



Mayor

M. Andy Moore

Mayor Pro-Tem

Roger A. Wood

Council Members

Marlon Lee

Sloan Stevens

Travis Scott

David Barbour

John A. Dunn

Stephen Rabil

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Andrew Harris

Town Clerk

Shannan Parrish

## Town Council

## Agenda

## Packet

Meeting Date: Tuesday, June 18, 2024

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577





**TOWN OF SMITHFIELD  
TOWN COUNCIL AGENDA  
JUNE 18, 2024  
7:00 PM**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

**Approval of Agenda**

**Page**

**Public Hearings:**

- 1. Conditional Zoning Request – Buffalo Ridge (CZ-24-03):** Smithfield Land Group, LLC is requesting the rezoning of approximately 140 acres of land located at 1041 Buffalo Road, also identified by the Johnston County Tax ID 140001021, from R-20A to R-8 Conditional with a masterplan for a 210-lot detached single-family residential development.  
(Planning Director – Stephen Wensman) See attached information.....1
  
- 2. Unified Development Ordinance Amendment – Driveway Ordinance Amendment (ZA-24-01):** Planning Staff are requesting an amendment to the Unified Development Ordinance, Article 10, Section 10.6 to update the driveway standards  
(Planning Director – Stephen Wensman) See attached information.....37
  
- 3. Rezoning Request – Watershed Overlay District (RZ-24-05):** Planning Staff are requesting to update the zoning map to reflect watershed overlay districts consistent with those mapped by the North Carolina Department of Environmental Quality (NCDEQ)  
(Planning Director – Stephen Wensman) See attached information.....45

**Citizens Comments**

**Consent Agenda Items:** None

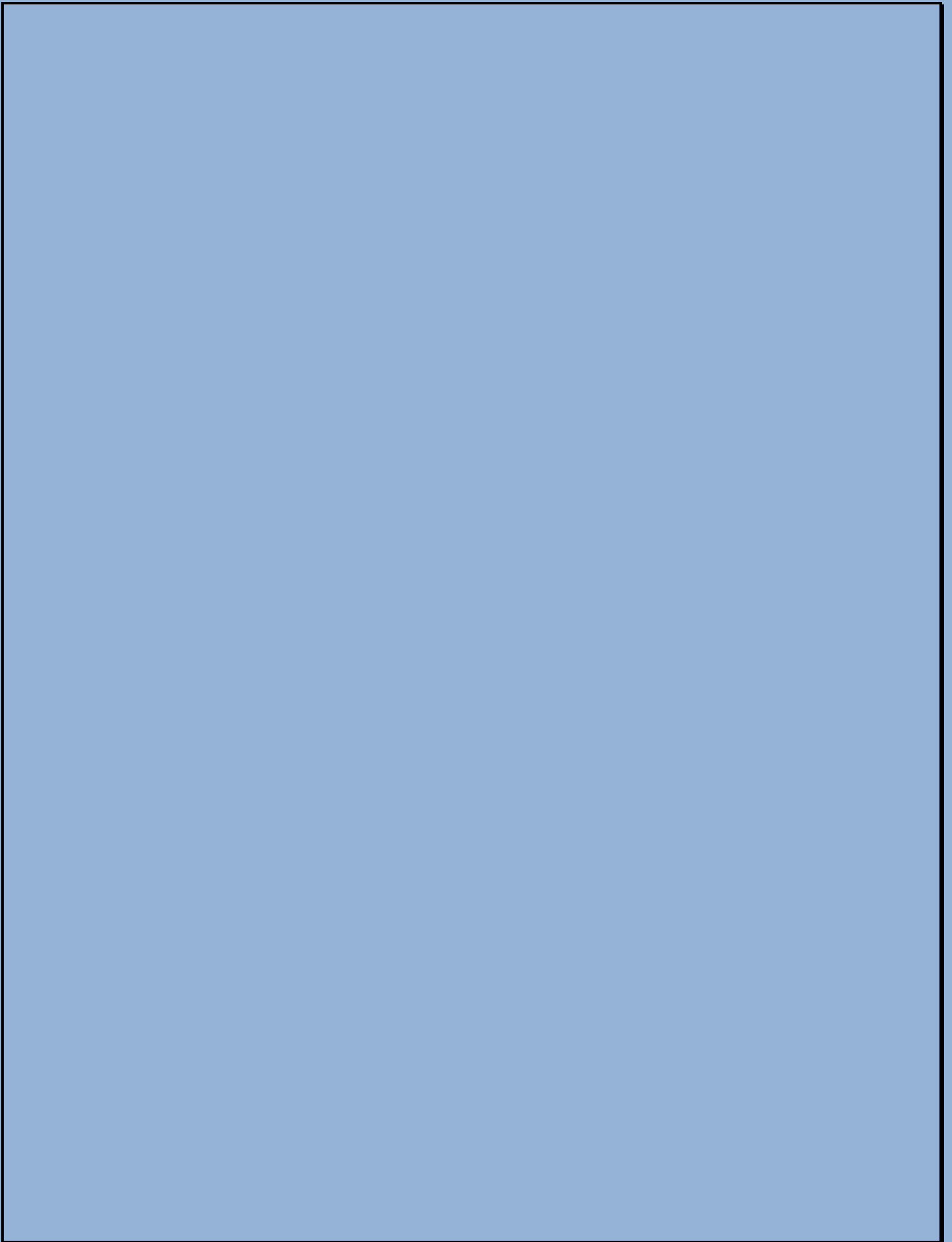
**Business Items:**

- 1. Discussion regarding bidding of service contracts**  
(Town Manager – Michael Scott) See attached information.....55

**Adjourn**



# Public Hearings





# Request for Town Council Action

**Public  
Hearing:** CZ-24-03  
**Date:** 06/18/2024

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**Subject:** Buffalo Ridge Conditional Zoning Map Amendment  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Public Hearing

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## Issue Statement

Smithfield Land Group, LLC is requesting the rezoning of approximately 140 acres of land located at 1041 Buffalo Road, also identified by the Johnston County Tax ID 140001021, from R-20A to R-8 Conditional with a masterplan for a 210-lot detached single-family residential development.

## Financial Impact

The future development will contribute to the town's tax base.

## Action Needed

The Town Council is respectfully requested to hold a public hearing to review the conditional rezoning request and to decide whether to approve, approve with conditions, or deny.

## Recommendation

Planning Staff and the Planning Board recommend approval of the rezoning, CZ-24-03, with 17 conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and that the request is reasonable and in the public interest.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Consistency Statement
3. Application
4. Application Narrative
5. Proposed Standards Exceeding UDO Requirements
6. Site Plan
7. Adjacent Property Owner Listing & Certification
8. Planning Board Draft Minutes
9. Zoning Map



# Staff Report

**Public Hearing: CZ-24-03**

**REQUEST:**

Smithfield Land Group, LLC., is requesting the rezoning of approximately 140 acres of land located at 1041 Buffalo Road, also identified by the Johnston County Tax ID 140001021, from R-20A to R-8 Conditional with a masterplan for a 210-lot detached single-family residential development.

**PROPERTY LOCATION:**

The property is located at 1041 Buffalo Road, north of Buffalo Creek on the west side of Buffalo Road.

**APPLICATION DATA:**

Applicant:	Smithfield Land Group, LLC
Property Owners:	Smithfield Land Group, LLC
Project Name:	Buffalo Ridge
Tax ID:	14001021
NC PIN:	169411-65-0647
Acreage:	139.860-acres
Present Zoning:	R-20A (Residential-Agriculture) and WS-IV-CA (Critical Area Watershed Overlay)
Proposed Zoning:	R-8 CZ (Single-Two-Multi-Family Residential Conditional)
Town/ETJ:	Town
Existing Use:	Vacant
Proposed Use:	Single-Family Residential
Fire District:	Smithfield
School Impacts:	Additional households with school-age children
Parks and Recreation:	No parks proposed – fee in lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield

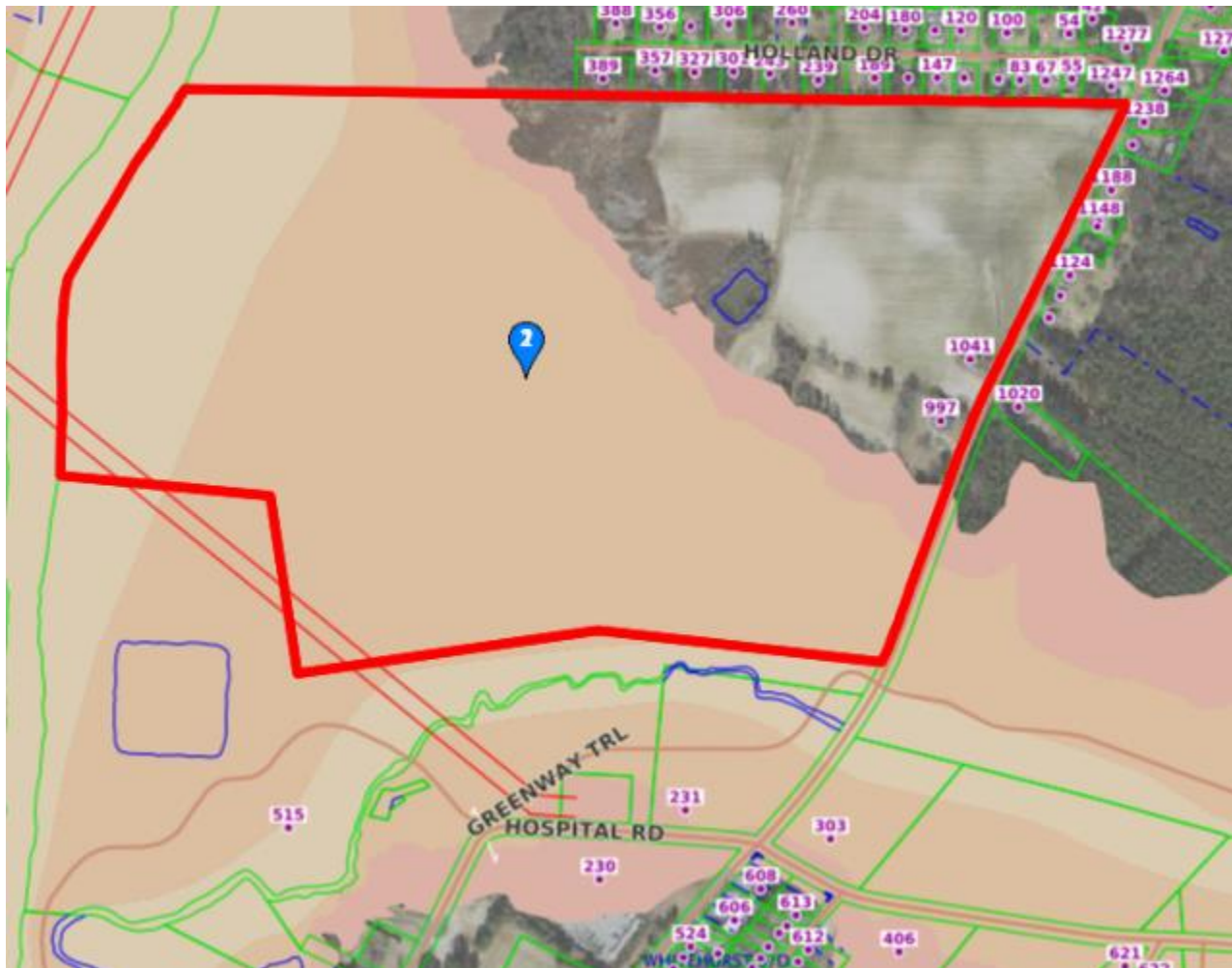
**ADJACENT ZONING AND LAND USES: (SEE ATTACHED MAP)**

	<b>Zoning</b>	<b>Existing Land Uses</b>
<b>North</b>	R-20A	Single-Family Residential
<b>South</b>	R-20A	Vacant Open Space/Floodplain
<b>West</b>	R-20A	Vacant Woodland
<b>East</b>	R-20A, R-8	Single-Family Residential and Vacant Open Space



## EXISTING CONDITIONS/ENVIRONMENTAL IMPACTS:

- The property has 68.3-acres of wetland, 19.5-acres in floodway, 72.4-acres in 100-year floodplain, and 7.4-acres in 500-year floodplain. The site is mostly open with some woods in the lower elevations. The site is adjacent to the Neuse River on the west and Buffalo Creek to the south, and both require a 30' riparian buffer. The developer will impact the wetlands with road crossings.
- The developer is planning to raise the grade and to remove the 65 proposed lots out of the 100-year floodplain.
- A portion of the site is within the Waters Supply Critical Area Watershed Overlay which restricts density and has stormwater management requirements. Any portion of the development within the Watershed will need to comply with the UDO Section 10.92.6 WS-IV-CA.



## DEVELOPMENT OVERVIEW:

The proposed development is a 210-lot single-family residential lot subdivision on a +/- 139-acre site with nearly 93-acres of open space. The proposed local roads are 27' wide back-to-back in 60' public right of way in accordance with Town standards. The development proposes two access points on Buffalo Road and two lateral street connections to Holland Drive in the residential neighborhood to the north. The development will have public water, sewer, and power.

## **COMPREHENSIVE LAND USE PLAN:**

- The plans are consistent with the comprehensive plan guidance. The Comprehensive Plan guides the area for Medium Density Residential and the proposed zoning and density (1.5 units per acre) are appropriate.

## **WATER SUPPLY WATERSHED – CRITICAL AREA ZONING OVERLAY:**

A portion of the site is within the Waters Supply Critical Area Watershed Overlay which restricts density and has stormwater management requirements. Any portion of the development within the Watershed will need to comply with the UDO Section 10.92.6 WS-IV-CA.

## **SITE ACCESS AND STREET DESIGN:**

- The development will have two access points on Buffalo Road, an NCDOT road. NCDOT approval will be required.
- The development proposes two lateral roads connecting with Holland Road to the north utilizing existing vacant right-of-way (unopened).
- All the internal roads will be 27' wide b/b within 60' public rights-of-way consistent with town standards.
- Roll curbs are proposed; however, Staff recommends standard curb and gutter throughout the development.
- Curb and gutter are proposed along the Buffalo Roadway edge with underground drainage (NCDOT has no objection).
- Public sidewalks are proposed on both sides of public streets.

## **TRAFFIC STUDY:**

- A traffic study will be required for the development prior to preliminary plat approval in cooperation with NCDOT. Staff has reached out to NCDOT to discuss the impacts of development on the corridor overall given all the development projects being discussed.

## **LOT DIMENSIONAL AND SETBACK STANDARDS:**

- The proposed minimum lot area is 6000 sq. ft.
- The proposed minimum lot width is 50'.
- The proposed minimum lot depth is 107'.
- The proposed minimum setbacks:
  - Front = 25'
  - Side = 5'
  - Rear = 12'

## **OPEN SPACE/RECREATION/TRAILS:**

- There are no recommended parks for this site in the Smithfield Parks Plan.
- The development will provide over 93 acres of passive open space area, mostly consisting of wetland and flood plain areas. does not recommend any town parks in this area.
- A 24' wide open space area has been provided along Buffalo Road.
- The developer will construct an 8' wide trail along Buffalo Road frontage as required by the Pedestrian Plan.
- A loop trail is proposed from buffalo Road in the open space. This trail should extend northward adjacent to near Lot 38 to allow connection to a future development that will soon make application.

- A tot lot playground is proposed adjacent to the mail box kiosk parking area.
- An HOA will manage and maintain the open space areas.

**STORMWATER MANAGEMENT:**

The plans show two stormwater pond facilities downstream from the new development areas to accommodate stormwater.

**MAIL KIOSK AND PARKING LOT:**

- A mail kiosk and parking for 11 vehicles is shown on the site plan near the southern entrance.
- A standard concrete driveway apron should be constructed at the entrance to the parking lot.

**ARCHITECTURAL DESIGN STANDARDS:**

- Standards that are consistent with surrounding neighborhoods and subdivisions include vinyl siding, shingles, shutters, and architectural trim.
- Written architectural standards will be provided and included in the HOA documents.
- Staff recommends:
  - Additional architectural details be provided and that examples of proposed homes be provided that realistically depict the (minimum) architectural standards.
  - Require percentages of materials, such as brick, stone or other.
  - Require a higher quality material such as cementitious siding, brick/stone.
  - Require corner side yards to have windows, architectural details and materials that are similar to or reflective of the front elevation.

**PUBLIC UTILITIES:**

- Water, Sewer, and Power will be Town of Smithfield.

**BUFFERS AND LANDSCAPING:**

- Along Buffalo Road, there are 10-lots with backyards facing Buffalo Road. The developer has provided a 24' wide open space area along Buffalo Road and will provide the required landscaping along the road frontage with a landscaped berm and fencing that will screen the backs of these lots. The developer should provide an elevation showing the berm, fence and landscaping that clearly shows the height and extent of the berm.
- The plans provide a 10' landscape buffer proposed between the new lots that back up to the larger Holland Drive lots to the north (+/- 10,000 sq. ft. lots). The buffer will exist within an easement over the new lots.
- The developer is proposing enhanced landscaping near the entrances to the development from Buffalo Road.

**SUBDIVISION MONUMENT SIGNS:**

- The developer is proposing monument signs at both entrances to the subdivision from Buffalo Road.

**PHASING:**

- Phase 1 of the development is expected in Spring of 2025 and build out is expected to take approximately 5 years (2030).

**DEVIATIONS FROM UNIFIED DEVELOPMENT ORDINANCE (SUMMARY):**

**Deviations from Town Requirements:**

- Minimum lot width reduction from 70 feet to 50 feet.
- Minimum lot area reduction from 8,000 sf. to 6,000 sf.
- Roll curbing in lieu of standard curb and gutter
- Front Setback from 30 feet to 25 feet.
- Side Setback from 10 feet to 5 feet.
- Rear Setback from 25 feet to 12 feet.

**Standards Exceeding UDO Requirements:**

- Provide concrete curb and gutter along Buffalo Road (underground drainage) with NCDOT approval.
- Street yard with berm with 6' fence along Buffalo Road.
- Enhanced landscaping at the development entrances onto Buffalo Road.
- Landscape buffer adjacent to the existing subdivision to the north.
- Walking trails in the open space with benches.
- Architectural standards.

**PLANNING BOARD RECOMMENDATION:**

The Planning Board unanimously recommended approval adding 4 new conditions:

1. That sidewalks be added to both sides of all new streets
2. The development shall be developed with only detached single-family residential.
3. That the rear setback be 20', except along the Holland Drive lots, where the rear setback be increased to 25'.
4. That architectural standards require:
  - a. All homes shall have a combination of 2 or more of the following materials on the front façade: brick stone, lap siding, shakes or board and batten.
  - b. All corner units shall contain a window with decorative trim or door for each 30 feet or fraction of continuous side elevation. Any side break on the side of the home, such as fireplace, side porch or wall offsets may be used as an alternative to windows.
  - c. All garages shall have windows or decorative hardware.
  - d. To promote variation in home appearance, no adjacent home may use the same color siding, and no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
  - e. A consistent color palette shall be used.

During the meeting, the developer requested roll curbs rather than standard curbs. The Planning Board appeared open to it if the HOA enforced no parking on the grass boulevard, however, this was not made a condition of approval.

**CONSISTENCY STATEMENT (Staff Opinion):**

With the approval of the rezoning, the Town Council is required to adopt a statement describing whether the action is consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- **Consistency with the Comprehensive Growth Management Plan –** *The development is consistent with the comprehensive plan.*

- **Consistency with the Unified Development Code** – *The property will be developed in conformance with the UDO conditional zoning provisions that allows a good faith negotiation of development standards.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses with the additional conditions of approval.*

**RECOMMENDATION:**

Planning Staff recommend approval of CZ-24-03 with the following conditions:

1. That the future development plans for the project be in accordance with the approved Master Plan, B-3 Zoning District, and other UDO regulations with the deviations:  
(condition summarizing deviations - to be determined)
2. The minimum corner side yard setback shall be equal to the minimum front setback:
3. That the berm along Buffalo Road be three feet in height or greater where back yards face the state road.
4. That the development plans be in accordance with WA-IV-CA Overlay regulations.
5. That curb and gutter and underground drainage be provided along Buffalo Road in accordance with NCDOT requirements.
6. Garages shall be no smaller than 12' x 22' in size.
7. A standard concrete driveway apron be provided for all residential driveways and the kiosk mailbox parking lot entrance.
8. That an 8' wide multi-purpose trail be provided along Buffalo Road in accordance with the Town's Pedestrian Plan and NCDOT requirements.
9. That the architectural standards be incorporated in a homeowner's association (HOA) documents.
10. That the open space amenities, kiosk, parking lot and stormwater management be owned and maintained by an HOA.
11. A traffic study shall be conducted in accordance with the Town's UDO and NCDOT requirements prior to preliminary plat approval.
12. That curb and gutter be used throughout the development in accordance with the Town's standard details and specifications.
13. That sidewalks be added to both sides of all new streets
14. The development shall be developed with only detached single-family residential.
15. That the rear setback be 20', except along the Holland Drive lots, where the rear setback be increased to 25'.
16. That architectural standards require:
  - a. All homes shall have a combination of 2 or more of the following materials on the front façade: brick stone, lap siding, shakes or board and batten.
  - b. All corner units shall contain a window with decorative trim or door for each 30 feet or fraction of continuous side elevation. Any side break on the side of the home, such as fireplace, side porch or wall offsets may be used as an alternative to windows.
  - c. All garages shall have windows or decorative hardware.
  - d. To promote variation in home appearance, no adjacent home may use the same color siding, and no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.

- e. A consistent color palette shall be used.
- 17. That the loop trail from buffalo Road in the open space be extended northward adjacent to Lot 39 to allow connection to a future trail being planned in an adjacent future development. (additional staff recommended condition).

**RECOMMENDED MOTION:**

“Move to approve zoning map amendment, CZ-24-03, with the 17 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
CZ-24-03**

**Whereas** the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

**Whereas** the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

**NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:**

**IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,**

That the final action regarding zoning map amendment CZ-24-03 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public meeting; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

**IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE FAILS,**

That the final action regarding zoning map amendment CZ-24-03 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.



**Town of Smithfield  
Planning Department**  
350 E. Market St Smithfield, NC 27577  
Smithfield-NC.com 919-934-2116

**CONDITIONAL ZONING APPLICATION**

Development Name Buffalo Ridge Subdivision	
Proposed Use Single Family Residential	
Project location or address 1041 Buffalo Road, Smithfield, NC, 27577	
Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:	
PIN# 169411-65-0647	TAX ID# 140001021
Project type? <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Townhouse <input type="checkbox"/> Multi-Family <input type="checkbox"/> Non-Residential <input type="checkbox"/> PUD/Mixed Use	

**PROPERTY OWNER INFORMATION**

Name Smithfield Land Group, LLC	
Address 2075 Juniper Lake Road, West End, NC, 27376	
Phone (910) 944-0881	Email catherine@rhetson.com/greg@rhetson.com

**OWNER/DEVELOPER INFORMATION**

Company Name Rhetson Companies, Inc	Contact Name Greg Stewart
Address 2075 Juniper Lake Road, West End, NC, 27376	
Phone (910) 944-0881	Email greg@rhetson.com

**CONSULTANT/ENGINEERING FIRM**

Company Name 4D Site Solutions, Inc	Contact Name Scott Brown, PE
Address 409 Chicago Drive, Suite 112, Fayetteville, NC, 28306	
Phone (910) 426-6777	Email sbrown@4dsitesolutions.com

**ZONING INFORMATION**

Existing Zoning District R-20A	Proposed Zoning District R-8 Conditional
If more than one district, provide the acreage of each:	
Overlay District? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Inside City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



**ENVIRONMENTAL QUALITY DATA INFORMATION**

Existing Impervious Surface acres/sf 0 ac (0 sf)	Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Impervious Surface acres/sf 33.6 ac (1,462,153 sf)	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Watershed Protection Area 32.3 ac (1,408,249 sf)	Wetlands <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
FEMA Map Panel 1694	Base Flood Elevation

**SITE DATA**


Total # of single-family lots 210	Total densities per zoning district 1.5 units/ac
Total # of townhouse lots 0	Acreage in active open space 0
Total # of all lots 210	Acreage in passive open space 25.3
Linear feet of new roadways 9,794	Linear feet of new sewer mains 8,262
Linear feet of new water mains 9,440	Linear feet of new sidewalks 17,713
Proposed sewer allocation	Linear feet in new trails

**SIGNATURE BLOCK (Applicable to all developments)**

In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed plan as approved by the Town.

I hereby designate Rhetson Companies, Inc. to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.

Signature 	Date 5/3/2024
Signature	Date

**APPLICATION FEES**

Conditional Zoning (4 paper copies & 1 Digital copy of all documents on USB flash drive) \$400.00 + \$10 per acre

*Application Date*

*Application Number*

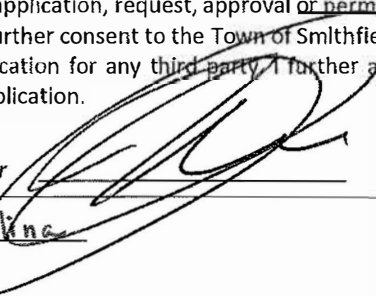
*Application Fee*

**OWNER AUTHORIZATION**

I hereby give CONSENT to Rhetson Companies, Inc. (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner



Printed Name of Owner

Richard Vincent

North Carolina

(State)

Harnett

(County)

I, Nicole D. Olesco, a Notary Public in and for said County and State, do hereby certify that Richard Vincent personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 3<sup>rd</sup> day of May 2024.

Notary Public:

Nicole D. Olesco

(Printed Name)



(Signature)



County of Commission:

Harnett

Commission Expires:

11/07/2027

## PROJECT NARRATIVE

As part of a complete application, a written project narrative that provides detailed information regarding your proposal must be included. On a separate sheet of paper, please address each of the lettered items listed below (answers must be submitted in both hard copy and electronic copy using the Adobe .PDF or MS Word .DOCX file formats):

- A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;
- A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PIN), and current legal description(s);
- A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;
- A statement showing the proposed density of the project with the method of calculating said density shown;
- Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc.) necessary to serve the subdivision; length of each, expected sewer allocation.
- A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);
- A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;
- Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;
- A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;
- A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).
- List of deviations from the town's minimum UDO requirements.
- List of improvements that exceed the town's minimum UDO requirements.
- Expected sales, rental prices
- Architectural standards if applicable.

## INFORMATION TO BE PROVIDED ON PLAN

The Town of Smithfield Site Plan Requirements is found in Article 5 of the Unified Development Ordinance. Site plans shall contain the following information, if applicable, as determined by the UDO Administrator:

- Preferred sheet size is 24" x 36" for site plans (maximum sheet size of 30" x 42"); if more than one sheet, all sheets should be numbered; should be the same size and scale; and should show match lines, along with an index sheet.
- Submittals should also be made in digital PDF file format.
- The site plan shall be prepared by a professional engineer, registered land surveyor, or licensed architect.
- Engineer's scale – no smaller than 1" = 100' for Site Plans unless approved by staff. Larger scale showing more detail is better. Include both a graphic scale and a numeric scale. The site plan shall be based on the latest tax map information and shall be of a size as required by each individual site plan.
- North arrow or compass rose.
- Date (original and all revisions) should be shown on all sheets.
- A vicinity map of the site with reference to surrounding areas and existing street locations.
- The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records
- Proof of ownership - Deed book and page reference demonstrating ownership of property.
- Parcel Identification Numbers (PIN) for site and adjacent properties.

### Existing Conditions:

- The total area (acreage), and the exterior boundary of all land included in the request for approval (defined by metes and bounds, with the source of all boundary information referenced). All adjoining property lines should also be shown.
- Location of all existing structures, including their outside dimensions and elevations, streets, entrances, and exits on the site, on contiguous property, and on property directly across the street.
- Required setbacks, setback lines, or typical lots.
- Location, width and identification of all existing easements (public and private), defined by centerline bearings, distances and ties to property corners (with standard notes).
- Location of existing watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- Show all existing physical features, including existing trees greater than eight (8) inches in diameter measured four and one-half (4.5) feet above ground level include the tree line of wooded areas and individual trees eight (8) inches in diameter or more, identified by common or scientific name, and significant soil conditions.
- Topography showing existing contours at no greater than ten (10) foot intervals. All reference benchmarks shall be clearly designated.
- Existing zoning of the property, including zoning district lines where applicable.
- Location of existing sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel.
- Other utility lines both under- and above-ground, including electric power, telephone, gas, cable television
- Existing open space and any other common areas.
- Existing parking and loading areas.

## Proposed Conditions:


- All proposed streets, drives, parking areas, fire lanes and access, loading and unloading areas with dimensions, traffic patterns, access aisles, and curb radii per the requirements of Article 10, Part I.
- The total quantity of parking spaces required and the total quantity of parking spaces provided. Indicate uses of buildings.
- Sight distance triangles (minimum 10' by 70' for driveway intersections at ROW lines; or as per NCDOT requirements or Town of Smithfield UDO Section 2.21 at all other intersections)
- Location of all proposed structures, including their outside dimensions and elevations, streets, entrances and exits on the site.
- Sidewalks, trails and other pedestrian ways with locations, dimensions and surfacing, including handicap curb cuts. Internal sidewalks and/or other proposed means of pedestrian access (note: internal pedestrian access should connect with public ROW sidewalk).
- General location and design of proposed sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel, as applicable
- Proposed other utility lines both under- and above-ground, including electric power, telephone, gas, cable television.
- Location of all US Clean Water Act Section 404 wetland areas, detention/retention ponds (Best Management Practices), riparian buffers and impervious surface areas with area dimensions, and ratios of impervious surface to the total size of the lot.
- Location of all proposed common areas.
- All parcels of land proposed to be designated, dedicated and/or reserved, for public or private use, shown with total land area and boundary descriptions.
- Distance between buildings and height of buildings.
- Building locations, footprints, entrances area by floor (sq.ft.), finished floor elevation (first).
- Location, dimensions, and details of signs per the requirements of Article 10, Part III.
- Proposed building elevations and floor plans, if applicable.
- Conceptual traffic impact analysis.
- Conceptual grading plan: proposed contours with a maximum of two-foot contour intervals within 100 feet of all buildings and along all driveways, entrances, exits, private streets, parking areas, loading areas, retaining walls and a maximum of ten-foot contour intervals for the remainder of the property. Supplement with spot elevations where necessary. All topography should be referred to permanent benchmarks and referenced to accepted datum.
- Conceptual stormwater management provisions.
- Total impervious surface square footage and percentage calculations for all development.
- Conceptual site lighting plan:
- Dumpster (or any other trash handling facilities) location, proposed screening labeled with height material, dimensions of concrete pad and details of gates, including support. Any dumpster to be used for recycling should be labeled as such.
- Landscape Plan: Include the genus and species, common name, quantity, size and location of all plant material proposed to meet Article 10, Part II requirements. The plan must include a "plant list" (in chart form), which should be coded to the plan. Show all calculations used to determine the quantity of plants required. All proposed planting, should be coordinated with both the utility plan and the grading/storm drainage plan to eliminate conflicts. No landscaping allowed in water or sewer easements.
- Description of all fences, walls and/or berms used to fulfill landscaping or screening requirements with details and cross-sections as needed (all fences over 6 feet must be sealed by a licensed Engineer).

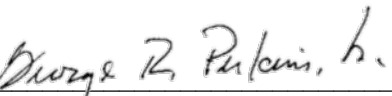
**ADOPTION OF RESOLUTION BY  
CONSENT OF ALL MEMBERS**

The undersigned, who are all of the managers of Smithfield Land Group, LLC, a North Carolina limited liability company (The "Company"), hereby adopt the following resolution by written consent, to-wit:

**RESOLVED**, that the Company hereby confirms that Richard N. Vincent and Jamie S. Encinosa, in their capacity as an Executive of Rhetson Companies, Inc. ("Rhetson") are hereby authorized to act on behalf of the Company, to make, sign and deliver any documents required to complete the purchase or sale of any real property to be acquired by or disposed of by the Company, including settlement statements, or to apply for governmental permits for development on such properties, or to acquire or convey licenses, leases, or easements with respect to such properties, to execute any and all documents necessary to enter into any lease agreement the Company deems necessary and appropriate, to enter into any and all documents necessary to construct real property at any site the Company deems appropriate, to execute any and all permits in furtherance of the construction of real property, to execute on behalf of the Company any monetary draw requests, bonds, or W-9 forms, and the undersigned Member-Managers hereby confirm that all actions taken by Richard N. Vincent and Jamie S. Encinosa, as an Executive of Rhetson, pursuant to this resolution are hereby affirmed.

**IN WITNESS WHEREOF**, this resolution has been executed by Brian Ray Clodfelter and George R. Perkins, Jr., Managers of Smithfield Land Group, LLC, a North Carolina limited liability company, as of this 7 day of December, 2021.

BY:   
\_\_\_\_\_  
Brian Ray Clodfelter – Manager

BY:   
\_\_\_\_\_  
George R. Perkins, Jr. - Manager

**Project summary:**

The proposed Buffalo Ridge Subdivision is a +/- 139 acre site proposing single-family lots. The roads are designed as local residential streets. There are four (4) proposed entrances, two (2) main entrances off Buffalo Road and two auxiliary entrances off Holland Road. The proposed subdivision will include extensive open space areas (approximately 93 acres), primarily on the lower half of the property toward the Neuse River, to take advantage of the picturesque slopes and gradient change of the property. The proposal of public sewer is connecting to the towns existing sewer system that is located on site adjacent to the town of Smithfield's greenway trail. Public water is available via an extending 12" water main along Buffalo Road.

**Owner:**

Smithfield Land Group, LLC  
2075 Juniper Lake Road  
West End, NC 27376  
910-944-0881

**Site information:**

1041 Buffalo Road  
Current Zoning – R-20A  
Acreage – 139.9 ac (6,094,044 sf)  
Pin # - 169411-65-0647

**Subdivision information:**

Name – Buffalo Ridge Subdivision  
Proposed lots – 210  
Open space – 93 ac  
Proposed ROW – 12.9 ac

**Density:**

The proposed density of the project is 1.5 lots/ac. This is determined by dividing the 210 lots by 139.9 ac.

**Utilities:**

The subdivision will be served by public water and sewer and public streets. There are 9,794 lf of new streets, 17,713 lf of new sidewalk, 9,440 lf of new water main and 8,262 lf of new sewer main. Sidewalks are proposed on both side of the new streets. Walking trails and benches will be placed along the perimeter of the new storm ponds. The proposed 210 lots will require 47,250 gpd of sewer allocation.

## **Neighboring Parcels Narrative**

This area is a growing residential area with a 30 home residential neighborhood slightly North of the proposed development. A previous rezoning application (CZ-23-01) held a neighborhood meeting. Comments documented in that public hearing will be utilized to address neighboring concerns. No issues are anticipated. The developer is willing to work with planning staff, planning board, and county commissioners to ensure all issues are addressed in a reasonable manner.

## **Conflicts of nearby land use**

The nearby land uses are a variety of residential uses. The proposed development is consistent with the Comprehensive Growth Management plan and compatible with surrounding land uses. The proposed development will adhere to all UDO development standards. Impacts to wetlands will be limited to road crossings required for access.

## **Development Burden**

Buffalo Road is a NCDOT street. The two access points and associated improvements as a result of the proposed development will be coordinated with NCDOT. Some road improvements are anticipated and will be resolved during the design phase of the project. There is a current project ongoing to free up additional sewer capacity. Fire flow testing will be completed to confirm that water is available not only for fire flow but domestic flow as well. Excessive burdens are not anticipated on the school system or emergency services.

## **Open Spaces/Proposed Ownership & Maintenance**

Approximately 93 acres of this proposed development will be open space. For this development, a homeowners association (HOA) will be established and responsible for maintaining this area.

## **Project schedule**

Surveying, civil engineering design and permitting is expected to take about 1 year. Construction will begin on Phase I following acquisition of the required permits. Total buildout is anticipated to be around 5 years but the economy status will control how quickly the development is constructed.

## **UDO deviations**

Requesting reduction of lot width from 70' to 50'. Requesting a lot size reduction from 8,000 sf to 6,000 sf. The revised street cross section appears to allow for roll curb and gutter. If this is not the case, roll curb and gutter is requested in lieu of standard curb



and gutter. Revised setbacks are as follows: front & corner side – 18', rear – 12' and side – 5'.

### **List of Improvements that exceed the town's minimum UDO requirements**

Sidewalks are required on one side of new streets. Sidewalks are being proposed on both sides of the new streets. The applicant is open to all suggestions and feedback from planning staff and planning board about improvements that are viewed as favorable for this development project.

### **Expected Sale Price**

Homes in this proposed development will be 3-bedroom and range from \$300,000 - \$375,000.

### **Architectural Standards**

The applicant is open to all suggestions and feedback from planning staff and planning board about architectural standards that are viewed as favorable for this development project.

## **Proposed Standards Exceeding UDO Requirements for Neighborhood**

### **1. Driveways and Curbing:**

- The driveway aprons to the parking lot and residential lots should conform to the town's standard details.
- Provide concrete curb and gutter along Buffalo Road (underground drainage) with NCDOT approval.
- Provide standard 6" curb and gutter throughout the development

### **2. Lighting & Signs:**

- Provide 3-way and 4-way stop signs at intersections in development.
- Provide decorative street lighting and street signs throughout the development.
- 2 ground mounted subdivision signs at the entrances from Buffalo Road.

### **3. Landscaping:**

- A standard street yard, 10' streetyard berm with 6' fence is proposed along Buffalo Road.
- Enhanced landscaping at the development entrances onto Buffalo Road.

### **4. HOA Amenities**

- Mail kiosk
- Maintenance of subdivision signs, street signs in development, and area around mail kiosk
- Maintenance of open space areas.

### **5. Architectural Standards:**

- Standards that are consistent with surrounding neighborhoods and subdivisions to include vinyl siding, shingles, shutters, and architectural trim.
- Written architectural standards should be provided and included in the HOA documents.

Note\* The developer is open to working with community members, planning staff, planning board, and town council to add any other amenities or conditions that are reasonable and consistent surrounding neighborhoods/developments.

# BUFFALO RIDGE SUBDIVISION SITE DEVELOPMENT PLANS

REVISIONS

PRELIMINARY PLAT  
 NOT FOR RECORDATION, CONVEYANCE, OR SALES

PROJECT NAME  
**BUFFALO  
 RIDGE  
 SUBDIVISION**

PIN: 169411-65-0647  
 BUFFALO ROAD  
 SELMA TOWNSHIP  
 TOWN OF SMITHFIELD  
 JOHNSTON COUNTY  
 NORTH CAROLINA

CLIENT  
**RHETSON  
 COMPANIES, INC**

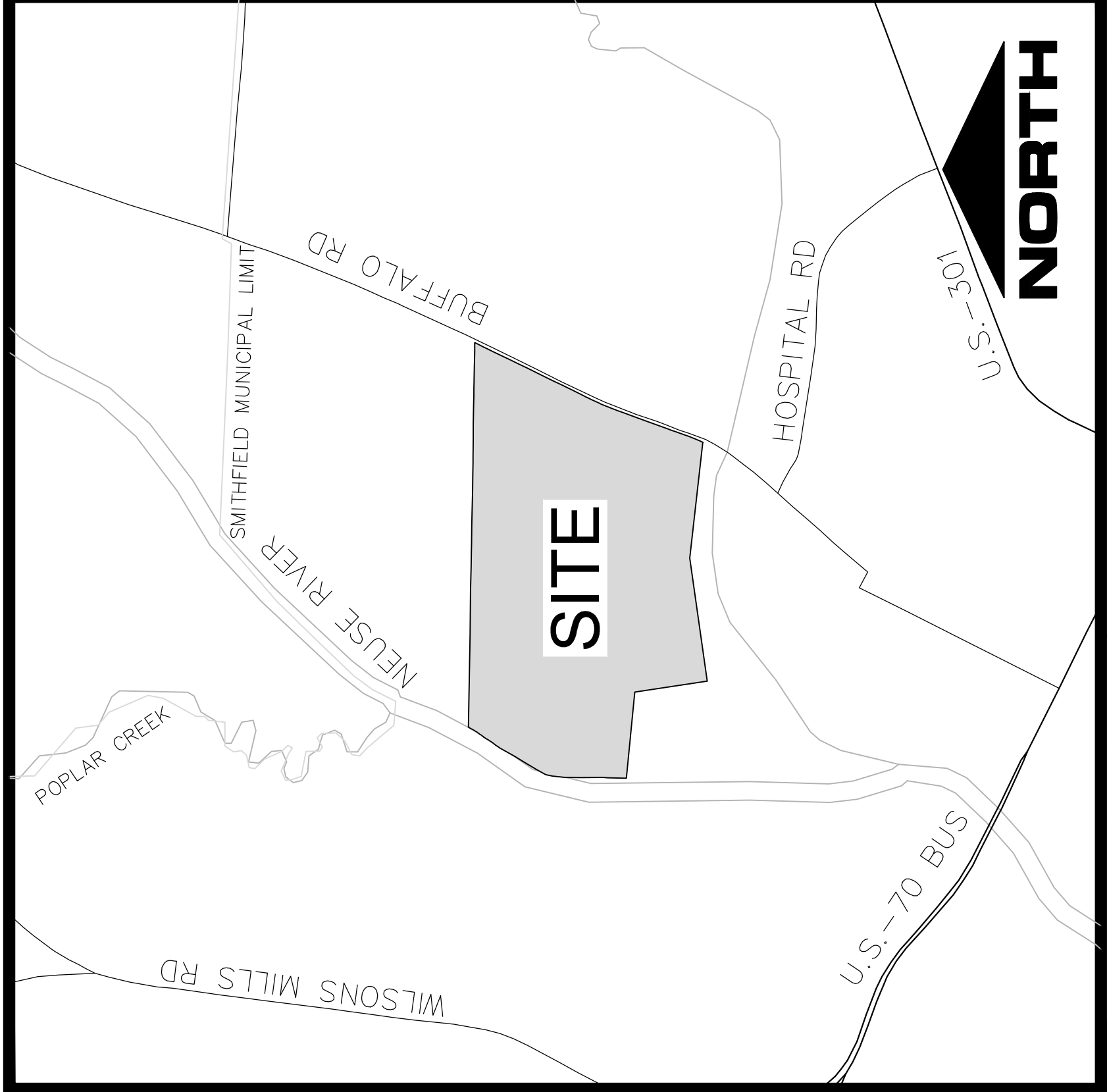
2075 Juniper Lake Road  
 West End, North Carolina 27376  
 Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CALEB
DRAWN BY:	CALEB
CHECKED BY:	SCOTT
PROJECT NUMBER:	2070

DRAWING SCALE  
 SEE SHEETS

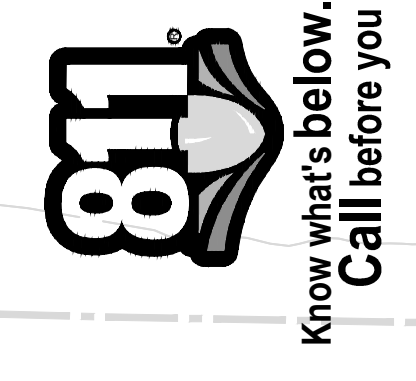
DATE RELEASED  
 MAY 2, 2024



**VICINITY MAP  
 NOT TO SCALE**

**EXISTING UTILITY OWNER**

**WATER AND SEWER**  
 SMITHFIELD PUBLIC UTILITIES  
 230 Hospital Road  
 Smithfield, North Carolina 27577  
 919-934-2116  
 Contact: Ted Credle, PE



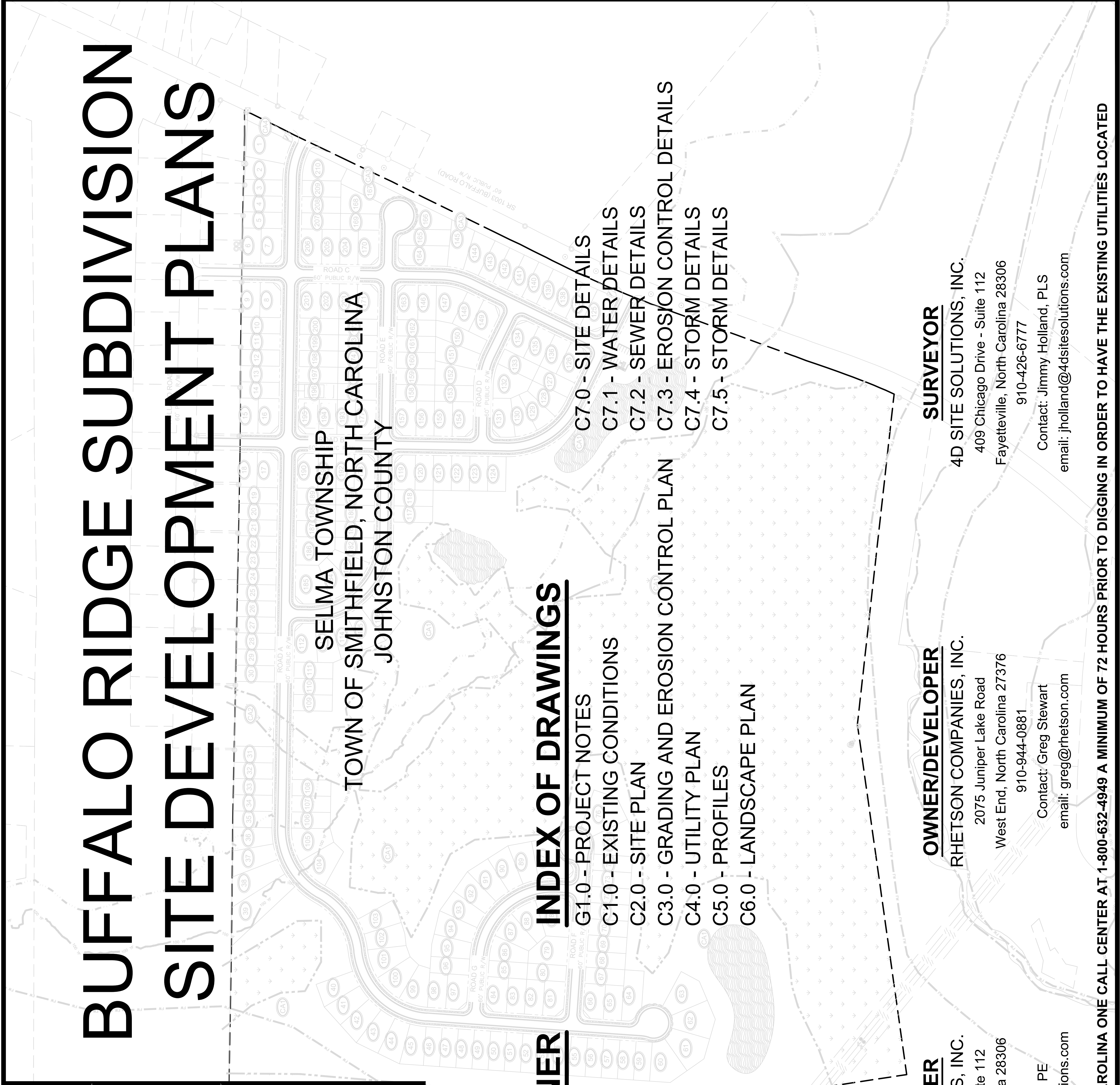
**CIVIL ENGINEER**  
 4D SITE SOLUTIONS, INC.  
 409 Chicago Drive - Suite 112  
 Fayetteville, North Carolina 28306  
 910-426-6777  
 Contact: Scott Brown, PE  
 email: sbrown@4dsitesolutions.com

**OWNER/DEVELOPER**  
 RHETSON COMPANIES, INC.  
 2075 Juniper Lake Road  
 West End, North Carolina 27376  
 910-944-0881  
 Contact: Greg Stewart  
 email: greg@rhetson.com

**SURVEYOR**  
 4D SITE SOLUTIONS, INC.  
 409 Chicago Drive - Suite 112  
 Fayetteville, North Carolina 28306  
 910-426-6777  
 Contact: Jimmy Holland, PLS  
 email: jholland@4dsitesolutions.com

**INDEX OF DRAWINGS**

- G1.0 - PROJECT NOTES
- C1.0 - EXISTING CONDITIONS
- C2.0 - SITE PLAN
- C3.0 - GRADING AND EROSION CONTROL PLAN
- C4.0 - UTILITY PLAN
- C5.0 - PROFILES
- C6.0 - LANDSCAPE PLAN
- C7.0 - SITE DETAILS
- C7.1 - WATER DETAILS
- C7.2 - SEWER DETAILS
- C7.3 - EROSION CONTROL DETAILS
- C7.4 - STORM DETAILS
- C7.5 - STORM DETAILS



THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 72 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED

NOT FOR RECORDATION, CONVEYANCE, OR SALES  
**PRELIMINARY PLAT**

**PROJECT NAME**  
**BUFFALO RIDGE SUBDIVISION**

**EXISTING CONDITIONS**

**CLIENT**  
**RHETSON COMPANIES, INC**

2075 Juniper Lake Road  
 West End, North Carolina 27376  
 Phone: (910) 944-0881

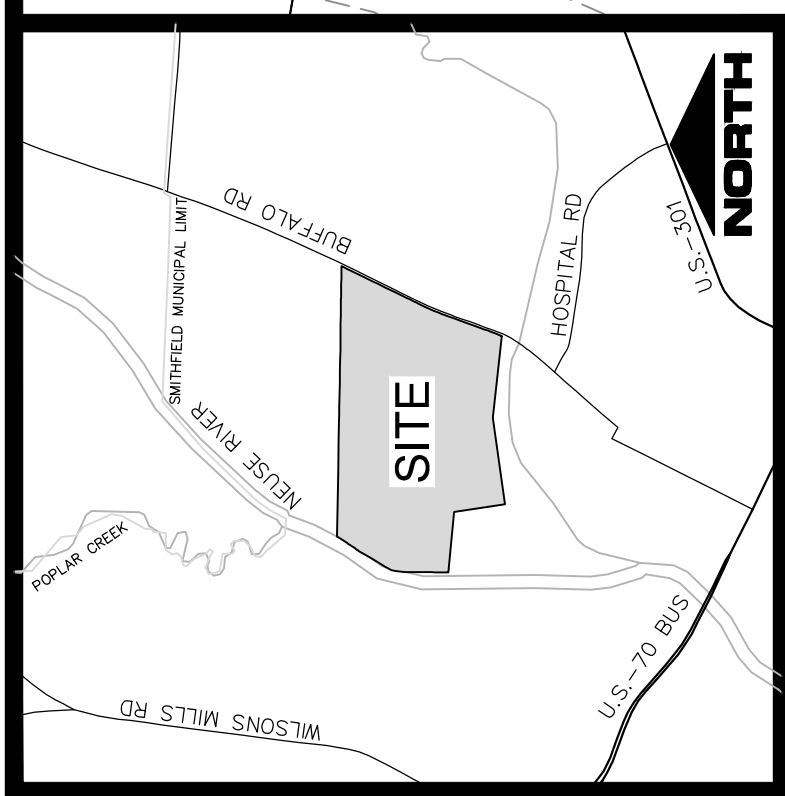
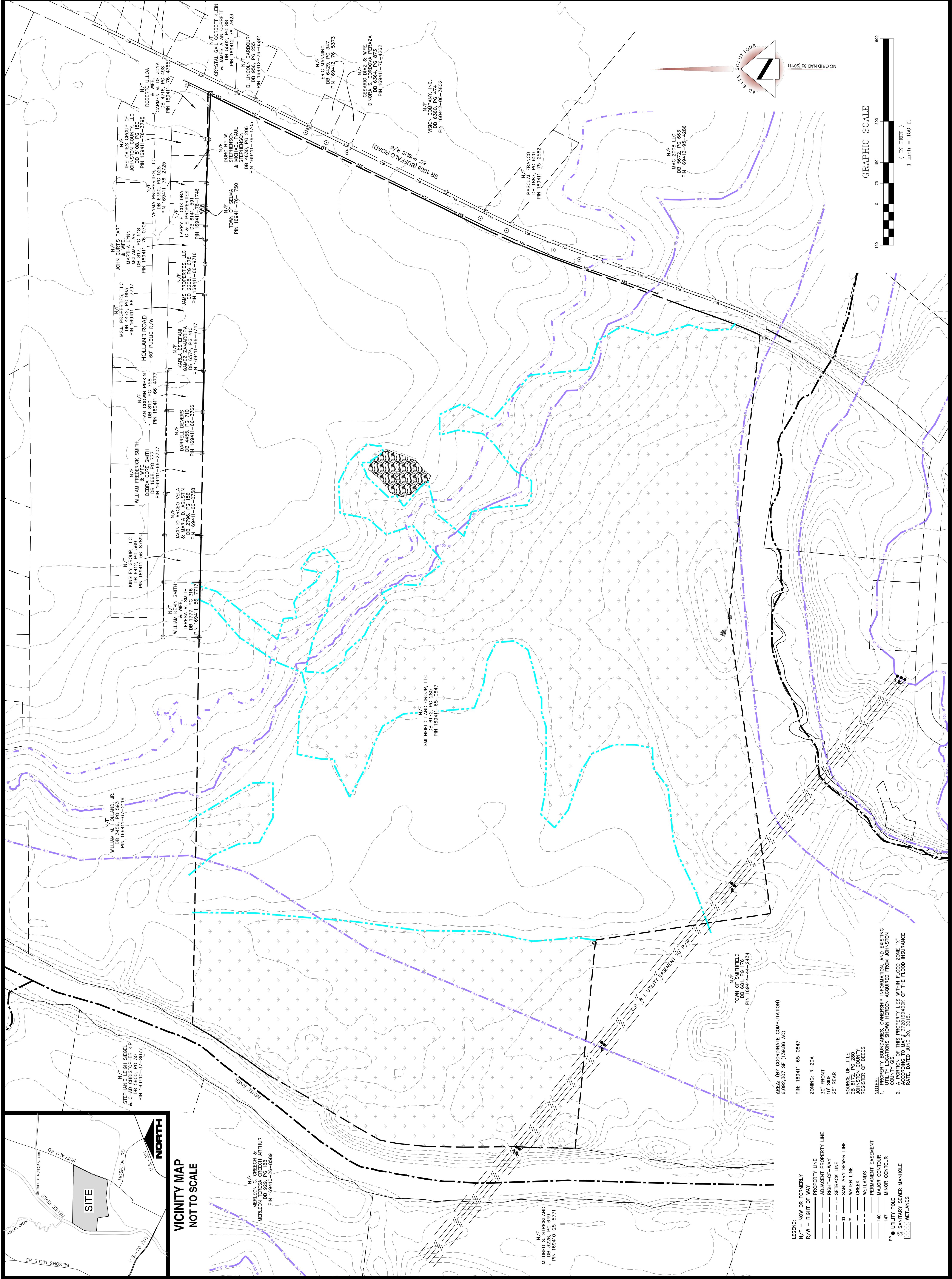
**PROJECT INFORMATION**

SURVEYED BY:	MKE
DRAWN BY:	CALEB
CHECKED BY:	SEAN
PROJECT NUMBER:	2070

**DRAWING SCALE**  
 HORIZONTAL: 1"=150'

**DATE SURVEYED**  
 APRIL 24, 2024

**SHEET NUMBER**  
 C-1.0



- LEGEND:**
- N/F - NOW OR FORMERLY
  - R/W - RIGHT OF WAY
  - PROPERTY LINE
  - ADJACENT PROPERTY LINE
  - RIGHT-OF-WAY
  - SETBACK LINE
  - SANITARY SEWER LINE
  - WATER LINE
  - CREEK
  - WETLANDS
  - PERMANENT EASEMENT
  - 142' PERMANENT EASEMENT
  - 142' MAJOR CONTOUR
  - SANITARY SEWER MANHOLE
  - WETLANDS
- NOTES:**
- PROPERTY BOUNDARIES, OWNERSHIP INFORMATION, AND EXISTING EASEMENTS SHOWN HEREON ACQUIRED FROM JOHNSTON COUNTY GIS.
  - A PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE "X" (SPECIAL FLOOD HAZARD AREA) OF THE FLOOD INSURANCE RATE, DATED JANUARY 2019.
- AREA: (BY COORDINATE COMPUTATION)**  
 6,082.307 SF (139.86 AC)
- ENR: 169411-65-0647**
- ZONING: R-20A**
- 30' FRONT**
- 10' SIDE**
- 25' REAR**
- SOURCE OF TITLE**  
 JOHNSTON COUNTY REGISTER OF DEEDS

PRELIMINARY PLAN  
 NOT FOR RECORDATION, CONVEYANCE, OR SALES

PROJECT NAME  
**BUFFALO RIDGE SUBDIVISION**

OVERALL SITE PLAN

CLIENT  
**RHETSON COMPANIES, INC**

2075 Juniper Lake Road  
 West End, North Carolina 27376  
 Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CALEB
DRAWN BY:	CALEB
CHECKED BY:	SCOTT
PROJECT NUMBER:	2070

DRAWING SCALE

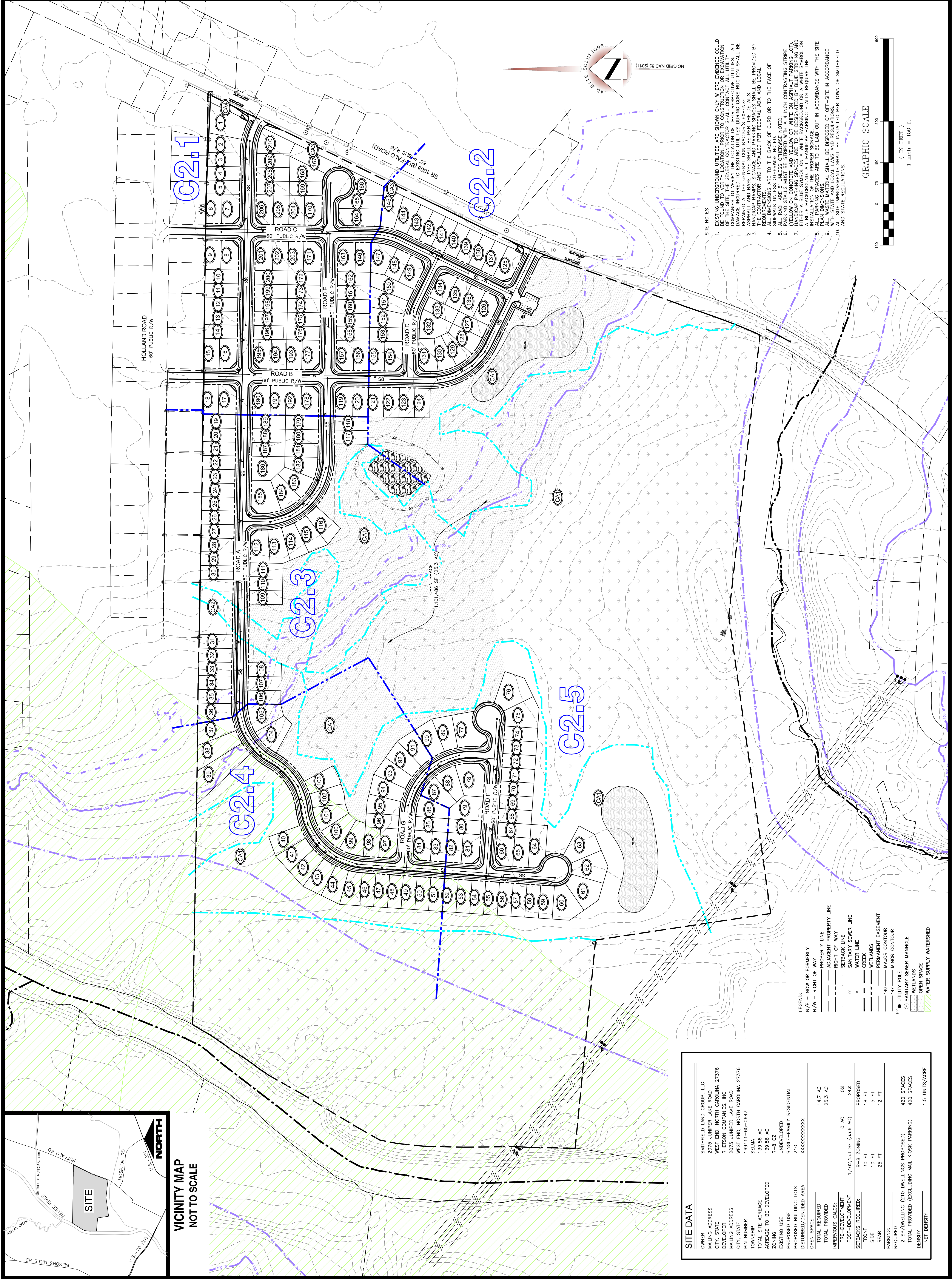
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DATE RELEASED

MAY 2, 2024

SHEET NUMBER

**C-2.0**



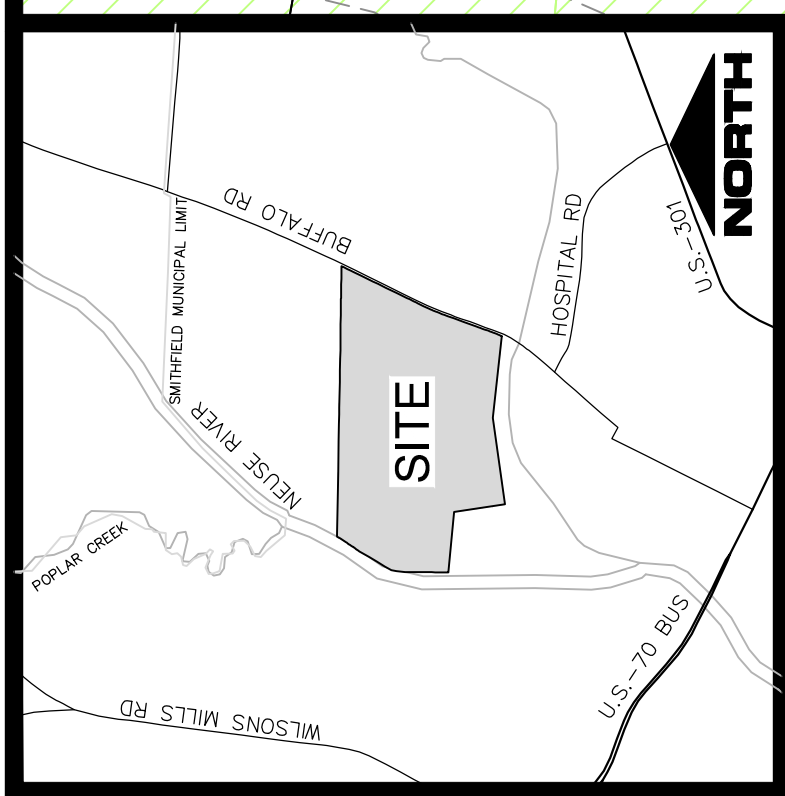
- SITE NOTES**
- EXISTING UNDERGROUND UTILITIES ARE SHOWN ONLY WHERE EVIDENCE COULD BE FOUND TO VERIFY LOCATION. PRIOR TO CONSTRUCTION OR EXCAVATION OF THE SITE, THE GENERAL CONTRACTOR SHALL CONTACT ALL UTILITY COMPANIES TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES. ALL DAMAGE INCURRED TO EXISTING UTILITIES DURING CONSTRUCTION SHALL BE REPAIRED AT THE GENERAL CONTRACTOR'S EXPENSE.
  - EXISTING SURFACE UTILITIES SHALL BE MAINTAINED AND PROTECTED. HANDICAP RAMPS, SIGNAGE, AND PARKING SPACES SHALL BE PROVIDED BY THE CONTRACTOR AND INSTALLED PER FEDERAL ADA AND LOCAL REGULATIONS.
  - ALL DIMENSIONS ARE TO THE BACK OF CURB OR TO THE FACE OF SIDEWALK UNLESS OTHERWISE NOTED.
  - ALL ROADWAYS ARE 5 FEET WIDE UNLESS OTHERWISE NOTED.
  - ALL DRIVEWAYS ARE 5 FEET WIDE UNLESS OTHERWISE NOTED.
  - YELLOW ON CONCRETE AND YELLOW OR WHITE ON ASPHALT (PARKING LOT), HANDICAP PARKING SPACES ARE TO BE DESIGNATED BY BLUE STRIPING AND A BLUE BACKGROUND. ALL HANDICAP PARKING SPACES REQUIRE THE INSTALLATION OF THE PROPER SIGNAGE AND HANDICAP PARKING STALLS TO THE PLAN DIMENSIONS.
  - ALL WASTE MATERIAL SHALL BE DISPOSED OF OFF-SITE IN ACCORDANCE WITH LOCAL AND STATE REGULATIONS.
  - ALL SITE IMPROVEMENTS SHALL BE INSTALLED PER TOWN OF SMITHFIELD AND STATE REGULATIONS.

**LEGEND:**

N/F	—	NOW OR FORMERLY
R/W	—	RIGHT OF WAY
—	—	PROPERTY LINE
—	—	ADJACENT PROPERTY LINE
—	—	RIGHT-OF-WAY
—	—	SETBACK LINE
—	—	SANITARY SEWER LINE
—	—	WATER LINE
—	—	GREENWAYS
—	—	PERMANENT EASEMENT
—	—	MAJOR CONTOUR
—	—	MINOR CONTOUR
—	—	UTILITY POLE
—	—	SANITARY SEWER MANHOLE
—	—	WETLANDS
—	—	OPEN SPACE
—	—	WATER SUPPLY WATERSHED

**SITE DATA**

OWNER	SMITHFIELD LAND GROUP, LLC	
MAILING ADDRESS	2075 JUNIPER LAKE ROAD	
CITY, STATE	WEST END, NORTH CAROLINA 27376	
MAILING ADDRESS	2075 JUNIPER LAKE ROAD	
CITY, STATE	WEST END, NORTH CAROLINA 27376	
CITY NUMBER	169411-65-0847	
TOWNSHIP	SELMA	
TOTAL SITE ACREAGE	139.86 AC	
AGREEMENT TO BE DEVELOPED	139.86 AC	
ZONING	R-8 CZ	
EXISTING USE	UNDEVELOPED	
PROPOSED BUILDING LOTS	SINGLE-FAMILY RESIDENTIAL	
DISTURBED/DENIED AREA	210	XXXXXXX
OPEN SPACE		
TOTAL REQUIRED	14.7 AC	
TOTAL PROVIDED	25.3 AC	
IMPERVIOUS CALC:		
PRE-DEVELOPMENT	0 AC	0%
POST-DEVELOPMENT	1,462,153 SF (33.6 AC)	24%
SETBACKS REQUIRED:		
FRONT	30 FT	PROPOSED
SIDE	10 FT	5 FT
REAR	25 FT	12 FT
PARKINGS:		
REQUIRED	147	
PROVIDED	420	
DENSITY	2.87 DWELLINGS (0.10 DWELLINGS PROPOSED)	420 SPACES
NET DENSITY		420 SPACES
NET DENSITY		1.5 UNITS/ACRE



PRELIMINARY PLAN  
 NOT FOR RECORDATION, CONVEYANCE, OR SALES

**REVISIONS**

**PROJECT NAME**  
**BUFFALO RIDGE SUBDIVISION**

**DETAILED SITE PLAN**

**CLIENT**  
**RHETSON COMPANIES, INC**

2075 Juniper Lake Road  
 West End, North Carolina 27376  
 Phone: (910) 944-0881

**PROJECT INFORMATION**

DESIGNED BY:	CALEB
DRAWN BY:	CALEB
CHECKED BY:	SCOTT
PROJECT NUMBER:	2070

**DRAWING SCALE**

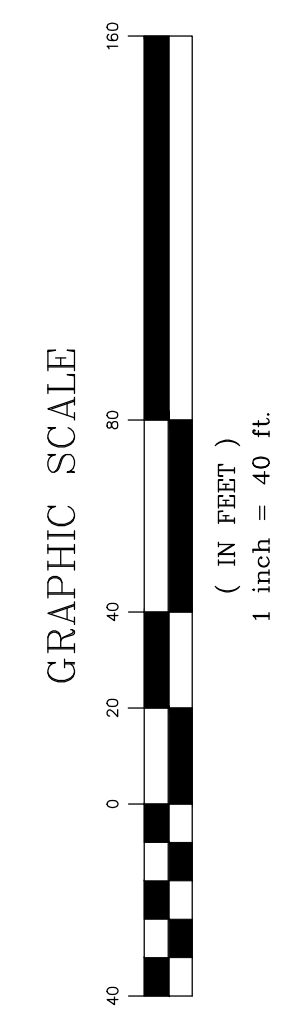
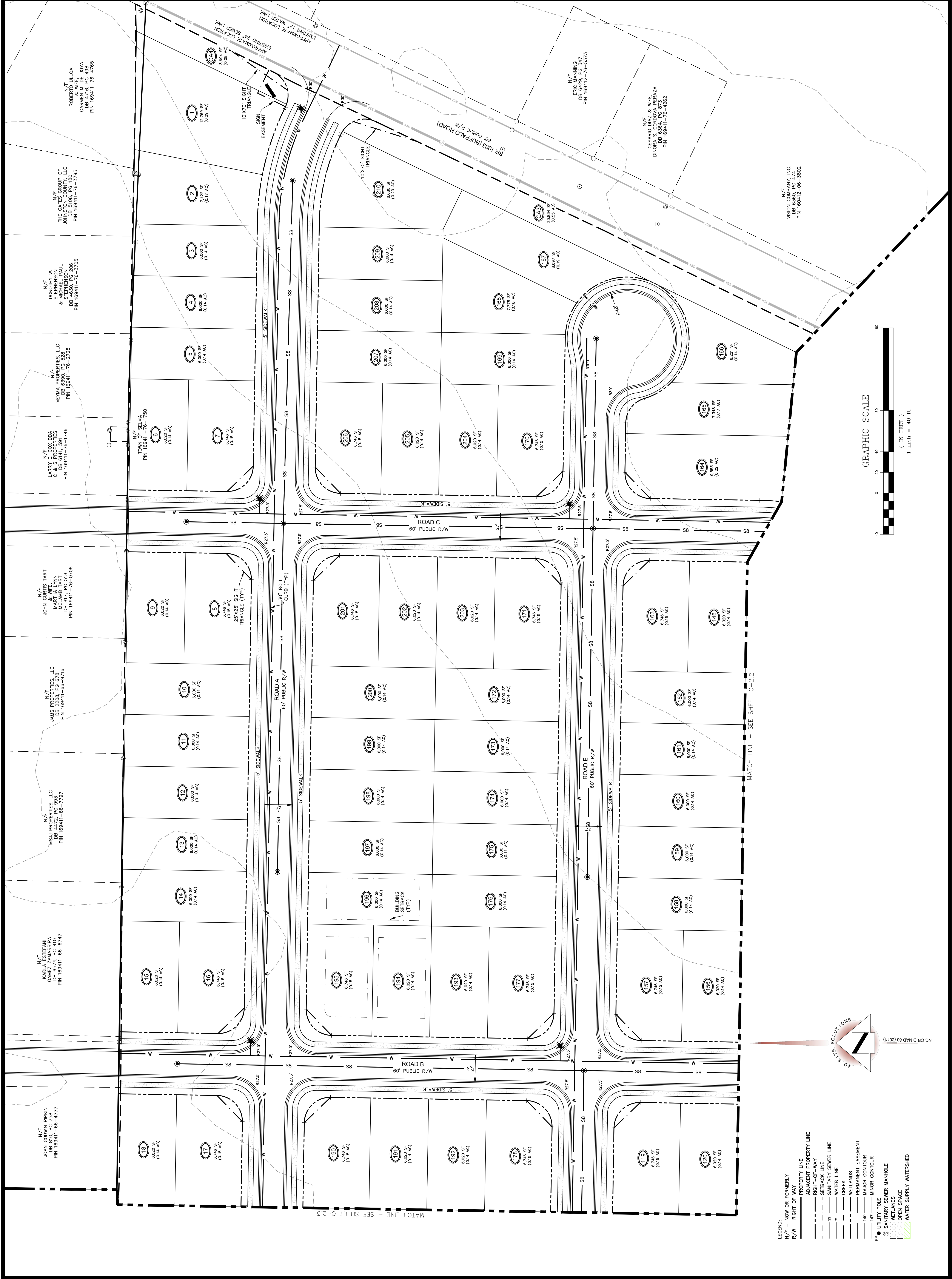
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**DATE RELEASED**

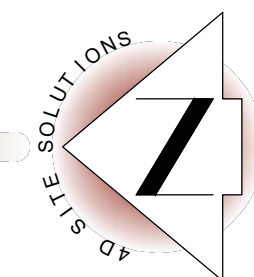
MAY 2, 2024

**SHEET NUMBER**

**C-2.1**



- LEGEND:**
- N/F = NOW OR FORMERLY
  - N/W = RIGHT OF PROPERTY LINE
  - ADJACENT PROPERTY LINE
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  - WATER LINE
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  - WETLANDS
  - PERMANENT EASEMENT
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  - MINOR CONTOUR
  - UTILITY POLE
  - SANITARY SEWER MANHOLE
  - WETLANDS
  - OPEN SPACE
  - WATER SUPPLY WATERSHED



MATCH LINE - SEE SHEET C-2.3

MATCH LINE - SEE SHEET C-2.2

**PRELIMINARY PLAT**  
 NOT FOR RECORDATION, CONVEYANCE, OR SALES

REVISIONS

PROJECT NAME  
**BUFFALO RIDGE SUBDIVISION**

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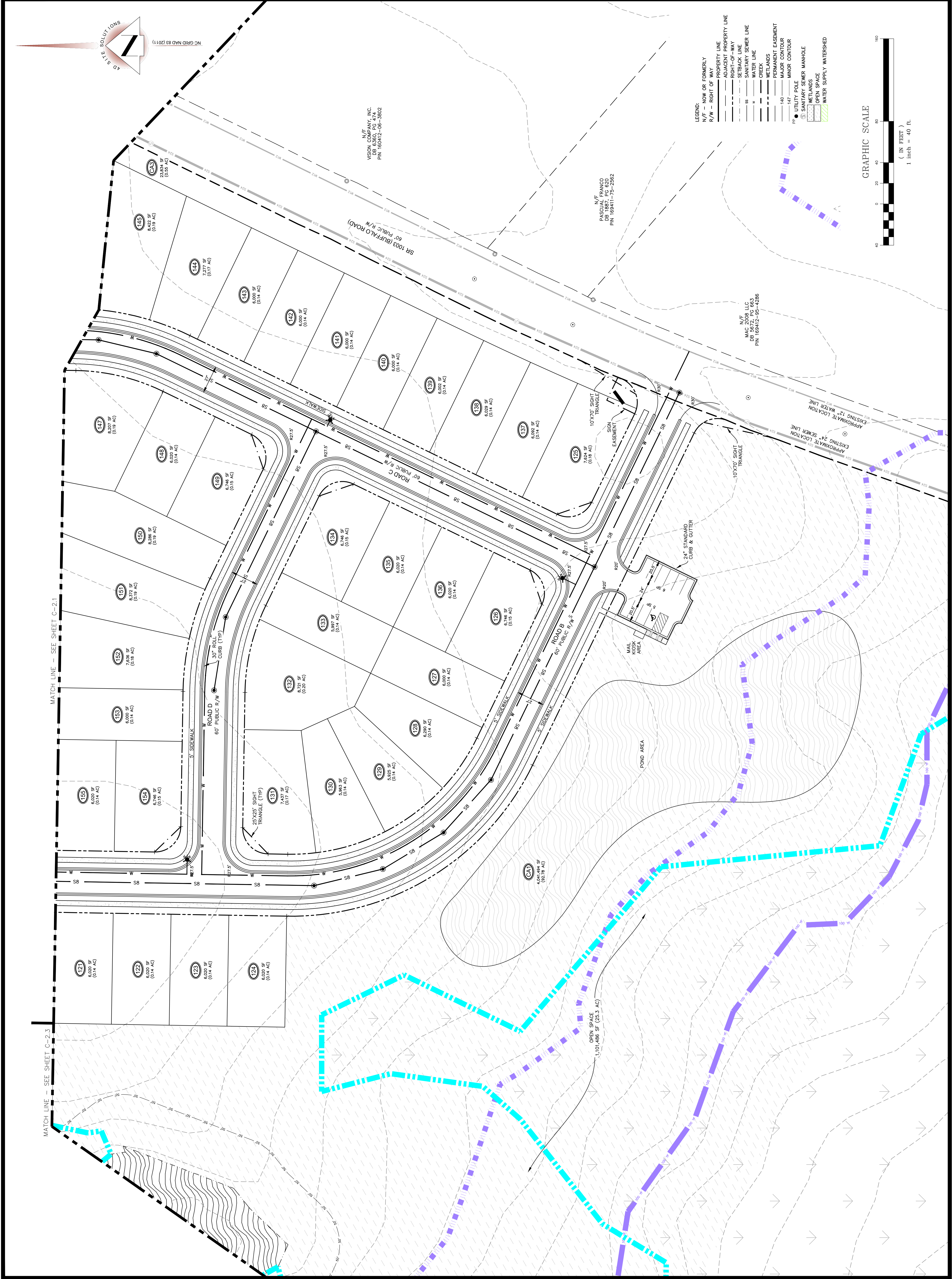
DESIGNED BY:	CALEB
DRAWN BY:	CALEB
CHECKED BY:	SCOTT
PROJECT NUMBER:	2070

DRAWING SCALE  
 HORIZONTAL: 1"=40'

DATE RELEASED  
 MAY 2, 2024

SHEET NUMBER

**C-2.2**



PRELIMINARY PLAN  
 NOT FOR RECORDATION, CONVEYANCE, OR SALES

**REVISIONS**

**PROJECT NAME**  
**BUFFALO RIDGE SUBDIVISION**

**DETAILED SITE PLAN**

**CLIENT**  
**RHETSON COMPANIES, INC**

2075 Juniper Lake Road  
 West End, North Carolina 27376  
 Phone: (910) 944-0881

**PROJECT INFORMATION**

DESIGNED BY:	CALEB
DRAWN BY:	CALEB
CHECKED BY:	SCOTT
PROJECT NUMBER:	2070

**DRAWING SCALE**

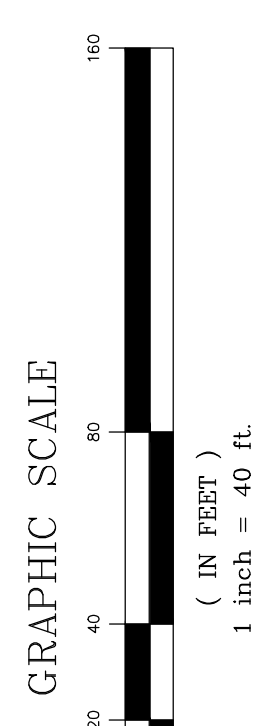
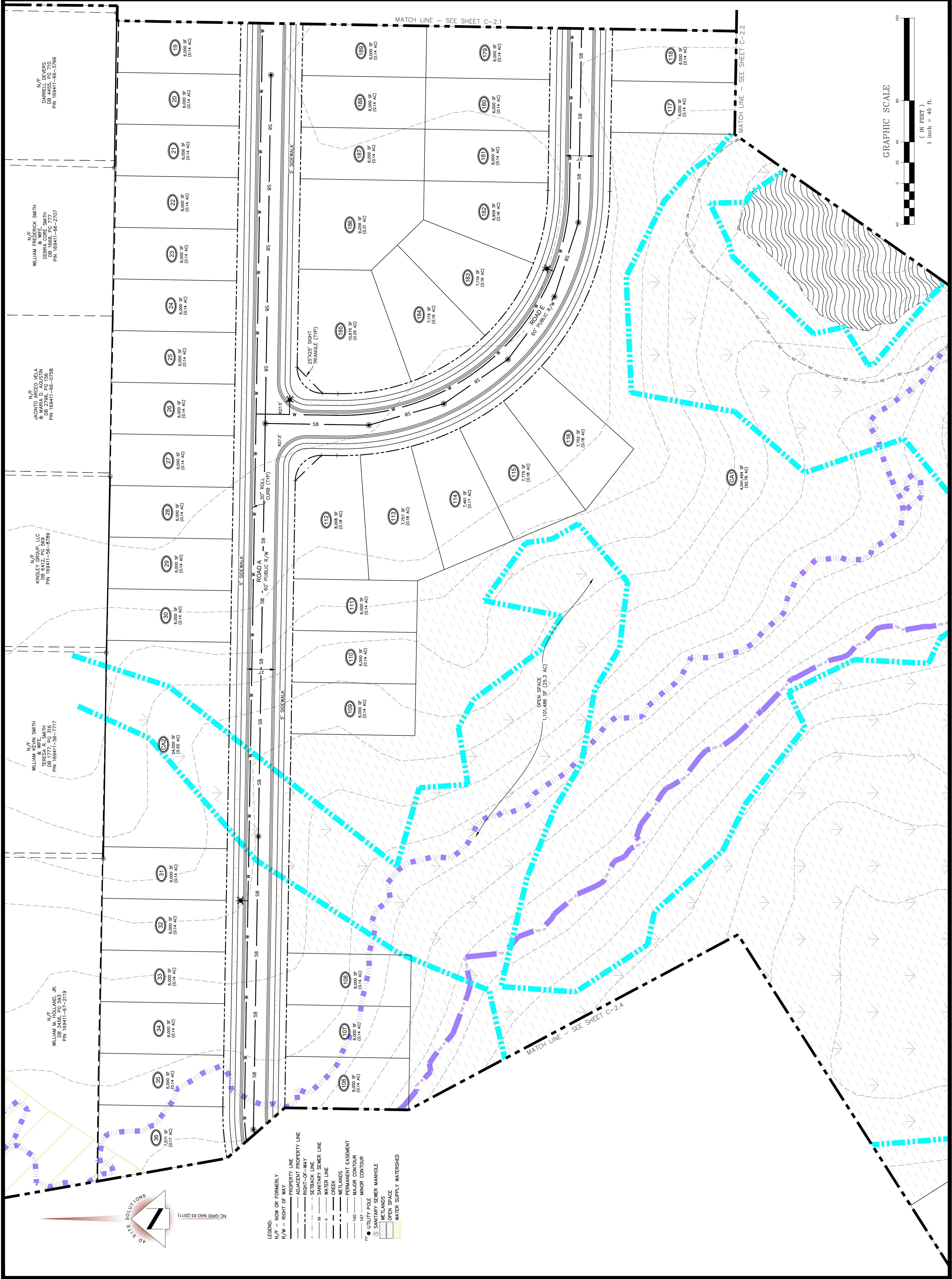
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**DATE RELEASED**

MAY 2, 2024

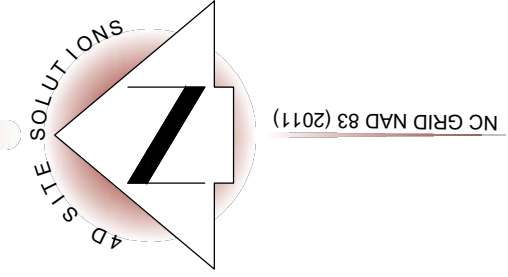
**SHEET NUMBER**

**C-2.3**



**LEGEND:**

- N/F - NOW OR FORMERLY
- R/W - RIGHT OF WAY
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- WATER LINE
- CREEK
- WETLANDS
- PERMANENT EASEMENT
- MAJOR CONTOUR
- MINOR CONTOUR
- PP - UTILITY POLE/EMER MANHOLE
- SHADING - WETLANDS
- OPEN SPACE
- WATER SUPPLY WATERSHED





PRELIMINARY PLAT  
 NOT FOR RECORDATION, CONVEYANCE, OR SALES

**PROJECT NAME**  
**BUFFALO RIDGE SUBDIVISION**

**DETAILED SITE PLAN**

**CLIENT**  
**RHETSON COMPANIES, INC**

2075 Juniper Lake Road  
 West End, North Carolina 27376  
 Phone: (910) 944-0881

**PROJECT INFORMATION**

DESIGNED BY:	CALEB
DRAWN BY:	CALEB
CHECKED BY:	SCOTT
PROJECT NUMBER:	2070

**DRAWING SCALE**

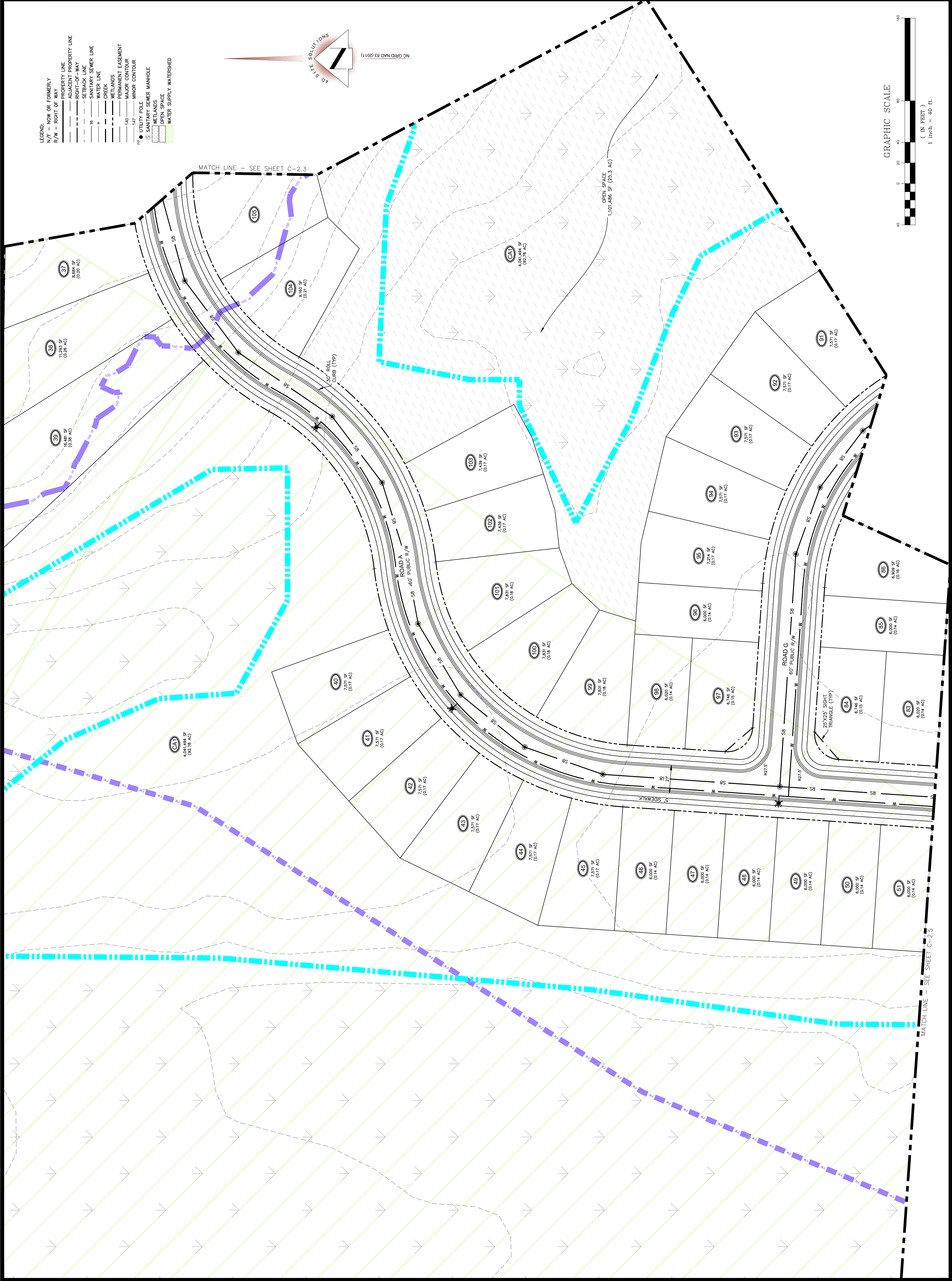
HORIZONTAL: 1"=40'

**DATE RELEASED**

MAY 2, 2024

**SHEET NUMBER**

**C-2.4**



**PRELIMINARY PLAN**  
 NOT FOR RECORDATION, CONVEYANCE, OR SALES

REVISIONS

PROJECT NAME  
**BUFFALO RIDGE SUBDIVISION**

DETAILED SITE PLAN

CLIENT  
**RHETSON COMPANIES, INC**

2075 Juniper Lake Road  
 West End, North Carolina 27376  
 Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CALEB
DRAWN BY:	CALEB
CHECKED BY:	SCOTT
PROJECT NUMBER:	2070

DRAWING SCALE

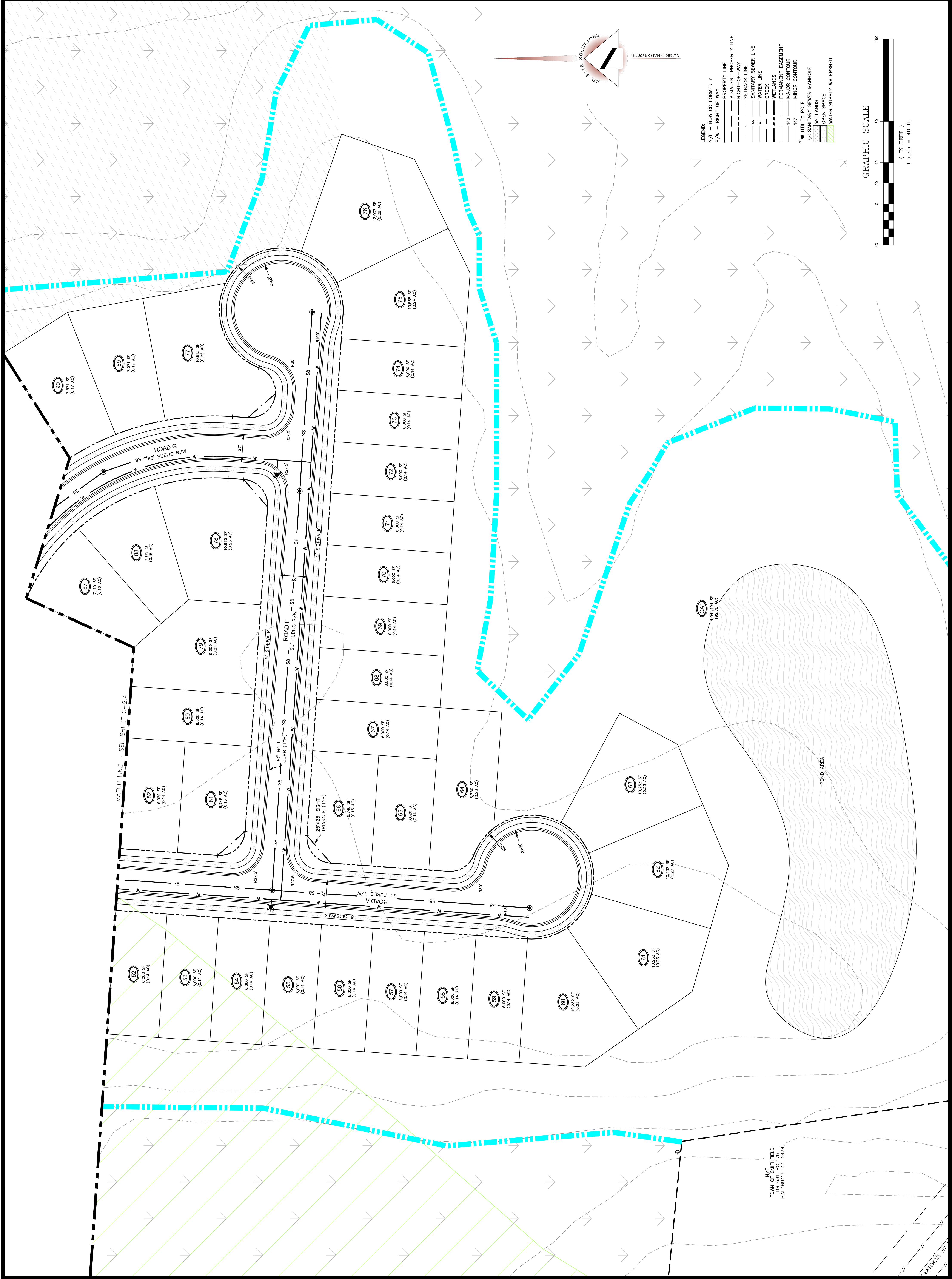
HORIZONTAL: 1"=40'

DATE RELEASED

MAY 2, 2024

SHEET NUMBER

**C-2.5**



Name1	Name2	Address1	Address2	CityStateZip
14A03005	LAMPE, GUY L.	LAMPE, ROSS W.	PO BOX 608	SMITHFIELD, NC 27577-0608
14A03004A	MANNING, ERIC	1148 BUFFALO RD		SMITHFIELD, NC 27577
14A03004	DIAZ, CESARIO	PERAZA, DINORA S CORDOVA	1136 BUFFALO RD	SMITHFIELD, NC 27577
14A03006	FRANCO, PASCUAL	1020 BUFFALO ROAD		SMITHFIELD, NC 27577-7447
14A03007	MAC 2008 LLC	2790 MARRIOTTSVILLE RD		MARRIOTTSVL, MD 21104-1626
14075040	BRYAN, KATHY M.	905 OCEAN PINES CT		N MYRTLE BCH, SC 29582-4498
14A03001	KLEIN, CRYSTAL GAIL CORBETT	CORBETT, JAMES ALAN	55 BATTEN POND RD	SELMA, NC 27576-8597
14A03002	BARBOUR, B LINCOLN	1222 BUFFALO RD		SMITHFIELD, NC 27577-7443
14A01020	ULLOA, ROBERTO	DE JOYA, CARMEN M	1247 BUFFALO RD	SMITHFIELD, NC 27577
14N99001A	GATES GROUP OF JOHNSTON COUNTY, LLC	300 CITATION LN		SMITHFIELD, NC 27577-8738
14A01019B	STEPHENSON, DOROTHY W	STEPHENSON, MICHAEL PAUL	67 HOLLAND DR	SMITHFIELD, NC 27577-7216
14A01019A	VEYMA PROPERTIES, LLC	2121 SOARING EAGLE CT		WENDELL, NC 27591-7669
14A01019	COX, LARRY E. DBA	C & S PROPERTIES	110 WILSONS MILLS RD	SMITHFIELD, NC 27577-3229
14A01018	TART, MARTHA LYNN MCLAMB	131 HOLLAND DR		SMITHFIELD, NC 27577-7257
14A01018A	JAMS PROPERTIES LLC	849 PARKRIDGE DR		CLAYTON, NC 27527-5309
14A01017	MSJJ PROPERTIES LLC	1212 CHESNUT DR		SMITHFIELD, NC 27577-0000
14A01017A	ZAMARRIPA, KARLA ESTEFANI GAMEZ	189 HOLLAND DR		SMITHFIELD, NC 27577-7257
14A4001021	SMITHFIELD LAND GROUP, LLC	2075 JUNIPER LAKE RD		WEST END, NC 27376-8919
14A01016	PIPKIN, JOAN GODWIN	239 HOLLAND DR		SMITHFIELD, NC 27577-0000
14A01022	DEVERS, DARRELL	243 HOLLAND DR		SMITHFIELD, NC 27577-7217
14001014	SMITH, WILLIAM FREDERICK	SMITH, DEBRA CORE	301 HOLLAND DRIVE	SMITHFIELD, NC 27577-7258
14A01013	VELA, JACINTO ARCEO	AGUSTIN, MARIA D	327 HOLLAND DRIVE	SMITHFIELD, NC 27577-0000
14A01023	KINSLEY GROUP, LLC	9220 FAIRBANKS DR STE 220		RALEIGH, NC 27613-1406
14A01024	SMITH, WILLIAM KEVIN	SMITH, TERESA R	389 HOLLAND DR	SMITHFIELD, NC 27577-0000
14001001	HOLLAND, WILLIAM M JR	228 WILLOWICK AVE		TEMPLE TERRACE, FL 33617-0000
15082015	SIEGEL, STEPHANIE LEIGH JOINT TENANTS KIP, CHAD CHRISTOPHER JOINT TENANTS	KIP, CHAD CHRISTOPHER JOINT TEN, 133 CASTLE DR		SMITHFIELD, NC 27577-3502
15082005	CREECH, MERLEON G	ARTHUR, MERLEON TERESA CREECH	PO BOX 39	PINE LEVEL, NC 27568
15082009	STRICKLAND, MILDRED	STRICKLAND, DANIEL ALLEN	7620 RAINWATER RD	RALEIGH, NC 27615-3745



**PLANNING DEPARTMENT**

Chloe Allen, Planner I

**ADJOINING PROPERTY OWNERS CERTIFICATION**

I, Chloe Allen, hereby certify that the property owner and adjacent property owners of the following petition, CZ-24-03 were notified by First Class Mail on 5/14/24.

Chloe Allen

Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Chloe Allen personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

14th day of May, 2024

Julianne Edmonds

Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on January 15, 2028



**Town of Smithfield  
Planning Board Minutes  
Thursday, June 6, 2024  
Town Hall Council Chambers  
6:00 PM**

Members Present:

Chairman Mark Lane  
Vice-Chairman Debbie Howard  
Alisa Bizzell  
Doris Wallace  
Ashley Spain  
Tara Meyer  
Wiley Narron

Members Absent:

Bryan Stanley

Staff Present:

Chloe Allen, Planner I  
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**IDENTIFY VOTING MEMBERS**

**APPROVAL OF AGENDA** Debbie Howard made a motion to approve the agenda, seconded by Alisa Bizzell. Unanimously approved.

**APPROVAL OF MINUTES May 2nd, 2024**

Alisa Bizzell made a motion to approve the minutes, seconded by Ashley Spain. Unanimously approved.

**NEW BUSINESS**

**CZ-24-03 Buffalo Ridge R-8 CZ** Smithfield Land Group, LLC is requesting the rezoning of approximately 140 acres of land located at 1041 Buffalo Road, Smithfield, NC also identified by the Johnston County Tax ID 140001021, from R-20A to R-8 Conditional with a masterplan for a 210-lot detached single-family residential development.

Chloe Allen stated Smithfield Land Group LLC has requested to rezone approximately 140 acres of land located at 1041 Buffalo Rd. This property is also identified by Johnston County Tax ID 140001021. The applicant would like to rezone the land from R-20A to R-8 Conditional Zoning with a masterplan for a 210-lot detached single-family residential development. The proposed local roads are 27' wide back-to-back in a 60' public right of way in accordance with Town standards. The development proposes two access points on Buffalo Road and two lateral street connections to Holland Drive in the residential neighborhood to the north. The development will have public water, sewer, and power. A traffic study will be required for the development prior to preliminary plat approval in cooperation with NCDOT.

Along Buffalo Road, there are 10-lots with backyards facing Buffalo Road. The developer has provided a 24' wide open space area along Buffalo Road and will provide the required landscaping along the road frontage with a landscaped berm and fencing that will screen the backs of these lots. The developer should provide an elevation showing the berm, fence and landscaping that clearly shows the height and extent of the berm. The plans provide a 10' landscape buffer proposed between the new lots that back up to the larger Holland Drive lots to the north (+/- 10,000 sq. ft. lots). The buffer will exist within an easement over the new lots. The developer is proposing enhanced landscaping near the entrances to the development from Buffalo Road. Phase 1 of the development is expected in Spring of 2025 and build out is expected to take approximately 5 years.

Debbie Howard mentioned sidewalks, she asked if they could be made a condition?

Chloe Allen said they could be made a condition

Scott Brown with 4D Site Solutions, Inc located at 409 Chicago Drive Suite 112 Fayetteville, NC came forward. He's the engineer and surveyor for this project. They do propose sidewalks on both sides of the street. They're proposing a 3ft high buffer along Buffalo Rd as well as a fence along the back of the lots. They'd like to use rollback curb instead of high back curb.

Debbie Howard mentioned one of the deviations from the Town's requirements is a rear setback from 25 ft to 12 ft. She asked if that meant a house could be built 24 ft from the back of another house?

Scott Brown said yes but they don't anticipate it being that way.

Richard Vincent of 130 Short Rd Pinehurst, NC came forward. He's here on behalf of the applicant. He stated this deviation gives them more variation with house layouts.

Debbie Howard asked Mr. Vincent if he was proposing single-family dwellings for all of the neighborhood?

Richard Vincent answered yes.

Ashley Spain asked how the site development would be built out?

Scott Brown said they would only open up what they need at the time. It will be built in phases. The economy will drive a lot of that decision.

Tara Meyer expressed her concern for the water and sewer infrastructure. She asked if anyone had thought to bore underneath the wetland to make an additional tap to give the watermain on Buffalo Rd a backup.

Scott Brown said he understood he concern and ideally every development would be looped. They will have meetings with Public Utilities at a later date.

Randy Parrish, a co-owner of 239 Holland Drive expressed his concern for this development. He said traffic will be an issue and he's concerned if this will cost him any money.

Richard Vincent said they were driven by DOT to tie into Holland Drive.

Pam Lampe of 415 N. Second Street spoke on requesting higher architectural standards. She prefers less density and a minimum lot size of 8000 sq. feet. She requested the setbacks be followed by the developer in accordance to the Unified Development Ordinance. She's also concerned about the increase in traffic on Buffalo Rd.

Debbie Howard made a motion to recommend approval of the zoning map amendment, CZ-24-03, with 16 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Motion was seconded by Doris Wallace. Unanimously approved. The first 11 conditions shall be as shown below and the additional following 5 conditions read by Debbie Howard.

Planning Staff recommend the Planning Board recommend approval of CZ-24-03 with the following conditions:

1. That future development plans for the project be in accordance with the approved Master Plan, B-3 Zoning District, and other UDO regulations with the deviations: (condition summarizing deviations - to be determined)
2. The minimum corner side yard setback shall be equal to the minimum front setback
3. That the berm along Buffalo Road be three feet in height or greater where back yards face the state road.
4. That the development plans be in accordance with WA-IV-CA Overlay regulations.
5. That curb and gutter and underground drainage be provided along Buffalo Road in accordance with NCDOT requirements.

6. Garages shall be no smaller than 12' x 22' in size.
7. A standard concrete driveway apron be provided for all residential driveways and the kiosk mailbox parking lot entrance.
8. That an 8' wide multi-purpose trail be provided along Buffalo Road in accordance with the Town's Pedestrian Plan and NCDOT requirements.
9. That the architectural standards be incorporated in a homeowner's association (HOA) documents.
10. That the open space amenities, kiosk, parking lot and stormwater management be owned and maintained by an HOA.
11. A traffic study shall be conducted in accordance with the Town's UDO and NCDOT requirements prior to preliminary plat approval.
12. Roll curb to be used throughout the development.
13. Sidewalks shall be on both sides of the streets.
14. Rear setback 20 ft, except lots abutting Holland Drive at 25 ft.
15. Rezone from R20-A to R-8CZ to include Single Family Dwelling only.
16. The development be constructed with the following architectural standards:
  - a. All homes shall have a combination of 2 or more of the following materials on the front façade: brick, stone, lap siding, shakes or board and batten.
  - b. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch or wall offsets may be used as an alternative to windows.
  - c. All garages shall have windows or decorative hardware.
  - d. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
  - e. A consistent color palette shall be used for the homes.

**ZA-24-01 Driveways:** Zoning text amendment to the Unified Development Ordinance, Article 10, Section 10.6. Driveways require paving and other regulations.

Chloe Allen stated this request for an update to the driveway standards was previously part of a larger text amendment reviewed by the Planning Board but tabled by the Town Council. At the direction of the Town Manager, Planning Staff was encouraged to bring forward an amendment to the driveway standard, Section 10.6 separate from the full Article 10 update. The ordinance has not changed since the Planning Boards previous review except for driveways in the R-20A Zoning District.

The draft Amendment:

- Requires all driveways to be paved with either asphalt or concrete, or with alternative paving material (e.g., concrete pavers, brick, or similar material (not gravel).
- In the R-20A, driveways exceeding 50' in length, may pave the remainder of the driveway to the public right of way with gravel or similar load bearing material.
- Driveway paving cannot exceed 50% of the front yard area.
- Driveway aprons must conform to the Town's Standard Detail.
- Requires zoning permits for all driveways.

Planning Staff recommends that Planning Board recommend approval of the zoning text amendment ZA-24-01 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Doris Wallace made a motion to recommend approval of zoning text amendment, ZA-24-01, amending Article 10, Section 10.6, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management

Plan and other adopted plans and that the amendment is reasonable and in the public interest. Also, to exclude properties in the ETJ (Extra Territorial Jurisdiction). Seconded by Ashley Spain. Unanimously approved.

**RZ-24-05 Watershed Overlay Boundary:** Staff is requesting a map amendment to change the Watershed Overlay District boundary to be consistent with the boundary established by North Carolina Department of Environmental Quality (NCDEQ).

Chloe Allen said while performing development review, staff discovered discrepancies between the State's mapped watershed boundaries in Smithfield and the boundaries shown on the Town's zoning map. According to NC Statutes, the Town cannot be less restrictive than the State unless the Town can demonstrate that areas drain away from the watershed. The Town Engineer conducted an analysis and recommended adopting the State's mapped watershed boundaries. The amendment will result in some properties being added to the overlay and others removed. The boundary between the critical area and protected area also changes with some properties being moved from the critical area to the protected area (the critical area will be reduced).

Doris Wallace made a motion to recommend approval of zoning map amendment RZ-24-05 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and that the amendment is reasonable and in the public interest. Motion seconded by Ashley Spain. Unanimously approved.

**Old Business:** Mark Lane informed the Planning Board that he tried to have the monthly stipend increased for each Planning Board member from \$50 to \$75 but the request was declined by Smithfield Town Council.

Mark Lane notified the Planning Board that at the May 21<sup>st</sup> Town Council Meeting they heard CZ-24-02 Local 70 PUD. When this same case came before the Planning Board, they placed 13 conditions on this development in the motion to recommend approval. Mark Lane said all 13 conditions were in the Town Council agenda but weren't presented to Town Council in Stephen Wensman's presentation. Mark Lane said he was told that two of the conditions were met and the third one Mr. Wensman didn't agree with which was to repave Bayhill Drive. After discussion the Planning Board stated they wanted all conditions presented to Town Council whether the Planning Director agreed with their decisions or not.

#### **Adjournment**

Doris Wallace made a motion to adjourn, seconded by Debbie Howard. Unanimously approved.

Next Planning Board meeting is July 11th, 2024 at 6pm.

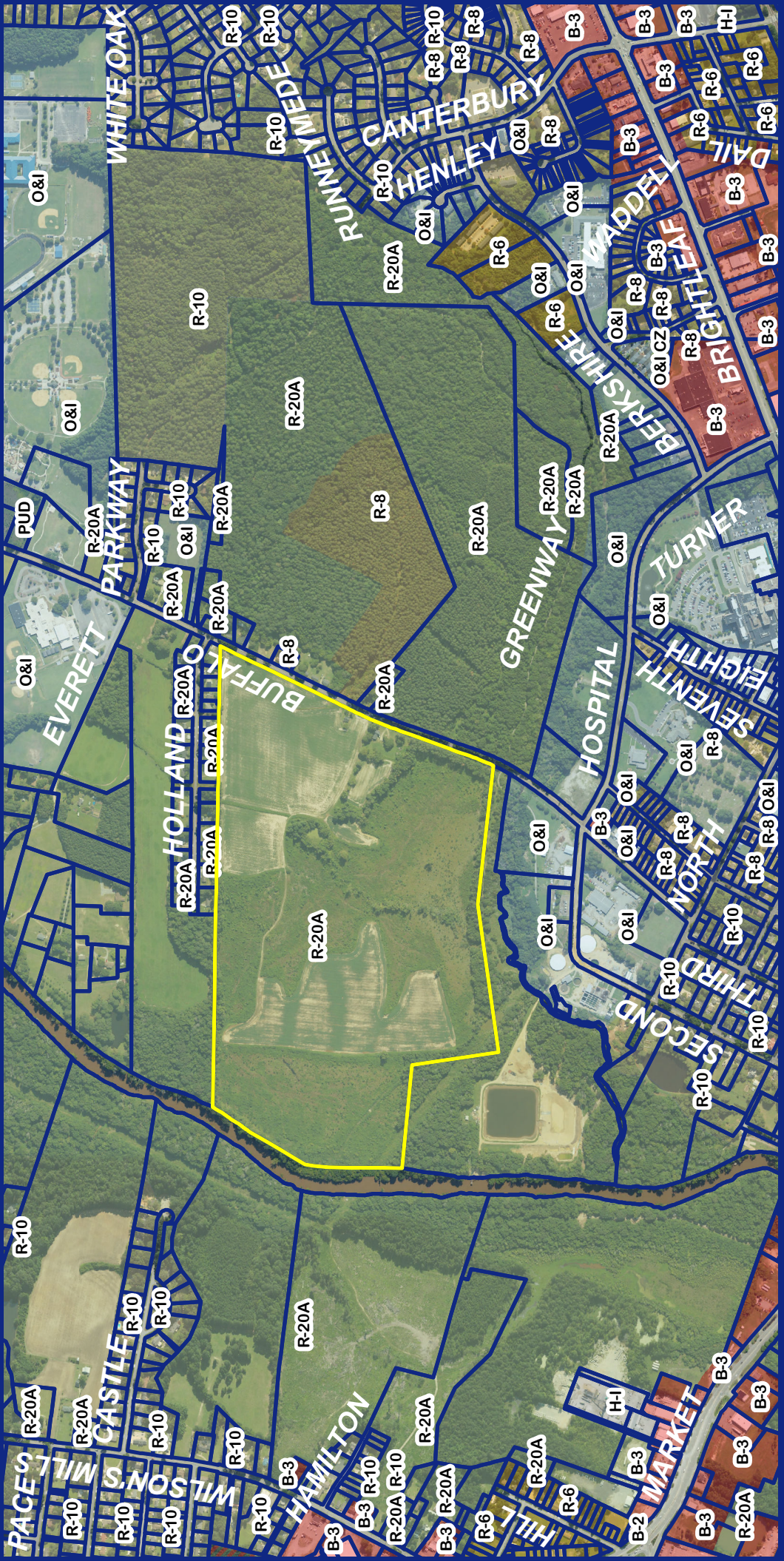
Respectfully Submitted,



Julie Edmonds  
Administrative Support Specialist



# Buffalo Ridge CZ Map Amendment



**File Number:**  
CZ-24-03

**Project Name:**  
Buffalo Ridge

**Location:**  
Buffalo Road

**Tax ID#:**  
14001021

**Existing Zoning:**  
R-20A

**Owner:**  
Smithfield Land  
Group, LLC

**Applicant:**  
Rhetson  
Companies, Inc



1 in = 1,042 ft  
Map created by Chloe Allen  
Planner 1 on 2/12/24





# Request for Town Council Action

**Public  
Hearing:** ZA-24-01  
**Date:** 06/18/2024

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**Subject:** Zoning Text Amendment  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Public Hearing

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## Issue Statement

Request by Staff to amend the Unified Development Ordinance, Article 10, Section 10.6. Driveways.

## Financial Impact

None.

## Action Needed

The Town Council is respectfully requested to review the zoning text amendment and to decide whether to approve, approve with changes, or to deny of the request.

## Recommendation

Planning Staff and the Planning Board recommend approval of the zoning text amendment, ZA-24-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved:  Town Manager  Town Attorney

## Attachments:

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



# Staff Report

Public Hearing: ZA-24-01

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## REQUEST:

Staff are requesting the Planning Board recommend approval of an ordinance amendment to Article 10, Section 10.6 to update the driveway standards.

## OVERVIEW:

This request for an update to the driveway standards was previously part of a larger text amendment reviewed by the Planning Board but tabled by the Town Council. At the direction of the Town Manager, Planning Staff was encouraged to bring forward an amendment to the driveway standard, Section 10.6 separate from the full Article 10 update. The ordinance has not changed since the Planning Boards previous review except for driveways in the R-20A Zoning District.

## ANALYSIS:

The draft Amendment:

- Requires all driveways to be paved with either asphalt or concrete, or with alternative paving material (e.g., concrete pavers, brick, or similar material (not gravel)).
- In the R-20A, driveways exceeding 50' in length, may pave the remainder of the driveway to the public right of way with gravel or similar load bearing material.
- Driveway paving cannot exceed 50% of the front yard area.
- Driveway aprons must conform to the Town's Standard Detail.
- Requires zoning permits for all driveways.

## PLANNING BOARD RECOMMENDATION:

The Planning Board unanimously recommended approval of the amendment with one change; that the regulation only be applicable within the corporate limits of the town.

## CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

## RECOMMENDATION:

Planning Staff recommend approval of the zoning text amendment, ZA-24-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

If the Council wishes to exempt land within the ETJ from these regulatory provisions, then Staff suggests the item be tabled so that the regulations can be incorporated into the administrative code.

**STAFF RECOMMENDED MOTION:**

Staff recommends the following motion:

“Move to approve zoning text amendment, ZA-24-01, amending Article 10, Section 10.6, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

If the Council wishes to exempt land within the ETJ from these regulatory provisions, then staff recommends the following motion:

“Move to table the zoning text amendment, ZA-24-01, to allow staff time to incorporate the proposed driveway regulations into the administrative code.”

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
ZA-24-01**

**Whereas** the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

**Whereas** the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

**NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:**

**IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT,**

That the final action regarding zoning ordinance amendment ZA-24-01 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the regularly scheduled meeting of Town Council; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

**IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE FAILS,**

That the final action regarding zoning ordinance amendment ZA-24-01 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment does not promote this and therefore is neither reasonable nor in the public interest.

**DRAFT ORDINANCE # ZA-24-01**  
**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD**  
**UNIFIED DEVELOPMENT ORDINANCE**  
**ARTICLE 10, SECTION 10.6 DRIVEWAYS.**

**WHEREAS**, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 10, Section 10.6 Driveways.

**WHEREAS**, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

**NOW, THEREFORE**, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

**PART 1**

[Revise Article 10, Section 10.6 to update the Town’s driveway standards.]

**Sec. 10.6. Driveways.**

**10.6.1. General.**

~~After the date of passage of this section, only~~ All driveways designed, approved, constructed, and surfaced in accordance with the provisions herein shall be allowed to provide motor vehicle access to or from any property upon which a building has been constructed, reconstructed, or physically altered.

- 10.6.1.1. ~~All~~ Driveways driveways shall be paved with either asphalt or concrete, or with alternative paving material (e.g., concrete pavers, brick, "turfstone" or similar pervious material) determined to exhibit equivalent wear resistance and load bearing characteristics as asphalt or concrete. Single-family properties in the R-20A zoning district with driveways exceeding 50’ in length, may pave the remainder of the driveway to the public right of way with gravel or similar load bearing material.

10.6.1.2. Driveways and parking may cover a maximum of 50 percent of the front yard of single-family or two-family lot, unless restrictions on impervious surface coverage pose greater restrictions.

10.6.1.3. All new driveway aprons shall be constructed in accordance with the Town’s Standard Detail and Specifications Manual.

10.6.1.4. Before a ~~building zoning~~ permit is issued for the construction, reconstruction, or change in use of any building or land ~~used for purposes other than a single or two-family residence~~, all driveways shall be reviewed and approved by the Planning Director-Administrator. ~~Private driveways serving single-family and two-family dwellings shall not be regulated by the provision of this Ordinance. “Construction, reconstruction, or change in use” refers to those improvements made to the site involving overall structure size or to changes in use which would require the addition of one or more parking spaces under the provision of Article 10, Part I, Off-Street Parking and Off-Street Loading Requirements; it is not intended to refer to construction activities which merely involve changes to exterior architectural features (e.g., painting, addition of siding, roofing activities, etc.);~~

10.6.1.5. Discontinued driveway access. When the use of any driveway has been permanently discontinued, the property owner of that driveway shall, at his expense, replace all necessary curbs, gutters, aprons, sidewalks, and appurtenances thereto, within sixty (60) days of receipt of a written notice from the Administrator.

10.6.1.6. Driveway conflicts. No driveway shall conflict with any municipal facility such as traffic signal standards, catch basins, fire hydrants, crosswalks, loading zones, bus stops, utility poles, fire-alarm supports, meter boxes, and sewer clean-outs or other necessary structures, except with the express approval of the Director of Public Works. Any adjustments to municipal facilities to avoid such conflicts shall be at the expense of the driveway applicant.

### **10.6.2. Permit Requirements.**

A permit must be obtained from the ~~Public Works Director~~ Planning Director with approval from the Public Works Director prior to the removal, alteration, or construction of any curb, driveway, gutter, and/or pavement or prior to the performance of any other work in any public or private street. Conditions governing the issuance of such a permit are:

**10.6.2.1.** A continuing indemnity bond with sufficient surety acceptable to the town may be required of the party performing the work. All work must be done in conformity with the standards established herein.

**10.6.2.2.** The town shall be indemnified for any damages it might sustain as a result of the breach of condition above. The damages payable to the town shall be the amount required to make such an improvement conform to town standards.

Based on the Town of Smithfield Schedule of Fees, a fee shall be paid to the town at the time the application for a driveway permit is made.

### **10.6.3. Submission of Plans.**

Two copies of plans showing the location and dimensions of all proposed improvements shall be filed with the Planning Director ~~Administrator~~ for approval prior to the issuance of a driveway permit ~~for uses other than single or two-family residential.~~

All design and construction of driveways shall conform to ~~the requirements of the Town of Smithfield Standard Detail and Specifications Manual.~~ North Carolina Department of Transportation.

## **PART 2**

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

## **PART 3**

That these amendments of the Unified Development Ordinance shall become effective upon adoption. Duly adopted this the 18th day of June, 2024.

---

M. Andy Moore, Mayor

ATTEST

---

Shannan L. Parrish, Town Clerk





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

**Petition for Amendment to the Unified Development Ordinance**

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

**APPLICANT INFORMATION:**

Town of Smithfield	350 East Market St
Petitioner's Name	Address or PO Box
Smithfield 27577	919-934-2116, ext. 1114
City, State, Zip Code	Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:  
**Amend Section 10.6 to update driveway standards**

(Attach additional sheets as necessary)

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

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

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

<i>Stephen Wehsman</i>	4/30/24
Stephen Wehsman, Planning Director	Date
Signature of Petitioner	

**FOR OFFICE USE ONLY**

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





# Request for Town Council Action

**Public  
Hearing:** RZ-24-05  
**Date:** 06/18/2024

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**Subject:** Zoning Map Amendment  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Public Hearing

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## Issue Statement

Staff is requesting a map amendment to update the Town’s Watershed Overlay District Boundaries.

## Financial Impact

None.

## Action Needed

The Town Council is respectfully requested to hold a public hearing to review the zoning map amendment and to make a decision to approve or deny the request.

## Recommendation

Planning Staff and Planning Board recommend approval of the zoning map amendment, RZ-24-05, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan, and other adopted plans, and that the request is reasonable and in the public interest.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Consistency Statement
3. Watershed Overlay District Comparison Map
4. Proposed Watershed Overlay Map
5. Application



# Staff Report

**Public Hearing: RZ-24-05**

## **REQUEST:**

Staff is requesting a map amendment to update the Town's Watershed Overlay to match the State's mapped watershed boundaries.

## **ANALYSIS:**

While performing development review, staff discovered discrepancies between the State's mapped watershed boundaries in Smithfield and the boundaries shown on the Town's zoning map.

According to NC Statutes, the Town cannot be less restrictive than the State unless the Town can demonstrate that areas drain away from the watershed. The Town Engineer conducted an analysis and recommended adopting the State's mapped watershed boundaries.

The amendment will result in some properties being added to the overlay and others removed. The boundary between the critical area and protected area also changes with some properties being moved from the critical area to the protected area (the critical area will be reduced).

## **CONSISTENCY STATEMENT (Staff Opinion):**

With approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- **Consistency with the Comprehensive Growth Management Plan** - *The map amendment is consistent with the comprehensive growth management plan.*
- **Consistency with the Unified Development Code** – *the map amendment will be consistent with the UDO.*
- **Compatibility with Surrounding Land Uses** – *the map amendment will not affect the compatibility with surrounding land uses.*

**RECOMMENDATION:**

Planning Staff and the Planning Board recommend approval of zoning map amendment, RZ-24-05, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

**RECOMMENDED MOTION:**

“Move to approve zoning map amendment, RZ-24-05, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
RZ-24-05**

**Whereas** the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

**Whereas** the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

**NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:**

**IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,**

That the final action regarding zoning map amendment RZ-24-05 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public meeting; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

**IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE FAILS,**

That the final action regarding zoning map amendment RZ-24-05 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

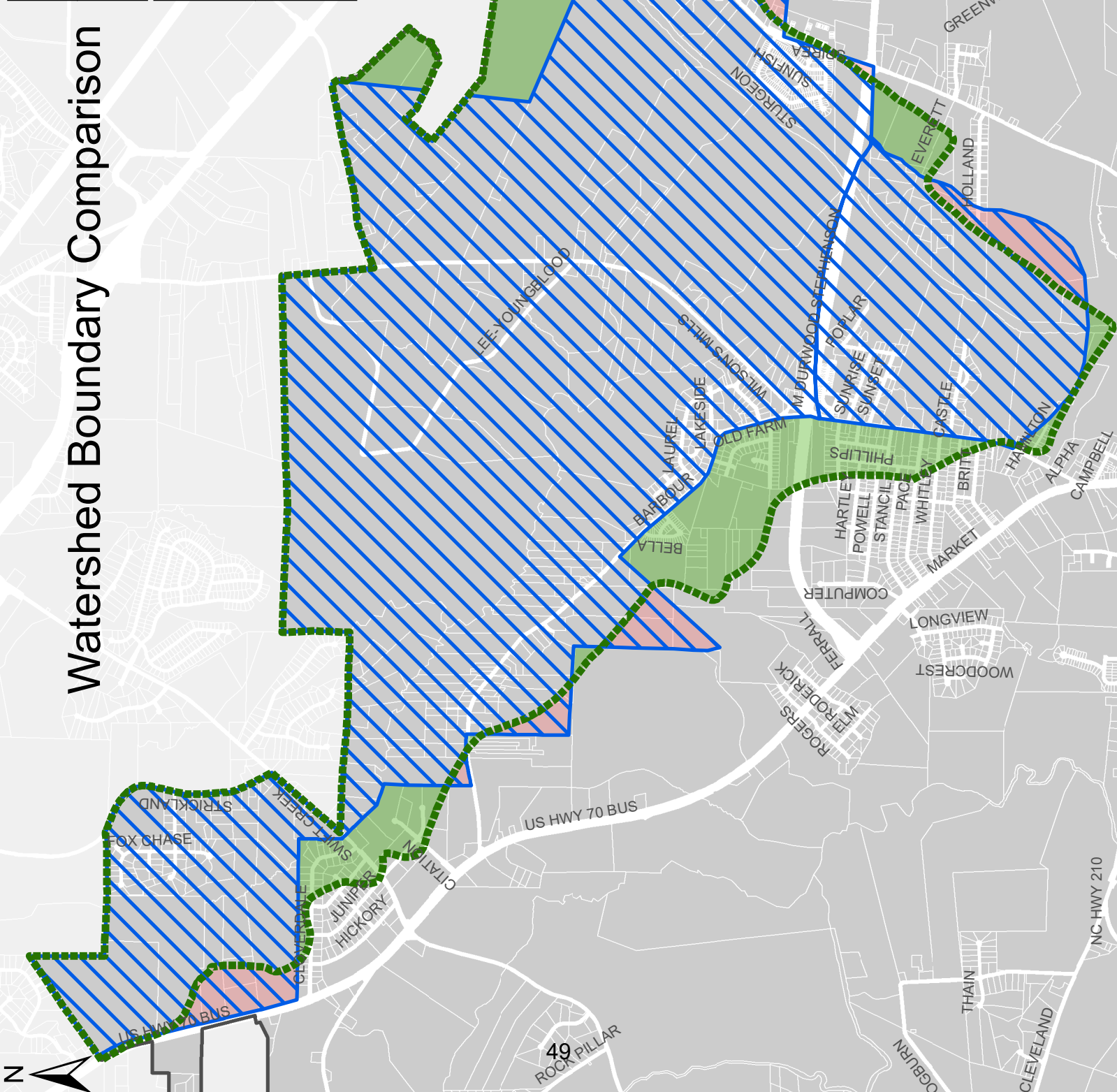
It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.



# Watershed Boundary Comparison

**Legend**

- NCDEQ Watershed Boundaries in ETJ (Green dashed line)
- Current Smithfield Watershed Boundary (Blue diagonal lines)
- To Be Removed (Pink shaded area)
- To Be Added (Green shaded area)
- ETJ Boundaries (Black outline)



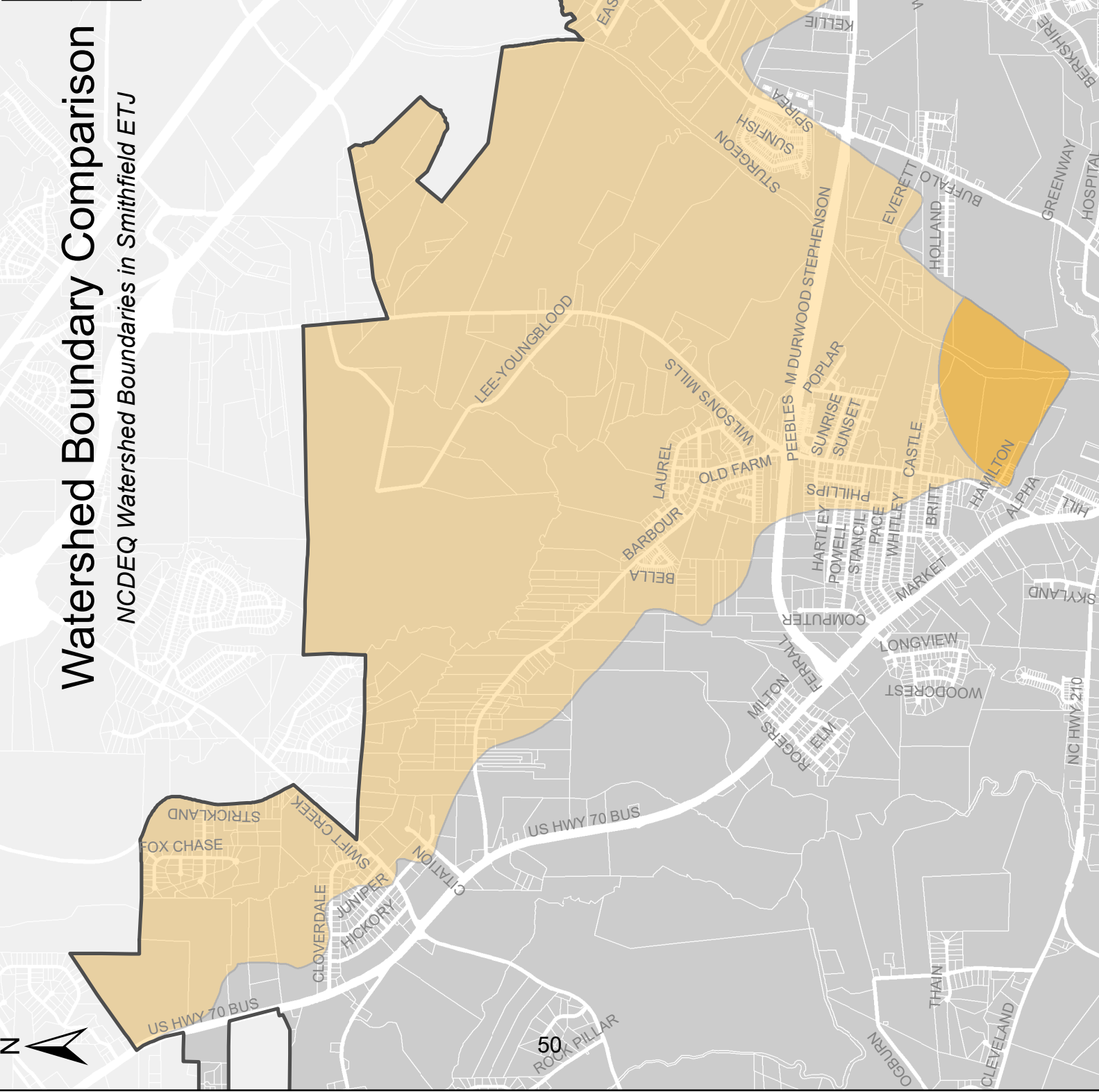


# Watershed Boundary Comparison

NCDEQ Watershed Boundaries in Smithfield ETJ

**Legend**

- WS-IV NSW Protected
- WS-IV NSW Critical
- ETJ Boundaries







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

## REZONING APPLICATION

*Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached), (1) electronic submittal and the application fee.*

Name of Project: \_\_\_\_\_ Acreage of Property: \_\_\_\_\_

Parcel ID Number: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Deed Book: \_\_\_\_\_ Deed Page(s): \_\_\_\_\_

Address: \_\_\_\_\_

Location: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Existing Zoning District: \_\_\_\_\_

Requested Zoning District \_\_\_\_\_

Is project within a Planned Development:                      Yes                      No

Planned Development District (if applicable): \_\_\_\_\_

Is project within an Overlay District:                      Yes                      No

Overlay District (if applicable): \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: <u>RZ-23-03</u>	Date Received: _____	Amount Paid: _____
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**APPLICANT AFFIDAVIT**

*I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject zoning map amendment. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.*

Stephen Wensman

*Print Name*



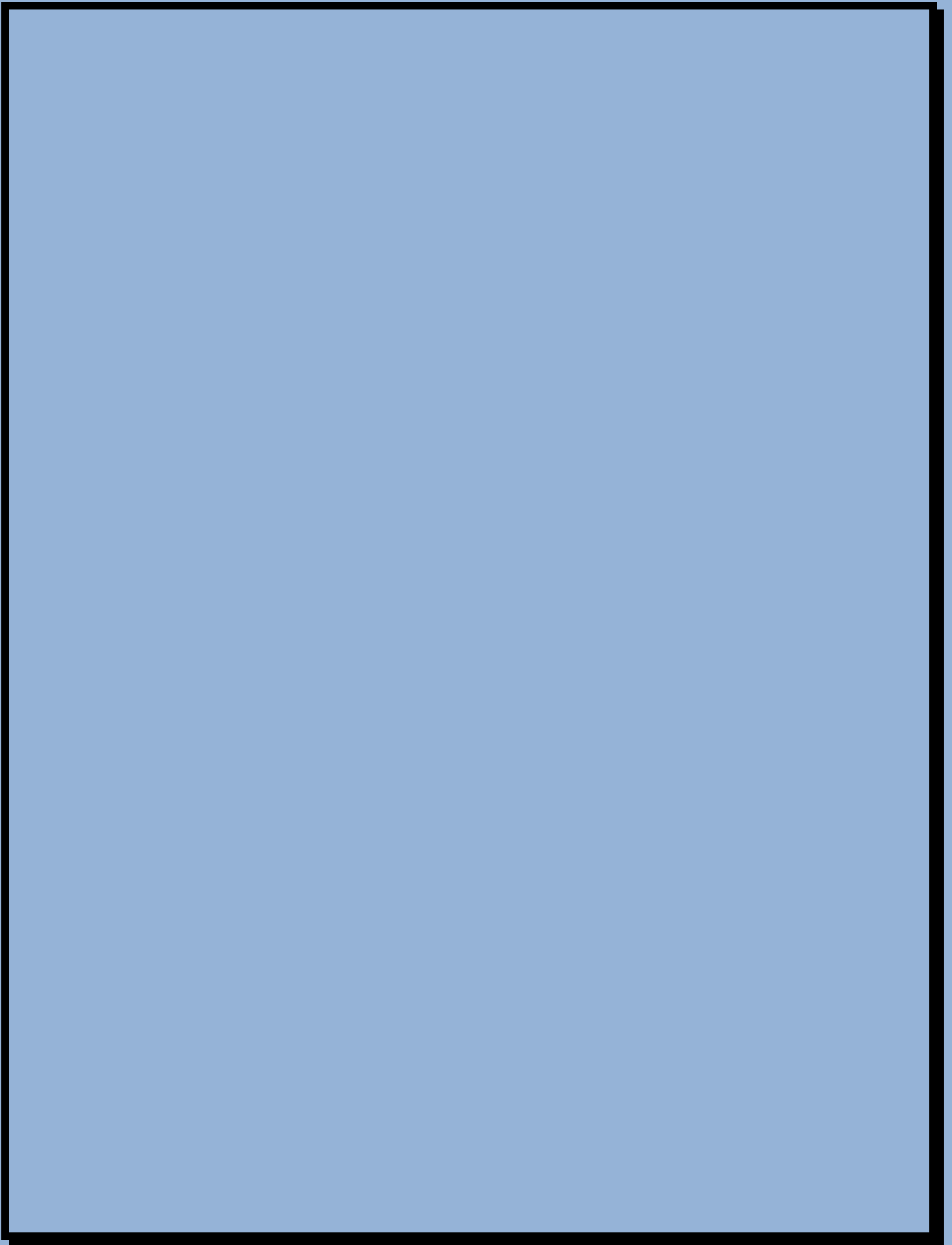
*Signature of Applicant*

12/22/23

*Date*



Business Item





# Request for Town Council Action

Business **Service**  
Item: **Contracts**  
Date: 06/18/2024

---

**Subject:** Service Contract Bidding Procedures  
**Department:** General Government  
**Presented by:** Town Manager – Michael Scott  
**Presentation:** Business Item

---

## Issue Statement

The Town Manager is requesting permission to alter the need for formally bidding service contracts.

## Financial Impact

N/A

## Action Needed

Discuss the Town's Policy on formally bidding service contracts.

## Recommendation

Remove any requirement for formal bidding of service contracts.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Informal Bidding Information from the UNC School of Government



## STAFF REPORT

<b>Business</b>	<b>Service</b>
<b>Item:</b>	<b>Contracts</b>
<b>Date:</b>	<b>06/18/2024</b>

Currently, the Town has a policy that it formally bids service contracts. This includes formal advertising, the requirement of receiving a minimum of three formal bids and a formal bid opening.

This formal bidding process is a process not required by state statute, but one created for Smithfield by its Town policies. Recent bidding history has shown that Smithfield rarely receives three bids for its service contracts, primarily Lawn and Grounds Maintenance, HVAC Maintenance, and Janitorial Services. This has forced staff to return unopened bids, readvertise the Requests for Proposals (RFP) and then have a second scheduled public bid opening, even if only one bid for these services is received.

This has put the Town at a disadvantage, as in many cases a single bidder can bid a high price, should they become aware that no other bids are received.

The Town Manager is requesting a non-formal bid process take place that would streamline this process and protect the integrity of those choosing to bid, while minimizing the costs associated with formally advertising these contracts.

The process would follow informal bidding processes as described in the attached information from the UNC School of Government.

- Staff would solicit proposals for services after advertising on the Town's website.
- The Staff would use a "request for proposal" document that would include the services being solicited and to assure all proposals are meeting the same criteria.
- Staff would solicit these proposals from known, reputable companies, as well as those responding to the website advertisement.
- Staff would select the preferred proposal and submit the contract to the Council for approval, along with information from the other received proposals.

Staff is requesting Council approve this process for all service contracts going forward. (Mini-Brooks Act Contracts are exempt from this process.)





## Coates' Canons NC Local Government Law

### The ABCs of IFBs, ITBs, RFPs, RFQs, and RFIs

**Published: 09/01/10**

**Author Name: Eileen R. Youens**

What's the difference between an IFB, and RFP, and an RFQ, and what are they anyway? As I'll explain in more detail in this post, what name you give a solicitation document—the document you use to solicit bids or proposals—is not as important as the process you use to award the contract. And the North Carolina General Statutes usually dictate which process you're required to use.

#### The Four Types of Documents

There are four main types of solicitation documents: (1) those used for bidding, where price is the primary factor; (2) those used to request proposals focusing on factors other than price; (3) those used to ask for someone's qualifications; and (4) those used to gather information from potential bidders or proposers before starting the bid or proposal process. I'll explain below when local governments can use each of these four types of documents.

#### The First Type: Bids

Under North Carolina law, local governments are required to bid out purchases of “apparatus, supplies, materials, and equipment” (what I like to refer to as “stuff”) costing \$30,000 or more, and contracts for construction or repair costing \$30,000 or more. (Local policies may require bidding on other types of contracts or for contracts costing less than \$30,000.) The bidding statutes, **G.S. 143-129** (formal bidding) and **G.S. 143-131** (informal bidding), require that these contracts be awarded to the lowest responsive, responsible bidder. This “award standard” is what distinguishes bidding from other contracting methods. To solicit bids, public entities usually use Invitations to Bid (ITBs) or Invitations

for Bids (IFBs). For informal bids or for purchases or construction costing less than \$30,000, local governments may also use a request for quotes (“RFQ” – not to be confused with another RFQ: the request for qualifications, discussed below).

### The Second Type: Requests for Proposals

North Carolina local governments have the *option* of using a request for proposal process for the purchase of information technology goods and services (**G.S. 143-129.8**). This process allows local governments to establish their own evaluation criteria (i.e., evaluating vendors based on how well their product meets your entity’s needs, rather than focusing primarily on price), and award the contract to the vendor “that submits the best overall proposal.” I say that this is an option because if you’re purchasing IT “stuff” that costs \$30,000 or more, you can either (1) bid it out (formally or informally, depending on the cost), or (2) use the request for proposal process described in G.S. 143-129.8. On the other hand, if you’re contracting for IT services, those services don’t fall under the bidding laws, so you can either (1) use the request for proposal process described in G.S. 143-129.8, or (2) use any process you want to use, or no process at all (simply selecting the firm you’d like to work with), unless your local policy requires a specific process for the procurement of services. Note that if you’re using grant funding, you must comply with the terms of the grant. (For example, if the grant requires you to bid out IT goods instead of using a request for proposal process, then you have to comply with the grant.) The North Carolina statutes refer to requests for proposals in two other situations. First, G.S. 143-64.17A requires that all public entities in North Carolina use a request for proposal process for the procurement of guaranteed energy savings contracts (GESCs). The statutes governing GESCs (**G.S. 143-64.17 through G.S. 143-64.17K** [scroll down to “Part 2. Guaranteed Energy Savings Contracts for Governmental Units”]) set out a specific request-for-proposal process and specific evaluation criteria that must be used for these types of contracts. Second, the statutes allow North Carolina local governments to use a request for proposal process for contracts for the construction, design, operation, and maintenance of solid waste management facilities and sludge management facilities. The statute governing these contracts is **G.S. 143-129.2**. For more information about both of these types of contracts (and a summary of all of the procurement laws that apply to North Carolina local governments), take a look at **this** free bulletin.

As I mentioned above, local governments are not required to bid out services (aside from design services—discussed below). In fact, the General Assembly has decided to let local governments choose how to procure services. Many local governments use requests for proposals to procure services, as a way of seeking competition while considering factors in addition to price. When a local government uses a request for proposals to procure services, the local government decides how the

proposals are evaluated, what the timeline is, whether to advertise or not, and whether to open proposals in public or not. In other words, when procuring services, it's up to each government to decide what process will best balance its needs for (1) good quality services, (2) value, (3) transparency, (4) efficiency, and (5) fairness. (As I mentioned above, if you're using grant funding, you'll need to comply with the terms of the grant; if the grant requires a competitive process for awarding contracts for services, you'll have to comply with those terms.)

So the term "request for proposals" (RFP) covers a range of solicitation documents.

#### The Third Type: Qualifications-Based Selection

**G.S. 143-64.31** (sometimes referred to as the "Mini-Brooks Act" because it's based on a federal law called the "Brooks Act") requires local governments to procure architectural, engineering, surveying, or construction-management-at-risk services—regardless of the contract amount—by focusing on *qualifications* rather than price. (Note that local governments can exempt themselves from this process—I've blogged about this [here](#).) So when people solicit these services, they often use a "request for qualifications" (RFQ).

You can also use qualifications-based solicitation (or some variation thereof) for other types of services. Again, since the general statutes don't require the use of a specific process (or *any* process) for procuring services, the process you use is up to you (as long as you comply with your local policies or grant terms, if you're using grant funding).

#### The Fourth Type: Information Requests

Another acronym you may see is RFI—a "request for information." RFIs are not used to procure goods or services directly, but instead are used to solicit information about purchases or projects you're planning to procure in the future. For example, if you know you're going to have to buy some new police cars next year, and it's been a while since you've bid out police cars, you could send out RFIs to several car dealers or manufacturers to find out what new features are available and what models might best meet your needs.

#### The Bottom Line

William Shakespeare really said it best:

*"What's in a name? That which we call a rose  
By any other name would smell as sweet."*

In other words, the substance of the document is more important than what it's called. If you're soliciting firms to perform architectural services, your solicitation document must ask for qualifications instead of price, even if you call it an IFB. And if you're bidding out a \$1.2 million construction

project, you have to award the contract to the lowest responsive, responsible bidder, even if you call your solicitation document ~~a~~ ~~rose~~ an RFP.

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