



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

Regular Meeting Agenda

NC Cooperative Extension-Agricultural Center
3309 Burlington Road, Greensboro, NC 27405

December 8, 2021

6:00 PM

- A. Roll Call
- B. Agenda Amendments
- C. Approval of Minutes: November 10, 2021
- D. Rules and Procedures
- E. Continuance Requests
- F. Old Business

Public Hearing Items:

REZONING CASE #21-09-GCPL-08288: AGRICULTURAL (AG) To RS-30 SINGLE-FAMILY RESIDENTIAL 5800-ZZ CRUTCHFIELD FARM ROAD

Guilford County Tax Parcel #162786 is located near Crutchfield Farm Road between Oak Ridge town limits to the west, I-73 to the east, and approximately 1930 feet north of Alcorn Road right-of-way. The parcel is in the Oak Ridge Township, comprises approximately 38.18 acres, and is owned by Mark Quinn.

The proposed Rezoning is consistent with the Airport Area Plan land use classification of Low Density Residential, thus if approved, no plan amendment would be required.

Information for **REZONING CASE #21-09-GCPL-08288** can be viewed by scrolling to the December 8, 2021 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board> or you may contact the Guilford County Planning & Development Department at 336.641.3334.



GUILFORD COUNTY

PLANNING AND DEVELOPMENT

PLANNING BOARD

G. New Business

Public Hearing Items:

REZONING CASE #21-10-GCPL-09132: RS-40 SINGLE-FAMILY RESIDENTIAL To AGRICULTURAL (AG) 1103, 1013, 1007-ZZ, 927, AND 929 BALES CHAPEL ROAD

Located at 1103, 1013, 1007-ZZ, 927, and 929 Bales Chapel Road, Guilford County. Corresponding Tax Parcels are 160148, 160147, 233434, 160180, and 160156, respectively, located in Jamestown Township, comprising approximately 20.45 acres. All parcels are owned by Brian Timothy Small. Brian Timothy Smalls owns the following jointly with Karen Small Spangler (Parcels 160148, 233434, 160180, and 160156); with Christopher Douglas Small (Parcel 160147).

The proposed Rezoning is from RS-40 Single-family Residential to Agricultural (AG).

The proposed Rezoning is consistent with the Southwest Area Plan land use classification of Residential Single-family, thus if approved no plan amendment would be required.

Information for **REZONING CASE #21-10-GCPL-09132** can be viewed by scrolling to the December 8, 2021 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board> or you may contact the Guilford County Planning & Development Department at 336.641.3334.

CONDITIONAL ZONING CASE #21-10-GCPL-09584: CONDITIONAL ZONING – PLANNED UNIT DEVELOPMENT - MIXED (CZ-PDM) FOR CASE #30-05, AND AGRICULTURAL (AG) To CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) TAX PARCELS 116790, 116782, 116778, AND 116787 (NON-CONTIGUOUS) ON KNOX ROAD; TAX PARCELS 116784 AND 116789 ON MARLEY DRIVE; AND, TAX PARCELS 116776, 116783, AND 120423 ON BLOOMFIELD ROAD.

Located on 749, 725, 729 and 709 (non-contiguous) Knox Road; 5441 and 5437 Marley Drive; and 1074, 1076-1080, and 1036 Bloomfield Road, Guilford County Tax Parcels 116790, 116782, 116778, and 116787 (non-contiguous) on Knox Road; 116784 and 116789 on Marley Drive, and 116776, 116783, and 120423 on Bloomfield Road, comprising approximately 165.95 acres. Owned by Land Port Investments, LLC and Carroll Industrial Development US, LLC

The proposed Conditional Zoning from Planned Unit Development-Mixed Use (CZ-PDM) and Agricultural (AG), to Conditional Zoning - Light Industrial (CZ-LI), includes the following Use Condition: All uses permitted within the LI zoning district, with the exception of: (1) Go-Cart



GUILFORD COUNTY PLANNING AND DEVELOPMENT PLANNING BOARD

Raceway; (2) Cemetery or Mausoleum; and (3) Construction or Demolition Debris Landfill, Minor. No Development Conditions were proposed in the application.

The proposed Conditional Zoning is inconsistent with the Northeast Area Plan land use classification of AG Rural Residential, thus if approved a plan amendment to Light Industrial land use classification would be required.

Information for **CONDITIONAL REZONING CASE #21-10-GCPL-09584** can be viewed by scrolling to the December 8, 2021 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. The Transportation Impact Analyses can be viewed at <https://www.guilfordcountync.gov/home/showpublisheddocument/12510/637728396501800000> and <https://www.guilfordcountync.gov/home/showpublisheddocument/12512/637728396525230000> for Bloomfield Road and Knox Road, respectively, or you may contact the Guilford County Planning & Development Department at 336.641.3334.

Non-Public Hearing Items:

UDO TEXT AMENDMENT (TA) TO ARTICLE 9.3 FLOOD DAMAGE PREVENTION TA CASE #21-10-GCPL-09184

Please see Attachment for proposed text amendment to Article 9.3 Flood Damage Prevention which would allow for minor filling where needed to protect or restore natural floodplain functions, such as part of a stream channel restoration project. Other clarifications related to the prohibition of fill in the regulated floodplain, and formatting revisions to ordinance section numbering also are included in the proposed text amendment.

Information for **TEXT AMENDMENT CASE #21-10-GCPL-09184** can be viewed by scrolling to the December 8, 2021 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board> or you may contact the Guilford County Planning & Development Department at 336.641.3334.

H. Other Business

I. Adjourn

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**Guilford County
Planning Board
REGULAR MEETING
November 10, 2021**

DRAFT

The Guilford County Planning Board convened on Wednesday November 10, 2021, at 6:00 p.m. at the NC Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC.

Members Present: Mr. Frankie Jones, Chair; Mr. Apple; Mr. Donnelly; Mr. Stalder; Mr. Gullick; Ms. McKinley

Members Absent: Dr. Gathers; Mr. Craft; Ms. Buchanan.

Staff Present: J. Leslie Bell, Guilford County Planning Director; Robert Carmon, Fire Inspections Chief; Oliver Bass, Sr. Planner/Planner II; and Jessie Baptist, Office Administrator

Chair Jones called the meeting to order and welcomed everyone in attendance.

AGENDA AMENDMENTS

Mr. Bell stated that the owner of the property for Case #21-09-GCPL-08288 AG To RS-30 5800-ZZ CRUTCHFIELD FARM ROAD has submitted a written request for this case to be tabled until the December 8, 2021 Regular Planning Board meeting (a copy of the written request was provided to Board members). Chair Jones made a motion to remove Case #21-09-GCPL-08288 from the agenda until the December 8, 2021 Regular Planning Board meeting. Motion seconded by Ms. McKinley. The Board voted unanimously (6-0) in favor. (Ayes: Stalder, McKinley, Gullick, Donnelly, Apple and Jones. Nays: None.)

APPROVAL OF OCTOBER 13th, 2021 MINUTES

Ms. McKinley made a motion to approve the October 13th, 2021 minutes, as presented, seconded by Mr. Apple. The Board voted unanimously (6-0) in favor. (Ayes: Stalder, McKinley, Gullick, Donnelly, Apple and Jones. Nays: None.)

RULES OF PROCEDURE

Chair Jones explained the rules of procedure to be followed during the meeting.

CONTINUANCE REQUESTS

None

OLD BUSINESS

None

NEW BUSINESS**DRAFT****Public Hearing Item:**

REZONING CASE #21-10-GCPL-08837: RS-30 To RS-30-MH-MANUFACTURED HOUSING OVERLAY DISTRICT 5014 CROSSMILL ROAD (formally known as 5002 ZZ CROSSMILL ROAD)

Chair Jones announced that the Public Hearing was now open.

Oliver Bass, Sr. Planner, explained that this property is located at the terminus of Crossmill Road in Madison Township, Guilford County Tax Parcel #113168 is approximately 5.92 acres and is owned by Massand Properties, LLC.

He explained that the RS-30, Single-family Residential district, is primarily intended to accommodate single-family detached dwellings in areas without access to public water and sewer services. The minimum lot size of this district is 30,000 square feet. Cluster development (conservation subdivisions) are permitted.

In the Manufactured Housing Overlay District, manufactured (HUD) housing (i.e., mobile homes) may be permitted on single-family lots in any residential zone provided overlay district zoning is approved by the Jurisdiction and meeting the following criteria for minimum development size:

1. Ten (10) existing contiguous lots covering at least ninety thousand (90,000) square feet, excluding public street right-of-way; or
2. One hundred twenty thousand (120,000) square feet of unsubdivided land, excluding public street right-of-way.

He stated that the request is consistent with the Northeast Area Plan future land use recommendation of Agricultural (AG), Rural Residential which supports the base RS-30 zoning district.

Staff recommends approval as the requested action is reasonable and in the public interest because it meets the zoning district criteria of being zoned Agricultural (AG) **and** the 5.92-acre tract exceeds the min. acreage dimensional [lot size] of one hundred twenty thousand (120,000) square feet of unsubdivided land, excluding public street right-of-way requirement. Approval of the Mfgr. Housing Overlay District will provide for housing choices within a certain price point in an area that is predominantly agricultural.

With the proposed Rezoning from Single Family RS-30 to RS-30-MH-MANUFACTURED HOUSING OVERLAY DISTRICT being consistent with the Northeast Area Plan future land use classification of AG Rural Residential, if approved, no plan amendment would be required.

Chair Jones asked if there were any questions for staff. There were none.

Chair Jones asked if there was anyone present wishing to speak in favor of or in opposition to this matter. Robert Millican, contractor and husband of Karen Millican (Manager of Massand Properties, LLC and who also was in attendance), indicated that she has owned the property for more than twenty (20) years and desired to rezone the property. He indicated that approval of the request would make the zoning conducive for a manufactured home and compatible with the surrounding area.

There being no one to speak opposing the request, a motion was made by Mr. Donnelly to close the Public Hearing and seconded by Ms. McKinley. The Board voted unanimously (6-0) in favor. (Ayes: Stalder, McKinley, Gullick, Donnelly, Apple and Jones. Nays: None.)

Discussion

There being no discussion, Mr. Gullick moved to approve Rezoning request Case #21-10-GCPL-08837: **RS-30 To RS-30-MH-MANUFACTURED HOUSING OVERLAY DISTRICT**, 5014 CROSSMILL ROAD (formally known as 5002 ZZ CROSSMILL ROAD), as it is 1) consistent with the Northeast Area Plan future land use recommendation of Agricultural (AG), Rural Residential and is compatible with surrounding uses; and, 2) it is reasonable and in the public interest as it meets the zoning district criteria of being zoned Agricultural (AG) **and** the 5.92-acre tract exceeds the min. acreage dimensional [lot size] of one hundred twenty thousand (120,000) square feet of unsubdivided land, excluding public street right-of-way requirement. Approval of the Mfgr. Housing Overlay District will provide for housing choices within a certain price point in an area that is predominantly agricultural.

The motion was seconded by Ms. McKinley. The Board voted 6-0 in favor of the motion (Ayes: Apple, Stalder, Gullick, Donnelly, McKinley and Jones. Nays: None.).

OTHER BUSINESS:

Mr. Bell stated that there tentatively would be three (3) rezoning requests [including the request removed from tonight's agenda and being re-scheduled for the December Regular Meeting agenda] and one text amendment to the Flood Damage Prevention section of the Unified Development Ordinance (UDO).

ADJOURNED:

There being no further business before the Board, the meeting was adjourned at 6:15 pm.

The next planned Regular meeting is December 8th, 2021.

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Rezoning
Application

Date Submitted: 9.23.21 Fee \$500.00 Receipt # 160321 Case Number 21-09-GCPL-08288

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. Additional sheets for tax references and signature blocks are available upon request.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the AG zoning district to the RS 30 zoning district.

Said property is located 5800 22 Crutchfield Farm Road in Oak Ridge Township; Being a total of: 38.18 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 162786

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____



Check One:

- The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
- The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

Check One:

- Public services (i.e. water and sewer) are not requested or required.
- Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Check One:

- The applicant is the property owner(s)
- The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
- The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease to be submitted if the owner's signature is not provided (financial figures may be deleted).
- The applicant has no connection to the property owner and is requesting a third-party rezoning.

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Submitted by [Signature]
 Property Owner Signature
Mark Quinn
 Name
27 Lexington Ave
 Mailing Address
Pitman N.J. 08071
 City, State and Zip Code
856-725-0561 mgslowlane@gmail.com
 Phone Number Email Address

[Signature]
 Representative/ Applicant Signature (if applicable)
Kirk Dunkelberger
 Name
5841 Beaver Hill Lane
 Mailing Address
Oak Ridge NC 27310
 City, State and Zip Code
336-944-2182 Kirk.Providential@gmail.com
 Phone Number Email Address
Kirk.Providential@gmail.com

Additional sheets for tax parcels and signatures are available upon request.

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REZONING CASE #21-09-GCPL-08288: Agricultural (AG) TO RS-30 Single-Family Residential, 5800-ZZ CRUTCHFIELD FARM ROAD

Property Information

Guilford County Tax Parcel #162786 is located near Crutchfield Farm Road between Oak Ridge town limits to the west, I-73 to the east, and approximately 1930 feet north of Alcorn Road right-of-way. The Tax Parcel is in the Oak Ridge Township, comprises approximately 38.18 acres, and is owned by Mark Quinn.

The proposed Rezoning is consistent with the Airport Area Plan land use classification of Low Density Residential, thus if approved, no plan amendment would be required.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This proposed request is to Rezone property from Agricultural (AG) to RS-30-Single-family Residential.

District Descriptions

The Agricultural (AG) district is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales - "agritourism"- may be permitted. The minimum lot size of this district is 40,000 square feet.

The RS-30-Single-family Residential district is primarily intended to accommodate single-family detached dwellings in areas without access to public water and sewer services. The minimum lot size of this district is 30,000 square feet. Cluster development (conservation subdivisions) are permitted.

Character of the Area

This request is in a single-family residential area. A subdivision south of the parcel is currently under development. There is a single-family residential subdivision west of parcel in the town limits of Oak Ridge.

Existing Land Use(s) on the Property: Vacant/Undeveloped

Surrounding Uses:

North: Undeveloped parcels

South: Thatcher Wood Subdivision under development (RS-30)

East: I-73 right-of-way

West: RS-40 single-family residential subdivision in Town of Oak Ridge.

Historic Properties: There are no inventoried Historic Properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Public School Facilities:

Zoning Case 21-09				
Guilford County				
Schools Serving	Built Capacity 2021-22	2021-22 20th Day Enrollment	Mobile Classrooms	Estimated Additional Students
Oak Ridge Elementary School	730	673	0	8-10
Northwest Middle School	912	961	19	4-6
Northwest High School	1809	2047	27	4-6
Remarks: With the implementation of General Statute 115C-301 mandating reduced K-3 class sizes, elementary schools will experience annual reductions in capacity through 2021-22. Built capacity assumes 30 students per core academic classroom, and is not inclusive of capacity reduction from programmatic utilization.				

Emergency Response:

Fire Protection District: Oak Ridge FD

Miles from Fire Station: Approximately 1.3 miles

Water and Sewer Services:

Provider: Individual Septic and well

Within Service Area: Yes, Greensboro

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Access to public road is restricted.

Proposed Improvements: Will need to secure access to public road to develop.

Projected Traffic Generation: Not available

Greenway:

Proposed Improvement: Property located along proposed Piedmont Greenway Master Plan, Phase 2, Alcorn Road.

Environmental Assessment

Topography: Nearly flat, gently sloping and moderately sloping.

Regulated Floodplain/Wetlands: There is a regulated floodplain and floodway on the property. There are mapped wetlands on the property.

Streams and Watershed: There are mapped streams on the property. The property is in the water supply watershed for Greensboro WS-III, General Watershed Area.

Land Use Analysis

Land Use Plan: Airport Area Plan

Plan Recommendation: Low Density Residential

Consistency: It is consistent with the recommendation because the RS-30 Single-Family Residential zoning district allows low density single-family residential uses at a density of 1.3 du/acre or less.

Recommendation

Staff Recommendation: Staff recommends approval.

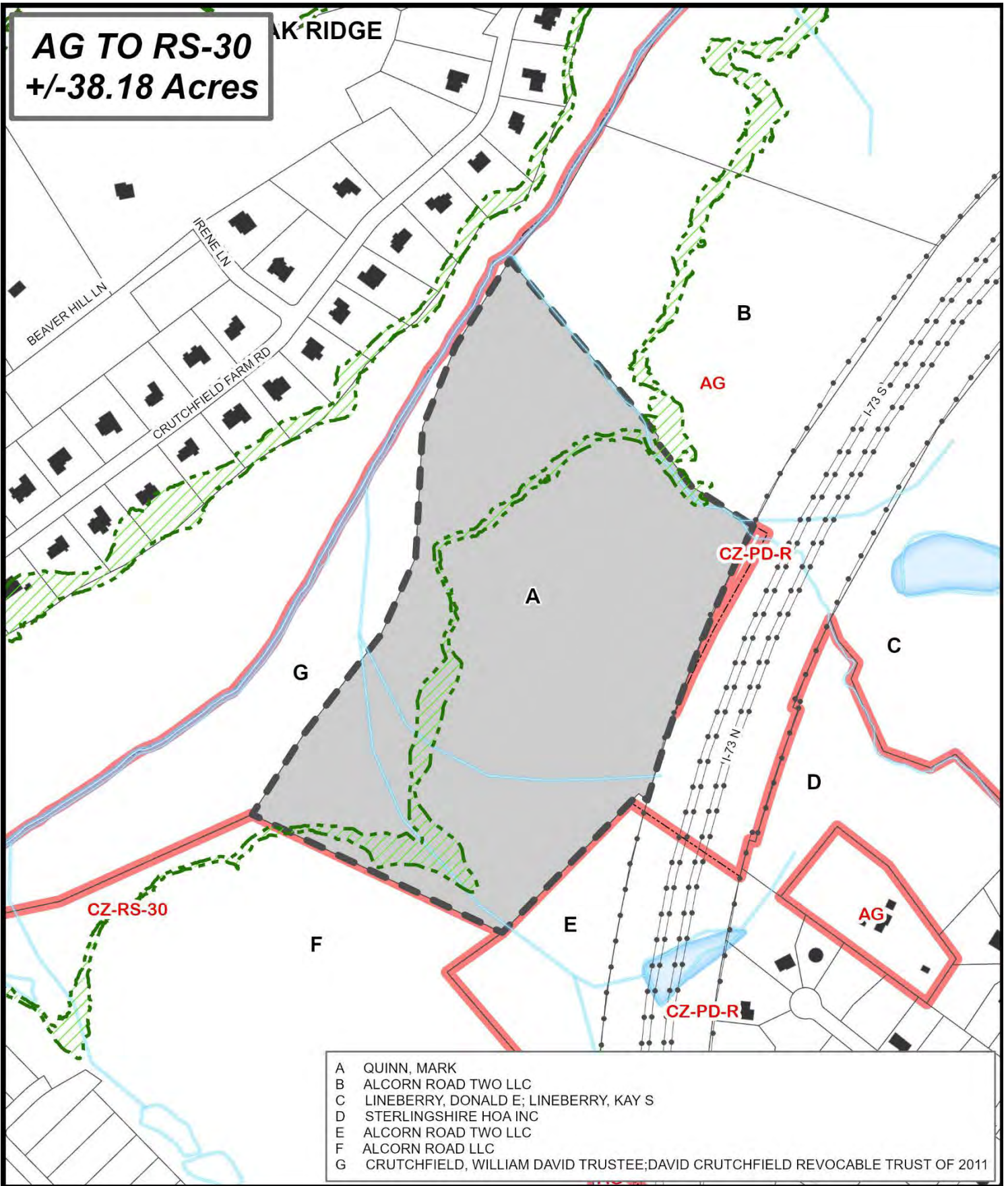
The requested action is reasonable and in the public interest because it will provide housing opportunities for citizens. It is consistent with the recommendation of the Airport Area Plan for Low Density Residential. It is in an area that has developed or is currently under development as single-family residential, consistent with the type of development allowed in an RS-30 Single-Family Residential zoning district.

Area Plan Amendment Recommendation:

The proposed Rezoning is consistent with the Airport Area Plan land use classification of Low Density Residential, thus if approved, no plan amendment would be required.

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**AG TO RS-30
+/-38.18 Acres**

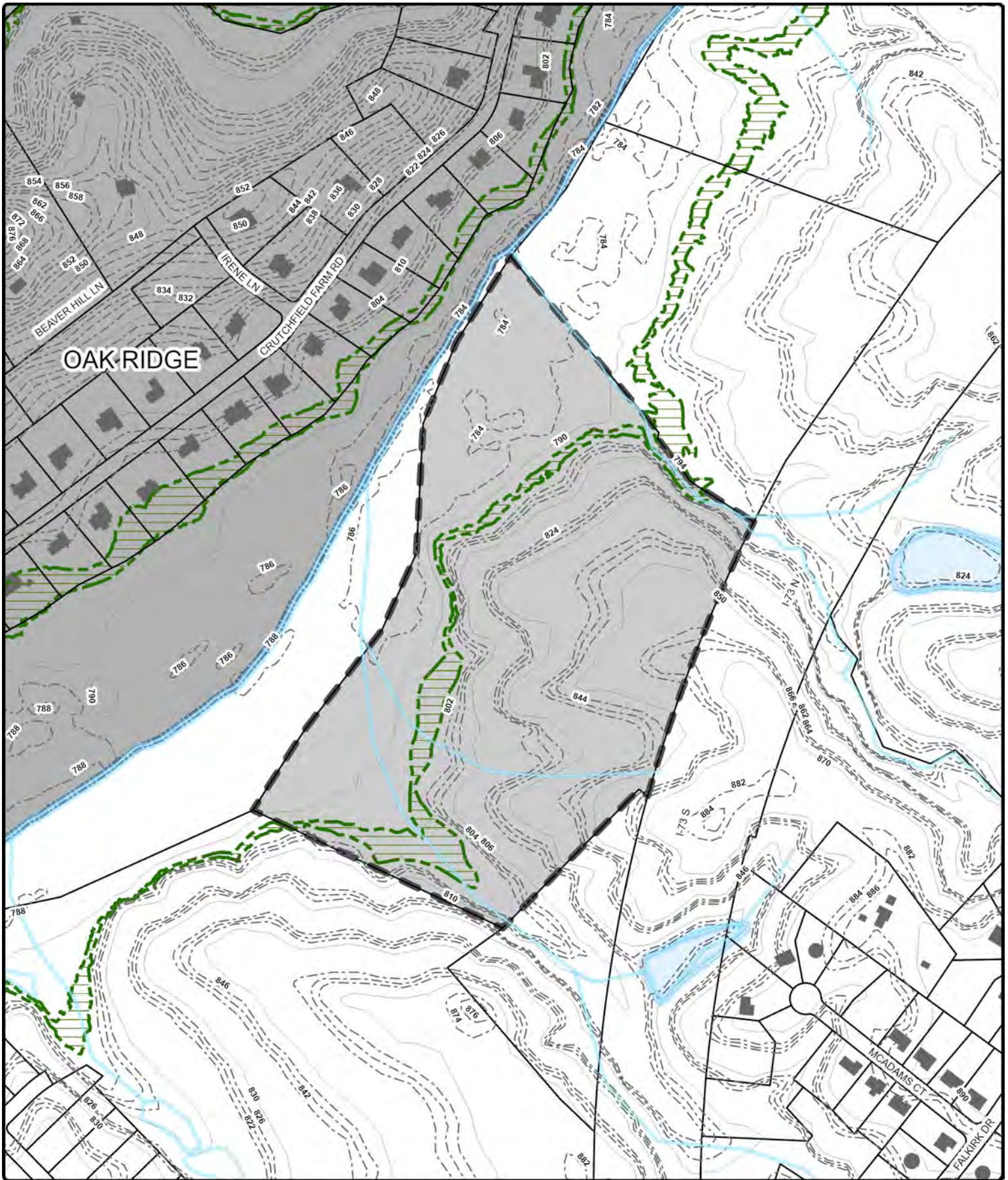


JURISDICTION:
GUILFORD COUNTY
 Guilford County
 Planning & Development
 Department

Rezoning Case #
21-09-GCPL-08288
Scale: 1" = 400'

Map:
 162786





CASE #21-09-GCPL-08288

Scale: 1" = 400'





CASE #21-09-GCPL-08288

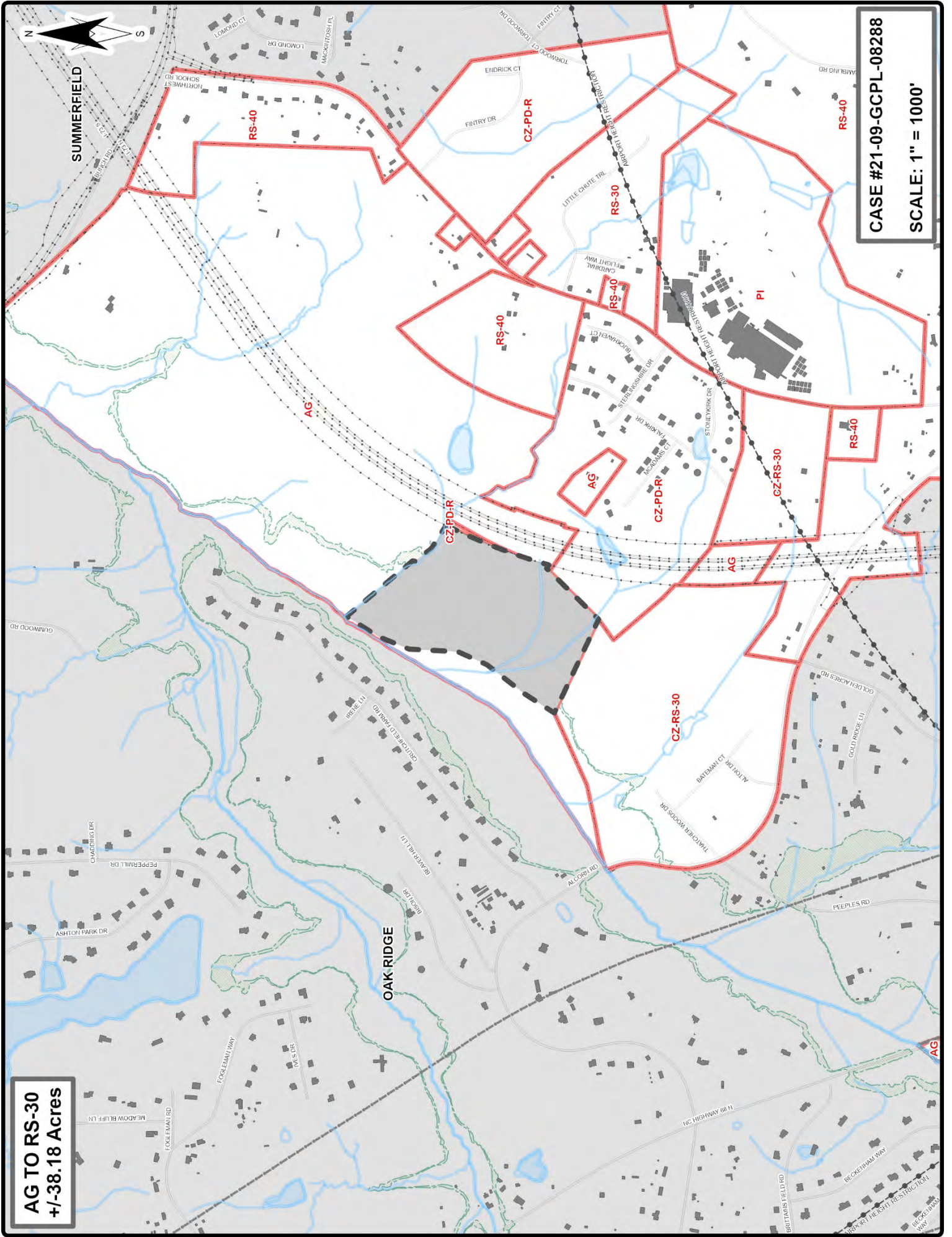
Scale: 1" = 400'



**AG TO RS-30
+/-38.18 Acres**

CASE #21-09-GCPL-08288

SCALE: 1" = 1000'



**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel **#162786** from **AG** to **RS-30 ZONING DISTRICT** because:

1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel **#162786** from **AG** to **RS-30 ZONING DISTRICT** because:

- 1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is not consistent.]

- 2. The amendment **is not** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #4
DENY-CONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel **#162786** from **AG** to **RS-30 ZONING DISTRICT** because:

- 1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

- 2. The amendment **is** consistent but not in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Rezoning
Application**

Date Submitted: 10/25/2021

Fee \$500.00 Receipt # 161119

Case Number 21-10-GCPL-09132

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. Additional sheets for tax references and signature blocks are available upon request. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the RS-40 Residential zoning district to the Agri/Hort AG zoning district.

Said property is located 1103, 1013, ~~1107~~ (child) 927, 929 Bales Chapel Rd in Jamestown NC Township; Being a total of: 20.45 acres.

*[Confirmation w/
Prop Owner, to
specify zoning
OCT 10/25/21]*

Further referenced by the Guilford County Tax Department as:

1103 Tax Parcel # <u>1 6 0 1 4 8</u>	927 Tax Parcel # <u>1 6 0 1 8 0</u>
1013 Tax Parcel # <u>1 6 0 1 4 7</u>	929 Tax Parcel # <u>1 6 0 1 5 6</u>
<i>1007-27, CB 11/23/21</i> <i>1107 (child)</i> Tax Parcel # <u>2 3 3 4 3 4</u>	Tax Parcel # _____

- Check One:**
- The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
 - The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

- Check One:**
- Public services (i.e. water and sewer) are not requested or required.
 - Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

- Check One:**
- The applicant is the property owner(s)
 - The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
 - The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease is attached if the owner's signature is not provided (financial figures may be deleted).
 - The applicant has no connection to the property owner and is requesting a third-party rezoning.



I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Submitted by:

Brian Timothy Small
Property Owner Signature

Brian Timothy Small
Name

1103 Bales Chapel
Mailing Address

Jamestown NC 27282
City, State and Zip Code

336-454-5736 Phone Number tim@timsmallautomotive.com Email Address

Representative/Applicant Signature (if applicable)

Name

Mailing Address

City, State and Zip Code

Phone Number _____
Email Address

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REZONING CASE #21-10-GCPL-09132: RS-40 SINGLE-FAMILY RESIDENTIAL TO AGRICULTURAL (AG) 1103, 1013, 1007-ZZ, 927, AND 929 BALES CHAPEL ROAD

Property Information

Located at 1103, 1013, 1007-ZZ, 927, and 929 Bales Chapel Road, Guilford County. Corresponding Tax Parcels are 160148, 160147, 233434, 160180, and 160156, respectively, located in Jamestown Township, comprising approximately 20.45 acres. All parcels are owned by Brian Timothy Small. Brian Timothy Smalls owns the following jointly with Karen Small Spangler (Parcels 160148, 233434, 160180, and 160156); with Christopher Douglas Small (Parcel 160147).

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This proposed request is to Rezone property from RS-40, Single-family Residential to AG, Agricultural.

District Descriptions

The RS-40 Residential district is primarily intended to accommodate single-family residential detached dwellings on lots in areas without access to public water and sewer services. The minimum lot size of this district is 40,000 square feet. Conservation subdivisions may be developed in this district.

The AG Agricultural district is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales - "agritourism"- may be permitted. The minimum lot size in this district is 40,000 square feet.

Character of the Area

This request is immediately adjacent to rural density residential lots with some higher density residential subdivisions developed in the general area. On-going violations involving the subject parcels will continue to be violations under the requested zoning until resolved.

Existing Land Use(s) on the Property: Single-family residential

Surrounding Uses:

North: Undeveloped

South: Single-family residential

East: Rural residential, Voluntary Agricultural District property

West: Single-family, Rural residential

Historic Properties: There are no inventoried Historic Properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Public School Facilities:

The requested change will reduce the amount of residential development permitted on these parcels. There would be no additional impact on Guilford County Schools regarding new student yields.

Emergency Response:

Fire Protection District: Pinecraft-Sedgefield FPSD

Miles from Fire Station: Approximately 3.2 miles

Water and Sewer Services:

Public water or sewer are not requested or required. Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Bales Chapel is a minor thoroughfare in High Point Comprehensive Transportation Plan (CTP)

Proposed Improvements: None

Projected Traffic Generation: Not available

Environmental Assessment

Topography: Gently and moderately sloping.

Regulated Floodplain/Wetlands:

There are no mapped wetlands on the properties. There is no regulated floodplain on the properties.

Streams and Watershed:

There are no mapped streams on the properties. The properties are in the Deep River – Jamestown (WS-IV) Water Supply Watershed in Tier 3 of the Watershed Critical Area. Parcel 160156 has a portion of the property outside of the Watershed Critical Area, in the General Watershed Area.

Land Use Analysis

Land Use Plan: Southwest Area Plan (2016)

Plan Recommendation: Residential Single-family

Consistency:

The proposed Rezoning is consistent with the recommendation of the Southwest Area Plan of Residential Single-family land use classification. Anticipated land uses include those permitted in the Agricultural (AG) zoning district.

Recommendation

Staff Recommendation: Staff recommends approval

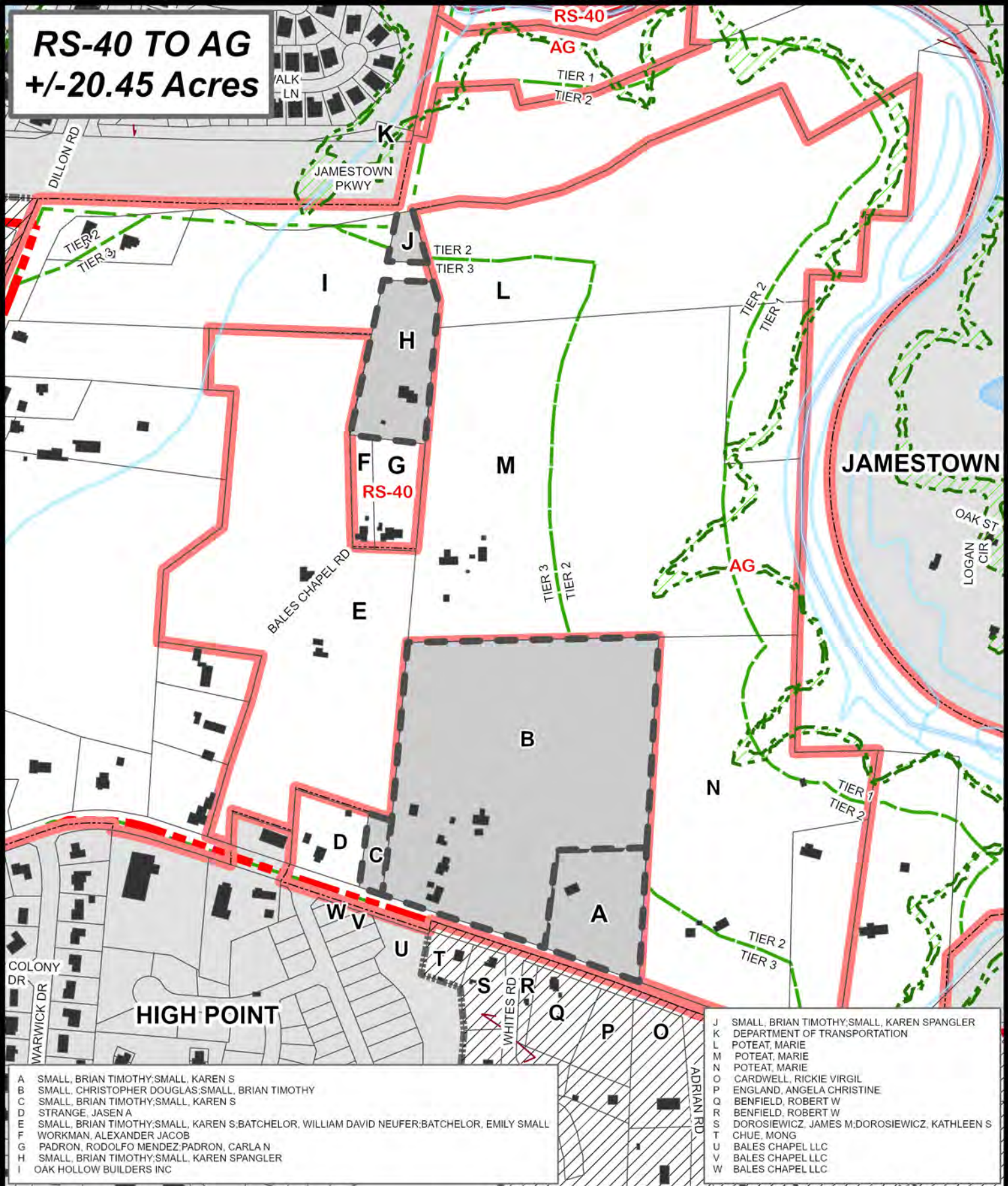
The requested action is reasonable and in the public interest because it is adjacent to the Marie Poteat Voluntary Agricultural District to the east. The AG zoning is consistent with adjacent Parcel 160153 under same ownership and will preserve the agricultural character of adjacent properties.

Area Plan Amendment Recommendation:

The proposed Rezoning is consistent with the Southwest Area Plan land use classification of Residential Single-family, thus if approved, no plan amendment would be required.

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RS-40 TO AG +/-20.45 Acres



- A SMALL, BRIAN TIMOTHY; SMALL, KAREN S
- B SMALL, CHRISTOPHER DOUGLAS; SMALL, BRIAN TIMOTHY
- C SMALL, BRIAN TIMOTHY; SMALL, KAREN S
- D STRANGE, JASEN A
- E SMALL, BRIAN TIMOTHY; SMALL, KAREN S; BATCHELOR, WILLIAM DAVID NEUFER; BATCHELOR, EMILY SMALL
- F WORKMAN, ALEXANDER JACOB
- G PADRON, RODOLFO MENDEZ; PADRON, CARLA N
- H SMALL, BRIAN TIMOTHY; SMALL, KAREN SPANGLER
- I OAK HOLLOW BUILDERS INC

- J SMALL, BRIAN TIMOTHY; SMALL, KAREN SPANGLER
- K DEPARTMENT OF TRANSPORTATION
- L POTEAT, MARIE
- M POTEAT, MARIE
- N POTEAT, MARIE
- O CARDWELL, RICKIE VIRGIL
- P ENGLAND, ANGELA CHRISTINE
- Q BENFIELD, ROBERT W
- R BENFIELD, ROBERT W
- S DOROSIEWICZ, JAMES M; DOROSIEWICZ, KATHLEEN S
- T CHUE, MONG
- U BALES CHAPEL LLC
- V BALES CHAPEL LLC
- W BALES CHAPEL LLC

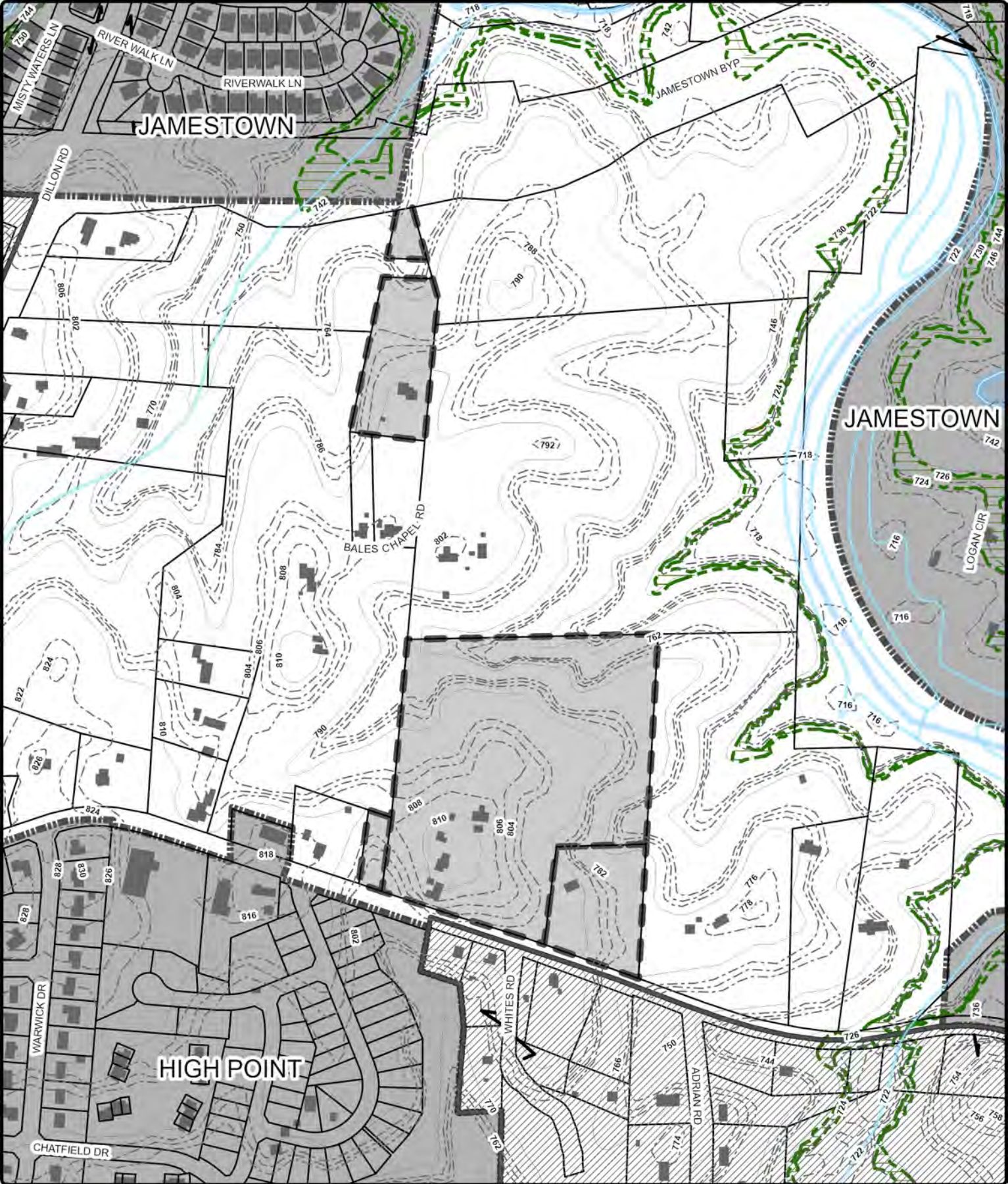


JURISDICTION:
GUILFORD COUNTY
 Guilford County
 Planning & Development
 Department

Rezoning Case #
21-10-GCPL-09132
Scale: 1" = 400'

Map: 160148
 160147
 233434
 160180
 160156

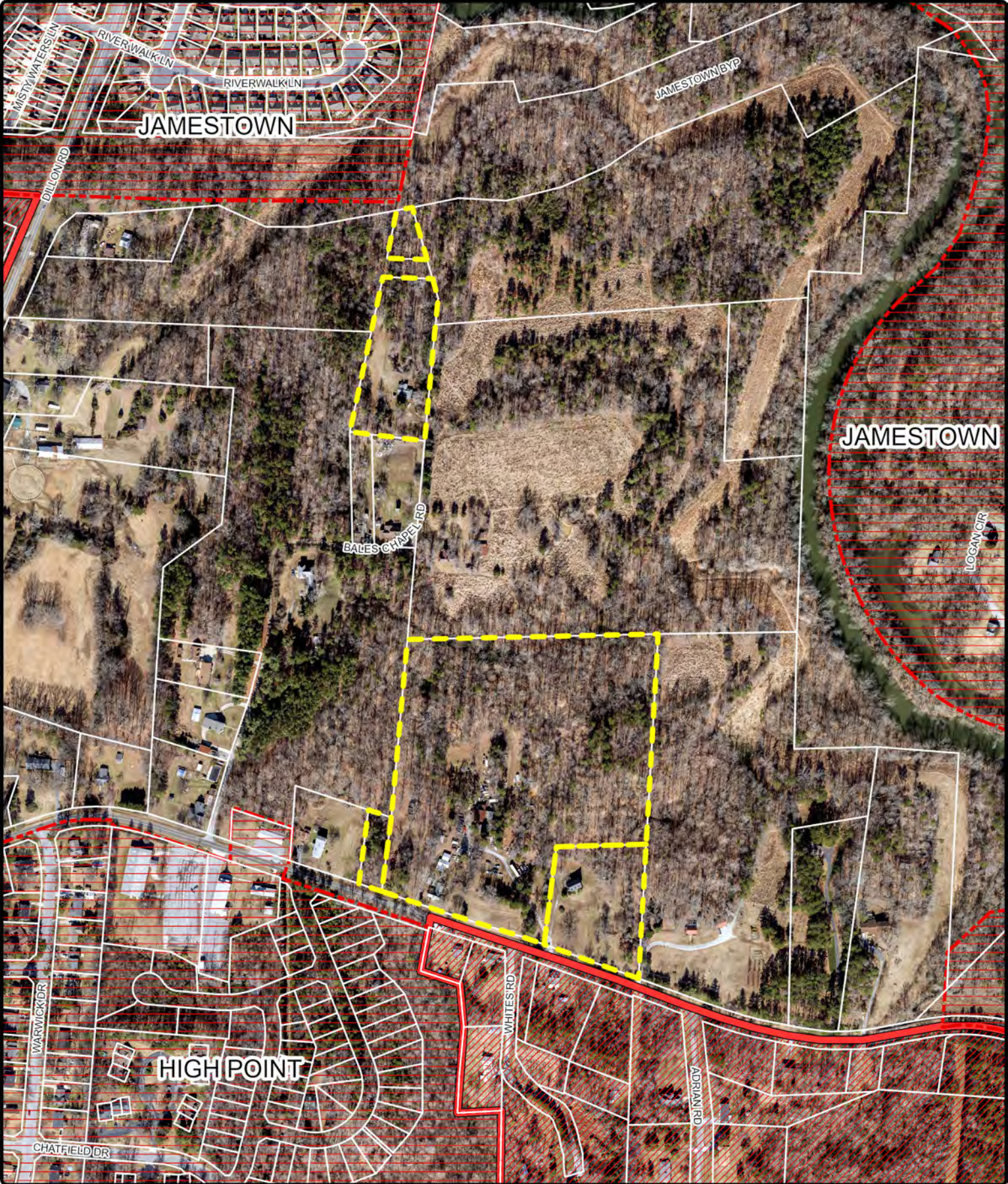




CASE #21-10-GCPL-09132

Scale: 1" = 400'





CASE #21-10-GCPL-09132

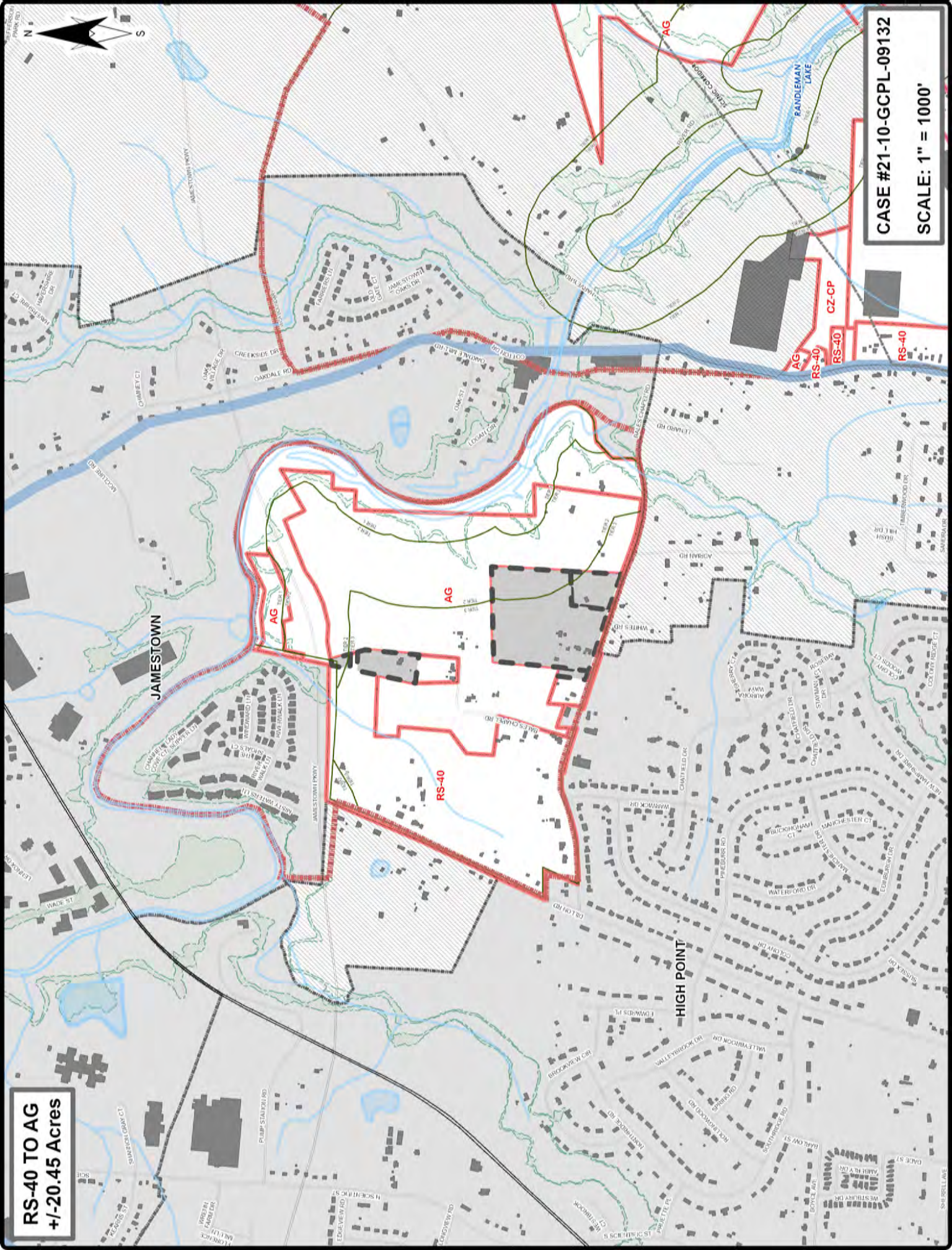
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CASE #21-10-GCPL-09132
SCALE: 1" = 1000'

RS-40 TO AG
+/-20.45 Acres



JAMESTOWN

HIGH POINT

PUMP STATION RD

SUNBROOK GRAY CT

REGENCY ST

LEONARD

LEONARD

LEONARD

LEONARD

LEONARD

LEONARD

LEONARD

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REZONING CASE #21-10-GCPL-09132: RS-40 SINGLE-FAMILY RESIDENTIAL TO AGRICULTURAL (AG) 1103, 1013, 1007-ZZ, 927, AND 929 BALES CHAPEL ROAD

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

REZONING CASE #21-10-GCPL-09132: RS-40 SINGLE-FAMILY RESIDENTIAL TO AGRICULTURAL (AG) 1103, 1013, 1007-ZZ, 927, AND 929 BALES CHAPEL ROAD

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT**

I move to **Approve** this zoning amendment located at 1103, 1013, 1007-ZZ, 927, AND 929 Bales Chapel Road from **RS-40** to **AG ZONING DISTRICT** because:

- 1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

- 2. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

REZONING CASE #21-10-GCPL-09132: RS-40 SINGLE-FAMILY RESIDENTIAL TO AGRICULTURAL (AG) 1103, 1013, 1007-ZZ, 927, AND 929 BALES CHAPEL ROAD

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located at 1103, 1013, 1007-ZZ, 927, AND 929 Bales Chapel Road from **RS-40** to **AG ZONING DISTRICT** because:

- 1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is not consistent.]

- 2. The amendment **is not** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

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(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Conditional Zoning
Application

Date Submitted: 11/9/21 Fee \$500.00 Receipt # _____ Case Number CZ 21-11-GCPL-09584

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board-agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the CZ-PD-M & AG zoning district to the CZ-LI zoning district. Said property is located See attached Exhibit A in Jefferson Township; Being a total of: 165.95 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # See attached Exhibit A

Tax Parcel # See Attached Exhibit A

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

- The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
- The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

Check One:

- Public services (i.e. water and sewer) are not requested or required.
- Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Conditional Zoning Requirements:

- Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).
- Zoning Conditions. Use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO):

- 1) All uses permitted within the LI zoning district, with the exception of: (1) Go-cart Raceway; (2) Cemetery or Mausoleum; (3) Construction or Demolition Debris Landfill, Minor
- 2) _____
- 3) _____
- 4) _____

Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Unified Development Ordinance (UDO):

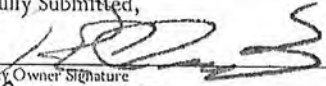
- 1) _____
- 2) _____
- 3) _____
- 4) _____

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

A Conditional Zoning Application must be signed by current property owner(s).

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,


 Property Owner Signature
Ray E. Carroll, II, as Manager
 Name
P. O. Box 9846
 Mailing Address
Greensboro, NC 27429
 City, State and Zip Code
(336) 274-8531 rccarroll@theCarroll
 Phone Number Email Address Companies.com



 Owner/ Representative/ Applicant Signature (if applicable)
Michael S. Fox, Attorney for Owners
 Name
400 Bellemeade Street, Suite 800
 Mailing Address
Greensboro, NC 27401
 City, State and Zip Code
336-271-5244 mfox@tuggleduggins.com
 Phone Number Email Address

EXHIBIT A TO CONDITIONAL REZONING APPLICATION

LIST OF SUBJECT PROPERTIES

Parcel No.	Address	Current Zoning	Acres	Owner
116776	1074 Bloomfield Rd.	CZ-PD-M	42.71	Land Port Investments, LLC
116783	1076 1080 Bloomfield Rd.	CZ-PD-M	16.63	Land Port Investments, LLC
116784	5441 Marley Dr.	CZ-PD-M	3.29	Land Port Investments, LLC
116787	709 Knox Rd.	CZ-PD-M	2.92	Land Port Investments, LLC
116789	5437 Marley Dr.	CZ-PD-M	23.21	Land Port Investments, LLC
116790	749 Knox Rd.	CZ-PD-M	23.73	Land Port Investments, LLC
120423	1036 Bloomfield Rd.	AG	50.84	Land Port Investments, LLC
116782	725 Knox Rd.	AG	1.23	Carroll Industrial Development US, LLC
116778	729 Knox Rd.	AG	1.39	Carroll Industrial Development US, LLC

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CONDITIONAL ZONING CASE #21-10-GCPL-09584: CONDITIONAL ZONING – PLANNED UNIT DEVELOPMENT - MIXED (CZ-PDM) FOR CASE #30-05, AND AGRICULTURAL (AG) TO CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) TAX PARCELS 116790, 116782, 116778, AND 116787 (NON-CONTIGUOUS) ON KNOX ROAD; TAX PARCELS 116784 AND 116789 ON MARLEY DRIVE; AND, TAX PARCELS 116776, 116783, AND 120423 ON BLOOMFIELD ROAD.

Property Information

Located on 749, 725, 729 and 709 (non-contiguous) Knox Road; 5441 and 5437 Marley Drive; and 1074, 1076-1080, and 1036 Bloomfield Road, Guilford County Tax Parcels 116790, 116782, 116778, and 116787 (non-contiguous) on Knox Road; 116784 and 116789 on Marley Drive, and 116776, 116783, and 120423 on Bloomfield Road, comprising approximately 165.95 acres. Owned by Land Port Investments, LLC and Carroll Industrial Development US, LLC

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This proposed request is to Conditionally Zone property from CZ-PD-M, Planned Unit Development-Mixed and AG, Agricultural to CZ-LI, Light Industrial with the following Use Condition: All uses permitted within the LI zoning district, with the exception of: (1) Go-Cart Raceway; (2) Cemetery or Mausoleum; and (3) Construction or Demolition Debris Landfill, Minor. No Development Conditions are proposed in the application.

District Descriptions

The Agricultural (AG) district is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales - “agritourism”- may be permitted. The minimum lot size of this district is 40,000 square feet.

The Planned Unit Development – Mixed (PD-M) district is intended to accommodate residential, commercial and light industrial uses developed on large tracts in accordance with a Unified Development Plan.

The Light Industrial (LI) district accommodates limited, small-scale manufacturing, wholesaling, warehousing, research and development, and related commercial activities that have little adverse effect, through noise, odor, or visual distraction, on neighboring properties. Development shall Provide adequate screening and buffers and be located where there are adequate public utilities and access to arterial streets and highways.

Conditional Zoning, bearing the designation CZ, is established as a companion district for every

district established in the Unified Development Ordinance. These districts include the CZ-LI district. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations, which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process, also shall apply.

Character of the Area

This request is in an area that includes light industrial, single-family residential subdivisions, and rural residential uses.

Existing Land Use(s) on the Property: The parcels currently zoned CZ-PDM are largely undeveloped while the zoning allows a mix of light industrial and multifamily development. The AG zoned parcels mostly are undeveloped or used for single-family residential purposes.

Surrounding Uses:

- North: Rural residential or undeveloped
- South: Interstate 85/40 right-of-way
- East: Undeveloped or rural residential
- West: RS-40 single-family residential subdivision

Historic Properties: There are no inventoried Historic Properties located on or near the property

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Public School Facilities:

Due to the zoning restrictions on residential development under the Light Industrial zoning category, these parcels would not generate any residential development; therefore, there would not have any additional impact on Guilford County Schools regarding new student yields.

Emergency Response:

Fire Protection District: McLeansville FPSD

Miles from Fire Station: Approximately 0.78 miles

Water and Sewer Services:

Provider: The applicant is not requesting public water or sewer. Private Septic Systems and Wells

Within Service Area: This property is within or adjacent to the Greensboro Growth Tier 1 water service boundary.

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Knox Road is a minor thoroughfare. Bloomfield Road is a local/collector street

Proposed Improvements: Applicants provided Traffic Impact Analysis reports for potential impacts and improvements on Knox Road and Bloomfield Road developments. Each report contains a Discussion of Results with a summary of recommended improvements. The Knox Road report recommends a right turn lane and left turn lane for access. The Bloomfield Road report recommends improvements to Burlington Road and Bloomfield Road under different scenarios. The Discussion of Results from each report are attached. The full reports are uploaded onto the County website for public view.

A NCDOT driveway permit will be required for site plan approval.

Environmental Assessment

Topography: Nearly flat, gently sloping, and moderately sloping.

Regulated Floodplain/Wetlands:

Most of the properties contain regulated floodplain. Some of the properties contain mapped wetlands.

Streams and Watershed:

There are multiple mapped streams running through or directly adjacent to all of the properties. The properties are located in the Lake Mackintosh (Big Alamance Creek - WS-IV) Water Supply Watershed in the General Watershed Area.

Land Use Analysis

Land Use Plan: Northeast Area Plan (2016)

Plan Recommendation: AG Rural Residential

Consistency:

The proposed Conditional Zoning is inconsistent with the Northeast Area Plan land use classification of AG Rural Residential. Light Industrial zoning is not supported under the AG Rural Residential land use classification.

Recommendation

Staff Recommendation: Staff recommends approval

Although the proposed Conditional Zoning is inconsistent with the recommendation of the Northeast Area Plan, the requested action is reasonable and in the public interest because the existing CZ-PDM-zoned properties currently allow a mix of light industrial and multi-family uses. The parcels are in an area where several properties west along Knox Road currently are zoned

and developed for light industrial uses and the requested zoning will add employment opportunities for citizens.

Area Plan Amendment Recommendation:

The proposed Conditional Zoning is inconsistent with the Northeast Area Plan land use classification of AG Rural Residential, thus if approved, a plan amendment to Light Industrial land use classification would be required.

DRAFT

Capacity Analysis

Level of Service Evaluation Criteria

The Transportation Research Board's Highway Capacity Manual (HCM) utilizes a term "level of service" to measure how traffic operates in intersections and on roadway segments. There are currently six levels of service ranging from A to F. Level of service "A" represents low-volume traffic operations and Level of Service "F" represents high-volume, oversaturated traffic operations. Synchro Traffic Modeling software was used to determine the level of service for studied intersections. All worksheet reports from the analyses can be found in the Appendix.

Table 6 – Level of Service and Control Delay Criteria from Highway Capacity Manual			
Levels of Service and Control Delay Criteria			
Signalized Intersection		Unsignalized Intersection	
Level of Service	Control Delay Per vehicle (sec)	Level of Service	Delay Range (sec)
A	≤ 10	A	≤ 10
B	> 10 and ≤ 20	B	> 10 and ≤ 15
C	> 20 and ≤ 35	C	> 15 and ≤ 25
D	> 35 and ≤ 55	D	> 25 and ≤ 35
E	> 55 and ≤ 80	E	> 35 and ≤ 50
F	> 80	F	> 50

Discussion of Results

Rock Creek Dairy Road at I-40 Eastbound Ramp

This signalized intersection operates at LOS B during the AM peak and LOS C during the PM peak hours in base conditions. In the future no-build and future build scenario, with the addition of site traffic, this intersection is anticipated to operate at LOS C during the AM and PM peak hours. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Rock Creek Dairy Road at I-40 Westbound Ramp

This signalized intersection operates at LOS C during the AM and PM peak hours in base and future no-build scenarios. In future build scenario, with the addition of site



traffic, this intersection is anticipated to remain at LOS C during the AM and PM peak hours. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Rock Creek Dairy Road at US 70 (Burlington Road)

This signalized intersection operates at LOS D during the AM and PM peak hour during base conditions. In the future no build and future build scenario, this intersection is anticipated to operate at LOS E during the AM and PM peak hours. No improvements are recommended as a result of this development.

US 70 (Burlington Road) at Rockhurst Road

Scenario 1:

This unsignalized intersection operates at LOS B during the AM peak and LOS C in the PM peak hour during base conditions. In the future no build and future build scenario, this intersection is anticipated to remain at the same LOS during the AM and PM peak hours. No improvements are recommended as a result of this development.

Scenario 2:

This unsignalized intersection operates at LOS B during the AM peak and LOS C in the PM peak hour during base conditions. In the future no build, the LOS is expected to remain the same. In the future build scenario, this intersection is anticipated to operate at LOS C during the AM and PM peak hours. There is currently a 50-foot eastbound left turn lane on US 70. Due to the close proximity and safety along US 70, it is recommended to provide side by side left turn lanes on US 70 from Bloomfield Road to Rockhurst Road.

US 70 (Burlington Road) at Bloomfield Road

Scenario 1:

This unsignalized intersection operates at LOS B during the AM and PM peak hours in base conditions. In the future no build scenario, this intersection is anticipated to operate at LOS B in the AM peak hour and LOS C in the PM peak hour. In the future build scenario, it is expected to operate at LOS B in the AM and PM peak hours. Based on the volume and the NCDOT turn lane warrants, the existing left turn lane storage is expected to accommodate the future site trips. Therefore, no improvements are recommended as a result of this development.



Scenario 2:

This unsignalized intersection operates at LOS B during the AM and PM peak hours in base conditions. In the future no build scenario and future build scenario, this intersection is anticipated to operate at LOS B in the AM peak hour and LOS C in the PM peak hour. There is currently a 50-foot westbound left turn lane on US 70. Due to the close proximity and safety along US 70, it is recommended to provide side by side left turn lanes on US 70 from Bloomfield Road to Rockhurst Road. It is also recommended to provide an eastbound right turn lane with 100 feet of storage and appropriate taper.

An illustration is shown in the figures of the side-by-side concept.

Knox Road at US 70

This signalized intersection operates at LOS B during the AM and PM peak hours in base, future no build and build scenarios. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Bloomfield Road at Site Access 1

In the future build, this intersection is expected to operate at LOS A in the AM and PM peaks. The need for left and right turn lanes was reviewed based on GDOT Driveway Manual and NCDOT "Policy on Street and Driveway Access to North Carolina Highways." Based on the volumes, turn lanes are not recommended. However, it is recommended to upgrade Bloomfield Road to NCDOT standards and the site access should be designed in accordance with GDOT and NCDOT standards as applicable.

Bloomfield Road at Site Access 2

In the future build, this intersection is expected to operate at LOS A in the AM and PM peaks. The need for left and right turn lanes was reviewed based on GDOT Driveway Manual and NCDOT "Policy on Street and Driveway Access to North Carolina Highways." Based on the volumes, turn lanes are not recommended. However, it is recommended to upgrade Bloomfield Road to NCDOT standards and the site access should be designed in accordance with GDOT and NCDOT standards as applicable.

Recommended improvements at the study intersections are illustrated in Figures 11 and 12.



Scenario 2:

This unsignalized intersection operates at LOS B during the AM and PM peak hours in base conditions. In the future no build scenario and future build scenario, this intersection is anticipated to operate at LOS B in the AM peak hour and LOS C in the PM peak hour. There is currently a 50-foot westbound left turn lane on US 70. Due to the close proximity and safety along US 70, it is recommended to provide side by side left turn lanes on US 70 from Bloomfield Road to Rockhurst Road. It is also recommended to provide an eastbound right turn lane with 100 feet of storage and appropriate taper.

An illustration is shown in the figures of the side-by-side concept.

Knox Road at US 70

This signalized intersection operates at LOS B during the AM and PM peak hours in base, future no build and build scenarios. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Bloomfield Road at Site Access 1

In the future build, this intersection is expected to operate at LOS A in the AM and PM peaks. The need for left and right turn lanes was reviewed based on GDOT Driveway Manual and NCDOT "Policy on Street and Driveway Access to North Carolina Highways." Based on the volumes, turn lanes are not recommended. However, it is recommended to upgrade Bloomfield Road to NCDOT standards and the site access should be designed in accordance with GDOT and NCDOT standards as applicable.

Bloomfield Road at Site Access 2

In the future build, this intersection is expected to operate at LOS A in the AM and PM peaks. The need for left and right turn lanes was reviewed based on GDOT Driveway Manual and NCDOT "Policy on Street and Driveway Access to North Carolina Highways." Based on the volumes, turn lanes are not recommended. However, it is recommended to upgrade Bloomfield Road to NCDOT standards and the site access should be designed in accordance with GDOT and NCDOT standards as applicable.

Recommended improvements at the study intersections are illustrated in Figures 11 and 12.



Discussion of Results

Mount Hope Church Road at I-40 Eastbound Ramp

This signalized intersection operates at LOS B during the AM peak and LOS C during the PM peak hours in base and future no-build scenarios. In future build scenario, with the addition of site traffic, this intersection is anticipated to operate at LOS C during the AM and PM peak hours. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Mount Hope Church Road at I-40 Westbound Ramp

This signalized intersection operates at LOS A during the AM peak and LOS B during the PM peak hours in base and future no-build scenarios. In future build scenario, with the addition of site traffic, this intersection is anticipated to operate at LOS B during the AM and PM peak hours. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Mount Hope Church Road at Knox Road

This signalized intersection operates at LOS B during the AM and PM peak hour during base and future no build scenarios. In future build scenario, this intersection is anticipated to operate at LOS B during the AM peak and LOS C during the PM peak hours. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Knox Road at Birch Creek Road

This unsignalized intersection operates at LOS A during the AM and PM peak hours in base and future no build scenario. In future build scenario, this intersection is anticipated to operate at LOS B during the AM and PM peak hour. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Knox Road at US 70

This signalized intersection operates at LOS B during the AM and PM peak hours in base, future no build and build scenarios. Analysis indicates there will be adequate capacity at this intersection to accommodate the traffic associated with the proposed



industrial site in future build conditions. Therefore, no improvements are recommended as a result of this development.

Knox Road at Site Access 1

In the future build, this intersection is expected to operate at LOS B in the AM and PM peaks. The need for left and right turn lanes was reviewed based on GDOT Driveway Manual and NCDOT "Policy on Street and Driveway Access to North Carolina Highways." Based on the AADT and to enhance flow in and out of the main access, it is recommended to provide a right turn lane and left turn lane with 100 feet of storage and appropriate taper at this entrance. The site access should be designed in accordance with GDOT and NCDOT standards as applicable.

Knox Road at Site Access 2

In the future build, this intersection is expected to operate at LOS A in the AM peak and LOS B in the PM peak. The need for left and right turn lanes was reviewed based on GDOT Driveway Manual and NCDOT "Policy on Street and Driveway Access to North Carolina Highways." Based on projected volumes, auxiliary lanes are not warranted. The site access should be designed in accordance with GDOT and NCDOT standards as applicable.

Recommended improvements at the study intersections are illustrated in Figure 9.

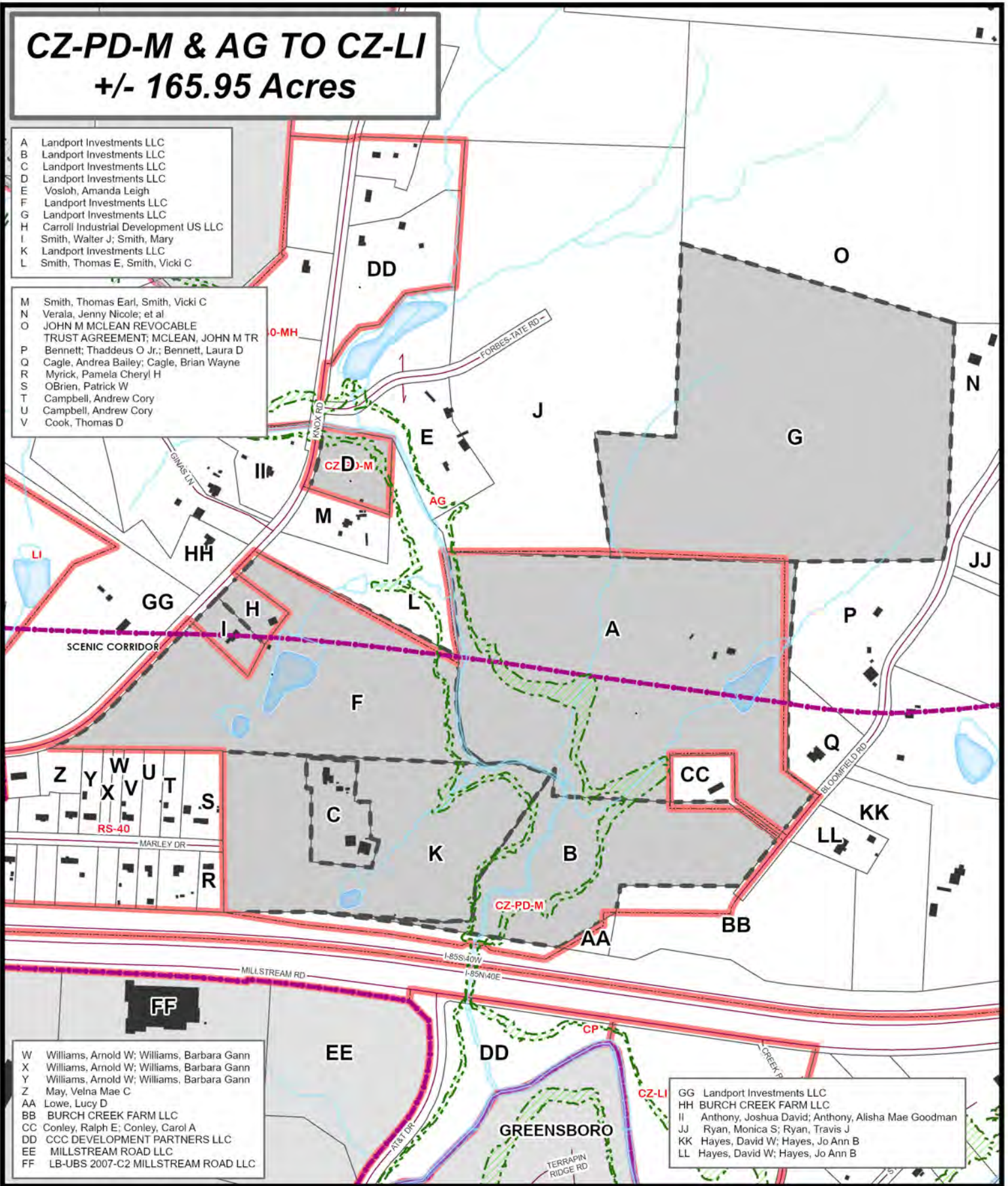
CZ-PD-M & AG TO CZ-LI +/- 165.95 Acres

- A Landport Investments LLC
- B Landport Investments LLC
- C Landport Investments LLC
- D Landport Investments LLC
- E Vosloh, Amanda Leigh
- F Landport Investments LLC
- G Landport Investments LLC
- H Carroll Industrial Development US LLC
- I Smith, Walter J; Smith, Mary
- K Landport Investments LLC
- L Smith, Thomas E, Smith, Vicki C

- M Smith, Thomas Earl, Smith, Vicki C
- N Verala, Jenny Nicole; et al
- O JOHN M MCLEAN REVOCABLE TRUST AGREEMENT; MCLEAN, JOHN M TR
- P Bennett; Thaddeus O Jr.; Bennett, Laura D
- Q Cagle, Andrea Bailey; Cagle, Brian Wayne
- R Myrick, Pamela Cheryl H
- S O'Brien, Patrick W
- T Campbell, Andrew Cory
- U Campbell, Andrew Cory
- V Cook, Thomas D

- W Williams, Arnold W; Williams, Barbara Gann
- X Williams, Arnold W; Williams, Barbara Gann
- Y Williams, Arnold W; Williams, Barbara Gann
- Z May, Velna Mae C
- AA Lowe, Lucy D
- BB BURCH CREEK FARM LLC
- CC Conley, Ralph E; Conley, Carol A
- DD CCC DEVELOPMENT PARTNERS LLC
- EE MILLSTREAM ROAD LLC
- FF LB-UBS 2007-C2 MILLSTREAM ROAD LLC

- GG Landport Investments LLC
- HH BURCH CREEK FARM LLC
- II Anthony, Joshua David; Anthony, Alisha Mae Goodman
- JJ Ryan, Monica S; Ryan, Travis J
- KK Hayes, David W; Hayes, Jo Ann B
- LL Hayes, David W; Hayes, Jo Ann B

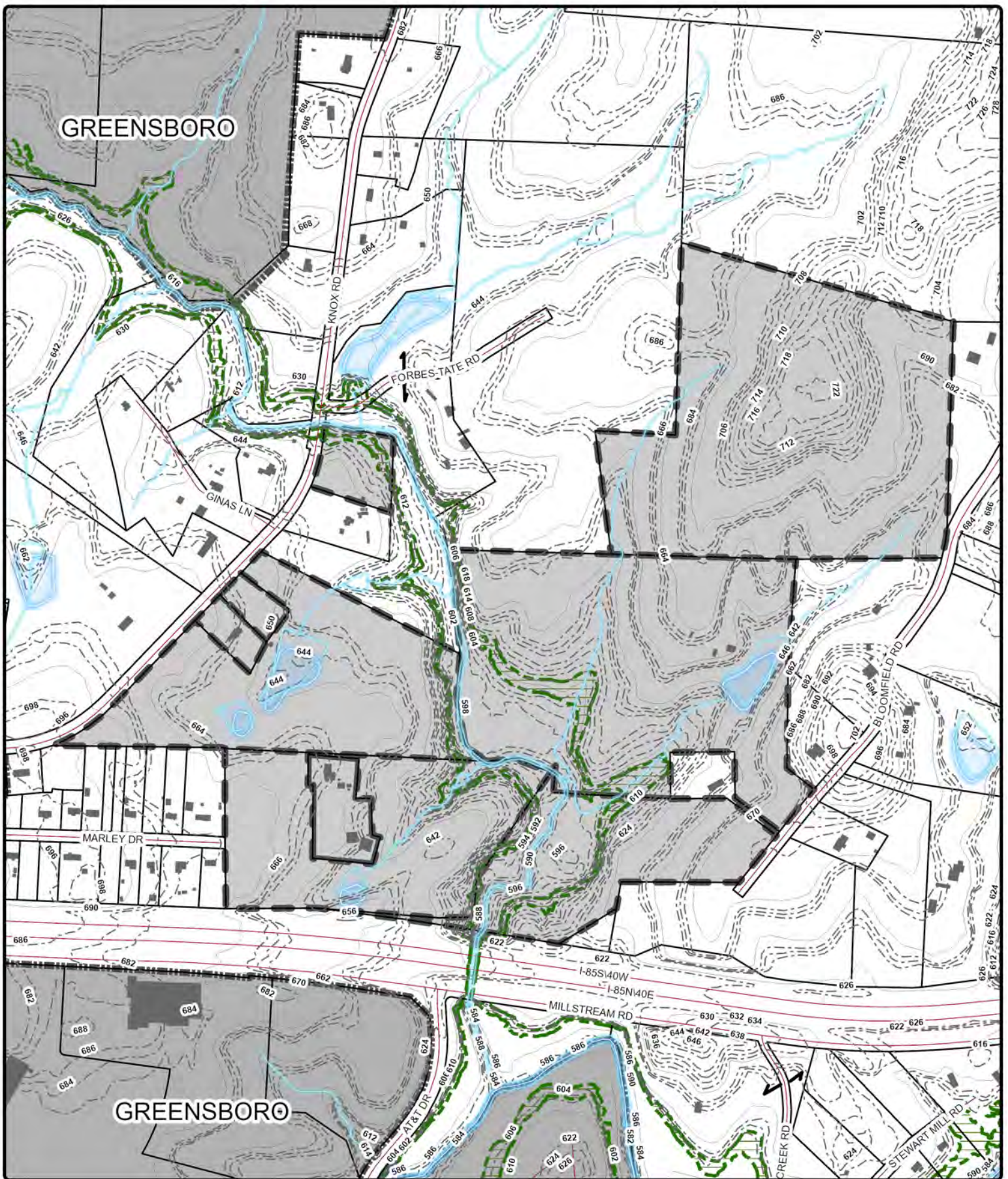


JURISDICTION:
GUILFORD COUNTY
 Guilford County
 Planning & Development
 Department

Rezoning Case #
21-11-GCPL-09584
Scale: 1" = 620'

Map: 116776, 116783,
 116784, 116787,
 116789, 116790
 120423, 116782,
 116778





CASE #21-11-GCPL-09584

Scale: 1" = 621'

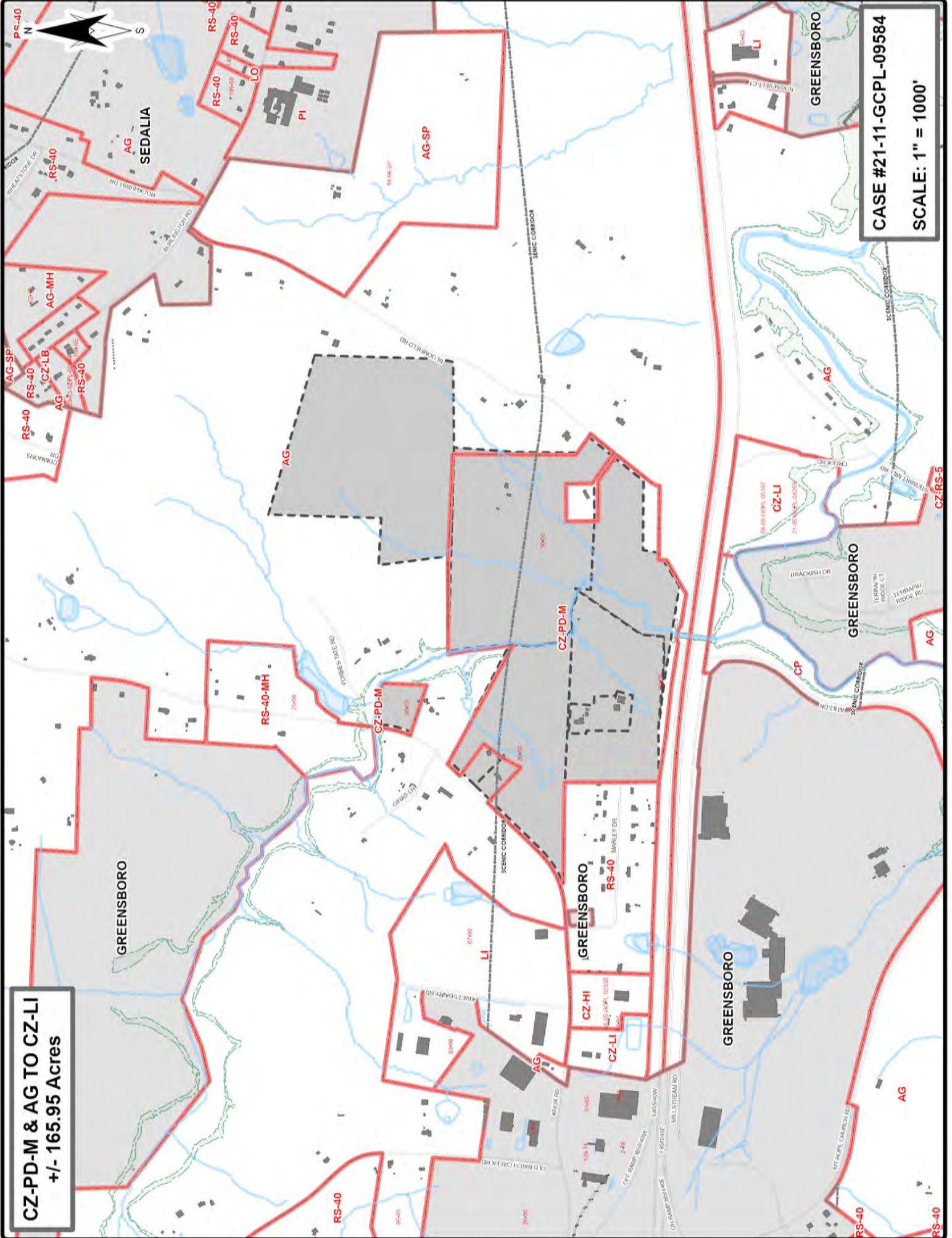




CASE #21-11-GCPL-09584

Scale: 1" = 620'





CASE #21-11-GCPL-09584
SCALE: 1" = 1000'

CZ-PD-M & AG TO CZ-LI
+/- 165.95 Acres

(Insert Color Paper)

CONDITIONAL ZONING CASE #21-10-GCPL-09584: CONDITIONAL ZONING – PLANNED UNIT DEVELOPMENT - MIXED (CZ-PDM) FOR CASE #30-05, AND AGRICULTURAL (AG) To CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) TAX PARCELS 116790, 116782, 116778, AND 116787 (NON-CONTIGUOUS) ON KNOX ROAD; TAX PARCELS 116784 AND 116789 ON MARLEY DRIVE; AND, TAX PARCELS 116776, 116783, AND 120423 ON BLOOMFIELD ROAD.

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

CONDITIONAL ZONING CASE #21-10-GCPL-09584: CONDITIONAL ZONING – PLANNED UNIT DEVELOPMENT - MIXED (CZ-PDM) FOR CASE #30-05, AND AGRICULTURAL (AG) To CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) TAX PARCELS 116790, 116782, 116778, AND 116787 (NON-CONTIGUOUS) ON KNOX ROAD; TAX PARCELS 116784 AND 116789 ON MARLEY DRIVE; AND, TAX PARCELS 116776, 116783, AND 120423 ON BLOOMFIELD ROAD.

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcels **116790, 116782, 116778, AND 116787 (non-contiguous) on Knox Road; Tax Parcels 116784 and 116789 on Marley Drive; and, Tax Parcels 116776, 116783, and 120423 on Bloomfield Road** from mixed (CZ-PDM) for CASE #30-05, and AGRICULTURAL (AG) to **CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) ZONING DISTRICT** because:

1. The amendment **is** consistent with applicable plans because:

[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** reasonable and in the public interest because:

[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #21-10-GCPL-09584: CONDITIONAL ZONING – PLANNED UNIT DEVELOPMENT - MIXED (CZ-PDM) FOR CASE #30-05, AND AGRICULTURAL (AG) To CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) TAX PARCELS 116790, 116782, 116778, AND 116787 (NON-CONTIGUOUS) ON KNOX ROAD; TAX PARCELS 116784 AND 116789 ON MARLEY DRIVE; AND, TAX PARCELS 116776, 116783, AND 120423 ON BLOOMFIELD ROAD.

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcels **116790, 116782, 116778, AND 116787 (non-contiguous) on Knox Road; Tax Parcels 116784 and 116789 on Marley Drive; and, Tax Parcels 116776, 116783, and 120423 on Bloomfield Road** from mixed (CZ-PDM) for CASE #30-05, and AGRICULTURAL (AG) to **CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) ZONING DISTRICT** because:

1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is not consistent.]

2. The amendment **is not** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #21-10-GCPL-09584: CONDITIONAL ZONING – PLANNED UNIT DEVELOPMENT - MIXED (CZ-PDM) FOR CASE #30-05, AND AGRICULTURAL (AG) To CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) TAX PARCELS 116790, 116782, 116778, AND 116787 (NON-CONTIGUOUS) ON KNOX ROAD; TAX PARCELS 116784 AND 116789 ON MARLEY DRIVE; AND, TAX PARCELS 116776, 116783, AND 120423 ON BLOOMFIELD ROAD.

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #3
APPROVE-INCONSISTENT
PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcels **116790, 116782, 116778, AND 116787 (non-contiguous) on Knox Road; Tax Parcels 116784 and 116789 on Marley Drive; and, Tax Parcels 116776, 116783, and 120423 on Bloomfield Road** from mixed (CZ-PDM) for CASE #30-05, and AGRICULTURAL (AG) to **CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) ZONING DISTRICT** because:

1. This approval also amends the **Northeast Area Plan**.
2. The zoning map amendment and associated **Northeast Area Plan** amendment are based on the following change(s) in condition(s) in the **Northeast Area Plan**:
[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]

3. The amendment is reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #21-10-GCPL-09584: CONDITIONAL ZONING – PLANNED UNIT DEVELOPMENT - MIXED (CZ-PDM) FOR CASE #30-05, AND AGRICULTURAL (AG) To CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) TAX PARCELS 116790, 116782, 116778, AND 116787 (NON-CONTIGUOUS) ON KNOX ROAD; TAX PARCELS 116784 AND 116789 ON MARLEY DRIVE; AND, TAX PARCELS 116776, 116783, AND 120423 ON BLOOMFIELD ROAD.

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #4
DENY-CONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel **116790, 116782, 116778, AND 116787 (non-contiguous) on Knox Road; Tax Parcels 116784 and 116789 on Marley Drive; and, Tax Parcels 116776, 116783, and 120423 on Bloomfield Road from mixed (CZ-PDM) for CASE #30-05, and AGRICULTURAL (AG) to CONDITIONAL ZONING – LIGHT INDUSTRIAL (CZ-LI) ZONING DISTRICT** because:

1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** consistent but not in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

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(Insert Color Paper)



GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD

TEXT AMENDMENT CASE #21-10-GCPL-09184 Unified Development Ordinance (UDO) Article 9.3 Flood Damage Prevention Amendment to the No-fill in Floodplain Provision to Allow Fill for Restoration of Natural Floodplain Functions including Related Clarifications and Formatting Revisions

Description

The intent of the proposed text amendment is to provide an exclusion to the no-fill provision in Article 9.3 to allow minor filling in the Special Flood Hazard Area (SFHA a.k.a. 100-year Floodplain) where needed to protect or restore natural floodplain functions, such as for part of a stream restoration project.

The amendment language was derived in collaboration with the County’s assigned FEMA Community Rating System (CRS) Specialist, the CRS technical advisor subcontracted by FEMA, and the NC Department of Public Safety’s National Flood Insurance Planner.

Clarifications related to the no-fill provision and formatting revisions to ordinance section numbering also are included in the proposed text amendment.

Consistency Statement

Consistency with Adopted Plans: The proposed text amendment is consistent with the following goal of the *Guilford County Comprehensive Plan*:

Natural, Historic, and Cultural Resources Element - Goal #1: “To seek a balance between the built environment and the protection and preservation of the County’s natural, historic, and cultural resources through prudent management, public education, participation and outreach, appropriate regulations and enforcement, and active partnerships with stakeholders.”

Staff Recommendation

Staff Recommendation: Staff recommends approval.

The recommended action is reasonable and in the public interest given that it will allow for more appropriately designed environmental restoration projects in or near floodplains, such as stream restoration projects, while adding no new restrictions to development in or near floodplains.



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

**PROPOSED TEXT AMENDMENT TO THE GUILFORD COUNTY UNIFIED
DEVELOPMENT ORDINANCE ARTICLE 9.3 FLOOD DAMAGE PREVENTION TO
AMEND THE NO-FILL IN FLOODPLAIN PROVISION TO ALLOW FILL FOR
RESTORATION OF NATURAL FLOODPLAIN FUNCTIONS INCLUDING RELATED
CLARIFICATIONS AND FORMATTING REVISIONS**

Case #21-10-GCPL-09184

- **Amend Section 9.3.P.1.p. PROVISIONS FOR FLOOD HAZARD REDUCTION – General Standards** to add Section (2) “Exclusions” to the no-fill provision to allow minor filling in the Special Flood Hazard Area (SFHA a.k.a. 100-year floodplain) to restore natural floodplain functions.
 - p. Fill is prohibited in the SFHA, including construction of buildings on fill.
 - (1) This includes not approving Conditional Letters or Letters of Map Revision - Based on Fill (CLOMR-F or LOMR-F).
 - (2) **Exclusions:**
 - (a) Minor filling where needed to protect or restore natural floodplain functions, such as part of a stream channel restoration project. To meet this exclusion, the project must utilize only the minimum amount of fill necessary to ensure that the targeted area is restored to full ecological functionality. The applicant/requester must obtain all required state and local permits, provide documentation demonstrating compliance with the Endangered Species Act, and when required, obtain a CLOMR and LOMR with FEMA’s concurrence on the impacts of the project to flood risk and endangered species.
- **Amend Sections 9.3.P.2.e. & f. PROVISIONS FOR FLOOD HAZARD REDUCTION – Specific Standards** to correct section numbering for Elevated Buildings, and to add cross-reference to the no-fill provision. Section 9.3.P.2.f. will be Reserved for future use and to avoid changes to section numbering for Sections 9.3.P.2.g. through m.
 - e. *Elevated Buildings.*
 - (1) Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:
 - (a) Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage



GUILFORD COUNTY PLANNING AND DEVELOPMENT PLANNING BOARD

- of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;
- (b) Shall not be temperature-controlled or conditioned;
 - (c) Shall be constructed entirely of flood resistant materials to the Regulatory Flood Protection Elevation: and
 - (d) Shall include, in Zones A, AE, AH, AO, A99 flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria;
 - ~~(e)~~ (i) A minimum of two (2) flood openings on different sides of each enclosed area subject to flooding.
 - ~~(f)~~ (ii) The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.
 - ~~(g)~~ (iii) If a building has more than one (1) enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit.
 - ~~(h)~~ (iv) The bottom of all required flood openings shall be no higher than one (1) foot above the adjacent grade.
 - ~~(i)~~ (v) Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
 - ~~(j)~~ (vi) Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.
 - ~~f.~~ (e) Fill/Grading
 - ~~(1)~~ (i) Fill is prohibited in the SFHA. See Section 9.3.P.1.p.
 - ~~(2)~~ (f) Property owners shall be required to execute and record a non-conversion agreement prior to issuance of a building permit declaring that the area below the lowest floor shall not be improved, finished or otherwise converted to habitable space; Guilford County will have the right to inspect the enclosed area. Guilford County will conduct annual inspections. This agreement shall be recorded with the ~~County Name~~ Guilford County Register of Deeds and shall transfer with the property in perpetuity.
 - ~~(3)~~ (g) Release of restrictive covenant. If a property which is bound by a non-conversion agreement is modified to remove enclosed areas below BFE, then the owner may



GUILFORD COUNTY PLANNING AND DEVELOPMENT PLANNING BOARD

request release of restrictive covenant after staff inspection and submittal of confirming documentation.

f. [SECTION RESERVED]

g. Additions/Improvements

- **Amend Section 9.3.P.2.m. PROVISIONS FOR FLOOD HAZARD REDUCTION – Specific Standards for Other Development** to delete reference to fill:
 - m. Other Development**
 - (1) Fences in regulated floodways and non-encroachment areas that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 9.3.Q.10 and Table 9.1.6 of this Article.
 - (2) Retaining walls, sidewalks and driveways in regulated floodways and NEAs. ~~Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways~~ shall meet the limitations of Section 9.3.S of this Article.
- **Amend Section 9.3.Q.1.a. STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS** to delete reference to fill:
 - 1. Within the Special Flood Hazard Areas designated as Approximate Zone A and established in Section 9.3, where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition Section 9.3.S.(1) and (2), shall apply:
 - a. No encroachments, ~~including fill~~, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five (5) times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- **Amend Section 9.3.R.1.b. STANDARDS FOR RIVERINE FLOODPLAINS WITH BFE BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS** to delete reference to fill:
 - 1. Along rivers and streams where BFE data is provided but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:
 - a. Standards outlined in Section 9.3.P.1; and
 - b. Until a regulatory floodway or non-encroachment area is designated, no encroachments, ~~including fill~~, new construction, substantial improvements, or other



GUILFORD COUNTY PLANNING AND DEVELOPMENT PLANNING BOARD

development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

- **Amend Section 9.3.S.1.a. FLOODWAYS OR NON-ENCROACHMENT AREAS** to delete reference to fill:
 1. Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in Section 9.3.D.2. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Section 9.3.P.1 and shall apply to all development within such areas:
 - a. No encroachments, ~~including fill~~, new construction, substantial improvements and other developments shall be permitted unless it has been demonstrated that:
 - (1) The proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of Floodplain Development Permit, or
 - (2) A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment.

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