AMENDED AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, JANUARY 5, 2023, 7:00 PM

1. Call to order.

2. Silent prayer and pledge of allegiance.

3. **Old Business:**

   (a) City Attorney Jeff Sugg will present for council consideration potential amendments to the Zoo City Social District regulations.

   (b) West Pritchard Street Closure:

      (i) Public Hearing

      (ii) Consideration of ordinance to permanently close a portion of West Pritchard Street

   (c) Community Development Director Trevor Nuttall will provide the initial testimony for Case Nos. SUB-22-06 and RZ-22-12: Text amendments that have been submitted for the purpose of updating a broad range of subdivision review/approval regulations and in order to make technical corrections in the Code of Asheboro, specifically including the text of both the subdivision and zoning ordinances. *This legislative public hearing was continued from the December 8, 2022, City Council meeting.*

4. Public comment period.

5. Ms. Mary Joan Pugh, Randolph County Trail Coordinator will present a Resolution proclaiming 2023 Year of the Trail and request council approval.

6. Mayor Smith will recognize Mr. Al Laprade, Chairman of Downtown Asheboro Inc., who will introduce Ms. Addie Corder, the organization's new Executive Director.

7. Mayor Smith will recognize Finance Officer Deborah P. Reaves for her vital role in the city's receipt from the Government Finance Officers Association of a Certificate of Achievement for Excellence in Financial Reporting.

8. Consent Agenda:

(a) Approval of the meeting minutes for the regular city council meeting on December 8, 2022.

(b) Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for November 7, 2022.

(c) Approval of McCrary Ballpark Contract Amendment No. 001 of the contract between the City of Asheboro and CPL Architects and Engineers, PC for additional items/services as listed.

(d) Approval of budget amendment (s) to fund the McCrary Ballpark Contract Amendment No. 001 of the contract between the City of Asheboro and CPL Architects and Engineers, PC.

(e) Approval of a resolution adjusting the compensation for members of the Asheboro ABC Board.

9. Planning and Zoning Administrator Justin Luck will review results of the recent public survey conducted in association with the ongoing update of the city's Land Development Plan.

10. Community Development Director Trevor Nuttall will introduce the following land use cases:

(a) Legislative Hearing (Case No. RZ-22-13): An application to rezone property at 564 Cox Avenue (Randolph County Parcel Identification Number 7760064470) from B2 (CZ) to R10 zoning.

(b) Legislative Hearing (Case No. RZ-22-14): An application to rezone property located on Golda Avenue, east of 210 Golda Avenue, approximately 850 feet east of intersection of North Fayetteville Street (Randolph County Parcel Identification Number 7763129076 from R10 zoning to RA6 (CZ) zoning for a development with multiple family dwelling units having a floor area ratio of up to 17 percent.

(c) Subdivision Preliminary Plat Review – Cane Creek Townhomes (Case No. SUB-18- 02).

11. Water Resources Director Michael Rhoney, PE will discuss the draft National Pollutant Discharge Elimination System (NPDES) permit for the wastewater treatment plant and will request council concurrence with the city staff's approach to responding to changes contained within the draft permit.

12. Community Development Director Trevor Nuttall will discuss the following community development items:

    (a) The expiring terms of office on the Asheboro Planning Board.

    (b) Intent to apply for NC Housing Finance Agency Urgent Repair Program (URP23).

13. City Attorney Jeff Sugg will present a proposed lease agreement with T-Mobile South, LLC for the placement of electronic communications equipment.

14. A discussion of upcoming events and items not on the agenda.

15. Adjournment.

LEGEND

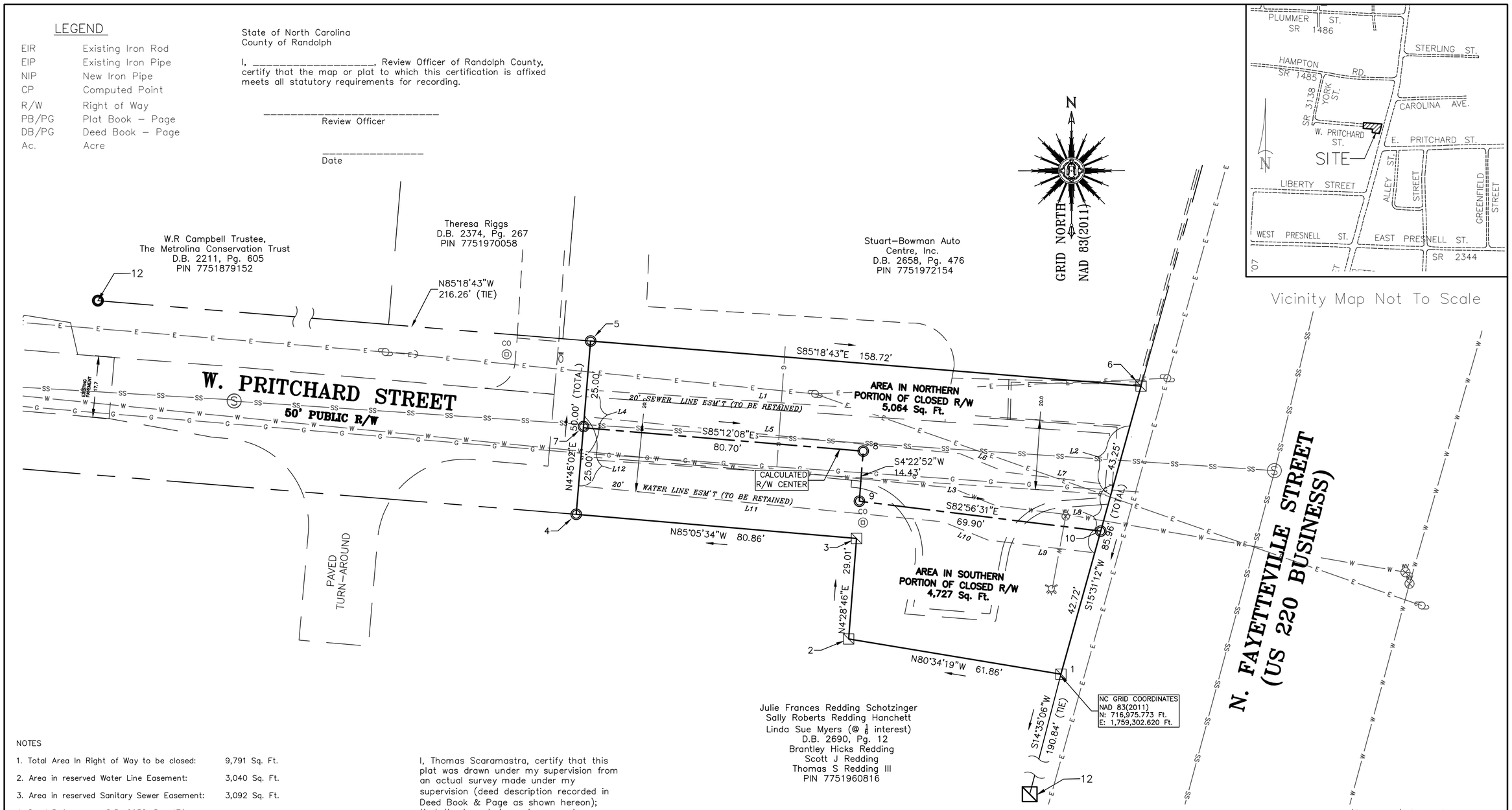
EIR	Existing Iron Rod
EIP	Existing Iron Pipe
NIP	New Iron Pipe
CP	Computed Point
R/W	Right of Way
PB/PG	Plat Book – Page
DB/PG	Deed Book – Page
Ac.	Acre

State of North Carolina
County of Randolph

I, _____, Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

_____
Review Officer

_____
Date



Julie Frances Redding Schotzinger
Sally Roberts Redding Hanchett
Linda Sue Myers (@ 1/6 interest)
D.B. 2690, Pg. 12
Brantley Hicks Redding
Scott J Redding
Thomas S Redding III
PIN 7751960816

NOTES

1. Total Area In Right of Way to be closed: 9,791 Sq. Ft.
2. Area in reserved Water Line Easement: 3,040 Sq. Ft.
3. Area in reserved Sanitary Sewer Easement: 3,092 Sq. Ft.
4. Deed Reference – D.B. 2658, Pg. 476
   19–E–2196
5. Adjacent Parcel ID Nos. – 7751972454; 7751960816
6. NC Grid coordinate basis based on North Carolina Network RTK system. NAD 83 (NSRS 2011) Datum; Field Survey Date Feb 17, 2021; Positional Accuracy 0.002 Ft; Combined Factor 0.99986979; Units US Survey Feet; Distances shown are ground unless otherwise indicated.
7. The purpose of this plat is to define the location of the proposed public Right of Way closure shown. It is not a full property survey and no locations were performed on and other other improvements on these property other than those shown hereon.
8. All points labeled NIP are 5/8" iron pipes set flush with ground.
9. Location work shown hereon was derived by above ground indicators only, unless otherwise noted.
10. This property is subject to any Easements, Agreements, or Rights–of–Way of record prior to this date and not visible at the time of inspection.
11. This survey was prepared without the benefit of a legal title search, and is subject to any facts an accurate title search may disclose.

I, Thomas Scaramastra, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book & Page as shown hereon); that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, Page SHOWN; that the Ratio of Precision as calculated is 1:34,417; that this plat was prepared in accordance with G. S. 47–30 as amended; that this survey is of another category, such as the recombination of existing parcels, a court–ordered survey, or other exception to the definition of subdivision. Witness my original signature, License Number and Seal this

_____day of_____A.D. 2022.

_____
Professional Surveyor

License Number L–4421

POINT DESCRIPTIONS	
NUMBER	DESCRIPTION
1	CONC. MONUMENT, DOWN 2"
2	CONC. MONUMENT, DOWN 1"
3	CONC. MONUMENT, DOWN 1"
4	5/8" IRON PIPE, SET FLUSH
5	5/8" IRON PIPE, SET FLUSH
6	CONC. MONUMENT, IN CURB LINE
7	COMPUTED POINT
8	COMPUTED POINT
9	COMPUTED POINT
10	COMPUTED POINT
11	1" IRON PIPE, UP 2"
12	CONC. MONUMENT, DOWN 1"

LINETYPE LEGEND

W	Water Line	E	Overhead Power
G	Gas Line	UGE	Underground Power
SS	Sanitary Sewer	UGT	Underground Phone
ST	Storm Sewer	TV	TV Cable
X–X	Fence	FO	Fiber Optic Cable

Proposed Street Closure
City of Asheboro

WEST PRITCHARD STREET

Asheboro Township, City of Asheboro
Randolph County, North Carolina
Scale : 1"=20' November 3, 2022

40 0 20 40 80 160

Surveyed and Mapped By
Thomas Scaramastra, PLS
City of Asheboro Engineering Dept.
146 N. Church St.
Asheboro, North Carolina 27203
Ph : (336) 626–1200

Job # 19–015

Proposed amendments to the Subdivision Ordinance **(Case No. SUB-22-06)** and related amendments to the Zoning Ordinance **(Case No. RZ-22-12)**

Planning Board Recommendation and Staff Report

Planning Board Recommendation & Comments to City Council

NOTE: Have applicant Certify to Council mailings to all adjoining property owners.

Case # **RZ-22-12 & SUB-22-06:**

Date 11/7/22, 12/5/2022, and 1/3/23 PB

Applicant City of Asheboro

Legal Description

An application filed by the City of Asheboro on the question of a text amendment application prepared by the city planning staff for the purpose of updating a broad range of subdivision review/approval regulations, including but not limited to allowing staff review and approval of major subdivisions, standards for privately maintained streets, parking and street lighting requirements, review processes for appeals and variances from subdivision requirements, and in order to make technical revisions and corrections in the text of both the zoning and subdivision ordinances.

Requested Action See above.

Existing Zone N/A

Land Development Plan See rezoning staff report

Planning Board Recommendation

The Planning Board recommended continuing the matter during its November 7, 2022 and December 5, 2022 meetings.

The Planning Board recommended approving the request during its January 3, 2023 meeting.

Reason for Recommendation

The Planning Board concurred with staff reasoning on both the zoning and subdivision text amendments.

Planning Board Comments

Subdivision Ordinance Text Amendment Staff Report

Case #22-06 | 1-3-23 Planning Board and 1-5-23 City Council (updated 12-28-22)

Introduction:

In October 2022, City staff was directed to investigate several topics related to the regulation of subdivisions within the City of Asheboro's land use jurisdiction. These topics emerged through discussions, questions and suggestions from the City Planning Board, City Council, and the City management team.

Subdivision amendments responsive to the directive have been prepared and are ready to be considered. Some of the amendments, if adopted, would require related changes to the city Zoning Ordinance; such amendments have been prepared and are included in a separate portion of this report.

Purpose:

The proposed amendments address various issues related to land development and land use regulation, including review, approval, appeal, and variance processes, technical standards, and approval expiration timeframes. More specifically, topics include:

- Modifying the subdivision variance and appeal process. City Council solely would retain authority to consider and issue variances from the subdivision ordinance; the city Board of Adjustment, the entity accustomed to hearing appeals of zoning decisions, would be responsible for considering appeals of decisions related to the subdivision ordinance.
- Changing subdivision approval authority from City Council to Community Development staff (with monthly reporting being provided to the Planning Board and Council), with authority for variances and discretionary determinations assigned to City Council and appeals to the Board of Adjustment. This change would streamline the city's subdivision review and approval process and should eliminate an occasional source of board and public frustration regarding subdivision reviews, that under state law, are non-discretionary.
- Establishing expiration durations for Subdivision Sketch Design plats and extending expiration durations for Preliminary plats. The code's current silence on Sketch Design approval expirations has permitted projects to move forward utilizing out-of-date development standards and the one-year timeframe for Preliminary plat approvals frequently requires Council to consider preliminary plat approval extension requests. The amendments would establish an expiration of Sketch Design plat approvals of 24 months following approval. Preliminary plat approvals would also be valid for 24 months, an increase of one year.
- Changing plat certification language and dimensional requirements. Proposed changes improve accuracy of certification language and reflect changes to the criteria established by state law and the Register of Deeds office for recording plats.
- Clarifying street lighting responsibilities within new major subdivisions. The proposed language would clarify that it is the subdivider's responsibility to obtain street light plan

approval from the appropriate power company and changes the financial responsibility of such installation from the city to the subdivider.

- Establishing private street design standards for larger Planned Unit Developments (PUDs). The lack of private street design standards has emerged as an area of concern by the governing board and the management team. The proposed amendment establishes a private street design standard that is similar to the city's public street design standard. Such standard would be enforceable on any new PUD greater than five acres in size or which proposes to create a buildable lot more than 400 feet from a public street that provides access to the development. The amendment also should help to address concerns recently raised related to the sufficiency of parking provided within Planned Unit Developments. By establishing a private street design standard for most PUDs that sets a drivable width of 28', the availability of on-street parking for most projects will be ensured. To further mitigate issues around parking, the amendment would also increase the amount of required visitor parking.
- Clarifying that Article XI applies only to Residential Townhouse Developments located in the B3 district.
- Cross-referencing sections of the subdivision ordinance with other city codes and statutory provisions (such as state law regarding subdivisions and local planning and development regulation).
- Making miscellaneous clerical corrections.

Affected Articles (as of December 21, 2022):

- Article I (Title and Purpose)
- Article II (Authority and Jurisdiction)
- Article IV (Legal Provisions)
- Article V (Definitions)
- Article VI (Compliance with official plans)
- Article VII (Procedure for Review and Approval of Subdivision Plats)
- Article VIII (Requirements for Approval of Subdivision Plats)
- Article IX (Required Improvements and Design Standards)
- Article X (Planned Unit Developments)
- Article XI (Residential Townhouse Developments)
- Article XII (Recreational Vehicle Resorts)

In reference to the proposed Subdivision Ordinance amendments, specific supporting Land Development Plan goals and policies that staff believes are supportive of the request include the following:

Policy 1.2.4 The City will promote its expedited permitting process and continue to make the land development process user-friendly for citizens and organizations.

Policy 2.3.4: The City will adapt the subdivision review process to only require staff approval of traditional, cluster, and TND subdivisions that meet requirements **(related primarily to traditional subdivisions)**

Goal 2.1: Development that enhances our city's character and sense of community

Policy 2.3.1 The City will amend the Zoning and Subdivision Ordinances to increase interconnectivity
and improve design standards in traditional subdivisions.

Goal 3.1: Enhancement, maintenance, and preservation of the built environment

Goal 3.2: Quality design demanding appropriate scale and context

Goal 5.1: Cost effective, efficient, and coordinated infrastructure in appropriate locations

Policy 5.1.1 The City will encourage improvements that tie together segments of infrastructure (i.e. water/sewer, roads, sidewalks, greenways, etc.), in locations where the addition of such infrastructure benefits the entire community.

Policy 5.3.1: The City will amend (codes) to discourage development patterns (i.e. excessive use of cul-de sacs, lack of connectivity within and between developments) that result in the City (and its taxpayers) incurring unnecessary infrastructure costs.

Staff Recommendation: Staff believes that the amendments are generally supported by the Land Development Plan. Considering all factors, staff believes approval of the application to be reasonable and consistent with the Asheboro Land Development Plan; staff recommends approval.

ARTICLE I
TITLE AND PURPOSE

I. TITLE

This Ordinance shall be known and may be cited as the Subdivision Ordinance of the City of Asheboro, North Carolina, and may be referred to as the Subdivision Ordinance.

II. PURPOSE

The purpose of this Ordinance is to establish procedures and standards for the development and subdivision of land within the territorial jurisdiction of the City of Asheboro, North Carolina. It is further designed to provide for the orderly growth and development of Asheboro; for the coordination of streets and highways within proposed subdivisions with existing or planned streets and highways and with other public facilities; for the dedication or reservation of recreation areas serving residents of the immediate neighborhood within the subdivision and rights-of-way or easements for street and utility purposes; and for the distribution of population and traffic in a manner that will avoid congestion and overcrowding and will create conditions essential to public health, safety, and the general welfare. This Ordinance is designed to further facilitate adequate provision for water, sewerage, parks, schools, and playgrounds, street lights and also to facilitate the further re-subdivision of larger tracts into small parcels of land.

ARTICLE II
AUTHORITY AND JURISDICTION

I. AUTHORITY

This Ordinance is hereby adopted under the authority and provisions of the General Statutes of North Carolina, Chapter ~~160A, Article 19, Part 2~~ 160D.

II. JURISDICTION

The regulations of this Ordinance contained herein as provided in G. S. ~~160A, Article 19~~ 160D shall apply throughout the City of Asheboro and its extraterritorial planning jurisdiction, as it may from time to time exist.

ARTICLE IV
LEGAL PROVISIONS

II. PROCEDURE FOR PLAT APPROVAL

After the effective date of this Ordinance, no subdivision plat of land within the territorial jurisdiction of the City of Asheboro shall be filed or recorded until it has been submitted to and approved by the City of Asheboro as set forth in Article III, Section 1 of this Ordinance, and until such approval is certified in writing on the face of the plat by the Community Development

Director. Expedited review for certain classes of subdivisions shall be consistent with ~~NCGS 160A-376 (b) and (c)~~ NCGS 160D, Section 802 (b) and (c). (Amended 12-2018)

VII. VARIANCES AND APPEALS

A. VARIANCES

Where, because of severe topographical or other conditions peculiar to the site, strict adherence to the provisions of this Ordinance would cause an unnecessary hardship, the City Council ~~upon recommendation of the Planning Board,~~ may authorize a variance to the terms of this Ordinance consistent with NCGS 160D-406 and only to the extent that is absolutely necessary and not to an extent which would violate the intent of the Ordinance. All requests for variances shall be submitted in writing, by the subdivider or his agent, to the Planning Department. Such request shall be accompanied by materials providing sufficient evidence to support the claim of hardship.

B. APPEALS

Appeals shall be filed with the Clerk to the Board of Adjustment at least 30 days prior to the Board of Adjustment meeting at which the appeal will be considered. An appeal from an order, requirement, decision or determination made of an administrative decision by the Community Development Division, shall be decided by the Board of Adjustment based upon its findings of fact and, to achieve the intent of the Ordinance, and in accordance with the provisions of G.S. 160D-405. The effect of the decision shall not be to vary the terms of the Ordinance.

ARTICLE V
DEFINITIONS

I. SUBDIVISION DEFINED*

A. Subdivision

For the purpose of this Ordinance, "subdivision" means all division of a tract or parcel of land into two or more lots, building sites, or other division for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this Ordinance.

1. The combination or re-combination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the City, as shown in its subdivision regulations;

2. the division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved;

3. the public acquisition by purchase of strips of land for widening or opening of streets; ~~and~~

4. the division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where resultant lots are equal to or exceed the standards of the City, as shown in this Ordinance~~.~~; and

5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes. (Amended 12-2018)

Expedited review for specific classes of subdivisions shall be consistent with ~~NCGS 160A-376 (b) and (c)~~ NCGS 160D, Section 802 (b) and (c) (Amended ~~12-2018~~TBD)

ARTICLE VI
COMPLIANCE WITH OFFICIAL PLANS

III. ZONING

Proposed subdivisions shall comply in all respects with the requirements of the Asheboro Zoning Ordinance in effect in the area to be subdivided except as described in Article IX-G-1. ***(amended 3-91)***. Authorization of a conditional zoning district may modify requirements.

IV. RECREATION FACILITIES AND OPEN SPACES

Where a tract of land that is an approved site for a public Recreation facility or Public Open Space lies wholly or partially within an area proposed to be subdivided, and provided the Planning Board has notified the property owners of its approval of the site prior to or within 10 days after the presentation of the sketch design plat for Planning Board approval, the subdivider shall reserve the proposed recreation site as required by ~~G.S. 160A-372~~ NCGS 160D-804.

ARTICLE VII
PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

I. ~~MINOR~~ SUBDIVISION~~S~~ APPROVAL AUTHORITY ~~(Amended 12-2018~~TBD~~)~~

The City Council of the City of Asheboro, North Carolina hereby designates the Community Development Division as the designated planning agency to approve minor and major subdivisions, pursuant to ~~NCGS 160A-361~~ NCGS 160D-803 and this Ordinance. Approval of subdivision variances (subject to Article IV, Section VII), development agreements pursuant to NCGS 160D, Article 10, extensions of time for major subdivisions (specified in Article VII, Subsections II(A) and II(B)), and acceptance of any public street or utility consistent with NCGS 160D, Section 806 requires authorization by City Council.

II. SUBMITTAL PROCESS FOR MAJOR SUBDIVISIONS

A. Sketch Design Plat (Amended 12-2018)

Whenever a subdivision of land is within the definition of a "Major Subdivision" as set forth in Article V of this Ordinance and which is located within the territorial jurisdiction established by Article II of this Ordinance , the subdivider shall submit copies of a sketch design plat which shall meet the requirements set forth in Article VIII of this Ordinance to the Community Development ~~Director~~ Division ~~at least ***twenty (20) days*** prior to a regularly scheduled meeting of the Planning Board for a subdivision of land~~.

~~At the regularly scheduled Planning Board meeting following submission of the sketch design plat, the subdivider or the subdivider's authorized agent shall discuss the proposed development with the Planning Board and become familiar with the regulations affecting the land to be subdivided.~~

The ~~Planning Board~~ Community Development Division shall review the sketch design plat for general compliance with the requirements of this Ordinance, and the Zoning Ordinance and any other applicable ordinance. ~~The Planning Board~~ The Community Development Division shall advise the subdivider or the subdivider's authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the preliminary and final plats. The ~~Planning Board~~ Community Development Division shall not review both a Sketch Design and a Preliminary Plat ~~at the same~~ meeting concurrently. If a Sketch Design is presented, then a Preliminary Plat can only be reviewed following Sketch Design approval ~~at the next regularly scheduled Planning Board meeting~~. The Community Development ~~Director~~ Division shall review the plat for compliance with the requirements of this Ordinance and refer copies ~~of the sketch design plat~~ and all accompanying materials to those public officials and agencies concerned with new development ~~or those whose advice will, in the opinion of the Community Development Director, be useful to the Planning Board~~ including, but not limited to the City Manager, the Randolph County Health Department, the Asheboro and/or Randolph County Boards of Education, whichever is appropriate, the District Engineer of the N. C. Department of Transportation, the City Engineer, the City Director of Public Works, and the City Building Inspector. If no response is received from these agencies within fifteen (15) days from the date the Community Development Director issues the plats for review, "no comment" will be recorded as the response. Following review, the Community Development Division shall approve or disapprove the plan and such action shall be documented within the Division's files and communicated to the subdivider. Sketch Design approvals shall be valid for a period of 24 months.

~~At its next regular meeting, the Planning Board shall review the sketch design plat for compliance with this Ordinance and consider any recommendations made by public officials or agencies concerned with new development.~~

~~Upon receipt of the sketch design with recommendations including any recommended conditions or recommended changes from the Planning Board, the City Council shall review it for compliance with the requirements of this Ordinance and shall consider the~~

~~recommendations of the Planning Board and any public official or agency concerned with new development.~~

~~The City Council shall approve, approve conditionally, or disapprove the sketch design plat. If the City Council approves the sketch design plat, approval shall be noted on at least two (2) copies of the plat by the City Clerk. One copy shall be returned to the subdivider and one shall be retained as a part of the records of the City Council.~~

~~If the City Council approves the sketch design plat with conditions, the conditions and the reasons for the conditional approval shall be recorded in the minutes of the meeting. A copy of any conditions shall be attached to the plat that is returned to the subdivider.~~

If, after ~~City Council~~ approval of a sketch design plat, the subdivider wishes to modify the plat, the ~~Planning Director~~ Community Development Director shall determine if the modification is substantial (i.e., increase in the number of lots, relocation of streets, etc.) If found to be substantial, the subdivider shall re-submit the sketch design plat for approval in accordance with the requirements of this article.

The review shall in no way be construed as constituting an official action of approval for the recording of the subdivision ~~by the Planning Board or the City Council~~ as required by this Ordinance. ~~One copy of the sketch design plat shall be retained as a part of the records of the Planning Board. The other copy shall be returned to the subdivider or the subdivider's authorized agent.~~

The Community Development Division shall provide a monthly report to the Planning Board and City Council detailing all Sketch Design Plat approvals granted during the preceding month.

B. Preliminary Plat (Amended 12-2018)

Upon completion of the sketch design plat review procedure, the subdivider, or the subdivider's authorized agent shall submit copies of the preliminary plat, ***engineering data,*** and any supplementary material which shall meet the requirements set forth in Article VIII of this Ordinance, to the Community Development ~~Director~~ Division ~~at least twenty (20) days prior to a regularly scheduled meeting of the Planning Board~~ for a subdivision of land which is located within the territorial jurisdiction established by Article II of this Ordinance. Such submission shall not be more than 24 months after the date on which the Sketch Design Plat was approved, otherwise such Sketch Design Plat approval shall be null and void unless a written extension of this time limit is granted by the City Council.

~~At its next regular meeting, the Planning Board shall review the preliminary plat for compliance with this Ordinance and consider any recommendations made by public officials or agencies concerned with new development.~~

~~Upon receipt of the preliminary plat with recommendations including any recommended conditions or recommended changes from the Planning Board, the City Council shall~~

~~review it for compliance with the requirements of this Ordinance and shall consider the recommendations of the Planning Board and any public official or agency concerned with new development.~~

~~The City Council shall approve, approve conditionally, or disapprove the preliminary plat. If the City Council approves the preliminary plat, approval shall be noted on at least two (2) copies of the plat by the City Clerk. One copy shall be returned to the subdivider and one shall be retained as a part of the records of the City Council.~~

~~If the City Council approves the preliminary plat with conditions, the conditions and the reasons for the conditional approval shall be recorded in the minutes of the meeting. A copy of any conditions shall be attached to the plat that is returned to the subdivider.~~

The Community Development Division shall review the plat for compliance with the requirements of this Ordinance and consider all comments that were received during review of the Sketch Design Plat. Following review, the Community Development Division shall approve or disapprove the plan and such action shall be documented within the Division's files and communicated to the subdivider. Preliminary plat approvals shall be valid for a period of 24 months.

If, after ~~City Council~~ approval of a preliminary plat, the subdivider wishes to modify the plat, the ~~Planning Director~~ Community Development Director shall determine if the modification is substantial (i.e., increase in the number of lots, relocation of streets, etc.) If found to be substantial, the subdivider shall re-submit the preliminary plat for approval in accordance with the requirements of this article.

The Community Development Division shall provide a monthly report to the Planning Board and City Council detailing all Preliminary Plat approvals granted during the preceding month.

C. Engineering Data (Amended 12-2018)

The subdivider shall submit the Engineering data concerning street grade, design data for street corners and curves and the plan and profile for streets, storm drains and water and sewer lines with the submission of the preliminary plat for approval. Engineering data shall be approved by the City Engineer prior to ~~review by City Council of the Preliminary Plat. *(amended 7/99)*~~ approval of the preliminary plat by the Community Development Division.

D. Improvements (Amended 12-2018)

Upon approval ~~(with or without conditions)~~ of the preliminary plat ~~by the City Council and approval of the engineering data by the City Engineer,~~ the subdivider may proceed with the installation or arrangements for the required improvements and the preparation of the final plat in accordance with the approved preliminary plat and the requirements

of this Ordinance provided all other required permits and approvals, including but not limited to those required from the North Carolina Department of Environmental Quality and Department of Transportation, have been obtained.

E. Final Plat Certification (Amended 12-2018)

Upon installation or arrangement for the required improvements, the subdivider shall submit a final plat which shall meet the requirements set forth in Article VIII of this Ordinance, to the Community Development ~~Director~~ Division ~~at least fifteen (15) days prior to a regularly scheduled meeting of the Planning Board~~. Such submission shall not be more than ~~twelve (12)~~ 24 months after the date on which the preliminary plat was approved ~~nor less than 30 days~~, otherwise such preliminary plat approval shall be null and void unless a written extension of this time limit is granted by the City Council.

The final plat shall contain only that portion of the preliminary plat which the subdivider proposes to develop and record at that time.

No final plat shall be certified unless and until the subdivider has installed that area, represented on the final plat, all improvements required by this Ordinance or shall have guaranteed their installation as required by Article VIII, II, C of this Ordinance.

~~At its next regular meeting, the Planning Board shall review the final plat for conformance with the approved preliminary plat and for compliance with all requirements of this Ordinance and consider any recommendations made by public officials or agencies concerned with new development.~~

~~Upon receipt of the final plat with recommendations including any conditions or modifications from the Planning Board, the City Council shall review it for conformance with the approved preliminary plat and for compliance with the requirements of this Ordinance, and shall consider the recommendations of the Planning Board and any public official or agency concerned with new development.~~

~~If the City Council certifies the final plat with modifications, the subdivider shall prepare and submit to the City Council a new final plat or additional materials which incorporate the modifications. The City Council may refer the modified final plat and accompanying material to the Planning Board or to public officials or agencies concerned with new development for their recommendations.~~

~~If the City Council denies certification of the final plat, the reasons for such denial shall be recorded in the minutes of the meeting.~~

The Community Development Division shall review the plat for compliance with the requirements of this Ordinance and consider all comments that were received during review of the Sketch Design and Preliminary Plat. Following review, the Community Development Division shall approve or disapprove the plan and such action shall be documented within the Division's files and communicated to the subdivider. If the

Community Development Director certifies the final plat for recording, the Community Development Division shall notify appropriate public officials and agencies of such certification.

~~Upon City Council approval of a final plat the Planning Director shall transmit copies of the approved final plat to appropriate public officials and agencies.~~

The Community Development Division shall provide a monthly report to the Planning Board and City Council detailing all Final Plat certifications granted during the preceding month.

ARTICLE VIII
REQUIREMENTS FOR APPROVAL OF SUBDIVISION PLATS

I. MINOR SUBDIVISIONS

A. Plat Prepared
A minor subdivision plat shall be prepared by a surveyor, licensed and registered to practice in the State of North Carolina.

B. Number of Copies and Graphic Media (Amended 12-2018)
~~Two copies of the minor subdivision plat~~ An electronic file of the plat shall be submitted ~~on black or blue line paper prints~~. If requested by city staff, up to three (3) physical copies of the plat shall be submitted.

C. Plat Size and Scale
Minor subdivision plats shall be dimensioned to comply with NCGS 47-30, and as acceptable for recordation by Randolph County Register of Deeds. ~~have an outside marginal size of eighteen (18) inches by twenty-four (24) inches including one and one-half (1 1/2) inch for binding on the left margin and one-half (1/2) inch border on each of the other sides.~~ Where size of land areas, or suitable scale to assure legibility require, maps may be placed on two or more sheets with appropriate match lines. Minor subdivision plats shall be drawn at any scale that assures legibility.

E. Certification Required

1. Certification of Ownership ~~and Dedication~~ (Amended 12-2018)
The following certificate shall be placed on the minor subdivision plat and signed by the owner(s) of the subdivision.
~~*I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision and dedicate any right of way or easements as shown on the plat with my (our) free consent.*~~
~~*_____ (Date) _____ (Owner)*~~
~~*_____ (Owner)*~~

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent.

Date *Owner*

Owner

2. Certificate of Survey (Amended 12-2018)
The ~~following~~ certificate required by N.C.G.S. 47-30 shall be placed on the minor subdivision plat and shall be signed by the surveyor preparing the plat or under whose supervision it was prepared~~; the signature shall be accompanied by the seal and registration number of the above mentioned surveyor~~.
~~*I,_____, certify that this map was (drawn by me)(drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book_____ page_____, Book_____, page_____, etc.) (Other); that the error of closure as calculated by latitudes and departures is 1:___; that the boundaries not surveyed are shown are broken lines plotted from information found in Book _____, page_____; that this map was prepared in accordance with G.S. 47-30 as amended.*~~
~~*Witness my hand and seal this ____day of _____A.D., 2_____.*~~

II. MAJOR SUBDIVISION PLATS

A. Sketch Design Plat

1. Number of Copies and Graphic Media
An electronic file of the sketch design plat ~~minimum of eight (8) copies of a sketch design plat~~ shall be submitted. If requested by city staff, up to five (5) physical copies of the plat shall be submitted. No specific graphic media must be employed.

B. Preliminary Plat

1. Number of Copies and Graphic Media
An electronic file of the preliminary plat ~~minimum of eight (8) copies of the preliminary plat~~ shall be submitted. If requested by city staff, up to five (5) physical copies of the plat shall be submitted. No specific graphic media must be employed unless the preliminary plat will also serve as the final plat. ~~In such a case, the graphic media employed shall be of the same type as required for final plat.~~
2. Plat Scale
Major subdivision Preliminary plats shall be drawn at a scale that assures legibility.
3. Contents Required
c. Information Concerning Proposed Subdivision:
1. Names of proposed streets and the locations and widths of proposed street rights-of-way and street pavement;
2. Proposed riding trails, natural buffers, pedestrian, bicycle, or other rights-of-way or other easement, their location, width and purpose;
3. Layout of lot arrangement including lot lines, lot dimensions and lot and block numbers;
4. Proposed minimum building setback lines; in conformance with the Asheboro Zoning Ordinance;

5. Location of proposed utilities (sewer, water, and drainage) showing connections to existing systems or location plans to existing systems or a note that utilities will be provided by individual water supply, or sewage disposal. (Amended 12-2018)
6. Proposed location and size of parks, school sites, and other recreational or open spaces accompanied by provisions concerning their future ownership;
7. Site data:
    a. Acreage in total tract;
    b. Acreage in parks and other non-residential use;
    c. Total number of lots;
    d. Average lot size;
    e. Linear feet of streets;
8. Grading plan indicating proposed modifications to the topography, other than street construction, at a contour of not more than five (5) feet; ***(amended 12/89)***
9. Engineering Data shall be submitted at time Preliminary Plat is submitted:
    a. Design data for streets and curves;
    b . Plan and profiles for streets, water, sewer and storm sewer lines;
    c. Proposed design and layout of street lights consistent with power company and city standards;
10. Base flood elevation data if proposed subdivision is within a flood hazard area.

C. Final Plat

1. Improvements, Installation or Guarantees

Prior to certification of a Final Plat the subdivider shall have installed improvements specified in Article IX of this Ordinance or guaranteed their installation in one of the following ways:

a. File with the City Clerk a performance or surety bond made by a surety company licensed to do business in North Carolina. Such guarantee shall be in an amount of not less than 100% of the construction of required uncompleted improvements as estimated by professional contractors competent in their respective fields in the form of proposals or bids for the installation being guaranteed. (amended 12/01) Performance guarantees shall run for a period of one year and may be renewed once for a period of one year upon written approval from the City Manager.

b. Deposit or place in escrow with the City Clerk a certified check or cash in an amount not less than 100% of the estimated cost of the construction of the required improvements. Said funds shall not be returned by the City until improvements have been satisfactorily installed. Portions of the deposit may be released as work progresses provided that such refunds shall be made no often than once per calendar month.

c. File with the City Clerk a letter of credit from a financial institution licensed to do business in the State of North Carolina for the cost. Such letter of credit shall be in an amount of not less than 100% of the construction of required uncompleted improvements as estimated by the by by professional contractors

competent in their respective fields in the form of proposals for bids or the installation being guaranteed. (amended 12/01) The letter of credit shall run for a period of one year and may be renewed once for a period of one year upon written approval from the City Manager.

The guarantee shall not apply to the installation of the water and sewer systems, or stone base for the street. These items shall be installed and "as built" drawings shall be submitted prior to approval of any final plat. If street lights are not installed prior to final plat certification, the subdivider shall provide evidence that any assessed charge or fee from the applicable power company has been paid and documentation that the design and layout has been approved. Cost for installation shall be the responsibility of the developer.

5. Plat Size and Scale

Major subdivision plats shall be dimensioned to comply with NCGS 47-30, and as acceptable for recordation by Randolph County Register of Deeds. ~~have an outside marginal size of not more than eighteen (18) inches by twenty-four (24) inches nor less than eight and one-half (8 1/2) inches by eleven (11) inches, including one and one-half (1 1/2) inch for binding on the left margin and one-half (1/2) inch border on each of the other sides.~~ Where size of land areas, or suitable scale to assure legibility require, maps may be placed on two or more sheets with appropriate match lines. Major subdivision Final plats shall be drawn at a scale that assures legibility.

6. Contents Required

b. Plat Information:

1. Names of proposed streets and the locations and widths of proposed street rights-of-way and street pavements;
2. Layout of lot arrangement including lot lines, lot dimensions, and lot and block numbers;
3. Proposed minimum building setback lines; in conformance with the Asheboro Zoning Ordinance;
4. Site data:
   a. Acreage in total tract;
   b. Acreage in parks and other non-residential use;
   c. Total number of lots;
   d. Average lot size;
   e. Linear feet of streets;
5. As Built Engineering Data (Amended 12-2018): The following information shall be contained in a plan and profile accompanying the final plat.
   a. The utility layout, including sanitary sewers, storm sewers, water distribution lines, illustrating connections to existing systems or plans for individual water supply systems and/or sewerage disposal

systems. Plans must show lines sizes, the location of fire hydrants, blowoffs, manholes, pumps, and forcemains.

b. Location and dimensions of all rights-of-way, utility or other easements, riding trails, natural buffers, pedestrian or bicycle paths and areas to be dedicated to public use with the purpose of each stated;

c. Location, purpose, and dimensions of areas to be used for purposes other than residential;

d. Right-of-way lines, sight distance lines, pavement widths, and names of all streets and the location, name, and width of all adjacent streets and easements;

e. Property lines, building or other structures, water courses, railroads, bridges, culverts, storm drains, street lights, corporate limits on land to be subdivided and on a portion of the land immediately adjoining;

f. Sufficient engineering data to determine readily and reproduce on the ground every straight or curved boundary line, street line, lot line, right-of-way line, easement line, setback line, sight distance line including dimensions, bearings, or deflection angles, radii, central angles and tangent distances for the center line of curved streets and curved property lines that are not the boundary of curved streets. All dimensions shall be measured to the nearest one-hundredth of a foot and all angles to the nearest minute;

g. Accurate location and description of all monuments, markers, and control points;

6. Base flood elevation data if proposed subdivision is within a flood hazard area.

7. Certification Required

a. Certification of Ownership and Dedication (Amended 12-2018)

The following certificate shall be placed on the final plat and signed by the owner(s) of the subdivision.

~~*I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent.*~~

~~*_____ Date _____ Owner*~~

~~*_____ Owner*~~

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision and dedicate any right-of-way or easements as shown on the plat with my (our) free consent.

_____ (Date) _____ Owner

b. Certificate of Survey (Amended 12-2018)

The ~~following~~ certificate required by N.C.G.S. 47-30 shall be placed on the final plat and shall be signed by the surveyor preparing the plat or under whose supervision it was prepared~~; the signature shall be accompanied by the seal and registration number of the above mentioned surveyor~~.

~~*I,_____, certify that this map was (drawn by me)(drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book_____ page_____, Book_____, page_____, etc.) (Other); that the error of closure as calculated by latitudes and departures is 1:___; that the boundaries not surveyed are shown are broken lines plotted from information found in Book _____, page_____; that this map was prepared in accordance with G.S. 47-30 as amended.*~~
~~*Witness my hand and seal this ____day of _____A.D., 2_____.*~~

ARTICLE IX
REQUIRED IMPROVEMENTS AND DESIGN STANDARDS

I. REQUIRED IMPROVEMENTS

Each subdivision as defined in Article V, Section I of this Ordinance shall contain the following improvements as applicable:

A. Survey
B. Streets
C. Sidewalks
D. Stormwater Drainage System
E. Water and Sewerage Systems
F. Blocks
G. Lots
H. Street Lights

B. STREETS, PUBLICLY MAINTAINED

7. Private Streets and Reserve Strips

Private streets or reserve strips shall be prohibited within any platted subdivision, unless authorized by way of a conditional zoning district or Special Use Permit or required to obtain access to existing inaccessible property. Ownership and maintenance of a private street shall be designated on the plat; private streets shall be constructed consistent with this Subdivision Ordinance. ***(Amended 6/90 TBD)***

H. STREET LIGHTS

Adequate street lighting shall be installed in conformance with city policies and standards of this Ordinance, or provisions for such installation shall have been made by the developer.

ARTICLE X
PLANNED UNIT DEVELOPMENTS

I. GENERAL

The intent of this article is to permit greater flexibility in the design of residential and other developments by allowing certain variations in lot size and design requirements and the establishment of townhouses and condominiums so that open space in commonly owned areas, tree covered and recreation areas can be provided.

II. COORDINATION WITH THE ASHEBORO ZONING ORDINANCE

A. Site Plans

Site plans for planned unit developments shall meet the requirements of the Asheboro Zoning Ordinance for ~~set forth in Article 600 "Special Uses" and Section 630~~ "Planned Unit Developments" ~~of the Asheboro Zoning Ordinance,~~ as applied to either a Special Use Permit or Conditional Zoning approval.

B. Design Requirements

Individual lot size may be varied but the overall density of a planned unit development shall not exceed the applicable zoning requirements of that district.

C. Review Process

Planned unit development plans shall be reviewed ~~simultaneously~~ for compliance with this ordinance and the Asheboro Zoning Ordinance in particular, Section 5.05(16) ~~630~~. *(amend 10/2001* TBD*)*

If the PUD requires review as a "major" or "minor" subdivision the Sketch Design Plat shall be properly submitted for review to the Community Development Division. ~~by the City Council at the same meeting as the PUD SUP. The Sketch Design Plat and the site plan required for the SUP may be combined on one plat so long as the requirements for each are met. If the PUD requires a "minor subdivision the required subdivision plat shall be properly submitted for approval.~~ Approval shall be subject to any conditions of the PUD Special Use Permit (SUP) or Conditional Zoning approval and granted only after such approval ~~of the SUP~~ by the City Council.

III. PLAT REQUIREMENTS

The sketch, preliminary and final plats for a planned unit development shall meet the requirements of this ordinance and in addition the following requirements in Section IV shall be met. ***(amended 2/03)***

IV. OTHER REQUIREMENTS ***(amended 2/03)***

A. Common Areas

1. Common areas or areas not shown as lots shall be held in non-profit corporate ownership by the owners of the lots within the development. The title to such common areas of property shall be preserved to the perpetual benefit of the private properties in the development and shall be restricted against private ownership for any other purpose.

2. Improvements may be made within the common areas provided that maximum coverage of the area shall not exceed 25 percent of the entire common property.
3. The developer shall submit and after approval by the City Council, record a declaration of the covenants and restrictions that govern the ownership, management and maintenance of the common area and the ownership and maintenance of private streets and alleys, if any.

B. Reserved (amended 9/5/02)

C. Improvements

1. All improvements required in this ordinance shall apply to planned unit developments, unless expressly modified by this Article, regardless of private ownership of streets and utilities.

2. ~~Private streets and alleys shall be designed as required for Emergency Services and garbage collection if public collection is desired.~~

a. Streets, Publicly Maintained

Public streets shall be designed and built in accordance with the design standards for publicly maintained streets specified by this Ordinance, including the Public Street Typical Street Section for the City of Asheboro (See Attachment IX-A). Public street design shall be prepared by a registered professional engineer. Engineering plans and data shall be submitted to and approved by the City Engineer. All design standards for publicly maintained streets specified by this Ordinance shall be satisfied.

b. Streets, Privately Maintained

Private streets shall be designed and built in accordance with the design standards for publicly maintained streets specified by this Ordinance except where modified by. the Private Street Typical Street Section for the City of Asheboro (See Attachment X-A). Private street design shall be prepared by a registered professional engineer. Following construction, certification that the street was built in accordance with these standards shall be provided by a registered professional engineer. Notwithstanding the preceding, Planned Unit Developments of less than five (5) acres in size and with no portion of a proposed subdivided lot greater than 400 feet from a public street that provides access to the development shall not be required to comply with the design standards for publicly maintained streets specified by this Ordinance or the Private Street Typical Street Section for the City of Asheboro (Attachment X-A). Such private streets shall be designed as required for Emergency Services and garbage collection if public collection is desired.

c. Alleys

Alleys are permitted as secondary means of access within Planned Unit Developments and shall be designed as required for Emergency Services and garbage collection if public collection is desired. In no instance shall an alley serve as the only means of access to a proposed lot.

3. All private streets and parking areas within residential and commercial developments shall have a paved surface. *(amend 10/2001)*

4. The street layout of the development shall be in conformity with the ~~Asheboro Thoroughfare~~ Comprehensive Transportation Plan and:

a. Where a proposed development will extend an existing public street such extension shall be a public street unless it is an existing dead end street not necessary for access to adjacent property.

b. Where a through street is required to provide access to adjacent properties or for general public usefulness such street shall be a public street.

5. Sidewalks that meet ADA standards shall be provided along streets to connect all units, parking areas, recreation vehicle storage, recreation facilities, central trash facilities, postal centers etc. and shall extend to intersections with existing streets.

6. Street lights shall be installed which meet the design standards of the City of Asheboro street lighting policy.

7. In residential PUD's designated parking spaces for visitor and or overflow parking shall be installed which equals 10% of the total number of ~~units~~ required parking spaces in the project. This parking shall comply with NC Building Code requirements for handicapped parking. (Amended 12-2018).

8. In residential PUD's recreation vehicle parking / storage areas shall be installed, unless these vehicles are prohibited by covenants and restrictions. Spaces provided shall be 12 feet by 30 feet and shall equal to 10% of the total number of units in the project.

9. In residential PUD's open space and recreation space shall be provide as specified in Table 4-1~~Table 200-1 under RA6~~ and Section 3.01(S)~~321A~~ of the Asheboro Zoning Ordinance. ***(amended 2/03)***

D. Public Access, Easements, Private Party Walls

1. Building lots may abut or be provided with frontage on ~~common areas or~~ private streets ~~or alleys~~, properly restricted through a property owners association to assure access.

2. Easements over the common areas for access, ingress, and egress from and to public streets and walkways and easements for enjoyment of the common areas, as well as for parking, shall be granted to each owner of a building lot.

3. All common walls between individual lots shall be party walls and provisions for the maintenance thereof and restoration in the event of destruction or damage shall be established.

4. Ownership and maintenance responsibility of a private street shall be designated on the plat.

5. In developments containing private streets or alleys, a release of liability shall be included in the recorded covenants and restrictions which releases the City of Asheboro from any liability resulting from utility maintenance, garbage collection , and responsibility for failing to provide any emergency or regular fire, police or other public service to such developments or their occupants when such failure is due to the lack of access to such areas due to inadequate design or construction, blocking of access routes, inadequate maintenance, or any other factor within the control of the developer, homeowner's association, or occupants. In no case shall the City or the State be responsible for maintaining any private street. Such responsibility shall rest with the homeowner's association and occupants. ~~in that such private streets will not be constructed to the minimum standards sufficient to allow their inclusion for public maintenance.~~

ARTICLE XI
RESIDENTIAL TOWNHOUSE DEVELOPMENTS IN THE B3 DISTRICT

I. GENERAL

The intent of this article is to permit greater flexibility in the design of residential neighborhoods by providing for the establishment of townhouse developments in the B3 district.

II. COORDINATION WITH THE ASHEBORO ZONING ORDINANCE

A. Site Plans

Site plans for Residential Townhouse Developments shall meet the requirements set forth in ~~Article 600 "Special Uses" and~~ Section 5.05(31)~~648~~ "Residential Townhouse Developments in the B3 District" of the Asheboro Zoning Ordinance.

B. Design Requirements

Individual lot size may be varied but the overall density and permitted dwelling type ~~within a Residential Townhouse Developments~~ shall not exceed the applicable zoning requirements of the district in which the development is located.

C. Review Process

~~Residential Townhouse Development p~~Plans shall be reviewed simultaneously for compliance with this ordinance and the Asheboro Zoning Ordinance~~. in particular, Section 648~~. If the ~~Residential Townhouse Development~~ project requires review as a "major" subdivision the Sketch Design Plat shall be properly submitted for review ~~by the City Council~~ at the same meeting as the ~~Residential Townhouse Development~~ SUP. The Sketch Design Plat and the site plan required for the SUP may be combined on one plat so long as the requirements for each are met. If the ~~Residential Townhouse Development~~ project requires a "minor subdivision" the required subdivision plat shall be properly submitted for approval. Approval shall be subject to any conditions of the ~~Residential Townhouse Development's~~ SUP or Conditional Zoning approval and granted only after such approval ~~of the SUP~~ by the City Council.

III. PLAT REQUIREMENTS

The sketch, preliminary and final plats for a Residential Townhouse Developments shall meet the requirements of this ordinance.

IV. OTHER REQUIREMENTS

A. Common Areas

1. Common areas or areas not shown as lots shall be held in non-profit corporate ownership by the owners of the lots within the development. The title to such common areas of property shall be preserved to the perpetual benefit of the private properties in the development and shall be restricted against private ownership for any other purpose.
2. Improvements may be made within the common areas provided that open space requirements as set forth in the Asheboro Zoning Ordinance are met.

3. The developer shall submit and after approval by the City Council, record a declaration of the covenants and restrictions that govern the ownership, management and maintenance of the common area and the ownership and maintenance of private streets and alleys, if any.

B. Improvements

1. All improvements required in this ordinance shall apply to Residential Townhouse Developments, unless expressly modified by this Article, regardless of private ownership of streets and utilities.

2. Private streets and alleys shall be designed as required for Emergency Services and garbage collection if public collection is desired.

3. All private streets and parking areas within Residential Townhouse Developments shall have a paved surface.

4. The street layout of the development shall be in conformity with the Asheboro ~~Thoroughfare~~ Comprehensive Transportation Plan and:

   a. Where a proposed development will extend an existing public street such extension shall be a public street unless it is an existing dead end street not necessary for access to adjacent property.

   b. Where a through street is required to provide access to adjacent properties or for general public usefulness such street shall be a public street.

5. Sidewalks that meet ADA standards shall be provided along streets and driveways to connect all units, parking areas, recreation facilities, central trash facilities, postal centers etc. and shall extend to intersections with existing streets.

6. Street lights shall be installed which meet the design standards of the City of Asheboro street lighting policy.

7. ~~In Residential Townhouse Developments parking spaces for visitor and or overflow parking shall be installed which equals 20% of the total number of units in the project, except no additional parking is required for Town Home Development's located within a B3 zoning district. This parking shall comply with NC Building Code requirements for handicapped parking. (Amended 12-2018)~~ No visitor or overflow parking shall be required.

8. ~~In Residential Townhouse Developments recreation vehicle parking / storage areas shall be installed, unless these vehicles are prohibited by covenants and restrictions. Spaces provided shall be 12 feet by 30 feet and shall equal to20% of the total number of units in the project. No recreation vehicle parking / storage areas are required for Residential Townhouse Developments located within a B3 zoning district, such projects shall prohibit recreation vehicle parking / storage by covenants and restrictions or restrict such parking / storage to completely enclosed structures.~~ Outside recreation vehicle parking / storage shall be prohibited by covenants.

9. ~~In all residential zoning districts Residential Townhouse Developments shall provide open space and recreation space as specified in Table 200-1, under the RA6 district, and Section 321A of the Asheboro Zoning Ordinance..~~ Recreation space equivalent to 1.72% of the project's land area shall be provided.

10. In B3 districts Residential Townhouse Developments sh~~q~~all meet the requirements of ~~Article 200A~~ Section 4.07 of the Asheboro Zoning Ordinance.

C. Public Access, Easements, Private Party Walls

1. Building lots may abut or be provided with frontage on common areas or private streets or alleys, properly restricted through a property owners association to assure access.

2. Easements over the common areas for access, ingress, and egress from and to public streets and walkways and easements for enjoyment of the common areas, as well as for parking, shall be granted to each owner of a building lot.

3. All common walls between individual lots shall be party walls and provisions for the maintenance thereof and restoration in the event of destruction or damage shall be established.

4. Ownership and maintenance responsibility of a private street shall be designated on the plat.

5. In developments containing private streets or alleys, a release of liability shall be included in the recorded covenants and restrictions which releases the City of Asheboro from any liability resulting from utility maintenance, garbage collection , and responsibility for failing to provide any emergency or regular fire, police or other public service to such developments or their occupants when such failure is due to the lack of access to such areas due to inadequate design or construction, blocking of access routes, inadequate maintenance, or any other factor within the control of the developer, homeowner's association, or occupants. In no case shall the City or the State be responsible for maintaining any private street. Such responsibility shall rest with the homeowner's association and occupants in that such private streets will not be constructed to the minimum standards sufficient to allow their inclusion for public maintenance.

D. Landscape Plan

A landscape plan for all Residential Townhouse Developments be submitted as required by ~~Article 600 of~~ the Asheboro Zoning Ordinance.

ARTICLE XII
Recreational Vehicle Resorts

I. GENERAL

The intent of this article is to permit greater flexibility in the design of the subdivided portions of Recreational Vehicle Resorts (as defined in ~~Section 649~~ Chapter 1 of the Asheboro Zoning ordinance) by allowing certain variations in lot size and design requirements and the establishment of open space.

II. COORDINATION WITH THE ASHEBORO ZONING ORDINANCE

A. Site Plans

Site plans for Recreational Vehicle Resorts shall meet the requirements set forth in Chapter 5 ~~Article 600~~ "Special Uses" Section 5.05(32) ~~649~~ "Recreational Vehicle Resorts" of the Asheboro Zoning Ordinance.

B. Design Requirements

Individual lot size and the overall density of Recreational Vehicle Resorts shall meet the requirements established in ~~Article 600~~ Section 5.05(32) ~~649~~ of the Asheboro Zoning Ordinance.

C. Review Process

Recreational Vehicle Resort plans shall be reviewed simultaneously for compliance with this Ordinance and the Asheboro Zoning Ordinance~~, in particular Section 649~~. If the Recreational Vehicle Resort requires review as a "major" subdivision, the Sketch Design Plat shall be properly submitted for review by the City Council at the same meeting as the Recreational Vehicle Resorts SUP. The Sketch Design Plat and the site plan required for the SUP may be combined on one plat so long as the requirements for each are met. If the Recreational Vehicle Resort requires a "minor" subdivision, the required subdivision plat shall be properly submitted for approval. Approval shall be subject to any conditions of the Recreational Vehicle Resorts SUP and granted only after approval of the SUP by the City Council.

III. PLAT REQUIREMENTS

The Sketch, Preliminary and Final plats for Recreational Vehicle Resorts shall meet the requirements of this ordinance and, in addition, the requirements in Section IV below shall be met.

IV. OTHER REQUIREMENTS

A. Open space and recreation space shall be as per ~~Article 600~~ Section 5.05(32)~~649~~ of the Asheboro Zoning Ordinance.

B. Improvements

1. All improvements required in this ordinance shall apply to Recreational Vehicle Resorts regardless of private ownership of streets and utilities, except:

   Private streets shall be designed and built according to the latest revision of the NC DOT Subdivision Roads Minimum Construction Standards manual. Curb and gutter is not a requirement for private streets within RV Resorts. Public streets shall be designed and built according to the Standards in Article IX of this Ordinance.

2. The street layout of the development shall be in conformity with the Asheboro ~~Thoroughfare~~ Comprehensive Transportation Plan and:

a. Where a proposed development will extend an existing public street, such extension shall be a public street unless it is an existing dead end street/ not necessary for access to adjacent property.

b. Where a through street is required to provide access to adjacent properties or for general public usefulness, such street shall be a public street.

3. Sidewalks or greenway paths that meet ADA standards shall connect the resort office, resort store, recreation areas, overflow parking, storage areas, and all other resort amenities.

4. Street lights shall be installed which meet the design standards of the City of Asheboro street lighting policy.

C. Access to and Maintenance of Improvements and Common Areas

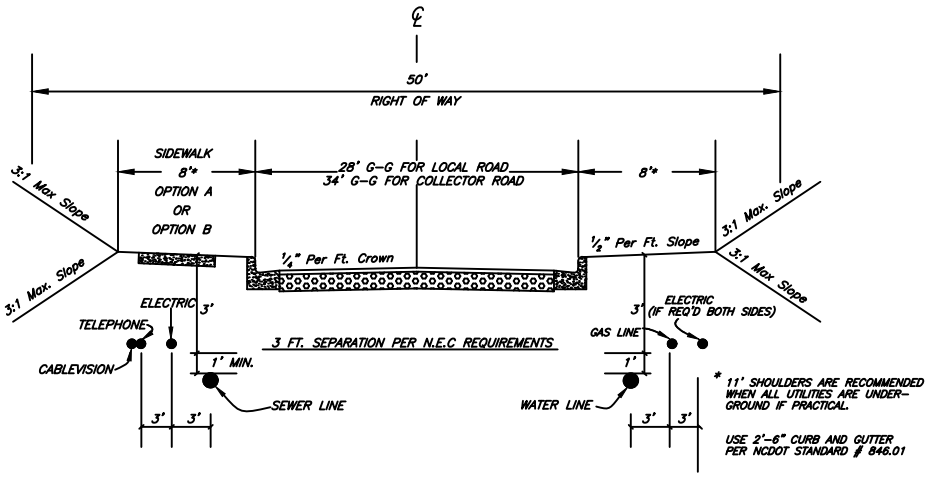
1. As provided by law, when a plat is recorded that creates individual lots within a Recreation Vehicle Resort, and lots are sold in reference to such plat, then each purchaser of such lots (and their successors) has a property interest in the nature of an easement in and to all streets, alleys, and other common property shown on such plat.

2. Prior to final plat approval, the developer of the subdivided portion of a Recreational Vehicle Resort shall (i) establish an incorporated property owners association to which all owners of lots with the Resort must belong by virtue of their ownership within the subdivision, and (ii) record a set of restrictive covenants that provides that all owners of lots within the subdivision shall have access to the streets, alleys, and other common areas within the subdivision and that obligates each lot owner to pay dues or assessments to the property owners association sufficient to cover the cost of maintaining all such common areas and facilities not dedicated to the public.

3. If the lots within the subdivided portion of a Recreational Vehicle Resort are to be served by private streets, the final plat shall so indicate and shall specify that maintenance of such streets will be the responsibility of the property owners association. The plat shall reference the book and page where the covenants described above in subsection C.2 are recorded.

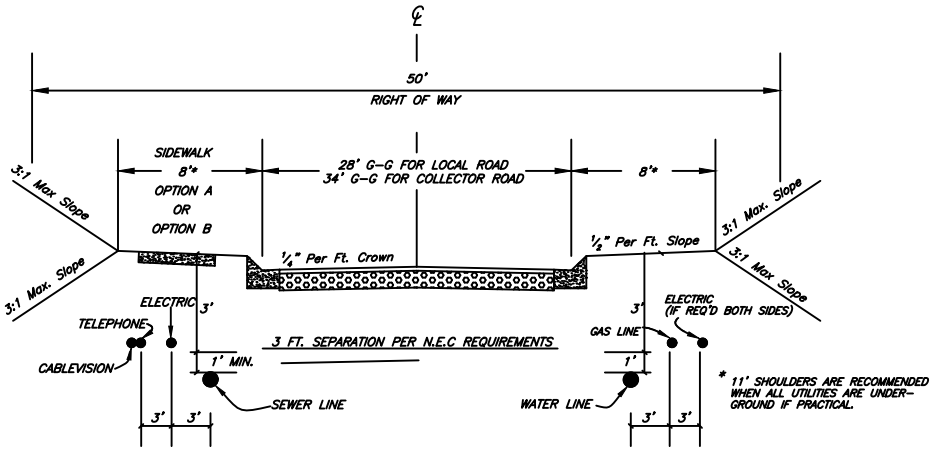
4. In developments containing private streets or alleys, a release of liability shall be included in the recorded covenants and restrictions which releases the City of Asheboro from any liability resulting from utility maintenance, garbage collection, and responsibility for failing to provide any emergency or regular fire, police or other public service to such developments or their occupants when such failure is due to the lack of access to such areas due to inadequate design or construction, blocking of access routes, inadequate maintenance, or any other factor within the control of the developer, homeowners' association, or occupants. In no case shall the City or the State be responsible for maintaining any private street. As provided above, such responsibility shall rest with

the property owners association and occupants in that such private streets will not be constructed to the minimum standards sufficient to allow their inclusion for public.



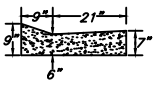
LOCAL AND COLLECTOR STANDARD CURB AND GUTTER ROAD

ATTACHMENT IX - A



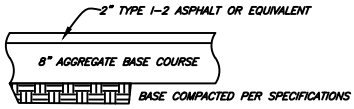
LOCAL AND COLLECTOR VALLEY CURB ROAD

ATTACHMENT IX - B



VALLEY CURB SECTION

Provide Transistion Into Curb Inlet
NCDOT Standard # 840.01



STREET PAVEMENT SECTION

FOR STANDARD CURB & GUTTER ROADS OR VALLEY CURB ROADS

Provide 4' Min. Depth For Water Mains, Water Services, Sewer Mains & Sewer Services When Adjacent To Other Underground Utilities.

NOTES:

1. 28' G-G allows on street parking on one side. For on-street parking on both sides, ROW, and road width must be increased to 36' G-G.
2. Sidewalk shall be installed on both sides of the street if required by the code.
3. If street trees are to be located within the Right of Way (ROW), tree and sidewalk location shall be planted per Appendix "A" and with ROW adjusted accordingly

Watershed Areas:

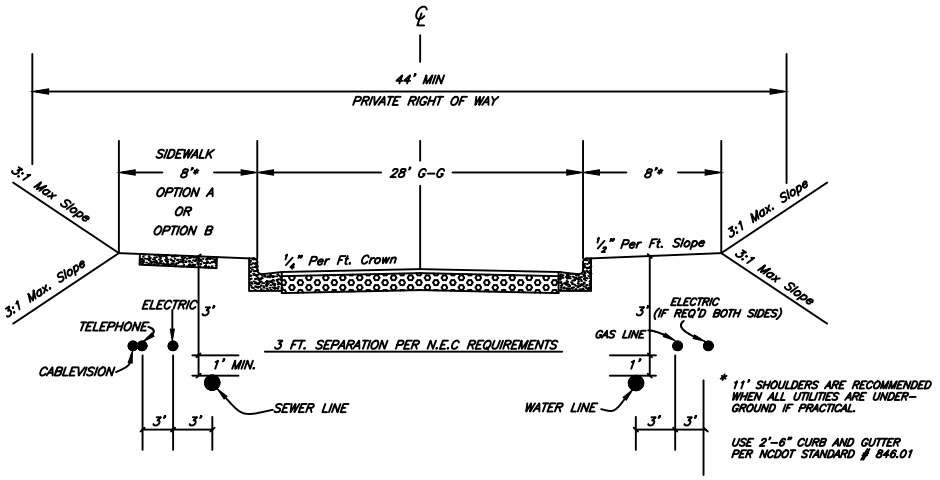
Non-curb & gutter streets to built per NCDOT manual for local and residential streets

TYPICAL PUBLIC STREET SECTIONS

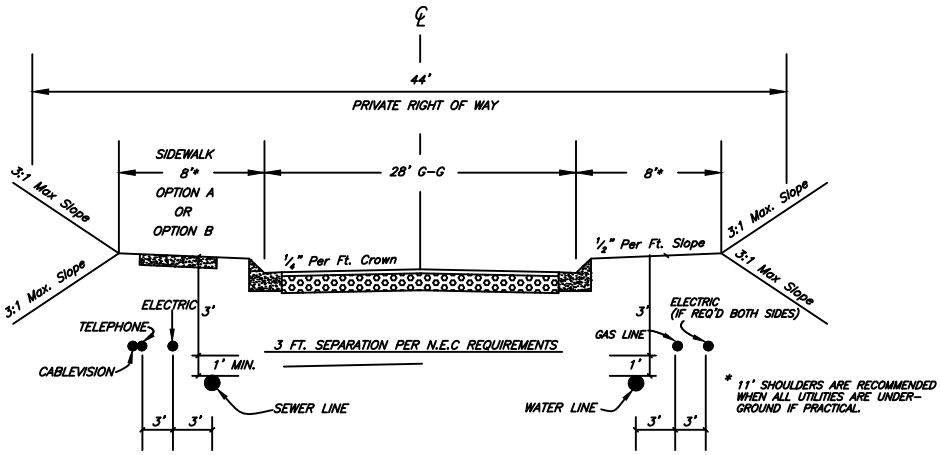
NO SCALE

Revised 12-22

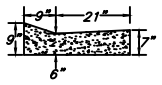
NEW TYPICAL PRIVATE STREET SECTION



PRIVATE STREET STANDARD CURB AND GUTTER ROAD

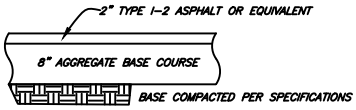


PRIVATE STREET VALLEY CURB ROAD



VALLEY CURB SECTION

Provide Transistion Into Curb Inlet
NCDOT Standard # 840.01



STREET PAVEMENT SECTION

FOR STANDARD CURB & GUTTER ROADS OR VALLEY CURB ROADS

Provide 4' Min. Depth For Water Mains, Water Services, Sewer Mains & Sewer Services When Adjacent To Other Underground Utilities.

NOTES:

1. 28' G-G allows on street parking on one side. For on-street parking on both sides, ROW, and road width must be increased to 36' G-G.
2. Sidewalk shall be installed on both sides of the street if required by the code.
3. If street trees are to be located within the Right of Way (ROW), tree and sidewalk location shall be planted per Appendix "A" and with ROW adjusted accordingly

Watershed Areas:

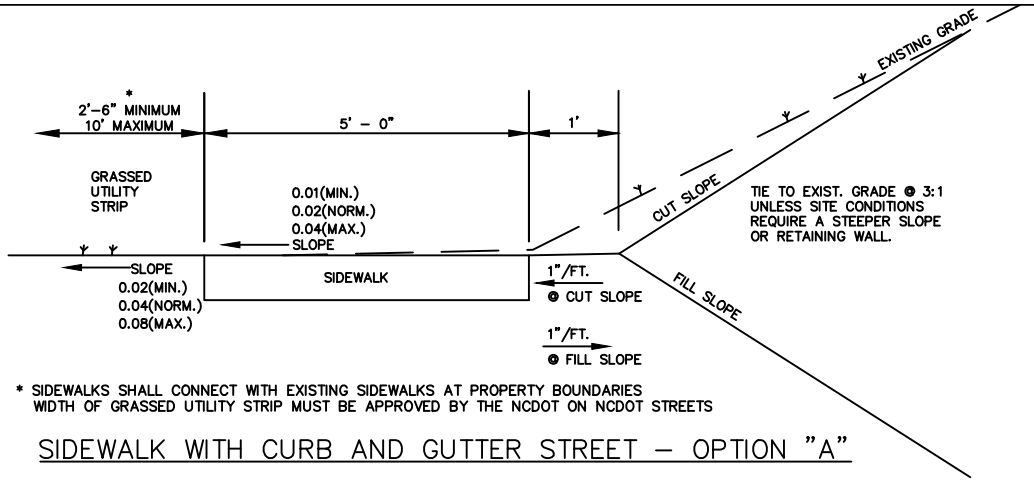
-Non-curb & gutter streets to built per NCDOT manual for local and residential streets

TYPICAL PRIVATE STREET SECTIONS

NO SCALE

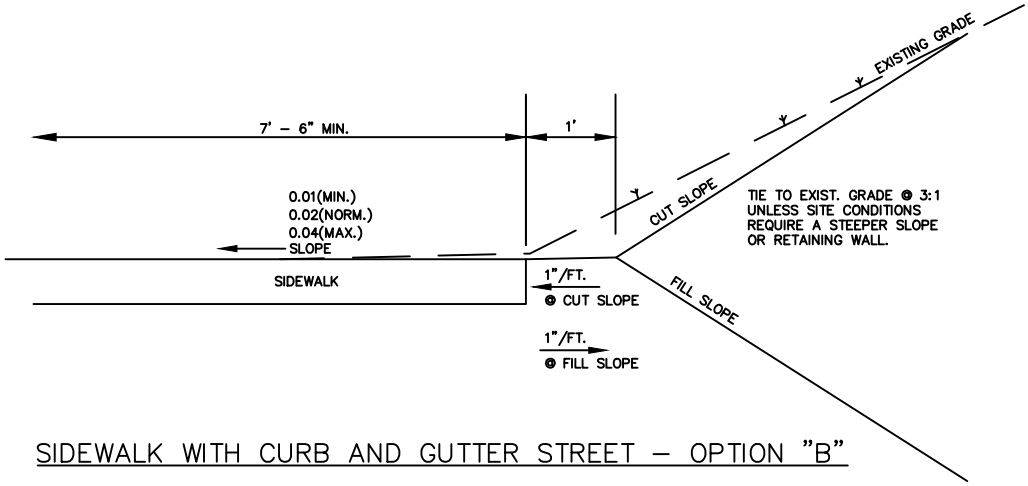
ATTACHMENT X-A

Revised 12-22

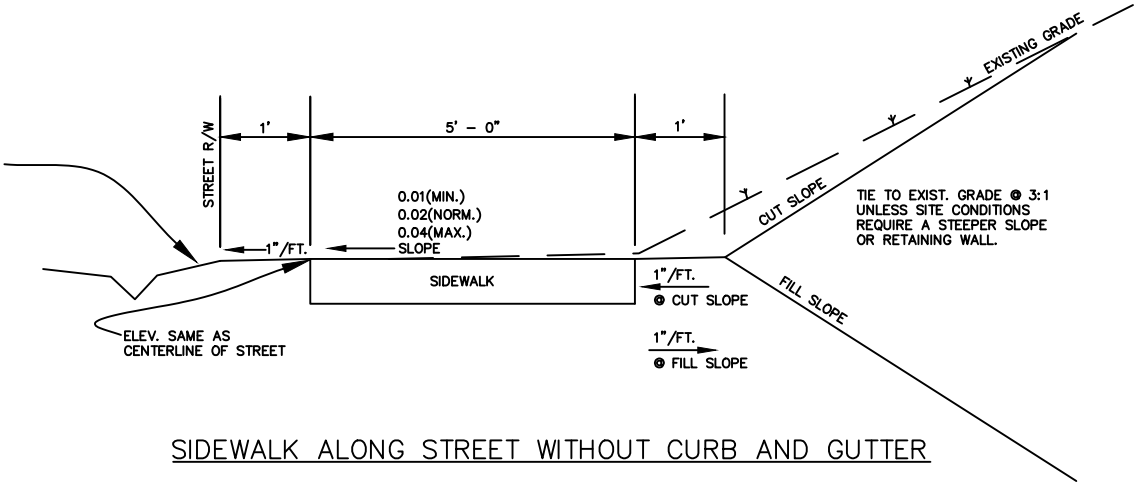


* SIDEWALKS SHALL CONNECT WITH EXISTING SIDEWALKS AT PROPERTY BOUNDARIES
WIDTH OF GRASSED UTILITY STRIP MUST BE APPROVED BY THE NCDOT ON NCDOT STREETS

SIDEWALK WITH CURB AND GUTTER STREET – OPTION "A"



SIDEWALK WITH CURB AND GUTTER STREET – OPTION "B"



SIDEWALK ALONG STREET WITHOUT CURB AND GUTTER

- THE NCDOT WILL NOT ALLOW SIDEWALK ON THE SHOULDER OF A STREET WITHOUT CURB AND GUTTER.
- OPTION "A" OR OPTION "B" MAY BE USED ALONG STREETS WITH CURB AND GUTTER, AS NEEDED TO BE COMPATIBLE WITH THE CHARACTER OF THE AREA BEING DEVELOPED AND THE LOCATION OF EXISTING UTILITY POLES.
- DIMENSIONS MAY VARY IF REQUIRED BY THE NCDOT OR CITY.
- USE 4" THICK SIDEWALK ALONG STANDARD CURB AND GUTTER.
- USE 6" THICK SIDEWALK ACROSS DRIVEWAYS AND ALONG VALLEY CURB.

SIDEWALK STANDARDS FOR PUBLIC AND PRIVATE STREEETS

(NOT TO SCALE) DECEMBER, 2022

DRAWING BY CITY OF ASHEBORO ENGINEERING DEPT.

Rezoning Staff Report

RZ Case # **RZ-22-12**

Date 1/3/23 Planning Board; 1/5/23 City Council (updated 12-28-22)

General Information

Applicant City of Asheboro

Address 146 N. Church Street

City Asheboro NC 27203

Phone 336-626-1201

Location N/A

Requested Action Amend the text of the Zoning Ordinance where necessary to align zoning codes with changes to the Subdivision Ordinance detailed in SUB-22-06 and described in this report.

Existing Zone N/A **Existing Land Use** N/A

Size N/A **Pin #** N/A

Applicant's Reasons as stated on application

See attached.

Surrounding Land Use

North N/A **East** N/A

South N/A **West** N/A

Zoning History The Zoning Ordinance has been amended twice in the last 20 +/- years as a result of contemplated amendments of the Subdivision Ordinance (RZ-03-11 and RZ-16-13).

Legal Description

Amend Chapter 2 and 5 of the Asheboro Zoning Ordinance to: assign appeal authority for subdivision approval or denial to the Board of Adjustment establishing private street design standards for Planned Unit Developments (as of November 30, 2022).

Analysis

1. In October 2022, City staff was directed to investigate several topics related to the regulation of subdivisions within the City of Asheboro's land use jurisdiction. These topics emerged through discussions, questions and suggestions from the City Planning Board, City Council, and the City management team.
2. Subdivision amendments responsive to the directive have been prepared and are ready to be considered. Some of the amendments, if adopted, would require related changes to the city Zoning Ordinance; such amendments have been prepared and are included with this report.
3. The specific subdivision ordinance amendments that necessitate amendments to the Zoning Ordinance are:
a. Assignment of appeal authority regarding subdivision ordinance decisions and determinations to the Board of Adjustment. Note: city council would retain sole authority to consider and issue variances of the subdivision ordinance.
b. The proposed change of subdivision approval authority from City Council to Community Development staff (with monthly reporting being provided to the Planning Board and Council). Several references directing subdivision reviews by the Planning Board and City Council for various types of projects need to be modified.
3. While the establishment of private street design standards within the subdivision ordinance had been anticipated to require changes to the zoning ordinance, staff no longer believes such changes are needed.

Rezoning Staff Report

RZ Case # **RZ-22-12**

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation	N/A
Small Area Plan	N/A
Growth Strategy Map Designation	N/A

LDP Goals/Policies Which Support Request

Policy 1.2.4 The City will promote its expedited permitting process and continue to make the land development process user-friendly for citizens and organizations.

Policy 2.3.4: The City will adapt the subdivision review process to only require staff approval of traditional, cluster, and TND subdivisions that meet requirements **(related primarily to traditional subdivisions)**

Policy 5.3.1: The City will amend (codes) to discourage development patterns (i.e. excessive use of cul-de sacs, lack of connectivity within and between developments) that result in the City (and its taxpayers) incurring unnecessary infrastructure costs.

Rezoning Staff Report

RZ Case # **RZ-22-12**

LDP Goals/Policies Which Do Not Support Request

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The amendments generally are supported by the Land Development Plan and necessary to implement recommended changes to the city Subdivision Ordinance. Considering all factors, staff believes the request to be reasonable and consistent with the Asheboro Land Development Plan; staff recommends approval.

Recommendation In light of the above analysis, staff believes the request is generally consistent with the Land Development Plan and reasonable and recommends approval believing that such action serves the public interest.

Section 2.03 (B) (5) Appeal of Administrative Decision

(a) Appeals shall be filed with the Clerk to the Board of Adjustment at least 30 days prior to the Board of Adjustment meeting at which the appeal will be considered

(b) An appeal from an order, requirement, decision or determination of the Zoning Administrator, or his authorized designee, or an appeal of a decision or determination of the Community Development Director regarding the Asheboro Subdivision Ordinance, shall be decided by the Board of Adjustment based upon its findings of fact and, to achieve the intent of the Ordinance, and in accordance with the provisions of G.S. 160D-405. The effect of the decision shall not be to vary the terms of the Ordinance nor add to the list of permitted or permissible uses in the districts.

(c) An appeal to the Board of Adjustment from a decision or determination of the Zoning Administrator, or his authorized designee, or an appeal of a decision or determination of the Community Development Director regarding the Asheboro Subdivision Ordinance, stays all enforcement proceedings in furtherance of the decision or determination appealed from, except as provided by G.S. 160D-405.

Section 5.05 (16) Planned Unit Development

Planned Unit Developments may be permitted in all districts subject to the following requirements:

(1) Residential Planned Unit Developments

(a) Residential Planned Unit Developments may be permitted in any R40, R15, R10 R7.5, RA6 or OA6 zoning district as long as the proposed development contains a minimum of 2 acres. Those uses ordinarily permitted by right, by SUP, or as an accessory within the district the development is to be located may be included in the development.

(b) Review of an application for a PUD SUP shall occur simultaneously with a review of plats submitted in compliance with the Asheboro Subdivision Ordinance. If the PUD requires review as a "major" or "minor" subdivision the Sketch Design Plat shall be properly submitted to Community Development Division staff in accordance with the Asheboro Subdivision Ordinance. ~~reviewed and recommended by the Planning Board for the City Council's consideration at the same meeting as the PUD SUP.~~ The Sketch Design Plat and the site plan required for the SUP may be combined on one plat so long as the requirements for each are met. ~~If the PUD requires a "minor subdivision the required subdivision plat shall be properly submitted for~~

~~approval.~~ Approval shall be subject to any conditions of the PUD SUP and granted only after approval of the SUP by the City Council.

(c) Residential PUDs may have direct access to City streets or State roads which are not major or minor thoroughfares, provided such access will not create safety hazards due to design or congestion.

(d) Streets within a PUD may be public or private according to the regulations of the Asheboro Subdivision Ordinance.

(e) The yard and height regulations set forth in Table 4-1 may be modified for a PUD, provided that, for such development as a whole, excluding public street right-of-ways or the area dedicated to private streets but including individual lots, common area, parks and other permanent open spaces, there shall not be less than the required area per dwelling unit for the district in which such development is located.

(f) Utilities shall be planned and installed according to the Asheboro Subdivision Ordinance.

(g) Provisions and plans for garbage and waste collection shall be included with the application.

(h) Buffers and/or screening shall be installed and maintained based on the types of individual uses contained within the development as per Chapter 6.

(i) Signs will be regulated as per Chapter 7.

(j) Off street parking shall be provided as per Chapter 6.

(k) General landscaping shall be installed and maintained. Plans indicating all required and non-required landscaping shall be submitted as part of the application.

(2) Commercial and Industrial Planned Unit Developments

(a) Commercial Planned Unit Developments may be permitted in any OA6, O&I, B1, M, B2, TH and B3 district. Industrial Planned Unit Developments may be permitted in any I1, I2 and I3 zoning district. No minimum acreage requirement applies to commercial and industrial Planned Unit Developments (4/6/00). Only those uses ordinarily permitted by right, by SUP, or as an accessory within the district the development is to be located may be included in the development.

In instances in which a Commercial Planned Unit Development is proposed, the site plan that is submitted with the PUD Special Use Permit application must show the required and/or proposed common area, lot arrangements, streets, landscaping, lighting, and site improvements that are not encompassed within the individual lots of the Planned Unit Development.

When a proposed Commercial PUD is not located in a Conditional Zoning District and/or does not require a Special Use Permit, the applicant is not required to provide a site plan and/or building elevations detailing each individual use at the time the City Council considers the issuance of a Special Use Permit for a Planned Unit Development. The applicant shall submit to staff all required application materials for a Zoning Compliance Permit as required by Chapter 2 of this Ordinance as each lot develops.

(b) Review of an application for a PUD SUP shall occur simultaneously with a review of plats submitted in compliance with the Asheboro Subdivision Ordinance. If the PUD requires review as a "major" or "minor" subdivision the Sketch Design Plat shall be properly submitted to Community Development Division staff in accordance with the Asheboro Subdivision Ordinance. ~~reviewed and recommended by the Planning Board for the City Council's consideration at the same meeting as the PUD SUP.~~ The Sketch Design Plat and the site plan required for the SUP may be combined on one plat so long as the requirements for each are met. ~~If the PUD requires a "minor subdivision the required subdivision plat shall be properly submitted for approval.~~ Approval shall be subject to any conditions of the PUD SUP and granted only after approval of the SUP by the City Council.

(c) Commercial and Industrial PUDs shall be located so that they have direct access to minor thoroughfares or higher classification streets as shown on the Asheboro Comprehensive Transportation Plan. Residential PUDs may have direct access to City streets or State roads which are not major or minor thoroughfares, provided such access will not create safety hazards due to design or congestion.

(d) Streets within a PUD may be public or private according to the regulations of the Asheboro Subdivision Ordinance.

(e) The yard and height regulations set forth in Table 4-1 may be modified for a PUD, provided that, for such development as a whole, excluding public streets right-of-ways or the area dedicated to private streets but including individual lots and common area there shall not be less than the required area per unit for the district in which such development is located.

(f) Utilities shall be planned and installed according to the Asheboro Subdivision Ordinance.

(g) Provisions and plans for garbage and waste collection shall be included with the application. All solid waste facility screening as specified by Chapter 6 shall be screened not only from public right-of-ways and adjacent property but also from view of all private streets and public areas.

(h) Buffers and screening shall be installed and maintained based on the types of individual uses contained within the development as per Chapter 6.

(i) Signs will be regulated as per Chapter 7.

(j) Off street parking shall be provided as per Chapter 6.

(k) General landscaping shall be installed and maintained. Plans indicating all required and non-required landscaping shall be submitted as part of the application for either the Special Use Permit or the Zoning Compliance Permit (whichever is applicable).

(l) Within a Commercial and/or Industrial Planned Unit Development, there shall be a 5' street tree planting strip incorporated into common area contiguous to a public street right-of-way or edge of private street pavement unless the development proposes street trees in accordance with Article X, Section F of the Subdivision Ordinance.

Within this 5' street tree-planting strip, the following requirements shall apply:

(i) At least one tree of 3 – 3 1/2-inches caliper minimum, measured 6 inches above ground, shall be planted for each 25 feet for small maturing trees and for each 35 feet for large maturing trees of the entire lot which abuts any public street right-of-way or private street with a minimum of one tree required for any distance up to 35 feet. Trees shall not be planted closer than 2 feet from the back of the curb.

(ii) Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, drought, insects, and diseases and which require little maintenance. Selected plant materials shall meet the requirements and be installed according to ANLA (American Nursery and Landscape Association) standards. The common names of approved small, medium and large maturing trees are found in Appendix A of Section 4.07.

(iii) The requirements of Section 6.10(G) (location of parking restricted between the street and the building) are not applicable to private or public streets that are proposed within the PUD but are required along existing public right-of-ways.

(iv) Maintenance of the street tree planting strip shall be the responsibility of the property owners' association.

(m) Front yard landscaping on existing public streets and sidewalks located on existing public streets shall be installed or guaranteed prior to a Certificate of Occupancy being issued for any building within the PUD.

(n) The rear or service façade of any structure shall not front any existing public street.

(o) All design standards shall apply to all structures within a PUD.

(31) Residential Townhouse Developments in the B3 District

Townhouses may be permitted in the B3 district subject to the following requirements:

(1) Review of an application for a Townhouse development SUP shall occur simultaneously with a review of plats submitted in compliance with the Asheboro Subdivision Ordinance. If the Townhouse development requires review as a "major" or "minor" subdivision the Sketch Design Plat shall be properly submitted to Community Development Division staff in accordance with the Asheboro Subdivision Ordinance~~, reviewed and recommended by the Planning Board for the City Council's consideration at the same meeting as the SUP~~. The Sketch Design Plat and the site plan required for the SUP may be combined on one plat so long as the requirements for each are met. ~~If the Townhouse development requires a "minor subdivision the required subdivision plat shall be properly submitted for approval.~~ Approval shall be subject to any conditions of the SUP and granted only after approval of the SUP by the City Council.

(2) Within a residential townhouse development, all uses permitted in the B3 district shall be permitted as follows;

(p) Nonresidential activities may be located only on the ground floor townhouse units;

(q) Only 25% of the development's overall number of units shall be permitted for nonresidential uses;

(r) Such use shall be permitted only within structures with frontage on a public street. There shall be a public entrance to nonresidential uses from a public street;

(s) All requirements of the North Carolina Building Code shall be satisfied for mixed use residential townhouses;

(t) Additional parking for nonresidential uses shall not be required.

(3) Streets within a Townhouse development may be public or private according to the regulations of the Asheboro Subdivision Ordinance.

(4) The yard and height regulations set forth in Table 4-1 and Section 4.07 shall be met for Townhouse developments permitted by this Section.

(5) Utilities shall be planned and installed according to the Asheboro Subdivision Ordinance.

(6) Provisions and plans for garbage and waste collection shall be included with the application.

(7) Street landscaping shall be installed and maintained as per Section 4.07. Buffers and screening shall be installed and maintained as required for multi-family developments per Chapter 6.

(8) Signs will be regulated as per Section 4.07 and Chapter 7.

(9) Off street parking shall be provided as per Chapter 6.

(10) General landscaping shall be installed and maintained. Plans indicating all required and nonrequired landscaping shall be submitted as part of the application.

(32) Recreational Vehicle Resort

Recreational Vehicle Resorts shall be permitted in the R-40 and TH Districts, subject to the issuance of a special use permit and subject to the following regulations:

(1) Review of an application for a Recreational Vehicle Resort shall occur simultaneously with a review of plats submitted in compliance with the Asheboro Subdivision Ordinance. If the Recreational Vehicle Resort requires review as a "major" or "minor" subdivision, the Sketch Design Plat shall be properly submitted to Community Development staff in accordance with the Asheboro Subdivision Ordinance., ~~reviewed, and recommended by the Planning Board for the City Council's consideration at the same meeting as the Recreational Vehicle Resort SUP.~~ The

Sketch Design Plat and the site plan required for the Recreational Vehicle Resort may be combined on one plat so long as the requirements for each are met. ~~If the Recreational Vehicle Resort requires a "minor" subdivision, the required Subdivision Plat shall be properly submitted for approval.~~ Approval shall be subject to any conditions of the Recreational Vehicle Resort SUP and granted only after approval of the SUP by the City Council.

(2) Recreational Vehicle Resorts shall only be permissible on a lot or lots comprising at least one hundred (100) acres under single ownership or control at the time the special use permit is approved. The Resort may consist of subdivided and unsubdivided portions, but the entire Resort must be subject to a single special use permit.

(3) The yard and height regulations set forth in Table 4-1 may be modified for a Recreational Vehicle Resort, provided that, for such development as a whole, excluding roadways and driveways, the density within the Recreational Vehicle Resort may not exceed five (5) units per acre with a .52 open space ratio. If the Resort contains individual lots created by the recording of a subdivision plat, the total number of such lots within the Resort may not exceed one lot per acre for the number of acres within the entire tract comprising the Resort. Such lots shall count as units for calculating the total density.

(4) The Recreational Vehicle Resort may be developed in phases. Phase One (1) shall include the required amenities. No Certificate of Occupancy for any phase of the park shall be issued until all required or proposed improvements are installed for that phase, and no RV may be located in any phase until that phase has received a Certificate of Occupancy.

(5) Recreational Vehicle Resorts shall be located so that it has direct access to minor thoroughfare or higher classification street as shown on the Asheboro Comprehensive Transportation Plan.

(6) Streets within a Recreational Vehicle Resort may be public or private according to the regulations of the Asheboro Subdivision Ordinance.

(7) Utilities shall be planned and installed according to the Asheboro Subdivision Ordinance.

(8) An engineering study of storm water runoff shall be made. If such study indicates that post development runoff will exceed predevelopment conditions, plans for runoff control shall be designed and certified by a professional engineer. Such controls shall be designed to reduce the runoff during the occurrence of a 10-year storm to predevelopment flow rate. Prior to a Certificate of Occupancy, a Professional

Engineer shall provide certification that the storm water controls were built according to the plans. The continued maintenance of all runoff control measures shall be the responsibility of the property owner.

(9) An unsubdivided RV site shall be a least thirty (30) feet in width, and shall contain at least 1,800 square feet of area. Each such RV site shall be clearly established on the ground by permanent monuments or markers. A subdivided RV site shall be at least forty (40) feet in width, and shall contain at least 3,200 square feet of area. Each such RV site shall be clearly established on the ground by permanent monuments or markers.

(10) There shall be a front yard of at least twenty (20) feet between any RV and internal roadways. Where exterior property lines of the Recreational Vehicle Resort are coincident with public street rights-of-way, all Recreational Vehicles and structures within the park along such rights-of-way shall observe the front yard setback from such right-of-way as required by this Ordinance. Individual RV sites may not have direct access to any existing public street.

(11) There shall be a side yard along each side of every RV site. Each side yard shall be at least five (5) feet wide. There shall be a rear yard of at least five (5) feet between any RV and the rear of the site on which it is located. The distance between RV units, including RV site accessory structures, shall not be less than twenty (20) feet. No RV or structure shall be located closer than thirty (30) feet to any other structure on the premises.

(12) No RV or structure shall be located closer than one hundred (100) feet to any exterior property line of the Recreational Vehicle Resort, and this area shall remain in an undisturbed condition similar to what was present on the premises at the time the special use permit for the RV resort was issued. Passive recreational uses, such as walking paths, are permitted in this area. The City Council may, as a condition of the special use permit, impose additional reasonable vegetated screening requirements in those parts of the one hundred-foot area that are open and not wooded, such as fields. Recreational Vehicle Resorts shall not, however, be required to comply with the requirements of Section 6.06 of this Ordinance.

(13) All RV sites shall abut a paved roadway which shall meet the requirements of the Asheboro Subdivision Ordinance and which shall provide unobstructed access to a public street or highway. Such roadways shall be illuminated as per city street lighting policy to ensure the safe movement of pedestrians and vehicles at night.

(14) At least one parking space, a minimum of nine (9) feet by eighteen (18) feet, shall be provided within each RV site. No on street parking shall be permitted.

(15) All RV sites shall have a concrete or asphalt pad. Such pad shall be a minimum of sixteen (16) feet by forty (40) feet in size.

(16) No more than one RV may be parked on any RV site.

(17) RV site accessory structures such as porches, decks, storage buildings, and walkways may be permitted within each RV site, provided no such structure may be attached to the RV and setbacks and parking spaces remain open and free of structures and the distance between the accessory structures and adjoining RVs, or adjoining accessory structures, shall not be less than twenty (20) feet.

(18) Not more than thirty percent (30%) of the RV sites within the Resort may be occupied by ANSI Park Models.

(19) Each Recreational Vehicle Resort shall have a minimum of seven percent of the gross area set aside and developed for recreational purposes. The required recreation space shall include, but not be limited to, amenities such as swimming facilities, picnic areas with tables, basketball goals with paved play areas, and playground(s) with play equipment. The specific mix of recreation facilities shall be determined during the special use permitting process. Exterior areas for common passive or active recreation use include play areas for children, outdoor seating areas, and the like, where the facilities are available for common use by tenants and visitors. Active recreation space shall be at least 30 feet from any RV site. If a swimming pool is provided, it shall be separated from other uses by a fence having a gate that is capable of remaining closed.

(20) The collection of trash and garbage and their disposal shall be provided for in such a manner as to maintain a clean and orderly appearance at all times. Plans to meet this requirement shall be submitted as part of the application for a SUP. All collection facilities shall be located outside of all required setbacks and buffer/screen yards and they shall be screened from the view of public rights-of-way and adjacent property

(21) Accessory structures (not an RV or other mobile structure) may be permitted for such accessory uses as stores, laundries, park office, recreation facilities, storage, and RV Park related services. The total gross square footage of all building areas shall not exceed two (2) percent of the total approved Recreational Vehicle Resort area or forty thousand (40,000) square feet, whichever is less. Such uses, structures and their associated signage shall be located in such a manner so that they are not visible from any public street or road. Parking requirements for accessory uses shall be determined by Chapter 6. Required parking for accessory uses shall have a paved surface as per Chapter 6.

(22) Areas shall be designated and reserved for overflow parking. Such parking areas shall have paved spaces equal to ten percent (10%) of the number of sites within the park and be reasonably dispersed throughout the park. An additional area shall be designated for the parking and storage of nonhuman occupancy RV vehicles such as boats, wave runners, etc. or such storage shall be prohibited within the park. Such storage area shall have spaces equal to five percent (5%) of the number of sites within the park and shall be located in such a manner so that it is not visible from any public street or road.

(23) A fulltime onsite manager shall be provided. An on-site, permanent (not an RV or other mobile structure) office shall be provided for the manager.

(24) General landscaping shall be installed and maintained. Plans indicating all required and nonrequired landscaping shall be submitted as part of the application.

(25) Except for the ANSI Park Models and units located on subdivided RV sites**,** no recreational vehicle or other camping structure shall be permitted to remain on any RV site for a period of more than ninety (90) days within a six-month period.

(26) Signs shall be regulated by Chapter 7.

(27) Recreational Vehicle Resorts shall be subject to the regulations within Chapter 9 - Flood Damage Prevention Ordinance and Chapter 10 -Watershed Regulations.

(28) Recreational Vehicle Resorts shall have at least one staff person who is responsible for security on the premises at all times.

(29) Recreational fires shall be regulated per the North Carolina Fire Code.

(30) Site plans submitted shall meet all the requirements of Chapter 2 and show the location and dimensions of individual RV sites and all other accessory features customarily incident to the operation of a Recreational Vehicle Resort.

APPLICANT INFORMATION

Applicant City of Asheboro

Applicant's Phone # 336-626-1201

Applicant's Address 146 North Church Street
Asheboro, NC 27203

Applicant Email Address jevans@ci.asheboro.nc.us

PROPERTY INFORMATION FOR MAP AMENDMENTS N/A

Property Owner's Name _____

Location of Property _____

Property Size (ac. or s.f.) _____

Randolph County Property Identification Number (PIN#) _____

Current Zoning District _____

Requested Zoning District _____

Date Property Title Acquired _____

Deed Book _____ Page _____

Subdivision _____ Section _____ Lot # _____

Plat Book _____ Page _____

ORDINANCE AMENDMENT INFORMATION

1. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

The staff report identifies several goals and policies in support of the application.

For questions (2) and (3), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

2. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

There are no specific errors of the zoning ordinance. Language will be proposed to be consistent with Subdivision Ordinance amendments.

Does not apply ☐

3. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

The amendments are to ensure the zoning ordinance is consistent with changes proposed to the Subdivision Ordinance

Does not apply ☐

4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

The staff report, when finalized, will fully discuss factors in support of the application.

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant. The applicant for rezoning to any district other than a conditional use district shall be prohibited from offering any testimony or evidence concerning the specific manner in which he or she intends to use or develop the property.

Applicant Signature

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

N/A

Owner Address

Telephone Number

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: Filed JLE ***Date:*** _____ ***Case Number:*** RZ-22-12

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION OF SUPPORT FOR TRAILS AND 2023 YEAR OF THE TRAIL

WHEREAS, the General Assembly has proclaimed 2023 as the Year of the Trail; and

WHEREAS, the coronavirus pandemic demonstrated the value of trails for safe places for people to get outdoors for their physical and mental health and sense of wellbeing; and

WHEREAS, trails, greenways, and blueways provide key amenities to neighborhoods and are often the centerpiece of a community, bringing people together to exercise, play and connect with nature; and

WHEREAS, the parks, greenways, trails and natural areas in our community are welcoming to all and provide a common ground for people of all ages, abilities and backgrounds to access our rich and diverse natural, cultural, and historic resources; and

WHEREAS, trails offer quality-of-life benefits to all as expressions of local community character and pride, as outdoor workshops for science education, as tools for economic revitalization, as free resources for healthy recreation, as accessible alternative transportation, and as sites for social and cultural events; and

WHEREAS, trails have significant impact on the economic viability of the community through increased levels of tourism, enhanced property values, as well as the ability to attract and retain businesses such as restaurants, outfitters, lodging and entertainment; and

WHEREAS, the City of Asheboro has existing and potential trails under design, including the new paths being constructed at the Zoo City Sportsplex; and

WHEREAS, the City of Asheboro has invested significant resources into trail development.

NOW, THEREFORE, BE IT RESOLVED that the City of Asheboro supports expansion of trail opportunities and is committed to supporting trail events during 2023 to celebrate the Year of the Trail.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 5th day of January, 2023.

_____

David H. Smith, Mayor

_____

Holly H. Doerr, CMC, NCCMC, City Clerk

Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 *fax:* 312.977.4806

12/3/2022

John Ogburn
Manager
City of Asheboro, North Carolina

Dear Mr. Ogburn:

We are pleased to notify you that your annual comprehensive financial report for the fiscal year ended June 30, 2021 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and give appropriate publicity to this notable achievement. A sample news release is included to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

Michele Mark Levine

Michele Mark Levine
Director, Technical Services

GOVERNMENT FINANCE OFFICERS ASSOCIATION

NEWS RELEASE

FOR IMMEDIATE RELEASE

12/3/2022

For more information contact:
Michele Mark Levine, Director/TSC
Phone: (312) 977-9700
Fax: (312) 977-4806
Email: mlevine@gfoa.org

(Chicago, Illinois)—Government Finance Officers Association of the United States and Canada (GFOA) has awarded the Certificate of Achievement for Excellence in Financial Reporting to **City of Asheboro** for its annual comprehensive financial report for the fiscal year ended June 30, 2021. The report has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the report.

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Government Finance Officers Association (GFOA) advances excellence in government finance by providing best practices, professional development, resources, and practical research for more than 21,000 members and the communities they serve.

REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, DECEMBER 8, 2022
7:00 P.M.

This being the time and place for a regular meeting of the Asheboro City Council, a meeting was held with the following elected officials and city management team members present:

David H. Smith	) – Mayor Presiding
Clark R. Bell	)
Edward J. Burks	)
Kelly L. Heath	)
William N. McCaskill	) – Council Members Present
Walker B. Moffitt	)
Jane H. Redding	)
Charles A. Swiers	)

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
N. Byron Hill, Police Captain
Michael L. Leonard, PE, City Engineer
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Jeffrey C. Sugg, City Attorney

1. Call to Order

A quorum thus being present, Mayor Smith called the meeting to order for the transaction of business, and business was transacted as follows.

2. Moment of Silent Prayer and Pledge of Allegiance

After a moment of silence was observed in order to allow for private prayer or meditation, Mayor Smith asked everyone to stand and recite the pledge of allegiance.

3. Acknowledgement of the Accomplishments of the 2022 Asheboro High School Men's Soccer Team

Mayor Smith acknowledged the accomplishments of the 2022 Asheboro High School Men's Soccer Team. An Asheboro Pride Award will be given to the team.

No formal action was taken by the council during this portion of the meeting.

4. Potential Amendments to the Zoo City Social District Regulations

City Attorney Jeff Sugg, presented for council consideration, the potential amendments to the Zoo City Social District Regulations. During this presentation, Mr. Sugg presented two (2) options with maps, Option A and Option B. A map labeled "Option A" consisted of the possible expansion of the district down South Church Street toward Hill Street, while a map labeled "Option B" consisted of a broader range of expansion. With Option B, the expansion of the social district would extend along the eastern margin of Church Street, extend across Academy Street, extend East along Academy Street, and North along the Western margin of Fayetteville Street to Sunset Avenue to Trade Street.

Additionally, within the discussion, Mr. Sugg asked for council's guidance in the delegation of management and maintenance of the social district, uniform signage, and whether or not to allow alcoholic beverages into another permittee's location.

After some discussion, Council Member Bell moved to direct city staff to coordinate an ordinance with the map labeled "Option B, and city staff will contact Downtown Asheboro Inc., for management and maintenance of the social district. Additionally, within the motion, Mr. Bell moved that the ordinance provisions stay within the current provision of not allowing alcohol in another permittee's location. Council Member Redding seconded the motion. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

5. Public Comment Period

Mayor Smith opened the floor for public comments.

Dwain Roberts and Clyde Foust commented on the confederate statue located at the Historic Randolph County Courthouse. No other speakers asked to be heard during the public comment period.

There being no further comments from the public, Mayor Smith closed the public comment period.

6. Consent Agenda

Council Member Burks moved, and Council Member Bell seconded the motion, to approve/adopt the following consent agenda items. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding and Swiers voted aye. There were no dissenting votes.

(a) Approval of the City Council Meeting Minutes for November 10, 2022

The meeting minutes for the city council's regular November meeting on November 10, 2022, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(b) Approval of the General Account of the City Council's Closed Session Held During the Regular Meeting on November 10, 2022

The general account of the city council's closed session that was held during the council's regular meeting on November 10, 2022 were approved and have been filed in the city clerk's office.

(c) Approval of a Resolution Sealing the General Account of the Closed Session Held on November 10, 2022.

RESOLUTION NUMBER 42 RES 12-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

Resolution Sealing the General Account of a Closed Session Conducted during a Regular Meeting on November 10, 2022

WHEREAS, Section 143-318.10(e) of the North Carolina General Statutes provides, in pertinent part, that the "minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session;" and

WHEREAS, pursuant to Section 143-318.11(a)(3) of the North Carolina General Statutes, the city council, upon unanimous adoption of a properly made and seconded motion, went into closed session on November 10, 2022, to discuss with the city attorney a matter that falls within the scope of the attorney-client privilege; and

WHEREAS, the purpose for going into closed session on November 10, 2022, would be frustrated if the general account of the closed session were to be made available for public inspection at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the general account of the closed session conducted on November 10, 2022, is hereby sealed and will remain sealed so long as public inspection of the records would frustrate the purpose of the closed session; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city manager is hereby authorized to act as the council's agent with the authority to unseal these records when the purpose of the closed session would no longer be frustrated by making the records available for public inspection or when the unsealing of this general account is otherwise required by law.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on December 8, 2022.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(d) Acknowledgement of the Receipt from the Asheboro ABC Board of its Meeting Minutes for October 3, 2022

The City Council acknowledged the receipt of the Asheboro ABC Board's approved meeting minutes for October 3, 2022. These documents have been filed in the city clerk's office and distributed to the city's elected officials.

(e) Acknowledgement of the Receipt of the Statutorily Prescribed Notice of the Future Construction/Installation by City Forces of Cleanouts as Part of the City Water and Sewer Utility Infrastructure along the Following Streets: Amity Road, Cecylia Court, Fairfax Court, Gum Street, Heather Court, Homeplace Drive, Kamerin Street, Lawson Court, Sonnet Drive, and Tamworth Road

(f) Approval of an Ordinance Setting the Schedule for Regular Asheboro City Council Meetings During the 2023 Calendar Year

ORDINANCE NUMBER 86 ORD 12-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

AN ORDINANCE SETTING THE DATES FOR REGULAR MEETINGS OF THE ASHEBORO CITY COUNCIL DURING THE 2023 CALENDAR YEAR

WHEREAS, Section 31.04(A) of the Code of Asheboro provides that the "City Council shall hold a regular meeting on Thursday after the first Monday of each month;" and

WHEREAS, in an effort to avoid reasonably foreseeable scheduling conflicts with Independence Day and Veterans Day, the Asheboro City Council has decided to reschedule its regular meetings in July 2023 and November 2023.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. During the 2023 calendar year, and subject to any notices to the contrary issued in accordance with the applicable statutes and ordinances, regular meetings of the Asheboro City Council will begin at 7:00 p.m. on the dates listed herein and will be held in the Council Chamber, which is located on the second floor in Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203.

Section 2. In recognition of the impact of Independence Day, the regular meeting of the Asheboro City Council in July 2023 shall be held in the Council Chamber at Asheboro City Hall, with a beginning time of 7:00 p.m., on the 13th day of July, 2023.

Section 3. In recognition of the impact of Veterans Day, the regular meeting of the Asheboro City Council in November 2023 shall be held in the Council Chamber at Asheboro City Hall, with a beginning time of 7:00 p.m., on the 8th day of November, 2023.

Section 4. For purposes of clarity, the schedule is as follows for regular meetings of the Asheboro City Council during the 2023 calendar year:

Month	**Meeting Date**
January	5th
February	9th
March	9th
April	6th
May	4th
June	8th
July	13th
August	10th
September	7th
October	5th
November	8th
December	7th

Section 5. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed to the extent that such ordinances conflict with the intent of the Asheboro City Council to hold its regular meetings in accordance with the schedule found in Section 4 of this Ordinance. With the exception of rescheduling the Asheboro City Council's regular meetings in July 2023 and November 2023, the provisions of Section 31.04 of the Code of Asheboro shall remain in full force and effect.

Section 6. This Ordinance shall become effective upon adoption and shall sunset at midnight on December 31, 2023.

This Ordinance was adopted in open session during a regular meeting of the Asheboro City Council held on the 8th day of December, 2022.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(g) Approval of an Audit Contract Amendment to Extend Huneycutt, Parsley & Taylor, CPAs, PLLC's submittal date for the Local Government Commission from October 31, 2022 to January 31, 2022

The Audit contract amendment was approved by the city council and has been filed in the city clerk's office.

(h) Approval of Two Budget Ordinance Amendments:

(I) Amendment of the General Fund to Account for the Increased Costs of Fuel, Parts, and Supplies that are Impacting the Fleet Maintenance Department

87 ORD 12-22

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2022-2023

WHEREAS, the Fleet Maintenance Department is responsible for the maintenance and repair of a majority of the City of Asheboro rolling stock / fleet.

WHEREAS, the Fleet Maintenance Department provides for the fuel for a majority of the City of Asheboro rolling stock / fleet.

WHEREAS, the Fleet Maintenance Department operating costs are significantly higher than budgeted due to changes in the economic environment which has resulted in increases fuel and various parts and supplies necessary for the maintenance and repair of the fleet.

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in expenditures in comparison to the current fiscal year adopted budget, and;

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	$500,000

That the following Expense line items be increased:

Line Item	Description	Increase
10-555-518.0000	Vehicle Parts / Inventory	$250,000
10-555-532.0000	Gas Oil Tires / Inventory	250,000
	Total Increase	$500,000

Adopted this 8th day of December, 2022.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

(II) Amendment of the General Fund to Account for Job Position Changes in the Engineering, Inspections, and Legal Departments.

88 ORD 12-22

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, at the time of budget adoption for FY 2022-2023 in June 2022, the City of Asheboro position providing administrative support to the Building Inspections department was filled by the Deputy City Clerk budgeted in the Legal Services Department.

WHEREAS, changes in the pay plan positions associated with new positions in the Inspection Department and Engineering Department requires changes in current budget allocations.

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in expenditures in comparison to the current fiscal year adopted budget, and;

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:
That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	$32,000

That the following Expense line items be increased / (decreased):

Line Item	Description	Increase / (Decrease)
10-540-502.0000	Salaries / Wages	$20,302
10-540-507.0002	Fringe Benefits- FICA / Medicare	1,506
10-540-507.0400	Fringe- Insurance	7,800
10-540-507.0005	Fringe- Retirement	2,392
10-450-502.0000	Salaries / Wages	(25,520)
10-450-507.0002	Fringe Benefits- FICA / Medicare	(1,952)
10-450-507.0400	Fringe Insurance	(5,200)
10-450-507.0005	Fringe- Retirement	(3,100)
10-575-502.0000	Salaries / Wages	25,520
10-540-507.0002	Fringe Benefits- FICA / Medicare	1,952
10-540-507.0400	Fringe- Insurance	5,200
10-540-507.0005	Fringe- Retirement	3,100
	Total Increase	$32,000

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(i) Approval of the Community Development Division's Request to Schedule for January 5, 2023, and to Advertise, Legislative Hearings on the Following Applications:

(I) Case No. RZ-22-13: An Application to Rezone Property at 564 Cox Avenue (Randolph County Parcel Identification Number 7760064470) from B2 (CZ) to R10 Zoning; and

(II) Case No. RZ-22-14: An Application to Rezone Property on Gold Avenue that is Identified by Randolph County Parcel Identification Number 7763129076 from R10 to RA6 (CZ) Zoning for a Development with Multiple Family Dwelling Units Having a Floor Area Ratio of up to 17 Percent.

The council approved the above-referenced request from the Community Development Division to schedule for January 5, 2023, and to advertise, legislative hearings on the above-referenced applications.

7. Public Hearing – The Moses H. Cone Memorial Hospital Annexation Petition

Prior to the consideration of agenda items pertaining to the annexation petition received from the Moses H. Cone Memorial Hospital, Council Member Redding disclosed that transactions related to the property at issue created a conflict of interest for her, and she requested to be recused from participating in the agenda items related to the above-described annexation petition. In response, Council Member Heath moved to excuse Council Member Redding from participating in all discussions and votes pertaining to the stated annexation petition. Council Member Burks seconded the motion. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Swiers voted aye. There were no dissenting votes.

(a) Annexation Petition Seeking the Annexation of Hospital Land in Excess of 65 Acres, on the West Side of Interstate 73/74

Mayor Smith opened the public hearing on the question of the annexation petition submitted by the Moses H. Cone Memorial Hospital in connection with the hospital land in excess of 65 acres on West Side of Interstate 73/74. As part of the public hearing, City Engineer Michael Leonard presented the staff's analysis of the annexation petition. Mayor Smith then invited comments from the public. Mr. Skip Hislop, Jr., Mr. Nick Wilkisson, and Mr. Deno Adkins presented comments in support of the annexation, while Mr. Ben Tuggle and Mr. Don Pritchard presented comments in opposition of the request

(b) City Council Consideration of an Annexation Ordinance

After no one else from the public requested to be heard, Mayor Smith transitioned to the deliberative phase of the hearing. Council Member Swiers moved, and Council Member McCaskill seconded the motion, to adopt the following annexation ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, and Swiers voted aye. Council Member Moffitt voted no.

ORDINANCE NO. 89 ORD 12-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

AN ORDINANCE EXTENDING THE ASHEBORO CITY LIMITS BY ANNEXING AN AREA APPROXIMATELY SIXTY-NINE ACRES IN SIZE THAT IS CONTIGUOUS TO THE EXISTING PRIMARY CITY LIMITS AND IS LOCATED PRIMARILY ON THE WEST SIDE OF INTERSTATE 73/74

WHEREAS, in accordance with Section 160A-31 of the North Carolina General Statutes, The Moses H. Cone Memorial Hospital, a North Carolina non-profit corporation, (the "Petitioner") submitted a petition to the Asheboro City Council (the "Council") requesting the annexation into the Asheboro primary city limits of four parcels of land owned by the non-profit corporation on the west side of Interstate 73/74; and

WHEREAS, at the time of the submission of the annexation petition, these four parcels of land were identified by the following Randolph County Parcel Identification Numbers: 7752396762, 7752398870, 7752389302, and 7752399337; and

WHEREAS, the entirety of the territory proposed for annexation is more specifically described by metes and bounds in Section 1 of this Ordinance; and

WHEREAS, on November 10, 2022, by means of a duly adopted resolution (Resolution Number 38 RES 11-22), the Council directed the city clerk to investigate the sufficiency of the petition submitted by the Petitioner, and the city clerk has in fact certified the sufficiency of their annexation petition; and

WHEREAS, pursuant to Asheboro City Council Resolution Number 39 RES 11-22, a legal notice was published on November 22, 2022, in *The Courier-Tribune*, a newspaper with general circulation in the City of Asheboro, announcing that a public hearing to consider the adoption of an ordinance annexing the described territory into the City of Asheboro would be held during the Council's next regular meeting, which was scheduled to begin at 7:00 p.m. on December 8, 2022, in the council chamber on the second floor of Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203; and

WHEREAS, the public hearing was held, as advertised, on December 8, 2022; and

WHEREAS, the Council has determined that the annexation petition meets the requirements of Section 160A-31 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. By virtue of the authority granted in Section 160A-31 of the North Carolina General Statutes, the following described contiguous territory is annexed, attached to, and hereby becomes part of the City of Asheboro:

Back Creek Township, Randolph County, North Carolina:

BEGINNING on the proposed Asheboro primary city limits line at a concrete monument found at the intersection of the southern margin of the 60-foot public right-of-way for Spero Road (North Carolina Secondary Road 1504) with the western margin of the public right-of-way for the Interstate 73/74 southbound on-ramp, the described beginning point is located by means of the North Carolina Coordinate System at the coordinates of North 729,928.02 feet and East 1,754,251.16 feet (NAD 83 (2011)); thence running the next seven bearings and distances along the proposed Asheboro primary city limits line, which follows the western margin of the public right-of-way for the Interstate 73/74 southbound on-ramp and forms the eastern boundary of the territory for which annexation has been requested by The Moses H. Cone Memorial Hospital (the land for which annexation has been requested consists of a total of four parcels or tracts of land formerly owned by First Assembly of God Church of Asheboro, Inc. and is described in the Office of the Register of Deeds for Randolph County, North Carolina (the "Randolph County Registry") in the following books of record: Deed Book 1543, Page 1088; Deed Book 1622, Page 1395; Deed Book 1681, Page 429; and Deed Book 1543, Page 1085; these four parcels or tracts of land will be hereinafter referred

to collectively as the "Annexation Territory"): South 22 degrees 45 minutes 35 seconds East 200.77 feet to a concrete monument found in the right-of-way line; thence South 24 degrees 11 minutes 07 seconds East 231.07 feet to a 1-inch iron rod found in the right-of-way line; thence South 24 degrees 08 minutes 55 seconds East 280.75 feet to a concrete monument found in the right-of-way line; thence South 17 degrees 49 minutes 46 seconds East 405.64 feet to a concrete monument found in the right-of-way line; thence South 07 degrees 56 minutes 22 seconds East 124.82 feet to a 3/4-inch iron pipe set in the right-of-way line; thence in a southeasterly direction along the arc of a curve with a radius of 20,322.10 feet a chord bearing and distance of South 05 degrees 02 minutes 27 seconds East 667.43 feet to a 3/4-inch iron pipe set in the right-of-way line; thence South 04 degrees 11 minutes 57 seconds East 410.79 feet to a computed point in the right-of-way line; thence departing from the western margin of the public right-of-way for Interstate 73/74 and following the proposed Asheboro primary city limits line North 88 degrees 33 minutes 35 seconds East 360.42 feet across the interstate to a computed point in the eastern margin of the public right-of-way for Interstate 73/74, this computed point is on the existing Asheboro primary city limits line; thence following the existing Asheboro primary city limits line the next two bearings and distances: South 04 degrees 11 minutes 57 seconds East 431.27 feet along the eastern margin of the public right-of-way for Interstate 73/74 to a computed point; thence South 05 degrees 44 minutes 25 seconds East 40.13 feet to a computed point in the eastern margin of the public right-of-way for Interstate 73/74; thence departing from the existing Asheboro primary city limits line and the eastern margin of the public right-of-way for Interstate 73/74 in order to follow the proposed Asheboro primary city limits line North 88 degrees 02 minutes 28 seconds West 346.96 feet across the interstate to a bent #5 rebar found in the western margin of the public right-of-way for Interstate 73/74; thence departing from the western margin of the public right-of-way for Interstate 73/74 and continuing to follow the proposed Asheboro primary city limits line the following two bearings and distances along the southern boundary of the Annexation Territory that is contiguous to the now or formerly Martha Redding Mendenhall property described in Estate File 72E, Page 331 in the Office of the Randolph County Clerk of Superior Court and in Deed Book 33, Page 274, Randolph County Registry: North 88 degrees 02 minutes 28 seconds West 423.84 feet to an axle found in the northern boundary line of the previously identified Mendenhall property; thence North 88 degrees 02 minutes 28 seconds West 866.15 feet to an axle found at the southwestern corner of the Annexation Territory; thence departing from the southern boundary of the Annexation Territory and proceeding along the western boundary of the Annexation Territory by following the proposed Asheboro primary city limits line the next two bearings and distances along the eastern boundary for lots 14 and 15 that are shown on a plat of survey recorded in Plat Book 52, Page 25, Randolph County Registry: North 03 degrees 44 minutes 17 seconds East 206.51 feet to a 1/2-inch iron pipe found at a common corner for the referenced lots 14 and 15; thence North 03 degrees 50 minutes 20 seconds East 267.50 feet to an axle found in the proposed Asheboro primary city limits line at the southeastern corner of a private perpetual right-of-way identified as Country Lane and referenced in Deed Book 1710, Page 846, Randolph County Registry; thence running the next nine bearings and distances along the western boundary of the Annexation Territory: North 01 degree 19 minutes 53 seconds East 549.33 feet to a bent 1-1/4-inch iron pipe found in the proposed Asheboro primary city limits line; thence North 01 degree 19 minutes 53 seconds East 940.83 feet to an axle found in the proposed city limits line; thence North 01 degree 19 minutes 45 seconds East 158.46 feet to a 1-1/4-inch iron pipe found in the proposed city limits line; thence North 01 degree 19 minutes 45 seconds East 139.97 feet to a #5 rebar found in the proposed city limits line; thence North 01 degree 19 minutes 45 seconds East 19.20 feet to an axle found in the proposed city limits line; thence North 03 degrees 29 minutes 51 seconds East 27.74 feet to a 3/8-inch iron rod found in the proposed city limits line; thence North 03 degrees 29 minutes 51 seconds East 47.55 feet to rebar found with a cap in the proposed city limits line; thence North 00 degrees 57 minutes 13 seconds East 205.88 feet to a nail found in the proposed city limits line; thence North 01 degree 33 minutes 37 seconds East 108.79 feet to a nail found in the southern margin of the 60-foot public right-of-way for Spero Road; thence departing from the western boundary of the Annexation Territory and following the northern boundary of the Annexation Territory the next five bearings and distances along the southern margin of the 60-foot public right-of-way for Spero Road: North 85 degrees 41 minutes 45 seconds East 138.28 feet to a concrete monument found in the proposed Asheboro primary city limits line; thence South 82 degrees 51 minutes 53 seconds East 127.22 feet to a concrete monument found in the proposed city limits line; thence North 86 degrees 36 minutes 17 seconds East 149.51 feet to a broken concrete monument found in the proposed city limits line; thence South 03 degrees 15 minutes 11 seconds West 9.76 feet to a concrete monument found in the proposed Asheboro primary city limits line; thence North 88 degrees 40 minutes 48 seconds East 222.88 feet to the point and place of BEGINNING, and containing a total of 69.189 acres, more or less, to be annexed.

The above-stated legal description is in accordance with a plat of survey drawn under the supervision of Kim R. Lilly, RLS. The plat of survey is dated November 3, 2022, and is titled "ANNEXATION PLAT CONE HEALTH 1271, 1307 AND 1319 SPERO ROAD."

The above-described Annexation Territory has been acquired by The Moses H. Cone Memorial Hospital. See Deed Book 2830, Page 1331, Randolph County Registry and Deed Book 2830, Page 1341, Randolph County Registry.

The plat of survey referenced in the immediately preceding paragraph is recorded in Plat Book ____178___, Page ____69____, Randolph County Registry.

Section 2. Upon and after December 8, 2022, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Asheboro and shall be entitled to the same privileges and benefits as other parts of the City of Asheboro. The above-described territory shall be subject to municipal taxes according to Section 160A-58.10 of the North Carolina General Statutes.

Section 3. The Mayor of the City of Asheboro shall cause to be recorded in the Office of the Randolph County Register of Deeds and in the Office of the North Carolina Secretary of State an accurate map of the annexed territory that is described in Section 1 of this Ordinance together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Randolph County Board of Elections as required by Section 163-288.1 of the North Carolina General Statutes.

Section 4. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. This Ordinance shall be in full force and effect upon and after December 8, 2022.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on December 8, 2022.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

Approved as to form:

/s/Jeffrey C. Sugg
Jeffrey C. Sugg, City Attorney

8. Community Development Division Items

(a) A Continuance request for the text amendment applications (Case Nos. SUB-22-06 and RZ-22-12) that have been submitted for the purpose of updating a broad range of subdivision review/approval regulations and in order to make technical corrections in the text of both the subdivision and zoning ordinances.

The city staff requested that the above-referenced items be continued to the council's regular January 2023 meeting. Council Member Moffitt moved, and Council Member Bell seconded the motion to continue the above-referenced items to the council's next regular meeting. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

(b) A Request for Authorization to Enter Into an Engineering Services Agreement with The Wooten Company for the Proposed Trade Street Renovations

Prior to the consideration of agenda items pertaining to the proposed Trade Street Renovations, Mayor Smith disclosed that transactions related to the property at issue created a conflict of interest for him, and he requested to be recused from participating in discussions pertaining to the above-referenced agenda item. In response, Council

Member Bell moved to excuse Mayor Smith from participating in all discussions pertaining to the Trade Street Renovations. Council Member Burks seconded the motion. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

Mayor Pro Tempore Moffitt asked Community Development Director Trevor Nuttall to present the item for council's consideration. Mr. Nuttall requested authorization to enter into an engineering services agreement with The Wooten Company for the design services for the repurposing of Trade Street in Asheboro, NC.

After some discussion, Council Member Bell moved to approve the engineering services agreement, and Council Member Burks seconded the motion. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

(c) A Summary of Due Diligence Efforts that have been Completed in Connection with the Property Upon Which the Former Acme-McCrary Hosiery Mill is located, and a Request for Authorization to Complete the Acquisition of the Property.

Mr. Nuttall presented an agreement of purchase and sale between Acme-McCrary and the City of Asheboro. The agreement is for the City of Asheboro to purchase the property for $1 million. After some discussion, Council Member Bell moved, and Council Member Heath seconded the motion to approve the purchase agreement. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

(d) A Discussion of Increasing from $100 to $150 the Monthly Stipends Authorized for Members of the Asheboro Planning Board and the Asheboro ABC Board

Mr. Nuttall reported to the council members that the Asheboro Planning Board and Asheboro ABC Board members currently receive a stipend of $100 per month. Throughout some discussion, an increase to $150 for the boards' members was requested by Mr. Nuttall for the upcoming calendar year.

Council Member Moffitt moved to increase the monthly stipend to $150, and Council Member Redding seconded the motion. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

9. Engineering and Finance Department Project Updates

(a) An Update on the Traffic Study at the Intersection of Salisbury Street and Old Lexington Road

Mr. Leonard presented the updated traffic study for the intersection of Salisbury Street and Old Lexington Road that was conducted by Ramey Kemp Associates. The study showed that there were no functional or safety issues within the intersection, however with the on-going traffic concerns pertaining to the intersection, Ramey Kemp Association recommended some improvements, including but not limited to the installation of signalization, or the installation of an elongated peanut round-about.

City staff will forward the traffic study to the North Carolina Department of Transportation for evaluation. No formal action was requested by the council during this portion of the meeting, and none was taken.

(b) The Results of the Formal Bidding Process and the Request for the Award of a Contract for Storm Sewer Installation, Sidewalk, and Parking Lot Grading and Paving Work at the McCrary Ballpark.

After proceeding through the formal bidding process, Mr. Leonard requested that a contract be awarded to the lowest responsible responsive bidder, Terry's Plumbing,

Inc., for storm sewer installation, sidewalk, and parking lot grading and paving work at the McCrary Ballpark in the amount of $807,181. Council Member Moffitt moved, and Council Member Burks seconded the motion to award the contract to Terry's Plumbing, Inc. in the amount of $807,181. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

(c) Council Action on Two Ordinances to Account for the Funding Needed for the Immediately Preceding Contract Award:

(I) Ordinance to Amend the General Fund

Finance Director Deborah Reaves presented and recommended adoption, by reference, of an ordinance to amend the general fund.

Council Member Bell moved, and Council Member Heath seconded the motion to adopt the following ordinance by reference.

90 ORD 12-22

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, The City of Asheboro is ready to proceed with the storm sewer installation, sidewalk and parking lot grading and paving work phase of the McCrary Ballpark Renovation project.

WHEREAS, The City of Asheboro has gone thru the formal bidding process for these services.

WHEREAS, the lowest responsive bid for the services is $807,181.

WHEREAS, the City of Asheboro would like to incorporate approximately 10% for contingency in the budgeted appropriation.

WHEREAS, the City of Asheboro desires to appropriate $888,000 from the General Fund Balance for contracted construction expenses relating to storm sewer installation, grading and paving work for the McCrary Ballpark renovation project.

WHEREAS, the City of Asheboro desires amend the 2022-2023 General Fund operating budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	888,000

That the following expense line items be increased:

Line Item	Description	Increase
10-620-574.6500	Contribution to McCrary Ballpark Fund	888,000

Adopted this the 8th day of December 2022.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

(II) Ordinance to Amend the McCrary Ballpark Improvements Fund

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the McCrary Ballpark Improvements Fund.

Council Member Bell moved, and Council Member Burks seconded the motion to adopt the following ordinance by reference.

91 ORD 12-22

ORDINANCE TO AMEND
THE MCCRARY BALLPARK IMPROVEMENTS FUND
FY 2022-2023

WHEREAS, The City of Asheboro is ready to proceed with the storm sewer installation, sidewalk and parking lot grading and paving work phase of the McCrary Ballpark Renovation project.

WHEREAS, The City of Asheboro has gone thru the formal bidding process for these services.

WHEREAS, the lowest responsive bid for the services is $807,181.

WHEREAS, the City of Asheboro would like to incorporate approximately 10% for contingency in the budgeted appropriation.

WHEREAS, the City of Asheboro desires to appropriate $888,000 from the General Fund Balance for this construction contract.

WHEREAS, the City desires to recognize funding from the General Fund and appropriate for these expenses in the McCrary Ballpark Improvements fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 capital project fund budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: The following revenue line items be increased:

Line Item	Description	Increase
65-000-300.0001-65	Contribution from General Fund	888,000

Section 2: The following expense line item be increased:

Line Item	Description	Increase
65-000-406.0000-65	Construction- storm sewer, grading, paving	888,000

Adopted this the 8th day of December 2022.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

10. Upcoming events and items not on the agenda

Mayor Smith and Mr. Ogburn led a discussion of upcoming events within the city government and the community in general. No action was taken by the city council during this discussion.

There being no further business, the meeting was adjourned at 9:11 p.m.

Holly H. Doerr, CMC, NCCMC, City Clerk **David H. Smith, Mayor**

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on November 7, 2022

The Asheboro ABC Board met on Monday, November 7, 2022, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the meeting were Chairman Steve Knight, Board Member Bob Morrison, Board Member Curtis Shipley, and General Manager Rodney Johnson (GM). A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after Board member(s) voiced having no conflict, and there being no objection, the agenda was adopted.

Board Minutes from the October 3, 2022, meeting were reviewed and approved by the Board.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent (sales and expenses).

Monthly drafts and EFT payments from October 2022 were reviewed by the Board.

Sales statistics for the month of October 2022 were reviewed by the Board.

The GM reported he discussed the Schwarz property preliminary rental offer with Frank Edmondson. Edmondson advised he may be able to reduce the rental rate some, but the offer was a good one and he did not anticipate being able to reduce it by much.

As requested by Board Member Morrison at the October meeting, the GM reviewed the interest rate being paid to the Board from its investment with Capital Management Trust as compared to other available investments. Capital Management Trust's interest rate far exceeds any competitor.

Board Member Curtis Shipley advised he spoke with the ABC Commission's General Counsel concerning allocations of spirits to local boards. The General Counsel referred Shipley to Chairman Bauer. Bauer advised how the Commission allocates spirits and explained why he contends this process does not discriminate against smaller boards.

Asheboro ABC Policy Section 33 provides the Board may grant bonus pay at such times as it deems appropriate. After discussion, Board Member Shipley moved to approve payment of a Christmas bonus equal to 3% of an employee's salary during the period beginning December 1, 2020, and ending November 30, 2021, with a minimum payment of $100. The motion was approved by the Board.

The GM was eligible for a maximum 5% merit raise October 15. Upon motion by Board Member Morrison, the Board approved a 5% merit plus a one-time $5000 bonus.

The Board heard reports from the General Manager concerning the following issues:

1. Asheboro ABC sales statistics comparing:

    - October 2022 sales with the previous month indicate:
        - An overall +2.6% change (all sales and tax collections)

    - October 2022 sales with sales from the same month last year indicate:
        - Retail Sales +0.6%
        - Mixed Beverage Sales: -10.0%
        - Sales Tax Collections: -0.9%
        - Overall Collections: +0.6%

    - October 2022 bottle sales with bottle sales from the same month last year indicate:

        - Retail Bottle Sales: +0.8%
        - Mixed Beverage Bottle Sales: -18.4%
        - Overall Bottle Sales: -0.6%

The next regular Asheboro ABC Board meeting will be held Monday, December 5, 2022, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 12-6-22

GM

Stephen R Knight

AIA® Document G802™ – 2017

Amendment to the Professional Services Agreement

PROJECT: *(name and address)*	**AGREEMENT INFORMATION:**	**AMENDMENT INFORMATION:**
McCrary Baseball Park Renovations and Expansion Asheboro, NC	Date: 11/4/21	Amendment Number: 001 Date: 12/14/22
OWNER: *(name and address)* City of Asheboro Asheboro, NC	**ARCHITECT:** *(name and address)* CPL Architects & Engineers, PC Greensboro, NC	

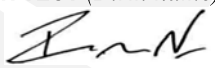
The Owner and Architect amend the Agreement as follows:
Refer to Proposal dated December 14, 2022 as attached

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:
Please refer to Proposal dated December 14, 2022 as attached.

Schedule Adjustment:
Please refer to Proposal dated December 14, 2022 as attached.

SIGNATURES:

CPL Architects & Engineers, PC **ARCHITECT** *(Firm name)*	**OWNER** *(Firm name)*
 **SIGNATURE**	**SIGNATURE**
Brad Norvell, AIA **PRINTED NAME AND TITLE**	**PRINTED NAME AND TITLE**
December 14, 2022 **DATE**	**DATE**

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ARCHITECTURE
ENGINEERING
PLANNING
CPLteam.com

December 14, 2022

Mr. John Ogburn, City Manager (jogburn@ci.asheboro.nc.us)
City of Asheboro
146 North Church Street
Asheboro NC, 27203

Re: **McCrary Baseball Park Renovations and Expansion**
138 Southway Road
Asheboro, NC 27205
Contract Amendment 001

Dear Mr. Ogburn:

Thank you again for allowing CPL the opportunity to provide professional Architectural and Engineering Services for the McCrary Baseball Park Renovations and Expansion in Asheboro, NC.

Our initial professional services proposal did not include fees as outlined below under Amendment 001 items.

We therefore, respectfully request an increase in our professional services fee as identified as Amendment 001 line items as summarized on the next page. If you find this acceptable we will send an amendment to our AIA contract.

400 Bellemeade Street, Suite 401 | Greensboro, NC 27401 | 336.373.9800 | **cplteam.com**

FEE SCHEDULE	FEE
Design Development Phase	$45,662.50
Construction Document Phase	$317,625.00
Bidding Phase	$21,531.25
Construction Phase	$114,556,.00
Original Design Fee Total	**$499,375.00**
Amendment 001	
Geotechnical	$11,664.00
Safety Netting Coordination / Design	$5,500.00
Audio Video / Infrastructure Design	$9,800.00
NCDEQ Review Fee	$2,120.25
Architectural – Re-Assemble drawings into multiple Bid Packages, Redesign of Ticket Bldg., Elimination of Locker Bldg. from documents, Tot Lot & Retaining Wall redesign	$12,850.00
Structural - Grandstand Footing Design	$3,500.00
Cost Estimate for Site Package	$2,500.00
Civil – Outside the park; parking lot, elimination of locker bldg., ticket booth redesign, one dry pond revision, storm and utility for parking lot, future drive	$5,550.00
New Design Fee Subtotal	**$53,484.25**
New Design Fee Total	**$552,859.25**

If you have any questions or require further information, please let us know. We look forward to the successful completion of this very important project.

Sincerely,
CPL

Brad Norvell, AIA
Associate

cc: Mr. Kenneth C. Mayer, FAIA KMayer@cplteam.com)
cc: Mr. Michael Leonard, PE mleonard@ci.asheboro.nc.us
cc: Mr. John Ogburn jogburn@ci.asheboro.nc.us

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2022-2023

WHEREAS, the City of Asheboro appropriated funding for a contract with CPL Architects and Engineers, PC (CPL) for their work at McCrary Ballpark in the amount of $500,000, and;

WHEREAS, the scope of work for CPL has changed and the City needs to appropriate and additional $54,000 for Amendment 001, and;

WHEREAS, the City of Asheboro would like to appropriate fund balance in the amount of $54,000 dollars to be transferred to the MCCrary Ballpark Improvements fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: The following revenue line item be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Approriated	54,000

Section 2: The following expense line item be increased:

Line Item	Description	Increase
10-620-574.6500	Contribution to McCrary Ballpark Improvements Fund	54,000

Adopted this the 12th day of January 2023.

_____
David H. Smith, Mayor

ATTEST:

_____
Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE MCCRARY BALLPARK IMPOVEMENTS FUND
FY 2022-2023

WHEREAS, the City of Asheboro appropriated funding for a contract with CPL Architects and Engineers, PC (CPL) for their work at McCrary Ballpark in the amount of $500,000, and;

WHEREAS, the scope of work for CPL has changed and the City needs to appropriate and additional $54,000 for Amendment 001, and;

WHEREAS, the City of Asheboro would like to recognize a contribution from the General Fund for these engineering cost in the amount of $54,000 dollars in the McCrary Ballpark Improvements fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: The following revenue line Items be increased:

Line Item	Description	Increase
65-000-300.0001	Contribution from General Fund	54,000

Section 2: The following expense line item be increased:

Line Item	Description	Increase
65-000-401.9000-	Architect and Engineering Fees	54,000

Adopted this the 12th day of January 2023.

_____
David H. Smith, Mayor

ATTEST:

_____
Holly H. Doerr, CMC, NCCMC, City Clerk

Case No. RZ-22-13: Request to rezone property located at 564 Cox Avenue (Randolph County Parcel Identification Number 7760064470) from B2 (CZ) General Commercial Conditional Zoning to R10 Medium-Density Residential

Planning Board Recommendation and Staff Report

Planning Board Recommendation & Comments to City Council

NOTE: Have applicant Certify to Council mailings to all adjoining property owners.

Case # **RZ-22-13**

Date 12/5/2022 PB

Applicant Carlos Alberto Ramos

Legal Description

The property of Carlos Alberto Ramos, located at 564 Cox Avenue, totaling approximately 0.33 acres +/- and more specifically identified by Randolph County Parcel Identification Number 7760064470.

Requested Action Rezone property from B2 (CZ) General Commercial Conditional Zoning to R10 Medium-Density Residential

Existing Zone B2 (CZ)

Land Development Plan See rezoning staff report

Planning Board Recommendation

Approve.

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # **RZ-22-13** **Date** January 5, 2023 City Council

General Information

Applicant Carlos Alberto Ramos
Address 564 Cox Avenue
City Asheboro NC 27203
Phone 336-524-7271
Location 564 Cox Avenue

Requested Action Rezone from B2 (CZ) General Commercial Conditional Zoning to R10 Medium-Density Residential

Existing Zone B2 (CZ) **Existing Land Use** Single-family dwelling

Size 0.33 acres +/- **Pin #** 7760064470

Applicant's Reasons as stated on application

Plans call for neighborhood residential use. I want to use it for residential only. I want to add on one more bedroom and full bathroom and make it a family home.

Surrounding Land Use

North Commercial **East** Single-Family Residential

South Single-family residential **West** Commercial

Zoning History Property has had non-residential zoning applied since 1979 (both OA6 (CZ) and B2 (CZ)), including for a child care facility and other uses noted (CUP-07-22) in Analysis #3 below. Prior to that time, the property was zoned R10.

Legal Description

The property of Carlos Alberto Ramos, located at 564 Cox Avenue, totaling approximately 0.33 acres +/- and more specifically identified by Randolph County Parcel Identification Number 7760064470.

Analysis

1. The property is located within the City limits.
2. Both Cox Avenue and Cliff Road are city-maintained streets. There is a signalized intersection at Cliff Road and East Dixie Drive one block north of the subject property.
3. Tax records indicate the structure was built in 1965. Currently, the property is being used residentially which constitutes a non-conforming use.
4. The subject property has a conditional zoning designation from 2007 allowing professional services, business services, and personal services (excluding dry cleaning and laundry/laundromat facilities). Tax records indicate the structure was built in 1965. Currently, the property is being used residentially which constitutes a non-conforming
5. The zoning ordinance describes the R10 zoning district as "intended to provide regulations which will produce a moderate intensity of residential uses, usually single family or two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living."
6. The R10 district allows for a single-family or two-family dwelling. A minimum of 15,000 square feet are required for a two-family dwelling.
7. Under the current B2 (CZ) General Commercial Conditional Zoning designation, additions and improvements to the single-family dwelling and related structures are restricted.
8. In 2021, Council approved a rezoning from R15 Low-Density Single-Family Residential to R10 Medium-Density Residential on an adjoining parcel across Cliff Road. A single-family dwelling is currently under construction on this parcel.

Rezoning Staff Report

RZ Case # **RZ-22-13**

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation	Neighborhood Residential
Small Area Plan	Central
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map.

Checklist Item 3. The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. *(Article 200, Section 210, Schedule of Statements of Intent)*

Checklist Item 6: Existing infrastructure is adequate to support the desired zone *(water, sewer, roads, schools, etc.).*

Checklist Item 7: The proposed rezoning is compatible with the applicable Small Area Plan.

Checklist Items 12, 13, and 14: 12.) Property is located outside of watershed
13.) The property is located outside of Special Hazard Flood Area.
14.) Rezoning is not located on steep slopes of greater than 20%.

Rezoning Staff Report

RZ Case # **RZ-22-13**

LDP Goals/Policies Which Do Not Support Request

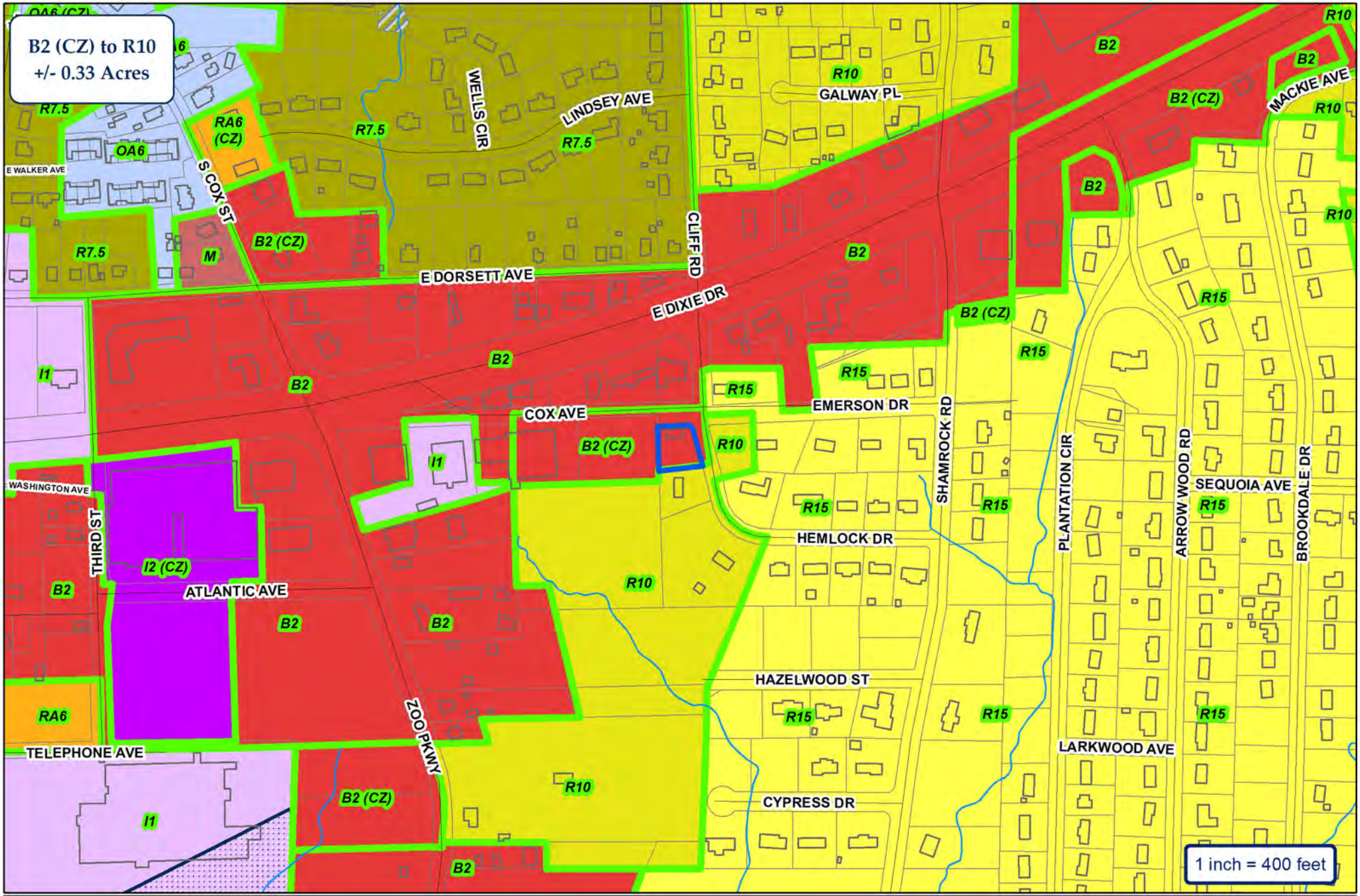
Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

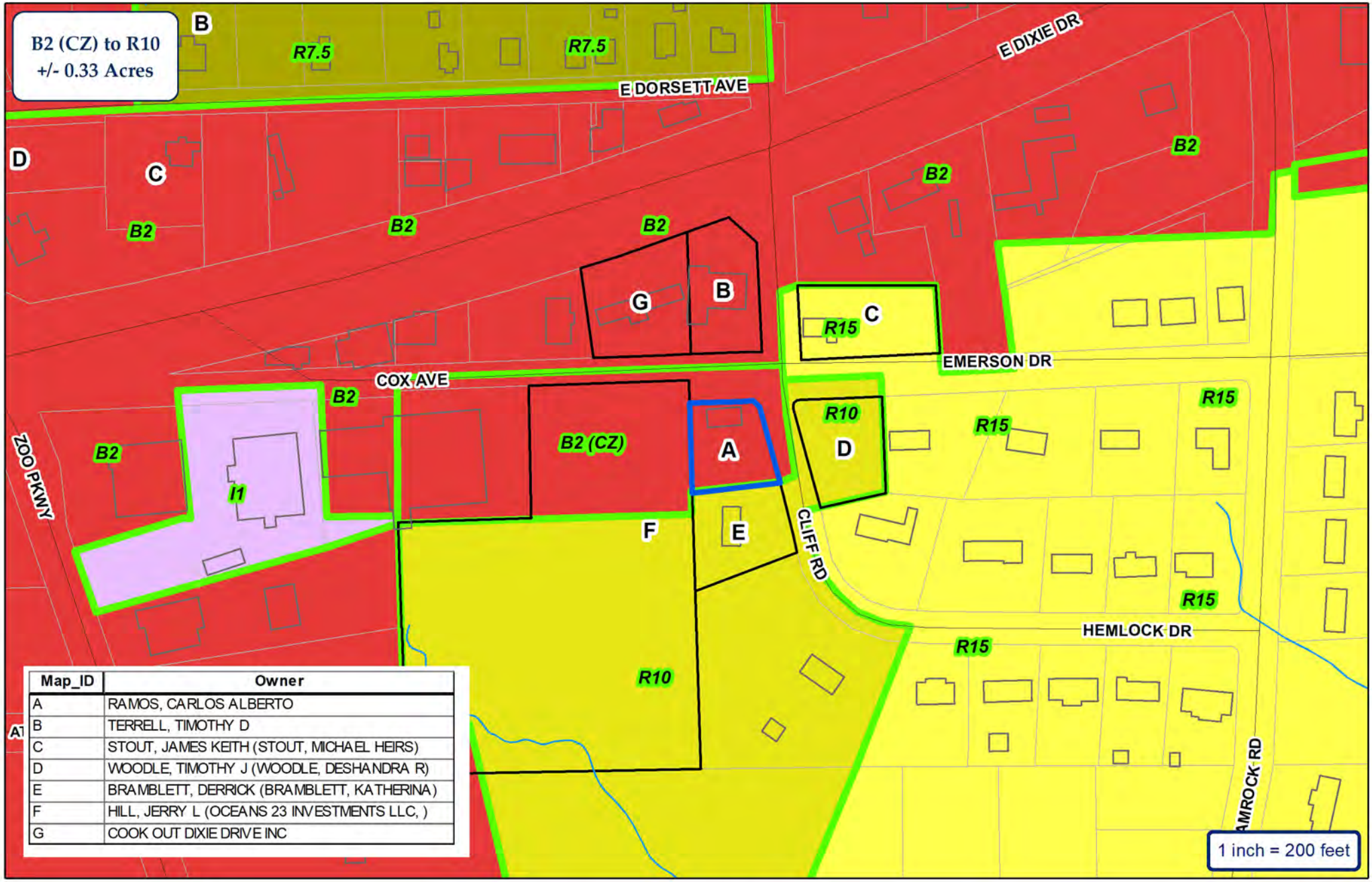
The Land Development Plan Proposed Land Use Map designates this and other properties on the south side of Cox Avenue property for Neighborhood Residential development. The requested R10 district generally is consistent with the Neighborhood Residential designation.

The structure on the property was originally constructed as a single-family dwelling in 1965. The property was first zoned for commercial use in 1979; the last commercial zoning amendment occurred in 2007 which authorized a variety of commercial service uses from the property. Currently, the structure is being used for a single-family dwelling.

The current property owner has indicted a desire to continue use the property exclusively for residential use and the current zoning precludes most modifications to the property that would be associated with residential activity. Furthermore, the Central Small Area Plan includes "preservation and revitalization of existing neighborhoods" as a key issue within this planning area. The property is located on the edge of the boundary between commercial and residential zoning and uses. Applying the property's former R10 residential designation will allow continued investment into residential use of the property that is currently restricted by current zoning.

Recommendation In light of the above analysis, staff believes the request is generally consistent with the Land Development Plan and reasonable and recommends approval believing that such action serves the public interest.


B2 (CZ) to R10
+/- 0.33 Acres
R7.5
OA6
RA6 (CZ)
E WALKER AVE
S COX ST
WELLS CIR
LINDSEY AVE
R7.5
R10
GALWAY PL
B2
B2 (CZ)
MACKIE AVE
M
B2 (CZ)
E DORSETT AVE
CLIFF RD
E DIXIE DR
I1
B2
R15
EMERSON DR
COX AVE
SHAMROCK RD
PLANTATION CIR
ARROW WOOD RD
BROOKDALE DR
SEQUOIA AVE
WASHINGTON AVE
THIRD ST
I2 (CZ)
ATLANTIC AVE
HEMLOCK DR
HAZELWOOD ST
RA6
ZOO PKWY
TELEPHONE AVE
LARKWOOD AVE
CYPRESS DR
1 inch = 400 feet
CITY OF ASHEBORO
NORTH CAROLINA
ETJ
City of Asheboro Planning & Zoning Department
Rezoning Case: RZ-22-13
Parcels: 7760064470
Subject Property
Zoning
N
S
E
W



Map_ID	Owner
A	RAMOS, CARLOS ALBERTO
B	TERRELL, TIMOTHY D
C	STOUT, JAMES KEITH (STOUT, MICHAEL HEIRS)
D	WOODLE, TIMOTHY J (WOODLE, DESHANDRA R)
E	BRAMBLETT, DERRICK (BRAMBLETT, KATHERINA)
F	HILL, JERRY L (OCEANS 23 INVESTMENTS LLC,)
G	COOK OUT DIXIE DRIVE INC

CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

ETJ

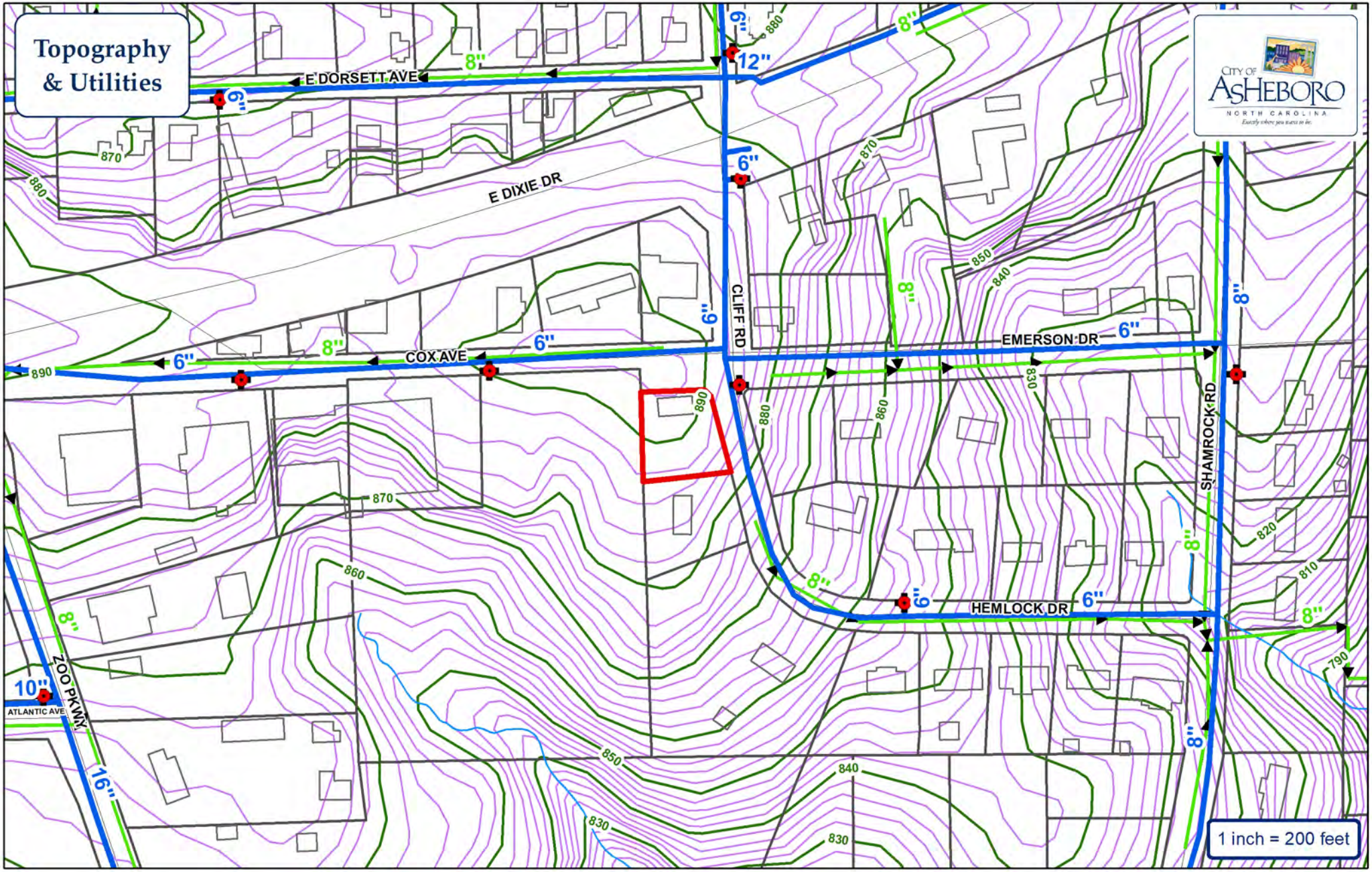
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-13

Parcels: 7760064470

Subject Property
Adjoining Properties
City Zoning

N
W
E
S


Topography & Utilities
E DORSETT AVE
E DIXIE DR
CLIFF RD
COX AVE
EMERSON DR
SHAMROCK RD
HEMLOCK DR
ZOO PKWY
ATLANTIC AVE
CITY OF ASHEBORO
NORTH CAROLINA
1 inch = 200 feet
Water Main
Sewer Main
Force Main
Fire Hydrant
PS
Pump Station
Watershed
City of Asheboro Planning & Zoning Department
Rezoning Case: RZ-22-13
Parcels: 7760064470
Subject Property

CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-13

Parcels: 7760064470

Subject Property
Zoning

N
W
E
S

CITY OF ASHEBORO
PLANNING & ZONING

Application for Zoning Ordinance/Map Amendment

APPLICATION FEE

A $200 filing fee is required for any amendment.

APPLICATION INSTRUCTIONS

The rezoning process can be complex. It is highly recommended that the applicant speak with Planning and Zoning Department staff prior to submitting the application and paying the filing fee. Contact staff at (336) 626-1201 ext. 225 to ensure application requirements are satisfied.

REQUIRED APPLICATION CONTENTS

1) A dimensional map, at a scale of not more than 200 feet to the inch, showing the land that would be covered by the proposed amendment, if the amendment would require a change in the zoning atlas.
2) A legal description/deed reference of such land.
3) Letter to be mailed by applicant notifying neighboring property owners of the request. Consistent with Section 160D-602(e) of the North Carolina General Statutes, the applicant shall notify neighboring property owners of the requested conditional zoning as well as the location, time, and date on which the Planning Board will hold a legislative hearing on the request. This notice must be in the form of a mailed notice provided in compliance with the guidance found in Section 160D-602(a) of the North Carolina General Statutes. During the legislative hearing, the applicant shall report to the Planning Board on the delivery of the required notice and any communication with neighboring property owners and residents concerning the requested conditional zoning.

APPLICATION DEADLINES AND MEETING DATES

The deadline for filing of applications for legislative hearings will be the day which is 55 days prior to the date of the City Council meeting for which the public hearing is to be set, provided that the deadline is no less than 17 days prior to the Planning Board's required legislative hearing; in these instances, the deadline will be 62 days prior to the date of the City Council meeting for which the public hearing is to be set. If five (5) applications have been received prior to the cut-off date, the request will be heard the following month.

Application Deadline	***Planning Board Meeting***	***City Council Meeting***
December 17, 2021	Monday, January 3, 2022	Thursday, February 10, 2022
January 14, 2022	Monday, February 7, 2022	Thursday, March 10, 2022
February 11, 2022	Monday, March 7, 2022	Thursday, April 7, 2022
March 11, 2022	Monday, April 4, 2022	Thursday, May 5, 2022
April 15, 2022	Monday, May 2, 2022	Thursday, June 9, 2022
May 20, 2022	Monday, June 6, 2022	Thursday, July 14, 2022
June 10, 2022	Monday, July 11, 2022	Thursday, August 4, 2022
July 15, 2022	Monday, August 1, 2022	Thursday, September 8, 2022
August 12, 2022	Tuesday, September 6, 2022	Thursday, October 6, 2022
September 16, 2022	Monday, October 3, 2022	Thursday, November 10, 2022
October 14, 2022	Monday, November 7, 2022	Thursday, December 8, 2022
*November, 2022: Confirm application deadline with staff	Monday, December 5, 2022. Confirm meeting date with staff	*January, 2023: Confirm meeting date with staff

***January, 2023 Council meeting date is not set by Council until December, 2022.**

APPLICANT INFORMATION

Applicant CARLOS ALBERTO RAMOS

Applicant's Phone # 336-524-7171

Applicant's Address 564 COX AVE. ASHEBORO N.C. 27205

Applicant Email Address carlosrmachining@GMAIL.COM

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name CARLOS ALBERTO RAMOS

Location of Property 564 COX AVE.

Property Size (ac. or s.f.) .33 AC.

Randolph County Property Identification Number (PIN#) 7760064470

Current Zoning District B2 (CZ)

Requested Zoning District R10

Date Property Title Acquired MAY 27, 2021

Deed Book 27558 Page 2305

Subdivision _____ Section _____ Lot # _____

Plat Book _____ Page _____

ORDINANCE AMENDMENT INFORMATION

1. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

PLANS CALLS FOR NEIBORHOOD RESIDENTIAL USE

For questions (2) and (3), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

2. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

Does not apply ☑

3. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

I want to use it for Residential only

Does not apply ☐

4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

I want to add on one more bedroom and full bathroom and make it a family home

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant. The applicant for rezoning to any district other than a conditional use district shall be prohibited from offering any testimony or evidence concerning the specific manner in which he or she intends to use or develop the property.

Applicant Signature

Carlos Ramos

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

Owner Address

564 COX AVE.

ASHEBORO N.C. 27205

Telephone Number

336-524-7271

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: John Evans ***Date:*** 10-21-22 ***Case Number:*** RZ-22-12

RZ-22-14: Request to rezone property located on Golda Avenue, east of 210 Golda Avenue, approximately 850 feet east of intersection of North Fayetteville Street (Randolph County Parcel Identification Number 7763129076 from R10 Medium-Density Residential to RA6 (CZ) High-Density Residential Conditional Zoning for a development with multiple family dwelling units having a floor area ratio of up to 17 percent.

Planning Board Recommendation and Staff Report

Planning Board Recommendation & Comments to City Council

NOTE: Have applicant Certify to Council mailings to all adjoining property owners.

Case # **RZ-22-14**

Date 12/5/2022 PB

Applicant Darren Lucas

Legal Description

The property of Darren Lucas, located east of 210 Golda Ave., approximately 850' east of N. Fayetteville St. totaling approximately 8.593 acres +/- , and identified by Randolph County Parcel Identification No. 7763129076.

Requested Action Rezone from R10 Medium-Density Residential to RA6 (CZ) High-Density Residential Conditional Zoning for a development with multiple family dwellings having a floor area ratio of up to 17%

Existing Zone R10

Land Development Plan See rezoning staff report

Planning Board Recommendation

Approve.

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # **RZ-22-14** **Date** January 5, 2023 City Council

General Information

Applicant Darren Lucas

Address 3010 High Pine Church Road

City Asheboro NC 27205

Phone 336-669-7683

Location Golda Avenue

Requested Action Rezone from R10 Medium-Density Residential to RA6 (CZ) High-Density Residential Conditional Zoning for a development with multiple family dwellings having a floor area ratio of up to 17%

Existing Zone R10 **Existing Land Use** Undeveloped

Size 8.593 acres +/- **Pin #** 7763129076

Applicant's Reasons as stated on application

Low density apartments

Surrounding Land Use

North Single-family residential **East** Undeveloped

South Undeveloped **West** Single-family residential

Zoning History N/A

Legal Description

The property of Darren Lucas, located east of 210 Golda Ave., approximately 850' east of N. Fayetteville St. totaling approximately 8.593 acres +/- , and identified by Randolph County Parcel Identification No. 7763129076.

Analysis

See Attachment 1

Attachment 1: Staff Analysis for Rezoning Case No. RZ-22-14

1. The property is inside of the city limits.
2. Golda Avenue is a local, city-maintained street, with an apparent pavement width of less than 20 feet in various locations between the subject property and North Fayetteville Street. The Public Works Department has indicated that improvements to Golda Avenue, including resurfacing that may result in additional roadway width between the subject property and N. Fayetteville Street, are expected to occur in the next few years.
3. The application is for a multi-family development with a floor area ratio (a ratio of total conditioned building square footage to property square footage) of up to 17 percent. 46 units are proposed on one parcel of land, equaling approximately 5.4 dwellings per acre. The proposed floor area ratio is approximately 10.14 percent. No new lots are proposed to be created by the project.
4. The area includes primarily single-family dwellings, with some two-family dwellings. Two multi-family developments, which access N. Fayetteville St., are in the vicinity of the subject property. Matthew Grande Apartments are located approximately 500' to the north and Summers Run Apartments are approximately 1200' to the west and across N. Fayetteville St.
5. One entrance is proposed to the development on Golda Avenue. Access will be via a privately maintained driveway. The proposed project layout, including private driveway, limits an opportunity for a future street connection between Golda Avenue and Eckerd Street. It is likely that the city would seek to preserve this opportunity for a project proposing to subdivide the property.
6. The proposed units are single-story duplex (two-family) style units with approximately 825 square feet in each unit. Parking is shown in front of each unit within a surface parking lot.
7. The applicant is proposing a 35' foot setback around the perimeter of the property. Within the first 10 feet of the setback, except for in the area of the city's existing sewer easement, the plan notes that "1 Evergreen tree every 20' & 1 shrub every 5' (Burford Holly & Leyland Cypress) or existing hardwood trees" will be provided. 29 additional trees are shown dispersed throughout the parking lot.
8. The existing R10 zoning permits one single-family dwelling on a lot with at least 10,000 SF or one two-family dwelling on a lot with 15,000 SF. If a subdivision using public streets were proposed, a maximum of 18 lots with 36 dwellings could likely be accommodated.
9. The RA6 Residential District is "intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land designated RA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
10. The neighborhood residential designation of the property is described by the Land Development Plan's Land Category Description as intended "to accommodate existing medium-density, single family residential neighborhoods, while encouraging new neighborhoods of similar density to provide a greater sense of community."
11. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes permitted uses, development conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance's predetermined land use requirements. The only deviation from the city's standard requirements for a multi-family development is the applicant's request to not provide screened parking area for recreational vehicles. Typically, a project of this size would require approximately 3300 s.f. of screened recreational vehicle parking area; none is proposed. However, the plan does provide a total of 23 visitor spaces for the project; only 10 visitor spaces are required.
12. The plan has been routed to NCDOT, Asheboro City Schools, and the US Post Office. Asheboro City Schools indicated that it didn't have a concern with the plan. The US Post Office requested the ability to review a community mail box (CBU) location. NCDOT commented that future development beyond the number of units shown may require road improvements on North Fayetteville Street, but didn't raise an objection to the development as proposed.

Rezoning Staff Report

RZ Case # **RZ-22-14**

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation	Neighborhood Residential
Small Area Plan	Northeast
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 5: Complies with Growth Strategy Map.

Checklist Items 12, 13: 12.) Property is located outside of watershed
13.) The property is located outside of Special Hazard Flood Area.

Rezoning Staff Report

RZ Case # **RZ-22-14**

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Rezoning is not compliant with the Proposed Land Use Map.

Checklist Item 3. The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance. *(Article 200, Section 210, Schedule of Statements of Intent)*

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The Land Development Plan designates the subject property for Neighborhood Residential development. This designation advocates for new residential projects to be of similar density to surrounding areas. Such designation traditionally has not supported new multi-family development; the Land Development Plan designates areas for multi-family development through the Urban Residential designation.

Yet, the Land Development Plan does envision property on the north side of Golda Avenue, across from the subject property, developing at Urban Residential densities similar to the Matthew Grande and Summers Run apartments. The primary distinction between those developments and the adjacent property identified for Urban Residential Development, are those properties direct access to N. Fayetteville Street, a major thoroughfare.

The application seeks to develop a relatively low-density multi-family project when compared to density typically permitted by the RA6 district (46-825 s.f. units proposed versus 77-825 s.f. units that a 17% FAR could otherwise accommodate on this property). The proposal to construct single-story duplex-style units, rather than multi-story units, is more consistent with the surrounding pattern of residential development.

The total number of units is the primary inconsistency related to the Land Development Plan that staff has identified. It is conceivable that the current zoning could accommodate a subdivision proposing two-family dwellings (duplexes) with approximately 40 units after accounting for expected land area necessary for street right-of-way. R10 does not permit multi-family development and the application requests approval for 46 multi-family units.

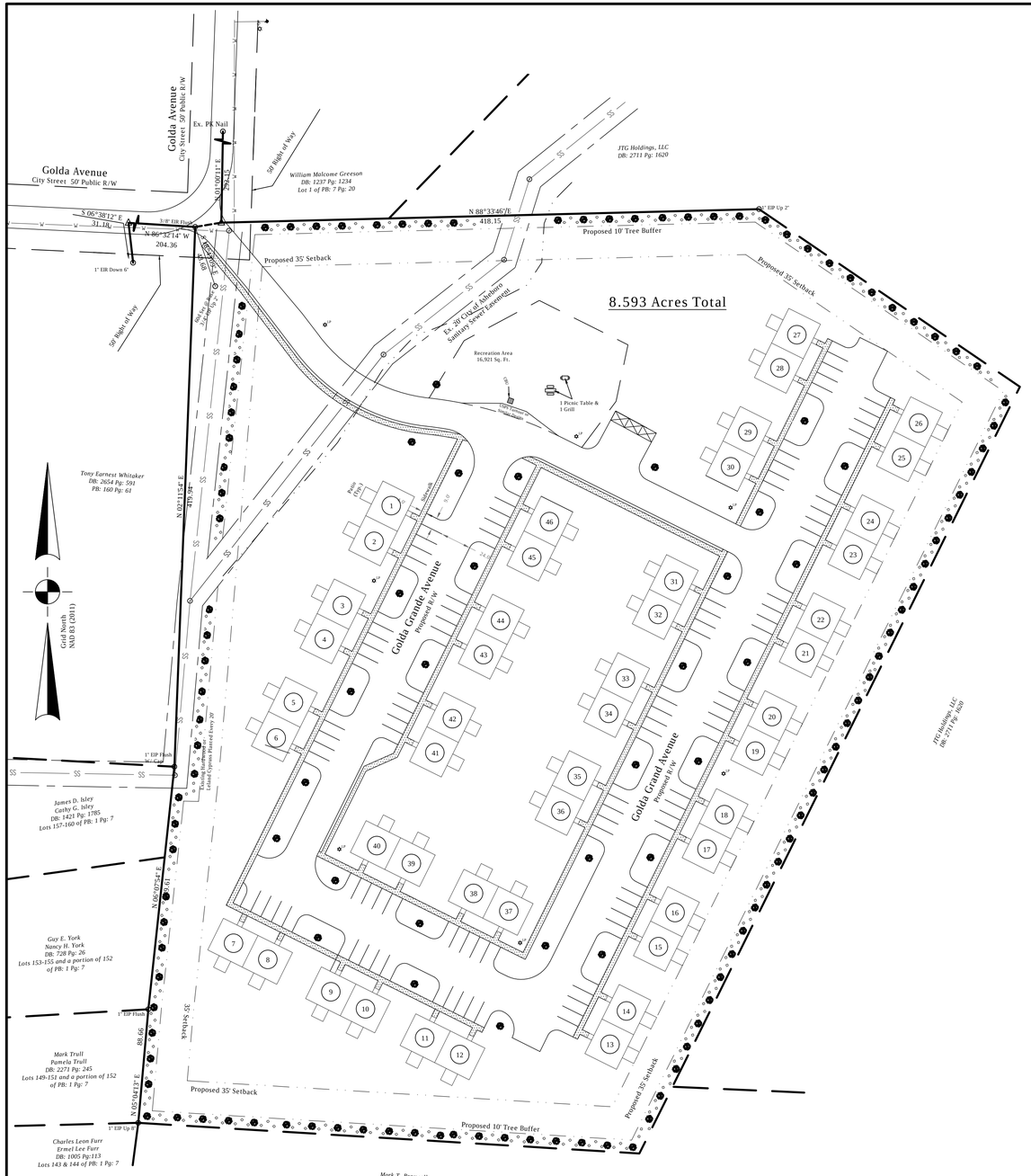
Other goals and policies of the Land Development Plan, however are advanced by the application. The community will possess sidewalks connecting all of the units, significant open space is proposed to be preserved, and a limited amount of recreational amenities will be provided.

Recommendation In light of the above analysis, staff believes the request is generally consistent with the Land Development Plan and reasonable and recommends approval believing that such action serves the public interest.

Rezoning Staff Report

Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)

(A) The use approved shall be a Development consisting of 46 Multiple Family Dwellings with a Floor Area Ratio of up to 17 percent.
(B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
(C) Enclosure of concrete pads or other additions to the rear of dwellings shall not be considered a modification unless the cumulative additional square footage leads to a project Floor Area Ratio of more than 17%.
(D) Maintenance of all recreation areas, any utilities not publicly maintained in accordance with city policies, roads, and drainage facilities that are not specifically labeled on the approved site plan as publicly maintained shall be the responsibility of the property owner and any successors in interest.
(E) Installation of traffic and street signs within the development shall be the responsibility of the developer. Approval of any proposed name of the private road shall be obtained from Randolph County for E-911 purposes.
(F) If solid waste disposal facilities as shown on the site plan are deemed to be inadequate, the property owner shall be responsible for ensuring that additional facilities or measures are installed. Any such facilities shall be consistent with city policies and codes.
(G) No recreational vehicle storage or similar outdoor storage shall be permitted on the property.
(H) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing permitting from NC Department of Environmental Quality.
(I) Prior to the issuance of a zoning compliance permit, construction plans concerning water, including provisions for fire hydrants determined to be required by Fire and Rescue, and sanitary sewage that complies with city policies, shall be submitted. Surveying of any required city easements shall be the responsibility of the property owner.
(J) Prior to the issuance of a zoning compliance permit, the applicant shall submit a site plan reflecting any revisions necessary to comply with city codes and conditions of approval.
(K) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute, and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the City Attorney for the purpose of placing notice of the conditions attached to this Conditional Zoning in the chain of title for the Zoning Lot.



Notes:
1. This project is not located within a special flood hazard area per NCFRIS.
   Map #: 3710776300J Effective Date: 1/2/2008
2. Area calculated by coordinate geometry.
3. All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
4. No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
5. Tax PIN: 7763129076
6. Buffers: 1 Evergreen tree every 20' & 1 shrub every 5' (Burford Holly & Leland Cypress) or existing hardwood trees.
7. The use will meet all performance standards of the Asheboro Zoning Ordinance.
8. Required Parking Spaces: 92 + 10 Vistor
   Shown: 92 + 23 Vistor
9. Current Zoning: R10
10. Proposed Zoning: RA6 (CZ)

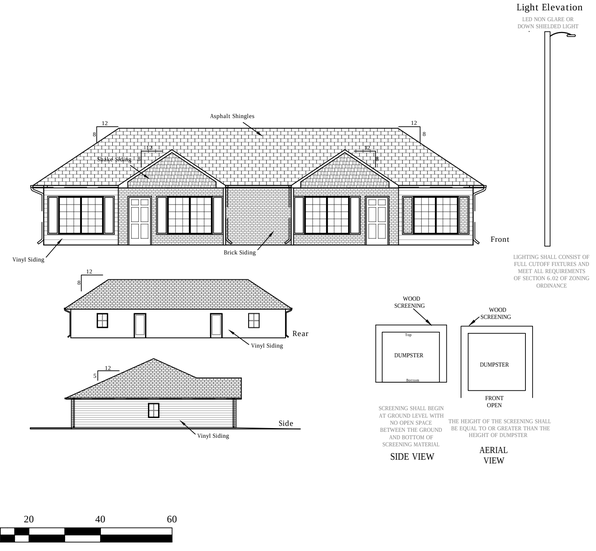
Property Line
Computed Property Line
Right of Way Line
Easement Line
Tie Lines
Setback Lines
Gas Line
Sanitary Sewer Line
Storm Sewer Line
Water Line
Fence
Overhead Utility Line
Overhead Power Line
Underground Electric Line
Underground Comm. Line
100-Year Flood Hazard Line
Floodway
C/L Railroad

Hardwood Tree
Evergreen Tree
Stone
R/W - Right of Way Monument
RRS - Railroad Spike
NIR - New Iron Rod
NIP - New Iron Pipe
NCGS Monument
EN - Existing Nail
EIR - Existing Iron Rod
EIP - Existing Iron Pipe
Existing Concrete Monument
Bench Mark
Computed Point / Point Not Set
Well

Catch Basin
Yard Inlet
Storm Sewer Manhole
Junction Box
Drop Inlet
Irrigation Control Valve
Back Flow Preventer
Water Valve
Water Manhole
Water Meter
Fire Dept. Connection
Fire Hydrant
Utility Pole
Telephone Pedestal
Telephone Pole
Transformer
Communications Manhole
SS - Sanitary Sewer

SS Manhole
SS Cleanout
U/G Power Box
Power Pole
Light Pole
Guy Pole
Gas Valve
Guy Wire
Gas Manhole
Gas Meter
Electric Meter
Electric Manhole
x 0.00 Spot Elevation

Location Map
(Not to Scale)



STATE OF NORTH CAROLINA

I, _____ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

_____ _____
Date Review Officer

I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)11d
That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 1167 , page 303 ;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See , page Notes ; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 9th day of November, A.D., 2022.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

_____
Professional Land Surveyor L-4787

NORTH CAROLINA PROFESSIONAL SEAL L-4787 LAND SURVEYOR DAN W TANNER II

I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/ GNSS survey made under my supervision and the following information was used to perform the survey:
(1) Class of survey: Class A
(2) Positional accuracy: <0.10'
(3) Type of GNSS field procedure: Real-Time Kinematic Networks
(4) Dates of survey: October 21, 2022
(5) Datum/Epoch: NAD83(2011) / 2010.00
(6) Published/Fixed-control use: North Carolina Real Time Network
(7) Geoid model: Geoid 12A
(8) Combined grid factor(s): 0.99988368
(9) GPS/GNSS Scale Point:
N:732,455.22 E:1,761,740.38 Z:687.20
(10) Units: US Survey Feet

Site Data Section

46- 1 Story Units @ 825 Sq. Ft Heated:	37,950 Sq. Ft
Porches	116 Sq. Ft.
Total Lots:	46
Average Lot Size:	825 Sq. Ft.
Zoning:	R10
Proposed Zoning:	RA6 (CZ)
Floor Area Ratio	10.14%
OPEN SPACE CALCULATION	
Concrete/Pavement:	73,442 Sq. Ft.
Buildings:	37,950 Sq. Ft.
Total Built Upon:	111,392 Sq. Ft.
Total Area in Tract:	374,311 Sq. Ft.
Open Space:	262,919 Sq. Ft. / 70%
Recreation Area	
Required:	12,352 Sq. Ft. / 3.3%
Shown :	16,921 Sq. Ft.

Owners:
Harold E. Canoy
Judith F. Canoy
2052 Yancy Avenue
Asheboro, NC 27203

Sheet 1 of 2:
Survey For:

Golda Grande

City of Asheboro
Asheboro Township Randolph County
North Carolina November 9, 2022
Deed Book:1167 Pg:303
Scale: 1" = 50 US Survey Feet

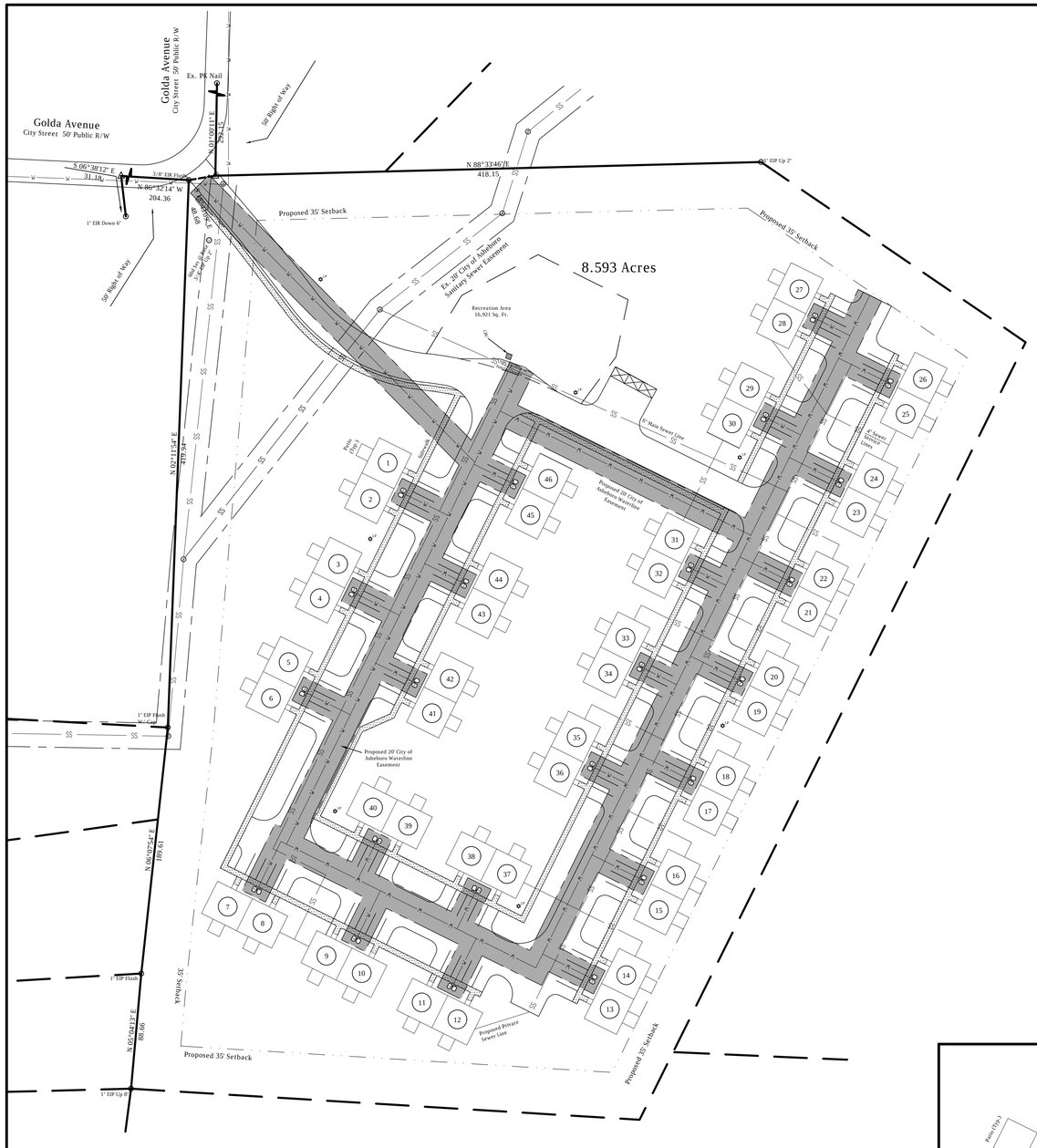
Bar Scale:
0 50 100 150

SURVEY CAROLINA, PLLC
154 S. Fayetteville St, Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com

Firm #: P-1110
Dan W Tanner II L-4787

© 2022 Survey Carolina, Pllc

Job #: 14588



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   Map #: 37107763003 Effective Date: 1/2/2008
2. Area calculated by coordinate geometry.
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Property Line
Computed Property Line
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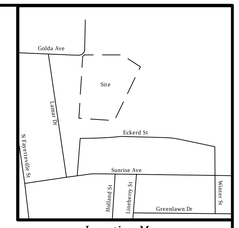
Fence
Overhead Utility Line
Overhead Power Line
Underground Electric Line
Underground Comm. Line
100-Year Flood Hazard Line
Floodway
C/L Railroad

Hardwood Tree
Evergreen Tree
Stone
R/W - Right of Way Monument
RRS - Railroad Spike
NIR - New Iron Rod
NIP - New Iron Pipe
NCGS Monument
EN - Existing Nail
EIR - Existing Iron Rod
EIP - Existing Iron Pipe
Existing Concrete Monument
Bench Mark
Computed Point / Point Not Set
Well

Catch Basin
Yard Inlet
Storm Sewer Manhole
Junction Box
Drop Inlet
Irrigation Control Valve
Back Flow Preventer
Water Valve
Water Manhole
Water Meter
Fire Dept. Connection
Fire Hydrant
Utility Pole
Telephone Pedestal
Telephone Pole
Transformer
Communications Manhole
SS - Sanitary Sewer

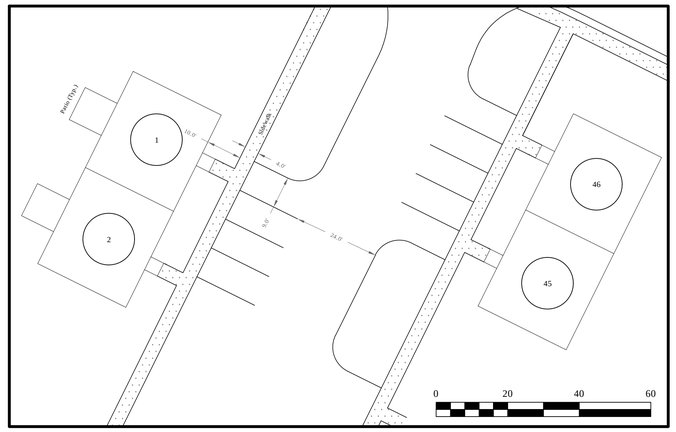
SS Manhole
SS Cleanout
U/G Power Box
Power Pole
Light Pole
Guy Pole
Gas Valve
Guy Wire
Gas Manhole
Gas Meter
Electric Meter
Electric Manhole
Z:0.00 Spot Elevation



Location Map
(Not to Scale)

Grid North
NAD 83 (2011)

Typical Parking and Drive



PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

NORTH CAROLINA PROFESSIONAL SEAL L-4787 LAND SURVEYOR DAN W TANNER II

Owners:
Harold E. Canoy
Judith F. Canoy
2052 Yancy Avenue
Asheboro, NC 27203

Sheet 2 of 2:
Survey For:

Golda Grande

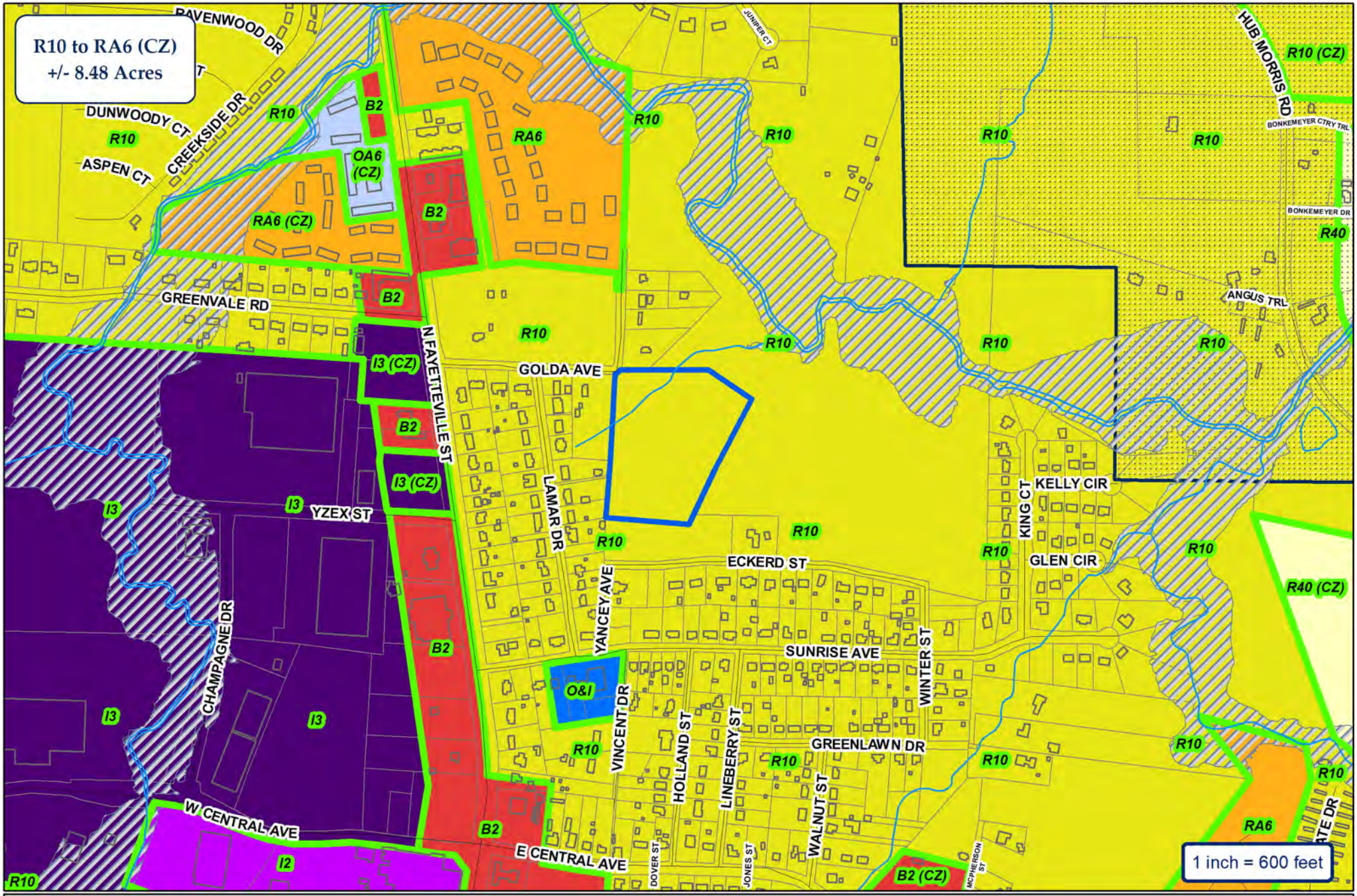
City of Asheboro
Asheboro Township — Randolph County
North Carolina — November 9, 2022
Deed Book:1167 Pg:303
Scale: 1" = 50 US Survey Feet

Bar Scale:
0 50 100 150

SURVEY CAROLINA, PLLC
154 S. Fayetteville St, Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com
Firm #: P-1110
Dan W Tanner II L-4787

© 2022 Survey Carolina, Pllc

Job #: 14588



CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

ETJ

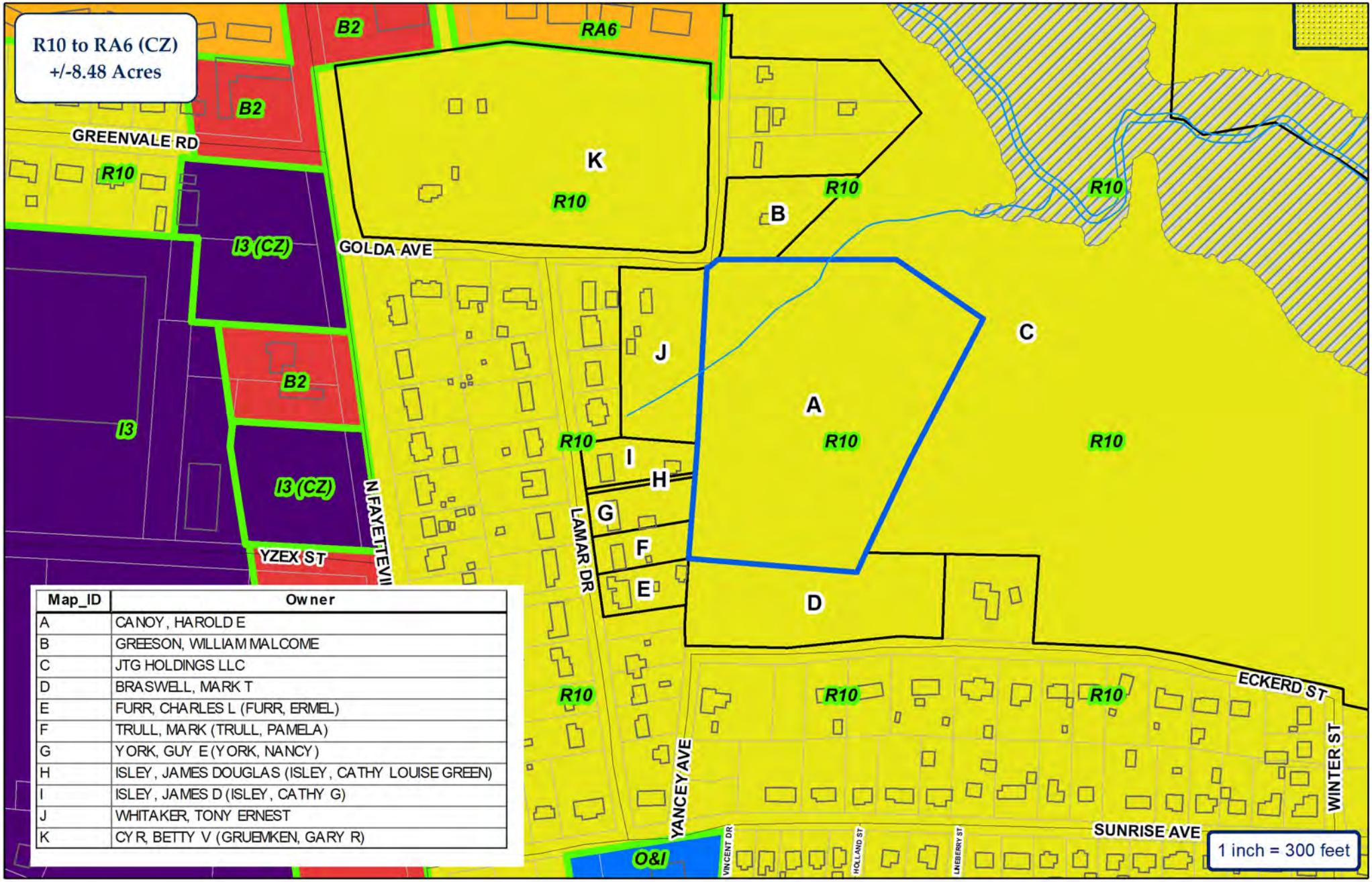
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-14

Parcels: 7763129076

Subject Property
Zoning

N
W
E
S



Map_ID	Owner
A	CANOY, HAROLD E
B	GREESON, WILLIAM MALCOME
C	JTG HOLDINGS LLC
D	BRASWELL, MARK T
E	FURR, CHARLES L (FURR, ERMEL)
F	TRULL, MARK (TRULL, PAMELA)
G	YORK, GUY E (YORK, NANCY)
H	ISLEY, JAMES DOUGLAS (ISLEY, CATHY LOUISE GREEN)
I	ISLEY, JAMES D (ISLEY, CATHY G)
J	WHITAKER, TONY ERNEST
K	CYR, BETTY V (GRUEMKEN, GARY R)

CITY OF ASHEBORO
NORTH CAROLINA
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City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-14

Parcels: 7763129076

Subject Property
Adjoining Properties
City Zoning

N
W
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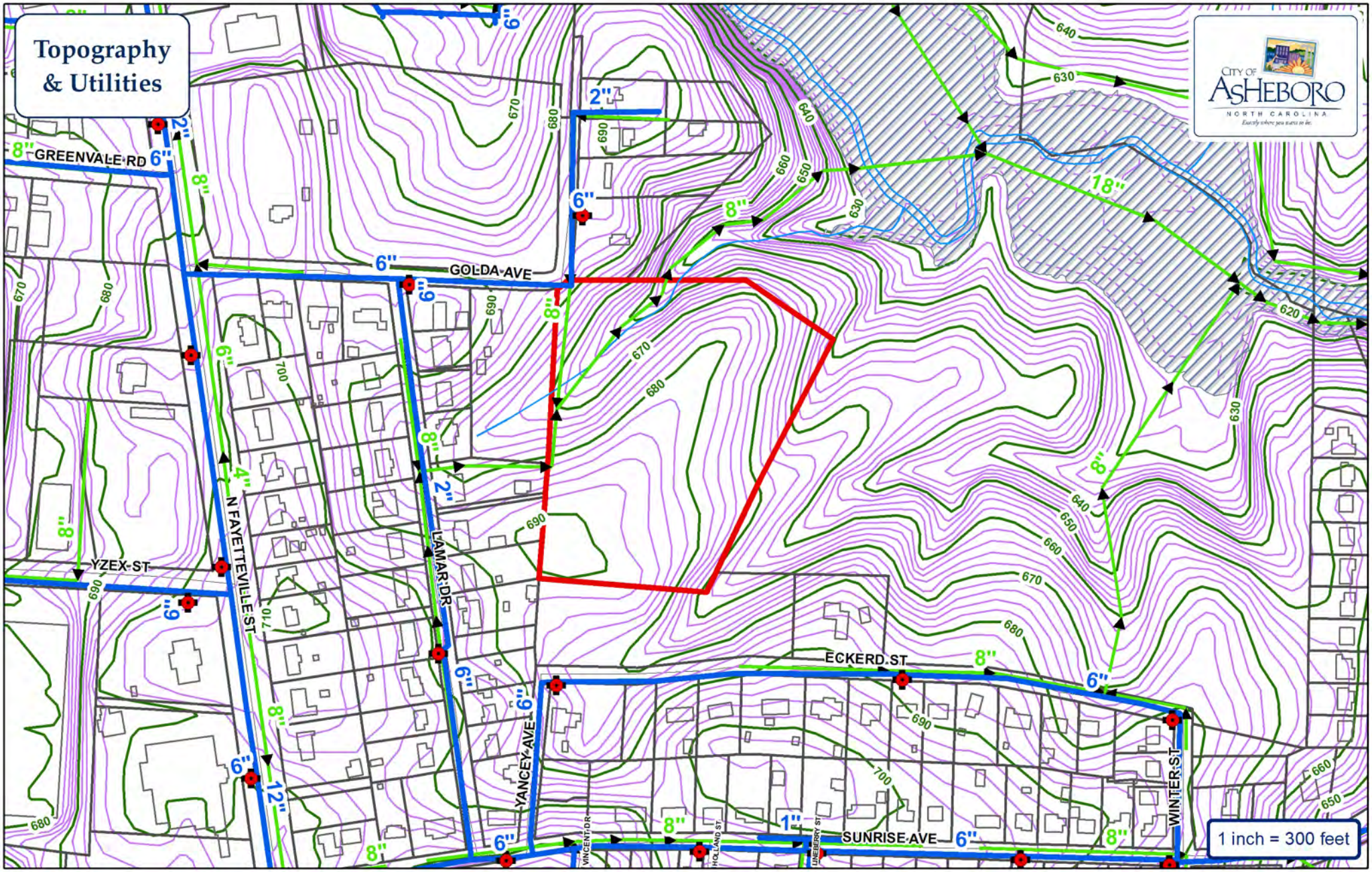
S



Water Main
Sewer Main
Force Main
Fire Hydrant
PS Pump Station
Watershed

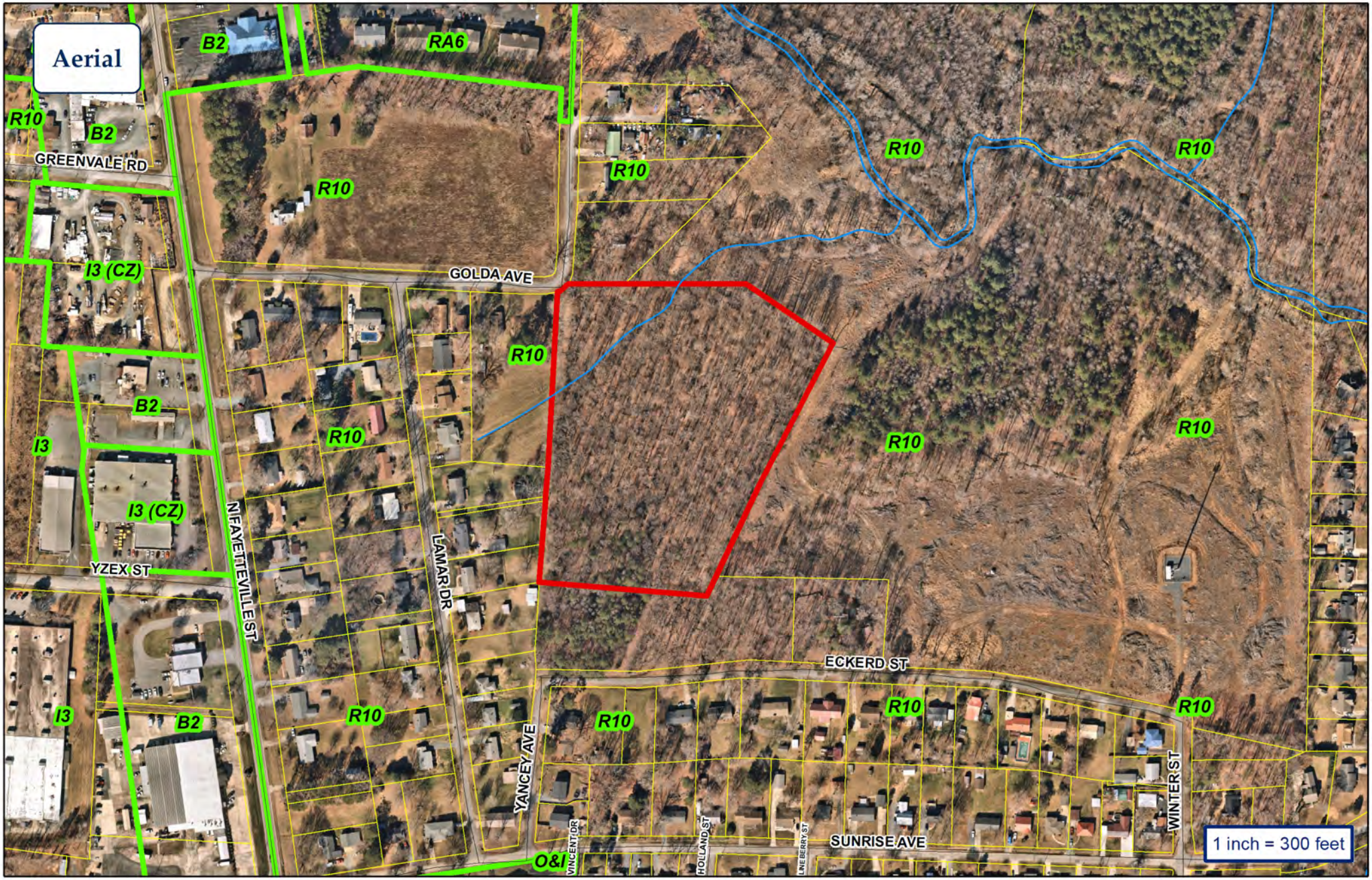
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-14

Parcels: 7763129076

Subject Property

N W E S



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-14

Parcels: 7763129076

Subject Property

Zoning

limitation, the North Carolina Department of Transportation and the North Carolina Department of Environmental Quality.

APPLICANT INFORMATION

Applicant Darren Lucas *Applicant's Phone #* 336 669 7683

Applicant's Address 3010 High Pine Church Rd
Asheboro, N.C. 27205

Applicant email address Darren_Lucas@yahoo.com

PROPERTY INFORMATION

Property Owner's Name Darren Lucas

Location of Property Golda Ave *Property Size (ac. or s.f.)* 8.48 Acres

Randolph County Property Identification Number (PIN#) 7763129076

Current Zoning District R10 *Requested Zoning District* RA6 CZ

Date Property Title Acquired 2022 *Deed Book* _____ *Page* _____

Subdivision _____ *Section* _____ *Lot #* _____

Plat Book _____ *Page* _____

CONDITIONAL ZONING DISTRICT INFORMATION (Attach additional sheets if necessary)

1. Application is hereby made to the City of Asheboro for a Conditional Zoning District for the following purpose: Low Density Apartments

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

Applicant Signature

Darren Lucas

Printed Name of Authorized Signatory (if different from Applicant)

Darren Lucas

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

Darren Lucas

Owner Address

3010 High Pine Church Rd
Asheboro N.C. 27205

Telephone Number

336-669-7683

Printed Name of Authorized Signatory (if different from Owner)

Darren Lucas

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: John Eldridge ***Date:*** 11-4-22 ***Case Number:*** RZ-22-14

Fee Paid

SUB-18-02: Preliminary Plat for Cane Creek Townhomes

Staff Report

SUBDIVISION STAFF REPORT
Preliminary Plat

CASE # SUB-18-02 **Date** 1-5-2023 City Council

GENERAL INFORMATION

Subdivision Name	Cane Creek Townhomes
Requested Action	Subdivision Preliminary Plat
Applicant	Davidson Land Development LLC
Address	896 Shiptontown Rd., Lexington, NC 27292
Phone	336-250-0483
Location	North side of East Allred Street

PARCEL INFORMATION

PIN	7762740259		
Size	3.67 acres* See No. 6	**Number of Lots**	10 + common area
Existing Zoning	RA6 (CZ)	**Average Lot Size**	2,592 SF
Existing Land Use	Undeveloped		

Surrounding Land Use

North	Medium-Density Residential	**East**	Medium-Density Residential
South	Undeveloped Residential	**West**	Medium-Density Residential

LAND DEVELOPMENT PLAN

Growth Strategy Map	Primary Growth
Proposed Land Use Map	Neighborhood Residential
Small Area Plan Map	East
Identified Activity Center?	No

Development Issues

1. The request is for a Residential Planned Unit Development with 10 townhome units.
2. A portion of the property is within a Special Hazard Flood Area. However, no units are proposed to be within this area. It appears that at least one lot will have regulated floodplain present.
3. The subdivision ordinance limits the use & length of dead end streets exceeding 500 feet unless topography or property configuration necessitates their use. The length of the proposed street is 463 linear feet.
4. One recreational area is shown along Pennwood Branch on the west side of the property.
5. On June 6, 2022, in response to an appeal, the Planning Board affirmed the Zoning Administrator's decision that the approval of the project, granted by a Conditional Zoning district in 2018 remained valid.
6. The Tax Department states that the acreage of the property is 4.02 acres. The site plan shows plan shows the property is 3.67 acres.

SUBDIVISION STAFF REPORT
Preliminary Plat

DEPARTMENT COMMENTS

Engineering	Engineering had comments on the plat related to utility details (waterline and hydrant detail), storm drainage and grading limits, retaining wall information, and erosion control details on the plat. Those comments have been addressed. Engineering requests the off-site sewer easement be properly shown and labeled; the city will not accept the easement area until after the line has been built, inspected and the 1 year warranty period completed. No city construction easement is requested or should be shown.
Public Works	Public Works requested to see additional details related to sewer utilities. The revised plans have been reviewed and approved, noting that lots 9 and 10 must possess separate sewer services which do appear to be shown to the north of the units.
Planning	Planning had requested general plat corrections and for confirmation regarding USPS acceptance of mail delivery proposal. Planning also noted the need for NCDEQ and NCDOT permits prior to construction. Revised plans and acknowledgments have been received satisfying such comments.
Other	
Staff Recommendation	Approve.
Planning Board Recommendation	The Planning Board recommended conditional approval. The conditions have been satisfied.

CIVIL SITE DEVELOPMENT PLANS

FOR

CANE CREEK TOWNHOMES

EAST ALLRED STREET

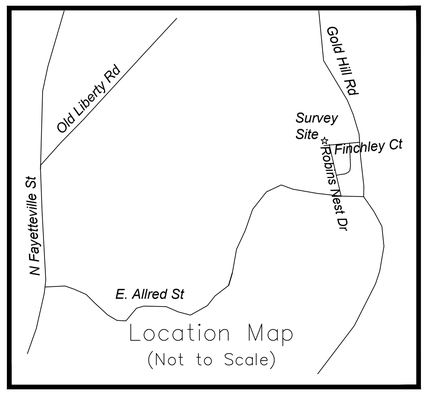
RANDOLPH COUNTY - ASHEBORO - NC

PROJECT NO.: E-6867

DECEMBER 2022

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

NORTH CAROLINA PROFESSIONAL SEAL 26447 ENGINEER H. MACK SUMMEY, JR. 12-21-22



Location Map
(Not to Scale)

Summey Engineering Associates, PLLC

Engineering - Consulting- Surveying

P.O. Box 968

Asheboro, NC 27204

ph: (336) 328-0902 fx: (336) 328-0922

www.summeyengineering.com

SHEET INDEX

#	
C-0	COVER SHEET
C-1	GENERAL NOTES
C-2	EXISTING CONDITIONS AND DEMO
C-3	SITE AND UTILITY
C-3.1	SEWER OUTFALL PROFILE
C-4	EROSION CONTROL PH. 1
C-4.1	EROSION CONTROL PH. 2
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C-6	STREET DETAILS
C-7	SANITARY SEWER DETAILS
C-8	STORM DETAILS
C-9	WATER DETAILS
C-10	EROSION DETAILS
C-11	NCG01 SHEETS

CIVIL SITE DEVELOPMENT PLANS

FOR

CANE CREEK TOWNHOMES

EAST ALLRED STREET

RANDOLPH COUNTY - ASHEBORO - NC

NOTES:

1. PROPERTY LINES, TOPOGRAPHIC DATA, UTILITIES, 100 YEAR FLOOD ELEVATION, AND ROADWAY AND EDGE OF PAVEMENT ARE SHOWN PER FIELD SURVEY RECEIVED FROM SURVEY CAROLINA, PLLC DATED JULY 8TH, 2021.
2. EXISTING TREELINES HAVE BEEN ESTIMATED BY AERIAL IMAGERY AND SITE PHOTOGRAPHY.
3. TOTAL PARCEL SIZE: 3.67 ACRES
4. WATER LINES SHOWN ARE APPROXIMATE LOCATIONS THAT HAVE BEEN ESTIMATED PER DATA RECEIVED FROM THE SURVEY CAROLINA.
5. CONTRACTOR TO SAVE ALL EXISTING TREES TO THE EXTENT POSSIBLE OVER THE ENTIRE PROPERTY.
6. LIMITS OF DISTURBANCE SHOULD BE USED FOR SITE CLEARING LIMITS.

DRAWING LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- 100 YR FLOOD PLANE
- FLOOD WAY LINE
- CENTERLINE OF STREAM
- PROPERTY LINE
- ADJOINING PROPERTY LINE
- EXISTING STORM PIPE
- EXISTING UTILITY POLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER LINE
- EXISTING WATER MAIN (TYP.)
- EXISTING FIRE HYDRANT
- OVERHEAD ELECTRIC
- LIMITS OF CONSTRUCTION
- EXISTING TREELINE
- PROPOSED TREELINE
- DEMO TREELINE

0' 40' 80' 120'
DRAWING SCALE 1"=40'

NAD 83 GRID NORTH

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

NORTH CAROLINA PROFESSIONAL SEAL 26447 ENGINEER H. MACK SUMMEY JR. 12-21-22

SEA

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NC Professional Engineering Firm License No. P-0336

No.	Date:	Description:	By:

EXISTING CONDITIONS AND DEMO
CANE CREEK TOWNHOMES
EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	AS NOTED	Drawn By:	ZHU	Checked By: HMSJ
Date:	JAN. 2022			Job No.: E-6867

Sheet No. C-2

SITE NOTES:

SITE AREA FOR P.U.D.: 3.67 ACRES (160,145 SF)

TOTAL # OF LOTS: 10 LOTS PLUS COMMON AREA
LOT 1 – 10 = 2,592 SF EACH

TOTAL COMBINED LOT AREAS: 25,920 S.F. (0.60 AC)
TOWNHOMES COMMON AREA: 134,225 SF = (3.08 AC)
BUA IN COMMON AREA: 935 SF = (0.02 AC) = <1%
TOTAL BUA: 34,510 SF = (0.79 AC)

ALL COMMON AREA INCLUDING RECREATION AREA & LANDSCAPING TO BE HELD/MAINTAINED BY HOMEOWNERS ASSOCIATION. ALL STORM SEWER OUTSIDE OF R/W AND ALL RETAINING WALLS ARE TO BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION

OPEN SPACE AREA RATIO (52% MIN): 83.8% (134,225 S.F.)
RECREATIONAL SPACE REQ'D (3.33% OF 52% OF TOTAL AREA): (3,048 SF)
(3,075 SF REC AREA SHOWN)

PROPERTY USE: CURRENT ZONING = RA6 (CZ)
CURRENT USE: VACANT
PROPOSED ZONING = RA6 (CZ) FOR P.U.D. ONLY
PROPOSED UNITS = 10 TOWNHOUSES (1,656 S.F HEATED SF/UNIT MINIMUM)
AVERAGE LOT SIZE = 2,592 SF

LINEAR FEET OF STREETS:	PUBLIC	PRIVATE
	28' WITH C&G – 463 LF	NONE

PROPOSED NAME OF STREET: CANE CREEK LANE

LANDSCAPING: CANOPY & UNDERSTORY TREES PLACED AROUND PERIMETER UNLESS OTHERWISE SHOWN
TRASH DISPOSAL PLAN: TRASH CAN USE ONLY
RV STORAGE: NOT ALLOWED ON SITE

NOTES: 1. H.O.A. DOCUMENTS WILL BE REQUIRED PRIOR TO FINAL PLAT APPROVAL.
2. ALL BUILDINGS ARE CITY OF ASHEBORO WATER AND SEWER UTILITIES.

FIRE HYDRANT NOTE
FIRE HYDRANT LOCATIONS ARE TENTATIVE
SUBJECT TO APPROVAL BY FIRE CHIEF.

BUILDING SETBACK NOTE
SINGLE-FAMILY HOMES WILL TYPICALLY HAVE A SETBACK OF 20' IN THE FRONT ALONG CANE CREEK LANE, BUT NO LESS THAN 15'.

CITY OF ASHEBORO NOTES
1. 20' WIDE CITY OF ASHEBORO SANITARY SEWER EASEMENT WILL BE PROVIDED ALONG ALL 8" SANITARY SEWER LINES NOT IN PUBLIC R/W.
2. 20' WIDE CITY OF ASHEBORO WATER LINE EASEMENT WILL BE PROVIDED ALONG ALL WATER LINES CONNECTING TO THE CITY OF ASHEBORO WATER SYSTEM TO THE FIRE HYDRANTS AND METERS THAT ARE NOT IN PUBLIC R/W.
3. ALL STORM SEWERS NOT IN PUBLIC R/W WILL BE MAINTAINED BY HOMEOWNERS' ASSOCIATION.

MAINTENANCE RESPONSIBILITY
City of Asheboro Maintained
1. Streets & sidewalks within public street right-of-way.
2. Sanitary sewer lines within public street right-of-way.
3. Water lines supplying hydrants & meters and storm sewer system within public street right-of-way.

Homeowners Association to Maintain
1. Sanitary sewer lines outside of street right-of-way and public utility easements
2. Common areas not within public street right-of-way.
3. Ponds and creeks
4. Storm sewer not located in public street right-of-way.
5. Water lines between meters and buildings.
6. Sidewalks not within public street right-of-way.
7. All retaining walls

GENERAL SITE NOTES
1. BOUNDARY & TOPOGRAPHIC INFORMATION RECEIVED FROM SURVEY CAROLINA ON JULY 8TH 2021
2. TOTAL AREA = 3.67 ACRES ±
3. PIN: 7762740259
4. DEED REFERENCE: DB 2406 PG 1000
PLAT REFERENCE: PB 70 PG 73
5. SETBACKS:
FRONT – 30' (ALLRED ST) 15' (CANE CREEK LN)
REAR – 0'
SIDE – 0' (UNLESS OTHERWISE SHOWN)
6. PROPOSED PUBLIC ROADS: 463 LF ±
7. TOTAL UNITS: 10
8. ALL ROADWAY SECTIONS TO BE CONSTRUCTED PER CITY STANDARDS
NCDOT DRIVEWAY PERMIT REQ'D
9. MONUMENT SIGN TO BE 40 SQ FT MAX. AREA
MIN. OF 10' FROM RIGHT OF WAY
10. TWO CLUSTER BOX UNITS ARE TO SERVICE THE PROPOSED RESIDENCES. TYPE AND LOCATION TO BE APPROVED BY POSTMASTER

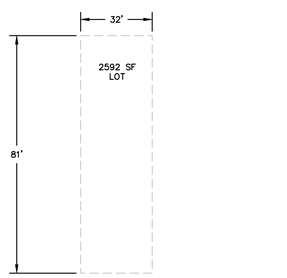
PROPERTY OWNER
DAVIDSON LAND DEVELOPMENT, LLC
896 SHIPONTOWN RD LEXINGTON, NC
PHONE: 336-250-0483

DRAWING LEGEND
PROPERTY LINE
ADJOINING PROPERTY LINE
PROPOSED RIGHT OF WAY
PROPOSED LOT LINE
100YR 100 YR FLOODPLAIN
FWL REGULATORY FLOODWAY
PROPOSED TREELINE
SS EXISTING SANITARY SEWER
SS PROPOSED SANITARY SEWER
W WATER LINE
SAN. SEWER MANHOLE
FIRE HYDRANT

LANDSCAPE NOTES

TYPE "A" BUFFER REQUIREMENTS: (WESTERN PROPERTY LINE) 15' MIN WIDTH, 1 CANOPY TREE, 3 UNDERSTORY TREES, AND 6 SHRUBS PER 100 LF WHERE EXISTING VEGETATION DOES NOT MEET OR EXCEED ABOVE REQUIREMENTS, LANDSCAPE SHOULD BE ADDED TO THE CANOPY TREES AT THE RATE OF 6 SHRUBS AND 3 UNDERSTORY TREES PER 100 LF	TYPE "A" SCREEN REQUIRED AT FINAL PLAT APPROVAL: A ROW OF EVERGREEN SHRUBS PLACED NOT MORE THAN FIVE FEET APART ON CENTER TO FORM A CONTINUOUS OPAQUE HEDGE A MINIMUM OF SIX FEET IN HEIGHT ABOVE FINISHED GRADE. AT THAT TIME, THESE WILL EITHER BE REQUIRED TO BE INSTALLED OR BONDED PER ORDINANCE REQUIREMENTS.

FLOODPLAIN DEVELOPMENT PERMIT
NO DISTURBANCE WITHIN FLOODPLAIN WITHOUT PROPER APPROVALS
ALL APPLICABLE FLOOD PLAIN PERMITS AND CERTIFICATES SHALL BE PROVIDED



TYPICAL LOT DIMENSION
NOT TO SCALE

DRAWING LEGEND
PROPERTY LINE
ADJOINING PROPERTY LINE
EXISTING TREELINE
PROPOSED TREELINE
SETBACK LINES
EXISTING SANITARY SEWER MANHOLE
EXISTING SANITARY SEWER LINE
PROPOSED SANITARY SEWER LINE
PROPOSED SANITARY SEWER MANHOLE
EXISTING WATER LINE
EXISTING WATER VALVE
EXISTING FIRE HYDRANT
PROPOSED WATER LINE
100YR 100 YEAR FLOOD PLAIN
ST EXISTING STORM PIPE

0' 40' 80' 120'
DRAWING SCALE 1"=40'

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

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NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 26447 12-21-22 H. MACK SUMMEY JR.

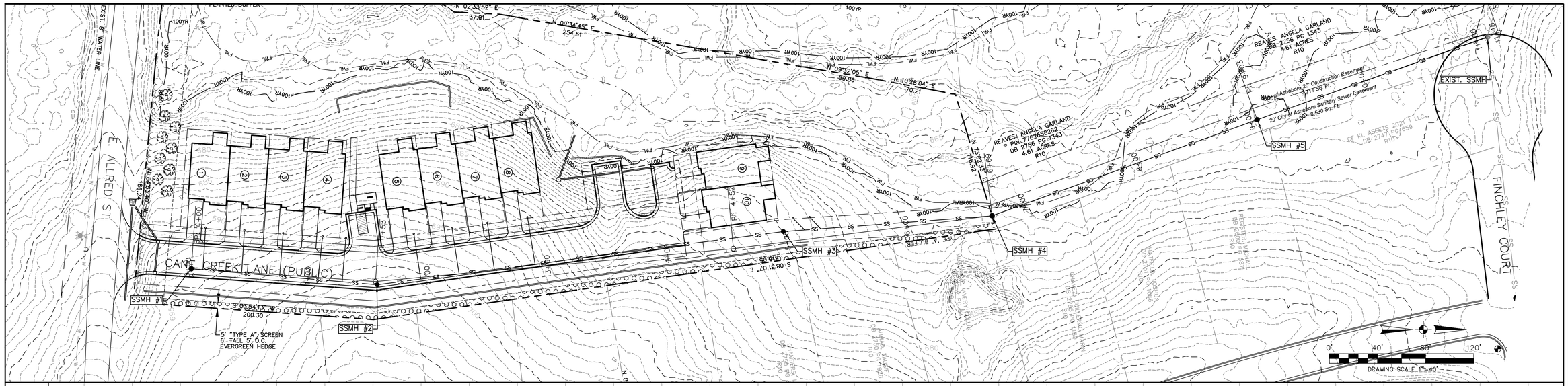
SEA

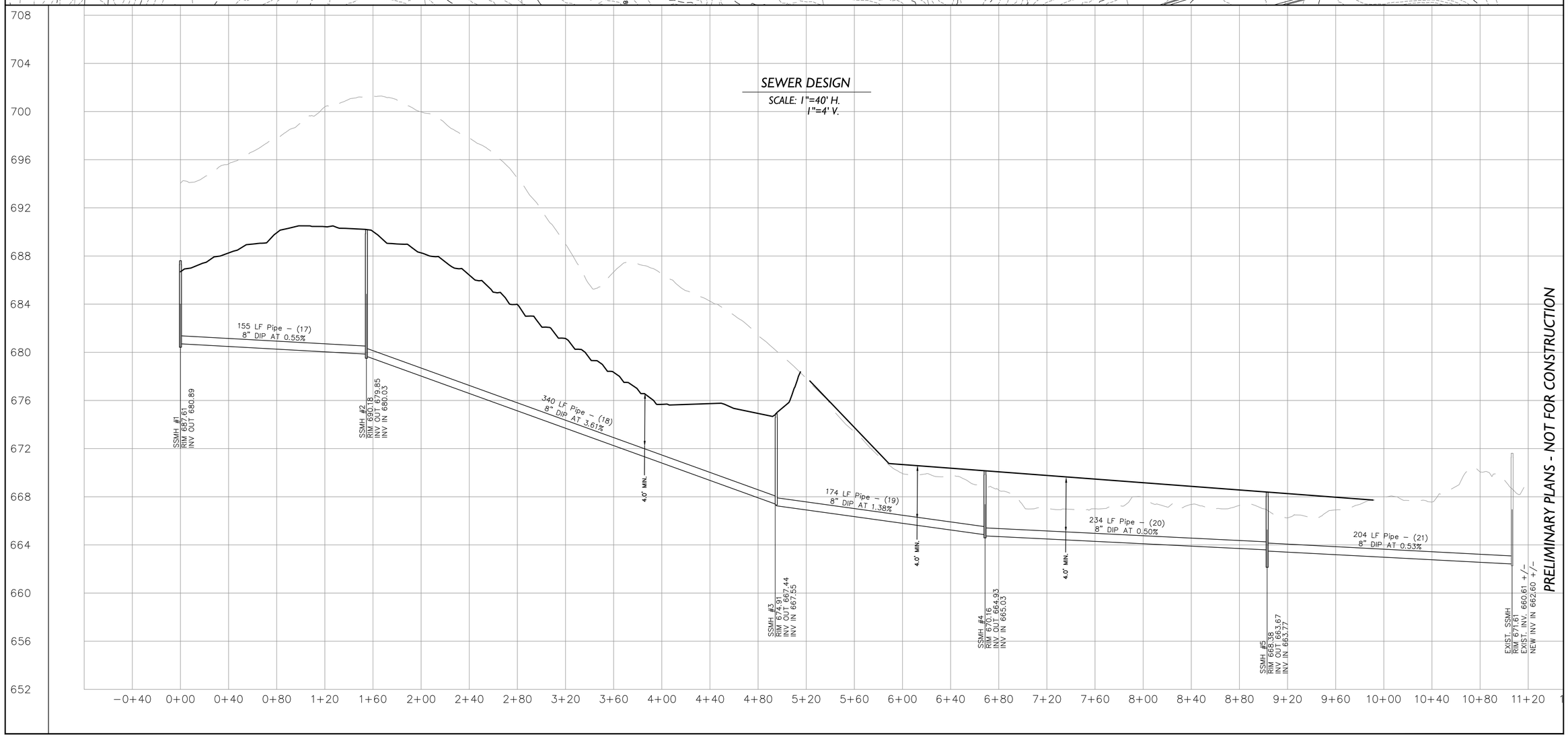
No.	Date:	Description:	By:

SITE AND UTILITY
CANE CREEK TOWNHOMES
EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	Date:	Drawn By:	Checked By:	Job No.:
AS NOTED	JAN. 2022	ZHJ	HMSJ	E-6867

Sheet No. C-3





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NORTH CAROLINA PROFESSIONAL SEAL 26447 ENGINEER H. MACK SUMMEY JR. 12-21-22

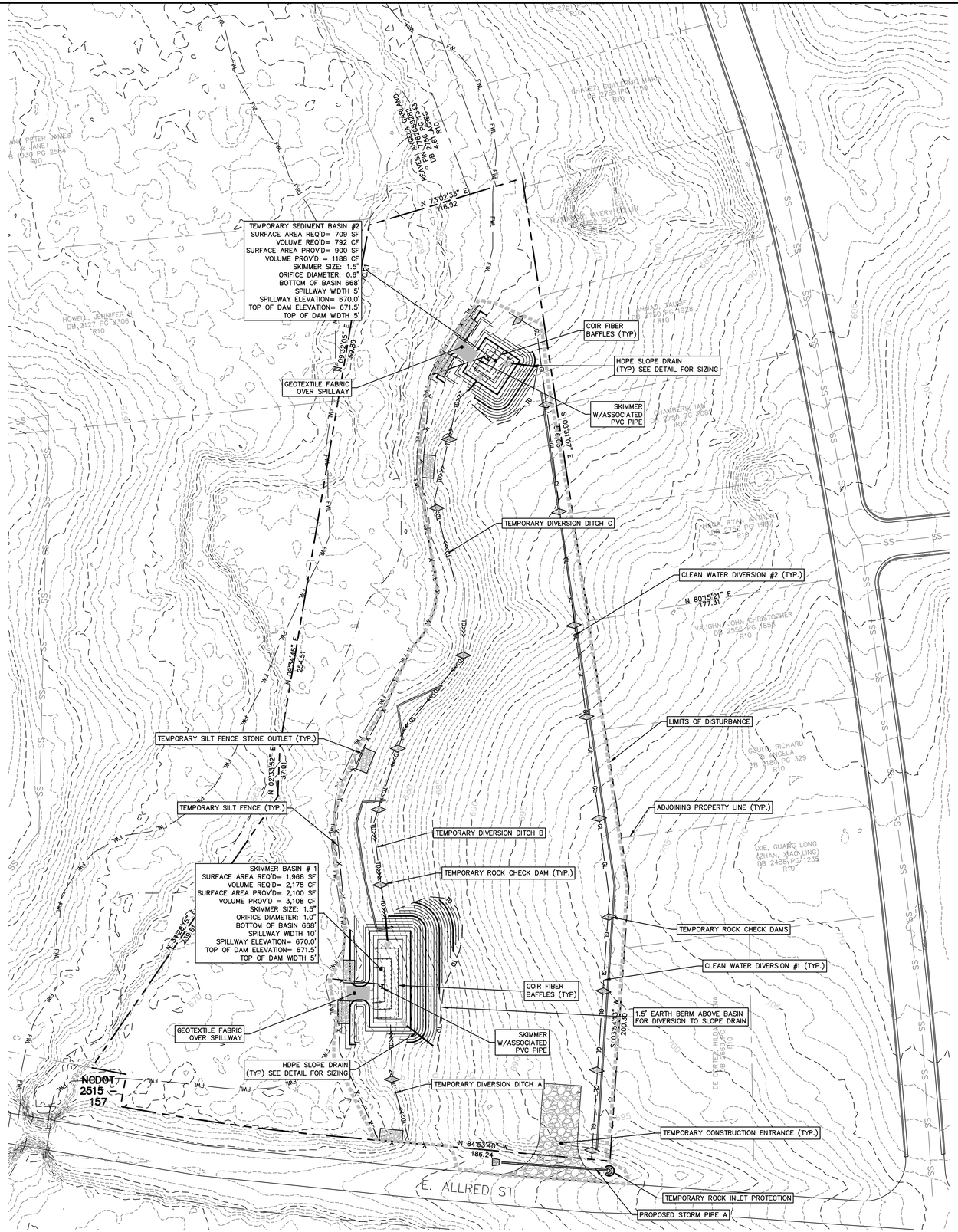
SEA

No.	Date:	Description:	By:

SEWER EXTENSION
CANE CREEK TOWNHOMES
EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	AS NOTED	Drawn By:	ZMJ	Checked By:	HMSJ
Date:	JAN. 2022			Job No.:	E-6867

Sheet No. C-3.1



EROSION CONTROL NOTES

1. AT ALL TIMES DURING CONSTRUCTION, THE NC DEMLR SELF INSPECTION AND MONITORING FORM MUST BE KEPT ON SITE AND UP TO DATE. THE FORM CAN BE OBTAINED AT HTTP://DEQ.NC.GOV/ABOUT/DIVISIONS/ENERGY-MINERAL-LAND-RESOURCES/EROSION-SEDIMENT-CONTROL/FORMS
2. ALL EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSPECTED AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT GREATER THAN 1 INCH PER 24 HOUR PERIOD.
3. ALL STORMWATER DISCHARGE OUTFALLS (SDO'S) MUST BE INSPECTED AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT GREATER THAN 1 INCH PER 24 HOUR PERIOD.
4. GROUND STABILIZATION MUST BE RECORDED AFTER EACH PHASE OF GRADING. REFER TO GROUND STABILIZATION CRITERIA TABLE ON THIS PAGE FOR STABILIZATION TIME FRAMES. FOR TEMPORARY AND PERMANENT SEEDING, FERTILIZATION, AND MULCHING RATES REFER TO THE TABLES PROVIDED IN THE DETAIL SHEETS

PHASE 1 CONSTRUCTION SEQUENCE

1. OBTAIN PLAN APPROVAL FROM NCDEQ AND ALL OTHER REQUIRED PERMITS.
2. INSTALL TEMPORARY CONSTRUCTION ENTRANCE WITH ASSOCIATED DRIVEWAY PIPE (PIPE A) AND RIP RAP INLET AND OUTLET PROTECTION.
3. STABILIZE ALL RESULTING DISTURBED AREAS.
4. CLEAR AREA NECESSARY AND INSTALL CLEAN WATER DIVERSION DITCHES WITH ASSOCIATED ROCK CHECK DAMS. LOCATED ALONG THE EAST PROPERTY LINE.
5. CLEAR AREA NECESSARY AND INSTALL TEMPORARY SILT FENCE AND STONE OUTLETS BELOW SEDIMENT BASIN #1 AREA.
6. INSTALL TEMPORARY SEDIMENT BASIN 1 AND STABILIZE ALL DISTURBED AREAS.
7. CLEAR AREA NECESSARY AND INSTALL TEMPORARY SILT FENCE BELOW TEMPORARY DIVERSION DITCHES.
8. CLEAR AREA NECESSARY AND INSTALL TEMPORARY SILT FENCE BELOW SEDIMENT BASIN #2 AREA.
9. INSTALL TEMPORARY SEDIMENT BASIN 2 AND STABILIZE ALL DISTURBED AREAS.
10. INSTALL TEMPORARY DIVERSION DITCHES A, B, AND C WITH ASSOCIATED ROCK CHECKS AS SHOWN ON PLANS AND STABILIZE IMMEDIATELY. USE NAG S150 OR EQUAL
11. CLEAR AND GRUB THE REMAINDER OF THE SITE.

CONTINUE TO PH. 2 EROSION CONTROL

DRAWING LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPERTY LINE
- ADJOINING PROPERTY LINE
- CONSTRUCTION LIMITS
- EXISTING STORM DRAINAGE PIPE
- PROPOSED STORM DRAINAGE PIPE
- PROPOSED DRAINAGE STRUCTURE
- TEMPORARY SILT FENCE
- TEMPORARY SILT FENCE STONE OUTLET
- COIR FIBER BAFFLE
- TEMPORARY INLET PROTECTION
- TEMPORARY CHECK DAM
- TEMPORARY HORSESHOE INLET PROTECTION

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

Know what's below. Call before you dig.

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Engineering - Consulting - Surveying
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Asheboro, NC 27204
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No.	Date:	Description:	By:

EROSION CONTROL - PHASE I
CANE CREEK TOWNHOMES
EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	AS NOTED	Sheet No.
Date:	JAN. 2022	C-4
Drawn By:	ZHG	
Checked By:	HMSJ	
Job No.:	E-6867	

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1. AT ALL TIMES DURING CONSTRUCTION, THE NC DEMLR SELF INSPECTION AND MONITORING FORM MUST BE KEPT ON SITE AND UP TO DATE. THE FORM CAN BE OBTAINED AT HTTP://DEQ.NC.GOV/ABOUT/DIVISIONS/ENERGY-MINERAL-LAND-RESOURCES/EROSION-SEDIMENT-CONTROL/FORMS
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3. ALL STORMWATER DISCHARGE OUTFALLS (SDO'S) MUST BE INSPECTED AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT GREATER THAN 1 INCH PER 24 HOUR PERIOD.
4. GROUND STABILIZATION MUST BE RECORDED AFTER EACH PHASE OF GRADING. REFER TO GROUND STABILIZATION CRITERIA TABLE ON THIS PAGE FOR STABILIZATION TIME FRAMES. FOR TEMPORARY AND PERMANENT SEEDING, FERTILIZATION, AND MULCHING RATES REFER TO THE TABLES PROVIDED IN THE DETAIL SHEETS

PHASE 2 CONSTRUCTION SEQUENCE

1. BEGIN SITE GRADING OPERATION.
2. INSTALL PROPOSED STORM SYSTEM WITH ASSOCIATED INLET PROTECTION AS SHOWN ON C-4.2
3. INSTALL ALL UNDERGROUND UTILITIES
4. INSTALL CURB AND GUTTER SYSTEM
5. INSTALL STONE BASE ON ROADWAYS. STABILIZE ALL DISTURBED AREAS
6. INSTALL APPLICABLE RETAINING WALLS
7. CONTINUE FILL OPERATION ALONG WEST SIDE OF SITE
8. MAINTAIN FUNCTION OF CLEAN WATER DIVERSION THROUGHOUT PHASE 2

CONTINUE TO PHASE 3 GRADING AND DRAINAGE SHEET

DRAWING LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPERTY LINE
- ADJOINING PROPERTY LINE
- CONSTRUCTION LIMITS
- EXISTING STORM DRAINAGE PIPE
- PROPOSED STORM DRAINAGE PIPE
- PROPOSED DRAINAGE STRUCTURE
- TEMPORARY SILT FENCE
- TEMPORARY SILT FENCE STONE OUTLET
- COIR FIBER BAFFLE
- TEMPORARY INLET PROTECTION
- TEMPORARY CHECK DAM
- TEMPORARY HORSESHOE INLET PROTECTION

NAD 83 GRID NORTH

0' 40' 80' 120'
DRAWING SCALE 1"=40'

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

Know what's below. Call before you dig.

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Asheboro, NC 27204
Phone: 336-328-0902 Fax: 336-328-0922
www.summeyengineering.com
NC Professional Engineering Firm License No. P-0336

No.	Description:	By:

EROSION CONTROL - PHASE 2
CANE CREEK TOWNHOMES
EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	AS NOTED	Drawn By:	ZHG	Sheet No. C-4.1
Date:	JAN. 2022	Checked By:	HMSJ	
		Job No.:	E-6867	

EROSION CONTROL NOTES

1. AT ALL TIMES DURING CONSTRUCTION, THE NC DEMLR SELF INSPECTION AND MONITORING FORM MUST BE KEPT ON SITE AND UP TO DATE. THE FORM CAN BE OBTAINED AT HTTP://DEQ.NC.GOV/ABOUT/DIVISIONS/ENERGY-MINERAL-LAND-RESOURCES/EROSION-SEDIMENT-CONTROL/FORMS
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PHASE 3 CONSTRUCTION SEQUENCE

1. CONTINUE GRADING BUILDING PADS AND FILL SLOPE OF WESTERN SIDE OF LOT.
2. ENSURE FUNCTIONING OF TEMPORARY DIVERSION DITCHES A, B, AND C UNTIL FILL MATERIAL HAS REACHED THIS AREA.
3. INSPECT AND ENSURE PROPER FUNCTIONING OF SILT FENCE AND STONE OUTLETS ALONG WESTERN SIDE OF LOT PRIOR TO REMOVING SEDIMENT BASINS #1 AND #2.
4. WITH SPECIFIC APPROVAL FROM NCDEQ, REMOVE SKIMMER BASINS #1 AND #2 AND STABILIZE THESE AREAS.
5. IMMEDIATELY STABILIZE FILL SLOPES ON WESTERN SIDE OF PROJECT ONCE FINISHED GRADE HAS BEEN REACHED.
6. WITH SPECIFIC APPROVAL FROM NCDEQ, REMOVE REMAINING EROSION CONTROL MEASURES AND STABILIZE THESE AREAS.

DRAWING LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPERTY LINE
- ADJOINING PROPERTY LINE
- CONSTRUCTION LIMITS
- EXISTING STORM DRAINAGE PIPE
- PROPOSED STORM DRAINAGE PIPE
- PROPOSED DRAINAGE STRUCTURE
- TEMPORARY SILT FENCE
- TEMPORARY SILT FENCE STONE OUTLET
- COIR FIBER BAFFLE
- TEMPORARY INLET PROTECTION
- TEMPORARY CHECK DAM
- TEMPORARY HORSESHOE INLET PROTECTION

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

0' 40' 80' 120'
DRAWING SCALE 1"=40'

NAD 83 GRID NORTH

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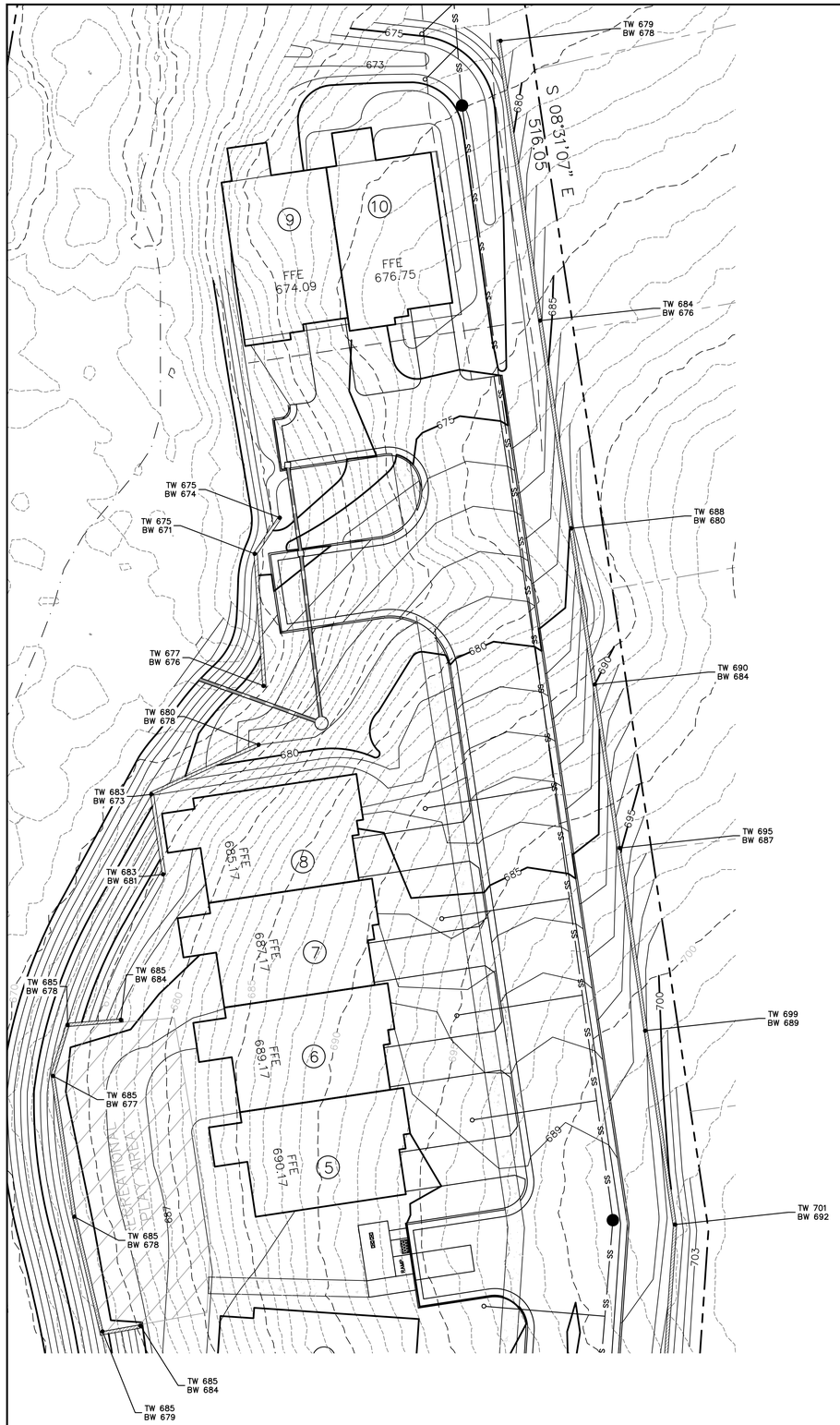
NC Professional Engineering Firm License No. P-0336

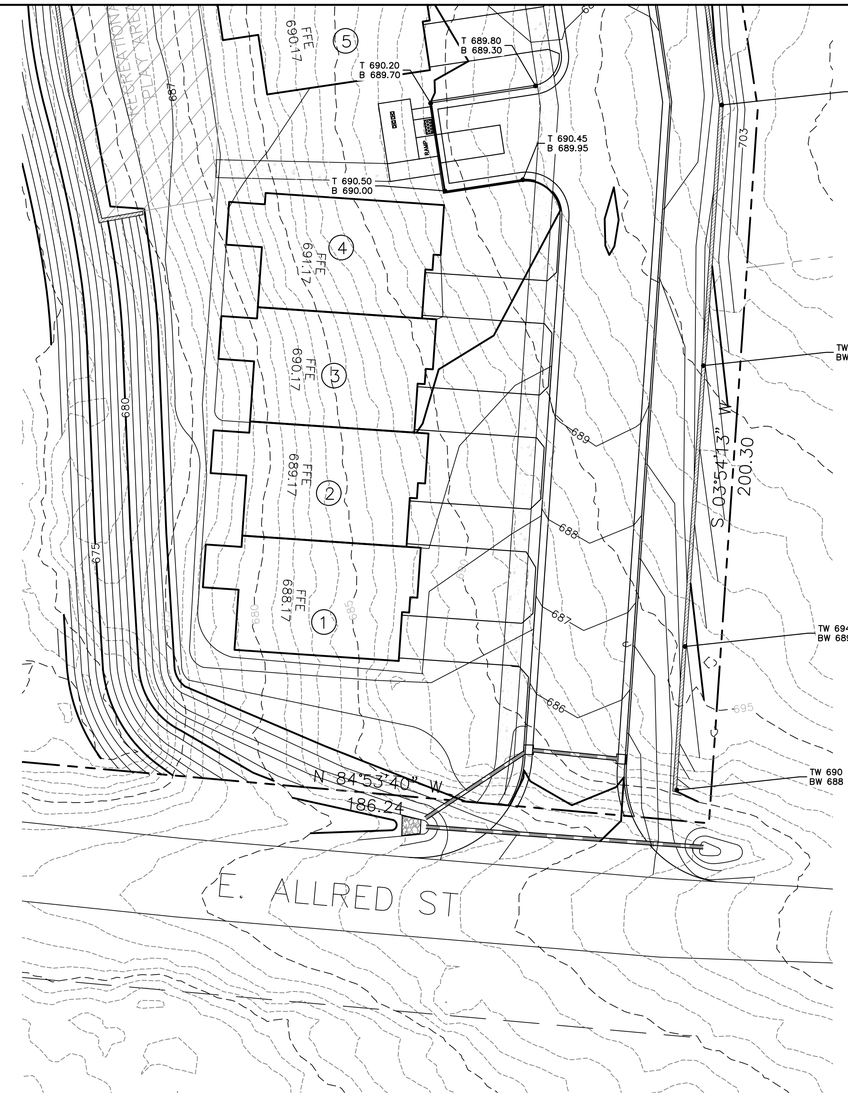
NORTH CAROLINA PROFESSIONAL SEAL 26447 ENGINEER H. MACK SUMMEY JR. 12-21-22

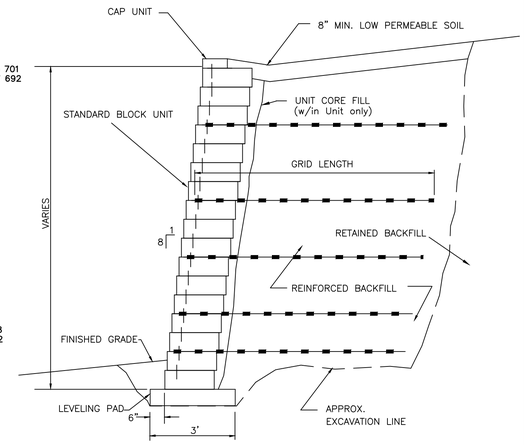
No.	Date:	Description:	By:

GRADING AN DRAINAGE
CANE CREEK TOWNHOMES
EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	AS NOTED	Drawn By:	ZHG	Sheet No.
Date:	JAN. 2022	Checked By:	HMSJ	C-4.2
		Job No.:	E-6867	







TYPICAL REINFORCED SECTION

STANDARD UNIT – 1" SETBACK
SCALE: NONE

DETAIL PROVIDED ONLY AS AN EXAMPLE OF WALL PROPOSED TO BE USED. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING PROFESSIONAL DESIGN OF ALL SEGMENTAL BLOCK OR CONCRETE RETAINING WALLS BY LICENSED ENGINEER. SOME WALLS MAY REQUIRE NECESSARY DRAINAGE PROVISIONS.

RETAINING WALL NOTE:

THE CONTRACTOR IS TO PROVIDE A SQUARE FOOT UNIT PRICE IN THE BID FOR THE RETINING WALLS. RETAINING WALLS ARE SUBJECT TO CHANGE AS PER SITE CONDITIONS

NAD 83
GRID NORTH

0' 20' 40' 80'
DRAWING SCALE 1"=40'

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

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SEAL
26447
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H. MACK SUMMEY JR.

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NC Professional Engineering Firm License No. P-0336

No.	Date:	By:

Description:

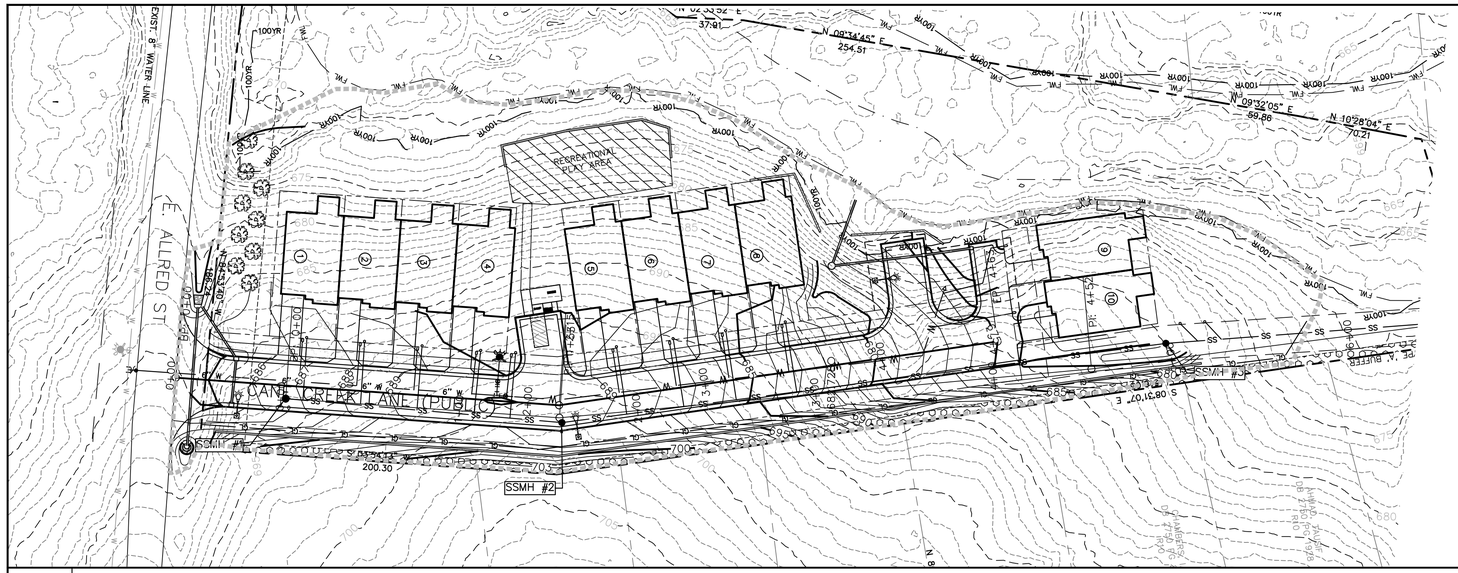
RETAINING WALL AND SPOT ELEVATION PLAN

CANE CREEK TOWNHOMES

EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	Drawn By:	Checked By:	Job No.:
AS NOTED	ZHG	HMSJ	E-6867
Date: JAN. 2022			

Sheet No.
C-4.3

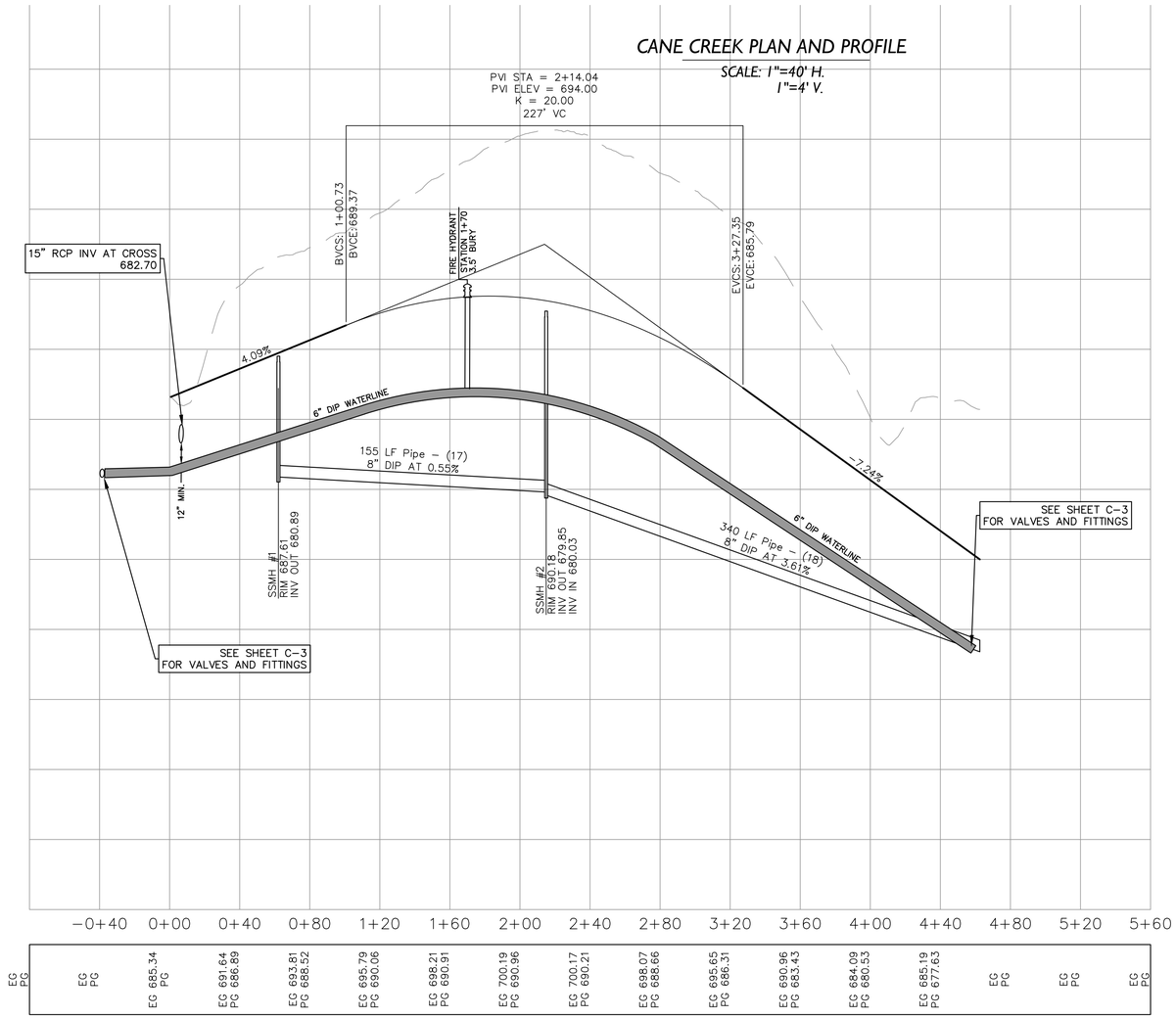


0' 40' 80' 120'

DRAWING SCALE 1"=40'

CANE CREEK PLAN AND PROFILE

SCALE: 1"=40' H.
1"=4' V.



PRELIMINARY PLANS - NOT FOR CONSTRUCTION

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No.	Date:	Description:	By:

PLAN AND PROFILE CANE CREEK

CANE CREEK TOWNHOMES

EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	AS NOTED
Date:	JAN. 2022
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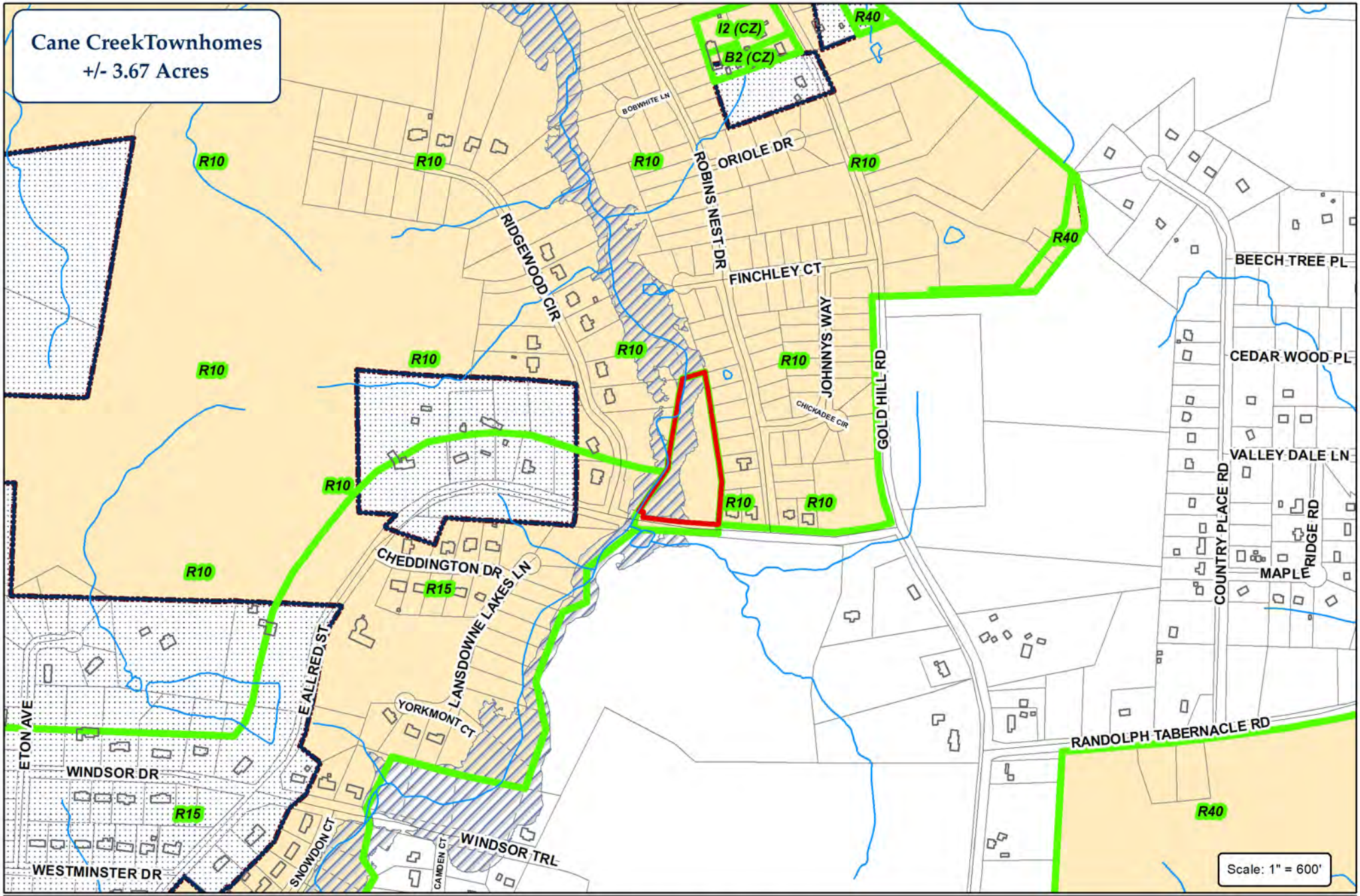
Job No.:	E-6867

Sheet No.
C-5



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City Limits
ETJ

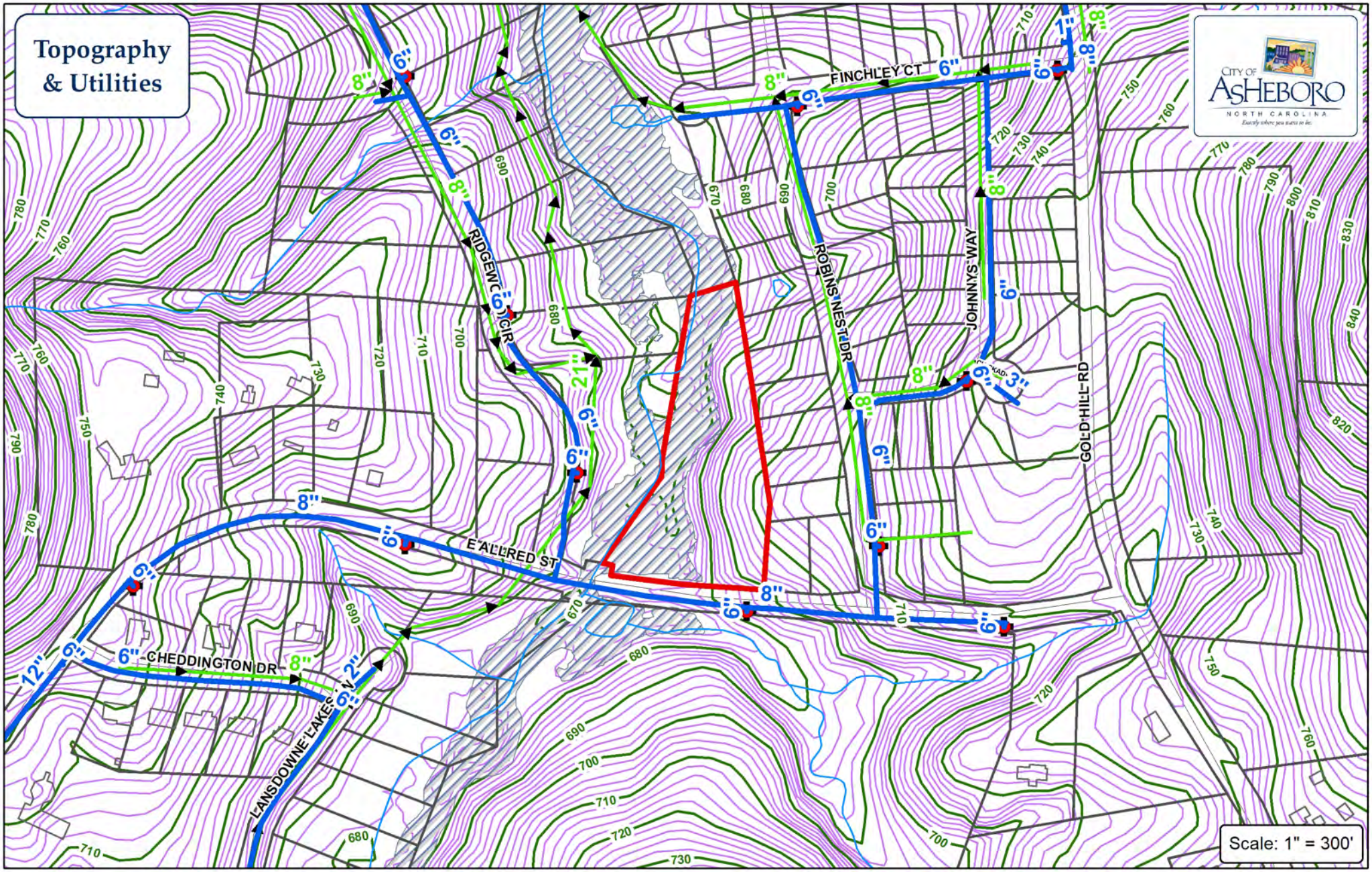
City of Asheboro Planning & Zoning Department

Subdivision Case: SUB-18-02

Parcel: 7762740259

Subject Property
Zoning

N
W
E
S



Force Main
Water Main
Sewer Main
Fire Hydrant
PS Pump Station

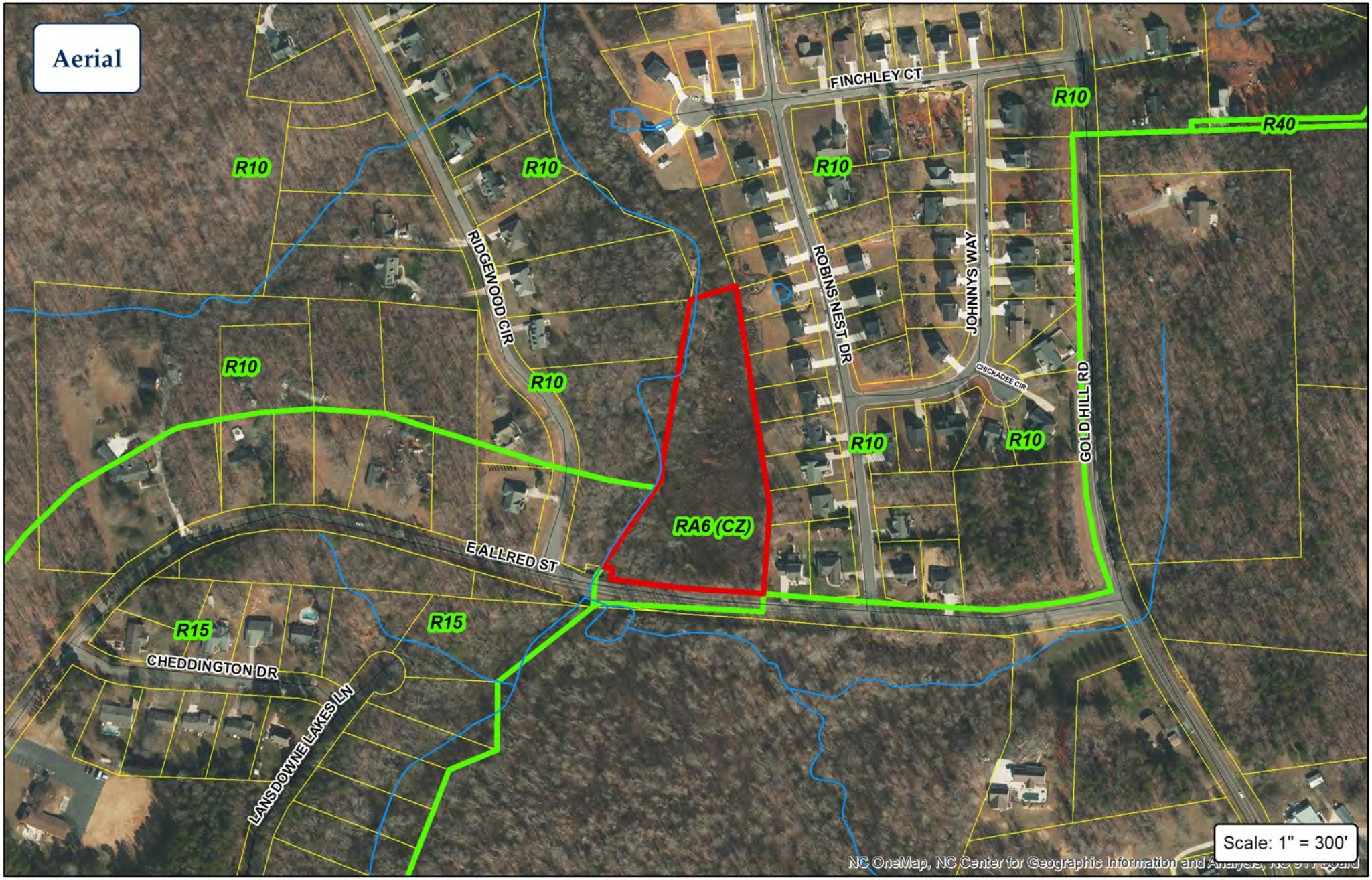
City of Asheboro Planning & Zoning Department

Subdivision Case: SUB-18-02

Parcel: 7762740259

Subject Property

N W E S



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Subdivision Case: SUB-18-02

Parcel: 7762740259

Subject Property
Zoning

N
W
E
S