, Administrative Support Specialist

Meeting Date: Thursday, January 2nd, 2025

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

Town of Smithfield
Planning Board Directory
2025

Chairman:	Mark Lane 2108 Yelverton Grove Rd Smithfield, NC 27577 919-669-3615 (c) markfd12@aol.com	Vice Chair:	Debbie Howard 221 W. Woodlawn Dr. Smithfield, NC 27577 919-868-2649 (c) debbie@carolinarealty-nc.com
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In-Town Members:	Doris Wallace 108 Roderick Drive Smithfield, NC 27577 919-300-1067 (h) 702-596-5680 (c) dwcsw610@yahoo.com	Bryan Stanley 608 River Birch Ct. Smithfield, NC 27577 919-235-7533 (c) bstanley722@hotmail.com
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Alisa Bizzell
510 S. Vermont St. Apt. B
Smithfield, NC 27577
919-610-9891 (c)
taiwuan08@gmail.com

In-Town Alternate:	Wiley Narron 409 N. Fifth St. Smithfield, NC 27577 919-631-7810 (c) wnarron@gmail.com	In-Town Alternate:	Tara Meyer 213 W. Wilson Street Smithfield, NC 27577 919-866-9575 tnnunn.tn@gmail.com
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ETJ:	Ashley Spain 19 British Court Smithfield, NC 27577 919-524-6922 (c) spainfarms1@nc.rr.com
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PLANNING BOARD AGENDA

FOR REGULAR MEETING

JANUARY 2ND, 2025

MEETING TIME: 6:00 PM

TOWN HALL COUNCIL CHAMBERS

Call to Order.

Pledge of Allegiance.

Identify voting members.

Approval of the agenda.

Approval of the minutes for December 5th, 2024.

New Business.

ZA-24-03 Multi-Family Regulations (revised): The Planning Board is respectfully requested to hold a public meeting to review the proposed UDO amendments, ZA-24-03, amending Article 6, Section 6.2 and 6.6; Article 7, Section 7.35; Article 8, Section 8.13.1; Article 10, Section 10.110.2 Private Streets; and Appendix A Definitions as they pertain to multi-family regulations.

Old Business.

Adjournment.

Draft
Town of Smithfield
Planning Board Minutes
Thursday, December 5th, 2024
Town Hall Council Chambers
6:00 PM

Members Present:

Chairman Mark Lane
Vice-Chairman Debbie Howard
Doris Wallace
Ashley Spain
Wiley Narron
Alisa Bizzell (Arrived at 6:10)

Members Absent:

Bryan Stanley
Tara Meyer

Staff Present:

Chloe Allen, Planner I
Julie Edmonds, Administrative Support Specialist
Andrew Harris (Finance Director)

Staff Absent:

Stephen Wensman, Planning Director

CALL TO ORDER

PLEDGE OF ALLEGIANCE

IDENTIFY VOTING MEMBERS

APPROVAL OF AGENDA Debbie Howard made a motion to add Finance Director, Andrew Harris to the agenda to discuss payroll tax deductions from the board's monthly stipend, as well as moving S-24-07 to be heard first and S-24-08 last; seconded by Ashley Spain. Unanimously approved by all.

APPROVAL OF MINUTES November 14th, 2024

Doris Wallace made a motion to approve the minutes, seconded by Wiley Narron. Unanimously approved.

Andrew Harris reminded the Planning Board to complete and turn in their documents to be added to Town payroll so proper taxes can be deducted from their monthly stipend check. He stated that payments would be withheld until these documents were turned in.

NEW BUSINESS

S-24-07 Buffalo Road Subdivision

***This agenda item was quasi-judicial so the minutes aren't available. ***

S-24-08 Local 70 Subdivision

Applicant wasn't present and the Planning Board didn't want to hear the case.

Old Business

Mark Lane stated that he spoke with the Town Manager about having a joint meeting with Town Council and he was going to pass it along to the mayor.

Chloe Allen added that she spoke with Town Manager Mike Scott and he put the meeting request into his managers report but hasn't received any feedback yet.

Adjournment

Doris Wallace made a motion to adjourn, seconded by Ashley Spain. Unanimously approved.

Next Planning Board meeting is January 2nd, 2025, at 6pm.

Respectfully Submitted,

Julie Edmonds

Julie Edmonds
Administrative Support Specialist

DRAFT



Request for Planning Board Action

**Agenda
Item:** ZA-24-03
Date: 1/2/25

Subject: Multi-family Regulations
Department: Planning
Presented by: Chloe Allen, Planner I
Presentation: Public Meeting

Issue Statement

The Planning Board is respectfully requested to hold a public meeting to review the proposed UDO amendments, ZA-24-03, amending Article 6, Section 6.2 and 6.6; Article 7, Section 7.35; Article 8, Section 8.13.1; Article 10, Section 10.110.2 Private Streets; and Appendix A Definitions as they pertain to multi-family regulations.

Financial Impact

None

Action Needed

The Planning Board is respectfully requested to hold a public meeting to review the UDO amendment and to make a recommendation to approve, approve with changes or deny them.

Recommendation

Staff recommend approval of UDO Amendment, ZA-24-03, amending Article 6, Section 6.2 and 6.6; Article 7, Section 7.35; Article 8, Section 8.13.1; Article 10, Section 10.110.2 Private Streets; and Appendix A Definitions as they pertain to multi-family regulations.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Draft Ordinance
3. System Statement



Staff Report

**Agenda
Item: ZA-24-03**

OVERVIEW:

The Planning Board reviewed and then tabled zoning text amendment, ZA-24-03, to no specific future meeting date. Since then, the NC Legislature passed legislation that voided the previous zoning text amendment ZA-24-02, which had removed multi-family from the B-3 zoning district. Because of this, staff has amended the zoning text amendment, ZA-24-03, to require conditional zoning for multi-family in the B-3 and other districts and eliminated the special use option. In addition to this change, staff has removed those sections of the draft ordinance that were already approved as part of zoning text amendment, ZA-23-06.

DRAFT AMENDMENT:

Recent development in the town has highlighted issues with the MF residential regulations in the code:

- Private streets
- Setbacks
- Buffers
- Definitions
- Open space and recreation.
- Special Use Permits vs. Conditional Zoning and table of uses.

The draft amendment:

- Part 1 - Amends Article 10, Sections 6.2 and 6.6 to require conditional zoning for new multi-family land uses in the R-6, R-8, O/I, B-1, B-2 and B-3 zoning districts and eliminates the special use option.
- Part 2 - Amends Article 7.35, Multi-Family/Townhouse/Apartment/Condominium to update recreation and open space standards and reorder them for clarification.
- Part 3 – Amends Article 8, Section 8.13.1 multi-family design standards as they pertain to multi-family building setbacks.
- Part 4 - Amends Article 10, Section 10.110.2 to update private street standards and allowing them only in the extra-territorial jurisdiction of the town.
- Part 5 – Amend Definitions as they pertain to multi-family development:
 - Driveway definition
 - Amends Dwelling, Two-family to include vertically stacked duplexes

- Strike Major and /or multi-unit development definition.
- Update Parking lot definition.
- Strike Private driveway definition.
- Update townhouse definition, striking the townhouse standard from the definition and moving it to 10.13.1.4

FUTURE AMENDMENTS TO CONSIDER:

The amendment above is intended to address existing issues in the MF standards. What is not addressed that might be considered includes:

- Allowing parking enforcement for MF units fronting on parking lots or private roads.
- Require liability protection for trash pickup on private parking lots or private roads.
- Additional or building material standards for apartments beyond current.
- Townhouse width requirements.
- Building height requirements/percentages.
- Garage door to façade percentages.
- Requirements for alley access.
- Open space/recreation requirements.
- Standard provision for storing rollout bins.
- Define what is allowed in the perimeter setback (limit parking).
- Greater buffer requirements.

CONSISTENCY STATEMENT (STAFF OPINION):

Staff 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:

Staff recommend the Planning Board to recommend approval of the zoning text amendment ZA-24-03, 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.

RECOMMENDED MOTION:

“Move to recommend approval of the zoning text amendment, ZA-24-03, 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-24-03
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE AS IT PERTAINS TO MULT-FAMILY
DEVELOPMENT.

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 6, Section 6.2 and 6.6; Article 7, Section 7.35; Article 8, Section 8.13.1; Article 10, Section 10.110.2 Private Streets; and Appendix A-Definitions.

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 10, Section 6.6 to require conditional zoning for multi-family land uses in the B-3 zoning district]

Sec. 6.2. - Interpretation.

Zoning districts have uses specified as permitted by right, special uses, conditional zoning district uses and uses permitted with supplemental regulations. Detailed use tables are provided in [Section 6.6](#) showing the uses allowed in each district. The following describes the processes of each of the categories that the uses are subject to:

- Permitted by Right (P): Administrative review and approval subject to district provisions and other applicable requirements only.
- Permitted with Supplemental Regulations (PS): Administrative review and approval subject to district provisions, other applicable requirements, and supplemental regulations outlined in [Article 7](#).
- Special Uses (S): Town Council review and approval of special use permit subject to district provisions, other applicable requirements, and conditions of approval as specified in [Section 4.9](#). Some special uses may also be subject to supplemental regulations outlined in [Article 7](#).
- Special Uses with Supplemental Regulations (SS): Some special uses may also be subject to supplemental regulations outlined in [Article 7](#).

- Conditional Zoning Required (CZ): A CZ in Section 6.6 Table of Uses and Activities indicates that a specific use type is permitted as part of the approval of a conditional zoning district, provided the conditional zoning district request is accompanied by a site plan or master plan.
- Uses Not Permitted: Uses not marked with a P, PS, S, CZ or SS are not permitted.

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Sec. 6.6. Tables of Uses and Activities—Primary Zoning Districts.

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Uses	Primary Zoning Districts												Supplemental Regulations
	R-20A	R-10	R-8	R-6	R-MH	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AHH	
RESIDENTIAL													
Residential Cluster development	PS	PS	PS										Section 7.34
Dwelling, single-family attached (townhomes)/multi-family/condominiums			SS <u>CZ</u>	SS <u>CZ</u>	SS	SS <u>CZ</u>	SS <u>CZ</u>	SS <u>CZ</u>	SS <u>CZ</u>				Section 7.35
Dwelling, single-family detached	P	P	P	P	P	S		S					
Dwelling, two family (duplex) on single lot			P	P		S		S					

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PART 2

[Revise Article 7.35, Multi-Family/Townhouse/Apartment/Condominium to update recreation and open space standards and reorder for clarification.]

Sec. 7.35. Multi-Family/Townhouse/Apartment/Condominium.

7.35.1. Multi-family Apartment Complexes.

Multi-family apartment complexes shall comply with the following standards:

7.35.1.1. No off-street parking space shall be located closer than ten (10) feet to any residential building wall.

7.35.1.2. Sidewalks shall be constructed within the interior of the development to link residential buildings with other destinations such as, but not limited to: parking, adjoining streets, mailboxes, trash disposal, adjoining sidewalks or greenways and on-site amenities such as recreation areas.

7.35.1.3. Individual storage space containing at least twenty-four (24) square feet of enclosed floor area with a minimum height of seven (7) feet shall be provided for each dwelling unit in a multi-family development.

Such storage space shall be located either in the same building as the dwelling unit it serves or in an accessory building that may also house parking, recreational, laundry, or other facilities that serve the residents of the development

7.35.1.4. Multi-family Apartment Complex Building Design and Appearance Requirements.

All buildings, including community building/club house, storage buildings, maintenance buildings, garages and buildings containing dwelling units shall be constructed with at least four (4) of the following five (5) building design and appearance requirements:

7.35.1.4.1. Multiple building materials (e.g., brick, fieldstone, limestone, marble, granite, textured block, architectural pre-cast concrete, concrete composite siding, wood clapboard siding, wood beaded siding, stucco, E.F.I.S., aluminum siding, etc.); Multiple surface textures (e.g., rough, striated, imprinted, etc.);

7.35.1.4.2. Multiple surface textures (e.g., rough, striated, imprinted, etc.);

7.35.1.4.3. Façade modulations (e.g., building off-sets of at least two (2) feet in depth for every forty (40) feet of building wall length);

7.35.1.4.4. Architectural elements (e.g., quoins, pilasters, soldier courses, friezes, cornices, dentils, etc.) or roof line changes (e.g., changes in direction of ridge, changes in elevation of ridge, inclusion of dormers, etc.);

7.35.1.4.5. Multiple colors (the maximum number of colors shall not be limited, provided however, that there shall be no more than three (3) discernable colors and the primary color shall constitute a minimum of sixty (60) percent of the façade (excluding windows, doors, roofing, fascia materials, or soffit materials).

7.35.1.4.6. All multi-family or apartment complex developments with one (1) or more dumpsters or a trash compactor must provide a recycling area and a cardboard dumpster; both shall be screened with similar materials to the dumpster or compactor enclosure.

7.35.1.5. Open Space (Recreation) Area Requirements. New multifamily developments of twenty five (25) units or more shall be required, as a condition of site plan approval, to provide a minimum of eight hundred (800) square feet of unpaved, usable open space with lawn or other soft surface for an outdoor children's play area, plus an additional fifty (50) square feet of usable open space for each additional unit beyond the initial ten (10) units, up to a maximum of ten thousand (10,000) square feet, except that this requirement does not apply to multifamily development located downtown or to developments devoted exclusively to senior citizens.

7.35.1.5.1. The features and spaces should enhance the building and center as integral parts of the community. The use of such features as plazas, patios, and courtyards should be used when practical.

7.35.1.5.2. Active open space shall meet the minimum design criteria:

7.35.1.5.2.1. The minimum dimension shall be twenty-five (25) feet; and

7.35.1.5.2.2. Earth berms, vegetative screening, or fencing should separate the play area from driving and parking areas; and

7.35.1.5.2.3. Residents should have convenient access; and

7.35.1.5.2.4. The design should invite a variety of active and passive recreational activities appropriate for children by utilizing unique natural features, creating gentle slopes or berms, and providing other amenities such as seating benches or play equipment.

7.35.1.5.3. The children's play area shall not be located in any required landscape yard or buffer.

7.35.1.5.4. The children's play area may be dispersed on the site; provided, that the minimum size of each area is five hundred (500) square feet or larger.

7.35.2. Townhouses and Condominiums.

Townhouses and condominiums shall comply with the following standards:

7.35.2.1. Maintenance. A property owners association shall be established and shall maintain everything on the outside of the townhouses, including, but not limited to, open space, landscaping, siding, roofing, porches, trim, mailboxes, driveways, and alleys.

7.35.2.2. The applicant shall file in the Johnston County Register of Deeds office at the time of site development approval, legal documents which shall provide guarantees for reserving the use of open space for the use and enjoyment of the residents of the development and provide:

7.35.2.2.1. Continuity of proper maintenance for those portions of open space land requiring maintenance;

7.35.2.2.2. Availability of funds required for such maintenance;

7.35.2.2.3. Adequate insurance protection; and

7.35.2.2.4. Recovery for loss sustained by casualty, condemnation, or otherwise.

7.35.3. Multi-family Open Space (Recreation) Area Requirements.

7.35.3.1. New multifamily developments of twenty-five (25) units or more shall be required to provide a minimum of 5% usable open space

7.35.3.2. For purposes of this section, usable open space means an area that:

7.35.3.2.1. Is not encumbered with any substantial structure;

7.35.3.2.2. Is not devoted to use as a roadway, parking area, or sidewalk, provided, however that multi-use trails may be counted towards required open space;

7.35.3.2.3. Reflects the character of the land as of the date development began. Wooded areas shall be left in their natural or undisturbed state except for the cutting of trails for walking, bicycling or jogging. Areas not wooded shall be landscaped for open play fields, picnic areas or similar facilities, or be properly vegetated and landscaped with the objective of creating a wooded area or other area that is consistent with the objectives of this section;

7.35.3.2.4. Is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation;

7.35.3.2.5. Is part of an independent lot shown on the plan as being reserved for open space; and

7.35.3.2.6. Is legally and practicably accessible to the residents of the development from which the required open space subdivided or to the public if the open space is dedicated to the town.

7.35.3.3. Location.

7.35.3.3.1. Land for usable open space (park space) shall be centrally and internally located as to serve the needs of the residents of the neighborhood.

7.35.3.3.2. Usable open space (park space) shall serve as focal points for developments.

7.35.3.3.3. All usable open space (park space) shall be conveniently accessible to all residents of the development.

7.35.3.4. Minimum Amenities within Usable Open Space.

7.35.3.4.1. Required usable open space (park space) shall contain two or more of the following amenities: landscaping, walls or pathways, fences, walks, lighting and electricity, fountains, ball fields, and/or playground equipment.

7.35.3.4.2. Public Seating: Provide seating areas appropriate to the intended use of the park space (e.g., park benches and durable theft/vandalism-resistant chairs and garden wall seats).

PART 3

[Revise Article 8, Section 8.13.1 multi-family design standards.]

8.13.1. Multi-Family Dwellings.

8.13.1.1. Density. Maximum allowable density shall not exceed four thousand five hundred (4,500) square feet of gross site area per dwelling unit.

8.13.1.2. Building Separation. More than one (1) building may be located on the site provided that building separation shall be determined as follows:

Height of Taller Building	Minimum Horizontal Distance Between Vertical Projections
20 feet or less	16 feet
Between 20.1 and 25.0 feet	25 feet
Between 25.1 and 30.0 feet	30 feet
Between 30.1 and 35.0 feet	40 feet

8.13.1.3. Distance Related to Windows. The minimum distance between the centers of facing windows shall be twenty (20) feet.

8.13.1.4. Yard Building Setback Requirements. ~~Front Yard—general district setback shall apply; Corner Side Yard—same as front yard; Other Yards—a perimeter yard shall be provided around the perimeter of the site (other than front and corner side yards) in accordance with the following based on the number of units proposed.~~

8.13.1.4.1. ~~Front Setback Yard—general district setback shall apply for lots that front on a public or private street; Corner Side Setback Yard—same as front yard for lots that front on a public or private street; Other Yards—a perimeter building setback yard shall be provided around the perimeter of the site (other than front and corner side yards) in accordance with the following based on the number of units proposed.~~

8.13.1.4.2. Townhouses lots with public or private street frontage shall be adhere to minimum front and corner side yard setbacks.

8.13.1.4.2. ~~Other Setbacks Yards—a perimeter building setback yard shall be provided around the perimeter of the site (other than front and corner side yards) in accordance with the following based on the number of units proposed:~~

Number of Units	Width of Required Yard Perimeter Setback
3 to 10 units	30 feet
11 to 30 units	35 feet
31 or more units	40 feet

PART 4

[Revise Article 10, Section 10.110.2 to update private street standards and allowing private streets only in the ETJ.]

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10.110.2. Private Streets.

10.110.2.1. Streets designated as private may be allowed in subdivisions in the Town's extra-territorial jurisdiction, but not the corporate limits, 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 affirmative restrictive covenants 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 and right-of-way shall conform to the Town's Standard Detail and Specifications Manual 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 ~~homeowner's association~~ affirmative restrictive covenants documents have been submitted and approved by the Town Attorney.

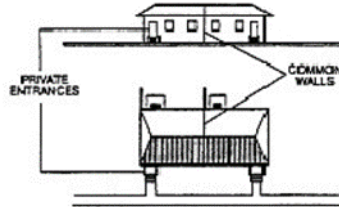
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PART 5

[Revise Appendix A, Definitions as they pertain to multi-family development.]

Driveway. ~~That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area. A paved or unpaved access strip of land providing a vehicular connector between the paved portion of a public right-of-way and the parking space or garage of a private or public property. A driveway generally is located on both the public right-of-way and on the adjacent private property.~~

Dwelling, two family (duplex). A detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families. Units must share a common wall or be stacked vertically.



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.

Multifamily development. A single building on a single lot or tract containing more than two (2) dwelling units.

Parking lot, commercial. An open area (except as an accessory use), outside of the public or private right-of-way, for the storage of a vehicle or vehicles. The term "parking area" shall be included in this definition. Each parking lot shall have an approved means of ingress and egress.

Private driveway. ~~A roadway serving two (2) or fewer lots, building sites, or other division of land, and not intended to be public ingress or egress.~~

Townhouse. A principal structure containing two (2) or more single-family attached dwelling units with each unit on its own individual lot. All townhouse developments shall be subject to multiple family dwelling provisions of this chapter in Article 8, with the following exceptions:

- (1) All townhouse developments shall comply with the multiple family density requirements of Article 8 of this ordinance; this standard can be met by individual lot area, by provision of common open space, or by a combination of lot area and common open space.
- (2) No unit shall be connected on more than two (2) sides by common walls.
- (3) ~~All yard dimensional requirements shall apply to the property lines of the entire development. No and no individual unit shall be required to meet the yard dimensions when the lots do not have street frontage.~~

PART 7

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

PART 8

That these amendments of the Unified Development Ordinance shall become effective upon adoption.
Duly adopted this the _____ of ____, 2025.

M. Andy Moore, Mayor

ATTEST

Elaine Andrews, Town Clerk

Sec. 2.19. Public Access to Property.

Every building or structure hereafter erected shall be located on a lot and the lot shall abut a public street or have access to an approved private street, or the lot shall abut a common area properly restricted through deed restrictions and/or property owners' association at least partly owned by the owner of the building, structure, or portion thereof.

Sec. 7.35. Multi-Family/Townhouse/Apartment/Condominium.

7.35.1. Multi-family Apartment Complexes.

Multi-family apartment complexes shall comply with the following standards:

7.35.1.1. No off-street parking space shall be located closer than ten (10) feet to any residential building wall.

7.35.1.2. Sidewalks shall be constructed within the interior of the development to link residential buildings with other destinations such as, but not limited to: parking, adjoining streets, mailboxes, trash disposal, adjoining sidewalks or greenways and on-site amenities such as recreation areas.

7.35.1.3. Individual storage space containing at least twenty-four (24) square feet of enclosed floor area with a minimum height of seven (7) feet shall be provided for each dwelling unit in a multi-family development. Such storage space shall be located either in the same building as the dwelling unit it serves or in an accessory building that may also house parking, recreational, laundry, or other facilities that serve the residents of the development

7.35.1.4. Multi-family Apartment Complex Building Design and Appearance Requirements.

All buildings, including community building/club house, storage buildings, maintenance buildings, garages and buildings containing dwelling units shall be constructed with at least four (4) of the following five (5) building design and appearance requirements:

7.35.1.4.1. Multiple building materials (e.g., brick, fieldstone, limestone, marble, granite, textured block, architectural pre-cast concrete, concrete composite siding, wood clapboard siding, wood beaded siding, stucco, E.F.I.S., aluminum siding, etc.); Multiple surface textures (e.g., rough, striated, imprinted, etc.);

7.35.1.4.2. Multiple surface textures (e.g., rough, striated, imprinted, etc.);

7.35.1.4.3. Façade modulations (e.g., building off-sets of at least two (2) feet in depth for every forty (40) feet of building wall length);

7.35.1.4.4. Architectural elements (e.g., quoins, pilasters, soldier courses, friezes, cornices, dentils, etc.) or roof line changes (e.g., changes in direction of ridge, changes in elevation of ridge, inclusion of dormers, etc.);

7.35.1.4.5. Multiple colors (the maximum number of colors shall not be limited, provided however, that there shall be no more than three (3) discernable colors and the primary color shall constitute a minimum of sixty (60) percent of the façade (excluding windows, doors, roofing, fascia materials, or soffit materials).

7.35.1.4.6. All multi-family or apartment complex developments with one (1) or more dumpsters or a trash compactor must provide a recycling area and a cardboard dumpster; both shall be screened with similar materials to the dumpster or compactor enclosure.

7.35.1.5. Open Space (Recreation) Area Requirements. New multifamily developments of twenty-five (25) units or more shall be required, as a condition of site plan approval, to provide a minimum of eight hundred (800) square feet of unpaved, usable open space with lawn or other soft surface for an outdoor children's play area, plus an additional fifty (50) square feet of usable open space for each additional unit beyond the initial ten (10) units, up to a maximum of ten thousand (10,000) square feet, except that this requirement does not apply to multifamily development located downtown or to developments devoted exclusively to senior citizens.

7.35.1.5.1. The features and spaces should enhance the building and center as integral parts of the community. The use of such features as plazas, patios, and courtyards should be used when practical.

7.35.1.5.2. Active open space shall meet the minimum design criteria:

7.35.1.5.2.1. The minimum dimension shall be twenty-five (25) feet; and

7.35.1.5.2.2. Earth berms, vegetative screening, or fencing should separate the play area from driving and parking areas; and

7.35.1.5.2.3. Residents should have convenient access; and

7.35.1.5.2.4. The design should invite a variety of active and passive recreational activities appropriate for children by utilizing unique natural features, creating gentle slopes or berms, and providing other amenities such as seating benches or play equipment.

7.35.1.5.3. The children's play area shall not be located in any required landscape yard or buffer.

7.35.1.5.4. The children's play area may be dispersed on the site; provided, that the minimum size of each area is five hundred (500) square feet or larger.

7.35.2. Townhouses and Condominiums.

Townhouses and condominiums shall comply with the following standards:

7.35.2.1. Maintenance. A property owners association shall be established and shall maintain everything on the outside of the townhouses, including, but not limited to, open space, landscaping, siding, roofing, porches, trim, mailboxes, driveways, and alleys.

7.35.2.2. The applicant shall file in the Johnston County Register of Deeds office at the time of site development approval, legal documents which shall provide guarantees for reserving the use of open space for the use and enjoyment of the residents of the development and provide:

7.35.2.2.1. Continuity of proper maintenance for those portions of open space land requiring maintenance;

7.35.2.2.2. Availability of funds required for such maintenance;

7.35.2.2.3. Adequate insurance protection; and

7.35.2.2.4. Recovery for loss sustained by casualty, condemnation, or otherwise.

Sec. 8.13. Notes to the Zoning District Design Standards.

8.13.1. Multi-Family Dwellings.

8.13.1.1. Density. Maximum allowable density shall not exceed four thousand five hundred (4,500) square feet of gross site area per dwelling unit.

8.13.1.2. Building Separation. More than one (1) building may be located on the site provided that building separation shall be determined as follows:

Height of Taller Building	Minimum Horizontal Distance Between Vertical Projections
20 feet or less	16 feet
Between 20.1 and 25.0 feet	25 feet
Between 25.1 and 30.0 feet	30 feet
Between 30.1 and 35.0 feet	40 feet

8.13.1.3. Distance Related to Windows. The minimum distance between the centers of facing windows shall be twenty (20) feet.

8.13.1.4. Yard Requirements. Front Yard—general district setback shall apply; Corner Side Yard—same as front yard; Other Yards—a perimeter yard shall be provided around the perimeter of the site (other than front and corner side yards) in accordance with the following based on the number of units proposed.

Number of Units	Width of Required Yard
3 to 10 units	30 feet
11 to 30 units	35 feet
31 or more units	40 feet

10.110.1.4. Lots. 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. Lot Area. All lots shall have a minimum gross area of at least eight thousand (8,000) square feet. Additional lot area shall be required when:

10.110.1.4.1.1. A lot is served by either public water or sewer, but not both—Twenty thousand (20,000) square feet.

10.110.1.4.1.2. A lot is not served by either public water or sewer—Twenty-five thousand (25,000) square feet.

10.110.1.4.2. 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 twenty-five (25) feet is permissible. Corner lots shall have an extra width of ten (10) feet to permit adequate setback from side streets. The minimum lot depth of single tier lots (when approved) shall be one hundred twenty-five (125) feet. All other lots shall be one hundred ten (110) feet in depth. Additional lot width and depth shall be required when: (Amended 4/3/2018)

10.110.1.4.2.1. A lot is served by either public water or sewer, but not both: Lot width—One hundred (100) feet; Lot depth—Two hundred (200) feet.

10.110.1.4.2.2. A lot is not served by either public water or sewer: Lot width—One hundred twenty-five (125) feet; Lot depth—Two hundred (200) feet.

10.110.1.4.3. Lot size, shape, and location shall be made with due consideration to topographic conditions, contemplated use, and the surrounding area.

10.110.1.4.4. Every lot shall maintain required street frontage as required in Article 8 on one (1) of the following (Amended 4/3/2018):

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

10.110.1.4.4.2. A street constructed to the standards of the Town or Smithfield or the North Carolina Department of Transportation, with a written agreement concerning the future maintenance of the street.

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 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.

ARTICLE 10. - PERFORMANCE STANDARDS
PART I. - OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS
Sec. 10.3. Minimum/Maximum Parking Requirements.

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 spaces per unit
- Three bedrooms or more	2 spaces per unit
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	1 space per 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

ARTICLE 10. - PERFORMANCE STANDARDS
 PART I. - OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS
 Sec. 10.3. Minimum/Maximum Parking Requirements.

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 by the Board of Adjustment. 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.

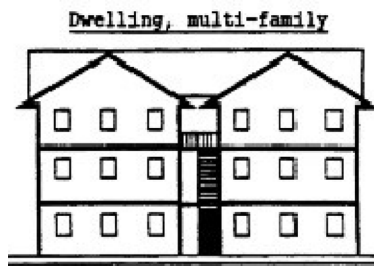
Sec. A.3. Definitions.

A

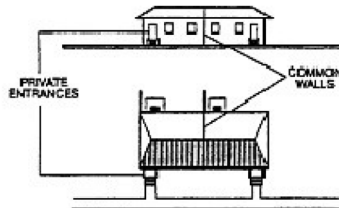
Apartment. A room or suite of one (1) or more rooms, each of which has kitchen facilities and is designed or intended to be used, as an independent unit, on a rental basis.

Driveway. That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.

Dwelling, multiple family. A residential building designed for or occupied by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.



Dwelling, two family (duplex). A detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families. Units must share a common wall.



Frontage. All property abutting on one (1) side of a street measured along the street line.

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.

Multifamily development. A single building on a single lot or tract containing more than two (2) dwelling units.

Parking facility, 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 shall have an approved means or ingress and egress. A parking lot is a subclassification of a parking facility.

Parking lot, commercial. An open area (except as an accessory use), outside of the public right-of-way, for the storage of a vehicle or vehicles. The term "parking area" shall be included in this definition. Each parking lot shall have an approved means of ingress and egress.

Parking space, off street. For the purpose of this ordinance, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. No required off-street parking shall be located on any public right-of-way.

Private driveway. A roadway serving two (2) or fewer lots, building sites, or other division of land, and not intended to be public ingress or egress.

Private street. An undedicated private right-of-way which affords access to abutting properties and requires a subdivision streets disclosure statement in accordance with G.S. § 136-102.6.

Right-of-way. A strip of land, owned publicly or privately, which affords the principal means of access to abutting property.

Right-of-way (town). (Amended 10/3/2017) A right-of-way owned, leased, or operated by the Town of Smithfield, including any public street or alley that is not part of the state highway system.

Setback. The minimum required distance existing between the abutting street right-of-way line (if no street right-of-way line is involved, the subject property line) and the minimum building line as specified in Article 8, Zoning District Development Standards.

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.

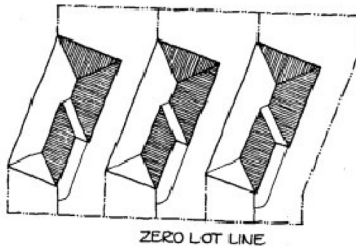
Street line. The right-of-way boundary of a street.

Townhouse. A principal structure containing two (2) or more single-family attached dwelling units with each unit on its own individual lot. All townhouse developments shall be subject to multiple family dwelling provisions of this chapter, with the following exceptions:

- (1) All townhouse developments shall comply with the multiple family density requirements of Article 8 of this ordinance; this standard can be met by individual lot area, by provision of common open space, or by a combination of lot area and common open space.
- (2) No unit shall be connected on more than two (2) sides by common walls.
- (3) All yard dimensional requirements shall apply to the property lines of the entire development. No individual unit shall be required to meet the yard dimensions.

Z

Zero lot line housing unit. A single-family detached housing unit placed on a lot such that a windowless wall is placed on one (1) side property line and the footage required for two (2) side yards is placed on the other side property line as the total side yard requirement for the lot.





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

Petition for Amendment to the Unified Development Ordinance

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

APPLICANT INFORMATION:

Stephen Wensman

Petitioner's Name

Address or PO Box

Smithfield NC 27577

919-934-2116

City, State, Zip Code

Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

Amendments to UDO as they pertain to Multi-family development


Section 10.110.1, 10.110.2, 2.19, 7.35, 8.13, 10.3, Appendix A

(Attach additional sheets as necessary)

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

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

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

Stephen Wensman 
Signature of Petitioner

10/7/24
Date

FOR OFFICE USE ONLY

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

Statement of Justification:

The existing codes are in conflict with each other and do not provide sufficient regulation of multi-family development.

The amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body by providing proper regulation of MF development that is more easily understood and not in conflict with other provisions of the UDO.



**2025
Planning Board Meeting Schedule**

Thursday, January 2, 2025

Thursday, February 6, 2025

Thursday, March 6, 2025

Thursday, April 3, 2025

Thursday, May 1, 2025

Thursday, June 5, 2025

Thursday, July 10, 2025

Thursday, August 7, 2025

Thursday, September 4, 2025

Thursday, October 2, 2025

Thursday, November 6, 2025

Thursday, December 4, 2025

****All meetings begin at 6:00pm and are located inside the
Council Chambers****