

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 April 26, 2016 and before the City Council of the City of High Point on May 16, 2016 regarding **Zoning Case 16-07** 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 April 17, 2016, for the Planning and Zoning Commission public hearing and on May 4, 2016 and May 11, 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 16, 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 Single Family-9 (CZ RS-9) District**. Approximately 18.7 acres lying along the south side of Bame Road, approximately 2,500 feet west of Sandy Ridge Road (*8711 Bame Road*). The property is also known as Guilford County Tax Parcel 0216524 (portion).

The site is more specifically described as follows:

BEGINNING at a corner in the new southern margin of the right-of-way of Bame Road (public right-of-way varies), said corner also lying in the eastern property line of Margaret C. Lambe (Deed Book 2660, Page 0139, Guilford County Registry); THENCE with said new southern margin of Bame Road the following two (2) courses and distances: 1) North 77 degrees 33 minutes 07 seconds East 148.17 feet to a point and 2) along a curve to the right with a radius of 738.00 feet having a chord bearing and distance of North 83 degrees 57 minutes 54 seconds East 164.87 feet to a point in the western property line of Dorothea H. and Floyd O. Murray (Deed Book 4955, Page 780); THENCE leaving said new southern margin of the right-of-way of Bame Road South 01 degree 38 minutes 48 seconds West 242.96 feet to Murray’s southwest property corner; THENCE with Murray’s southern property line South 73 degrees 20 minutes 34 seconds East 200.39 feet to Murray’s southeast property corner and southwest property corner of Gregory Charles and Diana W. Prochnow (Deed Book 5549, Page 2116); THENCE with Prochnow’s southern property line South 80 degrees 03 minutes 58 seconds East 150.04 feet to a point being Prochnow’s southeast property corner; THENCE with new property lines the following six (6)

courses and distances: 1) South 00 degrees 37 minutes 29 seconds West 145.59 feet to a point; 2) South 26 degrees 37 minutes 11 seconds West 126.41 feet to a point; 3) South 46 degrees 24 minutes 34 seconds West 128.39 feet to a point; 4) South 39 degrees 32 minutes 38 seconds East 96.55 feet to a point; 5) South 48 degrees 56 minutes 15 seconds East 133.34 feet to a point and 6) South 00 degrees 50 minutes 00 seconds East 262.26 feet to a point in the northern property line of Saddle Brook Flats HOA, Inc. (Deed Book 7373, Page 1409); THENCE with the northwestern property lines of said Saddle Brook Flats HOA, Inc. the following three (3) courses and distances: 1) South 59 degrees 34 minutes 21 seconds West 168.56 feet to a point; 2) South 52 degrees 28 minutes 51 seconds West 304.63 feet to a point and 3) South 01 degree 41 minutes 11 seconds West 311.65 feet to a point in the northern property line of Presbyterian Homes, Inc. (Deed Book 4738, Page 406); THENCE with said northern property line of Presbyterian Homes, Inc. South 89 degree 57 minutes 01 seconds West 298.53 feet to the southeast property corner of the Sterling Living Trust (Deed Book 7228, Page 571); THENCE with the eastern property line of said Sterling Living Trust North 01 degree 20 minutes 59 seconds East 1203.38 feet to a point, being the northeast property corner of said Sterling Living Trust and the southeast property corner of said Margaret C. Lambe; THENCE with said eastern property line of Margaret C. Lambe North 01 degree 22 minutes 40 seconds East 427.81 feet to the POINT and PLACE of BEGINNING, **containing 18.707 acres more or less**, being more particularly described as a portion of parcel 0216524, pin 7804057478 and new lot A of Plat Book 173, Page 61, High Point Township, Guilford County, High Point, North Carolina.

This legal description was compiled from recorded documents from the Guilford County Registry and its sole use is for rezoning purposes.

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:

Any of the land uses allowed in the Residential Single Family-9 (RS-9) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the RS-9 District and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

- A. Fencing, Wall, or Similar Barriers: In the event fencing, wall, or similar barriers are erected along the common areas or vicinity of the abutting the Bame Road right-of-way or the rear/side yards of lots within the vicinity of the Bame Road right-of-way, then a common fencing, wall or similar barrier plan shall be provided. This plan shall be provided prior to Preliminary Plat approval on the rezoning site.
- B. Landscaping, Buffers and Screening.
A minimum twenty (20) foot wide street yard, planted at a Type C rate, shall be provided along the Bame Road frontage of the zoning site. This street yard

shall be exclusive of any utility easements, except for perpendicular crossings by utilities and roadways. In addition, this street yard shall be in common area and not part of lot area of and single family lot.

C. Transportation Conditions.

1. Right-of-way Dedication: The property owner shall dedicate a minimum of forty (42) feet of right-of-way along the Bame Road frontage of the zoning site, as measured from the existing centerline of Bame Road.
2. Access
 - a. The zoning site shall have one (1) point of access to Bame Road. No lot/dwelling unit shall take direct access (driveway access) onto Bame Road.
 - b. One (1) public street stub shall be installed to the western property boundary of the zoning site.
3. Improvements: The property owner shall improve Bame Road, from Adkins Road to the western property boundary, to minimum North Carolina Department of Transportation (NCDOT) standards.
4. The City of High Point Director of Transportation shall approve the exact location and design of all access points, turn lanes, and improvements. In addition, the City of High Point Director of Transportation and the North Carolina Department of Transportation (NCDOT) shall approve all construction and improvements.

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

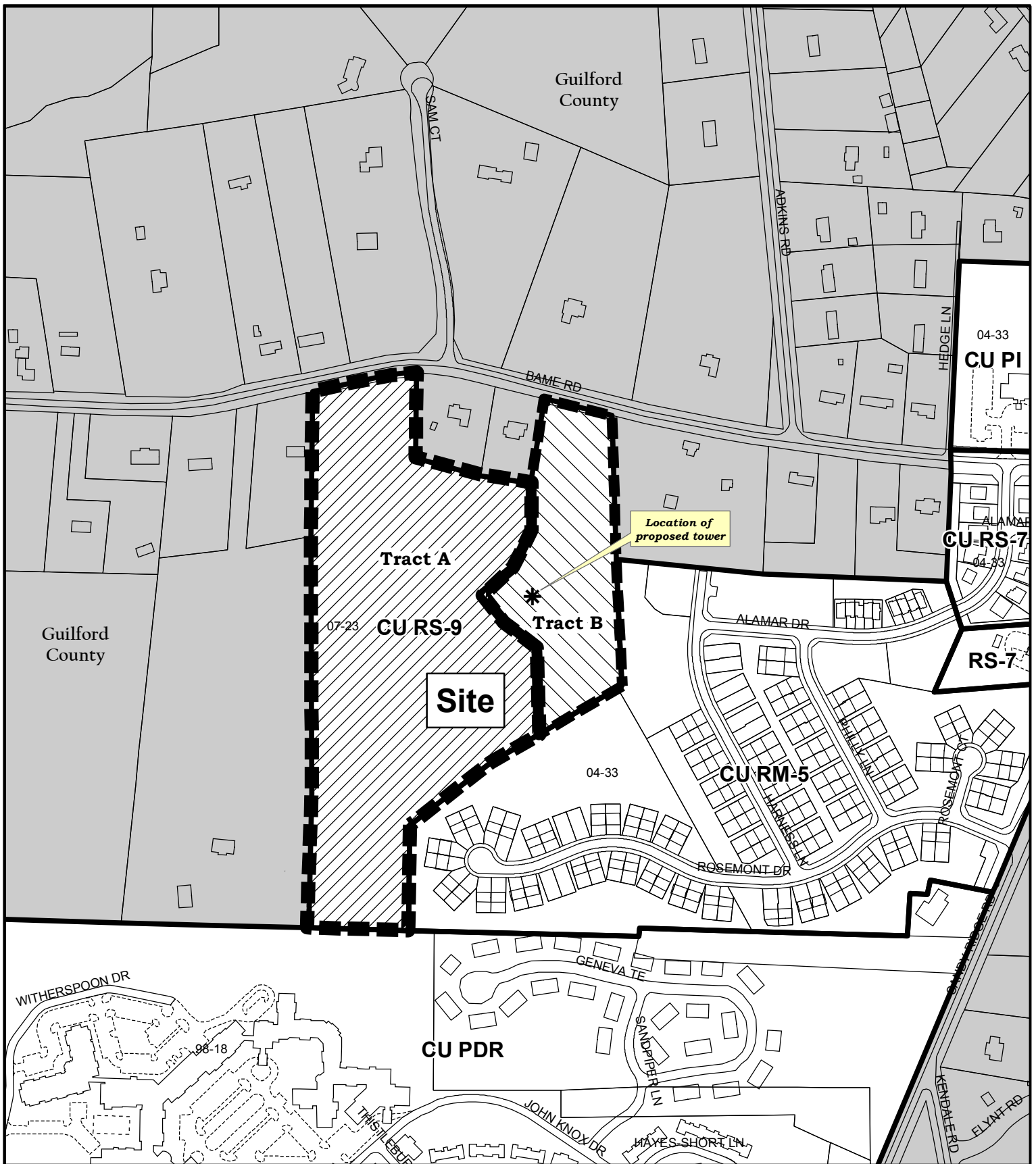
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

16th day of May, 2016.

Lisa B. Vierling, City Clerk



ZONING MAP AMENDMENT ZA16-07

From: Conditional Use Residential Single Family-9
To: Tract A - Conditional Zoning Residential Single Family-9
 Tract B - Residential Single Family-9

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

**Planning & Development
 Department**

City of High Point

Date: April 26, 2016



Scale: 1"=400'
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 2016/pz/za16-07.mxd

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WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on **May 16, 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: **Residential Single Family-9 (RS-9) District**. Approximately 5.7 acres lying along the south side of Bame Road, approximately 1,900 feet west of Sandy Ridge Road (*8711 Bame Road*). The property is also known as Guilford County Tax Parcel 0216524 (portion).

The site is more specifically described as follows:

COMMENCING at a corner in the old southern margin of the right-of-way of Bame Road (public right-of-way varies), said corner also being the northwest property corner of Scotty M. and Phyllis B. Landreth (Deed Book 3502, Page 1844, Guilford County Registry); THENCE South 01 degrees 16 minutes 01 seconds East 12.60 feet to the true point of BEGINNING; THENCE with Landreth’s western property line South 01 degrees 16 minutes 01 seconds East 430.70 feet to Landreth’s southwest corner and northwest corner of Saddle Brook HOA, Inc. (Deed Book 7373, Page 1403); THENCE with the western property line of Saddle Brook HOA, Inc. and northern property line of Saddle Brook Flats HOA, Inc. (Deed Book 7373, Page 1409) the following two (2) courses and distances: South 01 degrees 16 minutes 01 seconds East 388.49 feet and 2) South 59 degrees 34 minutes 21 seconds West 285.39 feet to a new point in said northern line of Saddle Brook Flats HOA, Inc.; THENCE with new property lines the following six (6) courses and distances: 1) North 00 degrees 50 minutes 00 seconds West 262.26 feet to a point; 2) North 48 degrees 56 minutes 15 seconds West 133.34 feet to a point; 3) North

39 degrees 32 minutes 38 seconds West 96.55 feet to a point; 4) North 46 degrees 24 minutes 34 seconds East 128.39 feet to a point; 5) North 26 degrees 37 minutes 11 seconds East 126.41 feet to a point and 6) North 00 degrees 37 minutes 29 seconds East 145.59 feet to the southeast property corner of Gregory Charles and Diana W. Prochnow (Deed Book 5549, Page 2116); THENCE with said Prochnow's eastern property line North 09 degrees 57 minutes 52 seconds East 248.43 feet to a point, said point also being the new southern margin of the right-of-way of Bame Road; THENCE with said new southern margin of Bame Road along a curve to the right with a radius of 3,353.32 feet having a chord bearing and distance of South 75 degrees 18 minutes 50 seconds East 206.32 feet to the POINT and PLACE of BEGINNING, **containing 5.747 acres more or less**, being more particularly described as a portion of parcel 0216524, pin 7804057478 and new lot A of Plat Book 173, Page 61, High Point Township, Guilford County, High Point, North Carolina.

This legal description was compiled from recorded documents from the Guilford County Registry and its sole use is for rezoning purposes.

SECTION 2

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 3

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

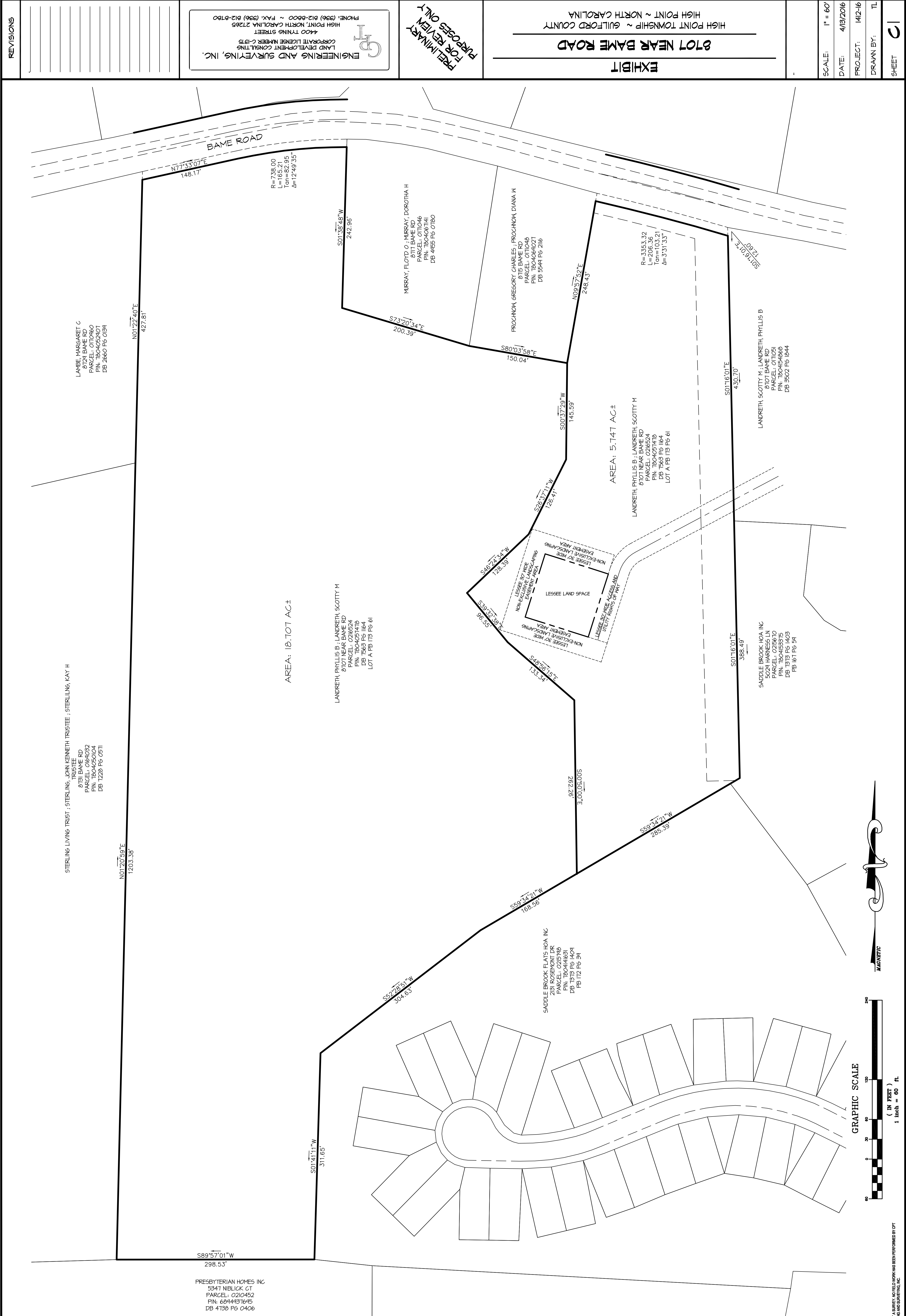
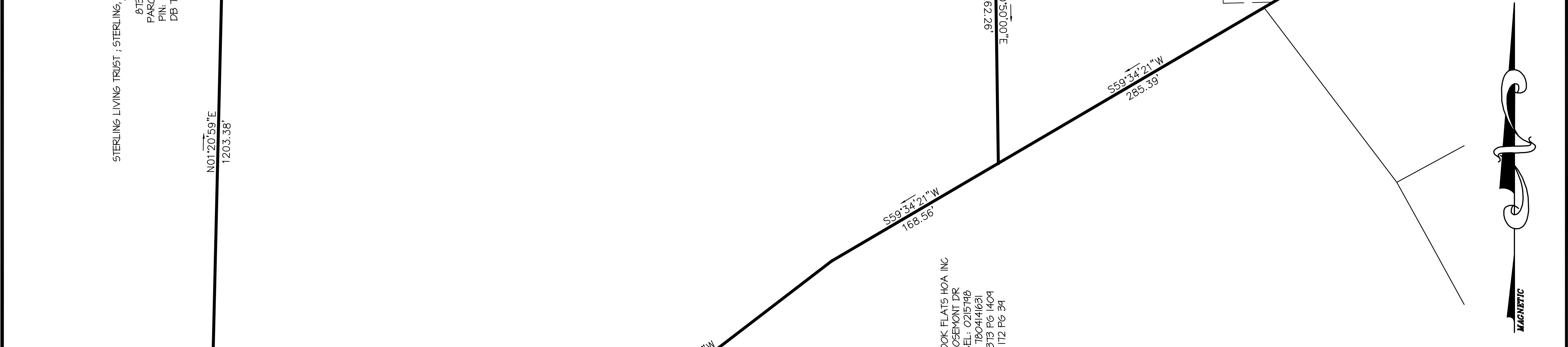
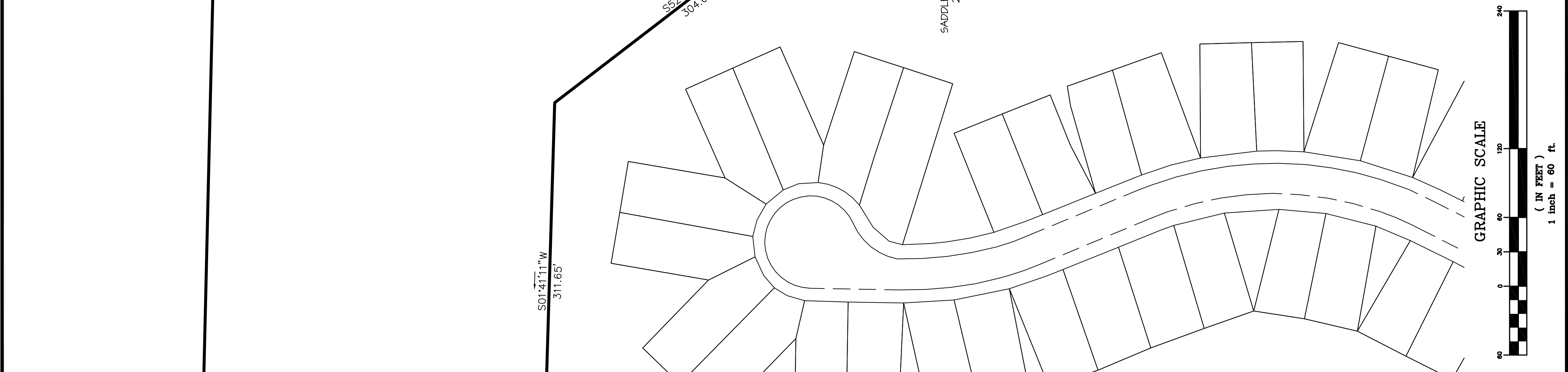
SECTION 4

This ordinance shall become effective upon the date of adoption.

16th day of **May 16, 2016.**

Lisa B. Vierling, City Clerk

THIS SURVEY AND THE AREA HEREIN HAS BEEN PERFORMED BY CPT
ENGINEERING AND SURVEYING, INC.



REVISIONS

ENGINEERING AND SURVEYING, INC.
LAND DEVELOPMENT CONSULTING
CORPORATE LICENSE NUMBER C-1975
4400 TRINIS STREET
HIGH POINT, NORTH CAROLINA 27265
PHONE: (336) 812-8800 ~ FAX: 812-8780

PRELIMINARY
FOR REVIEW
PURPOSES ONLY

EXHIBIT
8707 NEAR BAME ROAD
HIGH POINT TOWNSHIP ~ GUILFORD COUNTY
HIGH POINT ~ NORTH CAROLINA

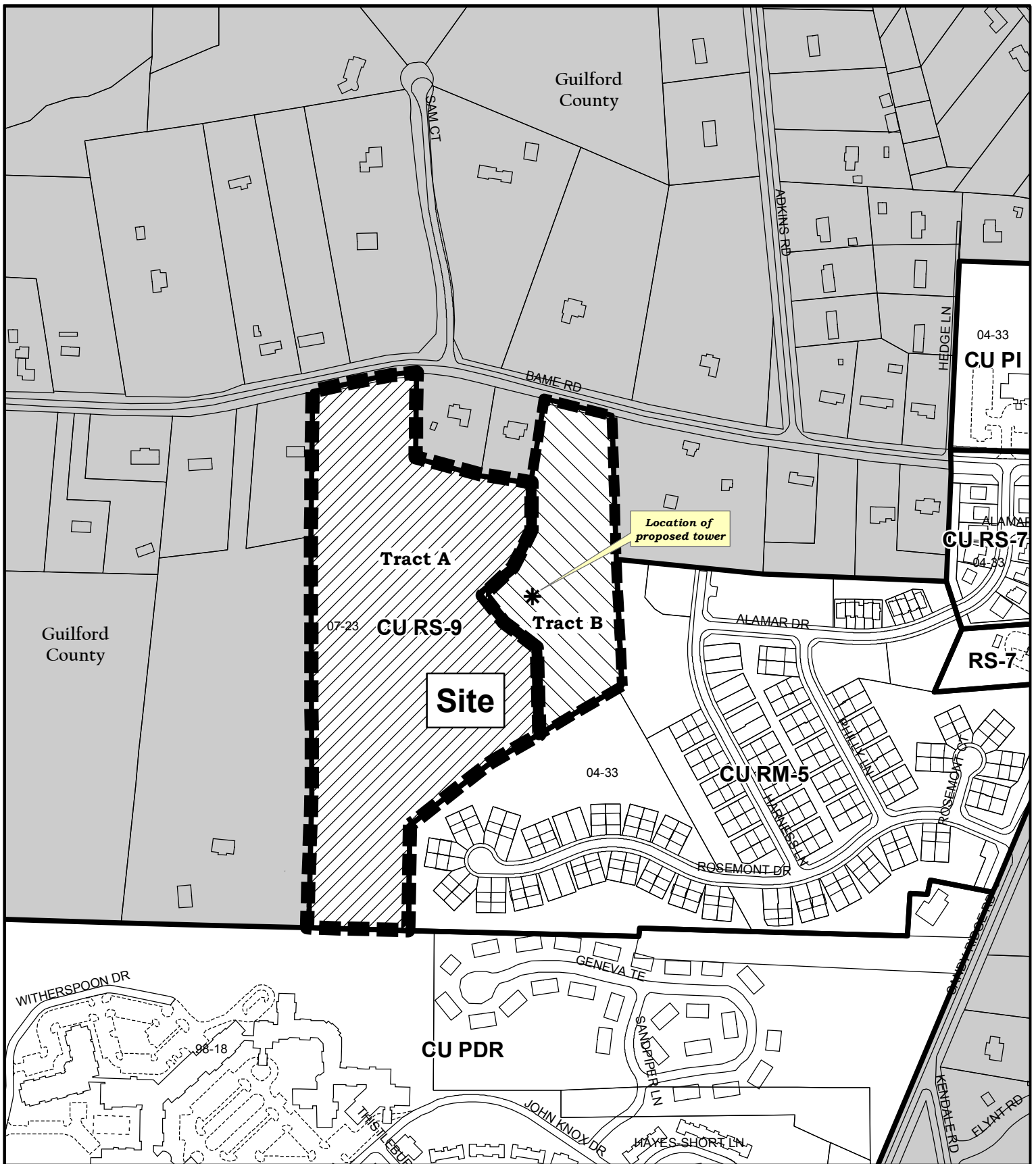
SHEET

1

PROJECT: 1412-16

DATE: 4/19/2016

SCALE: 1" = 60'



ZONING MAP AMENDMENT ZA16-07

From: Conditional Use Residential Single Family-9
To: Tract A - Conditional Zoning Residential Single Family-9
 Tract B - Residential Single Family-9

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

**Planning & Development
 Department**

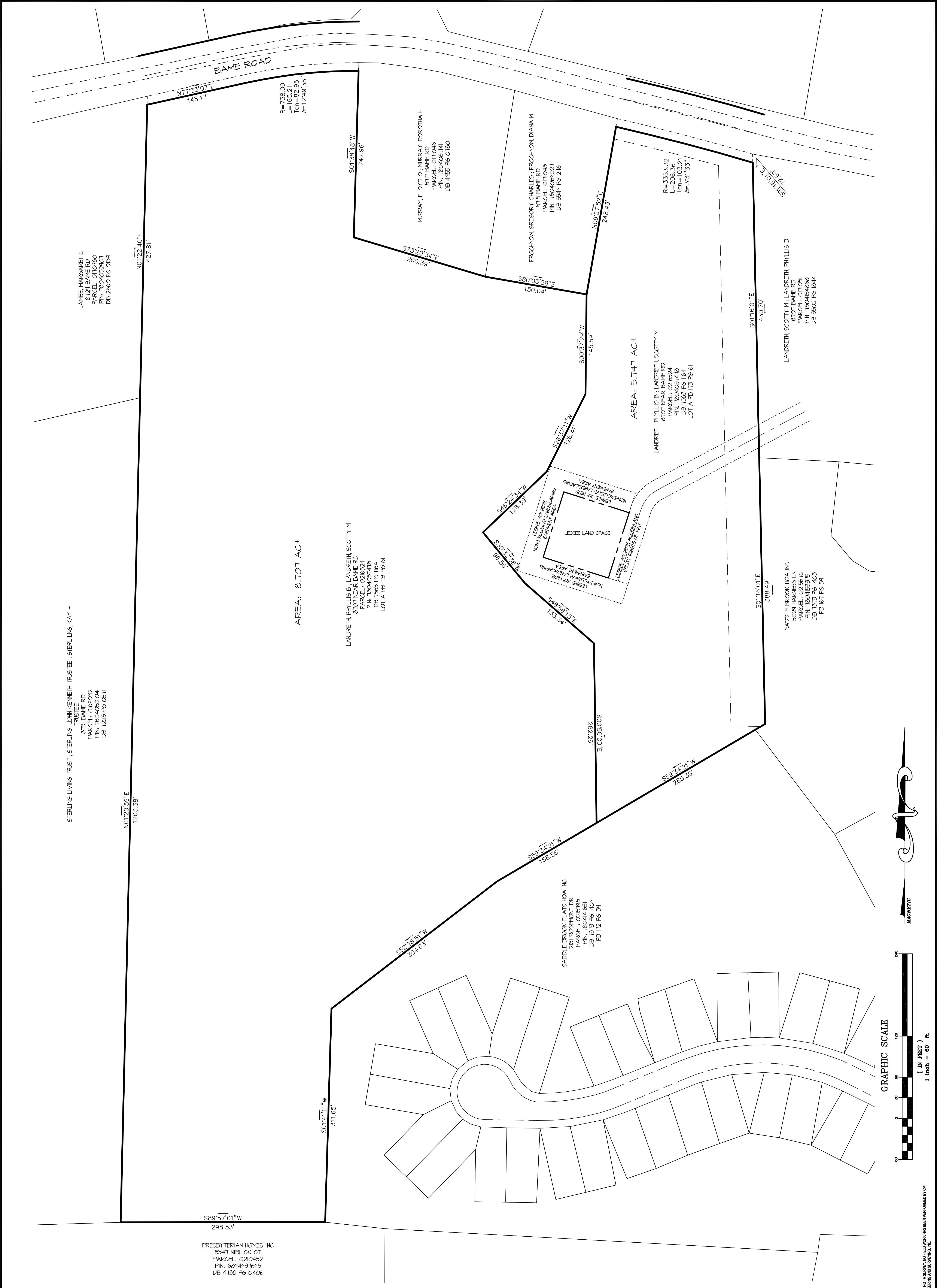
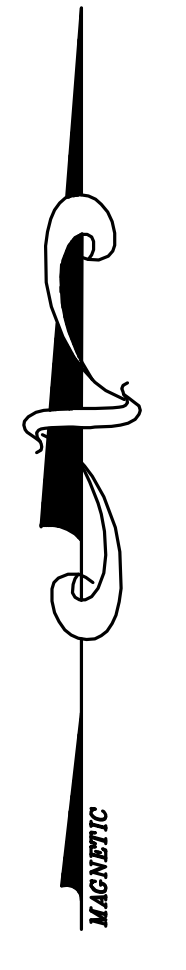
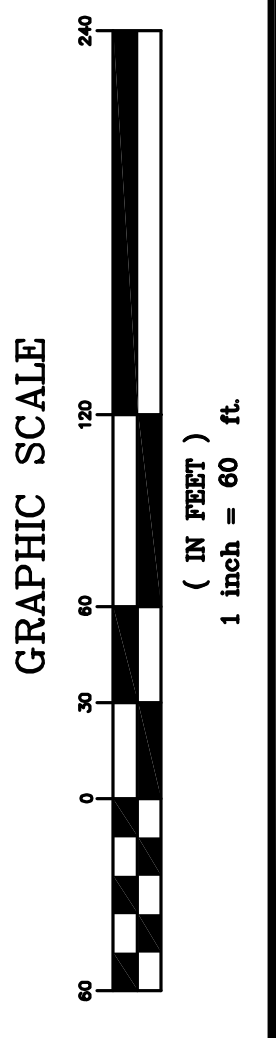
City of High Point

Date: April 26, 2016



Scale: 1"=400'
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 2016/pz/za16-07.mxd

THIS SURVEY AND FIELD WORK HAS BEEN PERFORMED BY CPT
ENGINEERING AND SURVEYING, INC.



ENGINEERING AND SURVEYING, INC. LAND DEVELOPMENT CONSULTING 4400 TRINIS STREET HIGH POINT, NORTH CAROLINA 27265 PHONE: (336) 812-8800 ~ FAX: (336) 812-8780		PRELIMINARY FOR REVIEW PURPOSES ONLY		EXHIBIT 8707 NEAR BAME ROAD HIGH POINT TOWNSHIP ~ GUILFORD COUNTY HIGH POINT ~ NORTH CAROLINA		SHEET C	
REVISIONS		SCALE: 1" = 60'		DATE: 4/13/2016		PROJECT: 1412-16	
				DRAWN BY: TL			