

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on January 26, 2016 and before the City Council of the City of High Point on February 15, 2016 and May 2, 2016 **Zoning Amendment Case 15-19** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on January 17, 2016, for the Planning and Zoning Commission public hearing and on February 3, 2016 and February 10, 2016 AND April 20, 2016 and April 27, 2016, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on **May 2, 2016**.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Conditional Zoning Residential Multifamily-8 (CZ RM-8) District**. The property is approximately 8.7 acres lying along the east side of Penny Road and north of Horney Road (2000 Penny Road). The property is also known as Guilford County Tax Parcel 0209235.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. **USES:**

- A. Any of the land uses allowed in the Residential Multifamily-8 (RM-8) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Residential Multifamily-8 (RM-8) District and the specific conditions listed in this ordinance.
- B. The following uses shall be prohibited.
 - 1. Residential Uses
 - a. Multifamily Dwellings
 - b. Shelters, Temporary

2. Accessory Uses and Structures
 - a. Communication Towers (exceeding height limits of zoning district)
3. Transportation, Warehousing and Utilities
 - a. Communication Towers (exceeding height limits of zoning district)
 - b. Communication Towers (not exceeding height limits of zoning district)
4. Other Uses
 - a. Automotive Parking
 - b. High Mast Outdoor Lighting > 50' in ht.
 - c. Temporary Events
 - d. Christmas Tree Sales

Part II. CONDITIONS:

- A. Development and Dimensional Requirements: Development shall be limited to a maximum two-story building height
- B. Transportation Conditions:
 1. Right-of-way Dedication
 - a. The property owner shall dedicate a minimum of forty-two (42) feet of right-of-way as measured from the centerline of Penny Road.
 - b. The property owner shall dedicate up to twenty-five (25) feet of right-of-way as measured from the centerline of existing Horney Road right-of-way.
 - c. A 20-foot by 20-foot sight distance chord shall be dedicated at the northeast corner of Penny Road and Horney Road.
 2. Access:
 - a. Development of the site shall take access from Horney Road. No access shall be permitted from Penny Road.
 - b. The western most access or development entrance to Horney Road shall align with Florence School Drive.
 3. Improvements:
 - a. Horney Road must be improved to minimum North Carolina Department of Transportation (NCDOT) standards regarding width and pavement structure without the requirement to construct curb and gutter along the north side of Horney Road.
 - b. Sidewalks shall be installed along Penny Road and Horney Road.

4. Other Transportation Conditions:

- a. Any private drive on the site shall be constructed to the following minimum standards.
 - 1) minimum 8-inch Aggregate Base Course;
 - 2) minimum 1.5-inch S9.5B;
 - 3) minimum 1" in S9.5A; and
 - 4) minimum pavement width for ribbon pavement is 22 feet and the minimum width for curb and gutter is 24-feet (face-to-face).
- b. The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5

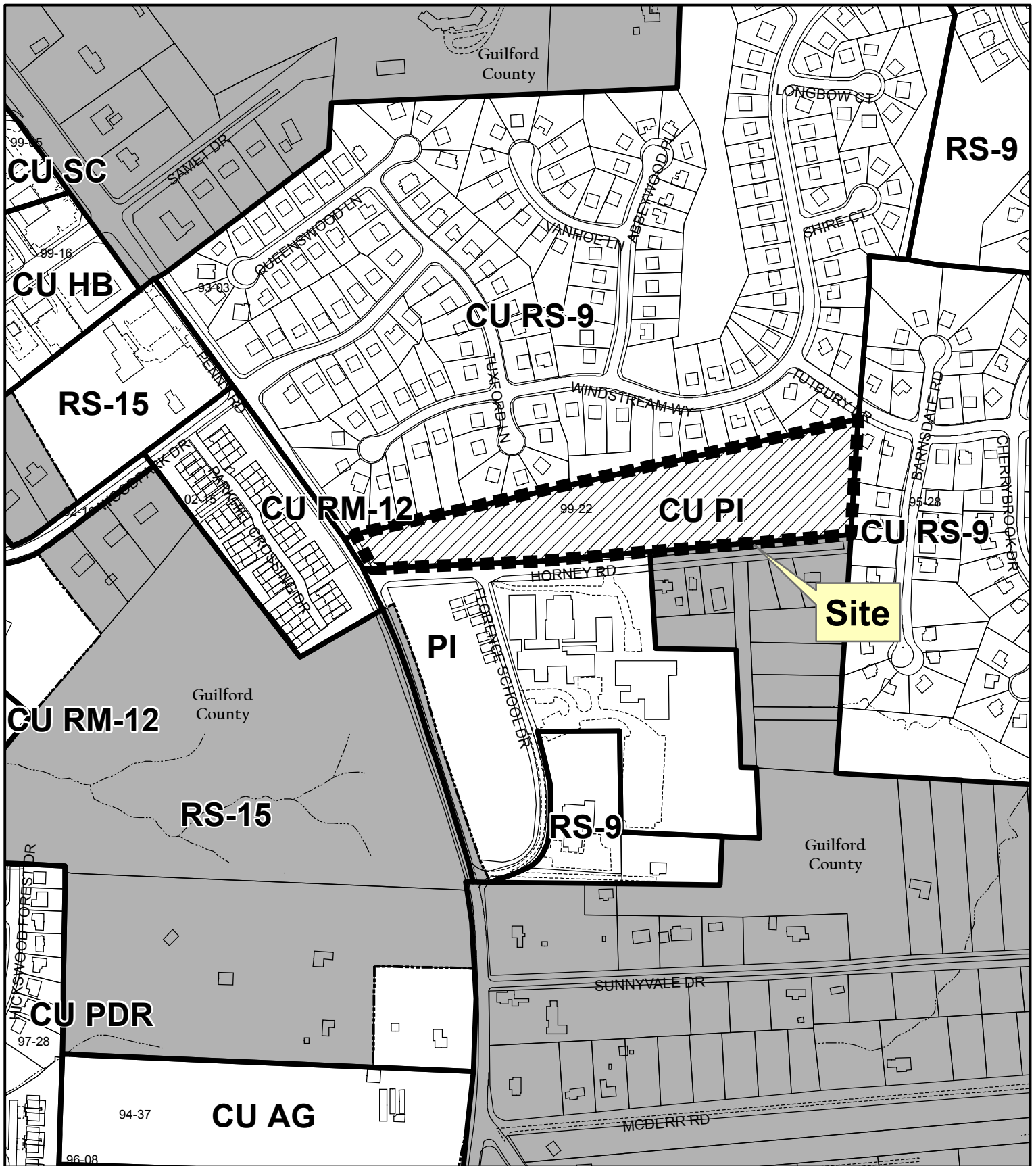
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

2nd day of May, 2016.

Lisa B. Vierling, City Clerk



ZONING MAP AMENDMENT ZA15-19

From: Condition Use Public Institutional
To: Coniditional Zoning Residential Multifamily-8

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

**Planning & Development
 Department**

City of High Point

Date: January 26, 2016



Scale: 1"=400'

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