



## **PLANNING BOARD AGENDA**

### ***Members:***

*Chair: Mark Lane (ETJ)*

*Vice-Chair: Ashley Spain (ETJ)*

*Jaime Beasley (Town)*

*Luke Stancil (Town)*

*Nariman Jaminia (Town)*

*Alisa Bizzell (Town)*

*John Keeley (Town)*

### ***Staff:***

*Brent Reck, AICP, CZO, Planning Director*

*Micah Woodard, CZO, Planner I*

*Julie Edmonds, Administrative Support Specialist*

***Meeting Date: Thursday, July 9<sup>th</sup>, 2026***

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

***Meeting Place: Council Chambers, Smithfield Town Hall***



**PLANNING BOARD AGENDA**

**REGULAR MEETING**

**JULY 9, 2026**

**MEETING TIME: 6:00 PM**

**TOWN HALL COUNCIL CHAMBERS**

- 1) **Call to Order.**
- 2) **Pledge of Allegiance.**
- 3) **Identify voting members.**
- 4) **Approval of the agenda.**
- 5) **Approval of the minutes from June 4, 2026.**
- 6) **Special Recognition; Vice-Chair - Ashley Spain.**
- 7) **Nominate, appoint, and elect new Vice-Chair (Per UDO Sec. 3.3.3.3. & 3.3.3.4.2.)**
- 8) **New Business.**
  - a) **ZA-26-01 Pole Sign Text Amendment:** Public meeting for a request by Michael E. Johnson to amend the Unified Development Ordinance (UDO) Article 10 Part III in matters pertaining to pole signs (Outdoor Advertising).
  - b) **ZA-26-02 Community Resource and Stabilization Shelters Text Amendment:** Public meeting for a request by Street Reach of Johnston County NC to amend the Unified Development Ordinance (UDO); to create a framework and define Community Resource Centers and Stabilization Shelters to assist peoples experiencing homelessness.
  - c) **UDO Discussion:** At the February 5<sup>th</sup> Planning Board meeting interest was expressed from board members to discuss the UDO and potential future amendments. This item has been postponed for the past four meetings. Staff is prepared to research any inquiry.
- 9) **Old Business.**

None.
- 10) **Adjournment.**

**DRAFT**  
**Town of Smithfield Planning Board**  
**Meeting Minutes**  
**June 4, 2026**  
**6:00 P.M., Town Hall, Council Chambers**

Members Present:

Chairman Mark Lane  
Alisa Bizzell  
Luke Stancil  
Jaime Beasley  
John Keeley

Members Absent:

Vice-Chairman Ashley Spain  
Nariman Jaminia

Staff Present:

Micah Woodard, Planner I  
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Brent Reck, Planning Director

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**IDENTIFY VOTING MEMBERS**

**APPROVAL OF AGENDA** Alisa Bizzell made a motion to approve the agenda; seconded by John Keeley. Unanimously approved.

**APPROVAL OF MINUTES May 7th, 2026**

Alisa Bizzell made a motion to approve the minutes, seconded by John Keeley. Unanimously approved.

**New Business**

**RZ-26-03 Peedin Road Rezoning:** Maria Dawod is requesting a general rezoning of a ±0.5-acre tract from the existing B-3 zoning district to the R-6 zoning district. This property is located at 14 Peedin Rd, Smithfield, NC 27577, further identified by Johnston County Tax ID 15007027.

Planner Micah Woodard, explained the subject parcel consists of what were originally Lots 27–30 of the Edgerton Park Subdivision, which was platted in 1950. A comparison of the original subdivision plat with current aerial imagery indicates that most of the subdivision lots were developed with single-family residences, while the lots fronting Brightleaf Boulevard (US 301) were consolidated and redeveloped for commercial uses. Historical aerial imagery and Google Street View records show that two (2) residential dwellings were previously located on the subject property. One residence was demolished between 2005 and 2008, while the second was removed between 2010 and 2013. The applicant has indicated that, if the rezoning request is approved, the property will be developed with a single-family residence.

The applicant, Maria Dawod, came forward to answer any questions from the Board. She explained that she and her family were seeking the rezoning in order to build a home on the property and operate an in-home daycare from the residence.

John Keeley asked whether an in-home daycare would be permitted in the R-6 zoning district. Micah Woodard responded that an in-home daycare is a permitted use in the R-6 district and that rezoning the property to R-6 would allow the applicant to operate the proposed in-home daycare.

Jaime Beasley made a motion to recommend approval of Zoning Map Amendment RZ-26-03, finding the request to be consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and further finding that the amendment is reasonable and in the public interest. The motion was seconded by John Keeley and carried unanimously.

This recommendation will be forwarded to the Smithfield Town Council for consideration at its meeting on July 21, 2026, at 7:00 p.m.

**RZ-26-04 Continued Parks Rezoning:** Town of Smithfield Staff is requesting a general rezoning of two (2) tracts totaling ±90.39 acres from the existing R-8 and R-20 zoning districts to the O&I zoning district. These properties are identified by Johnston County Tax ID #'s 14A03005A and 15004020A.

Micah Woodard stated Parks and Recreation areas are permitted in nearly all zoning districts, the Town's flagship recreational facility, Smithfield Community Park, is currently zoned Office and Institutional (O&I). Both subject parcels are contiguous and directly adjacent to Community Park. Rezoning these properties to O&I would promote consistency and continuity with surrounding Town-owned parks and recreational facilities, including Smith Collins Park, Talton Park, and Civitan Field. The proposed rezoning would establish a unified zoning designation for Town-owned recreational properties and support the long-term planning and management of these public facilities.

Interim Town Manager Kim Pickett stepped forward to explain the Town's rationale for requesting the rezoning. She stated that the Town already owns the second parcel, which is predominantly floodplain and therefore not suitable for development. She further noted that the only tree removal associated with the proposal would occur in the upper portion of the parcel adjacent to Community Park, consisting of approximately four acres of trees.

Emma Gemmel of Hancock Street came forward. She asked Planner Micah Woodard what other uses in the O&I zoning district would be permitted on this land in question?

Mr. Woodard explained that Section 6.6 of the Unified Development Ordinance (UDO) contains the Table of Uses, which identifies the uses that are permitted. He noted that the table provides a comprehensive list of allowed and restricted uses for all zoning districts, including O&I.

Mrs. Gemmel asked when and why the Town voted to change the zoning to O&I for the parks and recreation?

Micah Woodard stated that he was unsure when the change had been made, but he believed it was likely done to maintain consistency with the surrounding zoning districts.

Mrs. Gemmel stated that she does not believe the O&I zoning district is appropriate for parks and would like to see those properties rezoned back to their previous classifications. She expressed concern that the land could potentially be better utilized for other municipal purposes, such as a Town facility or a water treatment plant.

Peter Hulth of North Third Street came before the Board to express concerns regarding the proposed rezoning request. He stated his opposition to the rezoning and shared his concerns about the potential impacts of the zoning change.

Rick Buckner of Cobblestone Court expressed his concerns regarding the proposed rezoning. He asked Micah Woodard whether a professional sports stadium is a permitted use or a conditional use under the Town's Unified Development Ordinance (UDO) within the O&I zoning district. Mr. Woodard responded that a professional sports stadium is a permitted use in the O&I district if it is owned by the Town. Mr. Buckner expressed concern that a traffic impact analysis had not yet been completed and stated that one should be required before any rezoning decision is made. He also recommended that a lighting study be conducted and that a parking agreement be established with Johnston County Public Schools to address potential parking needs associated with the project.

Interim Town Manager Kim Pickett clarified that the matter before the Town Council was a rezoning request and not a preliminary plat review. She explained that issues such as traffic impact studies, lighting studies, and other technical requirements would be reviewed by the Planning Board during the development review process at a later stage. She noted that the project had not yet reached that point in the approval process.

Kyle McKeel, of Whitley Drive, spoke in opposition to the proposed rezoning. Mr. McKeel stated that he enjoys spending time outdoors and frequently uses the Greenway for running. He expressed concern about

the potential removal of trees and the impact the development could have on the area's natural environment. He also stated that he has many unanswered questions regarding the proposal and believes citizens need additional time to fully review and understand the rezoning request before any decision is made.

Pam Lampe of N. Second Street spoke in opposition to the proposed rezoning. She agreed with previous speakers that the Town's parks should have their own zoning district rather than being included within the Office & Institutional (O&I) district. Ms. Lampe expressed concern that the O&I zoning district allows too many potential uses, creating too much flexibility for future development. She stated that the property is too valuable to the community to be rezoned in a way that could permit a wide range of uses.

Chairman Mark Lane asked Kim Pickett if she previously said only 4 of the 50 acres would be used

Interim Town Manager Kim Pickett said roughly 6 acres. Town Council has asked that they come 400 ft off the last house in Eden Woods to create a buffer.

Luke Stancil made a motion to recommend approval of Zoning Map Amendment RZ-26-04, finding that it is 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. The motion was seconded by Jaime Beasley. The motion passed by a vote of 4-1, with John Keeley voting in opposition.

**CZ-26-01 Grace Mills Jackson Family Trust Conditional Rezoning:** The Grace Mills Jackson Family Trust is requesting a conditional rezoning of a ±13.883-acre tract from the existing R-20A zoning district to the B-3 zoning district. This property is located at 3063 Buffalo Rd, Smithfield, NC 27577, further identified by Johnston County Tax ID 14L09028.

Micah Woodard stated that David Boon, on behalf of the Grace Mills Jackson Family Trust, requested a conditional rezoning of the subject parcel from R-20A (Residential-Agricultural) to B-3CZ (Highway Entranceway Business Conditional District). If approved, the applicant intends to develop the property as a commercial storage facility constructed in multiple phases. The first phase would consist of RV and boat storage, followed by the construction of traditional mini-storage buildings, and finally a fully enclosed, climate-controlled storage facility.

Mr. Woodard explained that the Conditional Zoning process allows for variances, or deviations, from the Unified Development Ordinance (UDO) requirements in exchange for improvements that may exceed UDO standards. In this case, the applicant has not requested any deviations from the UDO. However, the Planning Board may recommend, and the Town Council, with the applicant's mutual approval, may impose fair, reasonable, and appropriate conditions on the rezoning. Such conditions may include, but are not limited to, the location, nature, hours of operation, and extent of the proposed use.

David Boon of Buffalo Road addressed the Board to explain his proposal for the property. He stated that he is proposing a phased, low-impact commercial storage facility, with the front four acres remaining undeveloped until a later phase of the project. The initial phase would consist of RV and boat storage. Mr. Boon added that an attendant would be present on-site during operational hours to oversee the facility.

Mark Lane expressed concerns about the potential impact of the proposed project on the neighboring properties located on both sides of the site. He stated that he does not want adjacent property owners to be disturbed by the development and recommended that additional screening be installed along the gravel road on the right side of the property to provide a buffer. Mr. Lane also suggested that the facility's hours of operation be limited to 7:00 a.m. to 9:00 p.m.

John Keeley made a motion to recommend approval of Conditional Rezoning CZ-26-01, with the condition that a 6-foot vinyl fence be installed along the right side of the property for a distance of 190 feet to serve as a buffer. The motion included a finding that the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the request is reasonable and in the public interest. The motion was seconded by Alisa Bizzell and passed by a vote of 4-1, with Jaime Beasley voting in opposition.

**Old Business**

None

**Adjournment**

Alisa Bizzell made a motion to adjourn; seconded by Luke Stancil. Unanimously approved

Next Planning Board meeting is on July 9th 2026, at 6pm.

Respectfully Submitted,



Julie Edmonds  
Administrative Support Specialist

DRAFT

# **AGENDA ITEM 8(a): ZA-26-01**



# Request for Planning Board Action

Agenda  
Item: **ZA-26-01**  
Date: 7/9/2026

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**Subject:** Zoning Text Amendment  
**Department:** Planning  
**Presented by:** Brent Reck, Planning Director  
**Presentation:** Business Item

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## Issue Statement

Public meeting for a request by Michael Johnson to amend the Unified Development Ordinance Section 10.25. in matters pertaining to Pole Signs, specially LED outdoor advertising (billboards).

## Financial Impact

None.

## Action Needed

The Planning Board is respectfully requested to review the zoning text amendment and to decide whether to recommend approval, approval with changes, or to recommend denial of the request.

## Recommendation

Planning Staff recommend the Planning Board to recommend approval of the zoning text amendment ZA-26-01 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's interest.

Approved: Town Manager  Town Attorney

## Attachments:

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



# Staff Report

Agenda  
Item: ZA-26-01

## OVERVIEW:

Michael Johnson submitted a petition to amend the Unified Development Ordinance (UDO). The proposed amendment is intended to allow LED (Light Emitting Diodes) Pole Signs along West Market Street/US 70 Business West on properties zoned B-3.

The proposed text amendment consists of eight (8) specific subsections within 10.25. being amended. The proposed additions are red and double underlined. they are as follows;

### 10.25.2. Pole Signs (Outdoor Advertising).

**10.25.2.2.** Pole Sign, LED (Light Emitting Diodes). The use of LED or other similar technologies on pole signs shall be a permitted use by right in all zoning districts when adjacent to I-95. This provision shall also apply to properties located along West Market Street and US Hwy 70 Business West, strictly within the B-3 zoning district. A zoning permit may be granted provided the following minimum standards are met.

**10.25.2.2.1.** The property on which the sign is to be located must be adjacent to I-95 or along West Market Street and US Hwy 70 Business West strictly within the B-3 zoning district.

**10.25.2.2.2.** The sign cannot be located within six hundred sixty (660) feet of the edge of the right-of-way of I-95. Signs located along West Market Street and US Hwy 70 Business West can only be placed on properties abutting the right-of-way.

**10.25.2.2.5.** The sign shall be of monopole or dual pole design and placed on the site so as to be viewed only from the corridor in which it is permitted.

### 10.25.4. Pole Sign, LED (Light Emitting Diodes).

Pole signs utilizing LED or other similar technologies shall be a permitted use by right in all zoning districts when adjacent to I-95. This provision shall also apply to properties located along West Market Street and US Hwy 70 Business West, strictly within the B-3 zoning district. A zoning permit may be granted provided the following minimum standards are met.

**10.25.4.1.** The property on which the sign is to be located must be adjacent to I-95 or along West Market Street and US Hwy 70 Business West strictly within the B-3 zoning district.

**10.25.4.2.** The sign cannot be located within six hundred sixty (660) feet of the edge of the right-of-way of I-95. Signs located along West Market Street and US Hwy 70 Business West can only be placed on properties abutting the right-of-way.

**10.25.2.2.5.** The sign shall be of monopole or dual pole design and placed on the site so as to be viewed only from the corridor in which it is permitted.

**APPLICANTS JUSTIFICATION FOR CHANGE:** In the applications original petition and narrative he included the following reasons to justify this proposed amendment.

1. Economic Development: Digital signage provides local businesses a modern platform to compete and grow.
2. Public Communication: These signs can serve the Town during emergencies by displaying public service announcements or Amber Alerts.
3. Consistency: An amendment would bring the UDO into alignment with the technology already being utilized by various county and private entities throughout Smithfield.
4. Aesthetic Control: By updating the code now, the Town can set high quality standards for how these signs look, rather than relying on outdated 2017 prohibitions.
5. Support for Downtown Smithfield (DSDC): We are pledging a dedicated slot in the digital rotation for the Smithfield Downtown Development. This space will be provided at no cost to the town to promote annual festivals, downtown functions and public announcements. (We have spoken to Heidi and Helen and they seem excited)

**COMPREHENSIVE PLAN:**

The Town of Smithfield Comprehensive Growth Management Plan identifies revising and improving the gateways into town. By allowing strategic placement of LED signage along the West Market Street and 70 Business West corridor local business and town events can be promoted and spread to the masses.

**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:**

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-26-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

**STAFF RECOMMENDED MOTION:**

"Move to recommend approval of zoning text amendment, ZA-26-01, 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-26-01**  
**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD**  
**UNIFIED DEVELOPMENT ORDINANCE**  
**ARTICLE 10, SECTIONS 10.25.2. & 10.25.4.**

**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 10, Section 10.25. to allow LED (Light Emitting Diodes) Pole Signs along West Market Street/US 70 Business West on properties zoned B-3.

**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(s) 10.25.2. and 10.25.4. to allow LED (Light Emitting Diodes) Pole Signs along West Market Street/US 70 Business West on properties zoned B-3]

**10.25.2. Pole Signs (Outdoor Advertising).**

**10.25.2.2.** Pole Sign, LED (Light Emitting Diodes). The use of LED or other similar technologies on pole signs shall be a permitted use by right in all zoning districts when adjacent to I-95. This provision shall also apply to properties located along West Market Street and US Hwy 70 Business West, strictly within the B-3 zoning district. A zoning permit may be granted provided the following minimum standards are met.

**10.25.2.2.1.** The property on which the sign is to be located must be adjacent to I-95 or along West Market Street and US Hwy 70 Business West strictly within the B-3 zoning district.

**10.25.2.2.2.** The sign cannot be located within six hundred sixty (660) feet of the edge of the right-of-way of I-95. Signs located along West Market Street and US Hwy 70 Business West can only be placed on properties abutting the right-of-way.

**10.25.2.2.5.** The sign shall be of monopole or dual pole design and placed on the site so as to be viewed only from the corridor in which it is permitted.

**10.25.4. Pole Sign, LED (Light Emitting Diodes).**

Pole signs utilizing LED or other similar technologies shall be a permitted use by right in all zoning districts when adjacent to I-95. This provision shall also apply to properties located along West Market Street and US Hwy 70 Business West, strictly within the B-3 zoning district. A zoning permit may be granted provided the following minimum standards are met.

**10.25.4.1.** The property on which the sign is to be located must be adjacent to I-95 or along West Market Street and US Hwy 70 Business West strictly within the B-3 zoning district.

**10.25.4.2.** The sign cannot be located within six hundred sixty (660) feet of the edge of the right-of-way of I-95. Signs located along West Market Street and US Hwy 70 Business West can only be placed on properties abutting the right-of-way.

**10.25.2.2.5.** The sign shall be of monopole or dual pole design and placed on the site so as to be viewed only from the corridor in which it is permitted.

...

**PART 2**

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

**PART 3**

That these amendments of the Unified Development Ordinance shall become effective upon adoption. Duly adopted this the \_\_\_\_ of \_\_\_\_\_, 2026.

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M. Andy Moore, Mayor

ATTEST

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Elaine Andrews, Town Clerk

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
ZA-26-01**

**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-26-01 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-26-01 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning 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:**

Michael E. Johnson  
 Petitioner's Name

1260 W. Market Street  
 Address or PO Box

Smithfield NC 27577  
 City, State, Zip Code

919-291-9382  
 Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

" See Attachment "  
 (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.

Michael E. Johnson  
 Signature of Petitioner

4-26-26  
 Date

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

As a lifelong resident of Smithfield, I care deeply about the direction and growth of our community. Many of you may know me from my years of service as a volunteer fireman or through my time serving on the Board of Adjustments and the Planning Board. It is because of my respect for our local governance and my experience with our Town's ordinances that I am reaching out to you today regarding a matter of modernization and fair application of our current rules.

I currently own the building located at **1260 W. Market Street, Smithfield, NC 27577**, and I am interested in converting my existing signage to a digital LED format. In my discussions with Planning Director Brent Reck, I have learned that our current Unified Development Ordinance (UDO), established in 2017, generally restricts digital signage to the I-95 corridor only.

However, as we look around our Town, digital signs are currently operational at several prominent locations, including KS Bank, Johnston County Health Department, Carroll Pharmacy, Brightleaf Flea Market, Johnston Community College, Carolina Realty, Sound Station, and even Smithfield Town Hall and many more not listed.

When the Planning Board discussed these rules in 2017, the primary concern was driver safety and "blinding" light. However, technology has advanced significantly in the last seven years. Modern LED displays now feature automatic dimming sensors that adjust to ambient light much like a modern vehicle's dashboard ensuring they are never a distraction or a safety hazard.

*I believe that when identifying a challenge, one should also propose a solution. Therefore, I respectfully submit this request for a **Text Amendment to the Town of Smithfield Sign Ordinance** to allow for regulated LED digital signage under the following proposed standards:*

### **Proposed Regulatory Standards**

- **Zoning:** Limit placement to specific commercially zoned districts.
- **Luminance Control:** Establish maximum brightness levels (nits) with mandatory automatic dimming technology for nighttime hours.
- **Display Quality:** Require minimum display change intervals (e.g., static images only, with no flashing or animation) to prevent driver distraction.
- **Buffering:** Set strict spacing requirements from residential areas and other digital signs.
- **Safety:** Ensure full compliance with all NCDOT and federal safety regulations.

## Justification for Change

1. **Economic Development:** Digital signage provides local businesses a modern platform to compete and grow.
2. **Public Communication:** These signs can serve the Town during emergencies by displaying public service announcements or Amber Alerts.
3. **Consistency:** An amendment would bring the UDO into alignment with the technology already being utilized by various county and private entities throughout Smithfield.
4. **Aesthetic Control:** By updating the code now, the Town can set high-quality standards for how these signs look, rather than relying on outdated 2017 prohibitions.
5. **Support for Downtown Smithfield (DSDC):** We are pledging a dedicated slot in the digital rotation for the Smithfield Downtown Development. This space will be provided at no cost to the town to promote annual festivals, downtown functions and public announcements. (We have spoken to Heidi and Helen and they seem excited)

I understand and support the importance of maintaining the visual integrity of Smithfield. I am fully supportive of reasonable restrictions that ensure signage is not disruptive to traffic or intrusive to residential neighbors.

I respectfully request that the Town Council review this proposal and consider initiating a text amendment to the Sign Ordinance. I welcome the opportunity to discuss this further with you or the Planning Department staff.

# **AGENDA ITEM 8(b): ZA-26-02**



# Request for Planning Board Action

Agenda  
Item: ZA-26-02  
Date: 7/9/2026

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**Subject:** Zoning Text Amendment  
**Department:** Planning  
**Presented by:** Brent Reck, Planning Director  
**Presentation:** Business Item

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## Issue Statement

Public meeting for a request by Street Reach of Johnston County to amend the Unified Development Ordinance in matters pertaining to Community Resource & Stabilization Centers.

## Financial Impact

None.

## Action Needed

The Planning Board is respectfully requested to review the zoning text amendment and to decide whether to recommend approval, approval with changes, or to recommend denial of the request.

## Recommendation

Planning Staff recommend the Planning Board to recommend approval of the zoning text amendment ZA-26-02 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's interest.

Approved: Town Manager  Town Attorney

## Attachments:

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



# Staff Report

Agenda  
Item: ZA-26-02

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## OVERVIEW:

Mark and Regina Rodgers of Street Reach of Johnston County have submitted a petition to amend the Unified Development Ordinance (UDO). The proposed amendment is intended to establish clear, reasonable, and consistent regulations for facilities that provide essential services and shelter to individuals experiencing homelessness or housing instability within the Town of Smithfield.

Currently, the UDO does not contain any provision addressing these types of uses. The proposed amendment would create a regulatory framework not only for the operation of Street Reach's facility, but also for any future organizations seeking to provide similar services within the Town.

The proposed text amendment consists of three (3) parts, they are as follows;

1. Definition of Terms
  - o The proposed amendment contains seven (7) new distinct terms that would be added to APPENDIX – A DEFINITIONS.
2. New Uses
  - o The proposed amendment contains a new 'use grouping' that would be added to the Tables of Uses and Activities (UDO Section 6.6.), within that use grouping are four (4) new distinct uses, two (2) primary uses, and two (2) accessory uses.
3. Supplemental Regulations
  - o The proposed amendment contains thirteen (13) unique 'supplemental regulations' to accompany the uses outlined in the Table of Uses and Activities. These supplemental regulations would be added to the end of ARTICLE 7 – SUPPLEMENTAL REGULATIONS in the next available subsection numerically.

## **PART 1 - DEFINITION OF TERMS:**

The following definitions are proposed for insertion into Appendix A of the Smithfield UDO.

### **Community Resource & Stabilization Center (CRSC)**

A facility operated by a nonprofit organization, religious institution, or governmental entity - including faith-based nonprofits and organizations whose mission is rooted in religious values - that provides services to individuals experiencing homelessness or housing instability, including but not limited to: meals, hygiene access, clothing, case management, benefits navigation, employment readiness, housing navigation, and structured support programming. A Community Resource & Stabilization Center may include a Temporary Stabilization Shelter as a component use, subject to the supplemental standards of Article 7. A CRSC may be operated by a secular nonprofit, faith-based nonprofit, religious institution, or governmental entity. Operation by a faith-based nonprofit or religious institution does not require the facility to be located on property owned by a religious institution. These uses may operate as a principal use or as a principal use within a building that also contains a religious institution or other institutional use, provided all applicable standards are met. All facilities, regardless of operator type, shall comply with the requirements of this Ordinance.

### **Housing Instability**

A condition including, but not limited to, risk of homelessness, frequent involuntary moves, inability to maintain safe or adequate housing, displacement due to domestic violence, or circumstances placing an individual or household at imminent risk of losing their current housing. This term is not limited to literal street homelessness and includes individuals in temporary or transitional living situations.

### **Low Barrier**

A service model or facility that minimizes entry requirements to ensure individuals experiencing homelessness can access shelter and services without preconditions unrelated to safety. A low-barrier approach does not mean the absence of rules; it means that entry is not conditioned on sobriety, participation in treatment, prior background screening, or other programmatic requirements as prerequisites to receiving basic shelter or services. Facilities operating on a low-barrier basis may maintain and enforce a participant code of conduct and behavioral expectations once individuals are inside.

### **Participant**

An individual who is receiving services at, or staying overnight in, a Community Resource & Stabilization Center or Temporary Stabilization Shelter permitted under this Ordinance. This term includes both daytime service recipients and overnight shelter participants.

### **Temporary Stabilization Shelter**

A facility operated by a nonprofit organization, religious institution, or governmental entity, the primary purpose of which is to provide supervised overnight accommodations to individuals experiencing homelessness or housing instability as part of a structured pathway toward housing stability, recovery, and employment. A Temporary Stabilization Shelter: (a) does not require occupants to sign leases or occupancy agreements; (b) may operate year-round, 365 days per year; (c) may operate on a low barrier basis, without requiring sobriety, participation in treatment, or prior background screening as conditions of entry; (d) does not constitute permanent housing; (e) does not impose a mandatory minimum or maximum duration of stay - stays may be intermittent or continuous based on individual circumstances and program design; and (f) is distinct from a facility that provides only emergency overnight accommodation with no structured programming component. A

Temporary Stabilization Shelter may provide ancillary services including meals, hygiene, case management, and referrals. A Temporary Stabilization Shelter may operate as a principal use or within a building that also contains a religious institution or other institutional use, provided all applicable standards are met.

### **Transitional Employment Program**

A structured program operated by or in partnership with a nonprofit organization, religious institution, or governmental entity that provides paid or stipend transitional work, job skills training, and supportive case management to individuals experiencing homelessness as part of a defined pathway to stable employment and permanent housing. Participants are employees or trainees and are not residents of the facility. A Transitional Employment Program may operate in conjunction with a Community Resource & Stabilization Center or Temporary Stabilization Shelter and may involve on-site work activities, community service projects, or work performed at off-site locations under the program's structure. A Transitional Employment Program is a component use and does not constitute a separate principal use. It shall not be construed as a staffing agency, day labor center, or commercial employment service for purposes of this Ordinance.

### **Transitional Support Programming**

Structured services provided by or within a nonprofit organization, religious institution, or governmental entity, offered within or in conjunction with a Community Resource & Stabilization Center or Temporary Stabilization Shelter, and designed to support participants in achieving self-sufficiency and stable housing. Transitional Support Programming may include employment readiness, job placement assistance, life skills development, recovery support, health and wellness education, financial literacy, and housing navigation services. Transitional Support Programming is a component use and does not constitute a separate principal use under this Ordinance, and does not independently trigger a separate zoning review or approval requirement.

**PART 2 – NEW USES:**

The following chart is from the proposed amendment; the \*supplemental regulations\* are outlined in the next part of the report.

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

| Uses  | Primary Zoning Districts |     |    |    |     |     |    |    |    |                      |                      |     | *Supplemental Regulations* |
|---|--------------------------|-----|----|----|-----|-----|----|----|----|----------------------|----------------------|-----|----------------------------|
|   | R20A                     | R10 | R8 | R6 | RMH | O/I | B1 | B2 | B3 | LI<br>(Sect.<br>7.2) | HI<br>(Sect.<br>7.2) | AHH |                            |
| <b>HOMELESS SERVICES USES</b>   |                          |     |    |    |     |     |    |    |    |                      |                      |     |                            |
| Temporary Stabilization Shelter   |                          |     |    | SS |     | PS  | PS | SS | SS | SS                   | SS                   |     | Section 7.47               |
| Community Resource & Stabilization Center (CRSC)  |                          |     |    |    |     | PS  | PS | SS | SS |                      | SS                   |     | Section 7.47               |
| Transitional Support Programming (accessory use)<br><i>Accessory to CRSC or Shelter</i> |                          |     |    |    |     | PS  | PS | PS | PS | PS                   | PS                   |     | Section 7.47               |
| Transitional Employment Program (accessory use)<br><i>Accessory to CRSC or Shelter</i>  |                          |     |    |    |     | PS  | PS | PS | PS | PS                   | PS                   |     | Section 7.47               |

**Key:**

- P = Permitted by Right
- PS = Permitted with Supplemental Regulations
- S = Special Use (Town Council)
- SS = Special Use with Supplemental Regulations

**Rationale for District Recommendations:**

**R-6** – There is an existing facility operating within the R-6 District.

**O/I - Office & Institutional** PS for all uses. O/I is the most appropriate primary district for a Temporary Stabilization Shelter and CRSC. Social service offices, nonprofits, health clinics, and community-serving institutions are expected uses in O/I. Administrative approval with supplemental standards - not a public hearing - is the correct standard Page 5 because the use is inherently compatible with O/I's stated purpose.

**B-1 -Central Business** PS for all uses. Downtown Smithfield is the most accessible location for persons experiencing homelessness due to walkability and proximity to District services. Permitting with supplemental standards, rather than requiring a Special Use hearing, reflects the reality that this type of service already exists in the B-1 core and is operating in a structured and supervised manner. This reflects common zoning practices in walkable downtown districts where access to services is critical.

**B-2 -General Business** SS (Special Use - Town Council approval) for primary uses. Commercial areas may be appropriate for shelter in the right circumstances. Town Council oversight provides a reasonable check while supplemental standards of Article 7 still apply.

**B-3 - Highway Entranceway** SS (Special Use) for primary uses. May be appropriate where transit access and site conditions support it. Special use review required. Accessory Business programming uses are PS.

**LI - Light Industrial** SS (Special Use) for Temporary Stabilization Shelter only. Some stabilization shelters are appropriately sited near employment centers in light industrial areas. Special use review is appropriate given the context. Accessory programming uses are PS.

**HI - Heavy Industrial** SS (Special Use) for Temporary Stabilization Shelter and CRSC. Certain Heavy Industrial locations may provide appropriate buffering from residential neighborhoods and proximity to employment opportunities. However, pedestrian access, transit access, environmental conditions, and site safety warrant case-by-case review by Town Council. Accessory programming uses are PS.

## **PART 3 – SUPPLEMENTAL REGULATIONS:**

The following supplemental regulations shall apply to all Temporary Stabilization Shelters, Community Resource & Stabilization Centers, and associated accessory uses wherever designated PS or SS in Section 6.6. These standards apply to any qualifying operator and are not limited to a specific organization or location. All facilities shall comply with applicable local, state, federal health, safety, and building code requirements.

The next available sub-section within Article 7 is "7.47."

### **Section 7.47. – Temporary Stabilization Shelters/Community Resource & Stabilization Center**

**7.47.1. Operations Plan.** Prior to the commencement of operations, the operator shall submit an Operations Plan to the UDO Administrator for review for completeness and compliance with this Ordinance. The Operations Plan shall include:

- (a) Name and contact information of the operating organization and designated facility manager.
- (b) Days and hours of operation, including whether the facility operates year-round.
- (c) Maximum anticipated capacity.
- (d) General description of staffing and supervision approach.
- (e) Description of services provided on-site and any partner organizations.
- (f) Participant code of conduct and general program guidelines.
- (g) General safety and incident response procedures.
- (h) Contact information for a designated Community Liaison.
- (i) Exterior maintenance and litter management approach.
- (j) A plan for managing outdoor waiting areas, arrivals and departures, and other exterior activity so as to avoid substantial adverse impacts on adjacent properties from noise, obstruction, or unmanaged congregation.

The Operations Plan shall be updated and resubmitted upon any material change in operations. Material changes include, but are not limited to: adding overnight shelter to a previously daytime-only facility, a significant increase in capacity, or a major change in program type or operator identity.

Review of the Operations Plan shall be limited to determining compliance with the standards of this Ordinance and applicable law, and shall not be used to impose additional conditions beyond those expressly stated in this Ordinance.

**7.47.2. Capacity.** Occupancy shall be determined in accordance with applicable building, fire, and safety codes. Operators may establish internal capacity limits based on staffing, program structure, and participant needs. Any numerical capacity limits imposed below code-maximum levels shall be based on competent, material, and substantial evidence in the record and applied equitably relative to comparable institutional uses of similar scale, and shall not be arbitrary or discriminatory.

**7.47.3. Staffing and Supervision.** All facilities shall provide continuous on-site supervision by at least one (1) trained staff member or volunteer, with additional personnel as necessary to ensure safe and orderly operation, during all hours of operation.

Facilities providing overnight accommodations shall maintain sufficient on-site personnel to ensure safe and orderly operation. Such personnel may include staff or volunteers present on-site to respond as needed.

Operators shall determine staffing levels based on facility capacity, program structure, and participant needs. Operators shall ensure that staff and volunteers receive appropriate training in areas such as crisis response, de-escalation, or participant support.

**7.47.4. Sleeping Area Separation.** Facilities providing overnight accommodations to both men and women shall provide reasonable separation of sleeping areas to ensure privacy and safety. Operators may designate additional sleeping areas to accommodate families, couples, or individuals with specific needs.

**7.47.5. Sanitary Facilities.** All facilities shall provide restrooms and handwashing stations adequate for the population served, maintained in proper working condition and accessible during all hours of operation.

Facilities operating as a Community Resource & Stabilization Center shall provide access to shower facilities during scheduled service hours.

**7.47.6. Parking.** Parking requirements shall be determined by the UDO Administrator based on the nature of services provided and the characteristics of the population served. In making this determination, the UDO Administrator may consider the transportation characteristics of the population served, including disability related barriers to driving and the extent to which participants arrive by transit, on foot, or by bicycle. Standard parking ratios may be reduced or waived where appropriate based on these factors or where strict application would create an undue hardship to the establishment of these essential services.

**7.47.7. Transportation.** Facilities may provide or coordinate transportation services for participants, including shuttle service, transit pass programs, or partnerships with transit providers. Transportation services are an accessory function and do not constitute a separate principal use.

**7.47.8. Community Liaison and Site Management.** The operator shall designate a Community Liaison and provide that person's name and direct contact information to the UDO Administrator. The Community Liaison's contact information shall be posted at the main public entrance. The Liaison shall be available to respond to reasonable concerns from adjacent or nearby property owners and Town staff. Operators are encouraged to maintain ongoing communication with neighboring properties and may hold periodic meetings as appropriate. Operators shall maintain the facility premises and immediate frontage areas in a reasonably clean and orderly condition, ensure adequate exterior lighting at entrances and exits during hours of darkness, and take reasonable measures to discourage unauthorized camping or storage of personal property outside the facility.

**7.47.9. Signage.** Signage for facilities permitted under this section shall be subject to the sign standards applicable to the underlying zoning district and shall not be subject to additional sign restrictions beyond those applied to other institutional or civic uses in the same district.

**7.47.10. Equitable Treatment.** Temporary Stabilization Shelters and Community Resource & Stabilization Centers shall be regulated in a manner consistent with other institutional or community service uses of similar scale and impact within the same zoning district. The Town shall not impose as a condition of approval any requirement that would not be imposed on comparable institutional uses of similar scale and operational impact.

**7.47.11. Religious and Shared Institutional Sites.** Nothing in this section shall prohibit a qualifying facility from operating within, in conjunction with, or on the same lot as a religious institution or other institutional use, provided the facility otherwise complies with this Ordinance and applicable building, fire, and safety codes.

**7.47.12. Change of Operator.** An approval granted under this section shall run with the land and the use, not with a specific operator. If operational responsibility is transferred to a successor organization, the successor shall notify the UDO Administrator in writing within thirty (30) days of assuming operations and shall submit an updated Operations Plan within ninety (90) days. Transfer of operations does not independently require a new special use permit provided the use and standards remain the same.

**7.47.13. Existing Facilities.** Any facility operating prior to the adoption of this amendment may continue operations. Such facilities shall submit an Operations Plan within twelve (12) months of the effective date of this amendment. Progress toward compliance with the remaining standards of this section shall prioritize health, safety, and operational requirements; capital improvements or physical alterations shall not be required unless necessary to address a demonstrable health or safety hazard.

**COMPREHENSIVE PLAN:**

The Town of Smithfield Comprehensive Growth Management Plan identifies community health, neighborhood stability, and quality of life as core planning priorities. This amendment advances those goals by:

- o Supporting earlier intervention and stabilization, helping reduce reliance on emergency services over time.
- o Establishing a supervised, structured environment that supports individuals in transitioning from crisis to stability - and from stability to employment and permanent housing.
- o Creating regulatory certainty for operators, neighbors, and the Town.
- o Aligning Smithfield's UDO with common practices among municipalities in North Carolina that define and regulate social service uses.
- o Providing a durable, operator-neutral framework that serves any qualified organization providing these services now or in the future.

**SYNOPSIS:**

This proposal does not introduce a new activity to Smithfield. These services are intended to serve individuals experiencing homelessness who are already present within the community.

Organizations are already providing services to this population. The takeaway is whether those services will operate within a defined, accountable legal framework **or** continue in a regulatory gap. This amendment establishes that framework - not for any single organization or location, but for any qualified provider serving this need now or in the future.

**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:**

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-26-02, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

**STAFF RECOMMENDED MOTION:**

“Move to recommend approval of zoning text amendment, ZA-26-02, 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-26-02**  
**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD**  
**UNIFIED DEVELOPMENT ORDINANCE**  
**APPENDIX – A, AND ARTICLE(S) 6 AND 7**

**WHEREAS**, the Smithfield Town Council desires to amend the Town of Smithfield Unified Development Ordinance by revising Article 6, Section 6.6, to add four new land uses; creating a new Section 7.47 in Article 7 to establish supplemental regulations for those uses; and adding seven (7) new definitions to 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 APPENDIX – A DEFINITIONS. To include seven new terms, place alphabetically in the appendix]

**Community Resource & Stabilization Center (CRSC)**

A facility operated by a nonprofit organization, religious institution, or governmental entity - including faith-based nonprofits and organizations whose mission is rooted in religious values - that provides services to individuals experiencing homelessness or housing instability, including but not limited to: meals, hygiene access, clothing, case management, benefits navigation, employment readiness, housing navigation, and structured support programming. A Community Resource & Stabilization Center may include a Temporary Stabilization Shelter as a component use, subject to the supplemental standards of Article 7. A CRSC may be operated by a secular nonprofit, faith-based nonprofit, religious institution, or governmental entity. Operation by a faith-based nonprofit or religious institution does not require the facility to be located on property owned by a religious institution. These uses may operate as a principal use or as a principal use within a building that also contains a religious institution or other institutional use, provided all applicable standards are met. All facilities, regardless of operator type, shall comply with the requirements of this Ordinance.

**Housing Instability**

A condition including, but not limited to, risk of homelessness, frequent involuntary moves, inability to maintain safe or adequate housing, displacement due to domestic violence, or circumstances placing an individual or household at imminent risk of losing their current housing. This term is not limited to literal street homelessness and includes individuals in temporary or transitional living situations.

**Low Barrier**

A service model or facility that minimizes entry requirements to ensure individuals experiencing homelessness can access shelter and services without preconditions unrelated to safety. A low-

barrier approach does not mean the absence of rules; it means that entry is not conditioned on sobriety, participation in treatment, prior background screening, or other programmatic requirements as prerequisites to receiving basic shelter or services. Facilities operating on a low-barrier basis may maintain and enforce a participant code of conduct and behavioral expectations once individuals are inside.

### **Participant**

An individual who is receiving services at, or staying overnight in, a Community Resource & Stabilization Center or Temporary Stabilization Shelter permitted under this Ordinance. This term includes both daytime service recipients and overnight shelter participants.

### **Temporary Stabilization Shelter**

A facility operated by a nonprofit organization, religious institution, or governmental entity, the primary purpose of which is to provide supervised overnight accommodations to individuals experiencing homelessness or housing instability as part of a structured pathway toward housing stability, recovery, and employment. A Temporary Stabilization Shelter: (a) does not require occupants to sign leases or occupancy agreements; (b) may operate year-round, 365 days per year; (c) may operate on a low barrier basis, without requiring sobriety, participation in treatment, or prior background screening as conditions of entry; (d) does not constitute permanent housing; (e) does not impose a mandatory minimum or maximum duration of stay - stays may be intermittent or continuous based on individual circumstances and program design; and (f) is distinct from a facility that provides only emergency overnight accommodation with no structured programming component. A Temporary Stabilization Shelter may provide ancillary services including meals, hygiene, case management, and referrals. A Temporary Stabilization Shelter may operate as a principal use or within a building that also contains a religious institution or other institutional use, provided all applicable standards are met.

### **Transitional Employment Program**

A structured program operated by or in partnership with a nonprofit organization, religious institution, or governmental entity that provides paid or stipend transitional work, job skills training, and supportive case management to individuals experiencing homelessness as part of a defined pathway to stable employment and permanent housing. Participants are employees or trainees and are not residents of the facility. A Transitional Employment Program may operate in conjunction with a Community Resource & Stabilization Center or Temporary Stabilization Shelter and may involve on-site work activities, community service projects, or work performed at off-site locations under the program's structure. A Transitional Employment Program is a component use and does not constitute a separate principal use. It shall not be construed as a staffing agency, day labor center, or commercial employment service for purposes of this Ordinance.

### **Transitional Support Programming**

Structured services provided by or within a nonprofit organization, religious institution, or governmental entity, offered within or in conjunction with a Community Resource & Stabilization Center or Temporary Stabilization Shelter, and designed to support participants in achieving self-sufficiency and stable housing. Transitional Support Programming may include employment readiness, job placement assistance, life skills development, recovery support, health

and wellness education, financial literacy, and housing navigation services. Transitional Support Programming is a component use and does not constitute a separate principal use under this Ordinance, and does not independently trigger a separate zoning review or approval requirement.

...

**PART 2**

[Revise Article 6 Section 6.6. Tables of Uses and Activities—Primary Zoning Districts. To include four new uses]

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

| Uses   | Primary Zoning Districts |     |    |    |     |     |    |    |    |                |                |     | Supplemental Regulations |
|--|--------------------------|-----|----|----|-----|-----|----|----|----|----------------|----------------|-----|--------------------------|
|  | R20A                     | R10 | R8 | R6 | RMH | O/I | B1 | B2 | B3 | LI (Sect. 7.2) | HI (Sect. 7.2) | AHH |                          |
| <b>HOMELESS SERVICES USES</b>  |                          |     |    |    |     |     |    |    |    |                |                |     |                          |
| Temporary Stabilization Shelter  |                          |     |    | SS |     | PS  | PS | SS | SS | SS             | SS             |     | Section 7.47             |
| Community Resource & Stabilization Center (CRSC)   |                          |     |    |    |     | PS  | PS | SS | SS |                | SS             |     | Section 7.47             |
| Transitional Support Programming ( <b>accessory use</b> )<br><i>Accessory to CRSC or Shelter</i> |                          |     |    |    |     | PS  | PS | PS | PS | PS             | PS             |     | Section 7.47             |
| Transitional Employment Program ( <b>accessory use</b> )<br><i>Accessory to CRSC or Shelter</i>  |                          |     |    |    |     | PS  | PS | PS | PS | PS             | PS             |     | Section 7.47             |

...

**PART 3**

[Create new section within Article 7, Section 7.47. to outline all additional supplemental regulations.]

### **Section 7.47. – Temporary Stabilization Shelters/Community Resource & Stabilization Center**

**7.47.1. Operations Plan.** Prior to the commencement of operations, the operator shall submit an Operations Plan to the UDO Administrator for review for completeness and compliance with this Ordinance. The Operations Plan shall include:

- (a) Name and contact information of the operating organization and designated facility manager.
- (b) Days and hours of operation, including whether the facility operates year-round.
- (c) Maximum anticipated capacity.
- (d) General description of staffing and supervision approach.
- (e) Description of services provided on-site and any partner organizations.
- (f) Participant code of conduct and general program guidelines.
- (g) General safety and incident response procedures.
- (h) Contact information for a designated Community Liaison.
- (i) Exterior maintenance and litter management approach.
- (j) A plan for managing outdoor waiting areas, arrivals and departures, and other exterior activity so as to avoid substantial adverse impacts on adjacent properties from noise, obstruction, or unmanaged congregation.

The Operations Plan shall be updated and resubmitted upon any material change in operations. Material changes include, but are not limited to: adding overnight shelter to a previously daytime-only facility, a significant increase in capacity, or a major change in program type or operator identity.

Review of the Operations Plan shall be limited to determining compliance with the standards of this Ordinance and applicable law, and shall not be used to impose additional conditions beyond those expressly stated in this Ordinance.

**7.47.2. Capacity.** Occupancy shall be determined in accordance with applicable building, fire, and safety codes. Operators may establish internal capacity limits based on staffing, program structure, and participant needs. Any numerical capacity limits imposed below code-maximum levels shall be based on competent, material, and substantial evidence in the record and applied equitably relative to comparable institutional uses of similar scale, and shall not be arbitrary or discriminatory.

**7.47.3. Staffing and Supervision.** All facilities shall provide continuous on-site supervision by at least one (1) trained staff member or volunteer, with additional personnel as necessary to ensure safe and orderly operation, during all hours of operation.

Facilities providing overnight accommodations shall maintain sufficient on-site personnel to ensure safe and orderly operation. Such personnel may include staff or volunteers present on-site to respond as needed.

Operators shall determine staffing levels based on facility capacity, program structure, and participant needs. Operators shall ensure that staff and volunteers receive appropriate training in areas such as crisis response, de-escalation, or participant support.

**7.47.4. Sleeping Area Separation.** Facilities providing overnight accommodations to both men and women shall provide reasonable separation of sleeping areas to ensure privacy and safety. Operators may designate additional sleeping areas to accommodate families, couples, or individuals with specific needs.

**7.47.5. Sanitary Facilities.** All facilities shall provide restrooms and handwashing stations adequate for the population served, maintained in proper working condition and accessible during all hours of operation.

Facilities operating as a Community Resource & Stabilization Center shall provide access to shower facilities during scheduled service hours.

**7.47.6. Parking.** Parking requirements shall be determined by the UDO Administrator based on the nature of services provided and the characteristics of the population served. In making this determination, the UDO Administrator may consider the transportation characteristics of the population served, including disability related barriers to driving and the extent to which participants arrive by transit, on foot, or by bicycle. Standard parking ratios may be reduced or waived where appropriate based on these factors or where strict application would create an undue hardship to the establishment of these essential services.

**7.47.7. Transportation.** Facilities may provide or coordinate transportation services for participants, including shuttle service, transit pass programs, or partnerships with transit providers. Transportation services are an accessory function and do not constitute a separate principal use.

**7.47.8. Community Liaison and Site Management.** The operator shall designate a Community Liaison and provide that person's name and direct contact information to the UDO Administrator. The Community Liaison's contact information shall be posted at the main public entrance. The Liaison shall be available to respond to reasonable concerns from adjacent or nearby property owners and Town staff. Operators are encouraged to maintain ongoing communication with neighboring properties and may hold periodic meetings as appropriate. Operators shall maintain the facility premises and immediate frontage areas in a reasonably clean and orderly condition, ensure adequate exterior lighting at entrances and exits during hours of darkness, and take reasonable measures to discourage unauthorized camping or storage of personal property outside the facility.

**7.47.9. Signage.** Signage for facilities permitted under this section shall be subject to the sign standards applicable to the underlying zoning district and shall not be subject to additional sign restrictions beyond those applied to other institutional or civic uses in the same district.

**7.47.10. Equitable Treatment.** Temporary Stabilization Shelters and Community Resource & Stabilization Centers shall be regulated in a manner consistent with other institutional or community service uses of similar scale and impact within the same zoning district. The Town shall not impose as a condition of approval any requirement that would not be imposed on comparable institutional uses of similar scale and operational impact.

**7.47.11. Religious and Shared Institutional Sites.** Nothing in this section shall prohibit a qualifying facility from operating within, in conjunction with, or on the same lot as a religious institution or other institutional use, provided the facility otherwise complies with this Ordinance and applicable building, fire, and safety codes.

**7.47.12. Change of Operator.** An approval granted under this section shall run with the land and the use, not with a specific operator. If operational responsibility is transferred to a successor organization, the successor shall notify the UDO Administrator in writing within thirty (30) days of assuming operations and shall submit an updated Operations Plan within ninety (90) days. Transfer of operations does not independently require a new special use permit provided the use and standards remain the same.

**7.47.13. Existing Facilities.**

Any facility operating prior to the adoption of this amendment may continue operations. Such facilities shall submit an Operations Plan within twelve (12) months of the effective date of this amendment. Progress toward compliance with the remaining standards of this section shall prioritize health, safety, and operational requirements; capital improvements or physical alterations shall not be required unless necessary to address a demonstrable health or safety hazard.

...

**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. Duly adopted this the \_\_\_\_\_ of \_\_\_\_\_, 2026.

\_\_\_\_\_  
M. Andy Moore, Mayor

ATTEST

\_\_\_\_\_  
Elaine Andrews, Town Clerk

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
ZA-26-02**

**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-26-02 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-26-02 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.

 \_\_\_\_\_

Signature of Petitioner Date

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

**EXHIBIT A**  
**Proposed Text Amendment to the**  
**Town of Smithfield Unified Development Ordinance**

*Homeless Service Facilities — Definitions, Use Classifications, and Supplemental Standards*

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## **SECTION 1: PURPOSE AND INTENT**

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The purpose of this amendment is to establish clear, reasonable, and consistent regulations for facilities that provide essential services and temporary stabilization shelter to individuals experiencing homelessness or housing instability within the Town of Smithfield.

These uses promote public health and safety, support coordinated and efficient use of emergency and community services, and provide defined pathways to housing, employment, and recovery. This amendment ensures that such services are not only permitted, but appropriately structured and accountable within the Town of Smithfield.

This proposal does not introduce a new activity to Smithfield. These services are intended to serve individuals experiencing homelessness who are already present within the community. Organizations are already providing services to this population. The question before the Town is whether those services will operate within a defined, accountable legal framework or continue in a regulatory gap. This amendment establishes that framework — not for any single organization or location, but for any qualified provider serving this need now or in the future.

The Town of Smithfield's Unified Development Ordinance does not currently define, classify, or provide standards for temporary stabilization shelter or community resource and stabilization centers. This gap creates regulatory uncertainty for operators, neighbors, and the Town itself. This amendment corrects that gap.

This framework is intended to apply uniformly to nonprofit, faith-based, and governmental providers offering these services.

### **1.1 How This Amendment Serves the Public Interest**

The Town of Smithfield currently has no defined use category in its Unified Development Ordinance for temporary stabilization shelter or a Community Resource & Stabilization Center. This gap means that any organization seeking to provide these services in Smithfield has no clear legal basis on which to operate, and the Town has no regulatory framework — no operational standards, no capacity provisions, no accountability mechanisms — to govern such uses when they arise.

This amendment corrects both problems. It establishes a defined, enforceable framework for services that promote community health and safety, and it does so in a way that is durable — applicable to any qualified provider, at any qualifying location, now or in the future.

Many municipalities in North Carolina include emergency shelter or social service uses as defined uses within their development ordinances, providing a clear regulatory framework for these services.

## 1.2 How This Amendment Promotes Town Goals

The Town of Smithfield Comprehensive Growth Management Plan identifies community health, neighborhood stability, and quality of life as core planning priorities. This amendment advances those goals by:

- Supporting earlier intervention and stabilization, helping reduce reliance on emergency services over time.
- Establishing a supervised, structured environment that supports individuals in transitioning from crisis to stability — and from stability to employment and permanent housing.
- Creating regulatory certainty for operators, neighbors, and the Town.
- Aligning Smithfield’s UDO with common practices among municipalities in North Carolina that define and regulate social service uses.
- Providing a durable, operator-neutral framework that serves any qualified organization providing these services now or in the future.

## SECTION 2: PROPOSED ADDITIONS TO APPENDIX A — DEFINITIONS

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The following definitions are proposed for insertion into Appendix A of the Smithfield UDO in alphabetical order. Each definition is written to be operator-neutral — applicable to any qualifying organization, not limited to a specific entity or location. Capitalized terms used in Section 6.6 and Article 7 of this amendment correspond to the defined terms below.

### **Community Resource & Stabilization Center (CRSC)**

A facility operated by a nonprofit organization, religious institution, or governmental entity — including faith-based nonprofits and organizations whose mission is rooted in religious values — that provides services to individuals experiencing homelessness or housing instability, including but not limited to: meals, hygiene access, clothing, case management, benefits navigation, employment readiness, housing navigation, and structured support programming. A Community Resource & Stabilization Center may include a Temporary Stabilization Shelter as a component use, subject to the supplemental standards of Article 7. A CRSC may be operated by a secular nonprofit, faith-based nonprofit, religious institution, or governmental entity. Operation by a faith-based nonprofit or religious institution does not require the facility to be located on property owned by a religious institution. These uses may operate as a principal use or as a principal use within a building that also contains a religious institution or other institutional use, provided all applicable standards are met. All facilities, regardless of operator type, shall comply with the requirements of this Ordinance.

### **Housing Instability (as used in this Ordinance)**

A condition including, but not limited to, risk of homelessness, frequent involuntary moves, inability to maintain safe or adequate housing, displacement due to domestic violence, or circumstances placing an individual or household at imminent risk of losing their current housing. This term is not limited to literal street homelessness and includes individuals in temporary or transitional living situations.

### **Low-Barrier (as used in this Ordinance)**

A service model or facility that minimizes entry requirements to ensure individuals experiencing homelessness can access shelter and services without preconditions unrelated to safety. A low-barrier approach does not mean the absence of rules; it means that entry is not conditioned on sobriety,

participation in treatment, prior background screening, or other programmatic requirements as prerequisites to receiving basic shelter or services. Facilities operating on a low-barrier basis may maintain and enforce a participant code of conduct and behavioral expectations once individuals are inside.

### **Participant (as used in this Ordinance)**

An individual who is receiving services at, or staying overnight in, a Community Resource & Stabilization Center or Temporary Stabilization Shelter permitted under this Ordinance. This term includes both daytime service recipients and overnight shelter participants.

### **Temporary Stabilization Shelter**

A facility operated by a nonprofit organization, religious institution, or governmental entity, the primary purpose of which is to provide supervised overnight accommodations to individuals experiencing homelessness or housing instability as part of a structured pathway toward housing stability, recovery, and employment. A Temporary Stabilization Shelter: (a) does not require occupants to sign leases or occupancy agreements; (b) may operate year-round, 365 days per year; (c) may operate on a low-barrier basis, without requiring sobriety, participation in treatment, or prior background screening as conditions of entry; (d) does not constitute permanent housing; (e) does not impose a mandatory minimum or maximum duration of stay — stays may be intermittent or continuous based on individual circumstances and program design; and (f) is distinct from a facility that provides only emergency overnight accommodation with no structured programming component. A Temporary Stabilization Shelter may provide ancillary services including meals, hygiene, case management, and referrals. A Temporary Stabilization Shelter may operate as a principal use or within a building that also contains a religious institution or other institutional use, provided all applicable standards are met.

### **Transitional Employment Program**

A structured program operated by or in partnership with a nonprofit organization, religious institution, or governmental entity that provides paid or stipended transitional work, job skills training, and supportive case management to individuals experiencing homelessness as part of a defined pathway to stable employment and permanent housing. Participants are employees or trainees and are not residents of the facility. A Transitional Employment Program may operate in conjunction with a Community Resource & Stabilization Center or Temporary Stabilization Shelter and may involve on-site work activities, community service projects, or work performed at off-site locations under the program's structure. A Transitional Employment Program is a component use and does not constitute a separate principal use. It shall not be construed as a staffing agency, day labor center, or commercial employment service for purposes of this Ordinance.

### **Transitional Support Programming**

Structured services provided by or within a nonprofit organization, religious institution, or governmental entity, offered within or in conjunction with a Community Resource & Stabilization Center or Temporary Stabilization Shelter, and designed to support participants in achieving self-sufficiency and stable housing. Transitional Support Programming may include employment readiness, job placement assistance, life skills development, recovery support, health and wellness education, financial literacy, and housing navigation services. Transitional Support Programming is a component use and does not constitute a separate principal use under this Ordinance, and does not independently trigger a separate zoning review or approval requirement.

## SECTION 3: PROPOSED ADDITIONS TO SECTION 6.6 — TABLE OF USES AND ACTIVITIES

*New grouping "HOMELESS SERVICES USES" to be inserted alphabetically in Smithfield UDO Section 6.6*

| Use   | R-20A | R-10 | R-8 | R-6 | R-MH | O/I | B-1 | B-2 | B-3 | LI | HI | AHH |
|---|-------|------|-----|-----|------|-----|-----|-----|-----|----|----|-----|
| <b>HOMELESS SERVICES USES — Supplemental Regulations: Article 7, Section 7.[ ]</b>      |       |      |     |     |      |     |     |     |     |    |    |     |
| Temporary Stabilization Shelter<br><i>Art. 7 Sec. 7.[ ]</i>                             | —     | —    | —   | SS  | —    | PS  | PS  | S   | S   | S  | S  | —   |
| Community Resource & Stabilization Center (CRSC)<br><i>Art. 7 Sec. 7.[ ]</i>            | —     | —    | —   | —   | —    | PS  | PS  | S   | S   | —  | S  | —   |
| Transitional Support Programming (accessory use)<br><i>Accessory to CRSC or Shelter</i> | —     | —    | —   | —   | —    | PS  | PS  | PS  | PS  | PS | PS | —   |
| Transitional Employment Program (accessory use)<br><i>Accessory to CRSC or Shelter</i>  | —     | —    | —   | —   | —    | PS  | PS  | PS  | PS  | PS | PS | —   |

**Key:** P = Permitted by Right | PS = Permitted with Supplemental Regulations (Article 7) | S = Special Use (Town Council) | SS = Special Use with Supplemental Regulations | — = Not Permitted

### Rationale for District Recommendations

|   |  |
|---|--|
| <b>O/I — Office &amp; Institutional</b>   | PS for all uses. O/I is the most appropriate primary district for a Temporary Stabilization Shelter and CRSC. Social service offices, nonprofits, health clinics, and community-serving institutions are expected uses in O/I. Administrative approval with supplemental standards — not a public hearing — is the correct standard because the use is inherently compatible with O/I's stated purpose.  |
| <b>B-1 — Central Business District</b>    | PS for all uses. Downtown Smithfield is the most accessible location for persons experiencing homelessness due to walkability and proximity to services. Permitting with supplemental standards, rather than requiring a Special Use hearing, reflects the reality that this type of service already exists in the B-1 core and is operating in a structured and supervised manner. This reflects common zoning practices in walkable downtown districts where access to services is critical. |
| <b>B-2 — General Business</b>             | S (Special Use — Town Council approval) for primary uses. Commercial areas may be appropriate for shelter in the right circumstances. Town Council oversight provides a reasonable check while supplemental standards of Article 7 still apply.  |
| <b>B-3 — Highway Entranceway Business</b> | S (Special Use) for primary uses. May be appropriate where transit access and site conditions support it. Special use review required. Accessory programming uses are PS.  |
| <b>LI — Light Industrial</b>              | S (Special Use) for Temporary Stabilization Shelter only. Some stabilization shelters are appropriately sited near employment centers in light industrial areas. Special use review is appropriate given the context. Accessory programming uses are PS.   |
| <b>HI — Heavy Industrial</b>              | S (Special Use) for Temporary Stabilization Shelter and CRSC. Certain HI locations may provide appropriate buffering from residential neighborhoods and proximity to employment opportunities. However, pedestrian access, transit access, environmental conditions, and site safety warrant case-by-case review by Town Council. Accessory programming uses are PS.   |

**R-6 — High-Density Residential**

SS (Special Use with Supplemental Standards) for Temporary Stabilization Shelter only — consistent with approaches used in other North Carolina municipalities that permit shelter in higher-density residential districts as a conditional use. Not permitted for a combined CRSC due to scale and institutional character.

**R-20A, R-10, R-8, R-MH — Lower-Density Residential**

Not permitted for primary overnight shelter or combined CRSC. Residential districts at these densities are generally incompatible with a nonprofit institutional overnight use.

**AHH — Airport / Highway / Hospital Overlay**

Homeless services uses are permitted in the AHH overlay district wherever the underlying base district permits them, subject to any overlay-specific development standards. This amendment does not modify or supersede AHH overlay requirements.

**Accessory Uses — Transitional Support & Employment Programs**

PS in all permitted institutional, commercial, and industrial districts (O/I, B-1, B-2, B-3, LI, HI). These programs are inherently supportive of the principal use and should be allowed wherever the principal use is permitted, without requiring a separate public hearing.

## **SECTION 4: PROPOSED SUPPLEMENTAL REGULATIONS — ARTICLE 7, SECTION 7.[ ]**

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The following supplemental regulations apply to all Temporary Stabilization Shelters, Community Resource & Stabilization Centers, and associated accessory uses wherever designated PS or S in Section 6.6. These standards apply to any qualifying operator and are not limited to a specific organization or location. All facilities shall comply with applicable local, state, and federal health, safety, and building code requirements. Note: Section numbering within Article 7 (shown below as “7.[ ]”) is to be assigned by Town staff upon adoption.

### **7.[ ].1 Operations Plan**

Prior to the commencement of operations, the operator shall submit an Operations Plan to the UDO Administrator for review for completeness and compliance with this Ordinance. The Operations Plan shall include:

- (a) Name and contact information of the operating organization and designated facility manager.
- (b) Days and hours of operation, including whether the facility operates year-round.
- (c) Maximum anticipated capacity.
- (d) General description of staffing and supervision approach.
- (e) Description of services provided on-site and any partner organizations.
- (f) Participant code of conduct and general program guidelines.
- (g) General safety and incident response procedures.
- (h) Contact information for a designated Community Liaison.
- (i) Exterior maintenance and litter management approach.
- (j) A plan for managing outdoor waiting areas, arrivals and departures, and other exterior activity so as to avoid substantial adverse impacts on adjacent properties from noise, obstruction, or unmanaged congregation.

The Operations Plan shall be updated and resubmitted upon any material change in operations. Material changes include, but are not limited to: adding overnight shelter to a previously daytime-only facility, a significant increase in capacity, or a major change in program type or operator identity.

Review of the Operations Plan shall be limited to determining compliance with the standards of this Ordinance and applicable law, and shall not be used to impose additional conditions beyond those expressly stated in this Ordinance.

### **7.[ ].2 Capacity**

Occupancy shall be determined in accordance with applicable building, fire, and safety codes. Operators may establish internal capacity limits based on staffing, program structure, and participant needs. Any numerical capacity limits imposed below code-maximum levels shall be based on competent, material, and substantial evidence in the record and applied equitably relative to comparable institutional uses of similar scale, and shall not be arbitrary or discriminatory.

### **7.[ ].3 Staffing and Supervision**

All facilities shall provide continuous on-site supervision by at least one (1) trained staff member or volunteer, with additional personnel as necessary to ensure safe and orderly operation, during all hours of operation.

Facilities providing overnight accommodations shall maintain sufficient on-site personnel to ensure safe and orderly operation. Such personnel may include staff or volunteers present on-site or available on-site and able to respond as needed.

Operators shall determine staffing levels based on facility capacity, program structure, and participant needs. Operators shall ensure that staff and volunteers receive appropriate training in areas such as crisis response, de-escalation, or participant support.

#### **7.[ ]4 Sleeping Area Separation**

Facilities providing overnight accommodations to both men and women shall provide reasonable separation of sleeping areas to ensure privacy and safety. Operators may designate additional sleeping areas to accommodate families, couples, or individuals with specific needs.

#### **7.[ ]5 Sanitary Facilities**

All facilities shall provide restrooms and handwashing stations adequate for the population served, maintained in proper working condition and accessible during all hours of operation.

Facilities operating as a Community Resource & Stabilization Center shall provide access to shower facilities during scheduled service hours.

#### **7.[ ]6 Parking**

Parking requirements shall be determined by the Planning Director based on the nature of services provided and the characteristics of the population served. In making this determination, the Planning Director may consider the transportation characteristics of the population served, including disability-related barriers to driving and the extent to which participants arrive by transit, on foot, or by bicycle. Standard parking ratios may be reduced or waived where appropriate based on these factors or where strict application would create an undue barrier to the establishment of these essential services.

#### **7.[ ]7 Transportation**

Facilities may provide or coordinate transportation services for participants, including shuttle service, transit pass programs, or partnerships with transit providers. Transportation services are an accessory function and do not constitute a separate principal use.

#### **7.[ ]8 Community Liaison and Site Management**

The operator shall designate a Community Liaison and provide that person's name and direct contact information to the UDO Administrator. The Community Liaison's contact information shall be posted at the main public entrance. The Liaison shall be available to respond to reasonable concerns from adjacent or nearby property owners and Town staff. Operators are encouraged to maintain ongoing communication with neighboring properties and may hold periodic meetings as appropriate. Operators shall maintain the facility premises and immediate frontage areas in a reasonably clean and orderly

condition, ensure adequate exterior lighting at entrances and exits during hours of darkness, and take reasonable measures to discourage unauthorized camping or storage of personal property outside the facility.

### **7.[ ]9 Signage**

Signage for facilities permitted under this section shall be subject to the sign standards applicable to the underlying zoning district and shall not be subject to additional sign restrictions beyond those applied to other institutional or civic uses in the same district.

### **7.[ ]10 Equitable Treatment**

Temporary Stabilization Shelters and Community Resource & Stabilization Centers shall be regulated in a manner consistent with other institutional or community service uses of similar scale and impact within the same zoning district. The Town shall not impose as a condition of approval any requirement that would not be imposed on comparable institutional uses of similar scale and operational impact.

### **7.[ ]11 Religious and Shared Institutional Sites**

Nothing in this section shall prohibit a qualifying facility from operating within, in conjunction with, or on the same lot as a religious institution or other institutional use, provided the facility otherwise complies with this Ordinance and applicable building, fire, and safety codes.

### **7.[ ]12 Change of Operator**

An approval granted under this section shall run with the land and the use, not with a specific operator. If operational responsibility is transferred to a successor organization, the successor shall notify the UDO Administrator in writing within thirty (30) days of assuming operations and shall submit an updated Operations Plan within ninety (90) days. Transfer of operations does not independently require a new special use permit provided the use and standards remain the same.

### **7.[ ]13 Existing Facilities**

Any facility operating prior to the adoption of this amendment may continue operations. Such facilities shall submit an Operations Plan within twelve (12) months of the effective date of this amendment. Progress toward compliance with the remaining standards of this section shall prioritize health, safety, and operational requirements; capital improvements or physical alterations shall not be required unless necessary to address a demonstrable health or safety hazard.

## **SECTION 5: SPECIAL USE PERMIT CRITERIA**

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When a Special Use Permit (S or SS) is required under Section 6.6, the Town Council shall evaluate the application against the applicable special use permit criteria of the Smithfield Unified Development Ordinance and the following additional standards:

- (a) Whether the proposed facility is adequately served by public utilities, sanitary facilities, and transportation infrastructure sufficient to support the proposed use at the requested capacity.

- (b) Whether the proposed site is compatible with adjacent uses and whether the Operations Plan adequately addresses potential impacts on neighboring properties.
- (c) Whether the operator has submitted a complete Operations Plan satisfying Section 7.[ ]1 of this Ordinance.
- (d) Whether the proposed use is consistent with the goals of the Town of Smithfield Comprehensive Growth Management Plan.

Consistent with NCGS 160D-705 and 160D-1402(j), any denial of a Special Use Permit under this section shall be supported by specific, competent, and substantial evidence in the record. Generalized expressions of concern — including about the nature of the population served, speculative concerns about property values, or neighborhood opposition unaccompanied by supporting competent, material, and substantial evidence — shall not, by themselves, constitute a sufficient basis to deny a Special Use Permit. These standards shall be applied in a non-discriminatory manner consistent with applicable federal and state law, including the Fair Housing Act and the Americans with Disabilities Act, and based on competent, material, and substantial evidence in the record.

## **SECTION 6: APPLICABLE LEGAL FRAMEWORK**

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This amendment is written to be consistent with the following federal and state legal authorities. References are provided as cross-references for review by the Town Attorney prior to adoption.

### **Federal Fair Housing Act (42 U.S.C. §§ 3601–3619)**

The FHA prohibits any person or local government from making housing unavailable or denying housing on the basis of race, color, national origin, religion, sex, familial status, or disability (42 U.S.C. § 3604). Courts have held that zoning restrictions targeting facilities serving protected populations — including persons with disabilities, many of whom are represented in the homeless population — may constitute unlawful discrimination where not justified by a substantial governmental interest. This amendment is drafted to avoid discriminatory effects and to treat shelter uses equitably relative to comparable institutional uses.

### **Americans with Disabilities Act, Title II (42 U.S.C. §§ 12131–12134)**

ADA Title II applies to state and local governments and their programs, including zoning and permitting. It prohibits the exclusion of qualified individuals with disabilities from services, programs, or activities of a public entity and requires reasonable modifications to policies, practices, and procedures to avoid discrimination. In determining parking requirements, the Planning Director shall consider disability-related barriers to driving as a factor supporting reduction or waiver of standard ratios, consistent with ADA's reasonable modification principles. The parking flexibility provision of this amendment (Section 7.[ ]6) directly reflects this principle.

### **Religious Land Use and Institutionalized Persons Act — RLUIPA (42 U.S.C. §§ 2000cc–2000cc-5)**

RLUIPA prohibits government from imposing a land use regulation that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates a compelling interest pursued through the least restrictive means (42 U.S.C. § 2000cc). DOJ and NC School of Government guidance confirm that RLUIPA protects religious institutions and religiously motivated land uses from discriminatory or substantially

burdensome zoning, and is not limited to traditional worship buildings. To the extent any operator of a Temporary Stabilization Shelter or CRSC is a religious institution, faith-based nonprofit, or organization whose homeless services constitute an exercise of religion, this Ordinance shall be applied in a manner consistent with RLUIPA. The RLUIPA protection attaches to the operator's exercise of religion, not to the physical ownership of the land.

### **NC General Statutes Chapter 160D (NCGS 160D-701 et seq.)**

Chapter 160D governs all local zoning and planning authority in North Carolina. NCGS 160D-705 requires that special use decisions be supported by competent, material, and substantial evidence; NCGS 160D-1402(j) requires that zoning decisions not be based solely on generalized neighborhood opposition. All regulations must be consistent with adopted plans. This amendment is drafted to comply with Chapter 160D in all respects, including NCGS 160D-705, and is consistent with the Town of Smithfield Comprehensive Growth Management Plan.

## **SECTION 7: APPLICANT BACKGROUND — STREET REACH OF JOHNSTON COUNTY**

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This section is submitted as background information from the petitioner and is not proposed for adoption as part of the Unified Development Ordinance text. It is provided to assist the Planning Board and Town Council in understanding the context for this amendment.

Street Reach of Johnston County, Inc. is a 501(c)(3) nonprofit organization incorporated under the laws of North Carolina and recognized by the IRS as a public charity. Street Reach is a primary provider of low-barrier homeless services in Johnston County. It is a faith-based nonprofit — its mission is rooted in Christian values of service, dignity, and restoration — but it is not a church and does not require a church facility to operate. It serves all individuals regardless of faith, background, or circumstances.

Street Reach currently operates from the Colbert Ministry Center at First Baptist Church of Smithfield at 125 S. Fourth Street. This amendment is not submitted to protect or formalize that specific location. It is submitted because the Town of Smithfield has no regulatory framework for temporary stabilization shelter, and that gap affects any organization — now or in the future — seeking to serve this population within the Town. Street Reach is the submitting party. The framework belongs to the community.

Current programs include:

- Resource Center — a year-round, walk-in drop-in center providing hygiene, meals, clothing, case management, mail receipt, and referral services.
- White Flag Emergency Cold-Weather Shelter — emergency overnight shelter activated during life-threatening cold weather events.
- Street Outreach — direct engagement with unsheltered individuals throughout Smithfield and Johnston County.
- ReachHER — a trauma-informed empowerment and recovery program for women experiencing homelessness.
- Reach, Restore & Build (RRB) — a developing transitional employment program providing paid work, skills training, and housing navigation as a structured pathway out of homelessness.

Street Reach was founded in February 2019 as an outreach ministry and received its IRS 501(c)(3) designation in 2024. It is governed by a volunteer board of directors. Its philosophy is simple: every person who walks through these doors deserves to be known by name, not just served by a number.

This proposed amendment is submitted in partnership with the Town of Smithfield. Street Reach welcomes dialogue with Town planning staff, the Planning Board, and the Town Council as this framework is considered and refined.

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— END OF EXHIBIT A —

Regina Rodgers, Executive Director | Street Reach of Johnston County, Inc.  
*125 S. Fourth Street, Smithfield, NC 27577*