

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.20, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on June 23, 2020 and before the City Council of the City of High Point on August 3, 2020 regarding **Zoning Map Amendment Case 20-07 (ZA-20-07)** 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 June 14, 2020, for the Planning and Zoning Commission public hearing and on July 22, 2020 and July 29, 2020, 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 **August 5, 2020**.

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: A **Planned Unit Development – Residential (PDR) District**. The property is approximately 114.79 acres lying along the south side of Boylston Road, approximately 1,300 feet west of Adkins Road. The property is also known as Guilford County Tax Parcels 169000, 169008 thru 13, 169016, 169017, 169020, 169025, 169030, 169031, 169033, 169035, 169036, 168988 thru 90, 168996, 168999, 171017, 171078, 171082, 171083, 171160 thru 68, 171172 thru 81, 218873, 227973 thru 228010, 229940 thru 63 and 230745 thru 55.

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. Tract A:

1. Only single family detached dwelling units as allowed in the Residential Single Family - 5 (R-5) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.
2. Clubhouse and recreational amenities customary to residential uses.

- B. Tract B: Only single family detached dwelling units as allowed in the Residential Single Family - 5 (R-5) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.
- C. Tract C:
1. Only single family detached dwelling units as allowed in the Residential Single Family - 5 (R-5) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.
- OR
2. Only twin homes and townhomes as allowed in the Residential Multi-Family - 16 (RM-16) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance except Minimum Street Setback (front and side) shall be 15 feet and 20 feet for minimum driveway length as measured from property line, and the specific conditions listed in this Ordinance.
 3. The tract shall be developed in its entirety as either a single family subdivision (with single family detached dwellings); or as a townhome/twin home subdivision. There shall be no mixture of dwelling types.
- D. Tract D: Only twin homes and townhomes as allowed in the Residential Multi-Family - 16 (RM-16) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance except Minimum Street Setback (front and side) shall be 15 feet and 20 feet for minimum driveway length as measured from property line, and the specific conditions listed in this Ordinance.
- E. Tract E-1:
1. Only single family detached dwelling units as allowed in the Residential Single Family - 5 (R-5) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.
- OR
2. Only twin homes and townhomes as allowed in the Residential Multi-Family - 16 (RM-16) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance except Minimum Street Setback (front and side) shall be 15 feet and 20 feet for minimum driveway length as measured from property line, and the specific conditions listed in this Ordinance.

3. The tract shall be developed in its entirety as either a single family subdivision (with single family detached dwellings); or as a townhome/twin home subdivision. There shall be no mixture of dwelling types.

F. Tract E-2:

1. Only single family detached dwelling units as allowed in the Residential Single Family - 5 (R-5) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

OR

Only twin homes and townhomes as allowed in the Residential Multi-Family - 16 (RM-16) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance except Minimum Street Setback (front and side) shall be 15 feet and 20 feet for minimum driveway length as measured from property line, and the specific conditions listed in this Ordinance.

2. The tract shall be developed in its entirety as either a single family subdivision (with single family detached dwellings); or as a townhome/twin home subdivision. There shall be no mixture of dwelling types.

G. Tract F:

1. Clubhouse and recreational amenities customary to residential uses.
2. Only single family detached dwelling units as allowed in the Residential Single Family - 5 (R-5) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

OR

3. Only twin homes and townhomes as allowed in the Residential Multi-Family - 16 (RM-16) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance except Minimum Street Setback (front and side) shall be 15 feet and 20 feet for minimum driveway length as measured from property line, and the specific conditions listed in this Ordinance. Twin homes and townhomes will face the internal street, provide a higher perimeter rear setback, and be limited to four homes per structure.
3. The tract shall be developed in its entirety as either a single family subdivision (with single family detached dwellings); or as a townhome/twin home subdivision. There shall be no mixture of dwelling types

Part II. CONDITIONS:

A. Development, Dimensional & Density Standards:

- 1 A maximum of 402 dwelling units shall be permitted. Development intensity within each tract shall be as follows:
 - a. Tract A:
 - 1) A maximum of forty (40) residential dwelling units shall be permitted.
 - 2) Amenity area may be included in this tract.
 - b. Tract B: A maximum of ninety-six (96) residential dwelling units shall be permitted.
 - c. Tract C:
 - 1) A maximum of eighty (80) residential dwelling units shall be permitted.
 - 2) Townhome uses shall be limited to a maximum of eight (8) dwelling units per structure.
 - 3) Building Setback for Townhome/twinhomes - Townhomes and Twin homes shall meet setback requirements of the RM-16 District, except that Minimum Street Setback (front and side) shall be fifteen (15) feet. However, a minimum driveway length of twenty (20) feet, as measured from the property line, shall be provided.
 - d. Tract D:
 - 1) A maximum of one hundred and ten (110) residential dwelling units shall be permitted.
 - 2) Townhome uses shall be limited to a maximum of eight (8) dwelling units per structure.
 - 3) Building Setback for Townhome/twinhomes - Townhomes and Twin homes shall meet setback requirements of the (RM-16) District, except that Minimum Street Setback (front and side) shall be fifteen (15) feet. However, a minimum driveway length of twenty (20) feet, as measured from the property line, shall be provided.
 - e. Tracts E-1 and E-2:
 - 1) A combined maximum of one hundred and sixty (160) residential dwelling units shall be permitted.
 - 2) Townhome uses shall be limited to a maximum of eight (8) dwelling units per structure.
 - 3) Building Setback for Townhome/twinhomes - Townhomes and Twin homes shall meet setback requirements of the RM-16 District, except that Minimum Street Setback (front and side) shall be fifteen (15) feet. However, a minimum driveway length of twenty (20) feet, as measured from the property line, shall be provided.

f. Tract F:

- 1) A maximum of twenty-eight (28) residential dwelling units shall be permitted.
- 2) Amenity area may be included in this tract.
- 3) Principal structure(s) shall face the internal streets of the tract.
- 4) A minimum fifty (50) foot building setback shall be required from the eastern and southern boundary of Tract F.
- 5) Townhome building(s) shall be restricted to a maximum of four (4) units per building.
- 6) Building Setback for Townhome/twinhomes - Townhomes and Twin homes shall meet setback requirements of the RM-16 District, except that Minimum Street Setback (front and side) shall be fifteen (15) feet. However, a minimum driveway length of twenty (20) feet, as measured from the property line, shall be provided.

B. Open Space and Common Recreation Facilities:

1. The overall development shall have a clubhouse/recreation area in Tract A or F. This shall not preclude the development of additional recreational amenities within other tracts.
2. A minimum 20-foot access easement shall be provided to all common areas.
3. Final plat approval for no more than 200 lots (single family, twin homes and townhomes lots) shall be allowed until such time as open space and common recreational facilities, as required by Section 3.7.3.F.2 (Standards Applied to All Planned Development District – Development Standards (Open Space) of the Development Ordinance, are installed. Acreage of open space and common recreational facilities shall be based on number of dwelling units noted in Section II.A of this ordinance.

C. Landscaping, Setback and Buffers

1. A minimum twenty (20) foot wide Type C Planting yard shall be provided along the Boylston Road frontage of the zoning site. This planting yard shall be within or part of a common area separate from individual residential lots and exclusive of any utility easements, except for perpendicular crossings by utilities and roadways.

D. Fencing & Screening: If fencing is erected along the common areas abutting the Boylston Road right-of-way, then a common fencing plan shall be provided. A common fencing plan shall be provided prior Preliminary Plat approval on the rezoning site.

E. Lot Combination. All parcels within the rezoning site shall be combined into one (1) lot prior to any development.

F. Exterior Lighting: All exterior common area lighting shall be directed away from adjacent properties to avoid spillover lighting.

G. Transportation

1. Vehicular Access:

- a. One point of vehicular access shall be provided to Boylston Road. This access shall extend through the zoning site providing access to the various tracts as generally depicted on the PUD Master Plan.
- b. Construction Entrance/Traffic - Construction traffic to and from the site shall use an approved construction entrance on Boylston Road.
- c. One point of vehicular access shall be provided to Quail Meadow Lane consisting of an extension of this public street as generally depicted on the PUD Master Plan. This access shall be installed with the development of Tract B.
- d. One point of vehicular access shall be provided to Sweetmeadow Drive consisting of an extension of this public street as generally depicted on the PUD Master Plan. This access shall be installed with the development of Tract B.
- e. Individual tract with more than 50 dwelling units shall provide at least two point of access to said tract.
- f. The location and number of stub streets to the western portions of the site (from Tract E1 & E2) shall be determined and approved by the Technical Review Committee (TRC) at the time of Preliminary Plan approval for Tract E.

2. Pedestrian Access:

- a. A pedestrian access system shall be provided so as to provide safe and convenient pedestrian access to open space/common for all dwelling units.
- b. A pedestrian access plan shall be submitted as part of the Preliminary Plat approval for each tract. The location of all sidewalks shall be indicated on plans submitted for approval.
- c. The property owner shall dedicate to the City of High Point a greenway easement for the development of a public greenway trail. Said easement shall be a minimum of fifty (50) feet in width, be a minimum of thirty (30) feet from the top of bank of the streams running through the site. The dedicated area shall also be depicted on the approved development plats for the site.
- d. Internal pedestrian access shall be provided to the Greenway.

3. Roadway and Intersection Improvements
 - a. Boylston Road at Site Access Point: The developer or property owners shall install a westbound left turn lane with a minimum of one hundred (100) feet of storage and appropriate bay taper.
 - b. All roadway and intersection improvements shall be completed and approved by the City of High Point prior to issuance of Certificate of Occupancy
 4. The City of High Point Director of Transportation and the North Carolina Department of Transportation (NCDOT) shall approve all construction and improvements.
- H) Signage: The location of signage on the rezoning site shall conform to the approved Common Signage Plan. An overall Common Signage Plan shall be submitted and approved prior to approval of the first preliminary plat approval for this development.
- I) Environmental Sensitive Areas:
1. Any portion of the rezoning site that is within a floodway, floodway fringe, steep slope, wetlands or any other environmentally sensitive areas shall be left in its natural state and undisturbed, except to provide access to the common area, greenways, approved utility extensions, erosion control and stormwater control devices.
 2. Any portion of the site within the 100-year flood plain area, and required stream buffers shall remain as undisturbed areas. However, required water quality devices may be permitted within that portion of the 100-year flood plain area lying outside any stream buffers, subject to the watershed regulations.
- J) Owners Association: An owners' association shall be established, in accordance with Section 7.3 of the Development Ordinance, prior to the recording of any final plat(s) and shall be responsible for the common areas of the development.
- K) Relationship of Permit to Development Ordinance: The use and development of this site shall be subject to the uses and conditions within this Conditional Zoning Ordinance. The City of High Point Development Ordinance shall govern issues not addressed within this Conditional Zoning Ordinance.
- L) Construction Entrance: Construction Entrance and construction traffic to be restricted to utilizing the Boylston Road Access Point to the site.

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.

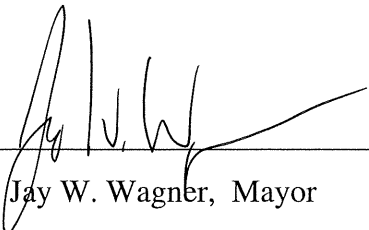
SECTION 5

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

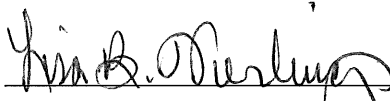
SECTION 6.

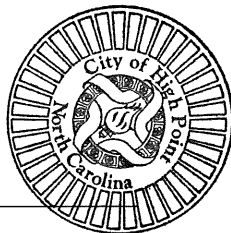
This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 5th day of August, 2020

By: 
Jay W. Wagner, Mayor

ATTEST:


Lisa B. Vierling, City Clerk



City Clerk's Office

Mary Brooks

DEPUTY CITY CLERK

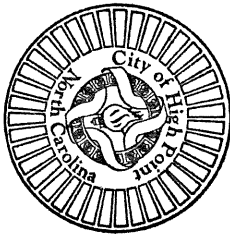


City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Certification

I, Mary S. Brooks, Deputy City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Ordinance adopted by the City Council in official Session on August 5, 2020 and upon approval by City Council will be recorded in Book 95 of the Official Minute Books and Ordinance Book Volume XXI, Ordinance No. 7621/20-37, page 36, Legislative File No. 2020-286 of this City, under my care, custody and control. As of this date, action to adopt said Ordinance has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, the 5th day of August 2020.

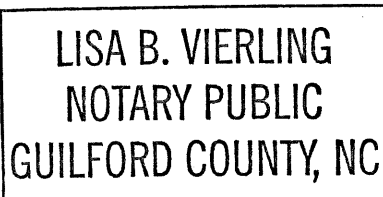


Mary S. Brooks
Mary S. Brooks, Deputy City Clerk

ACKNOWLEDGEMENT

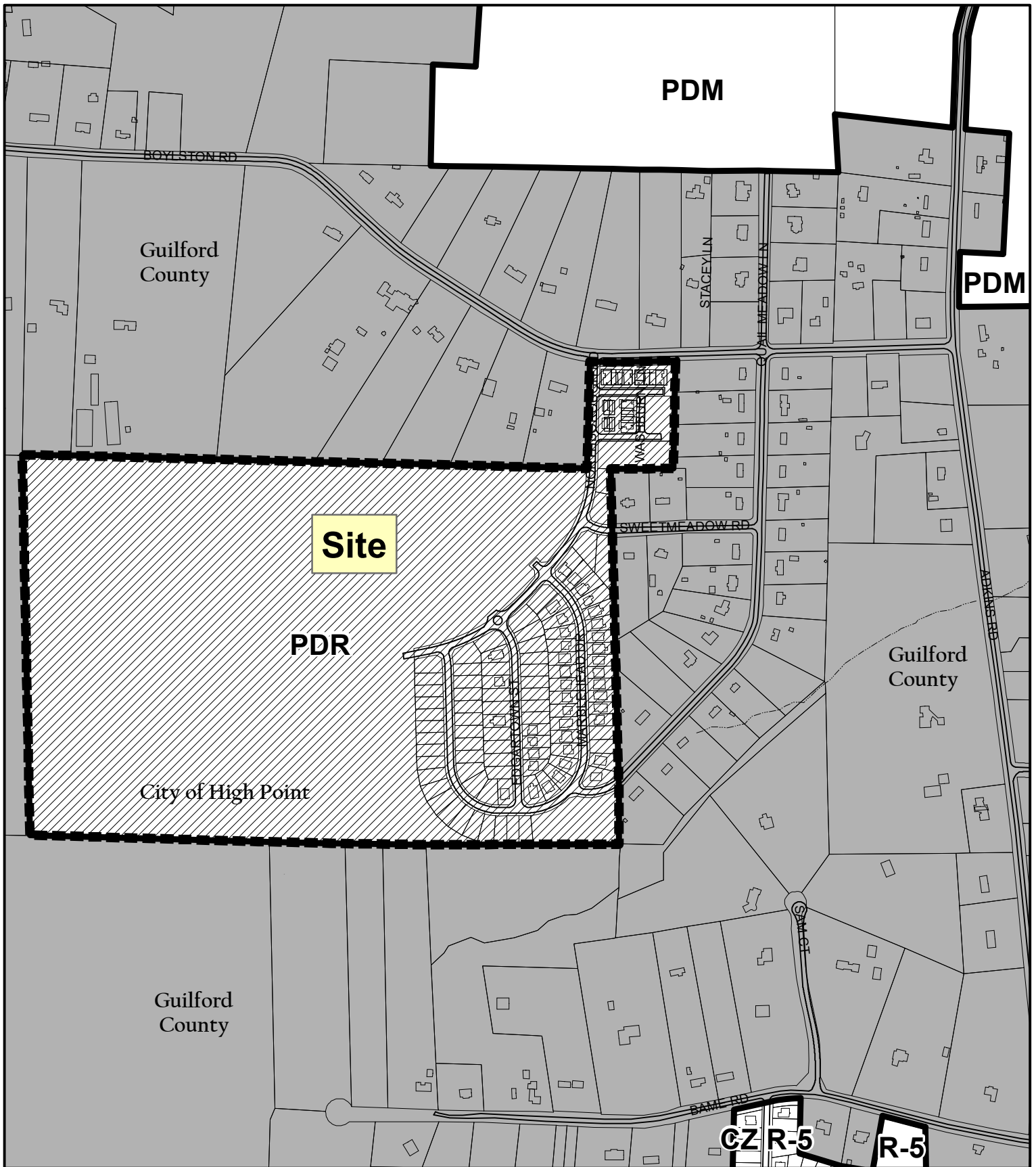
I, Lisa B. Vierling, a Notary Public of said County and State, do hereby certify that Mary S. Brooks, is known to me as Deputy City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 5th day of August 2020.



Lisa B. Vierling
Lisa B. Vierling, Notary Public

Commission Expires: 03/25/2021



ZONING MAP AMENDMENT ZA-20-07

From: Planned Unit Development-Residential
To: Planned Unit Development-Residential (Amended)

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

**Planning & Development
 Department**

City of High Point



Scale: 1"=600'
 G:\Planning\Secure\BAC\
 ZMA\2020\MXD\za20-07-NM

State of North Carolina
JEFFERY L. CAISON
County
Certify that this plot was
drawn from an actual survey made under my supervision.
(Deed description recorded in Book _____ Page _____
that the boundary not surveyed are dashed and clearly indicated as
drawn from information found in Deed Book _____ AS Page SHOWN
that the ratio of Precision as calculated is 1:10,000+
that this Plot was prepared in accordance with G.S. 47-30
as amended. Witness my original Signature, Registration number
and Seal this 31st Day of AUGUST, A.D., 2015

This survey is of another category, such as the recombination
of existing parcels, a court ordered survey, or other exception
to the definition of a subdivision.

Stamp or Seal



Approval for Recordation (GUILFORD COUNTY)

Approved by the Planning Department of Guilford County,
N.C., effective on the _____ day of _____, 2015,
pursuant to Article V of the Guilford County development
ordinance.

Planning Director

Date

State of North Carolina
County of Guilford

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

Date

Review Officer

THIS MAP DOES NOT REQUIRE A CERTIFICATE
OF APPROVAL BY THE DIVISION OF HIGHWAYS
AS PROVIDED IN G.S. 136-102.6, SUBSECTION (g).

Date

Planning Director

8854 BOYLSTON RD.
JAMES DONNIE & SUSAN E.
SHIELDS
PARCEL: 0169016
PIN: 6894471942
DB: 2059, PG. 341
ZONED: AG
AREA: 8.07 AC.±

8857 BOYLSTON RD.
JAMES S. & ELIZABETH A.
HEDGECOCK
PARCEL: 0169017
PIN: 6894471947
DB: 2137, PG. 693
ZONED: AG
AREA: 22.11 AC.±

BUNKER HILL
FOREST
SUBDIVISION
(P.B. 47 PG. 55)

(S.R. 1854)
BOYLSTON ROAD
60' PUBLIC R/W

N87°36'43"W
CH. 78.68
AL. 78.73
R. 690.40
(320.82)

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SITE INFORMATION:

1. PIN: 6894484333 (094650 AC. ±)
6894484333 (2.214 AC. ±)
6894484333 (2.251 AC. ±)
2. PARCEL: 0169016 (094650 AC. ±)
0169016 (2.214 AC. ±)
0169016 (2.251 AC. ±)
3. CURRENT OWNERS: PARCEL: 0169016
BESSIE S. IDOL HEIRS
4780 ELLSBORO RD.
STOKESDALE, NC 27351
PARCEL: 0169014
MAXINE H. WALLACE
PO BOX 171
COLFAX, NC 27235
PARCEL: 0169013
MAXINE H. WALLACE
PO BOX 171
COLFAX, NC 27235
4. DEED REFERENCE: DB: 1956, PG. 50 (PARCEL: 0169016)
DB: 2647, PG. 305 (PARCEL: 0169014)
DB: 2601, PG. 435 (PARCEL: 0169013)
5. PLAT REFERENCE: P.B. 47, PG. 55 (PARCELS: 0169013 & 0169014)
6. ZONING: AG (AGRICULTURAL)
7. AREA: 109.650 AC.± (PARCEL: 0169016)
2.214 AC.± (PARCEL: 0169014)
2.251 AC.± (PARCEL: 0169013)
8. A PORTION OF THIS SITE IS LOCATED IN A 100 YEAR FLOOD PLAIN
AREA AS DETERMINED BY FLOOD INSURANCE RATE MAP, NORTH CAROLINA,
MAP NUMBER 37060400K, EFFECTIVE DATE, 3/16/2004.
9. EXISTING USE: RESIDENTIAL & FARM
10. TOTAL LOTS: 3
11. THIS SITE IS LOCATED IN THE UPPER RANDELMAN
LAKE GENERAL WATERSHED

PURPOSE STATEMENT:
THE PURPOSE OF THIS PLAT IS TO COMBINE LOTS 1 AND 2
OF PLAT BOOK 47, PAGE 55 INTO ONE LOT AND TO SHOW
THE EXISTING ACREAGE TRACT OF THE BESSIE S. IDOL HEIRS

EXEMPT AND RECOMBINATION PLAT

PROPERTIES OF
8809, 8813 & 8819 RI BOYLSTON RD
DEEP RIVER TOWNSHIP ~ GUILFORD COUNTY
NORTH CAROLINA

CPT ENGINEERING AND SURVEYING, INC.
LAND DEVELOPMENT CONSULTING
CORPORATE LICENSE NUMBER C-1375
4400 TYNING STREET
HIGH POINT, NORTH CAROLINA 27265
PHONE: (336) 812-8800 ~ FAX: (336) 812-8180

PROJECT: 1390-15
DATE: AUG. 31, 2015

DRAWN BY: JCL/J
SCALE: 1" = 200'

LEGEND:

- D.B. ... DEED BOOK
- EIP ... EXISTING IRON ROD
- IRS ... IRON ROD SET
- NIP ... NEW IRON PIN
- EIP ... EXISTING IRON PIN
- EIP ... EXISTING IRON PIPE (ONLINE)
- RAI ... RIGHT-OF-WAY
- CL ... CENTERLINE
- TCA ... TREE CONSERVATION AREA

DATE _____ OWNER/PRESVISE PRES BESSIE S. IDOL HEIRS

DATE _____ OWNER/PRESVISE PRES MAXINE H. WALLACE

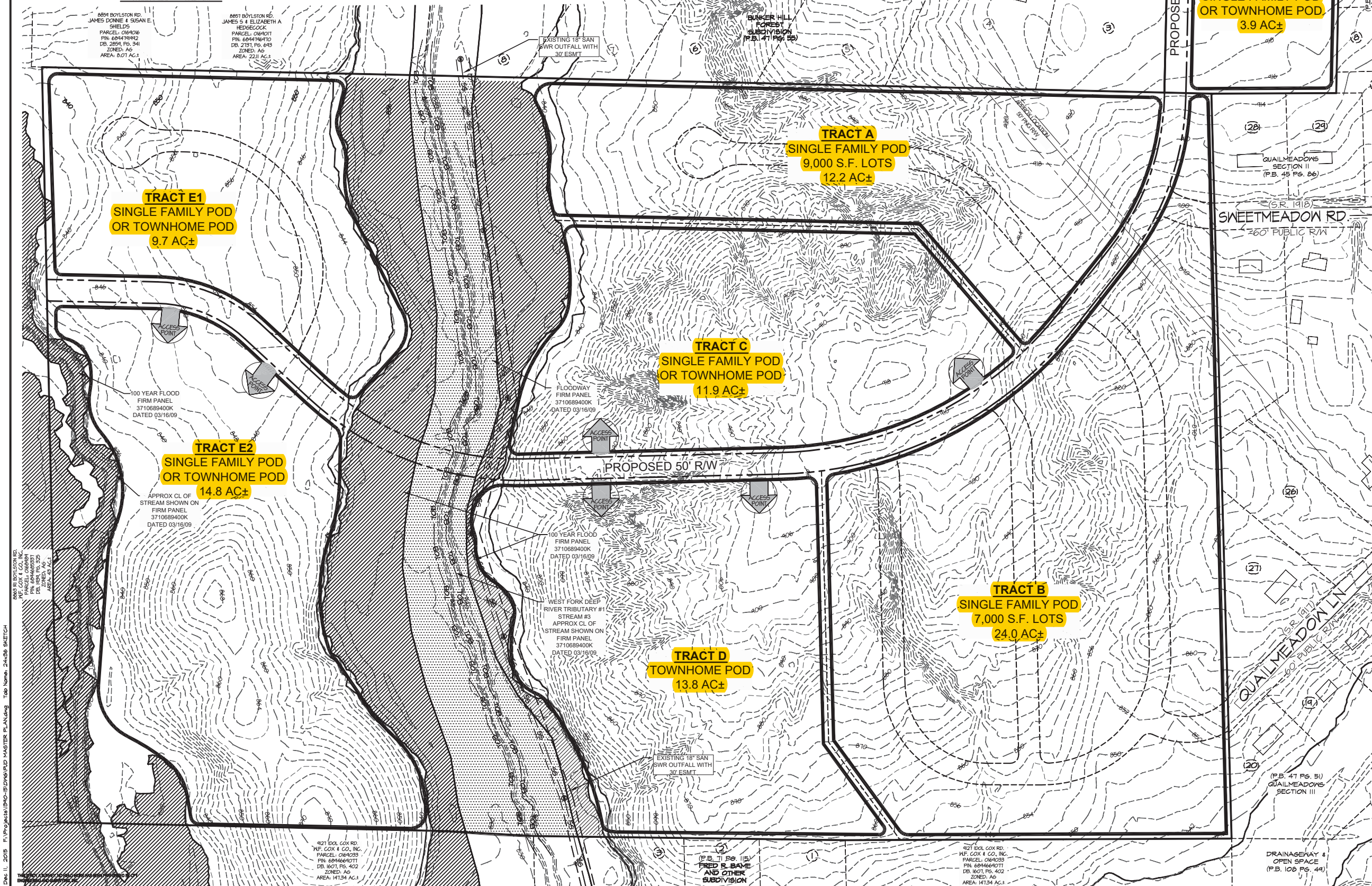
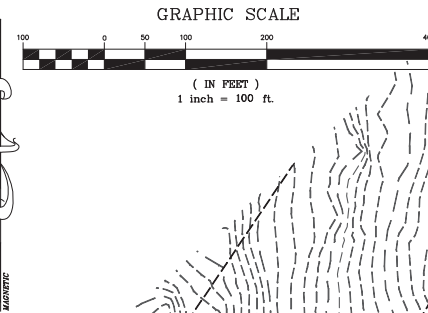
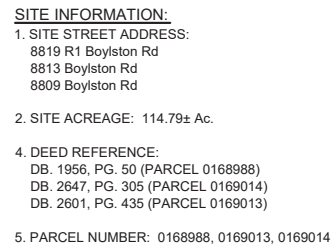
DATE _____ ATTEST

DATE _____ ATTEST

OWNER CERTIFICATE FOR EXCEPTION PLATS

KNOW ALL MEN BY THESE PRESENTS, THAT I (WE) HEREBY CERTIFY THAT I AM
(WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND
THAT I (WE) HEREBY ACKNOWLEDGE THIS PLAT AND ALLOTMENT TO BE MY FREE
ACT AND DEED.



[illegible]