

**CITY OF GRAHAM
REGULAR AGENDA
TUESDAY, JULY 5, 2016
7:00 P.M.**

Meeting called to order by the Mayor
Invocation and Pledge of Allegiance

1. Honorary Proclamations and Presentations:

- 2016 Alamance Christian School Varsity Ladies Soccer Team
- 2016 Business Beautification Award

2. Consent Agenda:

- a. Approval of Minutes – June 7, 2016 Regular Session
- b. Tax Releases
- c. Appearance Commission Appointment

3. Recommendations from Planning Board:

- a. Public Hearing: Knightdale Residential (RZ1602). This is a request from Chris Foust to rezone property at 2225 Lacy Holt Road from R-18 to R-9 (GPIN 8872499679 & 8872590389)
- b. Public Hearing: Text Amendments for the City of Graham Development Ordinances:
 - i. Off Street Parking (AM1613)
 - ii. Table of Permitted Uses (AM1614)

4. Wayfinding Report

5. Closed Session Pursuant to the Terms of N.C.G.S. §. 143-318-11 (a) (6): to consider the performance of the City Manager and City Attorney

6. Issues Not on Tonight's Agenda

***PROCLAMATION HONORING THE ALAMANCE CHRISTIAN SCHOOL
VARSITY LADIES SOCCER TEAM***

WHEREAS, the Alamance Christian School Varsity Ladies Soccer Team won the North Carolina Christian Schools Association Annual State Championship on May 14, 2016; and

WHEREAS, Alamance Christian School Varsity Ladies Soccer Team defeated Faith Christian School in double overtime by a score of 5-4; and

WHEREAS, the Alamance Christian School Varsity Ladies Soccer Team finished the season with a record of 14-1; and

WHEREAS, we recognize the following team members with great pride:

*Marianne Freeman
Kailyn Florence
Chelsea Rudd
Jannah Brann
Hailey Ingle
Maryssa Daugherty
Hannah Ingle
Savannah Congdon
Tory Goldson
Erica Lewis
Olivia Verroi*

*Victoria Briggs
Isabella Greene
Maddie Varga
Martina Rivoira
Kaylee Gregory
Amanda Parsons
Emily Hernandez
Emily Myers
Brittany Dean
Miah Barlow*

Coach: Bob LaTour

Assistant Coaches: Bobby LaTour, Aaron Wall, Scott Briggs, Ken Delorge

NOW, THEREFORE, I, Jerry Peterman, Mayor of the City of Graham, do hereby express congratulations for the significant accomplishments achieved by the Alamance Christian School Varsity Ladies Soccer Team and also our gratitude for the pride and recognition they have brought to themselves, Alamance Christian School, and the community.

This the 5th day of July 2016.

**Jerry Peterman, Mayor
City of Graham**



**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, JUNE 7, 2016
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, June 7, 2016, in the Council Chambers of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Griffin McClure
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Keith Whited, City Attorney
Sandra King, Finance Director
Erin Quigly, Administration Intern

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Council Member Griffin McClure gave the invocation and everyone stood to recite the Pledge of Allegiance.

Consent Agenda:

- a. Approval of Minutes – May 3, 2016 Regular Session*
- b. Approval of Minutes – May 17, 2016 Special Session*
- c. Approval of Minutes – May 24, 2016 Special Session*
- d. Tax Releases*

CITY OF GRAHAM REFUNDS						
JUNE COUNCIL MEETING						
<u>ACCT#</u>	<u>YEAR</u>	<u>RECEIPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR REFUND</u>	<u>AMOUNT REFUNDED</u>
77957	2014	7808	UNIFI MANUFACTURING INC	PP	PROPERTY LISTED IN WRONG YEAR	3,732.83
77957	2015	7523	UNIFI MANUFACTURING INC	PP	DEPRECIATION VALUES INCORRECT	4,796.75

Mayor Peterman asked if anyone would like to pull any of the agenda items. Council Member Lee Kimrey asked that item “d. Taxes” be pulled from the Consent Agenda.

Council Member Chip Turner made a motion to approve items “a”, “b” and “c” on the Consent Agenda, seconded by Mayor Pro Tem Jimmy Linens. All voted in favor of the motion.

Council Member Kimrey asked City Manager Frankie Maness about item “d. Taxes”. Mr. Maness explained this deals with business personal property in which their depreciation schedule was incorrect, listed in the wrong year and added that the property actually isn’t in Graham.

Council Member Kimrey made a motion to approve item “d” on the Consent Agenda, seconded by Council Member Turner. All voted in favor of the motion.

Requests and Petitions of Citizens:

a. Public Hearing: Petition for Voluntary Contiguous Annexation on Rogers Road (AN1601):

- i. Approve Annexation Ordinance

Assistant City Manager Aaron Holland explained that this is property that Council has been hearing about for several months and that this is the final step in the annexation process.

Council Members and Staff discussed what the fiscal impact would be on the City, as well as water and sewer fees and street construction being the responsibility of the developer. Mr. Maness advised that the capital costs would be the responsibility of the developer and once they meet the City’s standards, maintenance would be the City’s responsibility. With no further discussion, Mayor Peterman opened the Public Hearing.

Mr. David Michaels, 5603 New Garden Village Road Greensboro, stepped forward to speak on behalf of Windsor Homes, developer of the property. He thanked Council and Staff for their support. He said that they are looking forward to moving ahead with this project and anticipate that within thirty (30) to forty (40) days they will be able to break ground.

Council Member Kimrey asked Mr. Michaels if they have run into any hurdles and if they plan on getting as many houses as they originally anticipated. Mr. Michaels stated that they won’t be developing the planned one hundred and one (101) total lots right away and that they haven’t run into anything they haven’t been able to overcome thus far.

With no further questions forthcoming, Mayor Peterman closed the Public Hearing.

Council Member Kimrey made a motion to approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for the subject property on Rogers Road, seconded by Council Member McClure. All voted in favor of the motion.

ANNEXATION ORDINANCE
TO EXTEND THE CORPORATE LIMITS
OF THE
CITY OF GRAHAM, NORTH CAROLINA
FOR PROPERTY ON ROGERS ROAD

WHEREAS, the Graham City Council has been petitioned under G.S. 160A-31 to annex the area described below;
and

WHEREAS, the Graham City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall, 201 South Main Street, Graham at 7:00 P.M. on June 7, 2016, after due notice by publication on May 26, 2016; and

WHEREAS, the Graham City Council finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Graham, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Graham as of June 30, 2016:

ALL of that certain piece, parcel or tract of land lying and being in the City of Graham, Graham Township, Alamance County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing 5/8" iron rod at the northeast corner of Bradley H. Qualls and Stacy H. Qualls, either now or formerly, as described in instrument recorded in Deed Book 3254, Page 130, in the Alamance County Registry (the "Qualls Property"); said point being, North 50 deg. 01 min. 56 sec. East 21.66 feet to an existing iron pipe and South 86 deg. 18 min. 22 sec. East 512.65 feet from an existing iron pipe in the eastern margin of Rogers Road, a 60' public right-of-way, said point being South 01 deg. 28 min. 55 sec. West 1281.94 feet from a published NCGS monument, "Lacy" and having NAD 83\2011 coordinates of, Northing = 829,089.634 and Easting = 1,878,148.730; and thence from the Point of Beginning and running in a northerly direction with the Qualls Property and Daniel S. Lester and Shaharazad Lester, either now or formerly, as described in instrument recorded in Deed Book 1003, Page 0343, in the Alamance County Registry (the "Lester Property"), the following five (5) courses and distances: (i) North 86 deg. 18 min. 22 sec. West 127.05 feet to an existing iron pipe; (ii) North 67 deg. 45 min. 39 sec. West 188.56 feet to an existing iron pipe; (iii) North 03 deg. 50 min. 39 sec. East 369.75 feet to an existing iron pipe; (iv) North 67 deg. 58 min. 45 sec. West 47.89 feet to a point; (v) North 86 deg. 14 min. 03 sec. West 174.54 feet to a point on the eastern margin of Rogers Road; thence with the eastern margin of Rogers Road, North 04 deg. 00 min. 29 sec. East 509.94 feet to a new iron pipe, the southwest corner of James M. Alcon and Lisa M. Alcon, either now or formerly, as described in instrument recorded in Deed Book 1043, Page 955, in the Alamance County Registry (the "Alcon Property"); thence leaving the eastern margin of Rogers Road and with the line of the Alcon Property, the following four (4) courses and distances: (i) South 70 deg. 41 min. 25 sec. East 228.30 feet to an existing iron pipe; (ii) North 04 deg. 01 min. 01 sec. East 196.06 feet to an existing iron pipe; (iii) along a curve to the left having a radius of 241.02 feet with an arc distance of 219.46 feet and said arc being subtended by a chord having a course and distance of North 59 deg. 48 min. 41 sec. West 211.95 feet to an existing iron pipe; (iv) North 85 deg. 48 min. 20 sec. West 29.76 feet to an existing nail in the eastern margin of Rogers Road; thence with the eastern margin of Rogers Road, North 03 deg. 39 min. 47 sec. East 50.00 feet to a point, the southwest corner of Ernest Mims, Jr. and

Geraldine Mims, either now or formerly, as described in instrument recorded in Deed Book 2793, Page 461, in the Alamance County Registry (the "Mims Property"); thence leaving the eastern margin of Rogers Road and with the line of the Mims Property, the following four (4) courses and distances: (i) South 85 deg. 48 min. 20 sec. East 30.34 feet to an existing iron pipe; (ii) along a curve to the right having a radius of 291.02 feet with an arc distance of 153.54 feet and said arc being subtended by a chord having a course and distance of South 70 deg. 40 min. 59 sec. East 151.77 feet to an existing iron pipe; (iii) North 34 deg. 27 min. 49 sec. East 46.45 feet to an existing iron pipe; (iv) North 04 deg. 10 min. 57 sec. East 169.91 feet to an existing iron pipe, the southeast corner of Cecil W. Eakes and Kristi L. Eakes, either now or formerly, as described in instrument recorded in Deed Book 2728, Page 926, in the Alamance County Registry (the "Eakes Property"); thence with the eastern line of the Eakes Property North 04 deg. 10 min. 37 sec. East 83.38 feet to an existing iron pipe, in the southern line of Stephen M. Rogers, Nancy R. Lindsay, George C. Rogers, Jr. and Elizabeth R. Gatto, either now or formerly, as described in instrument recorded in Deed Book 550, Page 473, in the Alamance County Registry (the "Rogers Property"); thence with the southern line of the Rogers Property the following four (4) courses and distances: (i) South 51 deg. 51 min. 52 sec. East 726.37 feet to an existing stone; (ii) South 03 deg. 19 min. 42 sec. East 1319.33 feet to an existing iron pipe; (iii) North 76 deg. 46 min. 40 sec. East 660.21 feet to an existing iron pipe; (iv) South 29 deg. 17 min. 27 sec. East 1197.90 feet, passing over an existing iron pipe at 1029.99 to a point on the northern bank of Big Alamance Creek; thence along the northern bank of Big Alamance Creek, the following four (4) courses and distances: (i) South 84 deg. 17 min. 00 sec. West 302.37 feet to a point; (ii) South 80 deg. 42 min. 07 sec. West 236.25 feet to a point; (iii) South 74 deg. 26 min. 40 sec. West 427.35 feet to a point; (iv) South 55 deg. 24 min. 02 sec. West 239.86 feet to a point in the northern line of Joseph E. Frazier and Dian R. Frazier, either now or formerly, as described in instrument recorded in Deed Book 942, Page 175, in the Alamance County Registry (the "Frazier Property"); thence with the northern line of the Frazier Property North 43 deg. 01 min. 12 sec. West 770.00 to the southeast terminus of Cesar Court, a un-improved 60' public right-of-way; thence with the terminus, North 42 deg. 48 min. 44 sec. West 59.90 feet to the northeast corner of John M. Hall, either now or formerly, as described in instrument recorded in Deed Book 3183, Page 811, in the Alamance County Registry (the "Hall Property"); thence with the northern line of the Hall Property the following two (2) courses and distances: (i) North 43 deg. 07 min. 17 sec. West 195.44 feet to an existing iron pipe; (ii) North 47 deg. 13 min. 29 sec. West 80.64 feet to an existing iron pipe, the southeast corner of the Qualls Property; thence with the eastern line of the Qualls Property, North 20 deg. 13 min. 37 sec. East 714.41 feet to the Point and Place of Beginning and containing 59.763 acres more or less.


Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk

b. Public Hearing: Application for Designation of Historic Landmark for Montwhite Opera House:
i. Adoption of Historic Landmark Status

Mr. Holland explained that this is a petition from Mr. Jason Cox of Carolina Property Holdings of NC, LLC seeking the Council's approval as a Local Historic Landmark for the Montwhite Opera House, which opened in 1907. Mr. Holland added that the property is located at 200 North Main Street and that the Historic Landmark Designation process has two (2) steps; adoption by Council following a positive recommendation from the Historic Resources Commission is the last of these. Mr. Holland advised that the property is located in the Downtown Historic District, is recognized by the National Historic Register of Places and at the Historic Resources Commission meeting last month, they recommended approval.

Council Member Kimrey asked Mr. Holland what the advantage would be to the property owner by having this designated a Historic Landmark. Mr. Holland stated that there are certain tax credits available to the property owner with this type of designation. With no further questions forthcoming, Mayor Peterman opened the Public Hearing.

Mr. Jason Cox, 200 North Main Street Graham, stepped forward to advise that the Montwhite Opera House was the most intact example of an opera house of that era in the entire state. With no further discussion, Mayor Peterman closed the Public Hearing.

Following a brief discussion amongst Council and Staff pertaining to the reduction of tax monies owed to the City and County by this designation, Council Member McClure made a motion that we adopt the Montwhite Opera House located at 200 North Main Street as a Local Historic Landmark. Council Member Turner seconded the motion and all voted in favor of the motion.

AN ORDINANCE DESIGNATING THE MONTWHITE OPERA HOUSE IN THE PLANNING JURISDICTION OF THE CITY OF GRAHAM, NORTH CAROLINA, A HISTORIC LANDMARK

WHEREAS, the property located at 200 North Main Street, Graham NC, is owned by Carolina Property Holdings of NC, LLC; and

WHEREAS, the General Assembly of the State of North Carolina authorized the creation of the Graham Historic Resourced Commission for the City of Graham and otherwise provided for the preservation of certain historic sites and buildings by the passage of Part 3C, Chapter 160A, Article 19 of the North Carolina General Statutes; and

WHEREAS, the Graham Historic Resources Commission has made an investigation and recommended the following property be designated a historic landmark; and

WHEREAS, the National Park Service has declared the Montwhite Opera House as a pivotal structure in the Court Square Historic District of the National Register; and

WHEREAS, on the 7th day of June, 2016 a public hearing was held in the Council Chamber of Graham City Hall, Graham, North Carolina before the City Council of the City of Graham to determine whether the hereinafter described property should be designated a historic landmark; and

WHEREAS, all requirements of Part 3C, Chapter 160A, Article 19 of the North Carolina General Statutes, preceding the adoption of this ordinance, have been complied with.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA THAT:

Section 1. The property designated as the Montwhite Opera House, in the planning jurisdiction of the City of Graham, North Carolina, be and is declared a Graham Historic Landmark. Said property being more particularly described as follows:

The property located at 200 North Main Street, Graham, North Carolina, owned by Carolina Property Holdings of NC, LLC, that property described in deed book 3027, page 341 recorded in Alamance County Registry, comprising approximately 0.178 acres.

Section 2. Those elements of the property that are integral to its historical, prehistorical, architectural, archeological and/or cultural significance or any combination thereof are as follows:

Located one block north of Courthouse Square in downtown Graham, North Carolina and inside the Graham Historic District, the structure sits on the north-east corner of Main Street and Harden Street, directly adjacent to city sidewalks with a small alleyway to the north which also serves as the entrance to the added stairwell & elevators serving the second and third floors.

The Montwhite Opera House is a single three story structure of approximately 50' in height and eight by four bays in width. Built in the Italian Renaissance style and constructed of load bearing masonry and stone, the exterior features polychrome brickwork of red and yellow. The asphalt roof is hidden by a parapet wall with corbelled cornice, and windows and storefronts are wood framed. Windows replaced circa 1992 and circa 2005 with commercial double pane windows and tempered storefront glass, retaining the original form of the original windows. The sole addition is a stairwell and elevator on the north side of the building in the north alley which is complementary brick construction.

The first floor entrance is located at street level within the cutaway corner at the south-east corner of the building. The entry to the second and third floors is located via the north alley from the new stairwell/elevator entrance. The

first floor windows consist of two storefront windows along the eastern wall, and a single storefront with five arched transoms on the south wall. Second floor windows are all consistent in size and shape with arched transoms. Third floor windows are rectangular without transoms. Trim work is brick and stone used as embellishments, along with belt courses between floors. An elaborate corbelled cornice is featured along the top of the building. The sold exterior alteration to the facade is the north side stairwell and elevator, at the non-street facing north alley.

Section 3. No portion of the exterior features of any building, site, structure, or object (including windows, walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant features), trees, nor above ground utility structure located on the hereinbefore described property that is designated in the ordinance may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material or outer appearance occurs unless and until a certificate of appropriateness is obtained from the Graham Historic Resources Commission or its successors; provided however that the Graham Development Ordinance allows for staff approvals.

Section 4. No building, site, structure, or object (including walls, fences, light fixtures, steps, pavement, paths or any other appurtenant features), trees, nor above ground utility structure located on the hereinbefore described property that is designated in this ordinance may be demolished unless and until either approval of a demolition is obtained from the Graham Historic Resources Commission or a period of three hundred sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C. G.S. 160A-400.14 as it may be amended hereafter); provided however, that demolition may be denied by the Graham Historic Resources Commission in the event that the State Historic Preservation Officer determines that the building, site, or structure has statewide significance as provided by N.C. G. S. 160A-400.14.

Section 5. The Graham Historic Resources Commission shall have no jurisdiction over the interior features of the property.

Section 6. All owners and occupants of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence shall be sent by certified mail a copy of this ordinance.

Section 7. This ordinance shall be indexed after the property owner's name in the grantor and grantee indexes in the Office of the Register o Deeds in Alamance County.

Section 8. In the event the Montwhite Opera House designated by this ordinance is demolished in accordance with the ordinances of the City of Graham, this ordinance shall be automatically null and void.

Section 9. Any violation of this ordinance shall be unlawful as by law provided.

Adopted this 7th day of June, 2016 by the City Council of the City of Graham, North Carolina.


Gerald R. Pettrman, Mayor

ATTEST:


Darcy Sperry, City Clerk

Boards and Commissions Appointments:

Mr. Maness explained that we are fortunate that this year we have more applications than vacancies for some of the boards and commissions.

a. ABC Board – 3 year term

Council Member Kimrey made a motion to reappoint Larry Brooks, seconded by Council Member McClure. All voted in favor of the motion.

b. Alamance County Library Committee – 2 year term

Council Member McClure made a motion to recommend Christine Quigley be appointed by the Alamance County Commissioners, seconded by Mayor Pro Tem Linens. All voted in favor of the recommendation.

c. Appearance Commission – 4 year term

Council Member Kimrey made a motion to appoint Lynda Allred, seconded by Council Member Turner. All voted in favor of the motion.

d. Canine Review Board – 3 year term

Mayor Peterman asked for consensus to have Kelly Ronnow, Executive Director of the Humane Society of Alamance County, be appointed by the Humane Society Executive Board. Consensus was given 5-0.

e. Graham Housing Authority – 5 year term

Council Member Kimrey expressed concern over two (2) applications for this board coming in after the agenda packet went out. He said he would like to see a deadline set to prevent this from happening. Mayor Peterman stated that because we did not formally set a deadline, we have to consider all applications. He added that he would like Staff to look into setting a deadline going forward.

Mayor Pro Tem Linens made a motion to appoint Larry Brooks, seconded by Council Member Turner. Ayes: Mayor Peterman, Mayor Pro Tem Linens, Council Member McClure and Council Member Turner. Nays: Council Member Kimrey. Motion carried 4:1.

f. Historic Resources Commission – 4 year term

Council Member Kimrey made a motion to appoint Robert “Guy” Sinclair, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

Council Member Kimrey made a motion to appoint Vicky Roberts, seconded by Council Member Turner. All voted in favor of the motion.

g. Planning Board/Board of Adjustment – 3 year term

Mayor Peterman made a motion to reappoint Ricky Hall, seconded by Council Member Kimrey. All voted in favor of the motion.

Council Member Turner made a motion to reappoint Dean Ward, seconded by Council Member Kimrey. Ayes: Mayor Peterman, Mayor Pro Tem Linens, Council Member Turner and Council Member Kimrey. Nays: Council Member McClure. Motion passed 4:1.

h. *Planning Board/Board of Adjustment (ETJ) – 3 year term*

Mayor Pro Tem Linens made a motion that Michael Benesch be recommended for reappointed by the Alamance County Commissioners, seconded by Council Member Turner. All voted in favor of the recommendation.

i. *Recreation Commission – 3 year term*

Mayor Peterman made a motion to appoint Nathan Perry, seconded by Council Member McClure. All voted in favor of the motion.

Council Member McClure made a motion to reappoint Jay Cook, seconded by Council Member Turner. All voted in favor of the motion.

j. *Tree Board – 3 year term*

Council Member Kimrey made a motion to reappoint Jan Searls, seconded by Council Member McClure. All voted in favor of the motion.

At the conclusion of the boards and commission appointments, Mayor Peterman directed City Clerk Darcy Sperry to send letters to those not appointed letting them know what boards and commissions still have vacancies.

Public Hearing: Adoption of Budget Ordinance for FY 2016-2017

Mr. Maness explained after introducing this budget approximately one (1) month ago and following two (2) budget workshops, we are now at the Public Hearing portion for our budget. He added that this overall budget of just over \$19,000,000 spans four (4) different operating funds – General Fund, Water/Sewer Fund, Garage Fund and the Cemetery Trust Fund. He reminded Council that we adopt our budget on a departmental basis and not line item.

With no questions forthcoming, Mayor Peterman opened and closed the Public Hearing.

Mayor Peterman made a motion we adopt the Budget Ordinance for Fiscal Year 2016-2017, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.



City of Graham Budget Ordinance FY 2016-2017

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the City Government and its activities for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017, in accordance with the Chart of Accounts heretofore established for the City:

City Council	53,200
Administration	453,600
Information Technology	276,300
Finance	374,100
Public Buildings	260,200
Police	3,470,500
Fire	846,200
Inspections	413,100
Traffic Engineering	29,100
Garage and Warehouse	83,600
Streets & Highways	1,397,900
Street Lights	116,000
Sanitation	926,900
Recreation	906,400
Lake	182,100
Athletic Facilities	166,900
Property Maintenance	662,100
Non-Departmental	958,300
	11,576,500

Section 2. It is estimated that the following revenues will be available in the General Fund for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017.

Current Year Tax	4,300,000
Prior Year Taxes	45,000
Vehicle Taxes	375,000
Prior Year Vehicle Taxes	1,000
PY Vehicle Interest & Collection Fees	500
Payment in Lieu Taxes	26,000
Storm Water Fee	120,000
Tax Cost & Interest	23,000
Development Fees	1,000
Sale Of Surplus Property	20,000

Privilege License	100
Recycling Proceeds From Surplus	100
Miscellaneous Grants	100
Interest On Investments	25,000
School Resource Officer	110,000
Police Donations/Grants	100
Miscellaneous Income	45,000
Insurance Proceeds	1,000
Franchise Tax	1,000,000
Beer And Wine Tax	62,000
Powell Bill	389,000
Local Sales Tax	3,000,000
Solid Waste Disposal Tax	8,800
ABC Revenues	70,000
Building & Electrical Permits	85,000
Recreation Donations	100
Refuse Fees	304,000
Cemetery Revenue	42,000
Concert Series Donations	1,000
Concession Income	11,500
5k Run - Donations	1,000
Christmas	15,000
Recreation Income	5,000
Recreation Day Camps	40,000
Recreation Rentals	16,000
Recreation Athletics	31,000
Graham Mebane Lake	26,000
Lake Penalties & Fines	100
Lake Shelter Rentals	100
Courts & Fines	15,000
Rent On City Property	28,000
Mebane Lake Revenue	75,000
Fund Balance	892,000
Transfer From Water Fund	220,000
NCCP	146,000
	11,576,500

Section 3. The following amounts are hereby appropriated in the Water & Sewer Fund for its operations and activities for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017, in accordance with the Chart of Accounts heretofore established for the City:

Water And Sewer Billing	724,900
Water And Sewer Distribution	1,189,100
Maintenance & Lift Station	299,500
Water Treatment Plant	1,728,000
Wastewater Treatment Plant	1,069,200

Non Departmental Admin	1,713,300
	6,724,000

Section 4. It is estimated that the following revenues will be available in the Water & Sewer Fund for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017.

Sale Of Surplus Property	1,000
Interest On Investments	20,000
Sewer Surcharges	17,000
Outside Sewer Surcharges	42,000
Water Acreage & Con. Fees	11,000
Sewer Acreage & Con. Fees	11,000
Water Charges	2,740,000
Sewer Charges	2,650,000
Plumbing Permits & Inspections	12,000
Water And Sewer Taps	5,000
Water & Sewer Assessments	100
Miscellaneous Income	5,000
Fund Balance	75,000
Cut Offs	90,900
Sale/Lease Of Property	27,000
Mebane Revenue	690,000
Water Plant Equalization	127,000
Swordfish-Alamance County	100,000
NCCP	100,000
	6,724,000

Section 5. The following amounts are hereby appropriated in the Garage Fund for operations and activities for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017, in accordance with the Chart of Accounts heretofore established for the City:

Garage Fund	800,100
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Section 6. It is estimated that the following revenues will be available in the Garage Fund for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017.

Ala Co Fuel	213,200
City Of Graham Parts	189,400
City Of Graham Labor	147,900
City Of Graham Fuel	172,100
Graham Housing Parts	4,600
Graham Housing Labor	100
Graham Housing Fuel	4,900

ACTA Parts	24,700
ACTA Labor	28,900
Green Level Parts	1,300
Green Level Labor	2,400
Green Level Fuel	7,400
ABC Parts	100
ABC Labor	100
ABC Fuel	2,400
Interest On Investments	500
Miscellaneous Income	100
	800,100

Section 7. The following amounts are hereby anticipated and appropriated for the City's Special Funds:

	Revenues	Expenditures
Cemetery Trust Fund	54,000	54,000
Federal Drug Monies	100	100
State Drug Monies	100	100

Section 8. There is hereby levied a tax at the rate of \$.455 per one hundred dollars (\$100.00) valuation of property as listed for taxes as of January 1, 2016 for the purpose of raising the Revenue listed as "Current Year Tax" and "Vehicle Taxes" in Section 2. Such rates are based on an estimated total valuation of property for the purposes of taxation of \$1,064,000,000 (100%valuation) with anticipated collection rate of 97%.

Section 9. Effective upon adoption of the Ordinance, the City of Graham Rates and Fee Schedule is hereby amended as follows:

* Garbage Land Fill Tipping Fee	\$ 3.00 per month
** Extra Garbage Container	\$ 3.00 per month plus one time lease at current cost of container
Stormwater Charge	\$ 2.00 per month per utility account

Section 10. For the purpose of tracking capital items, there shall be a threshold of \$5,000.

Section 11. Copies of this Ordinance shall be furnished to the City Manager and the Finance Officer to be kept on file by them for their direction in the disbursement of City Funds.

Adopted this 7th day of June 2016.

FY 2015-2016 Budget Amendments

Mr. Maness explained that internally, these are referred to as clean up amendments. He added that we need to make sure each department doesn't exceed their original appropriations. Mr. Maness stated that while he is recommending \$40,076 in additional appropriations from the General Fund, those will be offset by revenue we have already collected or expect to collect. He further explained that there is also a budget request for an increase of \$30,000 to be appropriated to the Special Project Fund for roadway construction for Project Quarter.

Council Members and Staff discussed the monies appropriated for Project Quarter being split between Graham, Mebane and Alamance County as well as the pile of dirt left by NCDOT. Mr. Maness advised that we were able to use most of the dirt during the roadway construction, however, we did have to acquire an easement to go around the pile during the roadway construction phase. He added that at this time, he was not clear of the exact cost for acquiring that easement.

Council Member Turner made a motion we adopt the Budget Amendment Ordinance for Fiscal Year 2015-2016, seconded by Council Member Kimrey. All voted in favor of the motion.

Issues Not Included on Tonight's Agenda

Mr. Larry Ray, 609 Walker Avenue Graham, stepped forward to express his appreciation for the increase in Graham Police presence in his neighborhood.

Mr. Whited advised that he will not be able to attend the July 5, 2016 regular scheduled meeting.

Council Member McClure read a prepared statement expressing his disappointment in the Council's decision to not to support the Link Transit System at some level. He added that his hope is that Council will remember that transit is not about the number of users, but rather the value of use.

Council Member Kimrey asked Mr. Maness about wayfinding signs in the downtown area. Mr. Maness stated that City Planner Nathan Page is currently researching options and will present those to Council at the July 5, 2016 meeting.

Mayor Peterman thanked Council Member McClure for acting quickly to clean up graffiti recently placed on his place of business.

Mayor Peterman thanked Mr. Maness and Staff for their hard work in compiling this year's budget.

At 8:10 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
RELEASE ACCOUNTS**

JULY COUNCIL MEETING

<u>ACCT #</u>	<u>YEAR</u>	<u>RECIPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR RELEASE</u>	<u>RELEASED</u>
541119	2014	1205	BYRTUS, BRIAN PAUL	PP	TAXPAYER DECEASED - 1972 BOAT SOLD	5.01
541119	2015	1144	BYRTUS, BRIAN PAUL	PP	TAXPAYER DECEASED - 1972 BOAT SOLD	5.01
541119	2015	1146	BYRTUS, BRIAN PAUL	PP	TAXPAYER DECEASED - 1970 JON BOAT SOLD	5.01
197037	2012	8416	WILSON, LEWIS GARDNER	PP	DOES NOT LIVE IN CITY OF GRAHAM	1.23
197037	2014	8355	WILSON, LEWIS GARDNER	PP	DOES NOT LIVE IN CITY OF GRAHAM-2006 BOAT	6.32
197037	2015	8041	WILSON, LEWIS GARDNER	PP	DOES NOT LIVE IN CITY OF GRAHAM-2006 BOAT	2.43
197037	2015	8042	WILSON, LEWIS GARDNER	PP	DOES NOT LIVE IN CITY OF GRAHAM-06 BOAT MOTOR	5.92

TOTAL RELEASES 30.93



Volunteer Application
City of Graham Boards and Commissions

RECEIVED

APR 07 2016

CITY OF GRAHAM

If you are a City of Graham resident or reside in the extra-territorial jurisdiction (ETJ), at least 18 years, and are willing to volunteer your time and expertise to your community, please complete and return to:

By mail: City of Graham, Attn: City Clerk, PO Drawer 357, Graham, NC 27253

By email: dsperry@cityofgraham.com

By Fax: (336)570-6703

For questions, call: (336)570-6700

Please check all Boards and Commissions on which you would be willing to serve:

Extra-territorial residents can only serve on the Board of Adjustment or the Planning Board

- Alamance County Library Committee (2 years) [checked]
Alcohol Beverage Control (3 years) []
Appearance Commission (4 years) [checked]
Board of Adjustment (3 years) []
Canine Review Board (3 years) []
Graham Historical Museum (3 years) []
Graham Housing Authority (5 years) [checked]
Graham Sports Hall of Fame (6 years) []
Historic Resources Commission (4 years) []
Planning Board (3 years) []
Recreation Commission (3 years) []
Tree Board (3 years) []

If you are currently serving on a Board in the City of Graham, please list:

Personal Information

Name:

Grace Baldwin

Mailing Address:

East Hance Rd Apt. 900C Graham NC 27253

Home Address (if different)

Home Phone:

336 269 4788

Work Phone:

336 269 4788

Employer:

None

Position:

Retired

Email Address

grace.made.history@aol.com

Civic Involvement (please list the names of civic organizations in which you hold current membership):

In Active Member of Ala. Civic Affairs.

Please list any work, volunteer, and/or educational experience that you would like us to consider

AARP Chapter 3163 President - Alamance County Planning Committee
Pastor Victory New Testament Fellowship for service to the Elderly
Private Investor SA for Ashworth College GA
Clean Housing Voucher
Education for Citizen in Graham Housing & Transportation
Voice for their Needs for Transportation Bus, for Citizen and Veterans Need of Housing
See 8 programs
In Graham Housing, Seek Information building New Apartment Housing for Graham

PLANNING ZONING BOARD
Tuesday, June 21, 2016

The Planning & Zoning Board held their regular meeting on Tuesday, June 21, 2016 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Dean Ward, Bonnie Blalock, Ricky Hall, Michael Benesch and Bill Teer. Members absent were Andy Rumley and Kenneth Dixon. Staff members present were Nathan Page, City Planner, Aaron Holland, Assistant City Manager, Jenni Bost Zoning Enforcement Officer, and Martha Johnson, Zoning/Inspections Technician.

Vice Chair Ricky Hall called the meeting to order and gave the Overview of the Board, general meeting rules and also gave the invocation.

1. Approval of the April 19, 2016 meeting minutes. Dean Ward made a motion for approval, second by Bonnie Blalock. All voted in favor.

2. New Business

a. RZ1602 Knightdale Residential. A proposal to rezone 17 acres from R-18 to R-9 off Lacy Holt Road. Nathan Page, City Planner explained this was a request to rezone approximately 17 acres from R18 to R9 at the intersection of Lacy Holt Road and Knightdale Road. There is water and sewer available along Lacy Holt Rd.

Chris Foust, the Developer spoke next. Mr. Foust passed out a drawing of the proposed subdivision. Mr. Foust stated he has five lots facing Lacy Holt Road being over 9,000 sq. ft. each and five lots on Knightdale Road averaging 2.3 to 3.5 acres each. Mr. Foust also stated the average house would be approximately \$250,000. Mr. Hall pointed out for the record that this will be a straight rezoning tonight and the Board is not here to look at the subdivision nor its layout.

Next we heard from some of the surrounding landowners:

Richard Hughes	931 Stonehaven Dr
Tom Balchin	2361 Knightdale Dr
Jerome Naylor	2345 Knightdale Dr
Sandra LeFrancois	973 Stonehaven Dr
Tom George	2498 Whispering Hills Dr
Anne Crabtree	2222 Lacy Holt Rd
Mary Taylor	974 Stonehaven Dr

Everyone that spoke from the surrounding properties had concerns about their home values, the integrity of their neighborhood, added traffic issues, where the access into the subdivision would be and runoff from the subdivision. No one was in favor of this rezoning.

Dean Ward said this was a straight rezoning request and based on the request it fits our footprint of the 2035 Comprehension Plan for the City of Graham. Bonnie Blalock asked Mr. Page to explain the setbacks for R18 and R9. Ms. Blalock said she understands the neighbors being upset but she also felt Mr. Foust has come up with something doable. Mr. Foust said rezoning the lots on Lacy Holt Road to R9 and leaving the lots on

Knightdale Dr to stay as R18 would be fine with him. Mr. Benesch stated that nobody likes change but if you look at what Mr. Foust wants to do on this property it is not a bad offer because others could come in and do worse. Dean Ward made a motion to approve this request for rezoning with the following conditions that the property on Lacy Holt Rd would be rezoned to R9 for the first 250 feet and the lots on Knightdale Dr would remain as R18. Bonnie Blalock second the motion, all voted aye 5 to 0.

3. Old Business

a. Discussion regarding the City of Graham Development Ordinances:

AM1612 Nonconforming Site Elements. The Board had concerns about this change. There was discussion about the percentage of the damage to the sign, what was normal maintenance, signs obstructing view and the time frame on the vacancy of the sign along with the condition. After much discussion Mr. Ward made a motion to table this item, second by Ricky Hall. All voted aye. The Board requested that Mr. Page have some written language for them at the next meeting.

AM 1613 Off-Street Parking. Mr. Page explained the proposed changes for this ordinance. Mr. Hall made a motion to approve, second by Dean Ward. All voted aye 5 to 0.

AM 1614 Table of Permitted Uses. Mr. Page explained the reduction of the complexity and length and to remove duplicate entries. Dean Ward made a motion to approve, second by Ricky Hall. All voted aye 5 to 0.

The Board came up with the next group of Ordinances to discuss:

Flag Lots

Removal of PUDS

Update requirements for Special Use Permits

Update Home Occupations

Remove Protest Petition

Next Dean Ward made a motion to the Board to meet monthly even if there isn't anything on the agenda to have training etc., Ricky Hall second the motion. All voted aye 5 to 0.

4. Public comment on non-agenda items. Jason Cox, 200 N Main St said that on the outstanding to do list is one for the downtown economic development. Mr. Cox is asking that this item make it to one of the meetings in the near future. Mr. Hall said the Board would take this item under consideration.

No further business the meeting was adjourned.

Respectfully Submitted,
Martha Johnson
Inspections/Zoning Technician



Application for REZONING or CONDITIONAL REZONING

RECEIVED

MAY 23 2016

CITY OF GRAHAM
INSP. / P.Z.

P.O. Drawer 357
201 South Main Street
Graham, NC 27253
(336) 570-6705
Fax (336) 570-6703
www.cityofgraham.com

This application is for both general district rezonings and conditional rezonings. Applications are due on the 25th of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

Site

Street Address: 2225 Lacy Holt Road

Tax Map#: 130050 / 130185 GPIN: 8872499679/8872590389

Current Zoning District(s):

- R-7 R-9 R-12 R-15 R-18
- R-MF R-G C-R C-MXR
- B-1 B-2 B-3 C-B C-MXC
- O-I C-O-I I-1 I-2 C-I

Overlay District, if applicable:

- Historic S Main St/Hwy 87 E Harden St/Hwy 54

Current Use: Residential

Total Site Acres: 7.02 + 10.06

Property Owner: Seth S Holt

Mailing Address: 103 Marie Avenue

City, State, Zip: Goldsboro, NC 27530

Applicant

Property Owner Other Chris Foust

Application for Conditional Rezoning may only be initiated by the owner of a legal interest in all affected property, any person having an interest in the property by reason of written contract with owner, or an agent authorized in writing to act on the owner's behalf. If the applicant for Conditional Rezoning is other than the Property Owner, documentation in compliance with the preceding statement must be provided in order for this application to be complete.

Name: Laurelton Village Inc

Mailing Address: 1851 S Main Street

City, State, Zip: Graham NC 27253

Phone # (336) 516-1888

Email: kfoust@mcphersongrading.com

I have completed this application truthfully and to the best of my ability.

Signature of Applicant

Date

Proposed Rezoning or Conditional Rezoning

Proposed Zoning District(s):

- R-7 R-9 R-12 R-15 R-18
- R-MF R-G C-R C-MXR
- B-1 B-2 B-3 C-B C-MXC
- O-I C-O-I I-1 I-2 C-I

Describe the purpose of this rezoning request. *For Conditional Rezoning*, also specify the actual use(s) intended for the property (from Sec. 10.135 Table of Permitted Uses) along with other descriptive or pertinent information, such as number of dwelling units, type of multifamily development, square footage and number of buildings:

Request to re-zone the 2 parcels to subdivide into smaller lots.

For Conditional Rezoning, this application must be accompanied by a Preliminary Site Plan and supporting information specifying the actual use(s) and any rules, regulations or conditions that, in addition to predetermined ordinance requirements, will govern the development and use of the property.

Site Plan Review Application **must be attached to this application for Conditional Rezoning**

Office Use Only. DEVID#



STAFF REPORT

Prepared by Nathan Page, City Planner

Knightdale Residential (RZ1602)

Type of Request: Rezoning

Meeting Dates

Planning Board on June 21, 2016

City Council on July 5, 2016

Contact Information

Chris Foust, Laurelton Village, INC

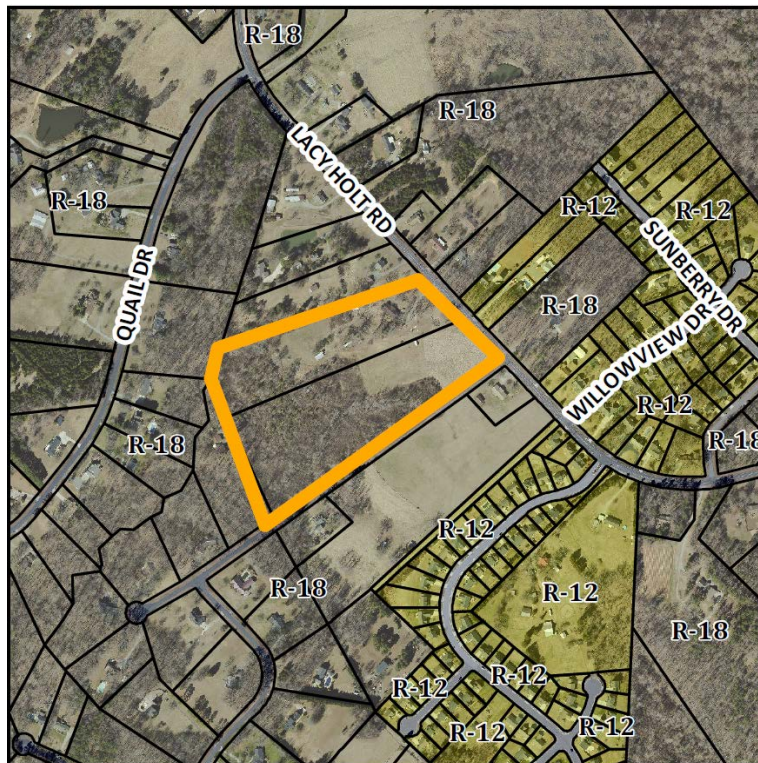
1851 S Main Street

Graham NC 27253

336-516-1888; kfoust@mcphersongrading.com

Summary

This is a request to rezone the subject property from R-18 to R-9. The property currently has a single family home upon it. There is water and sewer available along Lacy Holt Road.



Location

2225 Lacy Holt Rd
GPIN: 8872499679/
8872590389

Current Zoning

Residential (low density)
(R-18)

Proposed Zoning

Residential (high density) (R-9)

Overlay District

none

Surrounding Zoning

R-18, R-12

Surrounding Land Uses

Single Family and Vacant

Size

17.08 acres

Public Water & Sewer

Yes

Floodplain

No

Staff Recommendation

Approval

Conformity to the *Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Applicable Policies;

- 5.1.1 Housing Variety. Encourage a mix of housing types within Graham to increase choice. These can include single family dwelling units, multi family dwelling units, small units, prefabricated homes, cohousing, and clustered housing. *The amendment will provide additional small lot homes in the southwestern portion of Graham.*
- 4.3.1 Land Use Patterns. Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *The site would use existing city infrastructure, and would facilitate later development of existing adjacent property.*

Staff Recommendation

Based on the *Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff recommends **approval** of the rezoning. The following supports this recommendation:

- Rezoning the property would be in consistence with the Suburban Residential type and furthers the policies and strategies put forth by the *Graham 2035 Comprehensive Plan*, such as efficient development.

Planning Type

Neighborhood

Development Type

Suburban Residential

For single family residential, townhouses, duplexes, accessory dwelling units, and small scale multi-family dwelling of twelve units or less.

Buildings should be located near the front of the property line, oriented towards the street, and include front porches and other private outdoor spaces.

Recess garages behind the front of buildings to avoid streetscapes dominated by garage doors.

Density of 3 to 6 DU/acre



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

**Knightdale Residential
(RZ1602)**
Type of Request
Rezoning
Meeting Dates
Planning Board on June 21, 2016
City Council on July 5, 2016

I move to recommend **APPROVAL** of the application as presented:

for the first 250' off of Lucy Holt Rd. The balance of the lot will remain the same.

I move to recommend **DENIAL**.

The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

This report reflects the recommendation of the Planning Board, this the 21st day of June, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Ricky Hall, Vice

Martha Johnson, Secretary



City Council Decision & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Knightdale Residential (RZ1602)

Type of Request

Rezoning

Meeting Dates

Planning Board on June 21, 2016

City Council on July 5, 2016

Choose one...

I move that the application be **APPROVED**.

I move that the application be **DENIED**.

Choose one...

The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

State reasons...

This action is reasonable and in the public interest for the following reasons:

This report reflects the decision of the City Council, this the 5th day of July, 2016.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk



STAFF REPORT

Prepared by Nathan Page, City Planner

Text Amendment for: 10.240 Off Street Parking

Contact Information

Not applicable

Type of Request: Text Amendment

Meeting Dates

Planning Board on June 21, 2016

City Council on July 5, 2016

Summary

Staff proposes to amend the *Development Ordinance*, Article IV, Division 11, Section 10.240 Off Street Parking. *To permit additional parking for drive-thru restaurants, and to condense other requirements.*

The following amendments to the Development Ordinance are proposed:

Banks, Savings and Loans, Financial Institutions, and Restaurants (including drive-thru) are permitted the following parking requirements: One space for each 200 square feet gross floor area used by the public, plus one space for each 600 square feet other gross floor area, plus waiting space for at least four cars at each drive-in banking device or restaurant drive-thru.

Automobile accessories sales: One space for each 200 square feet gross floor area.

Automobile assembling, Painting, upholstery, rebuilding, reconditioning, body and fender repairing: One space for each 200 square feet gross floor area.

Automobile laundry: 15 spaces.

Automobile sales: One space for each 600 square feet gross floor area

Dry Cleaning and Pressing Plants: Two spaces for each three employees

Dry cleaning pickup establishments: One space for each 200 square feet gross floor area used by the public, plus waiting space for at least four cars at any drive-up window

Laundries: One space for each 200 square feet gross floor area

Philanthropic, nonprofit institutions: One space for each 200 square feet gross floor area

Photographer's studio: One space each 300 square feet gross floor area

Stables, commercial: One space for each two stalls

Wholesale establishments: One space for each 900 square feet gross floor area

Proposed: Restaurants (including drive-thru) are permitted one space per employee, plus one space per 100 square feet gross floor area used by the public. *While this would provide more than double the*

Project Name

Off Street Parking (AM1613)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

existing parking capacity, the peaky usage schedule for restaurants requires that they have a larger capacity for parked vehicles than financial institutions.

Vehicle Accessories/Repair/Wash: One space for each 200 square feet gross floor area. *These uses are currently separated, and have the same (or in the case of wash, similar) requirements.*

Vehicle Sales: One space for each 600 square feet gross floor area.

Laundry, Commercial: Two spaces for each three employees, plus one space for each 200 square feet gross floor area used by the public.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Not applicable

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Planning District

All

Development Type

All

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, staff **recommends approval** of the text amendment. The following supports this recommendation:

- The proposed amendment permits additional parking spaces for drive-thru restaurants, and groups similar land uses under the same requirements.



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Off Street Parking (AM1613)
Type of Request
Text Amendment
Meeting Dates
Planning Board on June 21, 2016
City Council on July 5, 2016

I move to recommend **APPROVAL** of the application as presented.

I move to recommend **DENIAL**.

The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

This report reflects the recommendation of the Planning Board, this the 21st day of June, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Richy Hall
Martha Johnson
Martha Johnson, Secretary



City Council Decision & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Off Street Parking (AM1613)

Type of Request
Text Amendment

Meeting Dates
Planning Board on June 21, 2016
City Council on July 5, 2016

Choose one...

- I move that the text amendment be **APPROVED**.
- I move that the text amendment be **DENIED**.

Choose one...

- The text amendment **is consistent** with *The Graham 2035 Comprehensive Plan*.
- The text amendment **is not fully consistent** with *The Graham 2035 Comprehensive Plan*.

State reasons...

This action is reasonable and in the public interest for the following reasons:

This report reflects the decision of the City Council, this the 5th day of July, 2016.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk



STAFF REPORT

Prepared by Nathan Page, City Planner

Text Amendment for: 10.135 Table of Permitted Uses

Contact Information

Not applicable

Type of Request: Text Amendment

Meeting Dates

Planning Board on June 21, 2016

City Council on July 5, 2016

Summary

Staff proposes to amend the *Development Ordinance*, Article IV, Division 6, Section 10.135 Table of Permitted Uses (TOPU). *To reduce the complexity and length and to remove duplicate entries.*

The following amendments to the Development Ordinance are proposed:

The current TOPU has some uses listed up to three times (Waste Incinerators). There are also similar land uses which have been separated (Barber shop and Beauty Shop).

Proposed: Because of the length and complexity of the TOPU, both the original and the proposed are attached as excel spreadsheets. I did not do a “track changes” version because of the complexity of combing existing uses into one (i.e. automobile, motorcycle, and recreational vehicle sales as well as Vehicle Rental or Leasing into Vehicle Dealers/ Rentals (new and used).

Project Name

Table of Permitted Uses
(AM1614)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Not applicable

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Planning District

All

Development Type

All

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, staff **recommends approval** of the text amendment. The following supports this recommendation:

- This proposal is not intended to change any permitted land uses, nor further restrict nor enable these permitted uses.



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Table of Permitted Uses (AM1614)
<u>Type of Request</u>
Text Amendment
<u>Meeting Dates</u>
Planning Board on June 21, 2016
City Council on July 5, 2016

I move to recommend **APPROVAL** of the application as presented.

I move to recommend **DENIAL**.

The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

This report reflects the recommendation of the Planning Board, this the 21st day of June, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Ridg Hall

Martha Johnson, Secretary

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
ABC Store (liquor)												X	X	C					C	3
Accessory Uses, See Note 1	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X	C	C	3
Accounting, Auditing or Bookkeeping Services									X	C		X	X	C				C	C	3
Adult Establishment												S			S					5
Advertising Agency									X	C		X	X	C				C	C	3
Airport															S	C	S			5
Alteration, Clothing Repair											X	X	X	C				C	C	3
Ambulance, Fire, Rescue Station	S	S	S	S	S	C	X	X	X	C	X	X	X	C	X	C	X	C	C	3
Amusement/Water Parks												S			S	C	S			4
Animal Hospital, with outdoor kennels or runs, provided all runs and pens are at least 50 ft. from any property line												S		C	X	C	X		C	3
Antique Shops									S	C	X	X	X	C				C	C	3
Antique shops, florist shops, other specialty shops in structures originally designed for residential use									S	C	X	X	X	C				C	C	3
Apparel Sales (Clothing, Shoes, Accessories)											X	X	X	C				C	C	3
Appliance Store												X	X	C	X	C			C	3
Architect, Engineer or Surveyor's Office									X	C		X	X	C	X	C			C	3
Arts and Crafts Store											X	X	X	C				C	C	3
Asphalt Mixing Plant																	S			5
Athletic Fields, See Note 2	S	S	S	S	S	C	S	S	X	C	X	X		C	X	C	X	C	C	1
Auditoriums, Stadiums, and similar facilities where admission is charged or organized athletic events are held, See Note 2							S	S	S			S	S	C	S	C			C	4
Automobile Accessory and Supply Sales												X		C	X	C		C	C	3
Automobile assembling, painting, upholstering, rebuilding, reconditioning; body and fender works															X	C	X			4
Automobile body and fender repair conducted within completely enclosed building												X		C	X	C	X		C	3
Automobile Dealers (new and used)												X		C	X	C	X		C	3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Automobile Rental or Leasing												X		C	X	C	X		C	3
Automobile repair shops, not including body or fender repair												X		C	X	C	X		C	4
Automobile Towing Services, See Note 3												X		C	X	C	X			4
Bakery, selling at retail products produced on premises											X	X	X	C	X	C	X	C	C	3
Bank, Savings and Loan, Credit Union, similar financial institutions									X	C	X	X	X	C	X	C	X	C	C	2
Bars (as principal use), See Note 4												X	X	C		C		C	C	3
Barber Shop											X	X	X	C	X	C		C	C	3
Batting Cages, Outdoor, See Note 5															X	C	X			4
Batting Cage, Indoor												X			X	C	X			3
Beauty Shop											X	X	X	C	X	C		C	C	3
Bed and Breakfast (Tourist Home)	S	S	S	X	X	C	X	X	X	C	X	X	X	C				C	C	2
Bicycle Shop											X	X		C	X	C	X	C	C	3
Billiard Halls, Bingo Games, Bowling Alleys, other public amusement establishments												X	X	C	X	C			C	3
Boat Sales, Building or Repair												X		C	X	C	X		C	3
Bookstore											X	X	X	C				C	C	3
Building Supply Sales (with storage yard), See Note 6															X	C	X			4
Bulk Mail and Packaging Facility															X	C	X			3
Bus station												S		C						3
Cabinet, woodworking and upholstery shops												X		C	X	C	X		C	3
Camera Store											X	X	X	C				C	C	3
Campgrounds, commercial												S			S	C	S			4
Candy Store											X	X	X	C				C	C	3
Car Wash, including Self Service, See Note 7											S	X	X	C	X	C	X		C	4
Cellular or Digital Communication Tower															S	C	S			5
Cemetery or Mausoleum. See Note 8	S							S				S		C	S	C	S			2
Christmas Tree Sales											X	X	X	C	X	C	X	C	C	

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Church, Synagogue	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C		C	C	2
Clothing, Shoe and Accessory Store											X	X	X	C				C	C	3
Club or Lodge	S	S		S	S	C	S	S	S	C										3
Coin Operated Amusement, Video Arcades												X	X	C					C	3
Communication or Broadcasting Facility, without Tower											X	X	X	C	X	C	X		C	3
Community Centers, not including gymnasiums or stadiums	S	S	S	S	S	C	S	S	S	C	S	S	S	C	S	C	S	C	C	3
Computer Sales and Service											X	X	X	C				C	C	3
Contractors Offices, no outdoor storage									X		X	X	X	C	X	C	X		C	3
Convenience Store (with gasoline pumps)											X	X		C	X	C	X	C	C	3
Convenience Store (without gasoline pumps)									X		X	X	X	C	X	C	X	C	C	3
Dance School											X	X	X	C	X	C		C	C	2
Day Care Center, Adult (Less than 6)							X	X	X	C	X	X		C	X	C		C	C	2
Day Care Center, Adult (6 or more)									X	C	X	X		C	X	C			C	2
Day Care Center, Child meeting all licensing and safety standards							X	X	X	C	X	X		C	X	C		C	C	2
Day Care Center, Child, operated as home occupation (5 or less), See note 20	X	X	X	X	X	C	X	X	X	C	X	X		C	X			C	C	2
Dental, Medical or Related Office									X	C	X	X	X	C	X	C		C	C	2
Drive-in Restaurants												X		C	X	C			C	3
Drugstore											X	X	X	C				C	C	3
Dwelling, Duplex					S		X	X												1
Dwelling, condominium			S	S	S	C	X	X		C				C				C	C	2
Dwelling, located in the second or higher story of a commercial structure, with adequate light, air and									X	C	X	X	X	C				C	C	1
Dwelling, Multifamily , site plan required see Note 18						C	X	X		C				C				C	C	3
Dwelling quarters for operators, caretakers, etc. in or adjacent to buildings primarily for nonresidential use									X	C	X	X	X	C	X	C	X	C	C	3
Dwelling, Single Family Detached	X	X	X	X	X	C	X	X	X	C	X	X		C				C	C	1

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Dwelling, Townhouse			S	S	S	C	X	X										C	C	2
Dry cleaning and pressing plants											X			C	X	C	X	C	C	3
Dry cleaning pick-up establishments											X	X	X	C	X	C	X	C	C	3
Electronic, Internet or Sweepstakes Gaming												S			S					5
Equipment Rental & Leasing (no outside storage)												X		C	X	C	X		C	3
Equipment Rental & Leasing (with outside storage), See Note 6															X	C	X			5
Equipment Repair and Servicing (Industrial and Large Appliance)															X	C	X			3
Explosives storage, long-term or temporary, in accordance with latest edition of National Fire Code																	S			3
Fabric or Remnant Shop											X	X	X	C				C	C	3
Fairs, carnivals															S	C	S			1
Family Care Facility (Family Care Home), See Note 21	X	X	X	X	X	C	X	X												1
Farms	X																			1
Farm Equipment Sales												X	X	C	X	C	X		C	3
Farmer's Market											X	X	X							
Farmer's Market (as Accessory Use, See Note 22)											X	X	X							
Finance or Loan Office									X	C	X	X	X	C	X	C		C	C	2
Fire, Ambulance, Rescue Station	S	S	S	S	S	C	X	X	X	C	X	X	X	C	X	C	X	C	C	3
Food processing in wholesale quantities, excluding slaughtering															X	C	X			4
Flea Market, provide no permanent outdoor display and all sale items and temporary signs are placed inside the permanent building on premises after 6:00 p.m.												S			S		S			3
Floor Covering, Drapery or Upholstery Sales											S	X	X	C	X	C			C	3
Florist											X	X	X	C				C	C	3
Fuel Oil Sales, Propane															X	C	X			3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Funeral Home or Crematorium									X	C	X	X	X	C	X	C		C	C	2
Furniture Sales												X	X	C	X	C		C	C	3
Game Room, Video Game Room, Coin Operated Amusements												X	X	C					C	3
Garden Center or Retail Nursery							S	S				X		C	X	C	X		C	3
Golf course, excluding par three	S	S	S	S	S									C	S	C	S	C	C	1
Golf Course, Miniature												X		C	X	C				3
Golf Driving Range, Lighted, See Note 5												X		C	X	C				3
Golf, swimming or tennis clubs operated by nonprofit organizations	S	S	S	S	S	C	S					S		C	S	C	S	C	C	1
Go Carts															X	C	X			5
Government Office									X	C	X	X	X	C	X	C	X	C	C	2
Greenhouses, non-commercial, accessory to single family dwelling (See Note 1)	X	X	X	X	X	C	X	X	X		X	X		C	X		X	C	C	1
Greenhouses, commercial, including those on same site as florist shops												X		C	X	C	X		C	3
Grocery Store											X	X	X	C				C	C	3
Group Care Facility, See Note 23						C	S	S	S	C	S	S		C				C	C	3
Group Home, See Note 23	S	S	S	S	S	C	S	S	S	C	S	S		C				C	C	1
Hardware Store											X	X	X	C				C	C	3
Hardware, Wholesale Dealer												X	X	C	X	C	X		C	3
Hazardous Waste Facilities																				5
Health Club									X	C		X	X	C	X	C		C	C	3
Hobby Shop											X	X	X	C				C	C	3
Home Furnishings Sales												X	X	C	X	C		C	C	3
Home Occupation, See Note 9	X	X	X	X	X	C	X	X	X	C										1
Hospital	S	S	S	S	S	C	S	S	S	C	S	X		C	S	C	X	C	C	4
Hotel, Motel or Executive Suites												X	X	C	X	C			C	4
Incinerators for Medical Waste (Reserved)																				5
Insurance Agency with on-site claims inspections)												X	X	C	X	C			C	3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Insurance Agency Office									X	C	X	X		C	X	C		C	C	2
Interior Design and Decorator Shops and Offices											X	X	X	C	X	C		C	C	3
Jails									S			S			S		S			4
Jewelry Store											X	X	X	C				C	C	3
Junkyards, Salvage Yards																				5
Kennels or Pet Grooming with Outdoor Pens or Runs, provided all pens and runs are at least 50 ft. from any property line												S		C	X	C	X		C	3
Laboratories for testing and research												X		C	X	C	X		C	3
Landfill, Demolition Debris																				5
Landfill, for Household and Commercial Waste, State Permitted – No Hazardous Waste (Reserved)																				5
Landscape Services with Outside Plant & Equipment Storage												X		C	X	C	X		C	3
Laundromat, Coin-Operated											X	X	X	C	X	C	X	C	C	3
Laundry (not self-service)												X	X	C	X	C	X		C	3
Law Office									X	C	X	X	X	C				C	C	2
Library, Art Gallery or Museum									X	C	X	X	X	C				C	C	2
Lighting Sales and Service												X	X	C	X	C	X		C	3
Locksmith												X	X	C	X	C	X		C	3
Lodges, Civic and Social Clubs	S	S		S	S	C	S	S	S	C	X	X		C	X	C	X	C	C	1
Machine Shop, See Note 10															X	C	X			3
Manufactured Dwelling Park								S												3
Manufactured Dwelling (Class AA) on Individual Lot								X												1
Manufactured Home Sales												S			S		S			3
Manufacturing and Industry (assembling, manufacturing, compounding or treatment of articles or merchandise)																				
Ammunition, Small Arms																	X			4

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Animal Feeds																	S			5
Apparel and Finished Fabric Products															X	C	X			4
Asbestos, Abrasive and Related Products																	S			5
Audio, Video and Communications Equipment															X	C	X			4
Bakery Products															X	C	X			4
Batteries																	X			4
Bicycle Parts and Accessories															X	C	X			4
Bottling Plant															X	C	X			4
Brick, Tile, Terra Cotta																	X			4
Cement, concrete, lime, plaster																	X			4
Chemicals, Paints and Allied Products																	X			4
Computer and Office Equipment															X	C	X			4
Dairy Product Processing															X	C	X			4
Electrical Equipment															X	C	X			4
Fabricated Metal Products																	X			4
Furniture															X	C	X			4
Glass Products from Purchased Glass															X	C	X			4
Heating Equipment and Plumbing Fixtures															X	C	X			4
Household Appliances															X	C	X			4
Industrial and Commercial Machinery															S	C	X			4
Leather Products (no tanning)															X	C	X			4
Lighting and Wiring Equipment															X	C	X			4
Manufactured Housing and Wood Buildings															X	C	X			4
Medical, Dental and Surgical Equipment															X	C	X			4
Metal Fasteners (Screws, bolts, etc.)															X	C	X			4
Millwork, Plywood and Veneer															X	C	X			4
Optical Goods												X		C	X	C	X			4
Paperboard Containers and Boxes																	X			4

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Pharmaceutical Products															X	C	X			4
Photographic Equipment and Supplies															X	C	X			4
Plastic Products															X	C	X			4
Pottery and Related Products															X	C	X			4
Rubber Products																	X			4
Sawmill																	S			
Sheet Metal Fabrication															X	C	X			4
Sign manufacture, fabricating												X		C	X	C	X			4
Soaps and Cosmetics																	X			4
Sporting Goods and Toys															X	C	X			4
Textile Products (no dyeing and finishing)															X	C	X			4
Textile Products (with dyeing and finishing)																	X			4
Martial Arts Instructional Schools												X	X	C	X	C		C	C	2
Massage Therapy, practitioner licensed by the State of NC									X	C	X	X	X	C	X	C		C	C	2
Medical, Dental or Related Office									X	C	X	X	X	C	X	C		C	C	2
Medical or Dental Laboratory									X	C		X		C	X	C		C	C	3
Medical Waste Operations and Incinerators (Reserved)																				5
Metal Coating and Engraving																	S			3
Metal Processing															X	C	X			4
Motion Picture Production												X		C	X	C				4
Motor Vehicle Sales (new and used)												X		C	X	C	X		C	3
Motorcycle Sales												X		C	X	C	X		C	3
Municipal Facilities	S	S	S	S	S	C	S	S	X	C	X	X	X	C	S	C	S	C	C	3
Museum or Art Gallery									X	C	X	X	X	C				C	C	2
Musical Instrument Sales											X	X	X	C	X	C		C	C	3
Newsstand											X	X	X	C				C	C	2
Night clubs, dance halls (see note 4)												X	X	C		C			C	3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC	
Nursing Home, Rest Home, Convalescent Home	S	S	S	S	S	C	X	X	S	C	S	X		C				C	C	3	
Office Machine Sales											X	X	X	C	X	C			C	3	
Office Uses Not Otherwise Classified, No Retail Sales or Storage									X	C	X	X	X	C	X	C			C	C	3
Optical Goods Sales												X	X	C					C	C	3
Paint and Wallpaper Sales												X	X	C	X	C			C	C	3
Park, Public	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X		C	C	3
Parking lots serving uses permitted in the district where located, See Note 11	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X		C	C	3
Parking lots or access driveways serving uses not permitted in district where lot is located			S	S	S	C		S	S	C	S	S	S	C	S	C	S		C	C	4
Pawnshop or Used Merchandise Store												X	X	C	X	C			C	3	
Pest or Termite Control Services												X		C	X	C	X		C	3	
Pet Grooming, No Outside Animal Storage or Care												X	X	C	X	C	X		C	3	
Pet Store												X	X	C	X	C			C	3	
Petroleum and Petroleum Products Storage, up to 100,000 gallons												S		C	X	C	X			4	
Petroleum and Petroleum Products Storage, over 100,000 gallons																	X			5	
Photocopying and Duplicating Services											X	X	X	C	X	C			C	C	3
Photofinishing Laboratory												X	X	C	X	C			C	C	3
Photography Studio											X	X	X	C	X	C			C	C	3
Physical Fitness Center, Health Club									X	C		X	X	C	X	C			C	C	3
Planned Unit Development (PUD)	O	O	O	O	O		O	O	O		O	O	O		O		O			3	
Plumbing Shops												X		C	X	C	X		C	3	
Police Station , neighborhood/substations	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X		C	C	2
Post Office											X	X	X	C	X	C			C	C	4
Printing and Publishing Operation												X	X	C	X	C	X		C	3	
Public utility warehouses, storage yards, repair areas															X	C	X			4	

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Public facilities, unattended	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X	C	C	2
Racetracks for automobiles, motorcycles															S		S			5
Radio, Television Stations without Towers											X	X	X	C	X	C	X		C	3
Radio, Television, Tower															S	C	S			5
Real Estate Office									X	C	X	X	X	C	X	C		C	C	2
Record and Tape Store											X	X	X	C				C	C	3
Recreational Vehicle Sales												X		C	X	C	X		C	3
Recycling Facility, Commercial															S		S			4
Restaurant (with drive-thru)												X		C	X	C	X		C	3
Restaurant (without drive-thru)												X	X	C	X	C			C	3
Retail Sales Not Otherwise Listed											S	X	X	C	X	C		C	C	3
Roadside stands, temporary, for sale of agricultural products produced on premises; not in right-of-way								X	X	C	X	X	X	C	X	C	X	C	C	1
Roadside Stands & Outdoor Sales, Temporary (Prohibited)																				
Satellite Dish , Freestanding, As Accessory Use, See Note 12	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X	C	C	1
Sewage Treatment Plant,																	X			5
School, Elementary or Secondary	S	S	S	S	S	C	S	S	S	C	S	X		C				C	C	1
School, commercial, vocational									S	C	S	X	X	C	X	C	X	C	C	1
School, music, art or dancing											X	X	X	C	X	C		C	C	1
Septic Tank Installation and Servicing Businesses															X	C	X			3
Service Station, provided not gas or oil pump or concession is located within 15 ft. of a property line, unless within a building											X	X		C	X	C		C	C	3
Sexually Oriented Business												S			S					5
Shoe Repair or Shoeshine Shop											X	X	X	C				C	C	3
Shooting Range, Indoor,															X	C	X			3
Shooting Range, Outdoor																	S			4
Shopping Center												S		C	S	C		C	C	3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Skating Rink											X			C	X	C			C	3
Solar Farm						C				C				C	X	C	X	C	C	2
Sporting Goods Store											X	X	X	C	X	C		C	C	3
Sports and Recreation Clubs, Indoor											X	X		C	X	C			C	3
Stable, including riding facilities	S														S	C	S			1
Stationery Store											X	X	X	C				C	C	3
Stock, Security or Commodity Broker									X	C	X	X	X	C	X	C		C	C	2
Storage Yard, See Note 13															X	C	X			5
Swimming Pool, community nonprofit, See Note 14	X	X	X	X	X	C	X	X	X	C	X	X	X	C				C	C	1
Swimming Pool As Accessory Use, See Note 15	X	X	X	X	X	C	X	X	X	C	X	X	X	C				C	C	1
Tanning Salon									X	C		X	X	C				C	C	3
Tattoo Business											X				X		X			3
Tavern											X	X		C	X	C			C	3
Taxidermist											X			C	X	C			C	3
Television, Radio or Electronics Sales & Repair											X	X		C	X	C		C	C	3
Temporary Construction or Real Estate Office, Storage Facilities – use to be terminated upon completion of construction	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X	C	C	n/a
Theater (indoor)											X	X		C	X	C		C	C	3
Tire Recapping and Retreading (Principal use)															X	C	X			3
Tire Recapping and Retreading (Accessory use)											X			C	X	C	X			3
Tire Sales											X			C	X	C			C	3
Tourist Home (Bed and Breakfast)	S	S	S	X	X	C	X	X	X	C	X	X	X	C				C	C	2
Towers, Cellular and Digital Communication															S	C	S			5
Towers, Radio and Television															S	C	S			5
Travel Agency									X	C	X	X	X	C	X	C		C	C	2
Truck and Utility Trailer Rental and Leasing											X			C	X	C	X			4
Trucking or Freight Terminal															S	C	S			4

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	C-I	I-2 (Note 19)	C-MXR	C-MXC	LUC
Truck Sales												S			S	C	S			3
Truck Storage, Repair, Wash, or Maintenance															S	C	S			4
Truck Stop or Auto Plaza															S	C	S			4
Unattended facilities for public utilities, See Note 16	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X	C	C	2
Utility building sales, sales of storage sheds and trailers															X	C	X			
Unified Business Development, Light									X	C		X	X	C	X	C	X	C	C	3
Unified Business Development, Heavy									S	C		S	S	C	S	C	S	C	C	3
Utility Equipment and Storage Yards															X	C	X			4
Utility Substation, See Note 17	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	C	X	C	C	2
Veterinary Service, Large Animal	X																			2
Veterinary Service with Outdoor Kennels, provided all pens or runs are at least 50 ft. from any property line												S		C	X	C	X		C	3
Veterinary Service with no outside kennels or runs												S		C	X	C	X		C	3
Video Tape Rental and Sales											X	X	X	C				C	C	3
Vocational, Business or Secretarial School									S	C	S	X	X	C	X	C	X	C	C	1
Warehouse (general storage, enclosed, non-hazardous)															X	C	X			4
Warehouse, Mini (self-storage)												S		C	X	C	X			3
Waste Incinerators																				5
Water Treatment Plant															X	C	X			5
Welding Shop															X	C	X			3
Wholesale Distribution and Trade Not Otherwise Listed												X		C	X	C	X			3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1	I-2	C-I	C-MXR	C-MXC	LUC
															Note 19	Note 19				
ABC Store (liquor)												X	X	C					C	3
Accessory Uses, See Note 1	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	X	C	C	C	3
Office Space, Less than 5 employees									X	C	X	X	X	C	X			C	C	3
Office Space, More than 5 employees									X	C		X	X	C				C	C	3
Alteration, Clothing Repair											X	X	X	C				C	C	3
Ambulance, Fire, Police, Rescue Station	S	S	S	S	S	C	X	X	X	C	X	X	X	C	X	X	C	C	C	3
Amusement/Water Parks/Fairs/Carnivals												S			S	S	C			4
Animal Hospital/Commercial, with outdoor kennels or runs, provided all runs and pens are at least 50 ft. from any property line												S		C	X	X	C		C	3
Botique Shops entirely within building									S	C	S	X	X	C	X			C	C	3
Large Items Store (appliances, hardware, furniture)												X	X	C	X		C		C	3
Athletic Fields, See Note 2	S	S	S	S	S	C	S	S	X	C	X	X		C	X	X	C	C	C	1
Auditoriums, Stadiums, and similar facilities where admission is charged or organized athletic events are held, See Note 2							S	S	S			S	S	C	S		C		C	4
Vehicle Accessory and Supply Sales												X		C	X		C	C	C	3
Vehicle assembling, painting, upholstering, rebuilding, reconditioning; body and fender works															X	X	C			4
Vehicle body and fender repair conducted within completely enclosed building												X		C	X	X	C		C	3
Vehicle Dealers/Rentals (new and used)												X		C	X	X	C		C	3
Vehicle repair shops, not including body or fender repair												X		C	X	X	C		C	4
Vehicle Towing Services, See Note 3												X		C	X	X	C			4
Bank, Savings and Loan, Credit Union, similar financial institutions									X	C	X	X	X	C	X	X	C	C	C	2
Bars (as principal use), See Note 4												X	X	C			C	C	C	3
Barber Shop, Beauty Shop, Nail Salon											X	X	X	C	X		C	C	C	3
Batting Cages, Outdoor, See Note 5															X	X	C			4
Bed and Breakfast (Tourist Home)	S	S	S	X	X	C	X	X	X	C	X	X	X	C				C	C	2
Billiard Halls, Bingo Games, Bowling Alleys, other public amusement establishments												X	X	C	X		C		C	3
Shops or Bulk Sales (with storage yard), See Note 6															X	X	C			4
Distribution Center															X	X	C			3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1	I-2	C-I	C-MXR	C-MXC	LUC	
															Note 19	Note 19					
Bus station												S		C							3
Cabinet, woodworking and upholstery shops												X		C	X	X	C		C		3
Campgrounds, commercial												S			S	S	C				4
Car Wash, including Self Service, See Note 7											S	X	X	C	X	X	C		C		4
Cellular or Digital Communication Tower															S	S	C				5
Cemetery or Mausoleum. See Note 8	S							S				S		C	S	S	C				2
Religious Services	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X		C	C	C		2
Communication or Broadcasting Facility, without Tower											X	X	X	C	X	X	C		C		3
Community Centers/Banquet Hall, not including gymnasiums or stadiums	S	S	S	S	S	C	S	S	S	C	S	S	S	C	S	S	C	C	C		3
Contractors Offices, no outdoor storage									X		X	X	X	C	X	X	C		C		3
Convenience Store (with gasoline pumps >15' from property line)											X	X		C	X	X	C	C	C		3
Convenience Store (without gasoline pumps)									X		X	X	X	C	X	X	C	C	C		3
Day Care Center, Adult (Less than 6)							X	X	X	C	X	X		C	X		C	C	C		2
Day Care Center, Adult (6 or more)									X	C	X	X		C	X		C		C		2
Day Care Center, Child meeting licensing and safety standards							X	X	X	C	X	X		C	X		C	C	C		2
Day Care Center, Child, operated as home occupation (5 or less), See note 20	X	X	X	X	X	C	X	X	X	C	X	X		C	X			C	C		2
Dwelling, Duplex					S		X	X													1
Dwelling, condominium			S	S	S	C	X	X		C				C				C	C		2
Dwelling, located in the second or higher story of a commercial structure, with adequate light, air and bathroom facilities									X	C	X	X	X	C				C	C		1
Dwelling, Multifamily , site plan required see Note 18						C	X	X		C				C				C	C		3
Dwelling quarters for operators, caretakers, etc. in or adjacent to buildings primarily for nonresidential use									X	C	X	X	X	C	X	X	C	C	C		3
Dwelling, Single Family Detached	X	X	X	X	X	C	X	X	X	C	X	X		C				C	C		1
Dwelling, Townhouse			S	S	S	C	X	X										C	C		2
Dry cleaning\Laundry (not self-service)												X		C	X	X	C	C	C		3
Electronic, Internet or Sweepstakes Gaming												S			S						5
Equipment Rental, Leasing or Repair (no outside storage)												X		C	X	X	C		C		3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1	I-2	C-I	C-MXR	C-MXC	LUC	
Equipment Rental, Leasing or Repair (with outside storage), See Note 6															Note 19	Note 19					5
Explosives storage, long-term or temporary, in accordance with latest edition of National Fire Code																S					3
Family Care Facility (Family Care Home), See Note 21	X	X	X	X	X	C	X	X													1
Farms	X																				1
Farmer's Market (as Accessory Use, See Note 22)											X	X	X								
Food processing wholesale quantities, excluding slaughtering															X	X	C				4
Flea Market, provide no permanent outdoor display and all sale items and temporary signs are placed inside the permanent building on premises after 6:00 p.m.												S			S	S					3
Floor Covering, Drapery or Upholstery Sales											S	X	X	C	X		C		C		3
Florist											X	X	X	C				C	C		3
Funeral Home or Crematorium									X	C	X	X	X	C	X		C	C	C		2
Game Room, Video Game Room, Coin Operated Amusements												X	X	C					C		3
Garden Center or Retail Nursery							S	S				X		C	X	X	C		C		3
Golf Course, Miniature												X		C	X		C				3
Golf, swimming or tennis lodge or clubs	S	S	S	S	S	C	S	S	S			S		C	S	S	C	C	C		1
Government Office									X	C	X	X	X	C	X	X	C	C	C		2
Group Care Facility, See Note 23						C	S	S	S	C	S	S		C				C	C		3
Group Home, See Note 23	S	S	S	S	S	C	S	S	S	C	S	S		C				C	C		1
Hazardous Waste Facilities																					5
Home Occupation, See Note 9	X	X	X	X	X	C	X	X	X	C											1
Hospital	S	S	S	S	S	C	S	S	S	C	S	X		C	S	X	C	C	C		4
Hotel, Motel or Executive Suites												X	X	C	X		C		C		4
Jails									S			S			S	S					4
Junkyards, Salvage Yards																S					5
Laboratories for testing and research												X		C	X	X	C		C		3
Landfill, for Household and Commercial Waste, State Permitted – No Hazardous Waste (Reserved)																					5
Retail/Service With Outside Plant/Equipment Storage												X		C	X	X	C		C		3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1	I-2	C-I	C-MXR	C-MXC	LUC
															Note 19	Note 19				
Laundromat, Coin-Operated											X	X	X	C	X	X	C	C	C	3
Library, Art Gallery or Museum									X	C	X	X	X	C				C	C	2
Manufactured Dwelling Park								S												3
Manufactured Dwelling (Class AA) on Individual Lot								X												1
Manufactured Home Sales												S			S	S				3
Manufacturing and Industry (assembling, manufacturing, compounding, repair or treatment of articles or merchandise)																				
Ammunition, Small Arms																X				4
Animal Feeds																S				5
Apparel and Finished Fabric Products															X	X	C			4
Bakery Products															X	X	C			4
Batteries																X				4
Bottling Plant															X	X	C			4
Cement, concrete, lime, plaster, brick																X				4
Chemicals, Paints and Allied Products																X				4
Dairy Product Processing															X	X	C			4
Electrical Equipment															X	X	C			4
Fabricated Metal Products															X	X				4
Glass Products from Purchased Glass															X	X	C			4
Heating Equipment and Plumbing Fixtures															X	X	C			4
Household Appliances															X	X	C			4
Industrial and Commercial Machinery															S	X	C			4
Leather Products (no tanning)															X	X	C			4
Lighting and Wiring Equipment															X	X	C			4
Manufactured Housing and Wood Buildings															X	X	C			4
Medical, Dental and Surgical Equipment															X	X	C			4
Millwork, Plywood and Veneer															X	X	C			4
Optical Goods												X		C	X	X	C			4
Paperboard Containers and Boxes																X				4

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1	I-2	C-I	C-MXR	C-MXC	LUC
															Note 19	Note 19				
Pharmaceutical Products															X	X	C			4
Photographic Equipment and Supplies															X	X	C			4
Plastic Products															X	X	C			4
Pottery and Related Products															X	X	C			4
Rubber Products																X				4
Sawmill																S				
Sign manufacture, fabricating												X		C	X	X	C			4
Soaps and Cosmetics																X				4
Textile Products (no dyeing and finishing)															X	X	C			4
Textile Products (with dyeing and finishing)																X				4
Massage Therapy, practitioner licensed by the State of NC									X	C	X	X	X	C	X		C	C	C	2
Medical, Dental or Related Office									X	C	X	X	X	C	X		C	C	C	2
Medical or Dental Laboratory									X	C		X	X	C	X		C	C	C	3
Motion Picture Production												X		C	X		C			4
Municipal Facilities	S	S	S	S	S	C	S	S	X	C	X	X	X	C	S	S	C	C	C	3
Museum or Art Gallery									X	C	X	X	X	C				C	C	2
Night clubs, dance halls (see note 4)												X	X	C			C		C	3
Nursing Home, Rest Home, Convalescent Home	S	S	S	S	S	C	X	X	S	C	S	X		C				C	C	3
Park, Public	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	X	C	C	C	3
Parking lots serving uses permitted in the district where located, See Note 11	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	X	C	C	C	3
Parking lots or access driveways serving uses not permitted in district where lot is located			S	S	S	C		S	S	C	S	S	S	C	S	S	C	C	C	4
Pet Store/Grooming No Outside Animal Storage/Care												X	X	C	X		C		C	3
Petroleum and Petroleum Products Storage/Sales, <100,000 gallons												S		C	X	X	C			4
Petroleum and Petroleum Products Storage/Sales, >100,000 gallons																X				5
Photography Studio											X	X	X	C	X		C	C	C	3
Physical Fitness Center, Health Club, Gym									X	C		X	X	C	X		C	C	C	3
Planned Unit Development (PUD)	O	O	O	O	O		O	O	O		O	O	O		O	O				3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1	I-2	C-I	C-MXR	C-MXC	LUC
															Note 19	Note 19				
Post Office											X	X	X	C	X		C	C	C	4
Printing and Publishing Operation/Photocopying												X	X	C	X	X	C		C	3
Public utility warehouses, storage yards, repair areas															X	X	C			4
Racetracks for automobiles, motorcycles															S	S				5
Radio, Television Stations without Towers											X	X	X	C	X	X	C		C	3
Recycling Facility, Commercial															S	S				4
Restaurant (with drive-thru)												X		C	X	X	C		C	3
Restaurant (without drive-thru)												X	X	C	X		C		C	3
Retail Sales No Outside Storage or Sales											S	X	X	C	X		C	C	C	3
Roadside stands, temporary, for sale of agricultural products produced on premises; not in right-of-way								X	X	C	X	X	X	C	X	X	C	C	C	1
Roadside Stands & Outdoor Sales, Temporary (Prohibited)																				
Sewage Treatment Plant,																X				5
School, Elementary or Secondary	S	S	S	S	S	C	S	S	S	C	S	X		C				C	C	1
School, commercial, vocational									S	C	S	X	X	C	X	X	C	C	C	1
School, music, art, martial arts, or dancing											X	X	X	C	X		C	C	C	1
Septic Tank Installation and Servicing Businesses															X	X	C			3
Sexually Oriented Business												S			S					5
Shooting Range, Indoor															X	X	C			3
Shooting Range, Outdoor																S				4
Solar Farm (See Note 24)						C				C				C	X	X	C	C	C	2
Stable, including riding facilities	S														S	S	C			1
Storage Yard, See Note 13															X	X	C			5
Tanning Salon									X	C		X	X	C				C	C	3
Tattoo Business												X			X	X				3
Taxidermist												X		C	X		C		C	3
Temporary Construction or Real Estate Office, Storage Facilities – use to be terminated upon completion of construction	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	X	C	C	C	n/a
Theater (indoor)												X	X	C	X		C	C	C	3

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1	I-2	C-I	C-MXR	C-MXC	LUC
															Note 19	Note 19				
Tire Recapping and Retreading (Principal use)															X	X	C			3
Tire Sales												X		C	X		C		C	3
Towers, Radio, Television, Cellular and Digital Communication															S	S	C			5
Truck and Utility Trailer Rental and Leasing												X		C	X	X	C			4
Trucking or Freight Terminal, Storage, Repair, Wash, or Stop															S	S	C			4
Unattended facilities for public utilities, See Note 16	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	X	C	C	C	2
Utility building sales, sales of storage sheds and trailers															X	X	C			
Unified Business Development, Heavy									S	C		S	S	C	S		C	C	C	3
Unified Business Development, Light									X	C		X	X	C	X		C	C	C	3
Utility Substation, See Note 17	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	X	C	C	C	2
Veterinary Service, Large Animal	X																			2
Warehouse (general storage, enclosed, non-hazardous)															X	X	C			4
Warehouse, Mini (self-storage)												S		C	X	X	C			3
Waste Incinerators (including Medical)																				5
Water Treatment Plant															X	X	C			5
Wholesale Distribution and Trade Not Otherwise Listed												X		C	X	X	C			3



City Council Decision & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

<p>Table of Permitted Uses (AM1614)</p> <p><u>Type of Request</u> Text Amendment</p> <p><u>Meeting Dates</u> Planning Board on June 21, 2016 City Council on July 5, 2016</p>
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Choose one...

- I move that the text amendment be **APPROVED**.
- I move that the text amendment be **DENIED**.

Choose one...

- The text amendment is **consistent** with *The Graham 2035 Comprehensive Plan*.
- The text amendment is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

State reasons...

This action is reasonable and in the public interest for the following reasons:

This report reflects the decision of the City Council, this the 5th day of July, 2016.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk



STAFF REPORT

SUBJECT:	WAYFINDING SIGNAGE DOWNTOWN
PREPARED BY:	NATHAN PAGE, CITY PLANNER

REQUESTED ACTION:

Approve funding for temporary wayfinding signs to be placed in key locations highlighting amenities downtown.

BACKGROUND/SUMMARY:

After a request from the Planning Board to City Council, staff was requested to investigate wayfinding, parking times, and pedestrian safety. This report is the first of those three.

While the currently proposed signs are a temporary measure, they will give us an idea of the utilization and the demand for additional signage in the area. This also allows us to move forward with a pilot project and not worry about matching the existing signage elsewhere in the City, nor a vision for what the signage will look like in the future. The QR code can be scanned and give a map of where the locations are, for individuals who have traveled to our town and are not familiar with the layout.



Conversely, if city forces were to install permanent signage, each sign would start at \$100 plus an hour of installation, and can be up to \$20,000 in the case of more decorative signage. As an example, the City of Decatur, Alabama (pop. 55,000) has 35 different designs for their signage, from a "Tertiary Gateway Sign" to "ID & Proximity Signs." This level of design is not anticipated to be needed for Graham, but if these signs are successful in their deployment and utilized by the citizenry, at some point additional funds will be required for more permanent signage. As such, the pilot program would allow the city to evaluate the level of usefulness for the citizens.



FISCAL IMPACT:

The signs are \$20 each, and a budget of \$500 would allow proliferation throughout our downtown, providing 25 signs to showcase points of interest.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

N/A

I make a motion to go into Closed Session to Consider the Performance of the City Manager and City Attorney Pursuant to the Terms of *N.C.G.S. §. 143-318-11 (a) (6)*.