City of Graham City Council
Regular Meeting Agenda
December 14, 2021
6:00 p.m.

I. CALL TO ORDER: Mayor Jerry Peterman

II. INVOCATION & PLEDGE OF ALLEGIANCE

III. CODE OF ETHICS DISCLOSING CONFLICTS OF INTEREST- City Clerk, Darby Terrell

IV. APPROVAL OF MINUTES:

- November 9, 2021 City Council Meeting

V. OLD BUSINESS:

A. Amendment of Code of Ordinances on criminal penalties from North Carolina General Assembly Session Law 2021-18 (SB 300) 2nd reading - North Carolina General Assembly Senate Bill 300 (Session Law 2021-18), mandates local governments to amend their Code of Ordinances regarding ordinances that impose criminal penalties to mirror what has been signed into law by Governor Cooper. The City attorneys and staff have made changes and ask Council to consider adopting these amendments to the City of Graham Code of Ordinances to be compliance with Senate Bill 300.

VI. CERTIFICATION OF ELECTION: City Clerk, Darby Terrell

VII. ORGANIZATION OF NEW CITY COUNCIL

- Oath of Office to Newly Elected Officials

VIII. SPECIAL PRESENTATION: Former Mayor Gerald Peterman

IX. NEW COUNCIL CONVENES:

- Election of Mayor Pro Tem
- Oath of Office
- Set the Regular Session Monthly Meeting Date and Time

X. COMMENTS FROM NEWLY ELECTED OFFICIALS

- Questionnaire for the Vacant City Council Seat

XI. CODE OF ETHICS DISCLOSING CONFLICTS OF INTEREST: City Clerk, Darby Terrell

XII. AUDIT REPORT: Patricia Rhodes, Representative from Stout, Stuart, McGowen, and King

XIII. CONSENT AGENDA:

a. To approve a Petition for a Voluntary Contiguous Annexation for 78.12 acres located on Cherry Lane (GPIN 8893686572 & 8894906303) (AN2103) and:

i. To approve a Resolution Requesting the City Clerk to Investigate Sufficiency.
ii. To approve a Resolution Fixing Date of Public Hearing on Question of Annexation.

b. To approve a Petition for a Voluntary Contiguous Annexation for 37.85 acres located on Governor Scott Farm Road (GPIN 8893886609) (AN2104) as well as:

i. To approve a Resolution Requesting the City Clerk to Investigate Sufficiency.
ii. To approve a Resolution Fixing Date of Public Hearing on Question of Annexation.

c. To approve a Petition for a Voluntary Contiguous Annexation for 9.10 acres located on Cherry Lane (GPIN 8893796670) (AN2105) as well as:

i. To approve a Resolution Requesting the City Clerk to Investigate Sufficiency.
ii. To approve a Resolution Fixing Date of Public Hearing on Question of Annexation.

d. To approve public improvements for Windsor Homes at Forks of Alamance subdivision Phase 1,2A, and 2B (S1502)

e. To approve the following tax releases in the amount of $66.54:

CITY OF GRAHAM
RELEASE ACCOUNTS

DECEMBER

ACCT #	YEAR	NAME	REASON FOR RELEASE	AMOUNT RELEASED
694437	2021	WELLS FARGO VENDOR FINANCIAL	ASSETS MOVED TO ANOTHER ACCOUNT	$66.54

XIV. NEW BUSINESS

A. Source Water Resiliency and Response Plan Notification - On January 1, 2019, a new rule that mandates Source Water Protection (SWP) planning for all public water supply systems that treat and supply water from surface sources. It is required for all public water systems treating and furnishing water from a surface water source to create and implement a Source Water Protection Plan to be in accordance with 15A, NCAC, 18C .1305 (a) and G.S. 130A-320.

B. Community Oriented Policing Services (COPS) Grant Approval - The Graham Police Department is requesting Council to consider hiring six new police officers for a COPS grant awarded by the US Department of Justice. The grant would require continuation funding for a minimum of 12 months at the conclusion of the 3-year grant cycle.

C. Planning and Board of Adjustment Board Vacancy- To consider filling the current vacancy on the Planning and Board of Adjustment. Below are applicants that still wish to be appointed.

- Shanelle Harvey
- Melissa Clay Barnes

PUBLIC HEARINGS:

D. Amendment to Development Ordinance as required by North Carolina General Assembly Session Law 2021-18 (SB 300) (AM2104)- A public hearing has been scheduled to consider the North Carolina General Assembly Session Law 2021-18, Senate Bill 300, to require criminal penalty amendments to the Development Ordinance, Chapter 10, of the Code of Ordinances. (Planning Board approved of amendments at its November 16, 2021 regular meeting.)

E. Amendments to Development Ordinance for Table of Permitted Uses and Notes (AM2103)- A public hearing has been continued to consider a text amendment to the Development Ordinance to re-classify existing permitted uses and changes to the Notes to the Table of Permitted Uses. (Sections 10.135 to 10.149) (Planning Board approved the amendments at its November 16, 2021 regular meeting)

F. Rezoning- 1205 East Harden Street for Maple View, Inc. (RZ2107)- A public hearing has been continued to consider an application by Maple View, Inc. to rezone 5.11 acres of property from R-18, (low density residential) to I-1, (light industrial). (GPIN 8883990211) (Planning Board approved this rezoning at its November 16, 2021 regular meeting)

XV. PUBLIC COMMENT PERIOD

XVI. CITY STAFF COMMENTS

XVII. CITY COUNCIL COMMENTS

XVIII. ADJOURN

CITY OF GRAHAM
CITY COUNCIL MEETING MINUTES
TUESDAY, NOVEMBER 9, 2021

The City Council of the City of Graham held a regularly scheduled meeting beginning at 6:00 p.m. on November 9, 2021, in the Council Chamber of the Municipal Building located at 201 South Main Street, Graham, NC.

Councilmembers Present:
Mayor Jerry Peterman
Mayor Pro Tem Chip Turner
Councilmember Melody Wiggins
Councilmember Jennifer Talley
Councilmember Ricky Hall

Staff Present:
Aaron Holland, Interim City Manager
Bryan Coleman, City Attorney
Bob Ward, City Attorney - *Absent*
Justin Snyder, Planning Director
Darby Terrell, City Clerk
Brian Faucette, Recreation and Parks Director
Mary Faucette, Economic Dev. Coordinator

CALL TO ORDER:

Mayor Jerry Peterman called the meeting to order and presided at 6:00 p.m. Mayor Peterman asked City Councilmember Hall to give the invocation and everyone stood to recite the Pledge of Allegiance.

CODE OF ETHICS DISCLOSING CONFLICTS OF INTEREST:

Darby Terrell, City Clerk read the Conflict of Interest statement to Council. There were no conflicts of interest reported.

CONSENT AGENDA:

a. To approve the minutes of the October 12, 2021 and October 22,2021, City Council regular and special sessions.

b. To adopt the playUNITED inclusion policy for Recreation and Parks for staff training, facility improvements, program planning, and reporting in order to create and promote inclusion for all members of the community.

c. To approve the following tax releases in the amount of $1,069.66:

CITY OF GRAHAM
RELEASE ACCOUNTS

NOVEMBER

ACCT #	YEAR	NAME	REASON FOR RELEASE	AMOUNT RELEASED
674787	2021	JEANNE W OWEN LIFE ESTATE	QUALIFIED FOR HOMESTEAD EXEMPTION	$284.16
6205	2021	BLACK, KAY S	QUALIFIED FOR HOMESTEAD EXEMPTION	$369.41
383837	2021	FALCON INDUSTRIES INC	OUT OF BUSINESS IN 2019	$12.77
667917	2021	PRIMO WATER CORP	DOUBLE BILLED WITH ACCT #491370	$8.60
699233	2021	ABBOTT LABORATORIES INC	NOT IN CITY OF GRAHAM	$178.39
658918	2021	CIT BANK N A	VALUE CORRECTIONS	$216.33

Councilmember Hall asked for a motion to approve (a) and (c) of the consent agenda, and Councilmember Talley seconded. The motion passed unanimously.

Councilmembers pulled consent agenda item (b) to discuss further.

CONSENT AGENDA ITEM (b):

Mayor Peterman questioned to Brian Faucette, Director of Recreation and Parks, about the glossary section of the playUNITED inclusion policy. Director Faucette that the policy was a template created by the National Recreation and Parks Association that has been implemented all around the country. He stated that the glossary defines certain words which helps in its implementation at times. Council discussed the need to keep the glossary and the purpose of the glossary for this policy.

Mayor Peterman moved to approve the entire document without the glossary. Councilmember Talley seconded and the motion passed unanimously.

OLD BUSINESS:

ITEM 1: REZONING – E. GILBREATH STREET

A public hearing had been continued to consider an application by Ben Green Hyconic Holdings LLC, to rezone 38 acres on E. Gilbreath Street from I-1, (Light Industrial) and R-G, (General Residential) to C-R, (Conditional Residential) to allow for 46 townhomes and 118 single family lots (GPIN 8883885270, 8883872722, 8883886903). *(Tabled from the October 12, 2021, City Council Meeting.)* (CR2101) **(Staff recommends approval of the rezoning to Conditional Residential (C-R) conditioned upon satisfying all TRC requirements and the recommended conditions from Planning Board. See recommendations below)**

Justin Snyder, Planning Director, updated Council on the changes to the application. Mr. Snyder listed the conditions that the Planning Board had approved when considering the application. Councilmember Talley commented that she approved of the changes brought to Council and thanked the Planning Board for the conditions they approved.

Amanda Hodierne, representative of Issacson Sheridan representing the applicant, discussed of the conditional changes that was recommended and further outlined those changes.

Councilmember Talley questioned the newly suggested walking trail to be implemented in the plan. Amanda Hodierne answered that the trail would provide access to the developed community as a whole.

Councilmember Wiggins asked for specifics on the makeup of the trail such as the surfacing. Ms. Hodierne stated that it would be similar to a nature trail with some surface but not a fully paved path.

Councilmember Wiggins suggested they reach out to staff, such as in the Recreation and Parks Department if they needed help with finding contractors who are familiar with building trails.

Mayor Peterman moved that the rezoning be approved to include the following conditions made by the Planning Board and City Attorney's, and the rezoning is consistent with *The Graham 2035 Comprehensive Plan*:

1. A dog park shall be provided on site.
2. Landscaping in the buffer shall be appropriate to the buffer and shall be in accordance with City standards.
3. Street trees from the recommended planting list shall be provided as well as lot trees for each lot.
4. Playground equipment shall be provided.
5. A walking trail shall be provided adjacent to the river with a dedicated public access easement, and it shall connect to the internal sidewalk network.
6. A street stub-out shall be provided to the lot to the north of this site if feasible.
7. The developer shall provide the City of Graham with an express easement to run the entire length where the sanitary sewer line exists.

Councilmember Talley seconded, motion passed unanimously.

ITEM 2: SPECIAL USE PERMITS – TEXT AMENDMENT TO DEVELOPMENT ORDINANCE

A public hearing had been continued to consider a text amendment to the Development Ordinance: Special Use Permits. Development Ordinance Amendments as recommended by City Council regarding Special Use Permits - Hearings before the Board of Adjustment, Article 4, Division 7 (Sections 10.137 to 10.148). *(Continued from the October 12, 2021, City Council Meeting.) (AM2102)* **(Planning Board recommends approval of the alternative language.)**

Justin Snyder, Planning Director, updated Council on the proposed text amendments for the Special Use Permits to be heard, approved or denied from the Board of Adjustment before going to the Planning Board. Mayor Pro Tem Turner suggested that Council allow the newly elected Council to consider this item. Other councilmembers agreed with this suggestion.

Mayor Peterman moved to continue this item to the January meeting, to give the new Council time to familiarize themselves with the proposed text amendments. Councilmember Hall seconded, and it was passed unanimously.

NEW BUSINESS

ITEM 3: CODE OF ORDINANCES- SESSION LAW 2021-18 (SENATE BILL 300) CRIMINAL PENALTIES CHANGES

North Carolina General Assembly Session Law 2021-18 (Senate Bill 300), mandates local governments to amend their Code of Ordinances regarding ordinances that impose criminal penalties to mirror what has been signed into law by Governor Cooper. The City attorneys and staff have made changes and ask Council to consider adopting these amendments to the City of Graham Code of Ordinances for compliance with Senate Bill 300.

Aaron Holland, Interim City Manager, informed Council on Session Law 2021-18 (Senate Bill 300), and law affects the Code of Ordinances. Mr. Holland informed the Council of the time frame, which would require the Council to pass these changes before December 30, 2021.

Councilmember Wiggins moved to approved the first reading of the Ordinance amendments to Chapter 1 General Provisions, Chapter 2 Administration, Chapter 6 Buildings and Building Regulations, Chapter 8 Business, Chapter 12 Offenses and Miscellaneous Provisions, Chapter 13 Utilities, Chapter 18 Streets, Sidewalks, and Other Public Places, and Chapter 20 Traffic and Vehicles as identified in the memo from the City Attorney. Councilmember Hall seconded, and the motion passed unanimously.

PUBLIC COMMENT PERIOD

Keith Westbrook (604 Trock Wilder Court) spoke to Council about a sidewalk issue dealing with the need of a crosswalk on East Elm and Trollinger Road near Graham High School. Mr. Westbrook informed Council that he has seen an issue with students crossing the street. Mr. Westbrook stated he understood that those two roads are DOT maintained and asked for Council's support in discussing this issue with DOT request a crosswalk to make it safer for students to cross the road. Mr. Westbrook also discussed that parents are still using Trollinger Road as a drop-off location even though they have been told it has not been designated as one. Mr. Westbrook voiced concern for the safety of everyone involved.

CITY COUNCIL COMMENTS

Mayor Peterman welcomed newly elected Councilmember-elect Bobby Chin, and gave an update about an upcoming agenda session workshop, on Monday December 13th, which will be open to the public with the newly elected council.

Councilmember Talley informed every one of the upcoming events being held in downtown, including

- December 25th, Annual Christmas Day, free Christmas movie, Polar Express
- December 4th, 10:00 am, Graham Christmas Parade
- December 5th, 5:00 pm to 7:30 pm, Tree lighting Event

Councilmember Talley proposed to Council about adding Veterans Day to the City's Holiday list. Council discussed to include the upcoming Veterans Day on Thursday and to vote on the issue tonight, or have it on the agenda for next month and to vote for Veterans Day for next year.

Mayor Peterman moved to have the employees of Graham to have Veterans Day as a permanent paid holiday starting this year. Motion was seconded by Councilmember Talley, and passed unanimously.

CITY STAFF COMMENTS

Mary Faucette, Economic Development Coordinator, gave updates to Council on upcoming events and how October events resulted.

- November 12- Two Meet and Greet sessions with Downtown business owners/property owners
- December 5th Tree Lighting ceremony
- Second Annual Window Decorating Contest for Downtown businesses

ADJOURN:

Upon motion Councilmember Hall, seconded by Councilmember Talley, and it resolved unanimously to adjourn. (7:04 p.m.)

_____

Darby Terrell, City Clerk

GRAHAM
NORTH CAROLINA

STAFF REPORT

SUBJECT:	SB 300 CODE OF ORDINANACE CHANGES
PREPARED BY:	AARON HOLLAND, INTERIM CITY MANAGER

REQUESTED ACTION:

Amend Code of Ordinances to reflect changes as a result of Senate Bill 300 (Session Law 2021-18).

BACKGROUND/SUMMARY:

Governor Roy Cooper signed a comprehensive criminal justice reform package into law in September. This package, commonly referred to as Senate Bill 300, is a wide-ranging piece of legislation that creates new databases, requires additional background checks, and prohibits the imposition of criminal penalties for certain local government ordinances. The City attorneys and staff were tasked the past month with identifying which ordinances were affected and made necessary changes to those that imposed criminal penalties. The changes are mandatory to continue the ability to apply criminal penalties to certain ordinance violations.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move to approve the Ordinance amendments to CHAPTER 1- GENRAL PROVISIONS, CHAPTER 2- ADMINISTRATION, CHAPTER 6- BUILDINGS AND BUILDING REGULATIONS, CHAPTER 8- BUSINESSES, CHAPTER 12- OFFENSES AND MISCELLANEOUS PROVISIONS, CHAPTER 13- UTILITES, CHAPTER 18- STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES, and CHAPTER 20- TRAFFIC AND VEHICLES of the Code of Ordinances as identified in the attached memo from the City Attorney.

Law Offices of
WARD & COLEMAN
Patterson Building
344 Maple Avenue
P.O. Box 1683
Burlington, NC 27215

Phone# (336) 222-8056 Fax# (336)228-6610

November 2, 2021

To: Interim City Manager, Aaron Holland
From: Ward and Coleman

Re: Code Amendments (Senate Bill 300)

As you are aware, Senate Bill 300 adopted by the General Assembly on August 25, 2021 requires that the City of Graham make certain changes in the Code of Ordinances and Development Ordinances as set forth in our memorandum dated October 1, 2021.

As stated in this memorandum, the City's ordinances may be enforced by making violations of ordinances a misdemeanor or an infraction as set forth in 160A-175. However, 160A-175, as amended by SB 300, has stated that certain ordinances may not be enforced by imposing a criminal penalty. If the enforcement provisions impose a criminal penalty, those sections must be repealed. It appears however, the City may make violations of these ordinances an infraction and impose a civil penalty for any violation thereof.

In this connection you discussed this matter with the Department Heads, who identified and submitted recommended changes to comply with Senate Bill 300.

Having discussed and exchanged emails with many of the Department Heads we are recommending certain amendments to Graham's Code of Ordinances and Development Ordinances. As interpretations of Senate Bill 300 evolve and as precedent may be rendered, other amendments may be necessary and will accordingly be addressed. In any event at this point copies of these amendments are attached and are ready for consideration of adoption by the City Council and recommendation by the Planning Board. It is recommended that these ordinances be adopted twice to comply with G.S. 160A-175(b).

Please advise if there are any questions.

ORDINANCE AMENDING CODE OF ORDINANCES OF GRAHAM

WHEREAS, by Senate Bill 300 (Session Law 2021-18) The General Assembly of North Carolina mandated certain changes to municipal ordinances; and

WHEREAS, to comply with said law the City Council of the City of Graham desires to adopt certain changes to the Code of Ordinances; and

WHEREAS, the Code of Ordinances is hereby amended by the repeal of certain codes and the rewriting of and restatement of certain codes; and

WHEREAS, said amendments to the City of Graham's Code of Ordinances are hereinafter more specifically set forth as follows:

CHAPTER 1

Chapter 1 of the Code of Ordinances

Chapter 1 entitled GENERAL PROVISIONS, Sec. 1-12. Penalty; continuing violations is hereby REPEALED and REWRITTEN to read.

Sec. 1-12 General Penalty; continuing violations

Enforcement of City Code: In the event that an ordinance makes a section of this code unlawful, unless specifically set forth, no criminal penalty may be imposed therefore, and that unless otherwise specified for each violation of this Code of Ordinances, any violation thereof shall be an infraction and subject violators to $50.00 civil penalty and the other enforcement provisions of G.S. 160A-75.

Section 1-13 Penalty not exclusive

That subsection (b) Sec. 1-13-Penalty not exclusive is REWRITTEN to read:

(b) In the event any violation of this Code is designated as a nuisance under the provisions of this Code, such nuisance may be summarily abated by the City and otherwise provided by law.

CHAPTER 2

Chapter 2 entitled ADMINISTRATION, Section 2-122. Interfering with police is hereby AMENDED to read as follows:

Sec. 2-122 Interfering with police: Add the following sentence to the end of this section: Violators are subject to the provisions of N.C.G.S. 14-4 and may be found guilty of a Class 3 misdemeanor punishable upon conviction by a fine not exceeding $500.00.

CHAPTER 6

Chapter 6 entitled BUILDINGS AND BUILDING REGULATIONS

That **Sec. 6-106-** Violations, penalty as authorized by G.S. 14-4 to provide criminal penalties, is hereby READOPTED AND RATIFIED and shall remain in full force and effect.

CHAPTER 8

BUSINESSES

Sec. 8-44 Same-Failure to Pay

This section is hereby amended by REPEALING the portion of the last sentence of this section as follows: "the tax collector shall swear out a warrant before some magistrate or judge in the county for the violation of the provisions of this article and as provided in this article."

TEMPORARY OUTDOOR SALES

Sec. 8-346

The first sentence of this section is hereby REPEALED in its entirety.

CHAPTER 12

Chapter 12 entitled OFFENSES AND MISCELLANEOUS PROVISIONS

That Sec. 12-73-Special Nuisance; graffiti as authorized by G.S. 14-4 to provide criminal penalties is hereby READOPTED AND RATIFIED and shall remain in full force and effect.

CHAPTER 13

Chapter 13 entitled UTILITIES.

That Sec. 13-84(b)-Tampering with water or sewer systems; penalties generally as authorized by G.S. 14-4 to provide criminal penalties is hereby READOPTED AND RATIFIED and shall remain in full force and effect.

CHAPTER 18

Chapter 18 entitled STREETS, SIDEWALKS AND OTHER PUBLIC PLACES.

That Sec. 18-8 as authorized by G.S. 14-4 to provide criminal penalties is hereby READOPTED AND RATIFIED and shall remain in full force and effect.

CHAPTER 20

Chapter 20 entitled TRAFFIC AND VEHICLES.

That Sec. 20-185(b)Violations of this article as authorized by G.S. 14-4 to provide criminal penalties is hereby READOPTED AND RATIFIED and shall be in full force and effect.

CIVIL PENALTIES:

COMPLIANCE WITH SENATE BILL 300

That all sections of this Code of Ordinances authorizing civil penalties are hereby RATIFIED AND READOPTED in the amounts as set forth in each affected ordinance and shall remain in full force and effect.

EFFECTIVE DATE:

That this Ordinance shall become effective upon adoption.

ORDINANCE AMENDING THE CITY OF GRAHAM DEVELOPMENT ORDINANCES

WHEREAS, by Senate Bill 300 (Session Law 2021-18) The General Assembly of North Carolina mandated certain changes to municipal ordinances; and

WHEREAS, to comply with said law the City Council of the City of Graham desires to adopt certain changes to the Code of Ordinances; and

WHEREAS, the Code of Ordinances is hereby amended by the repeal of certain codes and the rewriting of and restatement of certain codes; and

WHEREAS, said amendments to the City of Graham's Code of Ordinances are hereinafter more specifically set forth as follows:

CHAPTER 10

Chapter 10 entitled CITY OF GRAHAM DEVELOPMENT ORDINANCES is hereby AMENDED as follows:

Sec. 10.43 entitled Penalties.

Subsection entitled **Misdemeanor** is hereby REPEALED in its entirety.

Subsection entitled **Civil Penalty** is hereby REWRITTEN as follows:

Civil Penalty. Any violation of this ordinance shall subject the offender to a maximum civil penalty of $100 pursuant to G.S. 160A-175. Each day that any violation continues after receipt of the final written notice of such violation shall constitute a separate violation and a separate civil offense for purposes of the penalties and remedies specified herein. If the offender fails to pay the penalty within 10 calendar days of receiving final written notice of violation, the penalty may be recovered by the City in a civil action in the nature of a debt. A civil penalty may not be appealed to the board of adjustment if the offender received a final written notice of violation and did not appeal to the board of adjustment within 30 calendar days of receipt of the notice in accordance with Article 4 of G.S. 160D. Failure to accept or receive notice of any decision shall not constitute failure on the part of the City in delivering said notice in a manner consistent with state statute.

Sec. 10.44 entitled Administration, enforcement generally.

Last sentence of said section is AMENDED AND REWRITTEN to read as follows:

The Zoning Enforcement Officer shall order the discontinuance of illegal use of land, buildings, or structures; the removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; or the discontinuance of any illegal work being

done; and the ZEO shall take any other action authorized by this article or state statute to insure compliance with, or to prevent the violation of, its provisions.

Sec. 10.372 entitled Penalties for Violation.

First sentence of said section is AMENDED to read as follows:

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions, and safeguards established in connection with grants of variance or special exceptions, shall, when permitted by state statute, constitute a Class 1 misdemeanor pursuant to N.C.G.S. 143-215.58.

Sec. 10.521 entitled Remedies and Penalties.

The remedies and penalties provided for violations of this ordinance shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

Sec. 10.521(c) is REPEALED in its entirety.

Sec. 10.579 entitled Compliance and Enforcement.
Subsection A-Site Inspections
(4)- Notice of Violations (b) is AMENDED to read as follows:

The notice shall inform the person that any person who violates or fails to act in accordance with any of the provisions of this Ordinance or rules or orders adopted or issued pursuant to this Ordinance is subject to the civil penalties and other enforcement actions as provided in this Ordinance.

Sec. 10.579 entitled Compliance and Enforcement.

Subsection C- Criminal Penalties.
This section is hereby REPEALED in its entirety.

CIVIL PENALTIES:

COMPLIANCE WITH SENATE BILL 300

That all sections of this Code of Ordinances authorizing civil penalties are hereby RATIFIED AND READOPTED in the amounts as set forth in each affected ordinance and shall remain in full force and effect.

EFFECTIVE DATE:

That this Ordinance shall become effective upon adoption.

2021 MUNICIPAL ELECTION
11/02/2021
ABSTRACT OF VOTES
FOR
ALAMANCE COUNTY, NORTH CAROLINA

INSTRUCTIONS
The county board shall prepare abstracts of all the ballot items in triplicate originals. The county board shall retain one of the triplicate originals, and shall distribute one each to the city or town clerk for the municipality and the State Board of Elections. The State Board of Elections shall forward the original abstract it receives to the Secretary of State (GS § 163-182.6)

STATE OF NORTH CAROLINA
COUNTY OF ALAMANCE

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the attached is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 9th day of November, 2021.

Board Chair

Board Member

Board Secretary

Board Member

Board Member

This day personally appeared before me, Dorothy Yarborough, Chairman of the County Board of Elections, who being duly sworn, says the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this the 9th day of November, 2021.

Official Signature of Notary Public

Dawn R. Hurdle
Printed/Typed Name of Notary Public

My Commission Expires: 4-7-2024

DAWN R HURDLE
NOTARY PUBLIC
ALAMANCE COUNTY, NC
My Commission Expires 4-7-2024

	0007_GIBSONVILLE ALDERMEN GIBSONVILLE				0008_GRAHAM MAYOR GRAHAM		0009_GRAHAM COUNCIL GRAHAM							0010_GREEN LEVEL COUNCIL GREEN LEVEL				
	Bryant Crisp	Paul Dean	Irene Fanelli	Paul Thompson	Jennifer Tallley	Chip Turner	Daniel Alvis	Jeanette E. Beaudry	Bobby Chin	Brooke Flood	Edith J. Montoya	Joey Parsons	Melody Wiggins	Stephanie Long	Loench Patricia (Patty) Jones	Ida Kleiner	S. Richmond Doris	Erwin Taylor
035 BOONE 5	6	1	7	3														
03W WEST BOONE	135	104	161	195														
064 GRAHAM 4					366	225	92	67	319	43	149	317	165					
06E EAST GRAHAM					180	220	119	49	155	27	85	141	197					
06N NORTH GRAHAM					116	115	37	41	94	17	86	82	81					
06S SOUTH GRAHAM					157	117	55	37	114	31	77	115	95					
103 MELVILLE 3					9	3	6	1	3	1	3	8	2					
11 PLEASANT GROVE														0	0	0	0	0
13 HAW RIVER					0	0	0	0	0	0	0	0	0	100	136	74	26	19
TOTALS	141	105	168	198	828	680	309	195	685	119	400	663	540	100	136	74	26	19

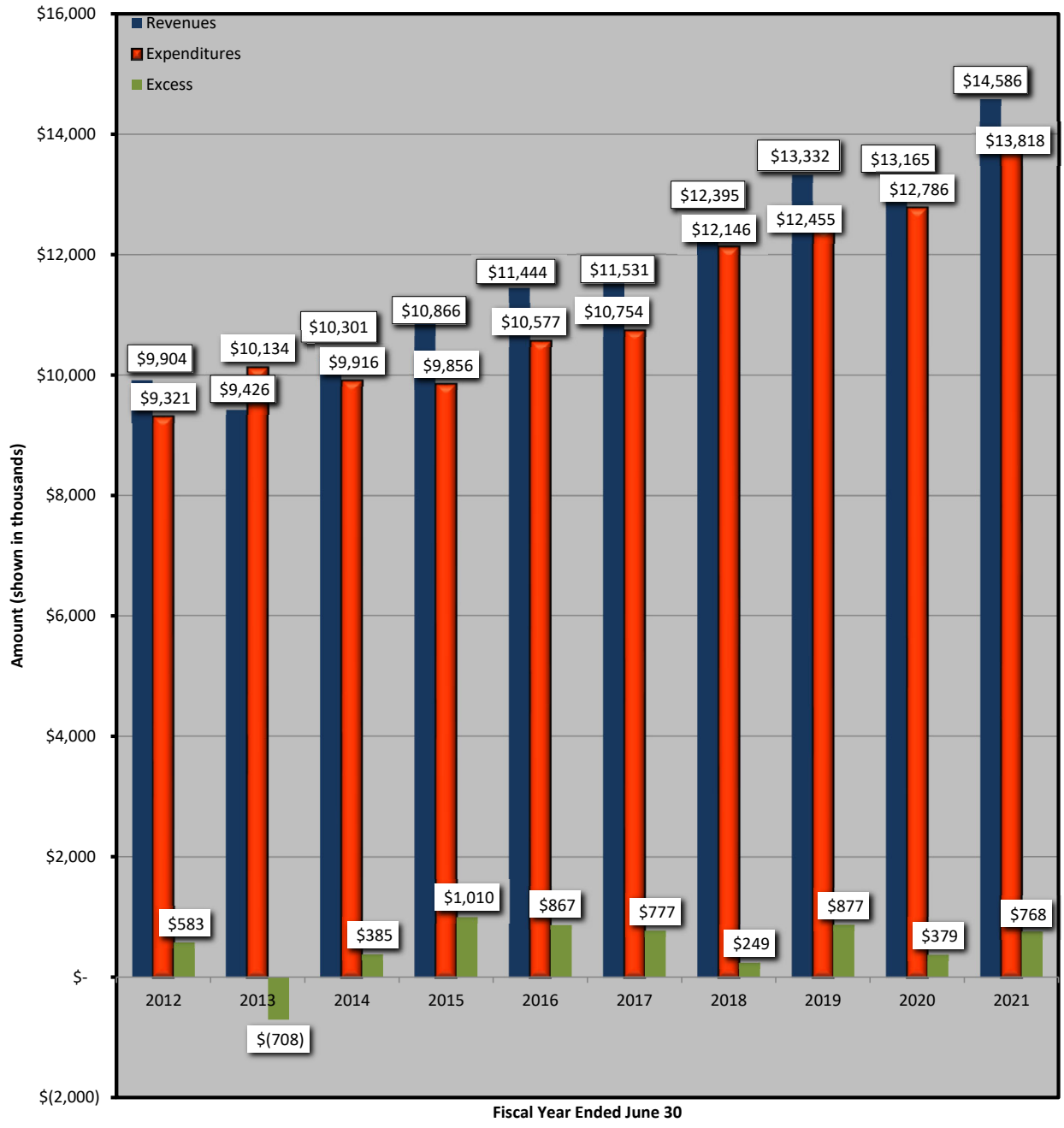
CITY OF GRAHAM

PRESENTATION TO THE CITY COUNCIL

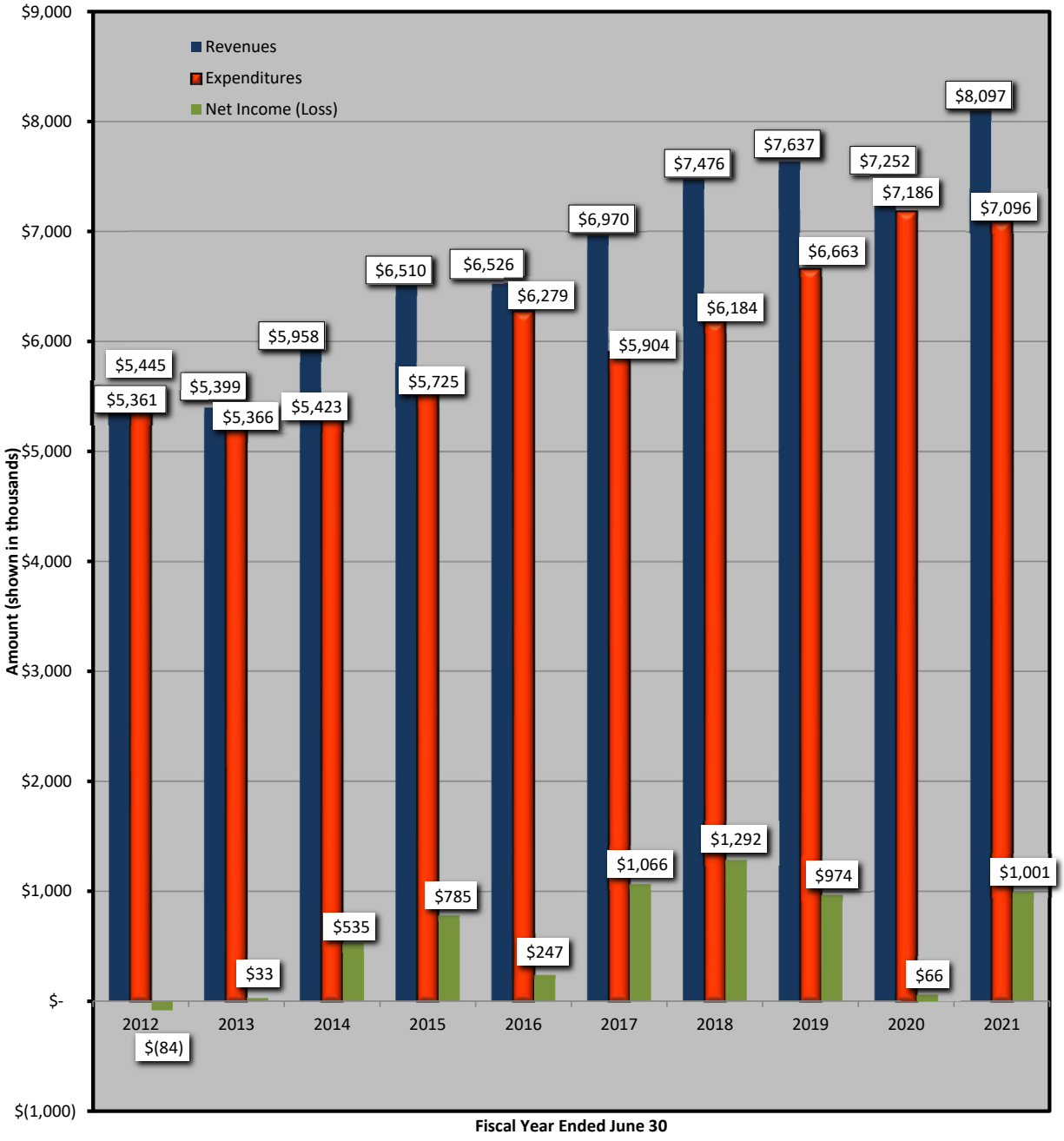
December 14, 2021

STOUT
STUART
McGOWEN
& KING LLP

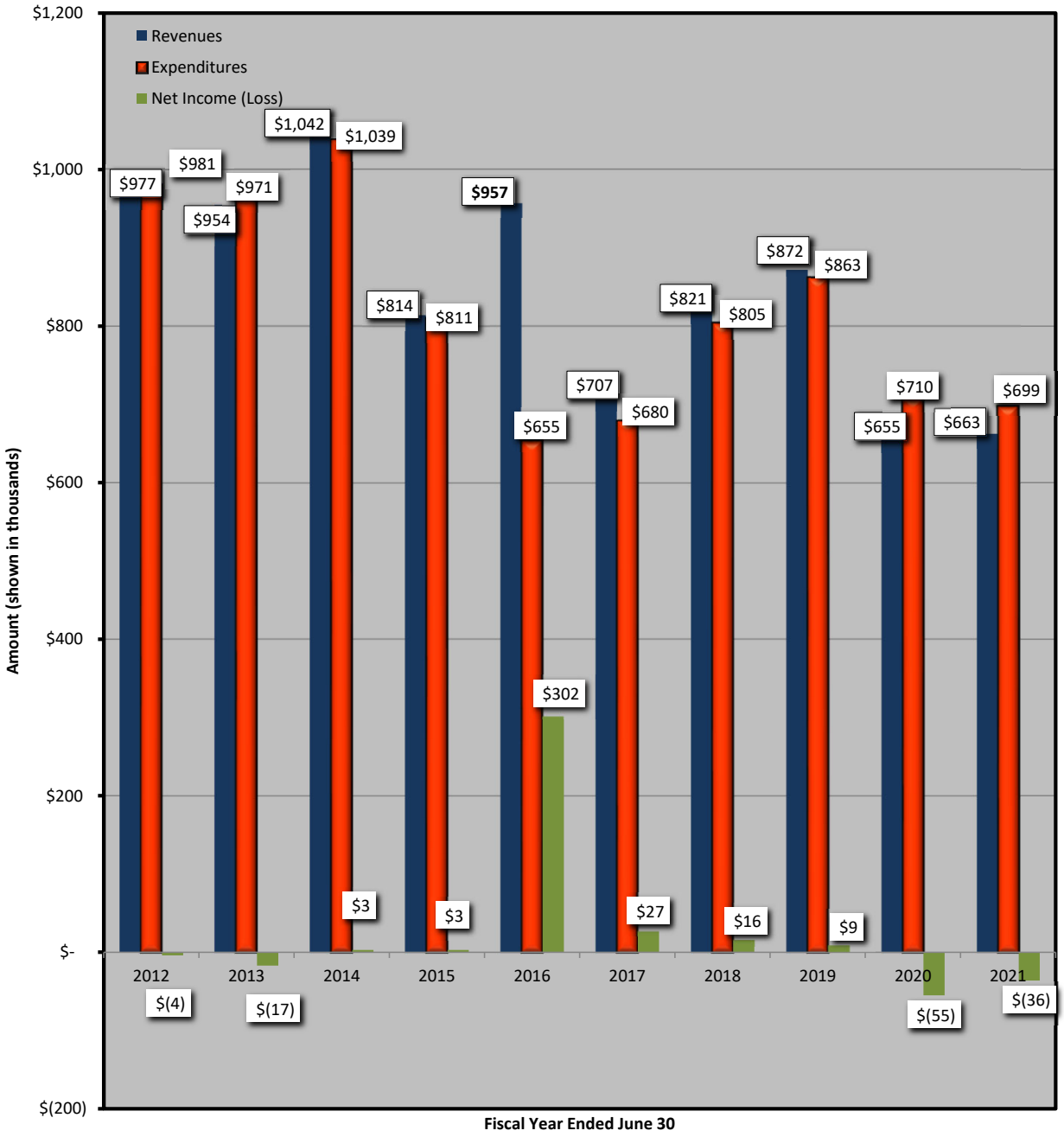
CITY OF GRAHAM
GENERAL FUND
REVENUES, EXPENDITURES AND EXCESS



CITY OF GRAHAM
WATER AND SEWER FUND - BUDGETARY BASIS
REVENUES, EXPENDITURES AND NET INCOME (LOSS)



CITY OF GRAHAM
GARAGE FUND - BUDGETRAY BASIS
REVENUES, EXPENDITURES AND NET INCOME (LOSS)



CITY OF GRAHAM
JUNE 30, 2021

	2021	2020	2019	Increase/ Decrease	Percentage (%)
General Fund					
Cash and Investments	10,874	10,833	9,681	41	0%
Accounts Receivable	2,607	2,098	2,351	509	24%
Prepaid Expenses	-	-	20	-	100%
Accounts Payable	757	929	471	(172)	-19%
Deferred Inflows (Revenues)	244	251	199	(7)	-3%
Unearned Revenue	260	298	337	(38)	-13%
Fund Balance	12,220	11,452	11,045	768	7%
Operating Expenses Per Day (Actual)	37,858	35,031	34,124	2,827	8%
Number of Days Available in Cash and Investments Less Current Liabilities	267	283	270	(16)	-6%
Water and Sewer					
Cash and Investments	10,195	11,246	10,556	(1,051)	-9%
Restricted Assets	1,391	796	738	595	75%
Accounts Receivable	1,119	1,002	1,160	117	12%
Fixed Assets	43,883	44,265	44,761	(382)	-1%
Liabilities	11,099	8,287	8,375	2,812	34%
Net Position	51,660	49,122	48,976	2,538	5%
Operating Expenses Per Day (Actual)	19,338	19,374	17,849	(36)	0%
Number of Days Available in Cash and Investments Less Current Liabilities	466	528	546	(62)	-12%
Garage Fund					
Cash and Investments	138	206	201	(68)	-33%
Fixed Assets	45	52	59	(7)	-13%
Liabilities	328	260	228	68	26%
Net Position	(25)	40	129	(65)	-163%
Operating Expenses Per Day (Actual)	1,994	2,040	2,384	(46)	-2%
Number of Days Available in Cash and Investments Current Liabilities	61	90	78	(29)	-32%
Graham Memorial Park					
Cash and Investments	2,592	2,568	2,479	24	1%
Accounts Receivable	7	2	25	5	250%
Fund Balance	2,599	2,570	2,504	29	1%
City-Wide Net Assets - Full Accrual Basis					
Cash and Investments	23,525	24,145	22,385	(620)	-3%
Restricted Cash	1,665	1,130	1,111	535	47%
Other Assets and Deferred Outflows	14,957	9,680	10,409	5,277	55%
Capital Assets	62,994	59,395	59,600	3,599	6%
Less - Total Liabilities and Deferred Inflows	31,650	25,220	23,754	6,430	25%
Net Position	71,491	69,130	69,751	2,361	3%

STOUT
STUART
McGOWEN
& KING LLP

Certified Public Accountants

Advisors to Management

November 3, 2021

To the Honorable Mayor
And Members of the City Council
City of Graham

We have audited the financial statements of the governmental activities, the business-type activities and each major fund and the aggregate remaining fund information of the City of Graham for the year ended June 30, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards (and, if applicable, *Government Auditing Standards* and the Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated February 24, 2021. Professional standards also require that we communicate to you the following information related to our audit.

Member of PCPS, the AICPA Alliance For CPA Firms

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Graham are described in Note I to the financial statements. We noted no transactions entered into by the City of Graham during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

The most sensitive accounting estimate affecting the financial statements is the estimate of the allowance for doubtful accounts which is based on historical revenues, historical loss levels, and an analysis of the collectability of individual accounts. We evaluated the key factors and assumptions used to develop the allowance and determined that it is reasonable in relation to the basic financial statements taken as a whole.

Mailing Address:
P.O. Box 1440
Burlington, NC 27216-1440

Street Address:
1233 South Church Street
Burlington, NC 27215

336-226-7343
fax 336-229-4204
www.ssmkllp.com
e-mail: ssmk@ssmkllp.com

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 3, 2021.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to Management's Discussion and Analysis, the Other Postemployment Benefits' Schedule of Changes in the Total OPEB Liability and Related Ratios, the Local Government Employee's Retirement System's Schedules of the Proportionate Share of the Net Pension Liability and Contributions, the Firefighters' and Rescue Squad Workers' Pension Fund's Schedule of the Proportionate Share of Net Pension Liability, and the Law Enforcement Officers' Special Separation Allowance Schedules of the Changes in Total Pension Liability and Total Pension Liability as a Percentage of Covered Payroll, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining and individuals fund statements, budgetary schedules, other schedules as well as the accompanying Schedule of Expenditures of Federal and State Awards, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the information and use of City Council and management of the City of Graham and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

Stout Stuart McGowen & Kings, LLP

STAFF REPORT

SUBJECT:	ANNEXATION OF 78.12 +/- ACRES ON CHERRY LANE
PREPARED BY:	JUSTIN SNYDER, PLANNING DIRECTOR

REQUESTED ACTION:

Approve the Resolution Fixing Date of January 11, 2022, for a Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for two tracts of land located off Cherry Lane.



BACKGROUND/SUMMARY:

The 78.12-acre area being considered for annexation is contiguous. Sewer and water are available to the lots.

Approval of this resolution does not finalize the annexation as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance. Following a public hearing, approval of an Annexation Ordinance is the final step for Council in the annexation process.

FISCAL IMPACT:

The proposed development will contain an 800,000 square foot industrial building and a 400,000 square foot industrial building, each of which will generate large tax revenues with minimal impact on water and sewer infrastructure based on the land use.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

1. I move we approve the resolution directing the City clerk to investigate a petition received under G.S. 160A-31 for potential contiguous annexation of GPINs 8893686572 and 8894906303 on Cherry Lane.
2. I move we approve the resolution fixing date of January 11, 2022, for a public hearing on the question of annexation pursuant to G.S. 160A-31 for a 78.12 (+/-) acres on Cherry Lane.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR PROPERTY ON CHERRY LANE (GPINS: 8893686572 and 8894906303) (AN2103)

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 14, 2021, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

_____
Jennifer Talley, Mayor

ATTEST:

_____
Darby Terrell, City Clerk

DocuSign Envelope ID: E7D3CD82-BA19-479B-9A84-6604DB051BEC

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

Petition for ANNEXATION

To the City Council of the City of Graham, NC:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed into the City of Graham.

☐ *If applicable as "income-based":* We believe that this petition meets the requirements of G.S. 160A-31(b1).

☐ *If applicable as "distressed":* We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is ☒ contiguous, as defined by 160a-31 ☐ non-contiguous, as defined by 160a-58 to the City of Graham and the boundaries of such territory are as follows:

General description of area to be annexed

GPIN#s 8893686572 & 8894906303

Attach the following:

☐ Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

☐ Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
Janet Louise Scott	2921 Lenox Rd. NE, Unit 205 Atlanta, GA 30324	no	DocuSigned by: Jan Scott
Mary Ella Scott		no	DocuSigned by: 46868F79A2A346B... Mary E. Scott
Susan Scott Sutton		no	DocuSigned by: 560E95891B6B48C... Susan Sutton
Louis Valvelle Sutton, III		no	DocuSigned by: 000F17F4CE8C43D... Louis Valvelle Sutton, III
Margaret Scott Phipps		no	DocuSigned by: 760520E2258946E... Margaret Scott Phipps
Robert E. Phipps Jr.		no	DocuSigned by: A463861C91894E9... Robert Phipps 6F065A34117C4F2...

attach additional sheets if necessary...

DocuSign Envelope ID: E7D3CD82-BA19-479B-9A84-6604DB051BEC

Application for
REZONING or
CONDITIONAL REZONING

We, Janet Louise Scott, Mary Ella Scott, Susan Scott Sutton, Louis Valvelle Sutton, III, Margaret Scott Phipps and Robert E. Phipps, Jr., as the property owners of the property described below, hereby give permission for (agent) Amanda P. Hodierne and/or Marc L. Isaacson to act as our agent/representative for purposes of requesting a zoning amendment for property identified as GPIN#s 8893686572 & 8894906303.

We attest that we have actual knowledge of the zoning amendment request and that we have read the application including all attachments and/or exhibits thereto; that the information contained in the application including all attachments and/or exhibits thereto is true to the best of our knowledge and belief; that the agent we appoint herein is authorized to modify the zoning amendment request as necessary to obtain approval of the zoning amendment request; and that the acts of the agent appointed herein shall be binding upon us and our heirs, successors and assigns unless and until we revoke this authorization in writing and submit same to the City Planner.

DocuSigned by:
Jan Scott
46868F79A2A346B...
Janet Louise Scott

DocuSigned by:
Mary E. Scott
560E95691B6B48C...
Mary Ella Scott

DocuSigned by:
Susan Sutton
000F17F4CE8C43D...
Susan Scott Sutton

DocuSigned by:
Louis Valvelle Sutton, III
760520E2258946E...
Louis Valvelle Sutton, III

DocuSigned by:
Margaret Scott Phipps
A463861C91894E9...
Margaret Scott Phipps

DocuSigned by:
Robert Phipps
6F065A34117C4F2...
Robert E. Phipps, Jr.

ALTA/NSPS Land Title Survey
for
Intersect Greensboro II, LLC, a Georgia limited liability company
Melville Township, Alamance County, North Carolina

I am a registered public surveyor in the State of North Carolina, I hereby certify to Intersect Greensboro II, LLC, a Georgia limited liability company, Fidelity National Title Insurance Company and its lender, and to their respective successors and assigns, as their interest may appear from time to time.

This is to certify that this map or plat and the survey on which is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 13, 14, 16, & 17 of Table A thereof. The field work was completed on 11/8/2021.

Pursuant to the Accuracy Standards as adopted by ALTA, and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of North Carolina, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date of Map: 11/9/2021
Signed:
J. Eric Miles L-4498

Preliminary Plat
Not for Recordation, Conveyance or Sales

Legal Description:

That certain tract or parcel of land in Melville Township, Alamance County, North Carolina and being more particularly described as follows:

Beginning at an iron stake in the southern 60' right of way of Cherry Lane S.R. 2123 and being a common corner with Lot 1 Final Plat Division of Property of Robert W. Scott and Mary K. Lowdermilk P.B. 45 PG. 175; Thence running with the 60' right of way of Cherry Lane N 47°18'08" E 830.84' to an iron stake, corner with Connie Lois Pedelty & Penny Maxine Pedelty D.B. 849 PG. 974; Thence leaving the 60' right of way of Cherry lane and running with the property of Connie Lois Pedelty & Penny Maxine Pedelty S 32°32'05" E 235.83' to an iron stake in the line of Pedelty; thence running with the property of Connie Lois Pedelty & Penny Maxine Pedelty D.B. 849 PG. 974 and the land of Mary Teague Pedelty & Russel Earl Pedelty D.B. 3830 PG. 200 S 24°24'09" E 1521.89' to a concrete monument being a common corner with Lot 2B Final Plat – Subdivision for Scott/Maya Properties II, LLC P.B. 80 PG. 92; Running thence with Lot 2B S 08°14'48" W 595.32' to an iron stake cornering with Lot 2B; thence with Lot 2B S 49°20'36" W 197.83' to a rock cornering with Lot 2B; Thence with Lot 2B N 42°59'39" W 151.46' to a concrete monument; Thence leaving Lot 2B and running with property of Carl A. Westmon D.B. 2978 PG. 188 N 43°07'17" W 115.68' to an iron stake cornering with Westmon; Thence with property of Westmon N 88°45'12" W 235.83' to an iron stake being a corner with Lot 1 Final Plat Division of Property of Robert W. Scott and Mary K. Lowdermilk P.B. 45 PG. 175; Running thence along the property of Lot 1 N 28°10'23" W 1558.50' to the Point of Beginning and containing 38.57 Acres ± and being Parcel ID: 153022 with the Alamance County Register of Deeds.

Flood Information
Flood Zone: (Zone X) Minimal Flood Risk
CID: 370283
Panel: 8883/8884/8903
Map Number: 3710889300K
Panel Effective Date: 11/17/2017



Property Information:
Owner: Janet L. Scott ETAL
Address: Cherry Lane, Haw River, NC 27258
D.B. 384 PG. 512
Parcel ID: 153022

Schedule B, Part II
Exceptions:
Commitment Number: NC252103009V

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I – Requirements are met.

2. All taxes for the fiscal year 2022 and subsequent years, not yet due and payable, and any additional taxes, interest, and/or penalties which may be assessed for the year 2021 or prior years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records for Alamance County.
NOTE: 2021 Alamance County real property taxes were paid in the amount of $142.65 under Parcel No. 153022.
TAXES WERE PAID UNDER A DEFERRED ASSESSMENT. A CHANGE IN USE MAY TRIGGER ROLL BACK TAXES.

3. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the Public Records.

4. Any lien or right to a lien for services, labor or material not shown by the Public Records.

5. Taxes or special assessments which are not shown as existing liens by the Public Records.

6. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records. – Barn, Driveway & Fencing encroaching from Connie Lois Pedelty & Penny Maxine Pedelty D.B. 849 PG. 974.

7. Easements, or claims of easements, not shown by the Public Records. – None Found

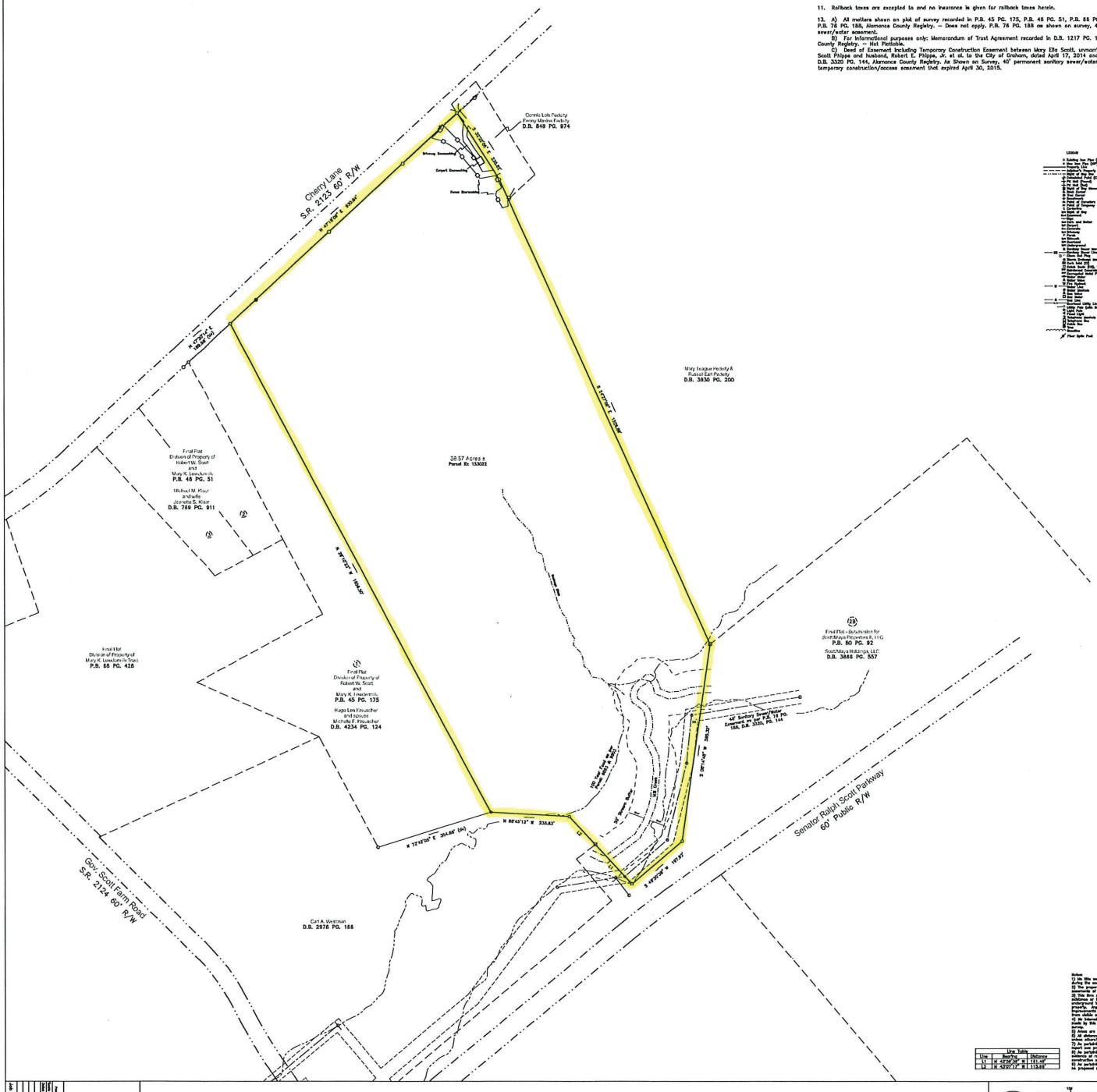
8. No insurance is afforded as to the exact amount of acreage contained in the property described herein.

9. Rights of tenants, as tenants only in possession of subject property.

10. Any right, interest or claim that may exist, arise or be asserted under or pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.

11. Rollback taxes are excepted to and no insurance is given for rollback taxes herein.

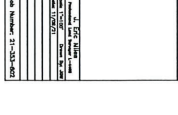
13. A) All matters shown on plat of survey recorded in P.B. 45 PG. 175, P.B. 48 PG. 51, P.B. 88 PG. 428 and P.B. 76 PG. 188, Alamance County Registry. – Does not apply. P.B. 76 PG. 188 as shown on survey, 40' sanitary sewer/water easement.
B) For informational purposes only: Memorandum of Trust Agreement recorded in D.B. 1217 PG. 136, Alamance County Registry. – Not Plottable.
C) Deed of Easement including Temporary Construction Easement between Mary Ella Scott, unmarried, Margaret Scott Phipps and husband, Robert E. Phipps, Jr. et al. to the City of Graham, dated April 17, 2014 and recorded in D.B. 3320 PG. 144, Alamance County Registry. As Shown on Survey, 40' permanent sanitary sewer/water easement and temporary construction/access easement that expired April 30, 2015.



Line Table		
Line	Bearing	Distance
L1	N 42°59'39" W	151.46'
L2	N 43°07'17" W	115.68'

Notes:
1) No title search was performed by this firm during course of this survey.
2) The property shown hereon is subject to all matters of record affecting same.
3) This firm makes no representation as to the existence or location of any buried utilities, underground structures or utilities across this property. Any underground utilities or structures shown hereon are based on data located from visible evidence and available information.
4) All internal boundaries of this property were not surveyed by this firm during the course of this survey.
5) Areas are calculated by coordinate geometry.
6) All distances are horizontal ground distances unless otherwise noted.
7) As pertaining to Table A Item 6(a), no zoning report was provided by the client.
8) As pertaining to Table A Item 16, there is no observed evidence of recent earth moving, building construction on property at time of survey.
9) As pertaining to Table A Item 17, there are no proposed changes in street right of way lines.





ALTA/NSPS Survey for

Intersect Greensboro II, LLC, a Georgia limited liability company

GRAPHIC SCALE 100 0 50 100 (IN FEET)

BOSWELL SURVEYORS, INC.
505 East Davis Street
Burlington, NC 27215
336.227.8723 (phone)
336.222.8170 (fax)
boswellsurveyors.com

Date: 11/9/2021
Scale: 1" = 100
Drawn By: JEM
Job No.: 21-353-BO2

Schedule B, Part II
Exceptions:
Commitment Number: NCS52108009V

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I – Requirements are met.

2. All taxes for the fiscal year 2022 and subsequent years, not yet due and payable, and any additional taxes, interest, and/or penalties which may be assessed for the year 2021 or prior years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records for Alamance County.
NOTE: 2021 Alamance County real property taxes were paid in the amount of $133.06 under Parcel No. 152443.
TAXES WERE PAID UNDER A DEFERRED ASSESSMENT. A CHANGE IN USE MAY TRIGGER ROLL BACK TAXES.

3. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the Public Records.

4. Any lien or right to a lien for services, labor or material not shown by the Public Records.

5. Taxes or special assessments which are not shown as existing liens by the Public Records.

6. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records. –None

7. Easements, or claims of easements, not shown by the Public Records. – None Found

8. No insurance is afforded as to the exact amount of acreage contained in the property described herein.

9. Rights of tenants, as tenants only in possession of subject property.

10. Any right, interest or claim that may exist, arise or be asserted under or pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.

11. Rollback taxes are excepted to and no insurance is given for rollback taxes herein.

12. A) All matters shown on plats of survey recorded in P.B. 72 PG. 257, P.B. 72 PG. 303, P.B. 73 PG. 135 and P.B. 76 PG. 187, Alamance County Registry. – As shown on survey. P.B. 72 PG. 257 does not apply to property.
B) Right of Way Easement from Robert W. Scott and wife Jessie Rae Scott to the City of Graham, dated June 28, 1953 and recorded in D.B. 311 PG. 34, Alamance County Registry. – Does not apply.
C) Easement in favor of Duke Power Company recorded in D.B. 338 PG. 179, Alamance County Registry. – Blanket Easement
D) Right of Way Agreement in favor of the State Highway Commission recorded in D.B. 391 PG. 130, Alamance County Registry. – Unable to obtain any drawings of project referenced in deed to verify its location to subject property.
E) Right of Way from Robert W. Scott and wife Jessie Rae Scott to the Department of Transportation dated December 9, 1978 and recorded in D.B. 441 PG. 27, Alamance County Registry. – Does not apply to property.
F) Right of Way from Robert W. Scott and wife Jessie Rae Scott to the Department of Transportation dated December 9, 1978 and recorded in D.B. 441 PG. 54, Alamance County Registry. – Does not apply to property.
G) For informational purposes only: Memorandum of Trust Agreement recorded in D.B. 1217 PG. 136, Alamance County Registry. – Not Plottable
H) Deed of Easement including Temporary Construction Easement between Mary Ella Scott, unmarried, Margaret Scott Phipps and husband, Robert E. Phipps, Jr. et al. to the City of Graham, dated April 22, 2014 and recorded in D.B. 3320 PG. 139, Alamance County Registry. – 30' Sanitary Sewer Easement as shown on map, aka a Temporary Construction Easement that expired on April 30, 2015.
I) Deed of Easement including Temporary Construction Easement between Janet L. Scott, et al, to the City of Graham, dated March 29, 2021 and recorded in D.B. 4148 PG. 716, Alamance County Registry. – Proposed 30' Sanitary Sewer Easement and 10' Temporary Construction Easement as shown on map.

ALTA/NSPS Land Title Survey
for
Intersect Greensboro II, LLC, A Georgia limited liability company
Melville Township, Alamance County, North Carolina

I am a registered public surveyor in the State of North Carolina, I hereby certify to Intersect Greensboro II, LLC, a Georgia limited liability company, Fidelity National Title Insurance Company and its lender, and to their respective successors and assigns, as their interest may appear from time to time.

This is to certify that this map or plat and the survey on which is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 13, 14, 16, & 17 of Table A thereof. The field work was completed on 11/8/2021.

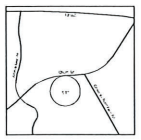
Pursuant to the Accuracy Standards as adopted by ALTA, and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of North Carolina, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date of Map: 11/9/2021
Signed: _____
J. Eric Miles L-4498

Flood Information
Flood Zone: (Zone X) Minimal Flood Risk
CID: 370283
Panel: 8893
Map Number: 3710588300K
Panel Effective Date: 11/17/2017

Line Table		
Line	Bearing	Distance
L1	S 44°51'34" E	43.78'
L2	S 31°13'18" E	58.53'
L3	S 50°33'43" E	78.51'
L4	S 50°33'43" E	73.74'
L5	S 30°37'42" E	37.00'

Curve Table				
Curve	Chord Bearing	Chord	Radius	Length
C1	S 72°13'04" E	482.64'	3848.41'	483.35'
C2	S 80°30'11" E	7.30'	3848.41'	7.30'



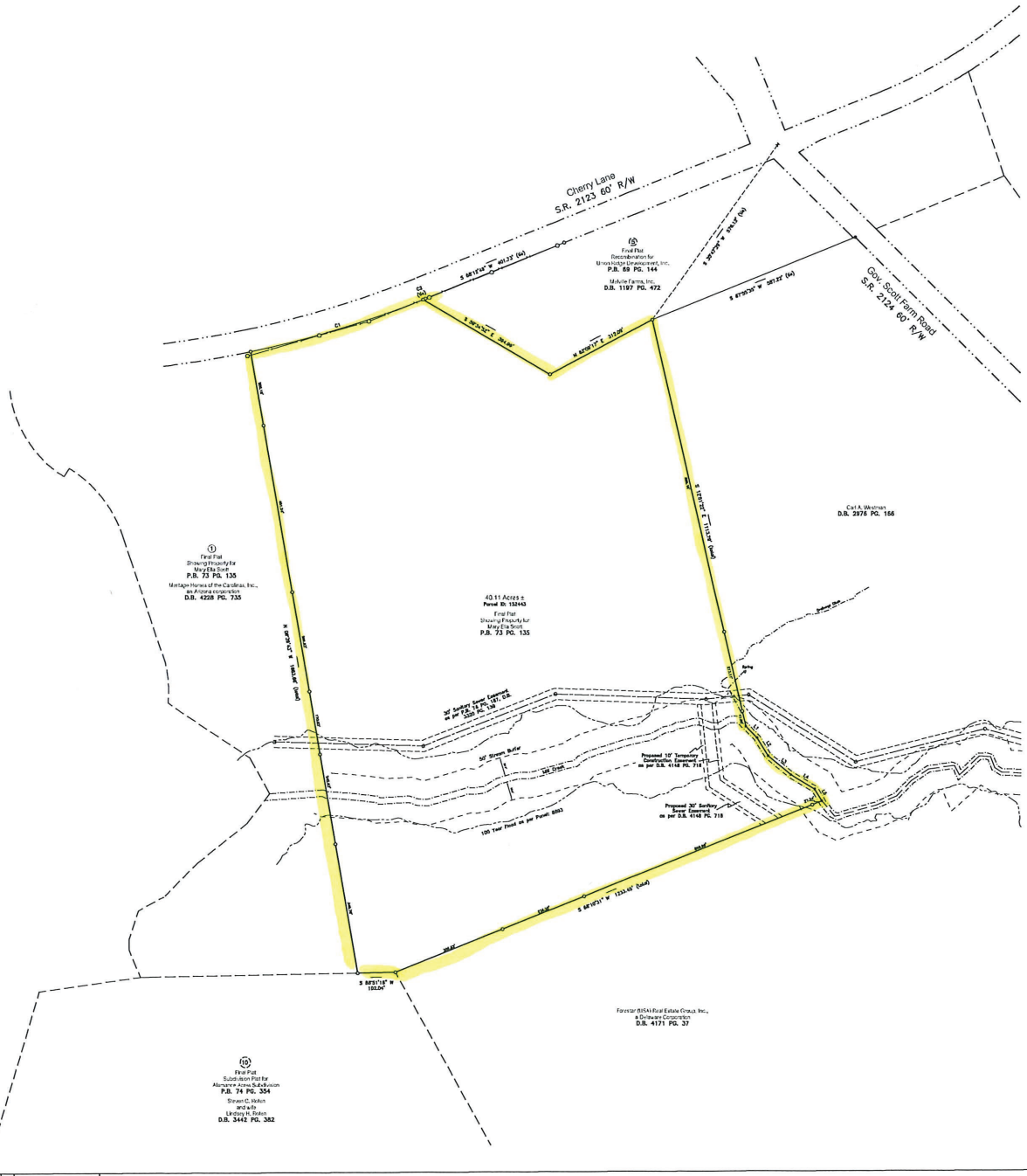
Property Information:
Owner: Janet L. Scott ETAL
Address: Cherry Lane, New River, NC 27258
D.B. 290 PG. 585
P.B. 73 PG. 135
Parcel ID: 152443

Preliminary Plat
Not for Recordation, Conveyance or Sales

Legal Description:

That certain tract or parcel of land in Melville Township, Alamance County, North Carolina and being more particularly described as follows:

Beginning at an iron stake in the southern 80' right of way of Cherry Lane S.R. 2123 and being a common corner with Lot 1 Final Plat Showing Property for Mary Ella Scott P.B. 73 PG. 135; Running thence with the 80' right of way of Cherry Lane along a curve N 73°13'04" E and having a chord distance of 482.64' and a radius of 3848.41' to an iron stake, corner with Lot 5 Final Plat Recombination for Union Ridge Development, Inc. P.B. 69 PG. 144; Thence leaving the 80' right of way of Cherry Lane and running with the property of Lot 5 S 59°34'52" E 348.99' to an iron stake; Thence with Lot 5 N 82°09'17" E 312.08' to an iron stake cornering with Carl A. Westman D.B. 2978 PG. 166; Running thence with Westman S 12°51'22" E 1113.79' to a point in the center of Mill Creek, iron stake setback in line 41.50' from creek; Thence with Mill Creek the following calls and distances; S 44°51'34" E 43.78', S 31°13'18" 58.53', S 50°33'43" E 78.51', S 50°33'43" E 73.74' and S 30°37'42" E 37.00' to a point in the center of Mill Creek; Thence leaving Mill Creek and running with the property of Forestar (USA) Real Estate Group, Inc., a Delaware corporation D.B. 4171 PG. 37 S 68°10'31" W with a total distance of 1233.45' (iron state setback 27.24' from center of Mill Creek to a iron stake cornering with Lot 10 Final Plat Subdivision Plat for Alamance Acres Subdivision P.B. 74 PG. 354; thence with Lot 10 S 88°51'16" W 102.04' to an iron state being a corner with Lot 1 Final Plat Showing Property for Mary Ella Scott P.B. 73 PG. 135; Thence with Lot 1 N 09°38'43" W 1843.88' to the Point of Beginning and containing 40.11 Acres ± and being Parcel ID: 152443 of the Alamance County Register of Deeds.



Notes:
1) As the search was performed by this firm during the preparation of this survey, the property shown hereon is subject to all matters of record affecting same.
2) This firm makes no guarantees as to the existence of buried utilities. Only utilities evidenced by surface features are shown on this survey. Any underground utilities or improvements shown hereon have been located from field survey information and/or from maps furnished to this firm by others.
3) No visual inspection of this property was made by this firm during the course of this survey.
4) Bearings are calculated by coordinate geometry.
5) All distances are horizontal ground distances unless otherwise noted.
6) As pertaining to Table A Item 6(a), no zoning report was provided to this firm.
7) As pertaining to Table A Item 16, there is no evidence of recent earth moving work or building construction in process at time of survey.
8) As pertaining to Table A Item 17, there are no proposed changes in street right of way lines.

GRAPHIC SCALE 100 0 100 200 (IN FEET)

ALTA/NSPS Survey for
Intersect Greensboro II, LLC, a Georgia limited liability company

BOSWELL SURVEYORS, INC.
505 East Davis Street
Burlington, NC 27215
336.227.8733 (phone)
336.222.8411(fax)
boswellsurveyors.com

Date: 11/09/2021
Scale: 1"= 100
Drawn By: JOE
Job No: 21-353-B01

No.	Revision	Date
1	Updated Title Work	11/9/21
2	Updated Survey	11/10/21
3	Updated Survey	11/11/21
4	Updated Survey	11/12/21
5	Updated Survey	11/15/21
6	Updated Survey	11/16/21
7	Updated Survey	11/17/21
8	Updated Survey	11/18/21
9	Updated Survey	11/19/21
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545	Updated Survey


Find address or place
8894906303
Show search results for 8894906303
R-18
PUD
Click to start drawing (Press CTRL to enable snapping)
I-1
C-R
Areas to be annexed

STAFF REPORT

SUBJECT:	ANNEXATION OF 37.85 +/- ACRES ON GOV. SCOTT FARM ROAD
PREPARED BY:	JUSTIN SNYDER, PLANNING DIRECTOR

REQUESTED ACTION:

Approve the Resolution Fixing Date of January 11, 2022, for a Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for a 37.85-acre tract of land located off Gov. Scott Farm Road.



BACKGROUND/SUMMARY:

The 37.85-acre area being considered for annexation is contiguous. Sewer and water are available to the lots.

Approval of this resolution does not finalize the annexation as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance. Following a public hearing, approval of an Annexation Ordinance is the final step for Council in the annexation process.

FISCAL IMPACT:

The proposed development will contain an 800,000 square foot industrial building, which will generate large tax revenues with minimal impact on water and sewer infrastructure based on the land use.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

1. I move we approve the resolution directing the City clerk to investigate a petition received under G.S. 160A-31 for potential contiguous annexation of a portion of GPIN 8893886609 on Gov. Scott Farm Road.
2. I move we approve the resolution fixing date of January 11, 2022, for a public hearing on the question of annexation pursuant to G.S. 160A-31 for 37.85 (+/-) acres on Gov. Scott Farm Road.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR PROPERTY ON GOV. SCOTT FARM ROAD (PORTION OF GPIN: 8893886609) (AN2104)

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 14, 2021, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

_____
Jennifer Talley, Mayor

ATTEST:

_____
Darby Terrell, City Clerk

Petition for ANNEXATION

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

To the City Council of the City of Graham, NC:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed into the City of Graham.

   ☐ *If applicable as "income-based":* We believe that this petition meets the requirements of G.S. 160A-31(b1).

   ☐ *If applicable as "distressed":* We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is ☒ contiguous, as defined by 160a-31 ☐ non-contiguous, as defined by 160a-58 to the City of Graham and the boundaries of such territory are as follows:

   General description of area to be annexed

   GPIN# 8893886609 ... which is located on the south west side of That portion of Governor Scott Farm Road

   Attach the following:

   ☐ Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

   ☐ Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
Carl A. Westman	802 Susan Carol Lane Chattanooga, TN 37421	no	

attach additional sheets if necessary...

Application for
REZONING or
CONDITIONAL REZONING

I, Carl A. Westman, as the property owner of the property described below, hereby give permission for (agent) Amanda P. Hodierne and/or Marc L. Isaacson to act as my agent/ representative for purposes of requesting a zoning amendment for a portion of the property identified as GPIN# 8893886609.

I attest that I have actual knowledge of the zoning amendment request and that I have read the application including all attachments and/or exhibits thereto; that the information contained in the application including all attachments and/or exhibits thereto is true to the best of my knowledge and belief; that the agent I appoint herein is authorized to modify the zoning amendment request as necessary to obtain approval of the zoning amendment request; and that the acts of the agent appointed herein shall be binding upon me and my heirs, successors and assigns unless and until I revoke this authorization in writing and submit same to the City Planner.

Carl A. Westman

Legal Description

Portion of GPIN# 8893886609

All that certain piece, parcel or tract of land, lying and being in Alamance County, North Carolina, and being more particularly described as follows:

BEGINNING at a new iron pipe at or near the western margin of the right of way of Governor Scott Farm Road; thence along the western margin of said Governor Scott Farm Road South 45° 11' 17" East 1245.25 feet to a new iron pipe; thence along a curve to the right having a radius of 497.18 feet and arc length of 142.82 feet and a chord bearing and distance of South 36° 57' 31" East 142.33 feet to a new iron pipe; thence South 28° 43' 46" East 97.10 feet to a new iron pipe; thence along a curve to the left having a radius of 1412.13 feet and arc length of 152.70 feet and a chord bearing and distance of South 31° 49' 38" East 152.63 feet to a new iron pipe; thence South 34° 55' 31" East 131.79 feet to a calculated point; thence along a curve to the left having a radius of 5275.41 feet and arc length of 141.95 feet and a chord bearing and distance of South 35° 41' 39" East 141.59 feet to a new iron pipe; thence South 51° 55' 22" West 384.19 feet to a new iron pipe; thence North 54° 42' 42" West 132.53 feet to a computed point; thence South 89° 11' 38" West 22.24 feet to a computed point; thence South 83° 15' 36" West 152.17 feet to an existing iron pipe; thence; thence along the centerline of Mill Creek the following 25 courses and distances to computed points: (1) North 66° 37' 10" West 34.18 feet, (2) North 33° 13' 22" West 53.92 feet, (3) North 08° 59' 40" West 32.38 feet, (4) North 80° 58' 46" West 42.80 feet, (5) South 85° 52' 01" West 57.21 feet, (6) North 35° 20' 19" West 27.27 feet, (7) North 27° 10' 26" East 34.88 feet, (8) North 12° 29' 04" West 27.62 feet, (9) North 86° 50' 37" West 108.19 feet, (10) North 58° 46' 54" West 22.57 feet, (11) North 21° 16' 15" West 31.21 feet, (12) North 85° 30' 03" West 29.44 feet, (13) South 47° 08' 25" West 74.18 feet, (14) North 27° 22' 20" West 28.34 feet, (15) South 82° 09' 39" West 71.19 feet, (16) South 56° 11' 07" West 55.74 feet, (17) South 44° 20' 31" West 56.72 feet, (18) South 65° 26' 48" West 59.15 feet, (19) South 75° 00' 37" West 115.73 feet, (20) North 40° 08' 35" West 54.04 feet, (21) North 30° 37' 42" West 37.00 feet, (22) North 59° 21' 53" West 73.74 feet, (23) North 50° 33' 43" West 79.51 feet, (24) North 31° 13' 16" West 56.53 feet, (25) North 44° 51' 34" West 42.78 feet; thence North 12° 51' 22" West 1113.79 feet to an existing iron pipe; thence North 67° 55' 35" East 587.22 feet to the Point and Place of BEGINNING, having an area of 37.85 acres, more or less.

ALTA/NSPS Land Title Survey
for
Intersect Greensboro II, LLC, a Georgia limited liability company
Melville Township, Alamance County, North Carolina

I am a registered public surveyor in the State of North Carolina, I hereby certify to Intersect Greensboro II, LLC, a Georgia limited liability company, Fidelity National Title Insurance Company and its lender, and to their respective successors and assigns, as their interest may appear from time to time.

This is to certify that this map or plat and the survey on which is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 13, 14, 16, & 17 of Table A thereof. The field work was completed on 11/9/2021.

Pursuant to the Accuracy Standards as adopted by ALTA, and NSPS and in effect on the date of this certification, undersigned further certifies that to my professional opinion, as a land surveyor registered in the State of North Carolina, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date of Map: 11/9/2021
Signed: _____
J. Eric Silles L-4498

Legal Description:

That certain tract or parcel of land in Melville Township, Alamance County, North Carolina and being more particularly described as follows:

Being all of Lot 1 Final Plat Subdivision of Property for Carl A. Westman P.B. _____ PG. _____ as survey by Boswell Surveyors, dated 10/27/2021 recorded in the Alamance County Register of Deeds and containing 37.85 Acres ±.

Flood Information
Flood Zone: (Zone X) Minimal Flood Risk
CID: 370283
Panel: 8893
Map Number: 3710889300K
Panel Effective Date: 11/17/2017



Property Information:
Owner: Carl A. Westman
Address: Gov. Scott Farm Road, New River, NC 27258
D.B. 2976 PG. 166
Parcel ID: 152472

Preliminary Plat
Not for Recordation, Conveyance or Sales

Schedule B, Part II
Exceptions:
Commitment Number: NCS52105003SV

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or in created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part 1 – Requirements are met.

2. All taxes for the fiscal year 2022 and subsequent years, not yet due and payable, and any additional taxes, interest, and/or penalties which may be assessed for the year 2021 or prior years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records for Alamance County.

3. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the Public Records.

4. Any lien or right to a lien for services, labor or material not shown by the Public Records.

5. Taxes or special assessments which are not shown as existing liens by the Public Records.

6. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records. – None

7. Easements, or claims of easements, not shown by the Public Records. – None

8. No insurance is afforded as to the exact amount of acreage contained in the property described herein.

9. Rights of tenants, as tenants only in possession of subject property.

10. Any right, interest or claim that may exist, arise or be asserted under or pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.

11. Any and all riparian rights of others in and to any creeks, rivers, lakes, streams or other bodies of water or waterways located on or adjoining the Property or any part thereof. Riparian rights incident to the premises are not insured hereunder.

12. Easements in favor of Duke Power Company recorded in D.B. 599 PG. 492, D.B. 609 PG. 498, D.B. 599 PG. 500, D.B. 609 PG. 504 and D.B. 718 PG. 793, Alamance County Registry. – Blanket Easement

13. Deed of Easement including Temporary Construction Easement between Carl A. Westman and with Heather S. Westman to the City of Graham Recorded in D.B. 3332 PG. 3, Alamance County Registry. – As shown on map, 30' Sanitary Sewer Easement and temporary construction easement that expired April 30,2015.

14. Deed of Permanent Easement between Carl A. Westman and wife Heather S. Westman and the City of Graham recorded in D.B. 3347 PG. 744, Alamance County Registry. – As shown on map

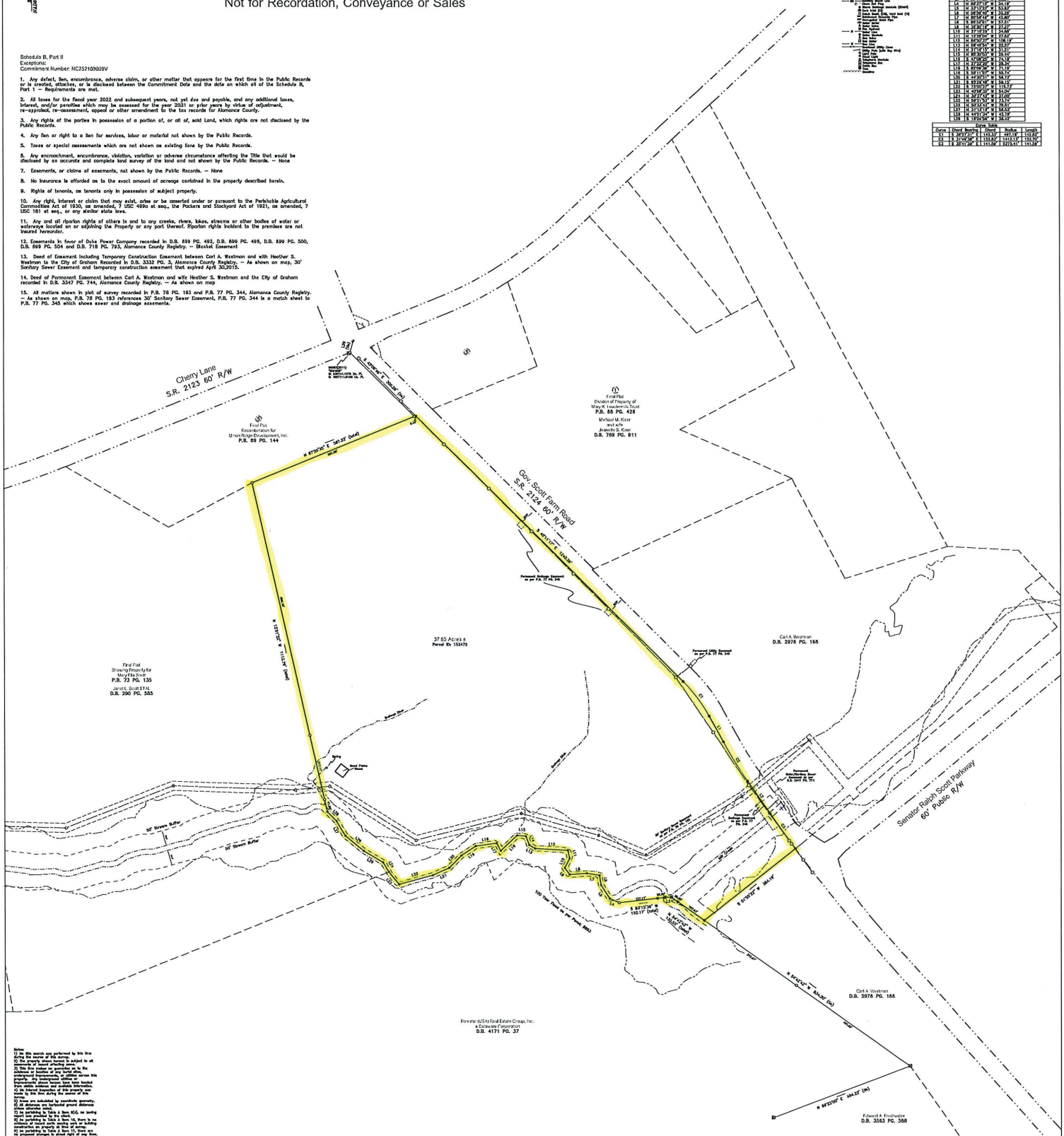
15. All matters shown in plat of survey recorded in P.B. 78 PG. 193 and P.B. 77 PG. 344, Alamance County Registry. – As shown on map, P.B. 78 PG. 193 references 30' Sanitary Sewer Easement, P.B. 77 PG. 344 is a match sheet to P.B. 77 PG. 345 which shows sewer and drainage easements.

Line Table

Line	Bearing	Distance
L1	S 28°43'45" E	27.12'
L2	S 43°04'31" E	131.78'
L3	S 59°11'36" W	22.24'
L4	N 62°27'19" W	24.18'
L5	N 33°13'39" W	53.86'
L6	N 08°09'49" W	29.88'
L7	N 43°09'49" W	43.80'
L8	N 80°30'51" W	27.22'
L9	N 37°00'11" W	27.22'
L10	N 27°19'25" E	34.88'
L11	N 12°09'04" W	27.62'
L12	N 84°50'27" W	108.18'
L13	N 56°45'54" W	25.27'
L14	N 31°18'15" W	31.31'
L15	N 89°30'01" W	28.46'
L16	S 47°09'49" W	74.18'
L17	N 37°22'49" W	28.36'
L18	S 85°08'38" W	72.18'
L19	S 59°11'59" W	58.76'
L20	S 49°39'31" W	58.72'
L21	S 39°28'28" W	58.15'
L22	S 33°13'39" W	58.13'
L23	N 49°09'49" W	51.56'
L24	N 32°13'49" W	57.00'
L25	N 58°13'52" W	31.71'
L26	N 30°33'43" W	29.51'
L27	N 31°13'19" W	58.53'
L28	N 49°13'49" W	57.78'
L29	S 18°06'48" W	58.45'

Curve Table

Curve	Chord Bearing	Chord	Radius	Length
C1	S 38°37'31" E	1153.5'	497.18'	1153.8'
C2	S 31°46'38" E	1353.8'	1413.13'	1353.70'
C3	S 30°11'29" E	1413.08'	2073.41'	1413.84'


Cherry Lane
S.R. 2123 60' R/W
Gov. Scott Farm Road
S.R. 2124 60' R/W
Senator Ralph Scott Parkway
60' Public R/W
Final Plat
Reconfiguration for
Union Ridge Development, Inc.
P.B. 69 PG. 144
Final Plat
Division of Property of
Mary K. Investments Trust
P.B. 85 PG. 428
Michael M. Kiser
and wife
Jeanette S. Kiser
D.B. 789 PG. 911
Final Plat
Showing Property for
Mary Ella Scott
P.B. 73 PG. 135
Janet L. Scott ET AL
D.B. 290 PG. 585
37.85 Acres ±
Parcel ID: 152472
Carl A. Westman
D.B. 2976 PG. 166
Forestar (USA) Real Estate Group, Inc.
a Delaware Corporation
D.B. 4171 PG. 37
Edward A. Finchester
D.B. 3583 PG. 388
50' Stream Buffer
100 Year Flood Line per Panel 8893
Permanent Sanitary Sewer Easement
D.B. 3347 PG. 751
Permanent Utility Easement
on per P.B. 77 PG. 345
Permanent Sanitary Sewer Easement
on per P.B. 77 PG. 345
Temporary Construction Easement
on per P.B. 77 PG. 345
Permanent Sanitary Sewer

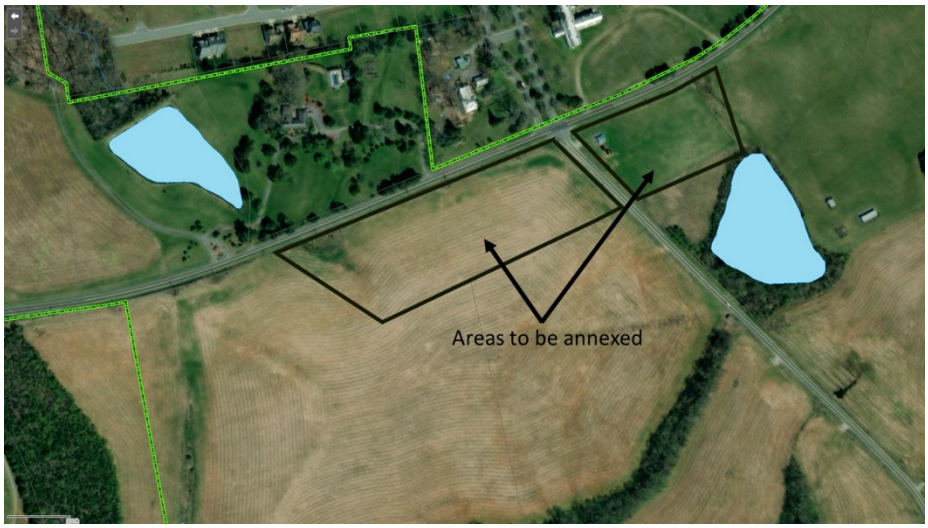

8894906303
Show search results for 8894906303
R-18
PUD
R-18
R-18
R-18
R-18
R-18
R-18
I-1
C-R
R-18
C-R
I-1
Area to be annexed

STAFF REPORT

SUBJECT:	ANNEXATION OF 9.10 +/- ACRES ON CHERRY LANE
PREPARED BY:	JUSTIN SNYDER, PLANNING DIRECTOR

REQUESTED ACTION:

Approve the resolution fixing date of January 11, 2022, for a public hearing on the question of contiguous annexation Pursuant to G.S. 160A-31 for two tracts of land located off Cherry Lane.



BACKGROUND/SUMMARY:

The 78.12-acre area being considered for annexation is contiguous. Sewer and water are available to the lots.

Approval of this resolution does not finalize the annexation as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance. Following a public hearing, approval of an Annexation Ordinance is the final step for Council in the annexation process

FISCAL IMPACT:

The proposed development will contain an 800,000 square foot industrial building, which will generate large tax revenues with minimal impact on water and sewer infrastructure based on the land use.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

1. I move we approve the resolution directing the City clerk to investigate a petition received under G.S. 160A-31 for potential contiguous annexation of GPIN 8893796670 on Cherry Lane.
2. I move we approve the resolution fixing date of January 11, 2022, for a public hearing on the question of annexation pursuant to G.S. 160A-31 for a 9.10 (+/-) acres on Cherry Lane.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR PROPERTY ON CHERRY LANE (GPINS: 8893796670) (AN2105)

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 14, 2021, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

_____
Jennifer Talley, Mayor

ATTEST:

_____
Darby Terrell, City Clerk

DocuSign Envelope ID: 9C217D36-A454-4FE7-B9C4-091225D59DA4

Petition for ANNEXATION

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

To the City Council of the City of Graham, NC:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed into the City of Graham.

   ☐ *If applicable as "income-based":* We believe that this petition meets the requirements of G.S. 160A-31(b1).

   ☐ *If applicable as "distressed":* We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is ☒ contiguous, as defined by 160a-31 ☐ non-contiguous, as defined by 160a-58 to the City of Graham and the boundaries of such territory are as follows:

   General description of area to be annexed

   GPIN# 8893796670

   Attach the following:

   ☐ Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

   ☐ Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
Melville Farms, Inc.	268 Garden Lane, Lake Lure, NC 28746	no	DocuSigned by: By: Robert Phipps 6F065A34117C4F2... Robert E. Phipps Jr., President

attach additional sheets if necessary...

DocuSign Envelope ID: 9C217D36-A454-4FE7-B9C4-091225D59DA4

Application for
REZONING or
CONDITIONAL REZONING

I, Robert E. Phipps, Jr., President, Melville Farms, Inc., as the property owner of the property described below, hereby give permission for (agent) Amanda P. Hodierne and/or Marc L. Isaacson to act as Melville Farms, Inc.'s agent/representative for purposes of requesting a zoning amendment for property identified as GPIN# 8893796670.

I attest that I have actual knowledge of the zoning amendment request and that I have read the application including all attachments and/or exhibits thereto; that the information contained in the application including all attachments and/or exhibits thereto is true to the best of my knowledge and belief; that the agent I appoint herein is authorized to modify the zoning amendment request as necessary to obtain approval of the zoning amendment request; and that the acts of the agent appointed herein shall be binding upon me and my heirs, successors and assigns unless and until I revoke this authorization in writing and submit same to the City Planner.

Melville Farms, Inc.,
a North Carolina corporation

By: DocuSigned by:
RRobert E. Phipps, Jr. President
A4F38BA3916044F2...
Robert E. Phipps, Jr., President

ALTA/NSPS Land Title Survey
for
Intersect Greensboro II, LLC, a Georgia limited liability company
Melville Township, Alamance County, North Carolina

I am a registered public surveyor in the State of North Carolina, I hereby certify to Intersect Greensboro II, LLC, a Georgia limited liability company, Fidelity National Title Insurance Company and its lender, and to their respective successors and assigns, as their interest may appear from time to time.

This is to certify that this map or plat and the survey on which is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 8(a), 13, 14, 16, & 17 of Table A thereof. The field work was completed on 11/9/2021.

Pursuant to the Accuracy Standards as adopted by ALTA, and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of North Carolina, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date of Map: 11/9/2021
Signed: _____
J. Eric Miles L-4498

NORTH (GRID)

Preliminary Plat
Not for Recordation, Conveyance or Sales

Legal Description:

That certain tract or parcel of land in Melville Township, Alamance County, North Carolina and being more particularly described as follows:

Beginning at an iron stake on the western margin of the 80' right of way of Gov. Scott Farm Road S.R. 2124 and being a common corner with Carl A. Westman D.B. 2978 PG. 188; Running thence with Westman S 67°35'35" W 581.89' to an iron stake, corner with Lot shown on Final Plat Showing Property for Mary Ella Scott P.B. 73 PG. 135; Thence with said Lot on Final Plat Showing Property for Mary Ella Scott S 82°09'17 W 312.09' to an iron stake; Continuing with same property, N 59°24'52" W 394.09' to an iron stake on the southern 80' right of way of Cherry Lane S.R. 2123; Thence with the southern right of way of Cherry Lane along a curve N 88°20'17" E having a chord distance of 7.20' and a radius of 2546.41' to an iron stake; Thence continuing along Cherry Lane N 88°12'49" E 401.73' to an iron stake on the 80' right of way; Thence N 88°13'35" E 208.09' to an iron stake on the 80' right of way; Thence N 88°17'44" E 388.12' to an iron stake at the intersection of Cherry Lane S.R. 2123 and Gov. Scott Farm Road S.R. 2124; Thence with the western margin of the 80' right of way of Gov. Scott Farm Road S 43°09'49" E 300.22' to the Point of Beginning and being Lot A containing 6.20 Acres ±.

Beginning at an iron stake on the western margin of the 80' right of way of Gov. Scott Farm Road S.R. 2124 (iron stake being S 87°43'27" W 65.12' from point of beginning on Lot A) Thence running along the 80' right of way of Gov. Scott Farm Road N 43°11'21" W 289.42' to a new iron pipe at the intersection of Gov. Scott Farm Road and Cherry Lane S.R. 2123; Thence with the right of way of Cherry Lane N 80°13'03" E 88.86' to a new iron stake; Thence continuing with the right of way of Cherry Lane N 88°17'44" E 180.78' to a new iron stake; Thence with the right of way of Cherry Lane along a curve N 83°03'23" E having a chord distance of 247.01' and radius of 1405.10 to an iron stake on the right of way of Cherry Lane and being a common corner with Lot 1 Final Plat Division of Property of Mary K. Lewdermilk Trust P.B. 86 PG. 428; Thence leaving the 80' right of way of Cherry Lane and running with Lot 1 S 18°57'54" E 294.85' to an iron stake; Thence continuing with Lot 1 S 87°31'28" W 373.34' to the Point of Beginning and being all of Lot B containing 2.80 Acres ±.

Together combined Lots A & B make up 9.10 Acres ± Total and being all of Lot 5 Final Plat Recombination for Union Ridge Development, Inc. P.B. 89 PG. 144 as recorded in the Alamance County Register of Deeds.

Schedule B, Part II
Exceptions:
Commitment Number: NCS2510800BV

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part 1 – Requirements are met.

2. All taxes for the fiscal year 2022 and subsequent years, not yet due and payable, and any additional taxes, interest, and/or penalties which may be assessed for the year 2021 or prior years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records for Alamance County.

3. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the Public Records.

4. Any lien or right to a lien for services, labor or material not shown by the Public Records.

5. Taxes or special assessments which are not shown as existing liens by the Public Records.

6. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records. – None

7. Easements, or claims of easements, not shown by the Public Records. – None

8. No insurance is afforded as to the exact amount of acreage contained in the property described herein.

9. Rights of tenants, as tenants only in possession of subject property.

10. Any right, interest or claim that may exist, arise or be asserted under or pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.

11. Title to that portion of subject property located within the right of way of Cherry Lane and Governor Scott Farm Road. – None

12. Right of Way Agreement from Melville Farms, Inc. to Duke Energy recorded in D.B. 2388 PG. 439, Alamance County Registry. – Blanket Easement

13. Right of Way Agreement from Melville Farms, Inc. to Duke Energy recorded in D.B. 2388 PG. 441, Alamance County Registry. – Blanket Easement

14. All matters shown on plats of survey recorded in P.B. 81 PG 52, P.B. 83 PG. 32, P.B. 89 PG. 144, P.B. 78 PG. 209 and P.B. 77 PG. 344–346, Alamance County Registry. – P.B. 81 PG. 32 – No Matters Shown; P.B. 83 PG. 32 – No Matters Shown; P.B. 89 PG. 144 – As Shown on Map; P.B. 78 PG. 209 – As Shown on Map (waterline easement); P.B. 77 PG. 346 – As Shown on Map (r/w dedication)

15. Deed of Easement including Temporary Construction Easement from Melville Farms, Inc. to the City of Graham, Dated April 17, 2014 and recorded in D.B. 3318 PG. 195, Alamance County Registry. – As shown on map (waterline easement & temporary construction easement that expired April 30,2015)

16. Permanent Public Roadway Right of Way from Melville Farms,Inc. to the City of Graham, dated March 18, 2015 and recorded in D.B. 3522 PG. 143, Alamance County Registry. – As Shown on Map (R/W dedication shown on P.B. 77 PG. 346)

Flood Information
Flood Zone: (Zone X) Minimal Flood Risk
DDI: 3702263
Panel: 8893
Map Number: 3710889300K
Panel Effective Date: 11/17/2017

Line Table		
Line	Bearing	Distance
L1	N 80°13'03" E	88.86'
L2	N 43°11'21" W	289.42'
L3	S 43°09'49" E	300.22'
L4	S 87°43'27" W	65.12'
L5	S 18°57'54" E	34.42'

Curve Table					
Curve	Chord Direction	Chord	Radius	Length	
C1	N 88°20'17" E	7.20'	2546.41'	7.20'	
C2	N 83°03'23" E	247.01'	1405.10'	247.32'	

Property Information:
Owner: Melville Farms, Inc.
Address: 1925 Cherry Lane, New Rivers, NC 27258
D.B. 1197 PG. 472
P.B. 89 PG. 144
Parcel ID: 152460

Cherry Lane
S.R. 2123 60' R/W

Gov. Scott Farm Road
S.R. 2124 60' R/W

6.20 Acres ±

2.80 Acres ±

9.10 Acres ± Total

Final Plat
Recombination for
Union Ridge Development, Inc.
P.B. 89 PG. 144

Final Plat
Division of Property of
Mary K. Lewdermilk Trust
P.B. 86 PG. 428
Michael M. Kiser
and wife
Jeanette T. Kiser
D.B. 759 PG. 911

Carl A. Westman
D.B. 2978 PG. 188

Final Plat
Showing Property for
Mary Ella Scott
P.B. 73 PG. 135
John I. L. Scott, ETAL
D.B. 290 PG. 585

Notes:
1) No title search was performed by this firm for the purpose of this survey.
2) The property shown hereon is subject to all instruments of record affecting same.
3) This firm makes no guarantee as to the existence or location of any and all underground improvements or utilities across this property. Any underground utilities or improvements shown hereon are based from visible evidence and available information.
4) No informal boundaries of this property was found by this firm during the course of this survey.
5) Areas are calculated by coordinate geometry.
6) All distances are horizontal ground distances unless otherwise noted.
7) Per current FIRM Table A Item 9(a), no zoning report was provided for the above.
8) As pertaining to Table A Item 16, there is no evidence of recent earth moving work or building construction observed in the process of conducting the fieldwork.
9) As pertaining to Table A Item 17, there are no proposed changes in street right of way lines.

J. Eric Miles
Professional Land Surveyor L-4498
Scale: 1"=100'
Date: 11/16/21
Drawn By: JEM
Job Number: 21-353-803

ALTA/NSPS Survey for
Intersect Greensboro II, LLC, a Georgia limited liability company

GRAPHIC SCALE 1" = 100'

JRUSWELL SURVEYORS, INC.
825 East Webb Street
Burlington, NC 27217
336.227.2231 (Office)
336.227.2232 (Fax)
surveyors@jrus.com

BY: [illegible]
Date: 11/16/2021
Scale: 1" = 100'
Drawn By: JEM
Job No.: 21-353-803


Areas to be annexed

GRAHAM
NORTH CAROLINA

STAFF REPORT

SUBJECT:	ACCEPTANCE OF PUBLIC STREETS AND RIGHTS OF WAY FOR FORKS OF ALAMANCE, SECTIONS I, 2A, AND 2B
PREPARED BY:	JUSTIN SNYDER, PLANNING DIRECTOR

REQUESTED ACTION:

Approve Resolution Authorizing the adoption and maintenance of the portions of Mayfield Drive, Sunfield Court, Trackers Court, and Kress Drive located within Sections 1, 2A, and 2B of the Forks of Alamance subdivision.

BACKGROUND/SUMMARY:

Development in Sections 1, 2A, and 2B of the Forks of Alamance has been completed, and the streets have been offered to the City of Graham for adoption. These streets have been inspected by Public Works, the City's Engineer, and the Planning Department for compliance with the proposed development pattern permitted under their approved construction drawings. All public infrastructure in these phases has been deemed complete and meets the standards for acceptance.

The portions of the streets to be dedicated are as follows: Mayfield Drive (50-foot public ROW) includes approximately 0.23 miles, Kress Drive (50-foot public ROW) is 0.03 miles, Sunfield Court (50-foot public ROW) includes approximately 0.19 miles, and Trackers Court (50-foot public ROW) includes approximately 0.04 miles. The total length of roadway in these sections of the Forks of Alamance neighborhood is approximately 0.49 miles.

FISCAL IMPACT:

Low. While the anticipated revenues are not likely to cover the long-term maintenance of this street network, the City has been serving this neighborhood for trash and other services for some time. This acceptance of public improvements would increase resurfacing requirements as well as winter preparation and snow removal. Annual Powell Bill revenues are far less than what cost of upkeep and maintenance require. As such, there is a shortfall made up from the general fund each year to pay for roadway maintenance and eventual repaving.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we approve the Resolution Adopting Ownership of the portions of Mayfield Drive, Sunfield Court, Trackers Court, and Kress Drive located within Sections 1, 2A, and 2B of the Forks of Alamance subdivision.

A RESOLUTION ORDERING ADOPTION OF THE PORTIONS OF MAYFIELD DRIVE, SUNFIELD COURT, TRACKERS COURT, AND KRESS DRIVE LOCATED WITHIN SECTIONS 1, 2A, AND 2B OF THE FORKS OF ALAMANCE SUBDIVISION

WHEREAS, NCGS §160D-806 and Article VIII, Section 10.339(d)(5) of the City of Graham Development Ordinance provide that City Council may, by resolution, accept offers of public dedication made to the public of lands and facilities for streets, sidewalks, open spaces and public utilities after verification from the Technical Review Committee that such properties and improvements are in a manner acceptable for acceptance; and

WHEREAS, the City of Graham has been provided with an offer of public dedication of lands and improvements of the portions of Mayfield Drive, Sunfield Court, Trackers Court, and Kress Drive located within Sections 1, 2A, and 2B of the Forks of Alamance subdivision, which are described on legally recorded final plats in Plat Book 78, Pages 426-427 and Plat Book 80, Page 27 of the Alamance County Registry; and

WHEREAS, the City of Graham Technical Review Committee has reviewed the land and improvements placed upon them provided as part of the offer of public dedication, and such land and improvements have been found to be in compliance with standards in place for such land and improvements; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Graham, North Carolina, that the offer of public dedication be accepted for those portions of Mayfield Drive (50-foot public ROW), Kress Drive (50-foot public ROW), Sunfield Court (50-foot public ROW), and Trackers Court (50-foot public ROW), as offered and recorded on the Final Plat for Forks of Alamance Sections I and 2A in Plat Book 78, Page 426-427 and on the Final Plat for Forks of Alamance Section 2B in Plat Book 80, Page 27 of the Alamance County Registry; and

SECTION 1. Terms and Conditions of Acceptance:

1. The developer shall guarantee all materials and workmanship for a period of 12 months from the date of official acceptance by the City Council, as specified under Section 10.339 (5)(c) of the City of Graham Development Ordinance;

2. The acceptance by the City Council shall not be interpreted in any way to relieve any developer, contractor, subcontractor, insurance company, owner, or other person of his individual or several obligations under any ordinance, policy, or contract or to otherwise reduce or eliminate the rights of the city, its agents and employees against any other party connected with or in any way related to the development of the subdivision and facilities. The acceptance shall not be interpreted as a waiver of any defense or immunities that the city, its agencies or employees may assert or be entitled to;

3. All rights, privileges and warranties of whatsoever nature and kind, for equipment, supplies, materials, goods, and services shall be assigned to the city and any and all benefits derived there from shall inure to the city, its agents, and employees. The acceptance of the lands and facilities shall be conditioned upon the owners covenanting and warranting that they are lawfully seized and possessed of all the lands and facilities dedicated to the public; that they have good and lawful authority to dedicate the same to the public for the stated purpose; that the lands and facilities are free and clear of any deed of trust, mortgage, lien or assessments and that the dedicators for their heirs, successors, executors, administrators, and assigns, covenant that they will warrant and defend the dedication of such land and facilities against any and all claims and demands whatsoever; and

4. Acceptance of dedication of lands and facilities shall not obligate the city to construct, install, maintain, repair, replace, extend, improve, build or operate any public facilities or utilities which are not in existence as of the date of the acceptance of the lands and facilities. Such acceptance shall not obligate the city to construct any main, line, pipe, lateral, or other extension or permit connection to the city's water, sanitary sewer, storm sewer, drainage or other public utilities systems.

SECTION 2. This Resolution shall become effective immediately upon adoption.

This the 14th day of December, 2021 at 6:00 p.m.

_____

Jennifer Talley, Mayor

Attest:

_____

Darby Terrell, City Clerk

NORTH CAROLINA

ALAMANCE COUNTY

I hereby certify that the foregoing is a true and accurate copy of a resolution duly adopted by the City Council of the City of Graham, North Carolina, at a meeting held on December 14, 2021, at 6:00 p.m. at the City Hall in the City of Graham.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the official corporate seal of said City to be affixed, this the _____ day of _____, 2021.

_____

City Clerk

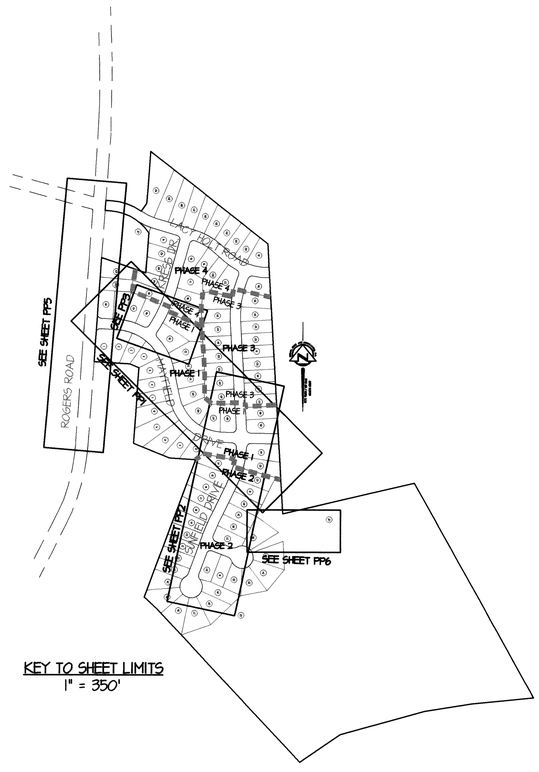
FORKS OF ALAMANCE SUBDIVISION

SECTION 1

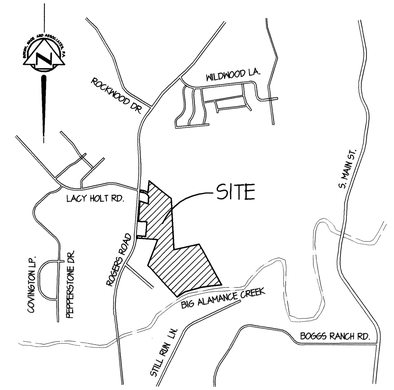
ROGERS ROAD

GRAHAM TOWNSHIP, ALAMANCE COUNTY

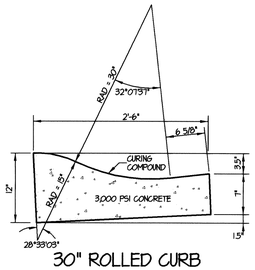
GRAHAM, NORTH CAROLINA



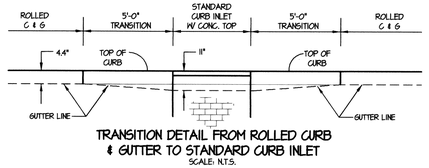
KEY TO SHEET LIMITS
1" = 350'



VICINITY MAP
N.T.S.



30" ROLLED CURB



TRANSITION DETAIL FROM ROLLED CURB & GUTTER TO STANDARD CURB INLET
SCALE: N.T.S.

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER HOMER S. WADE

7/18/16

DATE:
JULY 18, 2016

OWNER:

CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 9147
GREENSBORO, NC 27429
PHONE: (336) 282 - 3535
CONTACT: DAVID MICHAELS

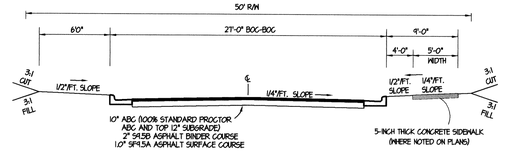
ENGINEER:

BWA Engineers Planners Surveyors

Borum, Wade and Associates, P.A.
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21882 Greensboro, NC 27420-1882
Phone: 336-275-0471 Fax: 336-275-3719
Web: www.borum-wade.com
N.C. License #: C-0868

SHEET INDEX

SHEET C-1:	PRELIMINARY SITE & UTILITY PLAN
SHEET C-2:	PRELIMINARY GRADING
SHEET C-3:	GRADING PLAN — SECTION 1 & 2
SHEET PP1:	MAYFIELD DRIVE — STA. 0+00 TO 12+20
SHEET PP2:	SUNFIELD DR., STA. 6+00 TO 16+00 & SANITARY SEWER
SHEET PP3:	SANITARY SEWER & KRESS DRIVE
SHEET PP4:	TRUNK STORM SEWERS
SHEET PP5:	ROGERS ROAD IMPROVEMENTS
SHEET PP6:	STORMWATER MANAGEMENT PLAN
SHEET D-1:	SITEWORK DETAILS
SHEET EC-1:	EROSION CONTROL — INITIAL CONDITIONS
SHEET EC-2:	GRADING & EROSION CONTROL PLAN
SHEET EC-3:	EROSION CONTROL DETAILS AND SPECIFICATIONS
SHEET EC-4:	EROSION CONTROL DETAILS & INSETS



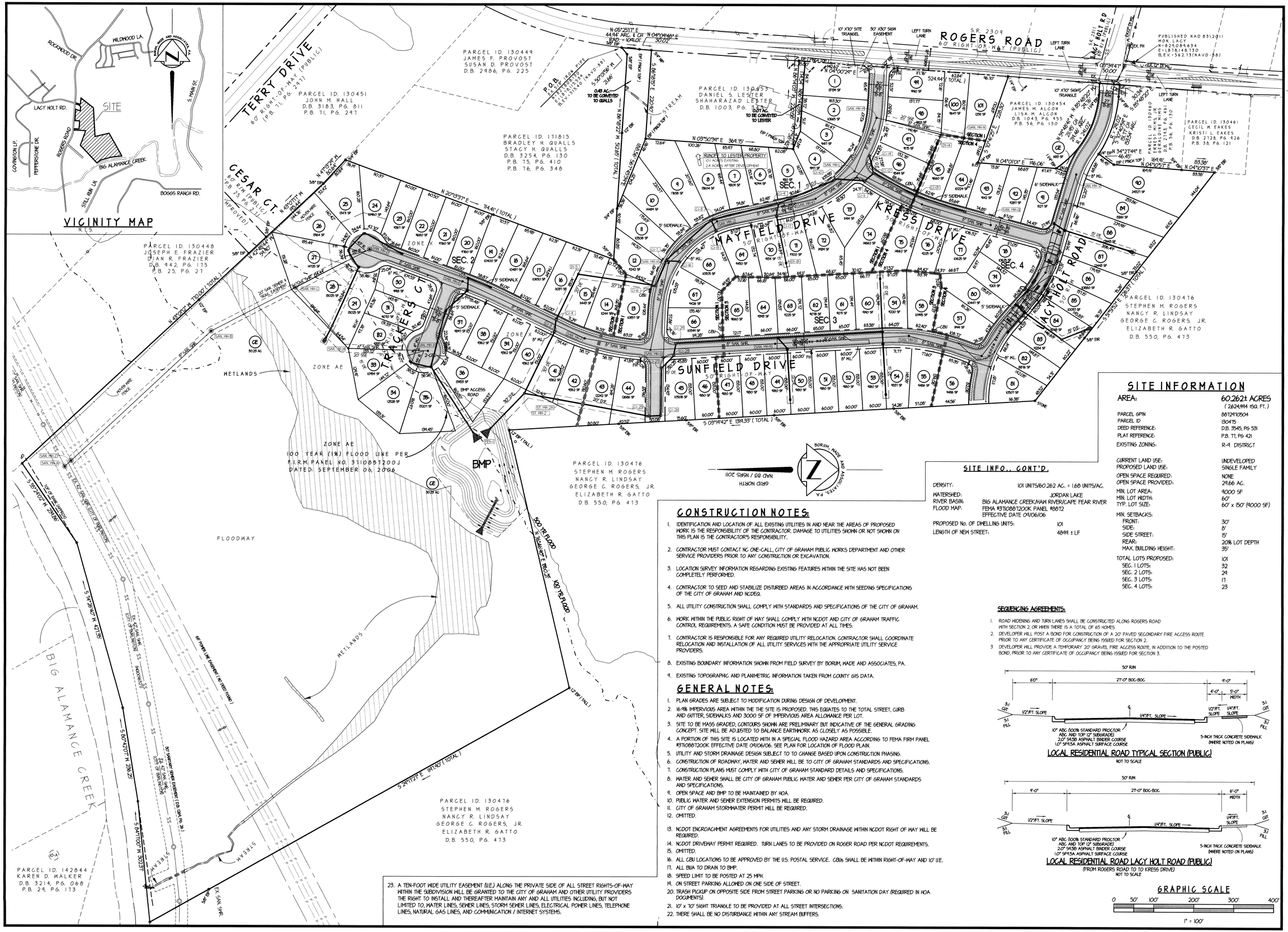
LOCAL RESIDENTIAL ROAD TYPICAL SECTION (PUBLIC)
NOT TO SCALE

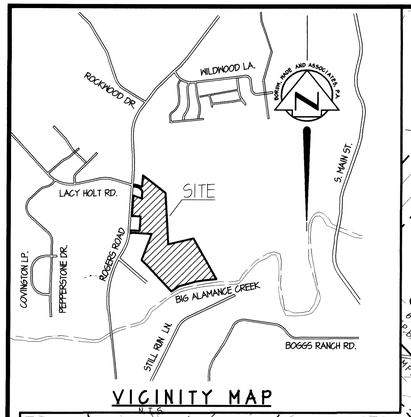
811 Know what's **below.** **Call** before you dig.

F:\ WINDSOR\ROGERS RD\COVER SHEET PHASE 1.dwg

VICINITY MAP

N.T.S.


TERRY DRIVE
60' RIGHT-OF-WAY (PUBLIC)
(P.B. 71, PG. 241)
PARCEL ID. 130451
JOHN M. HALL
D.B. 3183, PG. 811
P.B. 71, PG. 241
PARCEL ID. 130449
JAMES F. PROVOST
SUSAN D. PROVOST
D.B. 2486, PG. 225
PARCEL ID. 171815
BRADLEY H. QUALLS
STACY H. QUALLS
D.B. 3254, PG. 130
P.B. 75, PG. 410
P.B. 76, PG. 348
PARCEL ID. 130453
DANIEL S. LESTER
SHAHARAZAD LESTER
D.B. 1003, PG.
0.45 AC.± TO BE CONVEYED TO QUALLS
0.07 AC.± TO BE CONVEYED TO LESTER
P.O.B.
PARCEL ID. 130454
JAMES M. ALGON
LISA M. ALGON
D.B. 1043, PG. 455
P.B. 56, PG. 130
PARCEL ID. 130460
BRENDA H. HAMLIN
D.B. 2148, PG. 461
P.B. 56, PG. 130
PARCEL ID. 130461
CECIL M. EAKES
KRISTI L. EAKES
D.B. 2728, PG. 826
P.B. 38, PG. 121
S.R. 2309
ROGERS ROAD
60' RIGHT-OF-WAY (PUBLIC)
LACY HOLT RD
(S.R. 1311)
(60' R/W PUBLIC)
PUBLISHED NAD 83\2011
MON. LACY
N=829,084.634
E=1,813,148.730
ELEV.=562.73 (NAVD-88)
10' X10' SIGHT TRIANGLE
30' X80' SIGN EASEMENT
LEFT TURN LANE
CESAR CT.
60' R/W (PUBLIC)
P.B. 25, PG. 211
(IMPROVED)
TRACKERS CT
50' RIGHT-OF-WAY
MAYFIELD DRIVE
50' RIGHT-OF-WAY
KRESS DRIVE
50' RIGHT-OF-WAY
SUNFIELD DRIVE
50' RIGHT-OF-WAY
LACY HOLT ROAD
50' R/W
SEC. 1
SEC. 2
SEC. 3
SEC. 4
RUNOFF TO LESTER'S PROPERTY
(0) ACRES EXISTING
2.4 ACRES AFTER DEVELOPMENT
PARCEL ID. 130448
JOSEPH E. FRAZIER
DIAN R. FRAZIER
D.B. 442, PG. 115
P.B. 25, PG. 21
PARCEL ID. 130476
STEPHEN M. ROGERS
NANCY R. LINDSAY
GEORGE C. ROGERS, JR.
ELIZABETH R. GATTO
D.B. 550, PG. 473
WETLANDS
ZONE AE
ZONE X
ZONE AE
100 YEAR (1%) FLOOD LINE PER
F.I.R.M. PANEL NO. 3710887200J
DATED: SEPTEMBER 05, 2006
BMP
BMP ACCESS ROAD
FLOODWAY
WETLANDS
50' TO FLOOD
50' TO FLOOD
60' TOWER LINE EASEMENT (NO TIED YOKE)
BIG ALAMANCE CREEK
STREAM
STREAM
PARCEL ID. 130476
STEPHEN M. ROGERS
NANCY R. LINDSAY
GEORGE C. ROGERS, JR.
ELIZABETH R. GATTO
D.B. 550, PG. 473
PARCEL ID. 142844
KAREN D. WALKER
D.B. 3214, PG. 068
P.B. 29, PG. 173
(16.1)
OLIVE BRANCH (APPROX.)
WATER LINE EASEMENT
20' SANITARY SEWER EASEMENT (D.B. 1269, PG. 216)
EX. 42' SAN. SEWER EASEMENT (CITY OF GRAHAM)
EX. SAN SWR.
N 05°25'11" E 44.94' ARC, 1 CR N 04°09'49" E RAD. = 1041.01'
N 03°50'34" E 364.75'
N 20°19'53" E 114.41' (TOTAL)
N 03°03'11" W 50.64'
N 05°25'11" E 110.00' (TOTAL)
S 03°14'42" E 1311.33' (TOTAL)
S 24°17'27" E 1147.40' (TOTAL)
S 57°24'07" W 291.00'
S 74°28'40" W 421.35'
S 00°42'01" W 298.25'
S 84°11'09" W 302.37'
N 57°24'07" E 291.00'
S 74°28'40" W 421.35'
S 00°42'01" W 298.25'
S 84°11'09" W 302.37'
N 03°14'47" E 50.00'
N 04°00'24" E 460.67'
N 04°09'49" E 30.00'
N 05°25'11" E 44.94' ARC, 1 CR N 04°09'49" E RAD. = 1041.01'
N 03°50'34" E 364.75'
N 20°19'53" E 114.41' (TOTAL)
N 03°03'11" W 50.64'
N 05°25'11" E 110.00' (TOTAL)
S 03°14'42" E 1311.33' (TOTAL)
S 24°17'27" E 1147.40' (TOTAL)
N 03°14'47" E 50.00'
N 04°00'24" E 460.67'
N 04°09'49" E 30.00'
N 04°01'01" E 186.06'
N 04°10'51" E 164.91'
N 04°10'51" E 83.38'
S 57°24'07" W 291.00'
S 74°28'40" W 421.35'
S 00°42'01" W 298.25'
S 84°11'09" W 302.37'
S 03°14'42" E 1311.33' (TOTAL)
S 57°24'07" W 291.00'
S 74°28'40" W 421.35'
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S 84°11'09" W 302.37'
N 57°24'07" E 291.00'
S 74°28'40" W 421.35'
S 00°42'01" W 298.25'
S 84°11'09" W 302.37'



VICINITY MAP

NTS

SITE INFORMATION

AREA:	60.262± ACRES (2,624,994 SQ. FT.)
PARCEL GPIN	8872M10504
PARCEL ID	130475
DEED REFERENCE:	D.B. 3545, PG 531
PLAT REFERENCE:	P.B. 71, PG 421
EXISTING ZONING:	R-9 DISTRICT
CURRENT LAND USE:	UNDEVELOPED
PROPOSED LAND USE:	SINGLE FAMILY
OPEN SPACE REQUIRED:	NONE
OPEN SPACE PROVIDED:	24.66 AC.
MIN. LOT AREA:	9,000 SF
MIN. LOT WIDTH:	60'
TYP. LOT SIZE:	60' x 150' (9,000 SF)
MIN. SETBACKS:	
FRONT:	30'
SIDE:	8'
SIDE STREET:	15'
REAR:	20% LOT DEPTH
MAX. BUILDING HEIGHT:	35'
TOTAL LOTS PROPOSED:	101
SEC. 1 LOTS:	32
SEC. 2 LOTS:	24
SEC. 3 LOTS:	17
SEC. 4 LOTS:	23
DENSITY:	101 UNITS/60.262 AC. = 1.68 UNITS/AC.
WATERSHED:	JORDAN LAKE
RIVER BASIN:	BIG ALAMANCE CREEK/HAW RIVER/CAPE FEAR RIVER
FLOOD MAP:	FEMA #3710887200K PANEL #8812 EFFECTIVE DATE 09/06/06
PROPOSED No. OF DWELLING UNITS:	101
LENGTH OF NEW STREET:	4899 ± LF

CONSTRUCTION NOTES:

1. IDENTIFICATION AND LOCATION OF ALL EXISTING UTILITIES IN AND NEAR THE AREAS OF PROPOSED WORK IS THE RESPONSIBILITY OF THE CONTRACTOR. DAMAGE TO UTILITIES SHOWN OR NOT SHOWN ON THIS PLAN IS THE CONTRACTOR'S RESPONSIBILITY.
2. CONTRACTOR MUST CONTACT NC ONE-CALL, CITY OF GRAHAM PUBLIC WORKS DEPARTMENT AND OTHER SERVICE PROVIDERS PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
3. LOCATION SURVEY INFORMATION REGARDING EXISTING FEATURES WITHIN THE SITE HAS NOT BEEN COMPLETELY PERFORMED.
4. CONTRACTOR TO SEED AND STABILIZE DISTURBED AREAS IN ACCORDANCE WITH SEEDING SPECIFICATIONS OF THE CITY OF GRAHAM AND NCDEQ.
5. ALL UTILITY CONSTRUCTION SHALL COMPLY WITH STANDARDS AND SPECIFICATIONS OF THE CITY OF GRAHAM.
6. WORK WITHIN THE PUBLIC RIGHT OF WAY SHALL COMPLY WITH NCDOT AND CITY OF GRAHAM TRAFFIC CONTROL REQUIREMENTS. A SAFE CONDITION MUST BE PROVIDED AT ALL TIMES.
7. CONTRACTOR IS RESPONSIBLE FOR ANY REQUIRED UTILITY RELOCATION. CONTRACTOR SHALL COORDINATE RELOCATION AND INSTALLATION OF ALL UTILITY SERVICES WITH THE APPROPRIATE UTILITY SERVICE PROVIDERS.
8. EXISTING BOUNDARY INFORMATION SHOWN FROM FIELD SURVEY BY BORUM, WADE AND ASSOCIATES, PA.
9. EXISTING TOPOGRAPHIC AND PLANIMETRIC INFORMATION TAKEN FROM COUNTY GIS DATA.

GENERAL NOTES:

1. PLAN GRADES ARE SUBJECT TO MODIFICATION DURING DESIGN OF DEVELOPMENT.
2. 16.9% IMPERVIOUS AREA WITHIN THE THE SITE IS PROPOSED. THIS EQUATES TO THE TOTAL STREET, CURB AND GUTTER, SIDEWALKS AND 3000 SF OF IMPERVIOUS AREA ALLOWANCE PER LOT.
3. SITE TO BE MASS GRADED, CONTOURS SHOWN ARE PRELIMINARY BUT INDICATIVE OF THE GENERAL GRADING CONCEPT. SITE WILL BE ADJUSTED TO BALANCE EARTHWORK AS CLOSELY AS POSSIBLE.
4. A PORTION OF THIS SITE IS LOCATED WITH IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA FIRM PANEL #3710887200K EFFECTIVE DATE 09/06/06. SEE PLAN FOR LOCATION OF FLOOD PLAIN.
5. UTILITY AND STORM DRAINAGE DESIGN SUBJECT TO TO CHANGE BASED UPON CONSTRUCTION PHASING.
6. CONSTRUCTION OF ROADWAY, WATER AND SEWER WILL BE TO CITY OF GRAHAM STANDARDS AND SPECIFICATIONS.
7. CONSTRUCTION PLANS MUST COMPLY WITH CITY OF GRAHAM STANDARD DETAILS AND SPECIFICATIONS.
8. WATER AND SEWER SHALL BE CITY OF GRAHAM PUBLIC WATER AND SEWER PER CITY OF GRAHAM STANDARDS AND SPECIFICATIONS.
9. OPEN SPACE AND BMP TO MAINTAINED BY HOA.
10. PUBLIC WATER AND SEWER EXTENSION PERMITS WILL BE REQUIRED.
11. CITY OF GRAHAM STORMWATER PERMIT WILL BE REQUIRED.
12. HOMEOWNER'S ASSOCIATION DOCUMENTS MUST INCLUDE PROHIBITION OF ON-STREET PARKING ON RESIDENTIAL-NARROW ROADS WITHOUT EXCEPTION.
13. NCDOT ENCROACHMENT AGREEMENTS FOR UTILITIES AND ANY STORM DRAINAGE WITHIN NCDOT RIGHT OF WAY WILL BE REQUIRED.
14. NCDOT DRIVEWAY PERMIT REQUIRED. TURN LANES TO BE PROVIDED ON ROGER ROAD PER NCDOT REQUIREMENTS.
15. 10' PUBLIC UTILITY EASEMENT (PUE) TO BE GRANTED ALONG PRIVATE SIDE OF STREET RIGHTS OF WAY.
16. ALL CBU LOCATIONS TO BE APPROVED BY THE U.S. POSTAL SERVICE. CBUS SHALL BE WITHIN RIGHT-OF-WAY AND 10' PUE.
17. ALL BUA TO DRAIN TO BMP.
18. SPEED LIMIT TO BE POSTED AT 25 MPH.
19. ON STREET PARKING ALLOWED ON ONE SIDE OF STREET.
20. TRASH PICKUP ON OPPOSITE SIDE FROM STREET PARKING OR NO PARKING ON SANITATION DAY (REQUIRED IN HOA DOCUMENTS).

THIS DRAWING SHOWS CONCEPTUAL, OVERALL GRADING FOR THE ENTIRE SUBDIVISION, AND IS NOT FOR CONSTRUCTION. REFER TO GRADING PLAN, SECTION 1 & 2, AND SUBSEQUENT (FUTURE) DETAILED GRADING PLANS FOR CONSTRUCTION.

EXISTING CONTOURS SHOWN (THIS SHEET) REFLECT GIS DATA.

GRAPHIC SCALE

0 50' 100' 200' 300' 400'

1" = 100'

BWA Engineers Planners Surveyors
Borum, Wade and Associates, P.A
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21882 Greensboro, NC 27420-1882
Phone: 336-275-0471 Fax: 336-275-5719
Web: www.borum-wade.com
N.C. License #: C-0868

SEALS:

DRAWING FOR INFORMATIONAL PURPOSES ONLY --
NOT FOR CONSTRUCTION

SEE SHEET C-3 FOR SECTIONS 1 & 2

PROJECT:

FORKS OF ALAMANCE SUBDIVISION
ROGERS ROAD
GRAHAM TOWNSHIP, ALAMANCE COUNTY
GRAHAM, NORTH CAROLINA

OWNER/DEVELOPER:
CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 9147
GREENSBORO, NORTH CAROLINA 27429
(336) 282-3535
CONTACT: DAVID MICHAELS

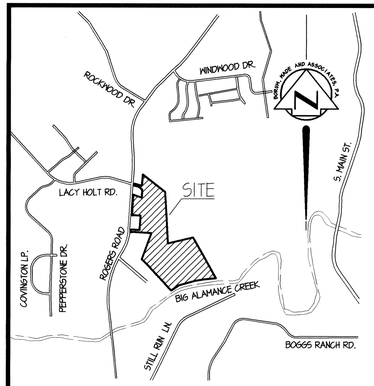
DRAWN BY:	BWA
DATE:	JAN. 25, 2016
REVISIONS:	FEB. 24, 2016
	MAY 24, 2016
	JUNE 28, 2016

SHEET TITLE:
PRELIMINARY GRADING PLAN

FILE NO.: F:\WINDSOR\rogers rd\GRADE-OVERALL.dwg

DRAWING SCALE: 1" = 100'

PLAN SHEET NO.
C-2



VICINITY MAP
N.T.S.

LEGEND

TOPSOIL WASTE (OR MINING & WASTE) AREAS

PARCEL ID. 130449
JAMES F. PROVOST
SUSAN D. PROVOST
D.B. 2986, PG. 225

P.O.B.
EX 5/8" IRON PIPE
N: 821308.130
E: 1,181,153.41
ELEV = 545.42 (NAVD-88)

PARCEL ID. 130453
DANIEL S. LESTER
SHAHARAZAD LESTER
D.B. 1003, PG. 343

PARCEL ID. 171815
BRADLEY H. QUALLS
STACY H. QUALLS
D.B. 3254, PG. 130
P.B. 75, PG. 410
P.B. 76, PG. 348

RUNOFF TO LESTER PROPERTY
10.1 ACRES EXISTING
2.4 ACRES AFTER DEVELOPMENT

S.R. 2304
ROGERS ROAD
60' RIGHT-OF-WAY (PUBLIC)

LEFT TURN LANE

MAYFIELD DRIVE
50' RIGHT-OF-WAY

KRESS DRIVE
50' RIGHT-OF-WAY

SUNFIELD DRIVE
50' RIGHT-OF-WAY

TRACKERS CT.
50' RIGHT-OF-WAY

EXISTING WOODS

SEC. 1
SEC. 2
SEC. 3
SEC. 4

SECTION 1
SECTION 2
SECTION 3
SECTION 4

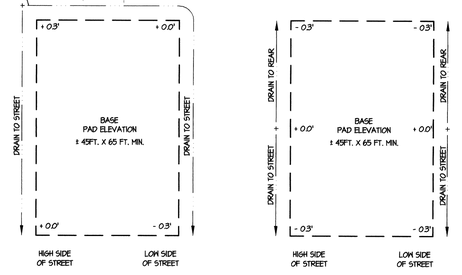
ZONE AE

ZONE AE
100 YEAR (1%) FLOOD LINE PER
F.I.R.M. PANEL NO. 3710887200J
DATED: SEPTEMBER 06, 2006

PARCEL ID. 130476
STEPHEN M. ROGERS
NANCY R. LINDSAY
GEORGE C. ROGERS, JR.
ELIZABETH R. GATTO
D.B. 550, PG. 473

BMP

500 YR FLOOD



LOTS DRAINING TO STREET
(SEE SWALE SYMBOLS FOR TYPE)
-- LOT 67 IS EXAMPLE OF THIS TYPE --

LOTS WITH SPLIT DRAINAGE
(SEE SWALE SYMBOLS FOR TYPE)
-- LOT 7 IS EXAMPLE OF THIS TYPE --

LOCATE SWALES ALONG LOTLINES PER SITE CONDITIONS

TYPICAL BUILDING PAD DETAILS

SITE DATA

AREA:	60.262± ACRES
PARCEL ID	130475
DEED REFERENCE:	D.B. 3545, PG 591
PLAT REFERENCE:	P.B. 77, PG 421
EXISTING ZONING:	R-9 DISTRICT
CURRENT LAND USE:	UNDEVELOPED
PROPOSED LAND USE:	SINGLE FAMILY
NO. OF LOTS SECTION 1	32 LOTS
NO. OF LOTS SECTION 2	29 LOTS
DISTURBED AREA SEC. 1 & SEC. 2,	22.0 AC.±
SOILS:	MoB2, MkD/MkC2, EcB2,5a, LbC2

GRADING NOTES:

1. LOCATION OF ALL EXISTING UTILITIES SHALL BE VERIFIED IN THE FIELD BEFORE GRADING BEGINS.
2. SLOPES 2% - 10%
3. TYPICAL BUILDING PAD DIMENSIONS 44' W X 65' D.
4. ALL SINGLE FAMILY LOTS TO BE SLAB ON GRADE.
5. REFER TO SOILS ENGINEERING RECOMMENDATIONS FOR DIRECTION ON FILL COMPACTION AND ANY STRUCTURAL CONSIDERATIONS.

GRAPHIC SCALE

0 30' 60' 120' 180' 240'

1" = 60'

BWA Engineers Planners Surveyors
Borum, Wade and Associates, P.A.
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21882 Greensboro, NC 27420-1882
Phone: 336-275-0471 Fax: 336-275-3719
Web: www.borum-wade.com
N.C. License #: C-0868

SEALS:

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER HOWARD MORRIS WADE
7/18/16

PROJECT:

FORKS OF ALAMANCE SUBDIVISION SECTION 1 & 2

ROGERS ROAD

GRAHAM TOWNSHIP, ALAMANCE COUNTY

GRAHAM, NORTH CAROLINA

OWNER/DEVELOPER:

CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 9147
GREENSBORO, NORTH CAROLINA 27429
(336) 282-3535
CONTACT: DAVID MICHAELS

DRAWN BY:	BWA
DATE:	MAY 10, 2015
REVISIONS:	JUNE 28, 2016
	JULY 18, 2016

SHEET TITLE:

GRADING PLAN

SECTION 1 & 2 CONSTRUCTION

FILE NO: F:\WINDSOR\rogers rd\GRADE PH1.dwg

DRAWING SCALE: 1" = 60'

PLAN SHEET NO.

C-3

CENTERLINE CURVE DATA TABLE			
CURVE NO.	DELTA	RADIUS	ARC LENGTH
3	74° 59' 03"	270.00'	353.35'
4	75° 14' 40"	240.00'	315.18'
5	16° 34' 30"	700.00'	202.50'

NOTES

1. ALL SDR-35 PVC SAN. SEWER PIPE SHALL USE CLASS 3 BEDDING.
2. ALL PROPOSED WATER MAINS SHALL BE 8" DIP, MIN. CLASS 50.
3. 50' RIGHT-OF-WAY ON ALL STREET
4. 20' RIGHT-OF-WAY RADIUS AT STREET INTERSECTIONS
5. 30' BACK-OF-CURB RADIUS AT ALL STREET INTERSECTIONS
6. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF GRAHAM STANDARD SPECIFICATIONS AND DETAILS FOR WATER, SEWER, AND STREET IMPROVEMENTS, LATEST EDITION THEREOF.
7. DROP INLET SHALL BE NCDOT 840.15 "BRICK DROP INLET," SEE DETAIL, SHEET D-1.

LEGEND / ABBREVIATIONS

HCR = ACCESSIBLE SIDEWALK RAMP
U.E. = UTILITY EASEMENT
CBU = CENTRAL MAILBOX UNIT
(15) STORM PIPE # -- SEE COVER SHEET
B-6 SOIL BORING AND NUMBER

SAN. MH-N
1 - SAN. MANHOLE
SEE PROFILE INSET

SEE INSET BELOW THIS SHEET FOR SEWER PROFILE FROM 8" SAN SEWER -20' SAN SEWER ESMT.

C.L. CURVE 5 SEE DATA TABLE

CI-12
1 - CURB INLET
SEE PROFILE

CI-18
1 - CURB INLET
SEE PROFILE

1 - 8x8 WATER TEE
2 - 8" GATE VALVES
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

CI-19
1 - CURB INLET
SEE PROFILE

SAN. MH-K
1 - SAN. MANHOLE
SEE PROFILE

DI-18
1 - DROP INLET
SEE PROFILE

CI-17
1 - CURB INLET
SEE PROFILE

15' DRAINAGE ESMT. ("15' FROM CENTER OF PIPE)

SEE SHEET PP4 FOR STORM SEWER PROFILE

EXTEND EXIST. 18" RCP CULVERT BY 4 L.F., USE STANDARD PIPE COLLAR

1 - 8x8 HYDRANT TEE
1 - 6" GATE VALVE
1 - FIRE HYDRANT
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

CI-10
1 - CURB INLET
SEE PROFILE

SAN. MH-L
1 - SAN. MANHOLE
SEE PROFILE

C.L. CURVE 3
SEE DATA TABLE

SAN. MH-M
1 - SAN. MANHOLE
SEE PROFILE

5' CONC. SIDEWALK, TYP.

MAYFIELD DRIVE

CI-9
1 - CURB INLET
SEE PROFILE

1 - 8x8 HYDRANT TEE
1 - 6" GATE VALVE
1 - FIRE HYDRANT
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

C.L. CURVE 4
SEE DATA TABLE

CI-15
1 - CURB INLET
SEE PROFILE

CI-16
1 - CURB INLET
SEE PROFILE

1 - 8" GATE VALVE
1 - FULL JOINT PIPE
1 - 8" PLUG, TAPPED FOR
1 - 2" BLOWOFF
MECH. JOINT & DEADMAN
THRUST RESTRAINT.

CI-28
1 - CURB INLET
SEE PROFILE

1 - 8x8 WATER CROSS
3 - 8" GATE VALVES
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

CI-27
1 - CURB INLET
SEE PROFILE

CI-24
1 - CURB INLET
SEE PROFILE

SUNFIELD DR (SEE SHEET PP2)

SEE SHEET PP4 FOR STORM PROFILE

1 - 8x8 HYDRANT TEE
1 - 6" GATE VALVE
1 - FIRE HYDRANT
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

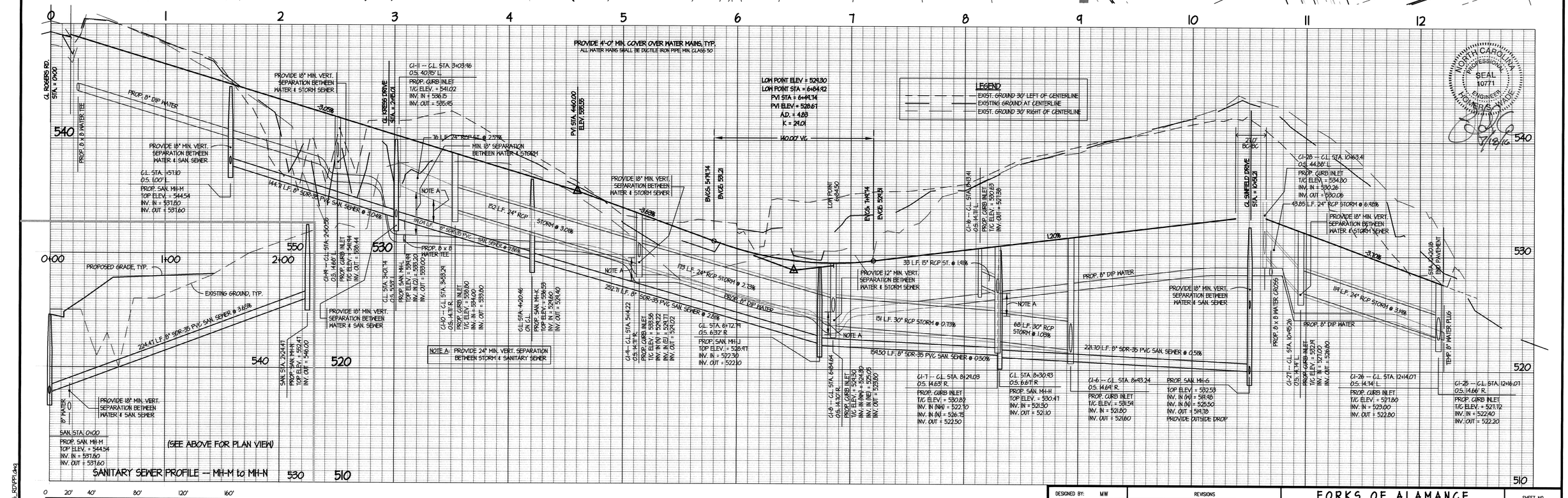
SAN. MH-G
1 - SAN. MANHOLE
SEE PROFILE

CONC. PAD FOR CBU

CI-6
1 - CURB INLET
SEE PROFILE

SUNFIELD DRIVE (SEE SHEET PP2)

SECTION 1
SECTION 2
SECTION 3
SECTION 4



0 20' 40' 80' 120' 160'
1" = 40' HORIZONTAL

0 2' 4' 8' 12' 16'
1" = 4' VERTICAL

F:\WINDOWS\DESKTOP\ROBERTS_RD\PP1.dwg

SECTION 1 CONSTRUCTION

DESIGNED BY:	MW	REVISIONS	
DETAILED BY	JR	JULY 18, 2016	
CHECKED BY:	HSW		
DATE:	MAY 16, 2016		
SCALE HORIZ.	1" = 40'		
SCALE VERT.	1" = 4'		

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 10771 HOWARD S. WADE II
7/18/16

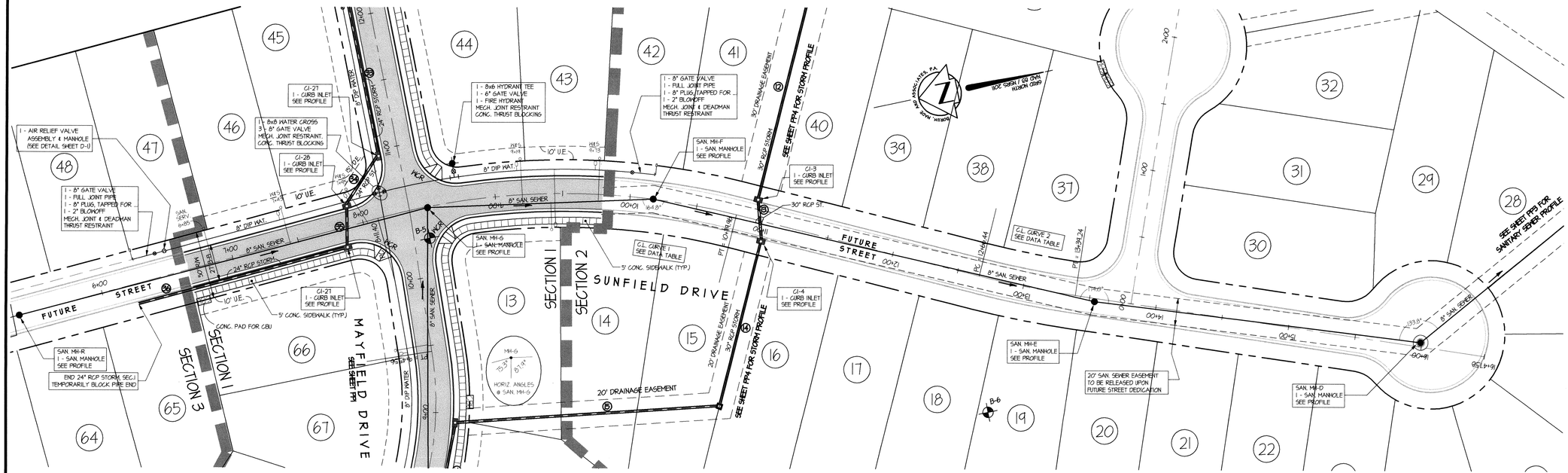
FORKS OF ALAMANCE

MAYFIELD DRIVE

0+00 TO 12+20.18

SHEET NO. PP1

BWA Engineers Planners Surveyors
Borum, Wade and Associates, P.A.
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21582 Greensboro, NC 27420-1582
Phone: 336-275-0471 Fax: 336-275-3719
Web: www.borum-wade.com N.C. License #: C-0868



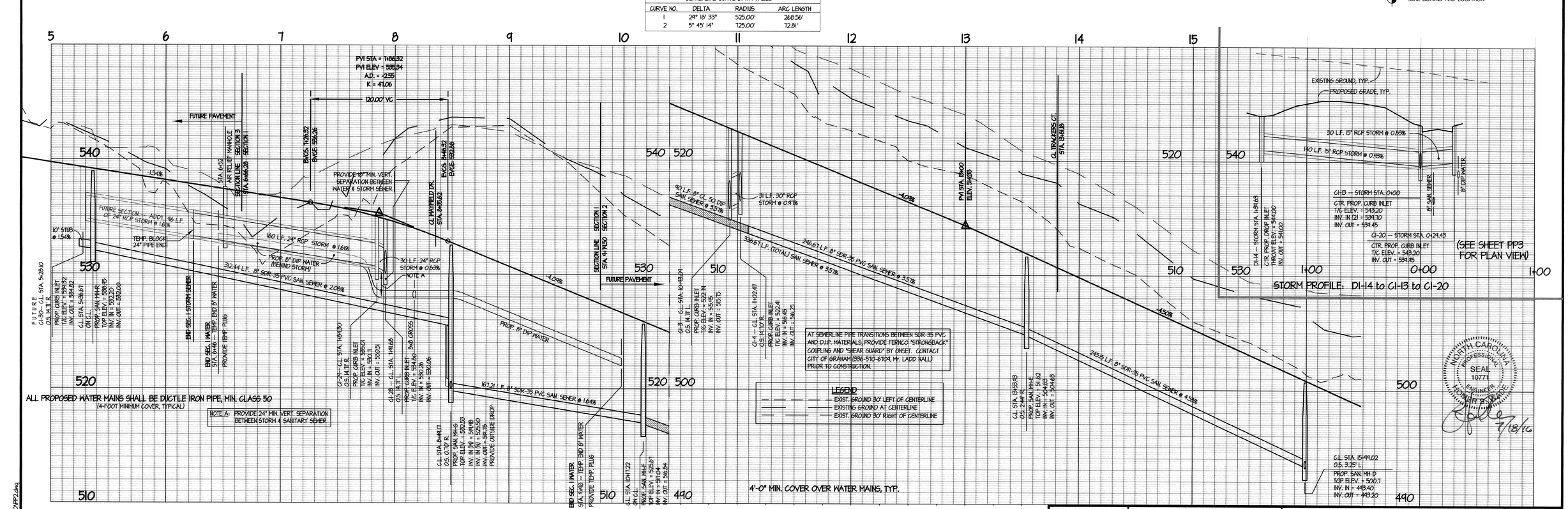
NOTES

1. ALL SDR-35 PVC SAN. SEWER PIPE SHALL HAVE CLASS 3 BEDDING.
2. ALL PROPOSED WATER MAINS SHALL BE 8" DIP, MIN. CLASS 50.
3. 50' RIGHT-OF-WAY ON ALL STREET
4. 20' RIGHT-OF-WAY RADIUS AT STREET INTERSECTIONS
5. 30' BACK-OF-CURB RADIUS AT ALL STREET INTERSECTIONS
6. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF GRAHAM STANDARD SPECIFICATIONS AND DETAILS FOR WATER, SEWER, AND STREET IMPROVEMENTS, LATEST EDITION THEREOF.
7. DROP INLET SHALL BE NCDOT 840.15 "BRICK DROP INLET," SEE DETAIL SHEET, D-1.

LEGEND / ABBREVIATIONS

WCR = ACCESSIBLE SIDEWALK RAMP
U.E. = UTILITY EASEMENT
CBU = CENTRAL MAILBOX UNIT
(P) STORM PIPE # -- SEE COVER SHEET
B-6 SOIL BORING AND LOCATION

CENTERLINE CURVE DATA TABLE			
CURVE NO.	DELTA	RADIUS	ARC LENGTH
1	29° 18' 33"	525.00'	268.56'
2	5° 45' 14"	725.00'	72.81'



SECTION I CONSTRUCTION

DESIGNED BY:	MW	REVISIONS	
DETAILED BY	JR	JULY 18, 2016	
CHECKED BY:	HSW		
DATE:	MAY 16, 2016		
SCALE HORIZ.	1" = 40'		
SCALE VERT.	1" = 4'		

FORKS OF ALAMANCE

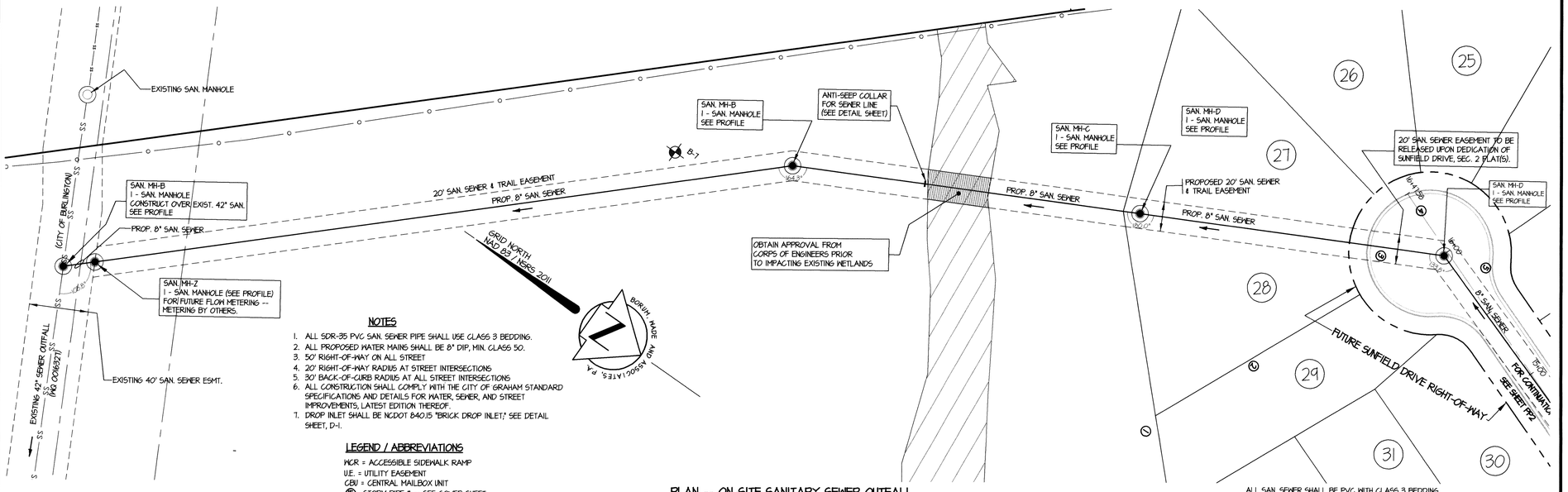
SUNFIELD DRIVE & SANITARY SEWER 6+00 TO 16+00

SHEET NO. PP2

BWA Engineers Planners Surveyors
Borum, Wade and Associates, P.A.
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21582 Greensboro, NC 27420-1582
Phone: 336-275-0671 Fax: 336-275-3719
Web: www.borum-wade.com N.C. License #: C-0868

NORTH CAROLINA PROFESSIONAL SEAL 16771 ENGINEER MICHAEL W. WADE 7/18/16

F:\WINDSOR\ROGERS_ROY\PP2.dwg



NOTES

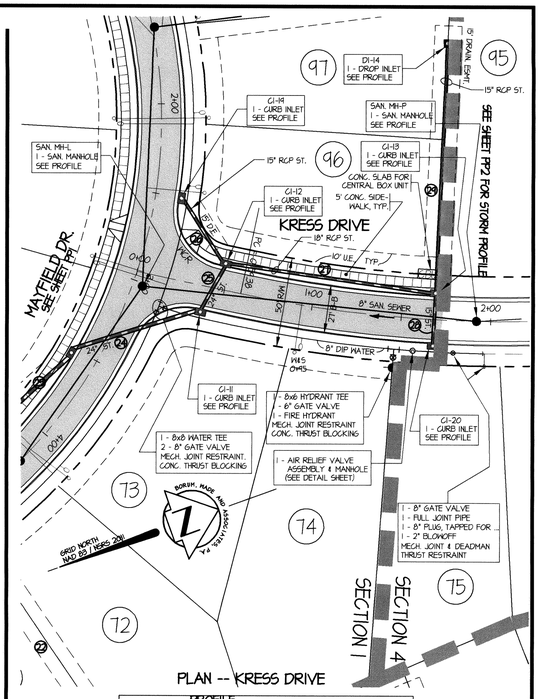
1. ALL SDR-35 PVC SAN. SEWER PIPE SHALL USE CLASS 3 BEDDING.
2. ALL PROPOSED WATER MAINS SHALL BE 8" DIP, MIN. CLASS 50.
3. 50' RIGHT-OF-WAY ON ALL STREET
4. 20' RIGHT-OF-WAY RADIUS AT STREET INTERSECTIONS
5. 30' BACK-OF-CURB RADIUS AT ALL STREET INTERSECTIONS
6. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF GRAHAM STANDARD SPECIFICATIONS AND DETAILS FOR WATER, SEWER, AND STREET IMPROVEMENTS, LATEST EDITION THEREOF.
7. DROP INLET SHALL BE NCDOT 840.15 "BRICK DROP INLET," SEE DETAIL SHEET, D-1.

LEGEND / ABBREVIATIONS

HCR = ACCESSIBLE SIDEWALK RAMP
U.E. = UTILITY EASEMENT
CBU = CENTRAL MAILBOX UNIT
Ⓑ STORM PIPE # -- SEE COVER SHEET
B-6 SOIL BORING AND LOCATION

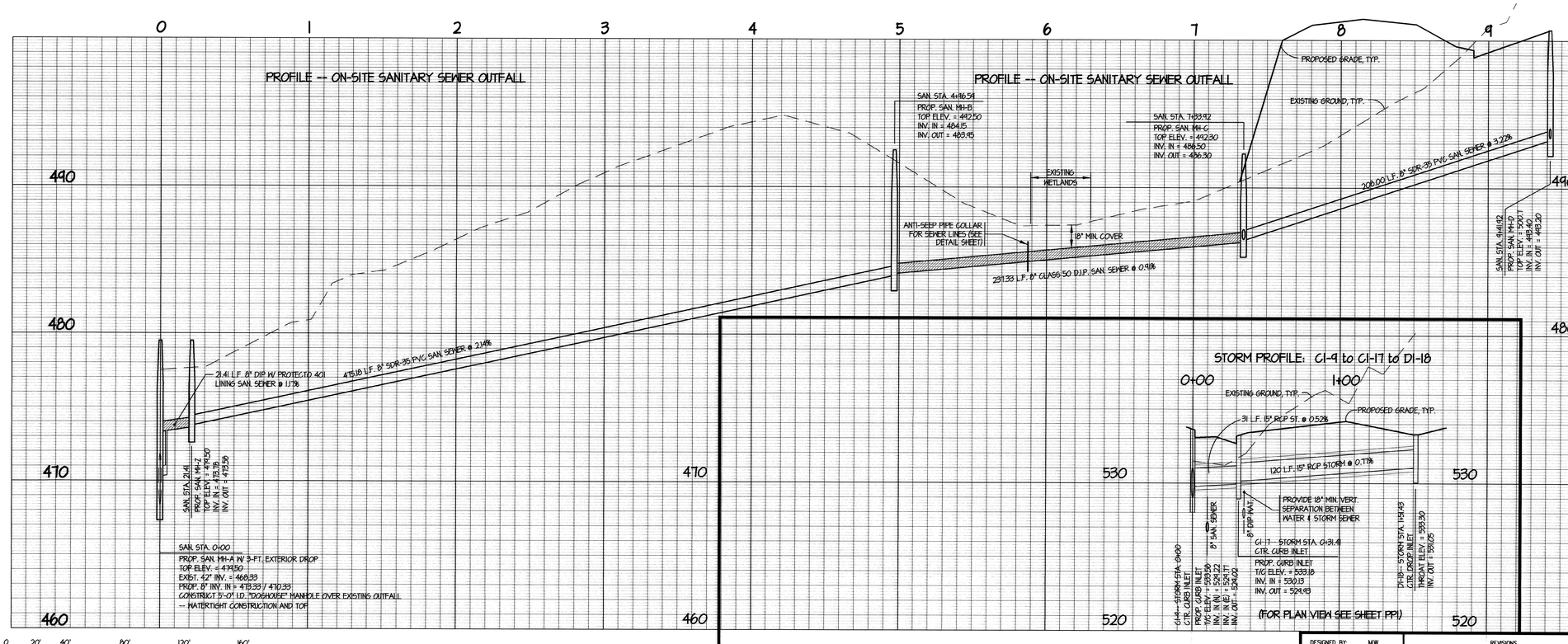
PLAN -- ON-SITE SANITARY SEWER OUTFALL

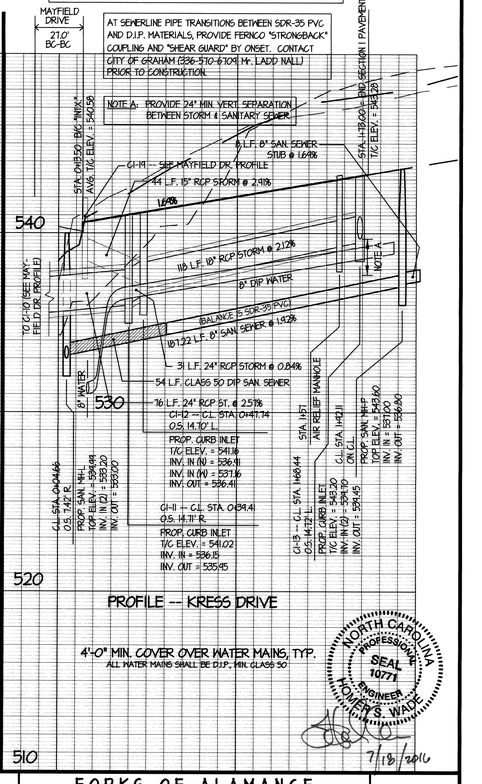
ALL SAN. SEWER SHALL BE PVC WITH CLASS 3 BEDDING



PLAN -- KRESS DRIVE

PROFILE LEGEND
EXIST. GROUND 30' LEFT OF CENTERLINE
EXISTING GROUND AT CENTERLINE
EXIST. GROUND 30' RIGHT OF CENTERLINE





NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER HOMER S. WADE
7/18/2016

0 20' 40' 80' 120' 160'
1" = 40' HORIZONTAL
0 2' 4' 8' 12' 16'
1" = 4' VERTICAL

SECTION 1 CONSTRUCTION

DESIGNED BY:	MW
DETAILED BY	JR
CHECKED BY:	HSW
DATE:	MAY 16, 2016
SCALE HORIZ.	1" = 40'
SCALE VERT.	1" = 4'

REVISIONS
JULY 18, 2016

FORKS OF ALAMANCE
SANITARY SEWER EXTENSION
KRESS DRIVE

SHEET NO.
PP3

BWA Engineers Planners Surveyors
Borum, Wade and Associates, P.A.
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21382 Greensboro, NC 27420-1382
Phone: 336-275-0471 Fax: 336-275-3719
Web: www.borum-wade.com N.C. License #: C-0868

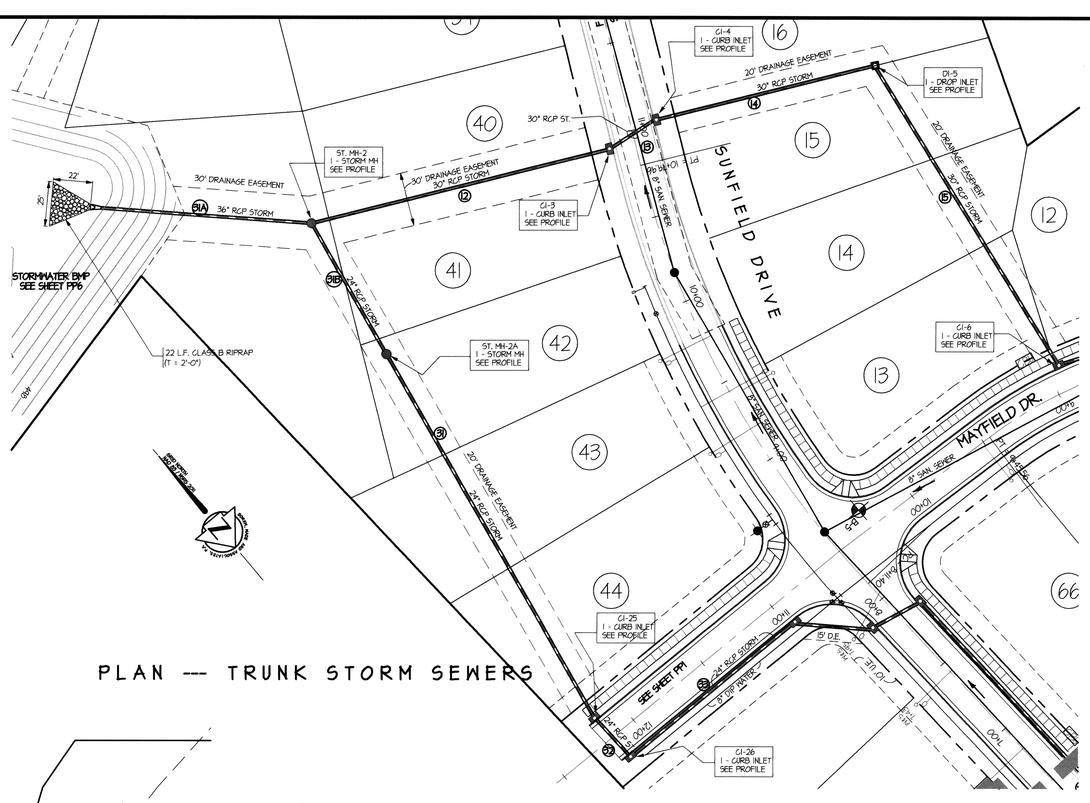
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NOTES

1. ALL SDR-35 PVC SAN. SEWER PIPE SHALL USE CLASS 3 BEDDING.
2. ALL PROPOSED WATER MAINS SHALL BE 8" DIP, MIN. CLASS 50.
3. 50' RIGHT-OF-WAY ON ALL STREET
4. 20' RIGHT-OF-WAY RADIUS AT STREET INTERSECTIONS
5. 30' BACK-OF-CURB RADIUS AT ALL STREET INTERSECTIONS
6. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF GRAHAM STANDARD SPECIFICATIONS AND DETAILS FOR WATER, SEWER, AND STREET IMPROVEMENTS, LATEST EDITION THEREOF.
7. DROP INLET SHALL BE NCDOT 840.15 "BRICK DROP INLET," SEE DETAIL, SHEET D-1.

LEGEND / ABBREVIATIONS

HCR = ACCESSIBLE SIDEWALK RAMP
U.E. = UTILITY EASEMENT
CBU = CENTRAL MAILBOX UNIT
(15) = STORM PIPE # -- SEE COVER SHEET



PLAN --- TRUNK STORM SEWERS

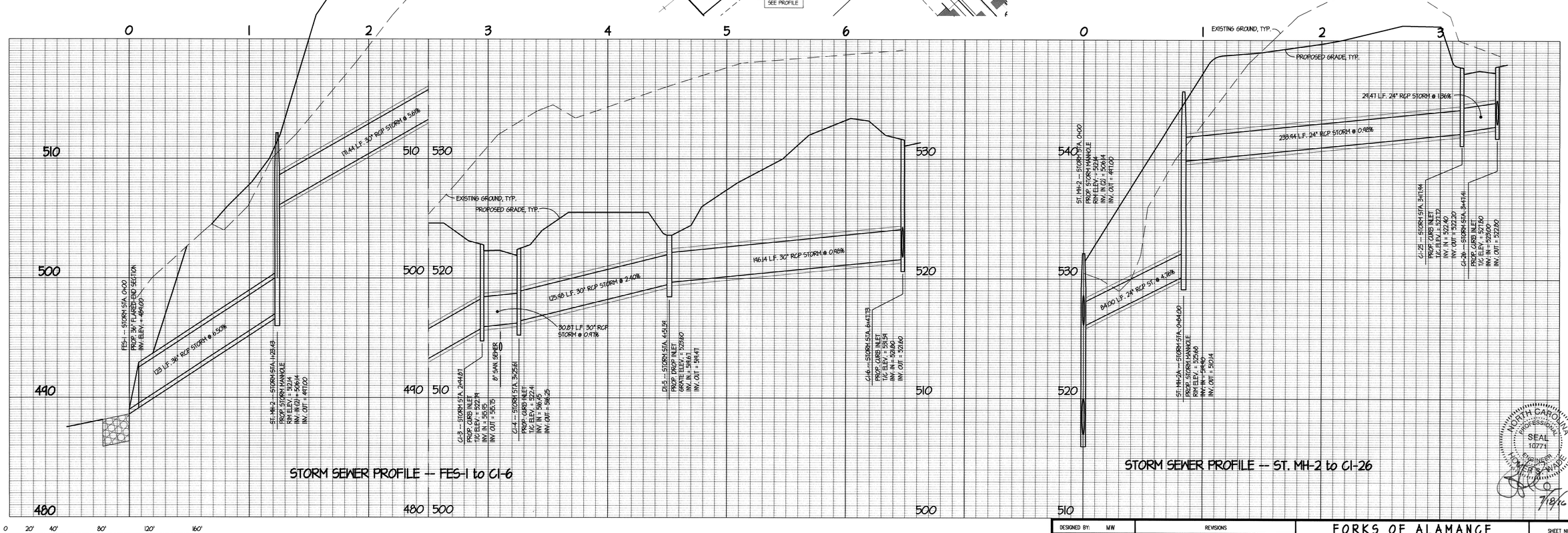
Storm Drainage Design

Project: Forks of Alamance -- Phase ONE
Location: Graham, NC
Computed By: MLW
Checked By: MLW
Date: 10/21/2015
Revised: 10/22/2015

Description: Proposed Drainage Analysis

Storm Drainage Design

Pipe No.	Runoff Drainage Area Sub	Drainage Area Total	Tc Design Time	C	Storm (year)	Intensity [in/hr]	Q=CIA [cfs]	Pipe Design n	Pipe Slope	Dtheo. [in]	Size [in]	Velocity (ft/sec)
29	1.39	1.39	10	0.6	10	5.8	4.8	0.013	0.01	13.4	15	5.2
28	0.86	0.86	10	0.6	10	5.8	3.0	0.013	0.01	11.2	15	5.2
27	0.3	3.55	10	0.6	10	5.8	12.4	0.013	0.01	19.1	24	7.2
26	0.66	0.66	10	0.6	10	5.8	2.3	0.013	0.01	10.2	15	5.2
25	0.19	4.4	10	0.6	10	5.8	15.3	0.013	0.01	20.7	24	7.2
24	0.55	4.95	10	0.6	10	5.8	17.2	0.013	0.01	21.6	24	7.2
23	0.54	5.49	10	0.6	10	5.8	19.1	0.013	0.01	22.5	24	7.2
22	0.62	0.62	10	0.6	10	5.8	2.2	0.013	0.01	9.9	15	5.2
21	0.64	1.26	10	0.6	10	5.8	4.4	0.013	0.01	13.0	15	5.2
20	0.27	7.02	10	0.6	10	5.8	24.4	0.013	0.012	23.8	24	7.9
18	1.03	1.03	10	0.6	10	5.8	3.6	0.013	0.01	12.0	15	5.2
17	0.7	8.75	10	0.6	10	5.8	30.5	0.013	0.006	29.5	30	6.4
19	0.56	0.56	10	0.6	10	5.8	1.9	0.013	0.006	10.5	15	4.1
16	0.28	9.03	10	0.6	10	5.8	31.4	0.013	0.006	29.8	30	6.4
15	0.19	9.22	10	0.6	10	5.8	32.1	0.013	0.01	27.3	30	8.3
14	0.5	9.72	10	0.6	10	5.8	33.8	0.013	0.008	29.1	30	7.4
13	0.47	10.19	10	0.6	10	5.8	35.5	0.013	0.008	29.6	30	7.4
12	0.47	10.66	10	0.6	10	5.8	37.1	0.013	0.009	29.4	30	7.9
36	0.65	4	10	0.6	10	5.8	13.9	0.013	0.009	20.4	24	6.8
35	0.48	4.48	10	0.6	10	5.8	15.6	0.013	0.009	21.3	24	6.8
34	0.57	5.05	10	0.6	10	5.8	17.6	0.013	0.009	22.2	24	6.8
33	0.05	5.1	10	0.6	10	5.8	17.7	0.013	0.009	22.3	24	6.8
32	0.15	5.25	10	0.6	10	5.8	18.3	0.013	0.009	22.6	24	6.8
31	0.12	5.37	10	0.6	10	5.8	18.7	0.013	0.009	22.8	24	6.8
31B	0	5.37	10	0.6	10	5.8	18.7	0.013	0.009	22.8	24	6.8
31A	0	16.03	10	0.6	10	5.8	55.8	0.013	0.01	33.6	36	



STORM SEWER PROFILE -- FES-1 to CI-6

STORM SEWER PROFILE -- ST. MH-2 to CI-26

0 20' 40' 80' 120' 160'
1" = 40' HORIZONTAL

0 2' 4' 8' 12' 16'
1" = 4' VERTICAL

SECTION I CONSTRUCTION

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 10771 JAMES R. WADE
7/8/16

DESIGNED BY: MW	REVISIONS		FORKS OF ALAMANCE
DETAILED BY JR	JULY 18, 2016		TRUNK STORM SEWERS
CHECKED BY: HSW			
DATE: MAY 16, 2016			
SCALE HORIZ. 1" = 40'			
SCALE VERT. 1" = 4'			

BWA Engineers Planners Surveyors

Borum, Wade and Associates, P.A.
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21582 Greensboro, NC 27420-1582
Phone: 336-275-0671 Fax: 336-275-3719
Web: www.borum-wade.com N.C. License #: C-0868

SHEET NO. PP4

F:\WINDOWS\DESKTOP\BORUM_WADE_PROJECTS\FORKS OF ALAMANCE\PP4.dwg

GRID NORTH
NAD 83 / NSRS 2011

BORUM, WADE AND ASSOCIATES, P.A.

NOTES / LEGEND

1. ALL SAN. SEWER SHALL BE PVC WITH CLASS 3 BEDDING
2. ALL PROPOSED WATER MAINS SHALL BE 8" DIP, MIN. CLASS 50.
3. 50' RIGHT-OF-WAY ON ALL STREET
4. 20' RIGHT-OF-WAY RADIUS AT STREET INTERSECTIONS
5. 30' BACK-OF-CURB RADIUS AT ALL STREET INTERSECTIONS
6. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF GRAHAM STANDARD SPECIFICATIONS AND DETAILS FOR WATER, SEWER, AND STREET IMPROVEMENTS, LATEST EDITION THEREOF.

B-3 SOIL BORING AND NUMBER

1 - 8" GATE VALVE
1 - PULL JOINT PIPE
1 - 2" BLOWOFF
1 - 8" PLUG
MECH. JOINT & DEAD-MAN THRUST RESTRAINT (TAP 8" PLUG FOR B.O.)

1 - 8x8 WATER TEE
2 - 8" GATE VALVES
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

1 - 8x8 HYDRANT TEE
1 - 6" GATE VALVE
1 - FIRE HYDRANT
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

1 - 12x8 TS&V
1 - 22.5° BEND
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

1 - 45° BEND
1 - 22.5° BEND
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

1 - 8x8 WATER TEE
2 - 8" GATE VALVES
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING

1 - PULL JOINT PIPE
1 - 2" BLOWOFF
1 - 8" PLUG
MECH. JOINT RESTRAINT
CONC. THRUST BLOCKING
(TAP 8" PLUG FOR B.O.)

ENCASEMENT NOTE:
BORE 16" DIA. STEEL SLEEVE, WALL THICKNESS = 0.250" -- WITH NCDOT ENCROACHMENT

8' x 8' OPEN CUT AND PATCH PER NCDOT STANDARDS.

ROGERS ROAD
N.C.S.R. 2304 -- 60' R/W (PUBLIC)

LACY HOLT ROAD
N.C.S.R. 2311 -- 60' R/W (PUBLIC)

MAYFIELD DRIVE
(SEE SHEET PP1)

PARCEL ID. 130453
DANIEL S. LESTER
SHAHARAZAD LESTER
D.B. 1003, PG. 343

PARCEL ID. 130454
JAMES M. ALCON
LISA M. ALCON
D.B. 1043, PG. 955
P.B. 56, PG. 130

PARCEL ID. 130460
ERNEST MIMS, JR.
GERALDINE MIMS
D.B. 2193, PG. 461
P.B. 56, PG. 130

FUTURE LACY HOLT RD. EXTENSION SEC. 4, FORKS OF ALAMANCE

EXTEND EXIST. 18" RCP CULVERT BY 4 L.F.

POUR 2' PIPE COLLAR FOR PIPE CONNECTION (SEE DETAIL SHEET)

VERIFY MASTER IS IN SERVICE -- IF SO, CONNECT TO NEW 8" DIP WATER MAIN

GRADE TO PROPOSED GRADES SHOWN AFTER WATER MAIN INSTALLATION, TYP.

5' MIN. HORIZ. SEPARATION

BORE PIT (MAINTAIN ACCESS TO RESIDENCES)

PC = 0+59.92

20" EXISTING ASPHALT, TYP.

GRAVEL DRIVE

22" MAPLE TREE

PLANTING AREA

CONCRETE DRIVE

EXIST. 12" DIP WATER

EXIST. 8" DIP WATER

PROP. 8" DIP WATER

EXIST. 12" WATER

EXIST. 8" SAN. SEWER

EXIST. 18" STORM

12" STORM

15" STORM

11" WALL

6" STORM

GUY WIRE

SAN. SERV.

FENCE

EXIST. EDGE OF SHOULDER, TYP.

ROGERS ROAD (N.C.S.R. 2304)

INSET SCALE: 1" = 30'

0 15' 30' 60'

EXIST. 2" ASPHALT PAVEMENT

BUTT NEW ASPHALT TO EXISTING PAVEMENT PER NCDOT STANDARDS AND AS DIRECTED BY NCDOT DISTRICT ENGINEER.

20' PROP.

190.40 (EXIST.)

EXIST. INV. = 548.04

18" STORM

LP

548.12 (PROP.)

GRADE DITCH TO DRAIN TO 18" CULVERT

BEGIN CURB & GUTTER FOR SEC. 1 CONSTRUCTION

PROP. 8" DIP WATER

PROP. 8" DIP WATER

MAYFIELD DR.

DESIGN DETAIL AT ENTRANCE

12 13 14 15 16 17 18 19 20 21 22

560
550
540
530

STA. 14+00.00
GL. INTX MAYFIELD DR.

STA. 12+98.00
END WATER CONSTRUCTION

PROP. 8" DIP WATER MAIN

PROVIDE 4'-0" MIN. COVER, TYP.

STA. 14+18.38
8x8 WATER TEE

STA. 14+45.62
8x6 HYDRANT TEE

STA. 15+22.50
EXIST. 18" RCP STORM
EX. INV. = 548.04

EXIST. CENTERLINE OF ROGERS ROAD

EXIST. GROUND OVER G.L. 8" WATER

PROP. 8" DIP WATER MAIN

PROVIDE 18" MIN. VERT. CLEARANCE BELOW STORM

STA. 19+77.83
G.L. INTX. LACY HOLT ROAD EXTENSION

STA. 19+67.04
8x6 WATER TEE

38 L.F. 16" DIA. STEEL ENCASEMENT

EX. 12" WATER MAIN

PROP. 8" DIP WATER MAIN

EXIST. 8" SAN. SEWER

PROVIDE 4'-0" MIN. COVER, TYP.

STA. 19+50.24
EXIST. SAN. SEWER MANHOLE
EXIST. INV. 8" SAN. = 556.61

PROVIDE 18" MIN. VERT. SEPARATION BETWEEN WATER & EX. SAN. SEWER

STA. 20+11.61
CONNECT TO EXISTING 12" WATER
BEGIN WATER CONSTRUCTION
PROP. 8" DIP WATER ACROSS ROGERS ROAD

STA. 20+41.78
EXIST. SAN. SEWER MANHOLE
EXIST. INV. 8" SAN. = 555.40

0 20' 40' 80' 120' 160'
1" = 40' HORIZONTAL

0 2' 4' 8' 12' 16'
1" = 4' VERTICAL

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER MONTE B. WADE
7/18/16

DESIGNED BY:	MW	REVISIONS	
DETAILED BY	JR	JULY 18, 2016	
CHECKED BY:	HSW		
DATE:	MAY 24, 2016		
SCALE HORIZ.	1" = 40'		
SCALE VERT.	1" = 4'		

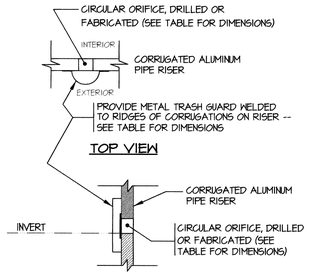
SECTION 1 CONSTRUCTION

FORKS OF ALAMANCE
ROGERS ROAD IMPROVEMENTS
SECTION 1 CONSTRUCTION

SHEET NO.
PP5

BWA Engineers Planners Surveyors
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PO Box 21582 Greensboro, NC 27420-1582
Phone: 336-775-0471 Fax: 336-775-2119
Web: www.borum-wade.com N.C. License #: C-0868

F:\WINDOWS\ROGERS_RD\PP5.dwg



SIDE VIEW

TRASH GUARD DATA TABLE				
BASIN No.	ORIFICE DIA.	INVERT	QUANTITY	GUARD DIMENSIONS (HT. x DIA.)
0	15"	485.00	1	18" x 18"

POND MAINTENANCE AND INSPECTIONS PLAN

ROUTINE MAINTENANCE:

A) MOWING: MOW ALL AREAS SURROUNDING POND AT LEAST ONCE EVERY QUARTER AND MORE OFTEN WHEN REQUIRED DURING THE GROWING SEASON (OWNER TO CONTRACT THIS WORK).

B) DEBRIS REMOVAL: REMOVE ALL TRASH AND DEBRIS FROM POND AND SURROUNDING BANKS. INSPECT ORIFICE FOR TRASH AND IMMEDIATELY REMOVE ANY VEGETATION GROWTH IN RISER AND KEEP THE BARREL OUTLET CLEAR OF TREE LIMBS AND SEDIMENT. INSPECT TWICE A MONTH AND AFTER MAJOR STORMS. (INSPECTION BY OWNER'S REPRESENTATIVE)

C) MINOR SLOPE FAILURES: REPAIR BY FILLING ERODED AREAS WITH SUITABLE MATERIAL, COMPACTING MATERIAL IN PLACE, AND RE-SEED OR SOD. UTILIZE TEMPORARY EROSION CONTROL MEASURES AND DEVICES AS NECESSARY TO RE-STABILIZE REPAIRED AREAS. (OWNER'S REPRESENTATIVE)

D) PERIODIC INSPECTION: PERIODIC INSPECTION - INSPECT POND AFTER ALL MAJOR STORM EVENTS (MORE THAN 2 INCHES OF RAINFALL IN 24 HOURS) OR AFTER EXTENDED PERIODS OF RAIN (MORE THAN 2 TO 3 DAYS). LOOK FOR DAMAGE TO INLET CHANNELS, SPILLWAYS, DEBRIS BUILD-UP AT SPILLWAY AND ERODED OR SLUMPED EMBANKMENTS. (OWNER'S REPRESENTATIVE)

E) TREES AND BRUSH: TREES AND BRUSH SHOULD NOT BE PERMITTED ON EMBANKMENTS, IN SPILLWAYS, AND IN MAINTENANCE ACCESS AREA. REGULAR MOWING WILL PREVENT UNWANTED GROWTH. (OWNER'S REPRESENTATIVE)

F) MISCELLANEOUS ITEMS: EXCESSIVE PLANT GROWTH, ALGAE BLOOMS, ODORS, DISCOLORATION, ANIMAL PESTS, ETC., SHOULD BE ADDRESSED WITH THE GOVERNMENTAL OFFICE HAVING JURISDICTION FOR WATERSHED PROTECTION ON AN AS NEEDED BASIS. SOLUTIONS TO THESE TYPES OF PROBLEMS SHOULD BE NON-CHEMICAL AND DEEMED SAFE FOR DRINKING WATER SUPPLY RESERVOIR APPLICATION.

G) CITY OF GREENSBORO INSPECTIONS: PERIODIC MAINTENANCE INSPECTIONS WILL BE PERFORMED BY THE CITY OF GREENSBORO FOR WATERSHED PROTECTION. THE OWNERS ASSOCIATION SHALL BE NOTIFIED OF THE RESULTS OF THESE INSPECTIONS AND ANY MAINTENANCE REQUIRED.

NON-ROUTINE MAINTENANCE:

THESE MAINTENANCE ITEMS MAY REQUIRE A REGISTERED PROFESSIONAL ENGINEER TO PREPARE A PLAN AND/OR DETAILS AND TO CERTIFY COMPLETION IN ACCORDANCE WITH THE PLAN AND/OR DETAILS. ALL ALL REVISIONS AND REPAIRS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GREENSBORO GUIDELINES AND SPECIFICATIONS.

A) SEDIMENT CLEAN-OUT - SEDIMENT REMOVAL FROM THE POND, FOREBAYS, OR RIP RAP BAFFLES SHALL BE REQUIRED WHEN SEDIMENT DEPOSITION IN THE FOREBAY EXCEEDS THE DESIGNED SEDIMENT STORAGE CAPACITY FOR THE FOREBAY. (IF SEDIMENT BARS ARE VISIBLE NEAR INLET DISCHARGE OR THE SEDIMENT LEVEL AT POND INLET IS LESS THAN ONE FOOT BELOW THE NORMAL SURFACE). DEPTH MEASUREMENTS RELATIVE TO THE NORMAL POOL SHOULD BE TAKEN AT SEVERAL LOCATIONS AROUND THE POND. SEDIMENT MUST BE REMOVED WHEN MEASURED DEPTH IS LESS THAN DESIGN PERMANENT POOL. OWNER'S REPRESENTATIVE TO HIRE CONTRACTOR ACCUSTOMED TO THIS TYPE OF WORK.

B) CHANNEL STABILIZATION - REPAIR SMALL RILLS BY SODDING, RESHAPING AND REVEGETATION OF WATERWAY. FILL BE NECESSARY FOR LARGER FAILURES. MAINTAIN RIP RAP CHANNELS TO PREVENT TREE/BRUSH GROWTH ON BANKS AND BOTTOMS. REPLACE RIP RAP AS REQUIRED TO MAINTAIN DESIGN CAPACITY.

C) PRINCIPAL SPILLWAY - INSPECT SPILLWAYS FOR IMPROPER ALIGNMENT, CRACKS, LEAKS, CORROSION, BLOCKAGE, ETC. SPILLWAY REPAIRS SHALL BE DETAILED, APPROVED, CONSTRUCTED, AND CERTIFIED IN ACCORDANCE WITH CITY OF GREENSBORO GUIDELINES.

D) VALVES AND GATES: OPERATE POND DRAIN VALVE FROM THE FULLY CLOSED TO THE FULLY OPEN POSITION AT LEAST TWICE A YEAR. (OWNERS ASSOCIATION REPRESENTATIVE)

E) DAM FAILURES - FAILURES WHICH ENDANGER THE STRUCTURAL INTEGRITY OR WATERTIGHTNESS OF THE DAM SHALL HAVE A PLAN AND DETAIL PREPARED TO REPAIR SAID DAMAGE.

F) SEEPAGE - SEEPAGE CONTROL MEASURES WILL BE REQUIRED IF THE SAFETY OF THE DAM IS THREATENED. ALL METHODS TO CONTROL SEEPAGE MUST BE DESIGNED TO AND CONSTRUCTED UNDER THE SUPERVISION OF AND CERTIFIED BY A PROFESSIONAL ENGINEER EXPERIENCED WITH DAMS.

POND CONSTRUCTION SEQUENCE

1. SCHEDULE PRE-CONSTRUCTION MEETING WITH ENGINEER AND CITY OF GREENSBORO POND INSPECTOR.
2. INSTALL EROSION CONTROL DEVICES WHERE POSSIBLE. (STONE ENTRANCE, ETC.)
3. CLEAR AREA OF CONSTRUCTION LIMITS.
4. EXCAVATE FOR POND AND BEGIN DAM CONSTRUCTION (SEE NOTES AND DETAILS).
5. INSTALL SPILLWAY (PER DETAILS). POND DRAIN TO REMAIN IN OPEN POSITION.
6. PROVIDE RIP RAP DONUT IN FRONT OF POND DRAIN WHILE IN OPEN POSITION.
7. INSTALL STORM SEWER OUTFALL.
8. SEED REMAINING DISTURBED AREAS.
9. ONCE POND HAS BEEN FINALIZED AND CONSTRUCTION APPROVED, CLOSED DRAIN ON SPILLWAY.

POND EMBANKMENT SPECIFICATION

ALL FILL MATERIAL SHALL BE COMPACTED TO PRODUCE A MINIMUM DEGREE OF COMPACTION OF 95% STANDARD PROCTOR (ASTM D698) FOR NATURAL SOIL FILL MATERIAL (GRANULAR OR CLAYEY). FILL MATERIAL SHALL BE SPREAD IN UNIFORM LIFTS NOT EXCEEDING 6 INCHES IN UNCOMPACTED THICKNESS. BEFORE COMPACTION BEGINS, THE FILL SHALL BE BROUGHT TO OPTIMUM MOISTURE CONTENT FOR COMPACTION. WHEN FILL IS BROUGHT TO FINAL GRADE, THE CONTRACTOR SHALL DRESS THE FILL TO DRAIN AND PREVENT PONDING. THE CUT-OFF TRENCH AND DAM CORE TO BE CONSTRUCTED OF CLAYEY MATERIAL IN ORDER TO PROVIDE IMPERMEABLE CORE WHEN COMPACTION IS COMPLETE. FOLLOW DIRECTIONS OF THE SOILS ENGINEER THROUGHOUT THE INSTALLATION PROCESS.

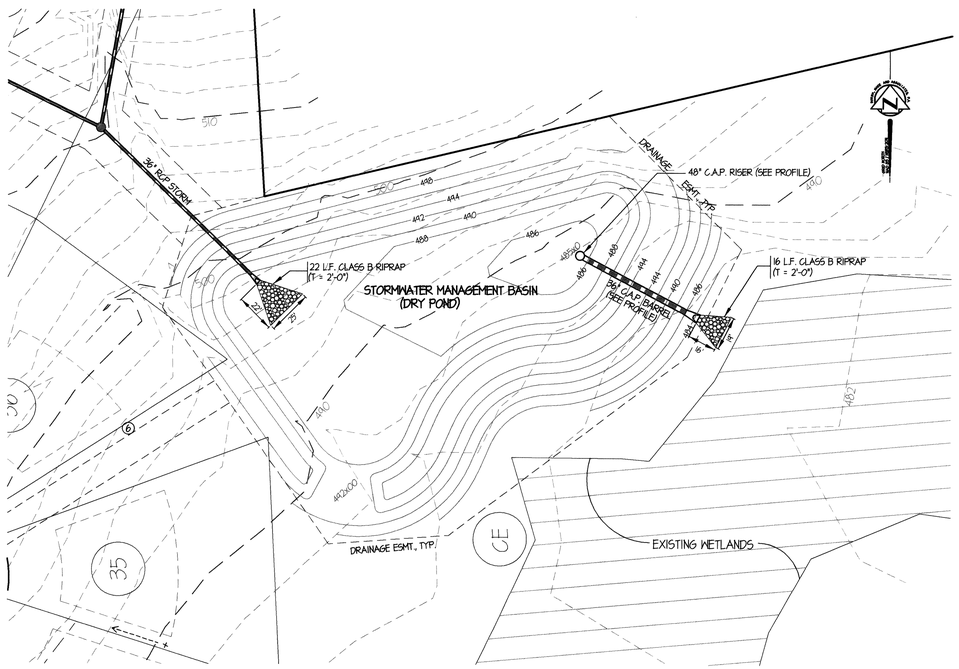
DAM SAFETY NOTE:

THE STORMWATER POND AND DAM SHOWN ON THIS PLAN SATISFIES REQUIREMENTS OF THE NORTH CAROLINA STATE DAM SAFETY LAW OF 1967 (AS AMENDED THROUGH 1993) AND THE RULES AND REGULATIONS AS PRESENTED IN THE NORTH CAROLINA ADMINISTRATIVE CODE TITLE 15A, SUBCHAPTER 2K - DAM SAFETY. EVEN IN THE CASE WHERE THE DAM SHOWN ON THIS PLAN IS DETERMINED BY THE STATE TO BE EXEMPT FROM THE ABOVE NOTED DAM SAFETY REQUIREMENTS, THE POND AND DAM ARE DESIGNED TO BE SAFE AND ADEQUATE FOR THE PROTECTION OF PUBLIC HEALTH, SAFETY, WELFARE, AND DOWNSTREAM PROPERTY. THIS NOTE SHALL NOT RELIEVE THE OWNER OR OPERATOR OF THE POND AND DAM FROM THE LEGAL DUTIES, OBLIGATIONS, AND LIABILITIES ARISING FROM SUCH OWNERSHIP OR OPERATION.

IN ACCORDANCE WITH THE REQUIREMENTS IN ARTICLES GS 143-215.25A AND 143-215.26 OF THE NC DAM SAFETY LAW AND NC ADMINISTRATIVE CODE 15A NCAC 2K.0200, THE REGIONAL ENGINEER IN THE WINSTON-SALEM REGIONAL OFFICE OF THE NC STATE'S LAND QUALITY SECTION HAS BEEN/WILL BE CONTACTED FOR THE DETERMINATION OF WHETHER THE PROPOSED DAM IS GOVERNED BY, OR EXEMPT FROM DAM SAFETY LAW.

METLAND/ENVIRONMENTAL NOTE:

ALL THE NECESSARY APPROVALS HAVE BEEN (WILL BE) OBTAINED FROM STATE & CORPS FOR ANY WETLAND DISTURBANCE AND STREAM CROSSING DISTURBANCE.



STORMWATER BASIN PLAN
SCALE: 1" = 40'

ENGINEER'S CERTIFICATION OF STORMWATER QUANTITY CONTROL

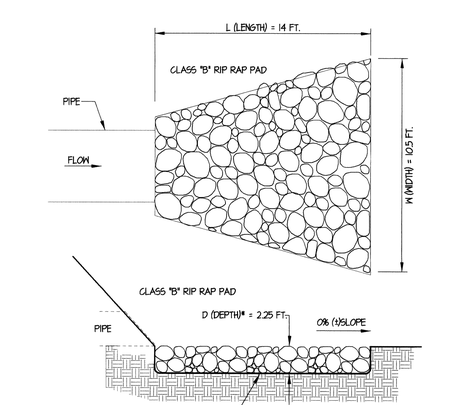
THE STORMWATER CONTROL STRUCTURE SHOWN ON THIS PLAN IS DESIGNED TO REDUCE THE PEAK FLOW RATES IN THE POST-DEVELOPMENT 1-YEAR 24 HOUR STORM EVENT, THE 2-YEAR 24 HOUR STORM EVENT AND THE 10-YEAR 24 HOUR STORM EVENT TO PRE-DEVELOPMENT PEAK FLOW RATES.

P.E. SEAL

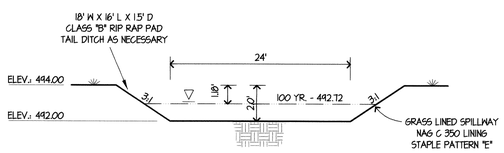
SIGNATURE

DATE 6/28/2016

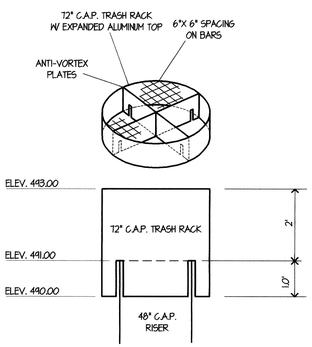
NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER HOMER S. WADE



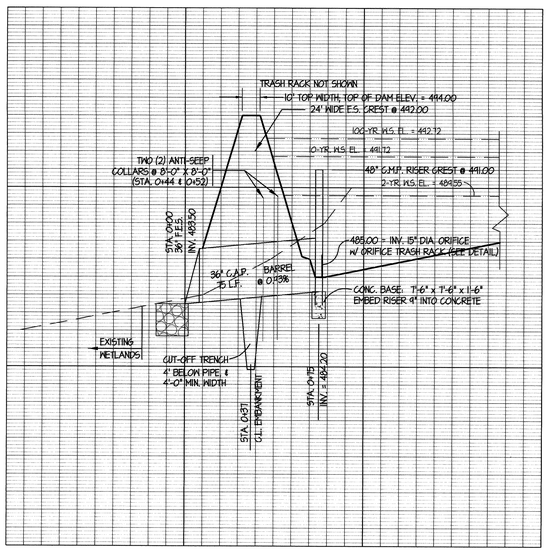
RIP RAP APRON @ BMP PIPE INLET



EMERGENCY SPILLWAY DETAIL
N.T.S.



TRASH RACK DETAIL



PRINCIPAL SPILLWAY PROFILE
HORIZ. SCALE: 1" = 40'
VERT. SCALE: 1" = 4'

BWA Engineers Planners Surveyors
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Web: www.borum-wade.com
N.C. License #: C-0868

SEALS:

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER HOMER S. WADE 6/28/2016

PROJECT:

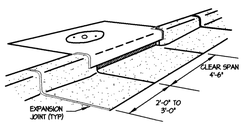
FORKS OF ALAMANCE SUBDIVISION
ROGERS ROAD
GRAHAM TOWNSHIP, ALAMANCE COUNTY
GRAHAM, NORTH CAROLINA

OWNER/DEVELOPER:
CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 9141
GREENSBORO, NC 27429
(336) 282-3535
CONTACT: DAVID MICHAELS

DRAWN BY:	JR
DATE:	MAY 31, 2016
REVISIONS:	

SHEET TITLE:
STORMWATER MGMT. BASIN PLAN & DETAILS

FILE NO: F:\WINDSOR\ROGERS_RD\PP6.dwg
DRAWING SCALE: AS SHOWN
PLAN SHEET NO.
PP6



NOTE:

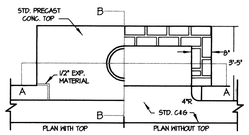
ALL MORTAR JOINTS ARE TO BE 1/2" ± 1/8".

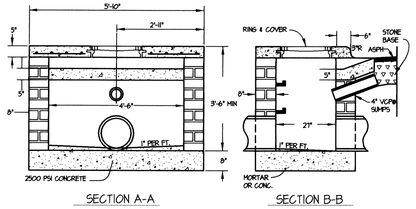
BRICK MASONRY CAN BE STANDARD CLAY BRICK, JUMBO BRICK OR CONCRETE BRICK.

FOR DEPTHS OVER 4'-0" USE STEPS ONLY 3" CENTERS.

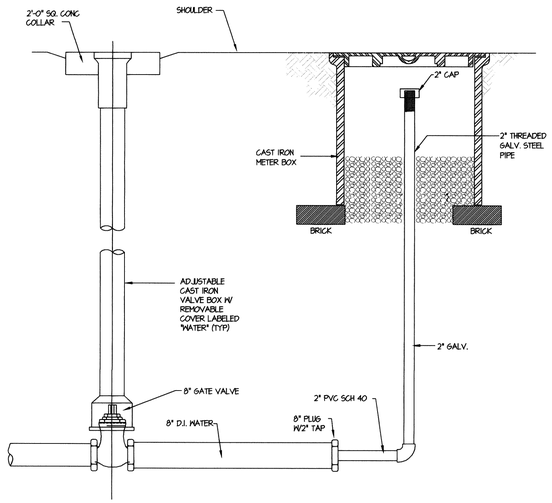
WHEN CONSTRUCTING THE STRUCTURE OVER AN EX. PIPE LINE, SAW CUT AND REMOVE A SECTION OF PIPE EQUAL TO THE INSIDE DIA. OF THE STRUCTURE. POUR A NEW BOTTOM AS SHOWN AND CONSTRUCT THE NEW STRUCTURE. NEW STRUCTURES ARE NOT TO BE BUILT ON TOP OF THE PIPE.

RING & COVER AND STEPS TO BE IN ACCORDANCE WITH THE CITY OF GREENSBORO STANDARDS.

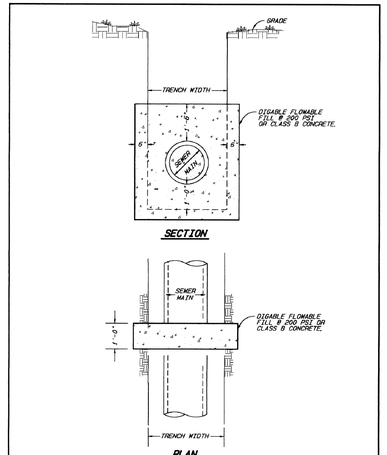




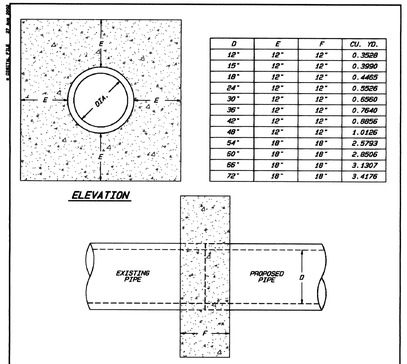
STANDARD CURB INLET



2" BLOW-OFF ASSEMBLY @ SECTION LINE



CITY OF GREENSBORO		
ANTI-SEEP PIPE COLLAR FOR SEWER LINES	STD. NO. 219	REV. 06-15



D	E	F	CU. YD.
12"	12"	12"	0.3528
15"	12"	12"	0.3990
18"	12"	12"	0.4465
24"	12"	12"	0.5526
30"	12"	12"	0.6660
36"	12"	12"	0.7640
42"	12"	12"	0.8856
48"	12"	12"	1.0126
54"	18"	18"	2.5793
60"	18"	18"	2.8506
66"	18"	18"	3.1307
72"	18"	18"	3.4176

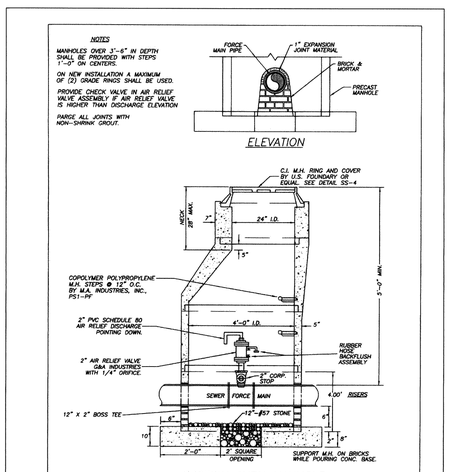
NOTES:

USE PIPE COLLARS FOR EXTENDING EXISTING PIPE CULVERTS AT LOCATIONS SHOWN ON PLANS OR AS DIRECTED BY THE ENGINEER. THIS INCLUDES EXTENDING EXISTING PIPES WITH PIPES OF DIFFERENT MATERIALS OR WHEN INADEQUATE COVER PROHIBITS THE USE OF A PROPER DRAINAGE STRUCTURE. THE TWO PIPES MUST BE THE SAME DIAMETER.

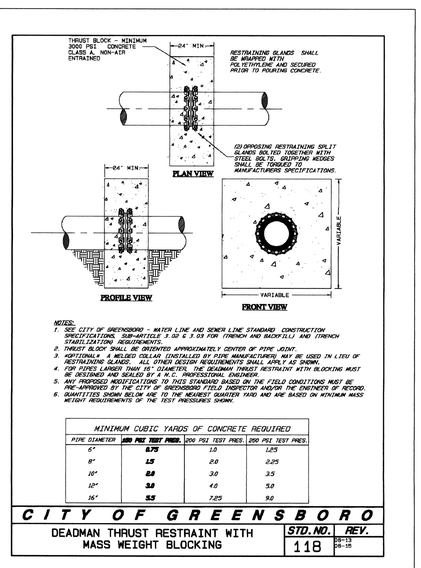
THE PIPE COLLAR SHALL BE CONSTRUCTED OF CLASS "B", 2500 PSI OR BETTER CONCRETE.

USE 12 INCH DIAMETER VALUES FOR PIPE DIAMETERS LESS THAN 12 INCH.

CITY OF GREENSBORO		
STANDARD PIPE COLLAR	STD. NO. 419	REV.



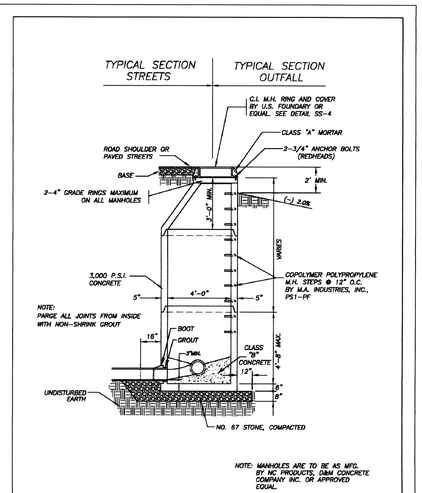
CITY OF GRAHAM		
AIR RELIEF VALVE WITH ASSEMBLY & MANHOLE	DWG NO. T:\DETAILS\GRAHAM\ DETAILS2015 DETAILS\SEWER	SS-3 REV. 2/1/15



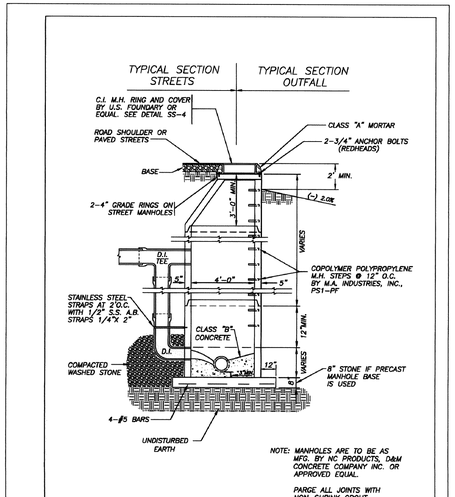
MINIMUM CUBIC YARDS OF CONCRETE REQUIRED

PIPE DIAMETER	400 PSI TEST PRESS.	200 PSI TEST PRES.	250 PSI TEST PRES.
6"	0.75	1.0	1.25
8"	1.5	2.0	2.25
10"	2.0	3.0	3.5
12"	3.0	4.5	5.0
16"	5.5	7.25	9.0

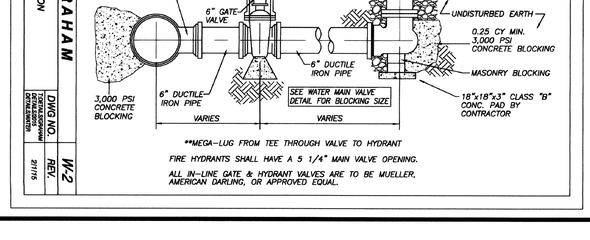
CITY OF GREENSBORO		
DEADMAN THRUST RESTRAINT WITH MASS WEIGHT BLOCKING	STD. NO. 118	REV. 05-15 06-16



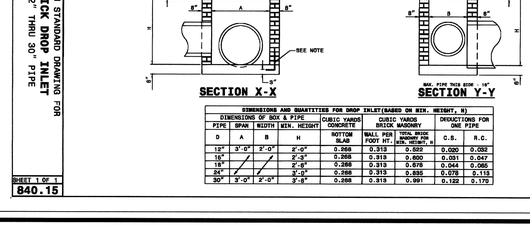
CITY OF GRAHAM		
STANDARD PRECAST MANHOLE	DWG NO. T:\DETAILS\GRAHAM\ DETAILS2015 DETAILS\SEWER	SS-1 REV. 2/1/15



CITY OF GRAHAM		
STANDARD PRECAST DROP MANHOLE	DWG NO. T:\DETAILS\GRAHAM\ DETAILS2015 DETAILS\SEWER	SS-2 REV. 2/1/15



CITY OF GRAHAM		
FIRE HYDRANT INSTALLATION	DWG NO. T:\DETAILS\GRAHAM\ DETAILS2015 DETAILS\WATER	W-2 REV. 2/1/15



ENGLISH STANDARD DRAWING FOR BRICK DROP INLET 12" THRU 30" PIPE	
SHEET 1 OF 1	840.15

BWA Engineers Planners Surveyors

Borum, Wade and Associates, P.

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Web: www.borum-wade.com
N.C. License #: C-0868

SEALS:

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER CHRISTOPHER S. WADE 7/18/16

PROJECT:

FORKS OF ALAMANCE SUBDIVISION

ROGERS ROAD

GRAHAM TOWNSHIP, ALAMANCE COUNTY

GRAHAM, NORTH CAROLINA

OWNER/DEVELOPER:

CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 9147
GREENSBORO, NC 27429
(336) 282-3535
CONTACT: DAVID MICHAELS

DRAWN BY:	JR
DATE:	JUNE 27, 2016
REVISIONS:	JULY 18, 2016

SHEET TITLE:

SITEWORK DETAILS

FILE NO: F:\WINDSOR\ROGERS_RD\D_1.dwg

DRAWING SCALE: AS SHOWN

PLAN SHEET NO.

D-1

SITE NARRATIVE & CONSTRUCTION SEQUENCE

NARRATIVE: THIS SITE IS BEING DEVELOPED AS A SUBDIVISION FOR SINGLE FAMILY RESIDENTIAL HOMES CONSISTING OF 61 SINGLE FAMILY HOMES ALONG WITH ROADS AND UTILITIES.

1. SCHEDULE PRE-CONSTRUCTION MEETING WITH OWNER'S REPRESENTATIVE AND GRADING CONTRACTOR, TO OBTAIN GRADING PERMIT AND DISCUSS CONSTRUCTION SEQUENCE.
2. INSTALL EROSION CONTROL DEVICES, WHERE POSSIBLE (STONE ENTRANCE, SILT FENCE, ETC.)
3. CLEAR PORTION OF SITE TO INSTALL SKIMMER BASINS (3) & SEDIMENT BASIN.
4. CONSTRUCT SKIMMER BASINS (ALL 3) & SEDIMENT BASIN, INCLUDING SKIMMER DEVICE AND TEMP. DIVERSION BERMS.
5. PROVIDE PERMANENT SEEDING ON OUTER SLOPES OF SKIMMER SEDIMENT BASIN & TEMP. DIVERSION BERMS ONCE CONSTRUCTED.
6. STABILIZE ALL TEMPORARY MEASURES UPON INSTALLATION. DEVICES MUST BE STABILIZED WITH VEGETATION WITHIN 7 CALENDAR DAYS FROM INSTALLATION ON PERIMETER AREAS AND SLOPES GREATER THAN 3:1 AND 14 CALENDAR DAYS ON ALL OTHER AREAS.
7. THE CONTRACTOR SHALL PERFORM A SELF-INSPECTION AND CONFIRM THE EROSION CONTROL MEASURES ARE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.

   INITIALS / DATE : _____

8. CLEAN OUT CONTROL MEASURES WHEN SEDIMENT ACCUMULATION REACHES ONE HALF THE DESIGN VOLUME. INSPECT AND MAINTAIN EROSION CONTROL DEVICES FOR DURATION OF CONSTRUCTION. CHECK AND REPAIR DEVICES IN ACCORDANCE WITH N.P.D.E.S. PERMIT AND EROSION CONTROL DESIGN MANUAL.
9. ONCE SEDIMENT BASINS ARE CONSTRUCTED, CLEAR AND GRUB REMAINING SITE.
10. GRADE SITE LEAVING FILL SHORT AS NEED TO ENSURE EROSION CONTROL DEVICES FUNCTION AS REQUIRED. SEDIMENT BASINS TO HAVE FULL VOLUME FOR LIFE OF SEDIMENT TRAP.
11. THE CONTRACTOR SHALL PERFORM A SELF-INSPECTION AND CONFIRM THE EROSION CONTROL MEASURES ARE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.

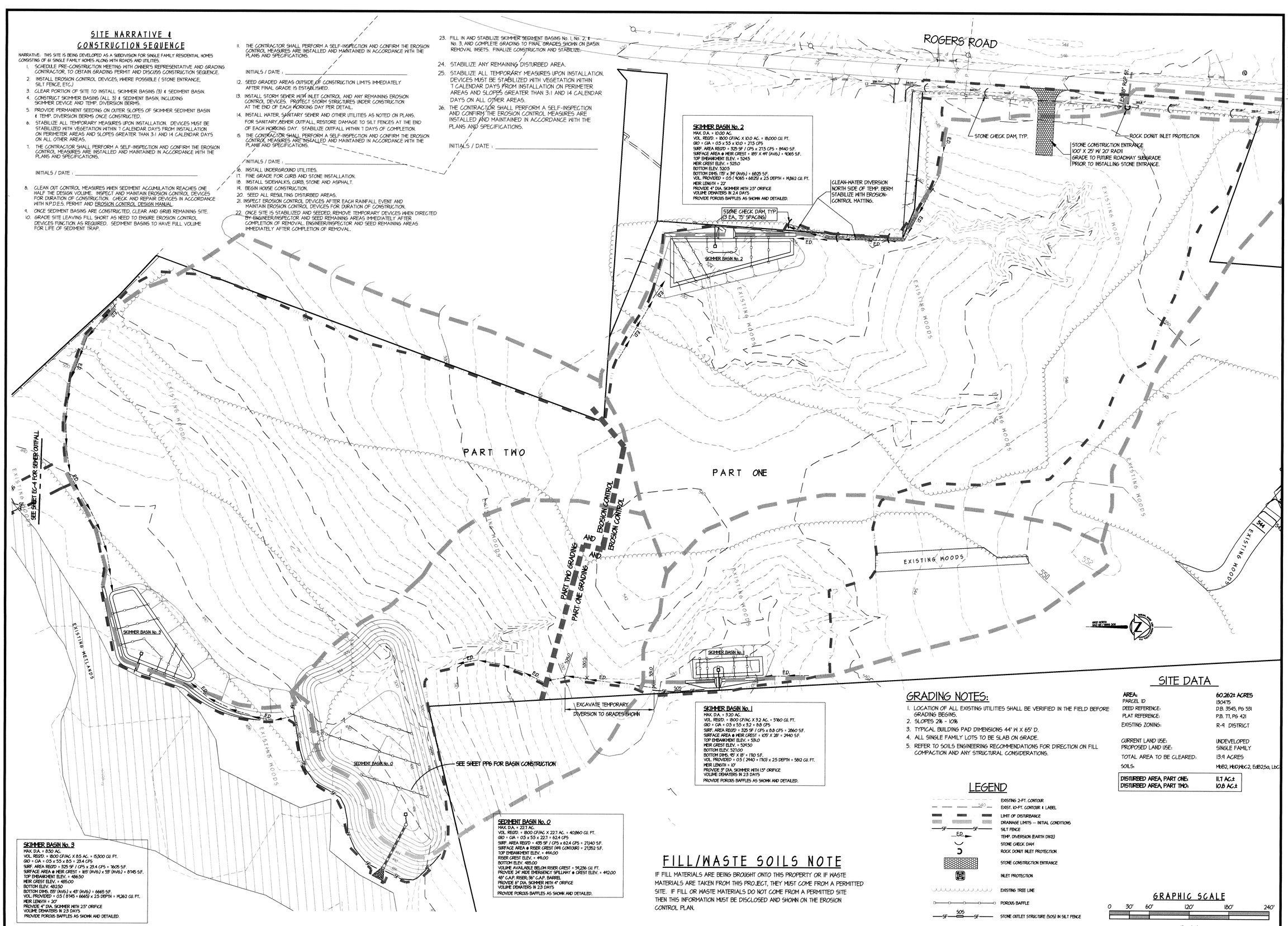
    INITIALS / DATE : _____

12. SEED GRADED AREAS OUTSIDE OF CONSTRUCTION LIMITS IMMEDIATELY AFTER FINAL GRADE IS ESTABLISHED.
13. INSTALL STORM SEWER WITH INLET CONTROL AND ANY REMAINING EROSION CONTROL DEVICES. PROTECT STORM STRUCTURES UNDER CONSTRUCTION AT THE END OF EACH WORKING DAY PER DETAIL.
14. INSTALL WATER, SANITARY SEWER AND OTHER UTILITIES AS NOTED ON PLANS. FOR SANITARY SEWER OUTFALL, RESTORE DAMAGE TO SILT FENCES AT THE END OF EACH WORKING DAY. STABILIZE OUTFALL WITHIN 7 DAYS OF COMPLETION.
15. THE CONTRACTOR SHALL PERFORM A SELF-INSPECTION AND CONFIRM THE EROSION CONTROL MEASURES ARE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.

    INITIALS / DATE : _____

16. INSTALL UNDERGROUND UTILITIES.
17. FINE GRADE FOR CURB AND STONE INSTALLATION.
18. INSTALL SIDEWALKS, CURB, STONE AND ASPHALT.
19. BEGIN HOUSE CONSTRUCTION.
20. SEED ALL RESULTING DISTURBED AREAS.
21. INSPECT EROSION CONTROL DEVICES AFTER EACH RAINFALL EVENT AND MAINTAIN EROSION CONTROL DEVICES FOR DURATION OF CONSTRUCTION.
22. ONCE SITE IS STABILIZED AND SEEDED, REMOVE TEMPORARY DEVICES WHEN DIRECTED BY ENGINEER/INSPECTOR AND SEED REMAINING AREAS IMMEDIATELY AFTER COMPLETION OF REMOVAL. ENGINEER/INSPECTOR AND SEED REMAINING AREAS IMMEDIATELY AFTER COMPLETION OF REMOVAL.
23. FILL IN AND STABILIZE SKIMMER SEDIMENT BASINS No. 1, No. 2, & No. 3, AND COMPLETE GRADING TO FINAL GRADES SHOWN ON BASIN REMOVAL INSETS. FINALIZE CONSTRUCTION AND STABILIZE.
24. STABILIZE ANY REMAINING DISTURBED AREA.
25. STABILIZE ALL TEMPORARY MEASURES UPON INSTALLATION. DEVICES MUST BE STABILIZED WITH VEGETATION WITHIN 7 CALENDAR DAYS FROM INSTALLATION ON PERIMETER AREAS AND SLOPES GREATER THAN 3:1 AND 14 CALENDAR DAYS ON ALL OTHER AREAS.
26. THE CONTRACTOR SHALL PERFORM A SELF-INSPECTION AND CONFIRM THE EROSION CONTROL MEASURES ARE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.

    INITIALS / DATE : _____



SKIMMER BASIN No. 2
MAX. D.A. = 10.00 AC.
VOL. REQ'D. = 1800 CF/AC X 10.0 AC. = 18,000 CU. FT.
Q10 = CIA = .05 x 55 x 10.0 = 27.5 CFS
SURF. AREA REQ'D = 325 SF / CFS x 27.5 CFS = 8940 S.F.
SURFACE AREA @ MEIR CREST = 109' X 28' = 2940 S.F.
TOP EMBANKMENT ELEV. = 524.5
MEIR CREST ELEV. = 520.0
BOTTOM ELEV. 520.0
BOTTOM DIMS. 75' x 39' (AVG.) = 6825 S.F.
VOL. PROVIDED = .05 (1065 + 6825) x 25 DEPTH = 19,862 CU. FT.
MEIR LENGTH = 22'
PROVIDE 4" DIA. SKIMMER WITH 2.5" ORIFICE
VOLUME DEWATERS IN 2.4 DAYS
PROVIDE POROUS BAFFLES AS SHOWN AND DETAILED.

SKIMMER BASIN No. 1
MAX. D.A. = 9.20 AC.
VOL. REQ'D. = 1800 CF/AC X 9.2 AC. = 16560 CU. FT.
Q10 = CIA = .05 x 55 x 9.2 = 25.3 CFS
SURF. AREA REQ'D = 325 SF / CFS x 25.3 CFS = 8220 S.F.
SURFACE AREA @ MEIR CREST = 105' X 28' = 2940 S.F.
TOP EMBANKMENT ELEV. = 531.0
MEIR CREST ELEV. = 524.50
BOTTOM ELEV. 521.00
BOTTOM DIMS. 45' X 18' = 1710 S.F.
VOL. PROVIDED = .05 (2940 + 1710) x 2.5 DEPTH = 5812 CU. FT.
MEIR LENGTH = 10'
PROVIDE 3" DIA. SKIMMER WITH 1.5" ORIFICE
VOLUME DEWATERS IN 2.3 DAYS
PROVIDE POROUS BAFFLES AS SHOWN AND DETAILED.

SEDIMENT BASIN No. 0
MAX. D.A. = 22.1 AC.
VOL. REQ'D. = 1800 CF/AC X 22.1 AC. = 40,860 CU. FT.
Q10 = CIA = .05 x 55 x 22.1 = 62.4 CFS
SURF. AREA REQ'D = 435 SF / CFS x 62.4 CFS = 27,140 S.F.
SURFACE AREA @ RISER CREST (4% CONTOUR) = 27,350 S.F.
TOP EMBANKMENT ELEV. = 494.00
RISER CREST ELEV. = 491.00
BOTTOM ELEV. 485.00
VOLUME AVAILABLE BELOW RISER CREST = 51,236 CU. FT.
PROVIDE 24" HDE EMERGENCY SPILLWAY @ CREST ELEV. = 492.00
48" C.A.P. RISER, 36" C.A.P. BARREL
PROVIDE 6" DIA. SKIMMER WITH 4" ORIFICE
VOLUME DEWATERS IN 2.3 DAYS
PROVIDE POROUS BAFFLES AS SHOWN AND DETAILED.

SKIMMER BASIN No. 3
MAX. D.A. = 8.50 AC.
VOL. REQ'D. = 1800 CF/AC X 8.5 AC. = 15300 CU. FT.
Q10 = CIA = .05 x 55 x 8.5 = 23.4 CFS
SURF. AREA REQ'D = 325 SF / CFS x 23.4 CFS = 7605 S.F.
SURFACE AREA @ MEIR CREST = 165' (AVG.) x 53' (AVG.) = 8745 S.F.
TOP EMBANKMENT ELEV. = 486.50
MEIR CREST ELEV. = 485.00
BOTTOM ELEV. 482.50
BOTTOM DIMS. 155' (AVG.) x 43' (AVG.) = 6665 S.F.
VOL. PROVIDED = .05 (8745 + 6665) x 2.5 DEPTH = 19,262 CU. FT.
MEIR LENGTH = 20'
PROVIDE 4" DIA. SKIMMER WITH 2.5" ORIFICE
VOLUME DEWATERS IN 2.3 DAYS
PROVIDE POROUS BAFFLES AS SHOWN AND DETAILED.

GRADING NOTES:

1. LOCATION OF ALL EXISTING UTILITIES SHALL BE VERIFIED IN THE FIELD BEFORE GRADING BEGINS.
2. SLOPES 2% - 10%
3. TYPICAL BUILDING PAD DIMENSIONS 44' W X 65' D.
4. ALL SINGLE FAMILY LOTS TO BE SLAB ON GRADE.
5. REFER TO SOILS ENGINEERING RECOMMENDATIONS FOR DIRECTION ON FILL COMPACTION AND ANY STRUCTURAL CONSIDERATIONS.

LEGEND

- EXISTING 2-FT. CONTOUR
- EXIST. 10-FT. CONTOUR & LABEL
- LIMIT OF DISTURBANCE
- DRAINAGE LIMITS — INITIAL CONDITIONS
- SILT FENCE
- TEMP. DIVERSION (EARTH DIKE)
- STONE CHECK DAM
- ROCK DONUT INLET PROTECTION
- STONE CONSTRUCTION ENTRANCE
- INLET PROTECTION
- EXISTING TREE LINE
- POROUS BAFFLE
- STONE OUTLET STRUCTURE (505) IN SILT FENCE

FILL/WASTE SOILS NOTE

IF FILL MATERIALS ARE BEING BROUGHT ONTO THIS PROPERTY OR IF WASTE MATERIALS ARE TAKEN FROM THIS PROJECT, THEY MUST COME FROM A PERMITTED SITE. IF FILL OR WASTE MATERIALS DO NOT COME FROM A PERMITTED SITE THEN THIS INFORMATION MUST BE DISCLOSED AND SHOWN ON THE EROSION CONTROL PLAN.

SITE DATA

AREA:	60.262± ACRES
PARCEL ID	130415
DEED REFERENCE:	D.B. 3545, PG 591
PLAT REFERENCE:	P.B. 71, PG 421
EXISTING ZONING:	R-9 DISTRICT
CURRENT LAND USE:	UNDEVELOPED
PROPOSED LAND USE:	SINGLE FAMILY
TOTAL AREA TO BE CLEARED:	13.9 ACRES
SOILS:	MbB2, MbD/MbG2, EdB2.5a, LbC
DISTURBED AREA, PART ONE:	11.7 AC.±
DISTURBED AREA, PART TWO:	10.8 AC.±

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Borum, Wade and Associates, P.A
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21882 Greensboro, NC 27420-1882
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Web: www.borum-wade.com
N.C. License #: C-0868

SEALS:

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER POWERS WADE

PROJECT:

FORKS OF ALAMANCE SUBDIVISION SECTION 1 & 2

ROGERS ROAD
GRAHAM TOWNSHIP, ALAMANCE COUNTY
GRAHAM, NORTH CAROLINA

OWNER/DEVELOPER:
CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 9147
GREENSBORO, NORTH CAROLINA 27429
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CONTACT: DAVID MICHAELS

DRAWN BY:	BWA
DATE:	JUNE 2, 2016
REVISIONS:	JUNE 29, 2016
	JULY 18, 2016

SHEET TITLE:
EROSION CONTROL INITIAL CONDITIONS

FILE NO: F:\WINDSOR\rogers rd\EC_1
DRAWING SCALE: 1" = 60'
PLAN SHEET NO.

EC-1

ROGERS ROAD

STREAM

STONE CHECK DAMS, TYP. (3 EA., 75-FOOT SPACING)

CLEAN-WATER DIVERSION NORTH SIDE OF TEMP. BERM STABILIZE WITH EROSION-CONTROL MATTING.

SKIMMER BASIN No. 2

PART TWO

PART ONE

EROSION CONTROL AND TEMP GRADING PART TWO

EROSION CONTROL AND TEMP GRADING PART ONE

EXISTING WOODS

EXISTING WOODS

SKIMMER BASIN No. 3

SKIMMER BASIN No. 1

SEDIMENT BASIN No. 4

EXISTING WETLANDS

SEE SHEET EC-4 FOR SEWER OUTFALL

LEGEND

- TEMP. STOCKPILE TO PROVIDE SOIL FOR BASIN PHASE-OUT
- EXISTING 2-FT. CONTOUR
- EXIST. 10-FT. CONTOUR & LABEL
- LIMIT OF DISTURBANCE
- DRAINAGE LIMITS -- INITIAL CONDITIONS
- SILT FENCE
- TEMP. DIVERSION (EARTH DIKE)
- STONE CHECK DAM
- ROCK DONUT INLET PROTECTION
- STONE CONSTRUCTION ENTRANCE
- INLET PROTECTION
- PROPOSED 2' CONTOUR
- PROP. 10' CONTOUR
- STONE OUTLET STRUCTURE IN SILT FENCE
- POROUS BAFFLE IN SEDIMENT BASIN

GRAPHIC SCALE

0 30' 60' 120' 180' 240'

1" = 60'

BWA Engineers Planners Surveyors

Borum, Wade and Associates, P.A

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N.C. License #: C-0868

SEALS:

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER HOMER S. WADE

7/18/16

PROJECT:

FORKS OF ALAMANCE SUBDIVISION SECTION 1&2

ROGERS ROAD

GRAHAM TOWNSHIP, ALAMANCE COUNTY
GRAHAM, NORTH CAROLINA

OWNER/DEVELOPER:

CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 9147
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CONTACT: DAVID MICHAELS

DRAWN BY:	BWA
DATE:	JUNE 2, 2016
REVISIONS:	JUNE 29, 2016
	JULY 18, 2016

SHEET TITLE:

GRADING & EROSION CONTROL PLAN

FILE NO: F:\WINDSOR\rogers rd\EC_2

DRAWING SCALE: 1" = 60'

PLAN SHEET NO.

EC-2

SEEDING SPECIFICATIONS

SEEDBED PREPARATION

1. CHISEL COMPACTED AREAS AND SPREAD TOPSOIL THREE INCHES DEEP OVER ADVERSE SOIL CONDITIONS, IF AVAILABLE.
2. RIP THE ENTIRE AREA TO FOUR INCHES DEPTH.
3. REMOVE ALL LOOSE ROCK, ROOTS, AND OTHER OBSTRUCTIONS LEAVING SURFACE REASONABLY SMOOTH AND UNIFORM.
4. APPLY AGRICULTURAL LIME AND FERTILIZER UNIFORMLY AND MIX WITH SOIL (SEE BELOW*).
5. CONTINUE TILLAGE UNTIL A WELL-PULVERIZED, FIRM, REASONABLY UNIFORM SEEDBED IS PREPARED FOUR INCHES DEEP.
6. SEED ON A FRESHLY PREPARED SEEDBED AND COVER SEED LIGHTLY WITH SEEDING EQUIPMENT OR CULTIPACK AFTER SEEDING.
7. MULCH IMMEDIATELY AFTER SEEDING AND ANCHOR MULCH.
8. INSPECT ALL SEEDED AREAS AND MAKE NECESSARY REPAIRS OR RESEEDINGS WITHIN THE PLANTING SEASON, IF POSSIBLE. IF STAND SHOULD BE OVER 60% DAMAGED, REESTABLISH FOLLOWING ORIGINAL LIME, FERTILIZER AND AFTER PERMANENT COVER IS ESTABLISHED.
9. CONSULT CONSERVATION INSPECTOR ON MAINTENANCE TREATMENT AND FERTILIZATION.

APPLY: AGRICULTURAL LIMESTONE - 2 TONS PER ACRE
SOIL AMENDMENTS - 10-10-10 FERTILIZER AT 750 POUNDS/ACRE
- 2,000 LBS/ACRE GROUND AGRICULTURAL LIMESTONE

MULCH - 4,000 POUNDS SMALL GRAIN STRAW PER ACRE
ANCHOR - ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.

SEEDING SCHEDULE

LATE WINTER - EARLY SPRING
A. GRASS:
(1) TALL FESCUE - 150 LBS. PER ACRE.
B. GRASS - LEGUME MIXTURE
(1) TALL FESCUE - 100 LBS. PER ACRE PLUS SEREGIA LESPEDEZA (SCARIFIED) - 60 LBS. PER ACRE.
(2) TALL FESCUE - 100 LBS. PER ACRE PLUS CROWNVETCH - 25 LBS. PER ACRE.

EARLY SPRING - LATE SUMMER
A. GRASS:
(1) TALL FESCUE - 150 LBS. PER ACRE
B. GRASS - LEGUME MIXTURE
(1) TALL FESCUE - 100 LBS. PER ACRE PLUS SEREGIA LESPEDEZA (SCARIFIED) - 60 LBS. PER ACRE.

SUMMER
A. GRASS:
(1) TALL FESCUE - 150 LBS. PER ACRE
(2) TALL FESCUE - 100 LBS PER ACRE PLUS BROWNTOP MILLET OR SORGHUM-SUDAN HYBRIDS -50 LBS. ACRE.

LATE SUMMER - EARLY WINTER
A. GRASS:
(1) TALL FESCUE - 150 LBS. PER ACRE.
B. GRASS - LEGUME MIXTURE
(1) TALL FESCUE - 100 LBS. PER ACRE PLUS SEREGIA LESPEDEZA (UNSCARIFIED) - 60 LBS. PER ACRE.

ADD THE FOLLOWING TO THE THE ABOVE PLANTINGS
BETWEEN MAY 1 AND AUG. 15 ADD 15 LBS/ACRES SUDANGRASS OR 10 LBS/ACRE GERMAN MILLET.
BEFORE MAY 1 OR AFTER AUG. 15, ADD 40 LB/ACRE RYE GRAIN.

TEMPORARY SEEDING SPECIFICATIONS

DEFINITION
SEEDING DISTURBED AREAS WITH GRASSES OR LEGUMES TO PROVIDE TEMPORARY GROUND COVER TO LESSEN SOIL EROSION.

PURPOSE
1. TO TEMPORARILY STABILIZE GRADED CUT AND FILL SLOPES THAT CANNOT BE SEEDED WITH PERMANENT VEGETATION WITHIN THIRTY DAYS AFTER COMPLETION.
2. TO TEMPORARILY STABILIZE GRADED AREAS OF BARE SOIL WHERE PERMANENT VEGETATION COVER IS NOT NEEDED OR WHERE GRADING HAS NOT BEEN COMPLETED AND PERMANENT SEEDING WILL BE DONE LATER.

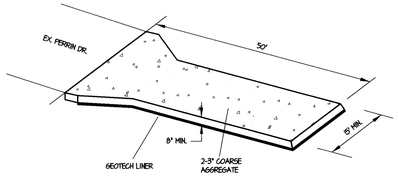
CONDITIONS WHERE PRACTICE APPLIES
WHERE BARE SOIL HAS BEEN EXPOSED BY GRADING, AND VEGETATION COVER IS NEEDED FOR ONE YEAR OR LESS. MAY INCLUDE SUCH AREAS AS TEMPORARY SEDIMENT POND, DIVERSIONS, SOIL STOCKPILES, BUILDING PADS, ROUGH-GRADED ROAD BANKS, ETC. IT IS ALSO USED TO PROVIDE A TEMPORARY PERIMETER BUFFER.

PREPARATION
PREPARE SEEDBED BY RIPPING, CHISELING, HARROWING, OR PLOWING TO DEPTH OF AT LEAST SIX INCHES SO AS TO PRODUCE A LOOSE, FRIABLE SURFACE. INCORPORATE 750-1,000 POUNDS 10-10-10 FERTILIZER AND UP TO TWO TONS OF DOLOMITIC LIME PER ACRE (NOTE: LIME MAY NOT BE NEEDED IF A SOIL TEST INDICATES A PH OF 6.5 OR HIGHER). MULCHING IS REQUIRED ACCORDING TO THE SAME SPECIFICATIONS AS FOR PERMANENT SEEDING UNLESS WAIVED BY SOIL SCIENTIST. SELECT SEEDING MIXTURE AND BEST PLANTING DATES FROM TABLE 12.

TABLE 12
TEMPORARY SEEDINGS

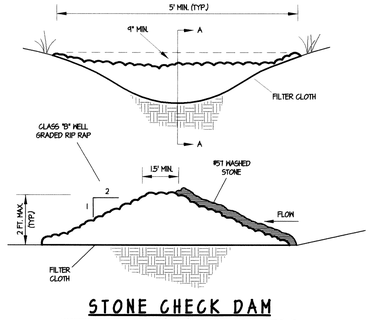
SEEDING MIXTURE	SEEDING RATE (LB/ACRE)	PLANTING DATES
RYE GRAIN AND KOBE LESPEDEZA	120 LBS. 50 LBS.	JAN. 1 - MAY 1
GERMAN MILLET OR SUDAN GRASS	40-50 LBS.	MAY 1 - AUG. 15
RYE (GRAIN) (MAY SUBSTITUTE OATS BEFORE OCT. 1 OR WHEAT FROM OCT. 1 - NOV. 15)	120 LBS.	AUG. 15 - DEC. 30
RYE GRAIN	40 LBS.	AUG. 15 - NOV. 30

1. AFTER SEEDING, THE AREA IS TO BE ROLLED OR CULTIPACKED TO INSURE THAT THE SEED IS PRESSED INTO CONTACT WITH SOIL SURFACE. ALL SEEDED AREAS ARE TO BE MULCHED WITH STRAW MULCH AT THE RATE OF 4,000 LBS. PER ACRE.
2. APPLY ASPHALT EMULSION TO THE STRAW MULCH AT THE RATE OF 150 GALLONS PER ACRE.
3. THE ABOVE SEEDING RECOMMENDATIONS AND RATES HAVE BEEN PREPARED FOR SELECTION OF A VEGETABLE COVER SUITABLE FOR SOIL EROSION CONTROL IN THE HIDSON AREA.
4. AREA SOIL TYPES, CLIMATIC CONDITIONS, SEED AVAILABILITY AND INDIVIDUAL PLANT CHARACTERISTICS ARE ALL TAKEN INTO ACCOUNT IN THE ABOVE RECOMMENDATIONS. DUE TO DENSITY, UNIFORMITY AND TEXTURAL QUALITY REASONS, THE ABOVE SELECTIONS ARE NOT RECOMMENDED FOR LAWN AREA USE.



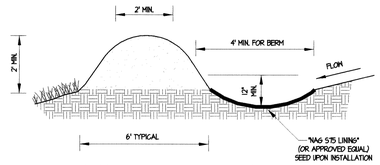
NCDOT STD. #1607.01
STONE CONSTRUCTION ENTRANCE @ STOVALL DRIVE

MAINTENANCE: INSPECT REGULARLY TO ENSURE DEVICE IS FUNCTIONING PROPERLY. REMOVE SEDIMENT ACCUMULATION AS NECESSARY AND ADD ADDITIONAL STONE TO MAINTAIN DESIGN SPECIFICATIONS.



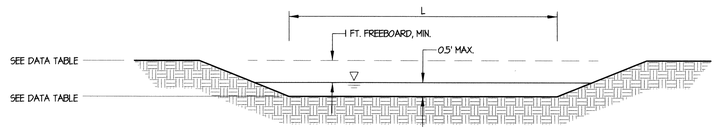
STONE CHECK DAM

MAINTENANCE: INSPECT DEVICE REGULARLY TO ENSURE PROPER FUNCTIONING. REMOVE SEDIMENT ACCUMULATION IN DAM AND REPAIR IF NECESSARY.
LOCATION: INSTALL AT END OF DIVERSION BERMS & LOW SIDE OF STONE CONSTRUCTION ENTRANCE.



DIVERSION BERM / SWALE

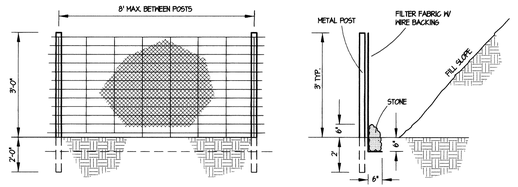
MAINTENANCE: INSPECT DEVICE REGULARLY TO ENSURE PROPER FUNCTIONING. REMOVE SEDIMENT ACCUMULATION IN DITCH AND REPAIR IF NECESSARY.



SEE DATA TABLES, SHEET EC-1, FOR DIMENSIONS & ELEVATIONS.

OVERFLOW WEIR AT SKIMMER BASINS

INSTALL IN ACCORDANCE WITH SECTION 6.64.1 OF THE N.C.D.E.N.R. DESIGN MANUAL.
SEED SKIMMER BASIN AND SPILLWAY IN ACCORDANCE WITH SEEDING SPECIFICATIONS.



1. DRIVE STEEL POST 18" INTO GROUND AND EXCAVATE A 6" X 6" TRENCH UPHILL ALONG THE LINE OF POSTS. MAX. 8' BETWEEN POSTS.
2. ATTACH WIRE FENCE TO POSTS AND EXTEND THE BOTTOM OF THE FENCE 6" INTO THE EXCAVATED TRENCH.
3. ATTACH THE FILTER FABRIC TO THE WIRE FENCE AND EXTEND THE BOTTOM OF THE FABRIC 6" INTO THE TRENCH.
4. BACKFILL THE TRENCH AND COMPACT THE STONE FIRMLY TO ANCHOR THE BOTTOM OF THE SILT FENCE SO THAT THE RUNOFF IS FORCED TO GO THRU THE FENCE AND CANNOT GO UNDER IT.

POST: 5' MIN. LONG, TRIANGLE STEP
8' MAX. SPACING

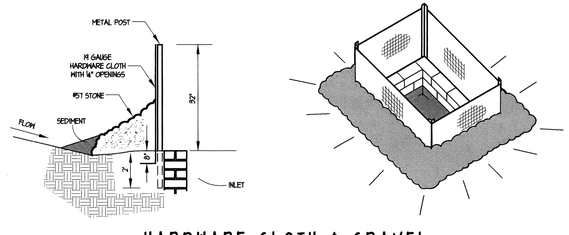
WIRE: 14 GAUGE, MESH SPACING
6 INCHES

STONE: #57 WASHED STONE

SILT FENCE

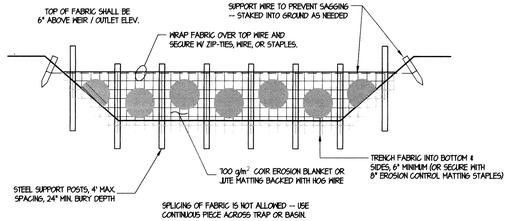
USE AS REQUIRED

MAINTENANCE: INSPECT DEVICE REGULARLY TO ENSURE PROPER FUNCTIONING. REMOVE SEDIMENT ACCUMULATION FROM BEHIND FENCE AND REPAIR IF NECESSARY.



HARDWARE CLOTH & GRAVEL INLET PROTECTION

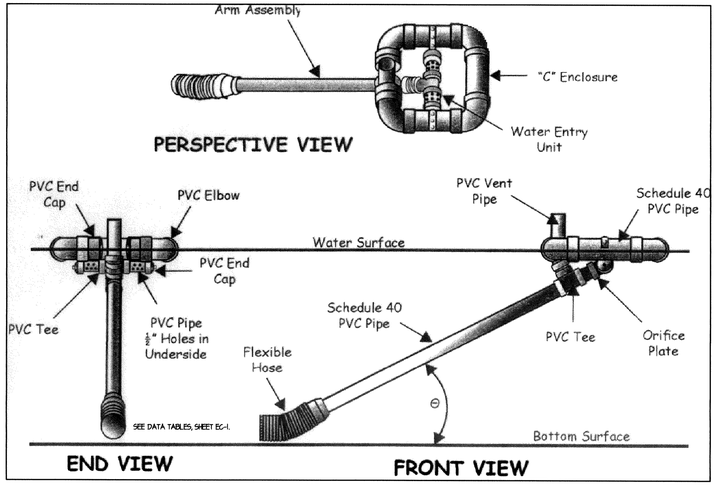
MAINTENANCE: INSPECT DEVICE REGULARLY TO ENSURE PROPER FUNCTIONING. REMOVE SEDIMENT ACCUMULATION FROM BEHIND WIRE AND REPAIR/REPLACE IF NECESSARY.



SPLICING OF FABRIC IS NOT ALLOWED -- USE CONTINUOUS PIECE ACROSS TRAP OR BASIN.

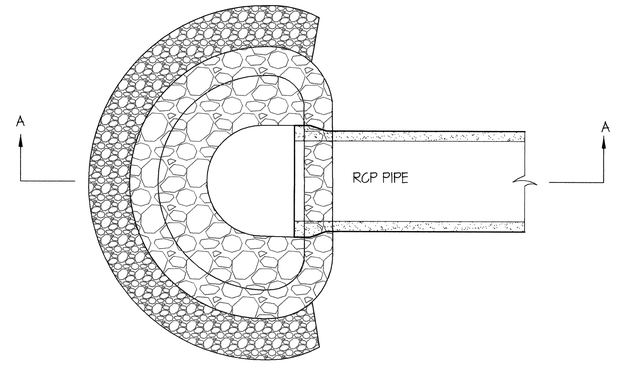
POROUS BAFFLE FOR FILTER BASIN

MAINTENANCE: INSPECT REGULARLY TO ENSURE DEVICE IS FUNCTIONING PROPERLY. REMOVE SEDIMENT ACCUMULATION WHEN BASIN IS ONE HALF FULL AND REPLACE MATERIAL AS NECESSARY.



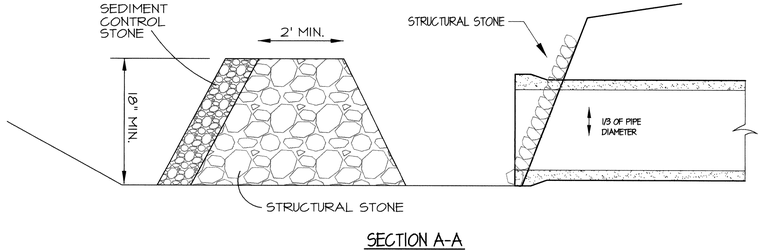
P.V.C. SKIMMER FOR SEDIMENT BASIN

1. SKIMMER TO BE CONSTRUCTED OF SCHEDULE 40 P.V.C. PIPE AS SHOWN.
2. CONNECT SKIMMER TO UNDERDRAIN WITH 90° ELBOW AT END OF FLEXIBLE HOSE .
3. ADDITIONAL P.V.C. PIPE MAY BE REQUIRED FROM INLET TO FLEXIBLE HOSE AT SKIMMER TO ENSURE SKIMMER ASSEMBLY IS LOCATED OUTSIDE OF EMBANKMENT.
4. SKIMMER TO BE CONSTRUCTED IN ACCORDANCE WITH SECTION 6.64 OF THE STATE OF NORTH CAROLINA EROSION AND SEDIMENT CONTROL PLANNING AND DESIGN MANUAL.
5. SEE DATA TABLES, SHEET EC-1, FOR SKIMMER PIPING AND ORIFICE SIZES.



PLAN

STRUCTURAL STONE SHALL BE (CLASS "B") STONE FOR EROSION CONTROL PURPOSES.
SEDIMENT CONTROL STONE SHALL BE NO. 5 OR NO. 57 STONE.



SECTION A-A

ROCK DONUT INLET PROTECTION

MAINTENANCE REQUIREMENTS: CONTRACTOR IS TO PERIODICALLY INSPECT AND REPLACE WHEN DAMAGED.

SEE SHEET EC-4 FOR DETAIL OF SILT FENCE WITH STONE OUTLET STRUCTURE

BWA Engineers Planners Surveyors
Borum, Wade and Associates, P.A.
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21882 Greensboro, NC 27420-1882
Phone: 336-275-0471 Fax: 336-275-5719
Web: www.borum-wade.com
N.C. License #: C-0868

SEALS:

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER HOWARD S. WADE
7/8/16

PROJECT:

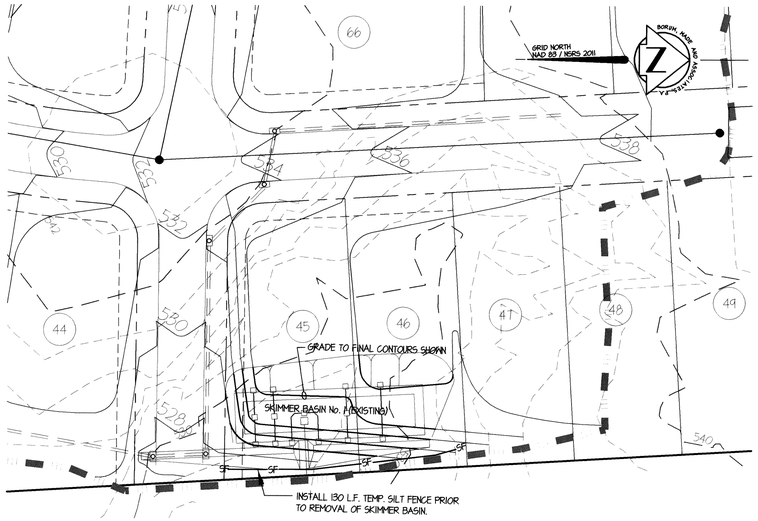
FORKS OF ALAMANCE SUBDIVISION
ROGERS ROAD
GRAHAM TOWNSHIP, ALAMANCE COUNTY
GRAHAM, NORTH CAROLINA

OWNER/DEVELOPER:
CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 4147
GREENSBORO, NC 27429
(336) 282-3535
CONTACT: DAVID MICHAELS

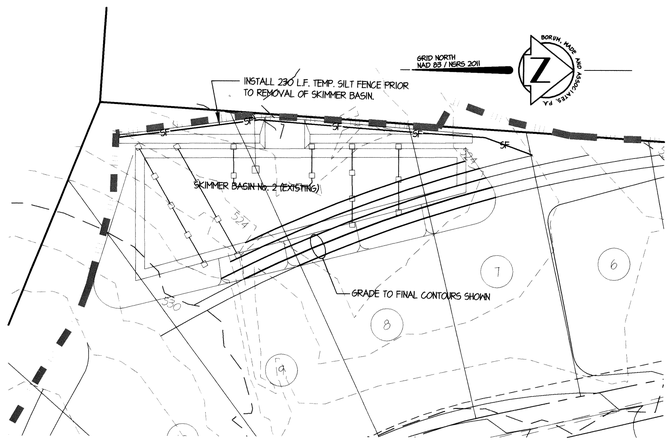
DRAWN BY:	JR
DATE:	JUNE 2, 2016
REVISIONS:	JULY 18, 2016

SHEET TITLE:
EROSION CONTROL DETAILS AND SPECS

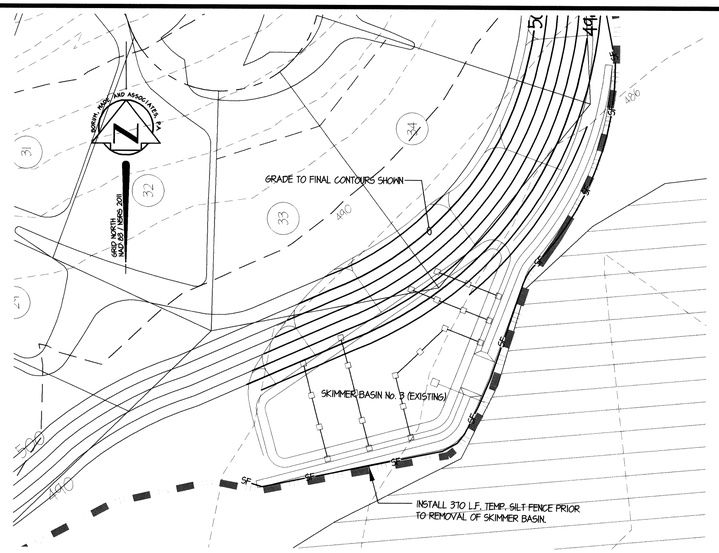
FILE NO: F:\WINDSOR\ROGERS_RD\EC_3.dwg
DRAWING SCALE: AS SHOWN
PLAN SHEET NO.
EC-3



INSET -- REMOVAL OF SKIMMER BASIN No. 1



INSET -- REMOVAL OF SKIMMER BASIN No. 2



INSET -- REMOVAL OF SKIMMER BASIN No. 3

LEGEND

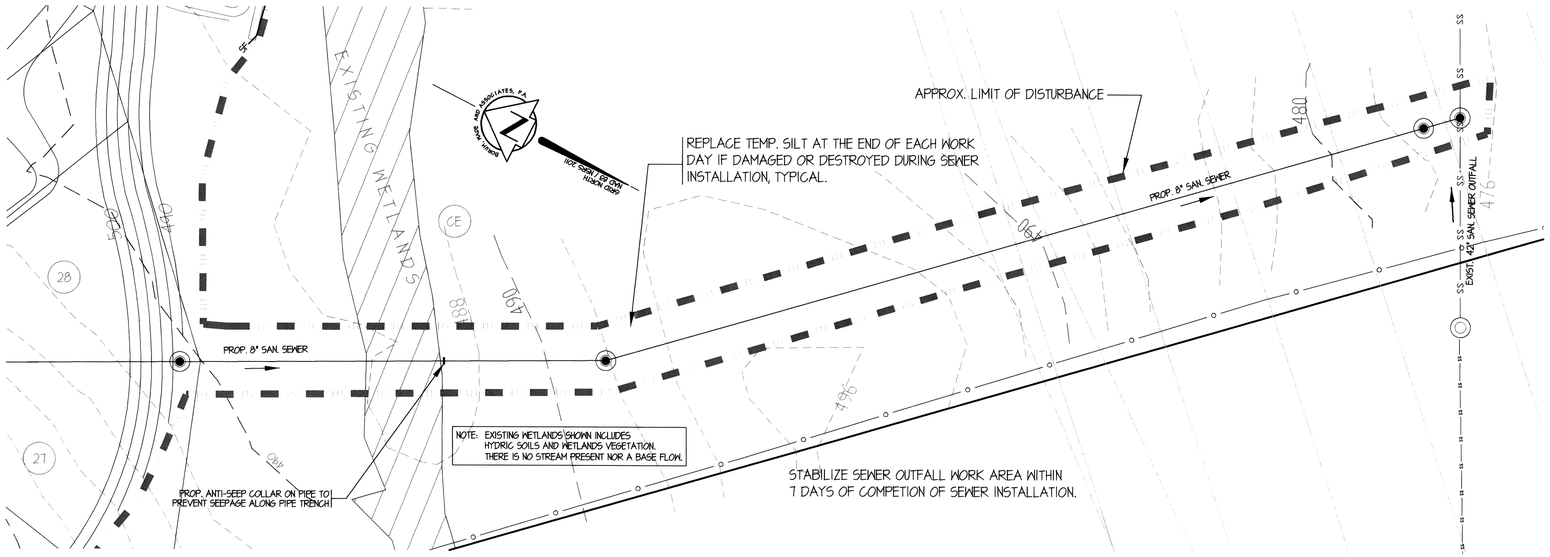
SILT FENCE

LIMIT OF DISTURBANCE

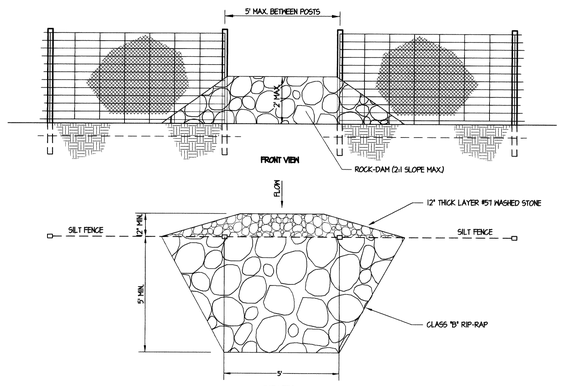
GRAPHIC SCALE

0 20' 40' 80' 120' 160'

1" = 40'



INSET -- EROSION CONTROL FOR SANITARY SEWER OUTFALL CONSTRUCTION



SILT FENCE W/ STONE OUTLET STRUCTURE

1. ROCK DAM TO BE 2' HIGH WITH 2 TO 1 SIDE SLOPES.
2. EXCAVATE FOUNDATION FOR ROCK DAM A MIN. 5' WIDE, 1' DEEP AND 5' LONG ON LEVEL GRADE.
3. INSPECT FENCES WEEKLY AND AFTER RAINFALL EVENTS. REPAIRS SHALL BE MADE IMMEDIATELY.
4. REMOVE SEDIMENT DEPOSITS AS NECESSARY TO ENSURE ADEQUATE STORAGE VOLUMES.
5. SEE SILT FENCE DETAIL FOR SPECIFICS ON SILT FENCE.

BWA Engineers Planners Surveyors
Borum, Wade and Associates, P.A
621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
PO Box 21882 Greensboro, NC 27420-1882
Phone: 336-775-0471 Fax: 336-775-3719
Web: www.borum-wade.com
N.C. License #: C-0868

SEALS:

NORTH CAROLINA PROFESSIONAL SEAL 10771 ENGINEER HOMER S. WADE

PROJECT:

FORKS OF ALAMANCE SUBDIVISION SECTION 1&2

ROGERS ROAD

GRAHAM TOWNSHIP, ALAMANCE COUNTY

GRAHAM, NORTH CAROLINA

OWNER/DEVELOPER:

CENTRAL ALAMANCE SCENIC HOUSING, LLC
PO BOX 9147
GREENSBORO, NORTH CAROLINA 27429
(336) 282-3535
CONTACT: DAVID MICHAELS

DRAWN BY:	BWA
DATE:	JUNE 2, 2016
REVISIONS:	JUNE 29, 2016
	JULY 18, 2016

SHEET TITLE:

EROSION CONTROL DETAILS AND INSETS

FILE NO: F:\WINDSOR\rogers rd\EC_4

DRAWING SCALE: 1" = 40'

PLAN SHEET NO.

EC-4

CITY OF GRAHAM

RELEASE ACCOUNTS

DECEMBER

ACCT #	YEAR	NAME	REASON FOR RELEASE	AMOUNT RELEASED
694437	2021	WELLS FARGO VENDOR FINANCIAL	ASSETS MOVED TO ANOTHER ACCOUNT	$66.54

TOTAL RELEASES ***$66.54***

STAFF REPORT

SUBJECT:	SOURCE WATER RESILIENCY AND RESPONSE PLAN NOTIFICATION
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER/ TONYA MANN, PUBLIC UTILITIES DIRECTOR

REQUESTED ACTION:

Provide notification to City Council in accordance with the Source Water Resiliency and Response Plan creation and implementation.

BACKGROUND/SUMMARY:

Source water is the untreated water from streams, rivers, lakes, or groundwater aquifers that are sources of public drinking water. Water from the source undergoes many treatment processes before it reaches the consumer. Protection of these sources of drinking water can reduce the extent and expense of water treatment needed for drinking water. NC's drinking water programs are based on the federal programs of the U.S. Environmental Protection Agency.

On January 1, 2019, a new rule went into effect that mandates Source water protection (SWP) planning for all public water supply systems that treat and supply water from surface sources. In accordance with 15A NCAC 18C .1305 (a): in compliance with G.S. 130A-320, every supplier of water operating a public water system treating and furnishing water from a surface water source shall create and implement a Source Water Protection Plan. For the purposes of this Rule, the Source Water Protection Plan required by G.S. 130A-320 shall be referred to as a Source Water Resiliency and Response Plan (SWRRP). Additionally, as per 15A NCAC 18C .1305 (i), the supplier of water shall certify that a SWRRP has been created and implemented, and that the water system's governing body has been advised of the SWRRP creation and implementation.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

N/A. The City of Graham has created and implemented our SWRRP as required and it may be reviewed upon request.

SUGGESTED MOTION(S):

No action by Council is needed.

STAFF REPORT

SUBJECT:	COPS OFFICE HIRING PROGRAM SOLICITATION
PREPARED BY:	CAPTAIN DANIEL SISK

REQUESTED ACTION:

The Graham Police Department is requesting that the council approve the hiring of 6 police officers for a COPS grant issued by the US Department of Justice. The grant would require continuation funding for a minimum of 12 months at the conclusion of the grant cycle.

BACKGROUND/SUMMARY:

The US Department of Justice has issued a discretionary grant to fund 6 full time police officers for the purpose of community oriented policing services. The grant funding provides $750,000 over a 3-year period. The goal of the COPS hiring program is to provide funding directly to law enforcement agencies to hire and/or rehire additional career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts. Program awards include engagement in planned community partnerships, implementation of projects to analyze and assess problems, implementation of changes to personnel and agency management in support of community policing, and increase capacity of agency to engage community policing activities.

METHODOLOGY

The grant will fund up to 75% of the entry level salary of an officer for 3 years with a max payment of $250,000 annually ($750,000 total for the 3-year period). The grant funding is available for up to 5 years to allow for recruiting and hiring. The grant requires at least a 25% percent cash match by the awarded agency and a stipulation that the positions are to be funded for at least one year at the conclusion of the grant cycle. The grant has an approval date of 10/01/2021. Therefore, it will be funded until 09/31/2026.

BENEFITS

This program allows for the needed increase in personnel at the police department while remaining fiscally responsible. The temporary funding allows for future growth and revenue

generating strategies while meeting the demand for police service within the city. The addition of these career officers will allow our agency to meet the community needs of legitimacy, transparency and trust.

COSTS

We are requesting the funding of six full time officers. The median salary for an entry level officer is $44,789. When benefits are added it increases that cost to $66,132. The annual cost for 6 officers is $396,792. The Grant funded portion would be $250,000 annually. The City's grant match funding would be $146,792 annually. The 3-year total cost for the city would be $440,376. The city is funding more than 25 percent of the annual cost due to the annual cap of the Federal grant. In other words, the annual salary with benefits would have to be $55,555 in order for the city to only fund 25 percent of the awarded grant funding. So, our median salary is approximately $10,577 more than the allotted grant funding allows.

CONCLUSION

This grant provides a way to increase the workforce quickly and allows time for city officials to gradually increase revenue to fully fund the needed positions. It also will provide the needed positions to better engage with our community members to increase agency trust and legitimacy.

FISCAL IMPACT:

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S)

STAFF REPORT

SUBJECT:	PLANNING BOARD APPOINTMENT FOR VACANCY
PREPARED BY:	

REQUESTED ACTION:

Appointment of new Planning Board member to fill current vacancy.

BACKGROUND/SUMMARY:

The Planning Board has requested the City Council to appoint someone to fill the current vacancy on their board. The City Clerk currently has applications on file, which all applications who have not been appointed to the board are attached to this report. There are two members that have applied that currently sit on one other board and have not met the maximum number of two boards per policy.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move to appoint (State their name) to fill the current vacancy for the Planning Board.

I move to table this discussion to next meeting.

CITY OF GRAHAM

VOLUNTEER BOARD & COMMISSION APPLICATION

The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Shanelle Harvey
Email Address: shanelleh1997@gmail.com
Home Address: 1085 Ivey Rd, Apt H
Mailing Address: Same
City, State, Zip: Graham
City, State, Zip: 27253
Home Phone: 3362638769
Alternate Phone: N/A

Please list the board(s) and/or commissions on which you are currently serving:

None

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- [ ] *Alcohol Beverage Control Board*
- [ ] *Appearance Commission*
- [ ] *Canine Review Board*
- [1] *Graham Housing Authority*
- [ ] *Historical Museum Advisory Board*
- [ ] *Historic Resources Commission*
- [2] *Planning Board/Board of Adjustment*
- [ ] *Recreation Commission*
- [ ] *Tree Board*

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.

RELEVANT EXPERIENCE

Current employer/retired: Allen Tate Realtors
Employer address: 3315 Garden Rd
City, State, Zip: Burlington, NC 27215

Job title and description of responsibilities:

I am a Real Estate Agent/Broker/Realtor. I help clients in the Triad and surrounding areas by preparing them to get their homes ready for the market and through the sale process. I also assist buyer clients in the purchase of homes, which includes helping them through the negotiation, contract, inspections and closing process.

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- [ ] History
- [ ] Architecture
- [x] Research
- [x] Program Development
- [ ] Historical Preservation
- [ ] Event Planning
- [ ] Landscape Design
- [ ] Gardener/Arborist
- [x] Adaptability
- [ ] Legal
- [ ] Graphic Design
- [x] Creativity
- [x] Marketing/Social Media
- [x] Economic Development
- [x] Community Organizing
- [ ] Athletics/Sports
- [x] Problem Solving
- [x] Interpersonal Skills
- [x] Critical Thinking
- [x] Data Analysis
- [x] Active-Listening
- [x] Effective Communication
- [x] Education & Outreach
- [x] Conflict Resolution
- [x] Time Management
- [ ] Other: _____

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

I am a former employee of Graham Housing Authority. I resigned from the position of Section 8 Coordinator on good terms to pursue my new career in Real Estate in January 2019. I understand the processes and procedures within the Housing Authority and have a passion for helping my community on a variety of levels. I believe my experience of working in the private and public sector has provided me with the expertise and skills necessary to further give support to my community in many areas.

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

- [ ] Yes
- [■] No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

- [ ] Yes
- [■] No

Additional relevant information:

For Office Use Only
Date Received:

RECEIVED
MAY 28 2021
CITY OF GRAHAM

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dsperry@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

CITY OF GRAHAM

VOLUNTEER BOARD & COMMISSION APPLICATION

The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Melissa "Clay" Barnes

Email Address: mcbarnes@camsys.com

Home Address: 602 Providence Road

Mailing Address: 602 Providence Road

City, State, Zip: Graham, NC 27253

City, State, Zip: Graham, NC 27253

Home Phone: 773-612-1495

Alternate Phone:

Please list the board(s) and/or commissions on which you are currently serving:

None

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- [ ] *Alcohol Beverage Control Board*
- [ ] *Appearance Commission*
- [ ] *Canine Review Board*
- [2] *Graham Housing Authority*
- [ ] *Historical Museum Advisory Board*
- [ ] *Historic Resources Commission*
- [1] *Planning Board/Board of Adjustment*
- [ ] *Recreation Commission*
- [ ] *Tree Board*

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.

RELEVANT EXPERIENCE

Current employer/retired: Cambridge Systematics

Employer address:

City, State, Zip: Medford, Massachusetts

Job title and description of responsibilities:

Senior Planning Analyst. In charge of project management and data analysis for transportation planning.

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- [ ] History
- [ ] Architecture
- [x] Research
- [x] Program Development
- [ ] Historical Preservation
- [ ] Event Planning
- [ ] Landscape Design
- [ ] Gardener/Arborist
- [ ] Adaptability
- [ ] Legal
- [x] Graphic Design
- [ ] Creativity
- [x] Marketing/Social Media
- [x] Economic Development
- [ ] Community Organizing
- [ ] Athletics/Sports
- [ ] Problem Solving
- [x] Interpersonal Skills
- [ ] Critical Thinking
- [x] Data Analysis
- [ ] Active-Listening
- [x] Effective Communication
- [x] Education & Outreach
- [ ] Conflict Resolution
- [x] Time Management
- [ ] Other: _____

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

- [ ] Yes
- [x] No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

- [x] Yes
- [ ] No

Additional relevant information:

For Office Use Only
Date Received:
RECEIVED
JAN 09 2021
CITY OF GRAHAM

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dsperry@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

STAFF REPORT

Prepared by Justin Snyder, Planning Director

Text Amendment for: Revision to Criminal Penalties

Type of Request: Text Amendment

Meeting Dates
Planning Board on November 16, 2021
City Council on December 14, 2021

Contact Information
N/A

Project Name
Criminal Penalties (AM2104)
Location
city-wide
Current Zoning
not applicable
Proposed Zoning
not applicable
Overlay District
not applicable
Staff Recommendation
Approval

Summary

The State of North Carolina recently passed the Criminal Reform Omnibus Bill (SB300). As part of this approval, theState has modified local jurisdictions' authority to assess criminal penalties in the Development Ordinance with limited exceptions. As a result, the City staff in coordination with the City attorneys, have proposed the following as a simplified way of addressing the current deficiencies in our Ordinance.

Existing Language:

Section 10.43 Penalties

Misdemeanor. Violation of this ordinance shall constitute a misdemeanor, punishable as provided as G.S. 14-4.

Civil Penalty. Any violation of this ordinance shall also subject the offender to a civil penalty of $100. Ifthe offender fails to pay the penalty within 10 days of receiving final written notice of a violation, the penalty may be recovered by the City in a civil action in the nature of a debt. A civil penalty may not beappealed to the Board of adjustment if the offender received a final written notice of violation and did not appeal to the Board of adjustment within a reasonable time. Each day that any violation continuesafter receipt of the final written notice of such violation shall constitute a separate violation and a separate offense for purposes of the penalties and remedies specified herein.

Action to Abate or Restrain. In addition to the penalties and remedies above, the City may institute any appropriate action or proceedings to prevent, restrain, correct or abate a violation of this ordinance.

Section 10.44 Administration, enforcement generally

The zoning enforcement officer (ZEO) shall administer and enforce this article. The ZEO may be provided

with the assistance of such other persons as the City manager may direct. If the zoning enforcement officer shall find that any of the provisions of this article are being violated, they shall notify in writing the person responsible for such violation, indicating the nature of the violation and order the action necessary to correct that violation. Notices of Violation shall be provided in conformance with statutory procedures as described in 160D-404(a). The ZEO shall order the discontinuance of illegal use of land, buildings, or structures; the removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; or the discontinuance of any illegalwork being done; and the ZEO shall take any other action authorized by this article to insure compliancewith, or to prevent violation of, its provisions.

When the Zoning Enforcement Officer inspects a property, they must enter the premises during reasonable hours and upon presenting credentials; the ZEO must have consent of premises owner or an administrate inspection warrant to inspect areas not open to the public, as described in 160D-403(e).

SECTION 10.372 PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a Class 1 misdemeanor pursuant to NC G.S. § 143-215.58. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than $100.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Graham from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 10.521 Remedies and Penalties

The remedies and penalties provided for violations of this ordinance, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

a) Remedies

(1) Withholding of Certificate of Occupancy. The Stormwater Administrator or other authorized agent may refuse to issue a certificate of occupancy for the building or other improvements

constructed or being constructed on the site and served by the stormwater practices in question until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

(2) Disapproval of Subsequent Permits and Development Approvals. As long as a violation of this ordinance continues and remains uncorrected, the Stormwater Administrator or other authorized agent may withhold, and the Planning board of the City of Graham may disapprove, any request for permit or development approval or authorization provided for by this ordinanceor the Planning board of the City of Graham for the land on which the violation occurs.

(3) Injunction, Abatements, etc. The City council, may institute an action in a court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement to correct a violation of this ordinance. Any person violating this ordinance shall be subject to the full range of equitable remedies provided in the General Statutes or at common law.

(4) Correction as Public Health Nuisance, Costs as Lien, etc. If the violation is deemed dangerous or prejudicial to the public health or public safety and is within the geographic limits prescribed by North Carolina G.S. § 160A-193, the Stormwater Administrator, with the authorization of the City council, may cause the violation to be corrected and the costs to be assessed as a lien against the property.

(5) Stop Work Order. The Stormwater Administrator may issue a stop work order to the person(s) violating this ordinance. The stop work order shall remain in effect until the person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein. The stop work order may be withdrawn or modified to enable the person to take the necessary remedial measures to cure such violation or violations.

b) Civil Penalties. Violation of this ordinance may subject the violator to a civil penalty to be recovered in a civil action in the nature of a debt if the violator does not pay the penalty within 30 days after notice of the violation is issued by the Stormwater Administrator. Civil penalties may be assessed up to the full amount of penalty to which the City of Graham is subject for violations of its Phase II Stormwater permit.

c) Criminal Penalties. Violation of this ordinance may be enforced as a misdemeanor subject to the maximum fine permissible under North Carolina law.

Section 10.579 Compliance and Enforcement

A. Site Inspections

1. Agents, officials, or other qualified persons authorized by the City of Graham may periodically inspect riparian buffers to ensure compliance with this ordinance.

2. Notice of the right to inspect shall be included in the letter of approval of each variance and buffer authorization.

3. Authority to Enter Property and Conduct Investigations and Inspections. Authorized agents, officials or other qualified persons shall have the authority, upon presentation of proper credentials, to enter and inspect at reasonable times any property, public or private, for the purpose of investigating and inspecting the site of any riparian buffer. No person shall willfully resist, delay, or obstruct an authorized representative, employee, or agent of the City of Graham, while that person is inspecting or attempting to inspect a riparian buffer nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out their official duties. The City of Graham shall have the power to conduct such investigations as deemed reasonably necessary to carry out the duties as prescribed in this Ordinance.

4. Notice of Violation

    a. If it is determined that a person has failed to comply with the requirements of this Ordinance, or rules, or orders adopted or issued pursuant to this Ordinance, a notice of violation shall be served upon that person. The notice may be served by any means authorized under G.S. 1A-1, rule 4. In the event service cannot be accomplished by registered or certified mail, it may be accomplished in any manner provided in rule (4) of the North Carolina Rules of Civil Procedure.

    b. The notice shall specify the violation and inform the person of the actions that need to be taken to comply with this Ordinance, or rules or orders adopted pursuant to this Ordinance. The notice shall direct the person to correct the violation within a specified reasonable time. The notice shall inform the person that any person who violates or fails to act in accordance with any of the provisions of this Ordinance or rules or orders adopted or issued pursuant to this Ordinance is subject to the civil and criminal penalties and other enforcement actions as provided in this Ordinance.

5. Power to Require Statements. The City of Graham shall also have the power to require written statements, or the filing of reports under oath, with respect to pertinent questions relating to land-disturbing activities.

B. Civil Penalties

1. Assessment of Penalties. Any person who violates or fails to act in accordance with any of the provisions of this Ordinance or rules or orders adopted or issued pursuant to this Ordinance shall be subject to a civil penalty. A civil penalty for a violation may be assessed in an amount not to exceed ten thousand dollars ($10,000) per day. If any violation for which a penalty may be assessed is continuous, a civil penalty may be assessed for each day of the violation in an amount not to exceed twenty-five thousand dollars ($25,000) per day for as long as the violation occurs. Each day of a continuing violation shall constitute a separate violation under Section 10.579(B)(1).

2. Notice of Civil Penalty Assessment. The governing body of the City of Graham shall provide written notice of the civil penalty amount and the basis for the assessment to the person assessed. The notice of civil penalty assessment shall be served by any means authorized under G.S. 1A-1, Rule 4, and shall direct the violator to either pay the assessment or contest the assessment, within thirty (30) days after receipt of the notice of assessment by written demand for a hearing.

3. Hearing. A hearing on the civil penalty shall be conducted by the City of Graham City council within 30 days after the date the written demand for the hearing is received by the City of Graham City council. The conducting the hearing shall make its recommendation to the governing body of the City of Graham within 30 days after the date of the hearing.

4. Final Decision. The governing body shall issue a final decision on the civil penalty within 30 days of the recommended decision. A copy of the final decision shall be served on the violator by any means authorized under G.S. 1A-1, Rule 4.

5. Appeal of Final Decision. Appeal from the final decision of the governing body shall be to the Superior Court of the county in which the violation occurred. Any appeal must be filed with thirty days of receipt of the final decision. A copy of the appeal must be served on the (City manager/other appropriate person) by any means authorized under G.S. 1A-1, Rule 4.

6. Demand for Payment of Penalty. An assessment that is not contested is due when the violator is served with a notice of assessment. The civil penalty must be paid within 30 days or the assessment, if not appealed, or within 30 days after the conclusion of the administrative or judicial review of the assessment. If payment is not received within 30 days after demand for payment is made, the City of Graham may institute a civil action to recover the amount of the assessment. The civil action may be brought in the Superior Court where the violation occurred, or the violator's residence or principal place of business is located. Such civil actions must be filed within three (3) years of the date the assessment was due.

7. Use of Penalties. [Civil penalties collected pursuant to this Ordinance shall be credited to the general fund of the City of Graham as nontax revenue.]

C. Criminal Penalties

1. A violation of the provisions of this Ordinance or a rule or order adopted pursuant to this ordinance shall be punished as provided for in the North Carolina General Statutes for the violation of local ordinances. See, for example, Section 14-4 of the North Carolina General Statutes. Violation may also be punishable under the provisions of Section 143-215.6B of the North Carolina General Statutes.

D. Injunctive Relief

1. Civil Action in Superior Court. Whenever the governing body of the City of Graham has reasonable cause to believe that any person is violating or threatening to violate this Ordinanceor any rule or order adopted or issued pursuant to this Ordinance, it may, either before or afterthe institution of any other action or proceeding authorized by this Ordinance, institute a civil action in the name of the City of Graham for injunctive relief to restrain the violation or threatened violation. The action shall be brought in the Superior Court of Alamance County.

2. Order to Cease Violation. Upon determination by a court that an alleged violation is occurring oris threatened, the court shall enter any order or judgment that is necessary to abate the violation, to ensure that restoration is performed, or to prevent the threatened violation. The institution of an action for injunctive relief under this section shall not relieve any party to the proceedings from any civil or criminal penalty prescribed for violations of this Ordinance.

E. Compliance with Requirements. Any person engaged in new activities as defined by this Ordinance who fails to meet the requirements of this Ordinance shall be deemed in violation of this Ordinance.

Proposed Language:

CHAPTER 10

Chapter 10 of the Code of Ordinances.

Chapter 10 entitled *City of Graham Development Ordinances* is hereby amended as follows:

Sec. 10.43 entitled Penalties.

Subsection entitled **Misdemeanor** is hereby repealed in its entirety.Subsection

entitled **Civil Penalty** is hereby rewritten as follows:

Civil Penalty. Any violation of this ordinance shall subject the offender to a maximum civil penalty of $100 pursuant to G.S. 160A-175. Each day that any violation continues after receipt of the final written notice of such violation shall constitute a separate violation and a separate civil offense for purposes of the penalties and remedies specified herein. The offender fails to pay the penalty within 10 calendar days of receiving final written notice of violation, the penalty may be recovered by the City in a civil action in the nature of a debt. A civil penalty may not be appealed to the Board of adjustment if the offender received a final written notice of violation and did not appeal to the Board ofadjustment within 30 calendar days of receipt of the notice in accordance with Article 4 of G.S. 160D. Failure to accept or receive notice of any decision shall not constitute failure on the part of the City in delivering said notice in a manner consistent with state statute.

Sec. 10.44 entitled Administration, enforcement generally.

Last sentence of said section is amended and rewritten to read as follows:

The Zoning Enforcement Officer (ZEO) shall order the discontinuance of illegal use of land, buildings, or structures; the removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; or the discontinuance of any illegal work being done; and the ZEO shall take any other action authorized by this article or state statute to insure compliance with, or to prevent the violation of, its provisions.

Sec. 10.372 entitled Penalties for Violation.

First sentence of said section is amended to read as follows:

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions, and safeguards established in connectionwith grants of variance or special exceptions, shall, when permitted by state statute, constitute a Class 1 misdemeanor pursuant to NC G.S. 143-215.58.

Sec. 10.521 entitled Remedies and Penalties.

The remedies and penalties provided for violations of this ordinance shall be cumulativeand in addition to any other remedy provided by law, and may be exercised in any order.

Sec. 10.521 (c) is repealed in its entirety.

Sec. 10.579 entitled Compliance and Enforcement.

Subsection A-Site Inspections
(**4)- Notice of Violations**
(b) is amended to read as follows:

The notice shall inform the person that any person who violates or fails to act in accordance with any of the provisions of this Ordinance or rules or orders adopted or issued pursuant to this Ordinance is subject to the civil penalties and other enforcementactions as provided in this Ordinance.

Sec. 10.579 entitled Compliance and Enforcement.Subsection C-

Criminal Penalties.

This section is hereby repealed in its entirety.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

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, state statutory requirements, and best practices, **staff recommends approval of the text amendments.**

PLANNING BOARD
Recommendation & Statement of Consistency

Per NCGS 160D-701, 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.

Criminal Penalties (AM2104)

Type of Request
Text Amendment

Meeting Dates
Planning Board on November 16, 2021
City Council on December 14, 2021

☒ I move to **recommend APPROVAL** of the text amendment as presented.

☐ I move to **recommend APPROVAL** of the alternative language, as proposed by the Planning Board.

☐ I move to **recommend DENIAL**.

☒ The amendment **is consistent** with *The Graham 2035 Comprehensive Plan*.

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

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

Based on The Graham 2035 Comprehensive Plan and best practices.

This report reflects the recommendation of the Planning Board, this the 16th day of November, 2021.

Attest:

Dean Ward

Dean Ward, Planning Board Chair

Debbie Jolly

Debbie Jolly, Secretary

City Council
Decision & Statement of Consistency

Per NCGS 160D-701, 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.

Special Use Permits (AM2104)

Type of Request
Text Amendment

Meeting Dates
Planning Board on November 16, 2021
City Council on December 14, 2021

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 14th day of December, 2021.

Attest:

Jennifer Talley, Mayor

Darby Terrell, City Clerk

Law Office of
WARD & COLEMAN
Patterson Building
344 Maple Avenue
P.O. Box 1683
Burlington, NC 27215

Phone# (336) 222-8056 Fax# (336) 228-6610

October 1, 2021

To: Interim City Manager Aaron Holland
From: Ward and Coleman, Attorneys at Law

I. Senate Bill 300- Amendments to Graham City Code.

As we recently discussed and as you are aware, Senate Bill 300 mandates changes in certain ordinances in the Graham City Code. By the way of background, G.S. 160A-175 sets forth the provisions regarding the enforcement of Graham's City Code of Ordinances.

Essentially, the City's Ordinances may be enforced by making violations of ordinances a misdemeanor or an infraction as set forth in 160A-175. However, 160A-175, as amended by SB 300, has stated that certain ordinances may not be enforced by imposing a criminal penalty. Those ordinances are set forth in amended 160A-175(b1). (copy of which is attached for your reference).

Therefore, it is necessary for the department heads responsible for those particular ordinances to identify the enforcement provisions. If the enforcement provisions impose a criminal penalty, those sections must be repealed. It appears however, the City may make violations of these ordinances an infraction and impose a civil penalty for any violations thereof.

II. Regulation of the Operation or Parking of Vehicles.

The revised G.S. 14-4(b) states as follows: If any person shall violate an ordinance of a county, city, or town regulating the operation or parking of vehicles, he shall be responsible for an infraction and shall be required to pay a penalty of not more than fifty dollars ($50.00).

Therefore, the department heads responsible for the operation or parking of vehicles must review their ordinances to identify those parking and operation of vehicles that impose criminal penalties and these ordinances must be repealed and replaced by making violations of those ordinances an infraction.

III. Other City Code Ordinances.

If the City would like to retain criminal penalties for violation of all other ordinances, it must specify for each such ordinance that a violation thereof shall be subject to being charged with a misdemeanor with a maximum fine specifically set for in any such ordinances.

IV. Enforcement of Ordinances Generally.

With respect to enforcement of ordinances not otherwise specifically addressed can otherwise be addressed by specifying such ordinances shall be enforced in accordance with provisions of G.S. 160A-175. It may be good to include the following language contained in 160A-175 (f): Subject to the express terms of the ordinance, a city ordinance may be enforced by any one, all, or a combination of remedies authorized and prescribed by this section.

Attached are drafts of some provisions that we may be able to use when changes are made to ordinances that must be amended. Note: These are drafts and we may need to change them depending upon the ordinances that are amended.

V. Adoption of Ordinances with a Criminal Penalty.

It is our understanding that the changes required by SB-300 amending 160A-175 and 14-4 must be adopted not later than December 1, 2021. In addition, the City should be mindful of the following language "Notwithstanding G.S. 160A-75, no ordinance specifying a criminal penalty may be enacted at the meeting in which it is first introduced". Therefore, all ordinances that the City elects to make violations thereof a crime must be adopted two (2) times.

Finally, it may be helpful for us to discuss this matter in more detail at your convenience.

....

SECTION 13.(b) G.S. 160A-175 reads as rewritten:

"**§ 160A-175. Enforcement of ordinances.**

...

(b) ~~Unless the Council shall otherwise provide,~~ Except for the types of ordinances listed in subsection (b1) of this section, violation of a city ordinance ~~is~~ may be a misdemeanor or infraction as provided by ~~G.S. 14-4.~~ G.S. 14-4 only if the city specifies such in the ordinance. An ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by G.S. 14-4. Notwithstanding G.S. 160A-75, no ordinance specifying a criminal penalty may be enacted at the meeting in which it is first introduced.

(b1) No ordinance of the following types may impose a criminal penalty:

(1) Any ordinance adopted under Article 19 of this Chapter, Planning and Regulation of Development, or its successor, Chapter 160D of the General Statutes, except for those ordinances related to unsafe buildings.

(2) Any ordinance adopted pursuant to G.S. 160A-193.1, Stream-clearing programs.

(3) Any ordinance adopted pursuant to G.S. 160A-194, Regulating and licensing businesses, trades, etc.

(4) Any ordinance adopted pursuant to G.S. 160A-199, Regulation of outdoor advertising or, its successor, G.S. 160D-912, Outdoor advertising.

(5) Any ordinance adopted pursuant to G.S. 160A-201, Limitations on regulating solar collectors or, its successor, G.S. 160D-914, Solar collectors.

(6) Any ordinance adopted pursuant to G.S. 160A-202, Limitations on regulating cisterns and rain barrels.

(7) Any ordinance adopted pursuant to G.S. 160A-304, Regulation of taxis.

(8) Any ordinance adopted pursuant to G.S. 160A-306, Building setback lines.

(9) Any ordinance adopted pursuant to G.S. 160A-307, Curb cut regulations.

(10) Any ordinance regulating trees.

"

GENERAL

DRAFT

Sec._____-Violations of this ordinance.

(a) Any persons violating any provision imposed by this ordinance shall be guilty of a Class 3 misdemeanor punishable upon conviction by a fine not exceeding $500.00 as provided by G.S. 14-4 and otherwise, except as provided in G.S. 14-4, shall be further subject to any one, all or a combination of provisions of N.C.G.S 160A-175.

(b) Each day's continuing violation shall be a separate and distinct offense.

OPERATION OR PARKING OF VEHICLES

DRAFT

Sec._____-Violation of this ordinance.

(a) If any person shall violate this ordinance regulating the operation or parking of vehicles, he shall be responsible for an infraction and shall be required to pay a penalty of not more than fifty dollars ($50.00) and otherwise, except as provided in G.S. 14-4, and shall be subject to any one, all or a combination of the provisions of N.C.G.S. 160A-175.

(b) Each day's continuing violation shall be a separate and distinct offense.

INFRACTIONS DRAFT

Sec._____-Violation of this ordinance.

(a) If any person shall violate this ordinance, the person shall be guilty of an infraction punishable by a fine of not more than fifty dollars ($50.00) and otherwise, except as provided in G.S. 14-4, shall be further subject to any one, all or a combination of the provisions of N.C.G.S. 160A-175.

(b) Each day's continuing violation shall be a separate and distinct offense.

CHAPTER 10

Chapter 10 of the Code of Ordinances.

Chapter 10 entitled City of Graham Development Ordinances is hereby amended as follows:

Sec. 10.43 entitled Penalties.

Subsection entitled **Misdemeanor** is hereby repealed in its entirety.

Subsection entitled **Civil Penalty** is hereby rewritten as follows:

Civil Penalty. Any violation of this ordinance shall subject the offender to a maximum civil penalty of $100 pursuant to G.S. 160A-175. Each day that any violation continues after receipt of the final written notice of such violation shall constitute a separate violation and a separate civil offense for purposes of the penalties and remedies specified herein. The offender fails to pay the penalty within 10 calendar days of receiving final written notice of violation, the penalty may be recovered by the City in a civil action in the nature of a debt. A civil penalty may not be appealed to the Board of adjustment if the offender received a final written notice of violation and did not appeal to the Board of adjustment within 30 calendar days of receipt of the notice in accordance with Article 4 of G.S. 160D. Failure to accept or receive notice of any decision shall not constitute failure on the part of the City in delivering said notice in a manner consistent with state statute.

Sec. 10.44 entitled Administration, enforcement generally.

Last sentence of said section is amended and rewritten to read as follows:

The ZEO shall order the discontinuance of illegal use of land, buildings, or structures; the removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; or the discontinuance of any illegal work being done; and the ZEO shall take any other action authorized by this article or state statute to insure compliance with, or to prevent the violation of, its provisions.

Sec. 10.372 entitled Penalties for Violation.

First sentence of said section is amended to read as follows:

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions, and safeguards established in connection with grants of variance or special exceptions, shall, when permitted by state statute, constitute a Class 1 misdemeanor pursuant to NC G.S. 143-215.58.

Sec. 10.521 entitled Remedies and Penalties.

The remedies and penalties provided for violations of this ordinance shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

Sec. 10.521 c) is repealed in its entirety.

Sec. 10.579 entitled Compliance and Enforcement.

Subsection A-Site Inspections
(4)- Notice of Violations
(b) is amended to read as follows:

The notice shall inform the person that any person who violates or fails to act in accordance with any of the provisions of this Ordinance or rules or orders adopted or issued pursuant to this Ordinance is subject to the civil penalties and other enforcement actions as provided in this Ordinance.

Sec. 10.579 entitled Compliance and Enforcement.

Subsection C- Criminal Penalties.

This section is hereby repealed in its entirety.



PREPARING TO IMPLEMENT CRIMINAL JUSTICE REFORM LEGISLATION IN TOWNS AND CITIES

October 2021

Gov. Roy Cooper on September 2, 2021 signed into law a wide-ranging piece of legislation that creates new databases, requires additional background checks and decriminalizes certain local government ordinances. This document is designed to highlight a few provisions in Senate Bill 300 (S.L. 2021-138) Criminal Justice Reform that deserve particular attention from local government attorneys, law enforcement agencies and administrators. Some of the changes may require town councils to adopt or amend ordinances; some provisions may require local governments to create new databases; and other provisions may require that new practices and processes be established. This guidance document highlights the main changes in the legislation. However, this is not legal advice and towns and cities are encouraged to read the entire bill and consult their staff attorneys or contract attorneys to determine the changes they need to implement.

A. DECRIMINALIZATION OF CERTAIN ORDINANCES (PART XIII):

PART XIII of S.L. 2021-138, titled Decriminalization of Certain Ordinances, removes the current presumption that all local ordinances may be enforced criminally (G.S.160A-175) and states that ordinances may be enforced criminally as provided in G.S. 14-4 "only if the city specifies such in the ordinance." It further states: "Notwithstanding G.S. 160A-75, no ordinance specifying a criminal penalty may be enacted at the meeting in which it is first introduced." It also includes a list of statutory sections in which cities cannot adopt ordinances with criminal enforcement. That list of topic areas are as follows: planning and regulation of development; stream clearing programs; regulating businesses and trades; outdoor advertising; solar collectors; cisterns and rain barrels; taxis; setback lines; curb cut regulations and ordinances regulating trees. The legislation specifies that these changes *go into effect Dec. 1, 2021*, so towns and cities have a limited time frame in which to respond to these changes.



To prepare for the change in the law, towns and cities should consider taking the following steps:

i. Determine if you have ordinances which impose potential criminal penalties.
ii. Make a list of ordinances for which you wish to retain criminal enforcement authority.
iii. Check to make sure the list does not include ordinances that fall under the topic areas disallowed by the legislation.
iv. Check to make sure the ordinance language includes clear criminal authority.
v. If these ordinances do not have clear criminal authority, have town council adopt a new ordinance or a statement that comprises specific language in the ordinances that state they can be criminally enforced.
vi. For ordinances that will not be enforced criminally, establish administrative capabilities to issue and collect civil citations or fines for violations and provide for an appeals process. PRACTITIONER'S TIP: For arrestable offenses, judicial officials have the authority to obtain personal identification information for an alleged violator. In civil matters, where only a citation or fine can be issued, obtaining the identity of the alleged violator may be difficult or practically impossible.
vii. If town councils need to, adopt any new ordinances or changes to ordinances by Dec. 1, 2021, the date Part XIII of S.L. 2021-138 goes into effect. PRACTITIONER's TIP: Since the legislation requires the criminal authority to be specified in "the ordinance," towns and cities should carefully specify criminal enforcement in each applicable ordinance.
viii. Note that ordinances with criminal enforcement authority cannot be adopted in the first meeting that it is introduced.

B. CREATING POLICIES, DATABASES AND FOLLOW UP PLANS

Certain provisions require the creation of processes whereby law enforcement agencies must track specific types of incidents and report those to a statewide database. Practitioners say it is important that once this information is collected, it be properly retained so that confidentiality requirements are maintained, and that law enforcement officers (LEOs) be given the opportunity to challenge their inclusion if required by law. Once the data has been collected, practitioners also recommend that supervisors keep track of these



incidents, perhaps through an automated alert system, and supervisors create Action Plans to help individual officers avoid repeated occurrences. Setting up the database and tracking the data may be required by the new law but acting on the information may be a best practice to avoid being seen as having failed to follow through on early warning signs.

Under this legislation at least three sets of data must be collected:

1. Critical Incident Database – A new statewide database of critical incidents is established by this legislation. Critical incident is defined as "an incident involving any use of force by a law enforcement officer that results in death or serious bodilyinjury to a person." The information collected in this database stays confidential. While the legislation requires law enforcement agencies to report "critical incidents," involving police officers, it also provides the officer a right, prior tobeing placed in the database, to request a hearing in Superior Court for a determination of "whether the officer's involvement was properly placed in the database." Agencies may want to create a process whereby an officer is informed prior to their names being submitted to this database, and the officer be informedof an opportunity to exercise a right to request a hearing in Superior Court. PRACTITIONER's TIP: It should be noted that the right to a hearing is limited to whether the officer's involvement was properly placed in the database, not theappropriateness of the officer's actions during the incident. Also, if the incident results in disciplinary action there may also be a need for a name clearing hearingso these two processes may overlap and possibly conflict. PRACTITIONER's TIP: When advising an officer regarding a hearing, consider the risks of the process in the event of future litigation.

2. Early warning system - Every agency that employs law enforcement is required to develop a confidential early warning system for law enforcement including at minimum instances of use of force, discharge of firearm, vehicle collisions and citizen complaints (Part VIII). The system's essential purpose is to identify possible problem officers, not to collect data. Many small agencies could implement an early warning system manually. But for some agencies, this could be a time-



consuming effort, requiring the creation of a computerized system that collects the information, creates an alert at a particular threshold of reports and ultimately triggers a supervisor to place the officer on a remedial plan. Some system to monitor the data collected and alert a supervisor to repeated offences may be needed to avoid future claims that the agency failed to properly supervise such officers. The "use of force" information to be collected can be individualized to each agency, possibly including instances where handcuffs were placed on an individual and the number of minor vehicle accidents. The data collected under this database stays confidential. This section is effective Dec. 1, 2021 and applies to actions and behaviors on or after that date.

3. Duty to intervene and report excessive use of force
   Part XVI of the legislation creates a duty for LEOs to intervene and report an excessive use of force by a LEO. This may require agencies that do not have such a policy to adopt one. In addition, agencies should also create a reporting system likeones for critical incidents and the early warnings system. Agencies that do not evaluate their officers' use of force open themselves up for negligent retention and supervision claims. Agencies should evaluate the performance of their officers who consistently trigger alerts to determine what measures should be taken to correct any noted deficiencies in the officer's performance, including but not limited to, education, additional training, and disciplinary action.

C. RETAINING AND USING THE DATA

Even while they collect additional data required by this legislation, personnel departments should remember that G.S. 160A-168 requires personnel data to be kept confidential unless it is exempt under a specific exemption. In particular, consider: "section (c4). Even if considered part of an employee's personnel file, the following information regarding any sworn law enforcement officer shall not be disclosed: (3) Any identifying information as defined in G.S. 14-113.20."



D. OTHER PROVISIONS OF INTEREST THAT MAY REQUIRE AGENCIES TO PREPARE PROCESSES INCLUDE THE FOLLOWING:

- Decertification - Part I of the bill creates a public database of LEO certification suspensions and revocations to be established by the N.C. Criminal Justice Educationand Training Standards Commission.
- Applicants for law enforcement positions and current law enforcement will be required to provide fingerprints, and agencies will have to submit those to the SBI fora federal and state background check by June 23, 2023. (Part II)
- Applicants for law enforcement positions will have to undergo psychological screening and local governments will have to foot the bill for the screening. (Part VI).
  PRACTITIONER'S TIP: Consider the costs of such screenings and include those costs when preparing budget estimates.
- Law enforcement will need to report Giglio notifications in writing to the statewide Criminal Justice Standards Division. Those required to report these letters include theindividual LEO, the agency head and a judge that issues the notification. (Part IV)
- Changes to the body cam recording viewing statute (Part XXI): No later than three business days from receipt of the notarized form - provided by the law enforcementagency - requesting immediate disclosure of footage in a case involving death or serious bodily injury, a law enforcement agency shall file a petition in the Superior Court in any county where any portion of the recording was made for issuance of a court order regarding disclosure of the recording. Any person who willfully records any recording disclosed pursuant to this subsection shall be guilty of a Class 1 misdemeanor. Any person who knowingly disseminates a recording disclosed pursuant to this subsection shall be guilty of a Class I felony. PRACTITIONER'S TIP: Check to ensure the law enforcement agency has a supply of high-capacity thumb drives where hours of footage can be downloaded for quick transmittal to the Superior Court judge.
- Part X of the legislation now adds the Governor to the list of individuals who may askthe SBI to investigate deaths due to use of force by a law enforcement officer.



The N.C. League of Municipalities thanks the following city attorneys who provided valuable input into creating this document:

***Jeffrey C. Sugg**, City of Asheboro*

***Brian Meyer**, Town of Apex*

***Toni Russ**, City of Durham*

***Tiffanie Sneed**, Town of Chapel Hill*

*In addition, we would like to thank **Fred Baggett** of the Police Chiefs Association for reviewing the document.*

For questions or comments, please contact:

Leo John, Legislative Counsel, N.C. League of Municipalities

ljohn@nclm.org or 919-522-5138

STAFF REPORT

Prepared by Justin Snyder, Planning Director

Text Amendment for: Special Use Permits Uses Listed

Type of Request: Text Amendment

Meeting Dates
Planning Board on November 16, 2021
City Council on December 14, 2021

Contact Information
N/A

Project Name
Special Use Permits Uses Listed (AM2103)

Location
city-wide

Current Zoning
not applicable

Proposed Zoning
not applicable

Overlay District
not applicable

Staff Recommendation
Approval

Summary

In keeping with the recent recommendation to move the authority for special use permit approvals from the City Council to the Board of Adjustment, staff has also identified several uses in the permitted uses table that are improperly classified based on type and intensity of use. This not only includes uses subject to the special use permit process, but also several uses by right. Staff has made several adjustments to the existing permitted uses table to better classify the uses. Additionally, because some of the proposed changes affect the notes to the permitted uses table and the special uses sections of the code, those changes were made as well. Due to the length of those changes, staff has included them as an addendum at the end of this report.

Existing Language:

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

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* and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

Special uses are those uses that typically cannot be well categorized into a use by right classification due to their size, intensity, or unique characteristics. The proposed amendments better align with this definition.

Section 10.136 Notes to the Table of Permitted Uses

1. **Accessory Uses in Residential Districts -** Accessory uses in residential districts such as garages, utility buildings are restricted to rear yards or side yards unless the required setback can be maintained. For a noncommercial greenhouse that is an accessory use, the heating plant for the greenhouse must be located within 60 feet of the front property line or within 10 feet of any other property line. In addition, in the R-18 district, one private stable on a lot at least 20,000 square feet in area is permitted, provided the stable is located at least 60 feet from the front property line and not less than 10 feet from any other property line.

   On lots occupied by multifamily dwellings, the following accessory buildings shall be permitted, provided their exteriors harmonize with the multifamily structures.

   ~~1.~~a. Garages, located as required in section *Table of Area, Height, and Yard Regulations*.

   ~~2.~~b. Coin laundries, offices, and recreational buildings to serve residents of the multifamily development, provided they do not intrude into any minimum required yard.

   ~~3.~~c. Equipment storage buildings located as required in section *Table of Area, Height, and Yard Regulations*.

2. **Athletic Fields, Auditoriums, Stadiums -** All athletic fields shall have access to a collector or higher capac~~C~~ity street.

3. **Automotive Towing Service -** The auto towing area must be screened with a six-foot high opaque fence in addition to the required planting yard. No outdoor storage or salvaging is permitted.

4. **Bars, Night Clubs, Dance Halls (as a principle use) –** All locations must meet the requirements of NCSS 18B-901, Issuance of [ABC] permits. Where the property on which a bar is located abuts residential property, screening including a minimum six-foot high opaque fence along the entire length of the property of the abutting residence(s). The main entrance of the building shall be toward a street zoned predominantly for nonresidential uses. Parking areas related to the establishment shall be located no closer than 30 feet to the property line of abutting residences. *(Amended by City council on 10/7/03, 5/5/2016)*

5. **Batting Cages (outdoor); Golf Driving Ranges -** Fencing, netting, or other control measures shall be provided around the perimeter of the batting or driving area to prevent balls from leaving the area.

6. **Building Supply Sales, Equipment Rental and Leasing (with storage yard) -** Outside storage shall be completely screened from view with opaque fencing.

7. **Car Wash -** Building(s) shall be at least 75 feet from any property line which adjoins residential or office-institutional zoned property. A minimum six-foot high opaque fence shall be provided adjacent to all residentially zoned property. Hours of operation shall be between 8:00 a.m. and 8:00 p.m. when adjoining developed residentially zoned property. Adequate provision shall be made for safe and efficient disposal of waste and runoff. Additionally, the following provisions shall be met:

1. No flashing lights or fluttering devices designed and used to attract attention shall be permitted.

2. No outdoor storage of any equipment, merchandise, or rubbish shall be permitted.

3. All floodlights shall be turned off at the close of business or at 11:06 p.m., whichever is earlier.

4. No lights shall be so arranged as to direct or reflect light into any residence.

5. No curb cut shall be less than 25 feet from the intersection of any two street curb lines. Curb cuts shall not be wider than 25 feet. No more than two curb cuts shall be permitted on each abutting street.

6. An opaque screen at least eight feet in height shall be provided along each property line adjoining a district zoned residential.

8. **Cemetery/Mausoleum –** A cemetery or mausoleum as a principal use shall comply with state law requirements for minimum contiguous acres. Principal access must be from a collector street or higher ~~capaCity~~capacity street.

9. [Reserved]

10. **Machine Shop -** In I-1, no punch presses over 20 tons rated ~~capaCity~~capacity, drop hammers or automatic screw machines are permitted.

11. **Parking Lots Serving Uses Permitted in the District Where Located -** A special use permit is required for a parking lot in a residential district when it serves a non-residential establishment.

12. **Satellite Dish (Freestanding Accessory Use) -** All supporting cables and anchors shall be contained on the property where the satellite dish or tower is located. In residential districts, structures larger than 24 inches in diameter can only be placed in a rear yard or side yard behind the building lot line. Structures less than 24 inches in diameter are not subject to these restrictions.

13. **Storage Yard -** Outside storage is permitted as a principal or accessory use if completely enclosed by opaque fencing at least six feet high.

14. **Swimming Pools (community nonprofit) -** Minimum fence height six feet, made of chain link with wood slats, chain link with a planted border at least five feet in height, or other opaque materials. All N.C. Division of Health regulations to be followed.

15. **Swimming Pools (as accessory uses) -** Pools and appurtenances shall be located in the rear or side yard and may not be located within five feet of interior rear or side lot lines. Pools which are not an integral part of the principal building shall be located a minimum of ten feet from the principal building. *(Section 10.136(15) amended by City council on 5/1/2012)*

16. **Unattended facilities for public utilities -** Unattended facilities for public utilities shall be added to all use districts under the following conditions:

    ~~1.~~a. The structure shall be used only for housing electronic equipment (no storage). These structures shall have no water and sewer facilities. The maximum size shall be 12 feet by 20 feet by 8 feet high.

    ~~2.~~b. Dimensional requirements: minimum setback 20 feet; side and rear yards 15 feet; minimum lot area 3,000 square feet; minimum lot width 50 feet.

    ~~3.~~c. All utilities shall be placed underground.

    ~~4.~~d. The site shall be landscaped in character with the surrounding neighborhood. The structure shall be screened with suitable evergreens. Natural ground cover should be left on the site where possible.

    ~~5.~~e. Two off-street parking spaces and ample turnaround area shall be provided.

    ~~6.~~f. Detailed site and landscape plans shall be submitted to the City.

17. **Utility Substations Including Transformer Stations, Pump and Lift Stations, etc. -** The entire facility shall have a security fence at least six feet high unless it is secured and is built of brick or concrete. If the installation abuts a residence, it must be at least 50 feet from the residence and screened from the residence with a thick buffer of evergreen shrubbery or trees, which will grow at least six feet tall. Equipment producing noise in excess of 70 decibels shall be located no closer than 100 feet from the nearest residence.

18. **Development Standards for Multifamily Developments in R-MF and R-G, Site Plans Required**

~~1.~~(1) Lot Coverage - The total ground area covered by the buildings and all accessory buildingsincluding any roofed area, shall not exceed 40 percent of the total lot area.

~~2.~~(2) Open Space

~~1.~~(i)Usable open space. A minimum of 10 percent of the total land area of any lot containing three or more dwelling units shall be usable open space, as defined in Article II - Definitions. On lots where the required usable open space is less than 20,000 square feet, such space should be approximately square but in no case shall the length of such required space be more than twice its average width. On lots where the required usable open space is 20,000 square feet or more, the minimum dimension of such space shall be at least 100 feet, and the minimum size space allowable as meeting a part of the required usable open space shall be 20,000 square feet.

~~2.~~(ii) Private usable open space. The total usable open space as required in subparagraph (a) immediately above may be reduced by 50 percent if a minimum of 500 square feet of private usable open space is provided for each dwelling unit. Such space shall be directly accessible and adjacent to the dwelling unit it serves, and shall be so arranged and screened to prevent public traffic through such space and provide reasonable privacy from public view. Such space shall be suitable for recreational activity and shall be unobstructed except for plants, lawn furniture, and play equipment. Private terraces and walkways may be included in such open space. Parking areas, vehicle drives, and storage areas shall not be included in such open space. The minimum dimension of any such private open space shall be at least 15 feet.

~~3.~~(3) Separate Zoning Lot - A multifamily dwelling shall not be placed behind and on the same zoninglot as a single-family detached dwelling.

~~4.~~(4) Access to Fire protection - To permit adequate fire protection, all portions of every building shallbe located within 500 feet of a public street that furnishes direct access to the property unless the fire chief determines that fire hydrants and service drives will offer adequate protection.

~~5.~~(5) Traffic Circulation - All common driveways shall have approved traffic circulation and shall bekept available for emergency and service use by any public vehicle.

~~6.~~(6) Parking Access - Off-street parking spaces shall be located within 200 feet of each building in an amount proportional to the number of dwelling units in each building. No parking area with fiveor more spaces shall be located closer than 10 feet to a dwelling wall with windows or doors.

~~7.~~(7) Screening of utility areas. Utility areas such as clothes drying yards and outdoor storage areas inmultifamily developments shall be provided with an opaque screen along any side of such areas which would be visible from a public street or adjoining residentially, zoned properties. No suchutility areas shall be located in the area between a building and a street bordering the development. Screens are not to be brightly colored multicolored, or otherwise obtrusive; colors and textures harmonious with nature and nearby residential structures are recommended.

~~8.~~(8) Required site plan. 10 site plans shall be submitted with the following information:

~~1.~~i. Vicinity map showing the location of the property in relation to existing and proposed streets, streams, railroads and other major physical features.

~~2.~~ii. Location, size and type of all buildings, existing and proposed, on or near the property.

~~3.~~iii. Grading plan.

~~4.~~iv. Proposed points of vehicle ingress and egress, together with the proposed pattern ofinternal circulation.

~~5.~~v. Proposed parking and loading areas.

~~6.~~vi. Landscape plan prepared according to the Graham Landscape Ordinance.

~~7.~~vii. Proposed provision of utilities.

~~8.~~viii. Location, size, height, orientation and lighting information on all signs.

~~9.~~ix. Layout and orientation of all buildings.

~~10.~~19. Performance Standards for All Uses in the I-1 and I-2 Zoning Districts

In order to retain a character consistent with the description of the I-I and I-2 zoning districts, the following performance standards will be applied for all uses in the districts:

~~1.~~a. *Dust, dirt, fly ash or other air pollutants.* There shall be no emission of dust, dirt, fly ash, gases, fumes, vapors or other air pollutants into the atmosphere that could cause damage to the public health, or to animals, vegetation, or other forms of property.

~~2.~~b. *Electrical interference.* There shall be no electrical disturbances affecting the operation of any equipment other than that of the creator of such disturbances.

~~3.~~c. *Heat and glare.* There shall be no heat or glare perceptible to human senses at the property line of any use creating heat or glare.

~~4.~~d. *Landscaping.* See landscaping requirements on File in the office of the City clerk and inspection department.

~~5.~~e. *Enclosure.* All processing shall be within a building.

~~6.~~f. *Liquid or solid waste.* There shall be no discharge of any liquid or solid waste into any stream except as authorized by the State of North Carolina.

~~7.~~g. *Noise.* The sound-pressure level of sound radiated from an establishment, measured at the lot line, shall not exceed the values in any octave band of frequency that are specified in the table below. The sound-pressure level shall be measured with a sound level meter and an associated octave band analyzer conforming to standards prescribed by the American Standards Association.

Frequency Band (cycles per second)	*Decibels*
20- 75	69
75- *150*	57
150- 300	52
300- 600	46
600- 1200	42
1200- 2400	37
2400- 4800	33
4800-10,000	30

~~8.~~h. *Odor* There shall be no objectionable odors perceptible to the human senses at or beyond the property line of any use that may create odors.

~~9.~~i. *Radioactivity.* There shall be no radioactive emission that would be dangerous to health.

~~10.~~j. *Smoke*. There shall be no emission into the atmosphere of smoke from any operation of a shadedarker than Number one on the Ringelmann Smoke Chart as published by the United States Bureau of Mines, except that smoke of a shade not darker than No. 3 on said chart may be emitted for not more than 2 minutes in any thirty-minute period.

~~11.~~k. *Traffic* There shall be no industrial vehicular traffic on any minor residential street.

~~1.~~ l. *Vibration.* There shall be no vibration perceptible to human senses at the property line of anyuse that may create vibration.

~~11.~~20. **Day Care Center, Child, operated as home occupation (5 or less)** – Centers shall meet the standardsestablished by the North Carolina Department of Health and Human Services. At least 200 square feet per child of completely enclosed fenced outside play area, not including drives, parking areas orland otherwise unsuitable, shall be provided. *(Section 10.136(20) amended 9/2/2003)*

~~12.~~21. **Family Care Facility –** A Family Care Facility (Family Care Home) shall not be located within a one-half mile radius of an existing Family Care Facility (Family Care Home). An "Existing Family Care Facility (Family Care Home)" for the purposes of this section shall mean one that has obtained a 180-day zoning compliance letter. *(Section 10.136(21) amended 6/3/2008)*

~~13.~~22. **Farmer's Markets, as accessory uses –** Farmer's Markets as accessory uses in the B-2, B-3 districtsand churches are subject to parking requirements in Section 10.242. Vendors are responsible for obtaining all licenses and permits required for sale of their product. (*Section 10.136(22) amended 9/1/2009)*

~~14.~~23. **Group Care Facilities and Group Homes, Development Standards** – Off-street parking, as required by Section 10.240, shall be located to the side and/or rear of the building. Group Care Facilities and Group Homes should be located in areas where employment, goods and services can readily be reached by a variety of means of transportation. Access to transit, a sidewalk network and/or close proximity to employment, goods, and services are encouraged for approval of a special use permit unless the applicant can satisfactorily demonstrate that the intended residents of the group home or facility do not require this service. For halfway houses, there shall be on-site supervision at all times by persons employed by or volunteers trained by the agency operating the halfway house. Rules of conduct shall be established and enforced by the agency operating a halfway house. These rules shall prohibit the use or possession of drugs, alcohol or weapons, as well as disorderly conduct.(*Section 10.136(23) added 1/8/2013)*

24. **Solar Farms** – Power inverters and other sound producing equipment shall be no less than 150' fromany property line. All solar farms shall be enclosed with a minimum of six feet high security fencing. Solar farms shall be constructed with at least a Type C planting yard, and shall abide by higher requirements when applicable. The height of no panel can exceed fifteen feet. A setback of 100 feet is required for any installation adjacent to a residential use or a residentially zoned parcel. Prior to final approval of the electrical permit, a Decommissioning Plan (see definitions) shall be submitted to the City. (*added 2/2/2016)*

25. **Warehouse, Mini (self-storage) –**

Lot size:	Between two acres (minimum) and five acres (maximum).
Maximum Height:	20 feet, not exceeding one story.
Storage:	No outside storage is permitted.
	Storage of hazardous, toxic or explosive substances is prohibited.
Operation:	No business activity other than the rental of storage units shall be conducted on the premises.
	One dwelling unit shall be allowed on the same lot for use as a caretaker dwelling.
Lighting:	Lights shall be arranged so that no light or glare is directed into a residence.
Screening:	An opaque screen at least eight feet high shall be provided along each property line adjoining a residentially zoned district.
Buffer:	When the property is adjacent to the interstate right of way, a 50-foot-deep opaque undisturbed buffer shall be maintained. If the land has been previously cleared or the buffer area will not be opaque, supplemental evergreen trees 6 feet tall at time of planting shall be planted every 10 feet on center to achieve the desired screening. If the property does not have 50 feet of depth, the buffer shall be equal to ¼ the total depth of the lot.

~~15.~~

DIVISION 7. SPECIAL USES

Section 10.137 Purpose of special use regulations

Permitting special uses adds flexibility to the Zoning Ordinance. Subject to high standards of planning and design, certain property uses are allowed in districts where these uses would not otherwise be acceptable. By means of controls exercised through the Special Use Permit procedure, property uses that would otherwise be undesirable in certain districts can be developed to minimize any undesirable effects they may have on surrounding properties.

Section 10.138 Special uses shown in Table of Permitted Uses

Each use for which a special use permit is required is indicated in the Table of Permitted Uses, by an "S" in the column for a particular zoning district. The "S" indicates that such use may be placed in that zoning district only after a special use permit has been approved by the City council and issued by the zoning enforcement officer.

Section 10.139 Application for a Special Use Permit

Applicants for a special use permit are advised to confer with the Planner before formal application for a permit in order to ascertain what information must accompany the formal application. Applications for special use permits shall be submitted to the Planner. Depending on the character and size of the proposed use, a plot plan or a preliminary site plan may be required showing any or all of the following information, in addition to the specific conditions set forth under each special use:

~~(i)~~a. Vicinity map, showing the location of the property in relation to existing and proposed streets, streams, railroads and other major physical features.

~~(ii)~~b. Location, size and type of all buildings, existing and proposed, on or near the property.

~~(iii)~~c. Grading plan.

~~(iv)~~d. Proposed points of vehicle ingress and egress, together with the proposed pattern of internalcirculation.

~~(v)~~e. Proposed parking and loading areas.

~~(vi)~~f. Landscape plan, showing the number, location, size and name of each plant species; and the proposed ground cover, especially on slopes, banks, and ditches. If the special use permit is approved, the landscape plan shall be carried out within one year of the date of issuance of the certificate of occupancy; landscaping shall be permanently maintained thereafter.

~~(vii)~~g. Proposed provision for utilities.

~~(viii)~~h. Location, size, height, orientation, and lighting information on all signs.

Section 10.140 Timing of Submissions

The applicant must submit the required plans and request for a special use permit on or before the 25th day of the month preceding the planning board meeting at which consideration is desired.

Section 10.141 Role of Planning Board

The planning board shall review applications for special use permits, together with accompanying plans, maps, and drawings. The planning board may recommend that the City council (1) deny the special use permit, or (2) approve the special use permit subject to the conditions for individual special uses, or (3) approve the special use permit subject to the conditions for individual special uses and other reasonable conditions recommended by the Planning board. The Planning board may also recommend modifications of the original plans.

Section 10.142 Role of Historic Resources Commission

As provided for in Section 10.205, the Historic Resources Commission is authorized to review and comment on special use applications for proposed uses within any historic district or historic landmark. Recommendations and comments from the commission shall be relayed directly to the City council for consideration along with the Planning board's recommendations.

Section 10.143 Role of City Council

For each application for a special use permit the City council shall hold a public hearing, notice of which shall be published in the same manner as required for a hearing on an amendment to this article. When deciding a special use permit, the City council shall follow quasi-judicial procedures as required by law. At the public hearing the City council shall review the application for a special use permit, together with accompanying plans, maps, and drawings. Recommendations of the planning board shall be heard. The

City council may (1) deny the special use permit, or (2) grant the special use permit subject to the conditions for individual special uses, or (3) grant the special use permit subject to the conditions specified for each use listed in Section 10.149 (Special uses listed) and to other reasonable conditions the council imposes upon the permit. Subject to S.L 2019-111, Pt. I, the City council shall not impose conditions on special use permits that the local government does not otherwise have statutory authority to impose. The Council shall obtain the applicant or land owner's written consent to conditions related to a special use permit to ensure enforceability. There shall be competent, material and substantial evidence in the record to support the Council's findings of facts and conclusions. No vote greater than a majority vote shall be required for the City council to issue special use permits. Vacant positions on the City council and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the City council" for calculation of the requisite majority.

(Section 10.143 amended 7/11/2006)

Section 10.144 Findings

In granting a special use permit, the council shall find that all of the conditions listed below have been met, or it shall be denied.

(1) That all applicable regulations of the zoning district in which the use is proposed are complied with.

(2) That conditions specific to each use, identified by this Ordinance are complied with.

(3) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.

(4) That the use will not substantially injure the value of adjoining property or that the use is a public necessity.

(5) That the location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.

(6) That satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.

Section 10.145 Conditions added by Council, Limitations

In granting a Special Use Permit, the Council may designate only those conditions, in addition to those already contained in this ordinance or proposed by the applicant, that will, in its opinion, assure that the use in its proposed location will be harmonious with the area. Examples of such additional conditions include landscaping or buffer provisions, conditions related to on-premises signage, conditions to reduce traffic congestion and other conditions directly related to the land use impact of the use on the area. The City council may modify the original plans to reflect such conditions which shall be entered into the minutes of the meeting at which the permit is granted.

Section 10.146 Conditions run with land

All special use conditions shall run with the land and shall be binding on the original applicants, their heirs, successors and assigns. In voting on a request for a special use permit, a vote by the majority of the City council membership shall be required to grant the request.

Section 10.147 Appeal

No appeal may be taken to the board of adjustment from the action of the City council in granting or denying a special use permit. The City council's action on an application for a special use permit, like the council's action on an application for an amendment to the ordinance, shall be reviewable by the courts as provided by law.

Section 10.148 Invalidation

In the event of failure to comply with the plans approved by the City council or with any other condition imposed by the City council upon the special use permit, the pen-nit shall immediately become void and of no effect. No further building permits or certificates of occupancy shall be issued, and completed structures shall be regarded as nonconforming uses. A special use permit shall become null and void 24 months after the date of its issuance unless construction is begun during the twenty-four-month period.

Section 10.149 Special uses listed

The special uses listed on the following pages shall be permitted only after approval according to the process outlined in the preceding sections, and after the required findings have been made. All conditions specified for the individual uses, in addition to any conditions added by the council shall be complied with. Special use permits shall only be granted for uses specified in this ordinance.

(Section 10.149 amended 4/2/2002, 8/6/2002, 10/1/2002, 10/7/2003, 5/4/2004, 8/6/2013, 11/5/2013, 2/4/2014)

Use: Adult Establishment/Sexually Oriented Business

Special Use Districts: B-2 and I-1

Definition: See Sexually Oriented Business in Section 10.16, Definitions

Setbacks:

1. No sexually oriented business shall be located closer than 1000 feet to another adult establishment.

2. No sexually oriented business shall be located closer than 1000 feet to a residence or residentially zoned district.

3. No sexually oriented business shall be located closer than 1000 feet to a public or private elementary or secondary school, child day care center or nursery school, public park, church, or community college.

4. No sexually oriented business shall be located closer than 500 feet from a bar or night club.

All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed adult establishment is to be located to the nearest point of the lot line or boundary of the closest adult establishment, residence, residentially zoned district, public or private elementary or secondary school, child day care center or nursery school, public park, church, community college, bar, or night club.

Other Restrictions:

1. There shall not be more than one (1) sexually oriented business in the same building, structure, or portion thereof. Additionally, no other principal or accessory use may occupy the same building, structure, property, or portion thereof with any sexually oriented business.

2. Flashing lights or fluttering devices designed and used to attract attention are not permitted.

3. Sound amplification shall not be directed outside any building or structure occupied by a sexually oriented business.

Additional Information to Be Provided by Applicant: In addition to information normally provided in the course of applying for a special use permit, the applicant shall provide:

1. His/her name, address, and age, or if a partnership, the names, addresses, and ages of the persons who constitute such partnership, or if a corporation, the names, addresses, and ages of its directors, officers, and principal stockholders. Each application shall also include the names, ages, and addresses of all present employees.

2. A complete statement of all convictions of any person whose name is required to be given in Number 1 above for any crime other than traffic violations.

Action by City

1. The City staff shall be given 30 days from receipt of a completed application form to verify the information contained in the application prior to any further steps being taken, including placing the application on the Planning board agenda.

2. The City staff shall verify that the applicant, or any person having a legal or beneficial interest in the establishment, or any employee, has not been convicted of any crime involving sexual misconduct, including -but not limited to, N.C.G.S. 14-177-14-202.1, 14-203 -14-208, or any local, state, or federal law related to racketeering or the possession, sale, or distribution of a controlled substance.

3. No permit shall be issued to an applicant whose information reveals anyone with a legal or beneficial interest or an employee having a record of conviction of a crime.

Revocation of Special Use Permit:

Failure to comply with the conditions of a special use permit is a violation of this ordinance. In addition, as provided in Section 10.148, failure to carry out any conditions relating to a special use permit shall be cause for the revocation of the permit. Failures of compliance include but are not limited to: misstatements of fact contained in an application discovered after issuance of the permit; the applicant's allowing persons or corporations to own an interest in or be employed by the business after

issuance of the permit whose ownership or employment would have originally prevented issuance of the permit; violation of a zoning, building, or fire prevention ordinance by the permittee.

~~**Use: Antique and Other Specialty Shops in Structures Designed for Residential Use**~~

~~**Special Use Districts: O-I**~~

~~General Restrictions~~

~~1. No more than two salespersons may be employed on the premises at any given time.~~

~~2. No flashing lights or fluttering designed and used to attract attention shall be permitted.~~

~~3. No lights shall be so arranged as to direct light into any residence.~~

~~4. If the shop is within 100 feet of any dwelling, other than that of the shop operator, the shop shall not operate between the hours of 6:00 p.m. and 9:00 a.m.~~

~~**Use: Car Wash**~~

~~**Special Use Districts: B-3 District**~~

~~General Restrictions~~

~~1. No flashing lights or fluttering devices designed and used to attract attention shall be permitted.~~

~~2. No outdoor storage of any equipment, merchandise, or rubbish shall be permitted.~~

~~3. All floodlights shall be turned off at the close of business or at 11:06 p.m., whichever is earlier.~~

~~4. No lights shall be so arranged as to direct or reflect light into any residence.~~

~~5. No curb cut shall be less than 25 feet from the intersection of any two street curb lines. Curb cuts shall not be wider than 25 feet. No more than two curb cuts shall be permitted on each abutting street.~~

~~6. An opaque screen at least eight feet in height shall be provided along each property line adjoining a district zoned residential.~~

Use: Condominiums

Special Use Districts: R-12, R-9 and R-7

1. A preliminary site plan shall be submitted.
2. The dimensional requirements for multifamily developments shall apply.
3. The off-street parking requirements for multifamily developments shall apply.

Use: **Electronic, Internet or Sweepstakes Gaming.**

Special Use Districts: ~~**B-2 and I-1**~~**I-2**, ~~**except not**~~**and also permitted in ~~any of these districts~~this district only if ~~in~~ part of a ~~unifiedbusiness~~unified business development**

Setbacks:

1. No Electronic, Internet or Sweepstakes Gaming establishment shall be located closer than 1000 feet to another Electronic, Internet or Sweepstakes Gaming establishment.

2. No Electronic, Internet or Sweepstakes Gaming establishment shall be located closer than 1000 feet to a public or private elementary or secondary school, child day care center or nursery school, public park, church, or community college.

3. No Electronic, Internet or Sweepstakes Gaming establishment shall be located closer than 500 feet from a bar or night club.

All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed Electronic, Internet or Sweepstakes Gaming establishment is to be located to the nearest point of the lot line or boundary of the closest Electronic, Internet or Sweepstakes Gaming establishment , residence, residentially zoned district, public or private elementary or secondary school, child day care center or nursery school, public park, church, community college, bar, or night club.

Other Restrictions:

1. There shall not be more than one (1) Electronic, Internet or Sweepstakes Gaming establishment in the same building, structure, or portion thereof. Additionally, no other principal or accessory use may occupy the same building, structure, property, or portion thereof with any Electronic, Internet or Sweepstakes Gaming establishment.

2. Flashing lights or fluttering devices designed and used to attract attention are not permitted.

3. Sound amplification shall not be directed outside any building or structure occupied by an Electronic, Internet or Sweepstakes Gaming establishment.

4. Alcohol may not be consumed or sold on any premises with Internet or Sweepstakes Gaming.

1. Any building and/or zoning permits issued for the Internet or Sweepstakes Gaming operation shall be subject to annual review to ensure compliance with all relevant regulations and conditions.

2. No person under the age of eighteen (18) will be allowed in the establishment, and age must be verified for each customer at the time of entry into the establishment.

City's Review of Special Use Permit Application

1. The City staff shall be given 30 days from receipt of a properly completed application to verify the information contained in the application before further steps are taken. The staff shall verify that:

    a. The application must contain no misstatement of fact.

b. The applicant has not been convicted of a felony within the past three years, and if convicted of a felony before then, has had citizenship restored.

c. The proposed site meets building and fire prevention codes and the property complies with zoning requirements.

Revocation: A special use permit issued pursuant to this section may be evoked by action of the council it finds that:

1. A misstatement of fact contained in the application is discovered after issuance of the permit.

2. The permittee has violated or allowed to be violated any provision of this subsection.

3. The permittee violates any zoning, building, or fire prevention ordinance.

4. The permittee operates any unlawful game of chance at which any money, property or other thing of value is bet, whether the same be in stake or not, including but not limited to: "numbers", "tickets", Pyramid and chain schemes, faro bank and tables, punchboards, slot machines, vending machines, or game tables.

~~**Use: Golf courses**~~

~~**Special Use Districts: R-18, R-15, R-12, R-9, I-1 and I-2**~~

~~Development Standards:~~

~~1. Every green shall be at least 150 feet from any property lines.~~

~~2. All buildings shall be at least l00feet from a property line.~~

~~3. Lighting shall be shielded so that direct light is not cast onto adjacent property.~~

Use: **Golf, swimming~~, and tennis~~ or tennis lodge or clubs**

Special Use Districts: **R-18, R-15, R-~~12 and R-9~~12, R-9, R-7, R-MF, R-G, O-I, B-2, I-1, and I-2**

Development Standards

1. Every green shall be at least 150 feet from a property line.

2. Tennis courts shall be at least 75 feet from interior lot lines.

3. Buildings and swimming pools shall be at least 100 feet from interior lot lines.

4. Lighting shall be so shielded as to cast no direct light upon adjacent property.

~~4.~~

5. Public addresssystems and sound amplification shall be contained within buildings.

~~**Use: Lodges, Civic, Social and Fraternal Organizations, not used for Parties at Night**~~

~~**Special Use Districts: R-18, R-15, R-9, R-MF, R-G and O-I**~~

~~Development Standards:~~

~~1. The site shall be at least one acre in size.~~

~~2. Structures, activities and parking areas shall be located at least 40 feet from property lines.~~

~~3. Lighting shall be shielded so that it does not cast direct light on adjacent property. Public address systems and sound amplification shall be contained within buildings.~~

~~4.~~ 6. Music that is audible at the property lines of adjacent residential property shall not be permitted.

~~**Use: Lodges or Other Buildings Rented or Used for Parties at Night**~~

~~**Special Use Districts: R-18**~~

~~Development Standards~~

~~1. The site shall be at least three acres in size.~~

~~2. Structures, parking areas and activity areas shall be located less than 40 feet from any property line.~~

~~3. Lighting shall be shielded so that it does not cast direct light on adjacent property.~~

~~4. Public address systems and sound amplification shall be contained within buildings.~~

~~5. An opaque screen shall be provided within the forty-foot space adjacent to the side and rear lot lines.~~

Use: Manufactured Home Parks

Special Use Districts: R-G

Manufactured home parks shall be permitted as a special use upon evidence that a desirable environment for family living will result. To this end, consideration will be given to amenities of the site plan such as the degree of privacy afforded to each unit, protection from adjacent commercial and industrial activities, recreational facilities, landscaping and avoidance of traffic congestion.

Classification of Units Permitted: Class AA, A or B manufactured homes are permitted in parks. Consistent with the definitions of Class AA, A and B manufactured homes, units in manufactured home parks shall be set up in accordance with standards established by the N.C. Department of Insurance. All removable hitches shall be removed.

Minimum Area: Six acres. The site may be divided by a public street, provided that each adjacent portion of the site shall contain at least two acres, and the average horizontal dimension shall be at least 120 feet.

Setback of Park: Each boundary of the park must be at least 200 feet from any permanent residential building located outside the park unless separated by a natural or artificial barrier.

Buffer: A greenbelt planting strip, at least 20 feet wide shall be located along all perimeter boundaries of the manufactured home park not bordering a public street. The greenbelt shall include an opaque screen. No manufactured home or other structure and no driveway shall be located in the buffer.

Development Standards:

1. Minimum dimensions of sites:
   7,000 square feet area for each area
   50 feet width for each site
   20-foot setback for each unit from a private driveway or public street
   15-foot side yard along each side of every site
   20-foot rear yard, but not required where site abuts a greenbelt on rear

2. Placement of Units: Placing manufactured homes side by side with their long axles parallel should be avoided unless the distances between them are substantially increased above the minimums specified herein.

3. Parking: A minimum of two spaces per lot shall be provided

4. Roads: All spaces shall abut upon a paved roadway at least 20 feet wide. Specifications for pavement shall be the same as for City-maintained streets. Roads shall have unobstructed access to a public street, alley or highway. The City will inspect roads during roadway construction to assure that paving standards are met.

5. Walkways: Walkways at least three feet wide shall be provided from the manufactured home spaces to the service buildings.

6. Drainage: The park shall be located on a well-drained site, properly graded to ensure rapid drainage and freedom from standing water.

7. Utilities: Electrical, telephone, cable television, and other utilities shall be constructed underground. Necessary easements of at least 10 feet must be provided. Electric~~C~~ity shall meet requirements in current edition of the National Electrical Code.

8. Recreation area: A minimum of 5,000 square feet of usable, developed recreation area shall be provided for every manufactured home park. The area shall be at least 100 square feet per manufactured home space. (Area must not be used for septic tank fields or contain features such as ditches that limit access and use.)

9. Lighting of roads and walkways: All roadways and walkways within a park shall be hard-surfaced and lighted at night with electric lamps of not less than 100 watts each, spaced at intervals of no more than 100 feet, or equivalent lighting as approved by the City. Such lighting shall be the responsibility of the park owner.

10. Water, sewer: Manufactured home parks shall provide City water and sewer to all facilities and ~~toeach~~to each manufactured home space. A single meter shall be provided for the entire park.

11. Garbage receptacles: The park owner shall provide for adequate, regular methods of waste disposal and collection. Either sanitary bulk containers (dumpsters) or individual garbage containers for each space may be used. If individual garbage containers are provided, private waste collection companies are allowed to enter the park to collect waste at each space. If bulk containers are provided, they must be located within 300 feet of each manufactured home space. The bulk container shall be kept in a sanitary condition at all times.

12. Register: The operator of a manufactured home park shall keep a register containing the names of all occupants, the date of arrival and the license number of the automobile and manufactured home. The register shall be available at all reasonable times for inspections by representatives of the City.

13. Accessory Buildings: Permitted accessory buildings include:
    - Coin laundries, offices, and recreational buildings to serve residents of the manufactured home park only, provided they are not within 50 feet of any manufactured home and do not intrude into any required yard.
    - Equipment storage buildings located as required in the Table of Area, Height, and Yard Regulations
    - An administrative office.

    a. Accessory service buildings shall be well lighted at all times of the day and night; shall be well ventilated, with screened openings; shall be constructed of such moisture-proof material, including painted woodwork, as shall permit repeated cleaning and washing; and shall be maintained at a temperature of at least 62 degrees Fahrenheit from October first through May first. The floors of service buildings shall be of water-impervious material.

    b. No building shall be located closer than 30 feet to any manufactured home.

    c. All service buildings and the grounds of the park shall be kept clean and free from any condition that will menace the health of any occupant or the public or constitute a nuisance.

    d. Maintenance of service buildings shall be the responsibility of the owner of that manufactured home park

14. Fire protection: The park shall meet the most recently adopted standards for adequate fire protection established by the National Fire Protection Association.

15. Skirting: All manufactured homes moved into the City of Graham or its extraterritorial jurisdiction, shall be skirted. A time limit of up to sixty (60) days shall be granted to install skirting. After the sixty-day period, the building inspector shall inspect the skirting for compliance with this section. Skirting must be a noncorrosive, durable material such as vinyl or other suitable material approved by the building inspector. The color shall be in keeping with the color scheme of the manufactured home. All removable hitches shall be removed.

Preliminary Site Plan: In applying for a special use permit the developer of a manufactured home park shall submit plans and specifications showing compliance with the Development Standards listed above. The preliminary site plan shall include or show:

1. A legal description of the property shown and referenced to major streets and tax map number, drawn to scale, clearly showing the extent and area to be used for manufactured home park purposes.

2. The number, size and locations of all manufactured home spaces.

3. Location of underground water, sewer, and gas lines; electric and telephone wires

4. Location and specifications for water taps, sewage disposal connections and other facilities on each manufactured home space.

5. Location of all buildings, proposed or existing, in the area to be used as a manufactured home

6. Location of all roads, driveways and walkways serving the park and each space

7. The original and finished grade of the property.

8. The location by insert map showing true north.

9. A plan for providing fire protection and safety, where applicable.

10. A plan for providing fire protection and safety, where applicable.

11. Plans shall specify the method of garbage disposal

Approval must be obtained from the appropriate state and local agencies for construction of the systems if required.

Use: **Manufactured home sales**

Special Use Districts: ~~**B-2,**~~ **I-1, I-2**

Development Standards:

1. The site shall be at least one acre in size.

2. No manufactured home sales lot may be located closer than 5,000 feet to another manufactured home sales lot.

3. At least 60 percent of property shall be open land.

4. All setback requirements of the zoning district shall be observed.

5. No manufactured home shall be located closer than 20 feet to the nearest other manufactured home or structure.

6. Off-street parking shall be one parking space per two manufactured homes, minimum of five parking spaces.

7. No manufactured home sales lot shall be located in a flood zone area as shown on the City's ~~FEMAmaps~~FEMA maps.

8. Sales office must be constructed in order to comply with N.C. State Building Code, which includes modular construction, as defined by the North Carolina Department of Insurance.

~~**Use: Mini warehouses**~~

~~**Special Use Districts: B-2**~~

~~Lot size: Between two acres (minimum) and five acres (maximum).~~

~~Maximum Height: 20 feet, not exceeding one story.~~

~~Storage: No outside storage is permitted.~~

~~Storage of hazardous, toxic or explosive substances is prohibited.~~

~~Operation: No business activity other than the rental of storage units shall be conducted on the premises.~~

~~One dwelling unit shall be allowed on the same lot for use as a caretaker dwelling.~~

~~Lighting: Lights shall be arranged so that no light or glare is directed into a residence.~~

~~Screening: An opaque screen at least eight feet high shall be provided along each property line adjoining a residentially zoned district.~~

~~**Use: Parking Lot in O-I District to Serve a Use Not Permitted in O-I**~~

~~**Special Use Districts: O-I**~~

~~Development Standards:~~

~~1. Nighttime parking shall be permitted only after attending by the City council that nighttime use willnot adversely affect nearby properties.~~

~~2. If provided, lighting shall be arranged so that no direct or reflected light shall be a nuisance to other properties or persons.~~

Use: **Parking Lot or Driveway Serving a Use not Permitted in the District**

Special Use Districts: **R-12, R-9, ~~and~~ R-7, R-G, O-I, B-3, B-2, B-1, I-1, and I-2**

Development Standards:

1. The parking lot shall adjoin or lie directly across the street from the property served.

2. The parking lot shall be paved with an all-weather surface.

3. Lighting shall be arranged so that direct or reflected light is not a nuisance to other properties.

4. The parking lot shall not extend more than 200 feet into a residential district unless a finding, described below, is made by the City council.

Findings by Council:

1. The City council shall permit nighttime parking only after a finding that nighttime use will ~~notadversely~~not adversely affect nearby properties.

2. The City council shall permit extensions of parking lots more than 200 feet into a residential ~~districtonly~~district only after a finding that extension to a specified greater distance will not adversely affectnearby properties.

3. An opaque screen shall be provided where the City council finds such a screen necessary to protect nearby property.

Use: **Recycling Processing Centers**

Special Use Districts: **I-1 and I-2**

Development Standards:

1. No recycling facility shall locate within a 500-foot radius of any residentially or office ~~andinstitutionally~~and institutionally zoned property.

2. No outside storage of materials is permitted

3. The facility shall be operated in a wholly enclosed building except that if the facility is adjacent to railway tracks, loading into a railway car may take place outside the building provided no materials remain on the loading area for more than 24 hours.

Use: **Telecommunications Towers (Cellular, PCS, Radio, TV, etc.)**

Special Use Districts: **I-1 and I-2**

Setback and Height Requirements:

I. Non-residential districts - The minimum distance from the base of the tower to the nearest property line shall be equal to or greater than the height of the tower. The City council shall have the option to waive this provision upon receiving documentation from the petitioner that the tower is engineered such that in the event of collapse, the tower will fall upon itself within the property boundaries upon which it is located. This option may require the establishment of a setback equivalent to a fall zone easement certified by a professional engineer registered in North Carolina. In any case, the minimum setback for a tower and all appurtenant structures shall be 25 feet from the nearest property line.

2. Proximity to right-of-way - No freestanding or guyed tower may be constructed closer than the tower's height from any public right-of-way.

Appurtenant Structures for Tower Operations:

An appurtenant structure constructed for the purpose of housing equipment related to tower operations may accompany each tower. Such structures shall be unmanned and be limited to 240 square feet of gross floor space for each tower and co-locator (e.g. 3 users on a tower equals three times 240 square feet for accessory structures). Setback for these structures shall be at least 15 feet from any property line.

Fencing and Screening:

1. The base of the tower, including but not limited to equipment and/or storage structures, along with any guy wires shall be enclosed by a commercial grade chain link fence (or fence of equal or greater quality) a minimum of eight feet in height.

2. A vegetative screen shall be planted around the security fencing consisting of at least two staggered rows of evergreen shrubs on five feet centers, at least five feet tall at the time of planting, unless existing vegetation or topography is determined to provide screening at least as effective as the planted screen.

Preliminary Site Plan:

The applicant shall present a preliminary site plan showing:

1. Siting and size of existing and proposed structures and descriptions of the color and nature of all exterior materials;

2. Existing trees and plantings as well as new plantings required for fencing and screening;

3. Existing and proposed topography at a contour interval of five feet;

4. Any officially designated floodways and floodplains;

5. Locations of access easements and parking areas.

Letters from Permitting and Regulatory Agencies

The applicant shall provide letters from all applicable government regulatory agencies such as the FCC, FAA and Burlington Airport Authority verifying that the agency's requirements have been met.

Power output and EMF Emissions:

The output for towers shall not exceed federally approved levels for exposure to electronic magnetic force. The petitioner shall also certify that the tower operations will not interfere with normal radio and television reception in the vicinity.

Tower Lights

Towers shall be provided with warning lights pursuant to FAA and FCC guidelines.

Minimum Distance between Towers:

Towers established pursuant to this ordinance and greater than 75 feet in height shall be located no closer than one mile from another tower greater than 75 feet in height. The council shall have the option to waive this provision if it is determined that a less objectionable site can be established at a closer location, or that other sites are not suitable for proper coverage.

Co-location:

1. Co-location of telecommunications operations on towers is encouraged to maximize use of towers and to reduce the number of towers serving the City and its environs. Co-location on a previously approved tower is permitted without an additional special use permit, provided all conditions of the previously approved permit are complied with. Co-location on a building or substantial structure such as a water tower or electric transmission tower is permitted without a special use permit. However, all applicable provisions of the zoning ordinance shall be met, and the authorized City official should review plans.

2. Towers less than 150 feet in height shall be adequately designed and of sufficient height to accommodate at least one additional user. Towers greater than 150 feet in height shall be designed to accommodate multiple additional users. The applicant for special use permit to construct a new tower shall submit plans indicting the intent to allow shared use of the tower, the number of shared users allowed, and how other users are to be accommodated. The applicant shall also present documentation that no suitable existing facilities within the coverage area are available to the applicant. Evidence may be in the form of maps, letters from adjacent tower owners, or calculations. Facilities include other towers, elevated tanks, or other structures. In addition, a professional engineer shall present documentation that the tower has sufficient structural integrity to accommodate more than one user.

Cessation in Use:

If the wireless telecommunications towers cease to be used for this purpose, then the tower owner shall dismantle and remove the tower and accessory structures from the site, within 120 days from the date the tower is taken out of service. The tower owner shall notify the Planner when any transmission tower is placed out of service. This Special Use Permit expires 120 days after the date that any transmission tower is taken out of service. Prior to final approval of the Electrical Permit, a Decommissioning Plan (see definitions) shall be approved by the City. (*amended 5/3/2016)*

Historic District:

Towers are not permitted in a designated historic district or on property on which a designated historic landmark is located. In addition, towers shall not be constructed within 350 feet of a designated historic district or an historic landmark. "Historic" means a district or landmark, which has been nominated, to the National Register of Historic Places.

Outside Storage:

Outside storage is not permitted on the tower site.

~~**Use: Townhouse Developments**~~

~~**Special Use Districts: R-12, R-9 and R-7**~~

~~1. A preliminary site plan shall be submitted. It shall number and show the location and dimensions of the sites within the development along with other information required by the City.~~

~~2. The dimensional requirements for multifamily developments shall apply.~~

~~3. The off-street parking requirements for multifamily developments shall apply.~~

Use: **Trucking or Freight Terminal, Truck Sales, Truck Storage, Repair, Wash, or Maintenance, and Truck Stop or Auto Plaza**

Special Use Districts: **B-2 (~~Truck Sales~~Vehicle sales and rentals only), I-1, and I-2**

1) A traffic impact analysis/study, prepared by a qualified professional engineer registered to practice in North Carolina, shall be submitted with an application for a Special Use Permit. The purpose of the study is (a) to ensure that the proposed use does not adversely affect the transportation network, (b) to identify any traffic problems associated with access from the site to the existing transportation network, (c) to delineate solutions to potential problems, and (d) to present improvements to be incorporated into the proposed facility.

2) Where applicable, points of ingress and egress shall be shared between adjoining uses that are similar in nature to any road maintained by the City of Graham or the North Carolina Department of Transportation.

Use: **Unified Business Development and Shopping Centers**

Special Use Districts: **Heavy (I-1, I-2 only); Light (~~O-I, B-2, B-1, I-1 and I-2~~permitted by right (B-2, I-1 only)**

Description: A unified business development (UBD) consists of one or more principal structures or buildings, together with accessory structures or buildings, containing two or more stores, service establishments, offices, or other permitted uses. A development of this type is planned, organized, and managed to function as a unified whole and featuring all of the following: 1) common driveways, 2) common parking, 3) common signage, and 4) common landscaping plan. Examples are shopping centers, retail centers, office parks, and business parks having the characteristics listed above. Such unified business developments may include outparcels for lease or for sale, which may be intersected by public streets. Any such unified business development may be organized as a condominium or in a manner analogous to that of a townhouse development (with ownership of parcels beneath the building units and with parking and driveways being in common area owned and maintained by an Owners Association).

Condominium and Townhouse Unified Business Developments: Any unified business development that is proposed to be organized as a condominium or townhouse development must follow the procedures established for condominium and townhouse uses, as specified in Section 10.149. However, the provisions for Dimensional Requirements: Off-Street Parking and Loading Requirements in each of these sections shall not be used in the site plan layout, but will be based on the standards for the underlying

zoning district. If a nonconforming building is converted into a condominium or townhouse

development, the Declaration and Final Plat shall disclose such nonconformity and explain potential consequences of such nonconformity in case of substantial damage to the building.

Access to Street or Thoroughfare: Such developments shall abut a major thoroughfare, minor arterial, or collector street (existing or proposed) as shown on the Burlington-Graham Thoroughfare Plan. Access to the street or thoroughfare shall be by mean of a service road, or direct access, keeping in mind the need to control congestion on and into the thoroughfare or street.

Administrative Approval: When the anticipated traffic load is less than 250 vehicles per day, the approval for this UBD may be treated as a "Unified Business Development, Light" and be considered use by right by the City Planner, or referred to Council as they so choose. However, if the traffic increases beyond this amount, or is anticipated to increase beyond this amount, the applicant must come before the City council to be approved, or the parcel must have only one use. *(added 5/3/2016)*

Uses to be Enclosed: Required Screening:

1. All uses shall be completely enclosed in buildings except for plant sales, sidewalk cafes, and permitted drive-in uses.
2. An opaque screen shall be provided wherever, in the City council's judgment, such screening ~~isnecessary~~is necessary to shield adjacent residential districts.

Uses Permitted in Unified Business District:

B-2 and I-1

1. All uses permitted in the B-2 District are permitted except for the following uses, which are not permitted: residential dwellings; animal hospital; automobile sales; car wash; amusements/water parks; bottling or dairy plant; commercial campgrounds; camping vehicle parks; contractor's storage yards (offices are permitted); day care centers (child and adult); farm equipment sales, storage and repair; funeral homes; golf courses (all types); hospitals; kennels; laundries, except self-service; lodges; manufactured home sales; nursing homes; plumbing shops; sign shop; stonecutting; monument manufacture and sales; tattoo business; tire recapping and retreading (principal use); truck sales; veterinarian; wholesale distributors.

2. Drive-in establishments offering goods or services directly to customers in parked cars shall be permitted only when the locations of buildings and access drives have been approved by the City council.

3. All business establishments shall be retail or service establishments dealing directly with the public.

4. Dry cleaning businesses are allowed with the following provisions: (a) No Hazardous Air Pollutants (HAPs), Resource Conservation and Recovery Act (RCRA) hazardous waste, or Occupational Safety & Health Administration (OSHA) labeled toxic substances allowed on premises and (b) no dry-cleaning chemical storage allowed on premises.

~~O-I and B-1~~

~~All uses permitted in the underlying districts are allowed within those districts.~~I-

~~2~~

I-2: All uses permitted in the underlying district are allowed within the Heavy Industrial District. *(added 5/3/2016)*

Sections 10.150-10.159 Reserved

DIVISION 8. RESERVED

Section 10.160-10.184 Reserved *(Planned Unit Development removed 8/2/2016)*

DIVISION 9. HISTORIC DISTRICT OVERLAY ZONE

Section 10.185 Purpose

The Courthouse Square Historic District, referred to in this division as the "district," is one of the most valued and important assets of Graham. It is established for the purpose of protecting and conserving the heritage of Graham, Alamance County and the state; for the purpose of safeguarding the character and heritage of the district by preserving the district as a whole and any individual property therein that embodies important elements of its social, economic, cultural, political or architectural history; for the purpose of promoting the conservation of such district for the education, pleasure and enrichment of residents of the district and Graham, Alamance County, and the state as a whole; for the purpose of fostering civic beauty; and for the purpose of stabilizing and enhancing property values throughout the district as a whole, thus contributing to the improvement of the general health and welfare of Graham and the residents of the district.

Section 10.186 Historic District Overlay Zone Established

The Courthouse Square Historic District is hereby established as a district which overlaps and overlays existing zoning districts, the extent and boundaries of which are as indicated on the official zoning map.

Section 10.187 Uses Conform to Underlying District

The Courthouse Square Historic District overlays several zoning districts. All uses permitted in any such zoning district shall be permitted in the historic district according to the procedures established in this ordinance.

Section 10.188 Dimensions Conform to Underlying District, Exceptions

Dimensional requirements shall be the same as those for the underlying zoning districts, except that

Section 10.135 Table of Permitted Uses

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)	I-2 (Note 19)	C-I	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	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~~X		C	X	X	C		C	3
Boutique Shops, No Outdoor Storage									~~S~~X	C	X	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 work															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~~S		C	X	X	C		C	3
Vehicle repair shops, not including body or fender repair												X		C	X	X	C		C	4

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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)	I-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
Vehicle Towing Services, See Note 3												~~X~~S		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
Banquet Hall						C			X	C		X	X	C	X		C	C	C	3
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~~X	~~S~~X	~~S~~X	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
Bus station												S		C						3
Cabinet, woodworking and upholstery shops												X		C	X	X	C		C	3
Campgrounds, commercial	~~S~~											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~~	~~S~~	~~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, 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

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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)	I-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
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	~~X~~	~~X~~	~~X~~	~~X~~	X	~~C~~	X	X										~~C~~	~~C~~	1
Dwelling, condominium			S	S	S	C	X	X		C				C				C	C	2
Dwelling(s), located in the second or higher story of a commercial structure									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	~~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~~	~~S~~				5
Equipment Rental, Leasing or Repair (no outside storage)												X		C	X	X	C		C	3
Equipment Rental, Leasing or Repair (with outside storage), See Note 6															X	X	C			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							

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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)	I-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
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	~~C~~			3
Floor Covering, Drapery or Upholstery Sales											~~S~~X	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	~~X~~						~~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	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	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)																S				5
Retail/Service With Outside Plant/Equipment Storage												X		C	X	X	C		C	3

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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)	I-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
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
Life Counseling						~~C~~			X	C		X	X	C			C	~~C~~	C	2
Manufactured Dwelling Park								S												3
Manufactured Dwelling (Class AA) on Individual Lot								X												1
Manufactured Home Sales												~~S~~			S	S	~~C~~			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

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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
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				5
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	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	~~X~~		C	C	C	2
Night clubs, dance halls (see note 4)												~~X~~	~~X~~	C	~~X~~		C		C	3
Nursing Home, Rest Home, Convalescent Home	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	C	X	X	~~S~~X	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

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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)	I-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
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	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	C			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
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	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	X	C	X	X	X	C	X	X	C	C	C	1
Sewage Treatment Plant,																~~X~~S				5
School, Elementary or Secondary	S	S	S	S	S	C	S	S	~~S~~X	C	~~S~~X	~~X~~X		C	X		C	C	C	~~1~~2

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School, commercial, vocational									~~S~~X	C	~~S~~X	~~X~~X	~~X~~S	C	~~X~~X	~~X~~X	C	C	C	~~1~~2
School, music, art, martial arts, or dancing									X	C	X	X	X	C	X		C	C	C	1
Septic Tank Installation and Servicing Businesses															X	X	C			3
Sexually Oriented Business												~~S~~			~~S~~	~~S~~				5
Shooting Range, Indoor															X	X	C			3
Shooting Range, Outdoor																S				~~4~~5
Solar Farm (See Note 24)						~~C~~				~~C~~				~~C~~	X	X	C	~~C~~	~~C~~	~~2~~4
Stable, including riding facilities	~~S~~X														~~S~~X	~~S~~X	C			1
Storage Yard, See Note 13															X	X	C			5
Tanning Salon									~~X~~	~~C~~	X	X	X	C				C	C	3
Tattoo Business												X			X	X				3
Taxidermist												~~X~~		C	X	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
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	X	C			~~3~~4
Unified Business Development, Heavy									~~S~~	~~C~~		~~S~~	~~S~~	~~C~~	S	~~S~~	C	~~C~~	~~C~~	~~3~~4

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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														~~X~~	~~X~~	~~X~~			2
Warehouse (general storage, enclosed, non-hazardous)															X	X	C			4
Warehouse, Mini (self-storage), see note 25												~~s~~		~~c~~	X	X	C			3
Waste Incinerators (including Medical)																~~S~~				5
Water Treatment Plant															X	X	C			5
Wholesale Distribution and Trade Not Otherwise Listed												~~x~~		~~c~~	X	X	C			3

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PLANNING BOARD
Recommendation & Statement of Consistency

Per NCGS 160D-701, 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.

Special Use Permit Uses Listed (AM2103)

Type of Request
Text Amendment

Meeting Dates
Planning Board on November 16, 2021
City Council on December 14, 2021

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

☐ I move to **recommend APPROVAL** of the alternative language, as proposed by the Planning Board.

☐ 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:

Based on The Graham 2035 Comprehensive Plan and best practices.

This report reflects the recommendation of the Planning Board, this the 16th day of November, 2021.

Attest:

Dean Ward

Dean Ward, Planning Board Chair

Debbie Jolly

Debbie Jolly, Secretary

City Council
Decision & Statement of Consistency

Per NCGS 160D-701, 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.

Special Use Permit Uses Listed (AM2103)

Type of Request
Text Amendment

Meeting Dates
Planning Board on November 16, 2021
City Council on December 14, 2021

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 14th day of December, 2021.

Attest:

Jennifer Talley, Mayor

Darby Terrell, City Clerk

STAFF REPORT

Prepared by Justin Snyder, AICP, CZO, Planning Director

East Harden Industrial (RZ2107)

Type of Request: Rezoning

Meeting Dates
Planning Board on November 16, 2021
City Council on December 14, 2021

Contact Information
Chad Sharpe
1648 Memorial Dr.
Burlington, NC 27215
336-229-9464; ctsharpe@gmail.com

Summary

This is a request to rezone 5.11 acres of property from R-18 (low density residential) to I-1 (light industrial). While this side of the road is primarily residential, there is some O-I and B-2 zoning in close proximity, as well as I-1 industrial zoning immediately across the street. This property is also located in the Highway 54 overlay, so additional development control measures as well as use limitations pursuant to Section 10.465 of the development ordinance would apply for this property.

Location
1205 East Harden Street

GPIN:
8883990211

Current Zoning
R-18 Residential low density

Proposed Zoning
I-1 Light Industrial

Overlay District
Highway 54 Overlay

Surrounding Zoning
R-MF, R-18, I-1, B-2, O-I

Surrounding Land Uses
Single Family, Multi Family, Vacant, and Business

Size
5.11 acres

Public Water & Sewer
Yes

Floodplain
Yes

Staff Recommendation
Approval



Disclaimer:
This map was compiled from the GIS resources of the Burlington Regional GIS Partnership for public planning and agency support purposes. These resources include public information sources of different scale, time, origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the City of Graham nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

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

Applicable Policies:

- **2.1.1 Diverse job market**. A diversified job market that provides employment opportunities for persons with varying education levels and skill sets is needed and encouraged. *This amendment will allow for potential job creation that will diversify our existing workforce.*
- **2.1.4 Competitive advantage**. Graham works to strengthen its existing comparative economic advantages including a high quality and highly diverse workforce, local education and research institutions, and high quality of life. *This amendment will strengthen the local economy by increasing the tax base with minimal impact to existing public infrastructure. It will aid in diversifying our skilled labor workforce.*
- **2.2.2 Living wages**. Promote the creation of living wage jobs, and promote living wages when considering economic development incentives and investments. Expand living wage opportunities for people without 4-year college degrees. *This amendment will likely attract business with a skilled workforce that may not necessarily be college educated or which may trend towards community colleges and functional programs.*
- **3.2.4 Greenway system.** Promote a greenway system that links together the City's recreational resources and provides connections to commercial, employment, and residential areas. Greenways along stream buffers should be prioritized in order to protect the stream watershed. *This parcel is located along a mapped stream, and by clustering the development and impervious areas to the front of the property, the rear stream buffer areas can be retained as natural open space with potential for trails or access easements for the public.*
- **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 use of this parcel for light industrial will allow more efficient use of the existing water and sewer lines, without an additional maintenance burden.*

Planning Type
Corridor

Development Type
Commercial Corridor

Ideally, most future development will be focused in strategically located clusters identified within this plan. Where commercial growth occurs along the identified NC 54 and NC 87 corridors, pedestrian, bicycle, and vehicular safety should be promoted through high quality planned development.

Corridors serve as connections between important places and along highly trafficked roads. But in this plan corridors do not simply plan for street maintenance. Instead corridors represent a network of travel routes, increase choices for people to move throughout the City, reducing automobile dependency, providing a link to parks and open space, and overall enhancing travel within Graham.

Appropriate Density
6 dwelling units per acre;
0.5 Commercial/Industrial FAR

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 this property would further Policies 2.1.1, 2.1.4, 2.2.2, 3.2.4, and 4.2.1, creating a diverse job market with living wages to increase our competitive advantage while encouraging efficient land use patterns and environmentally sensitive development to possibly extend our greenway system.

Application for REZONING or CONDITIONAL REZONING

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: 1205 East Harden Street

Tax Map#: 6-23-12 GPIN: 8883990211

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: Undeveloped

Total Site Acres: 5.11 acres

Property Owner: Maple View, Inc.

Mailing Address: 1648 Memorial Drive

City, State, Zip: Burlington, NC 27215

Applicant

☑ Property Owner Other _____

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: CTS Maple View, Inc.

Mailing Address: 1698 Memorial Dr.

City, State, Zip: Burlington, NC 27215

Phone # 336-229-9864

Email: ctsharpe@gmail.com + JmTalley@gmail.com

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

CTS 10.20.2021

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 Rezonings*, 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 zoning change from R-18 to I-1.

For Conditional Rezonings, **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 Rezonings*

Office Use Only. DEVID#

RZ2107 R-18 to I-1

City of Graham

Legend

Downtown Historic District

Zoning Districts

- 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

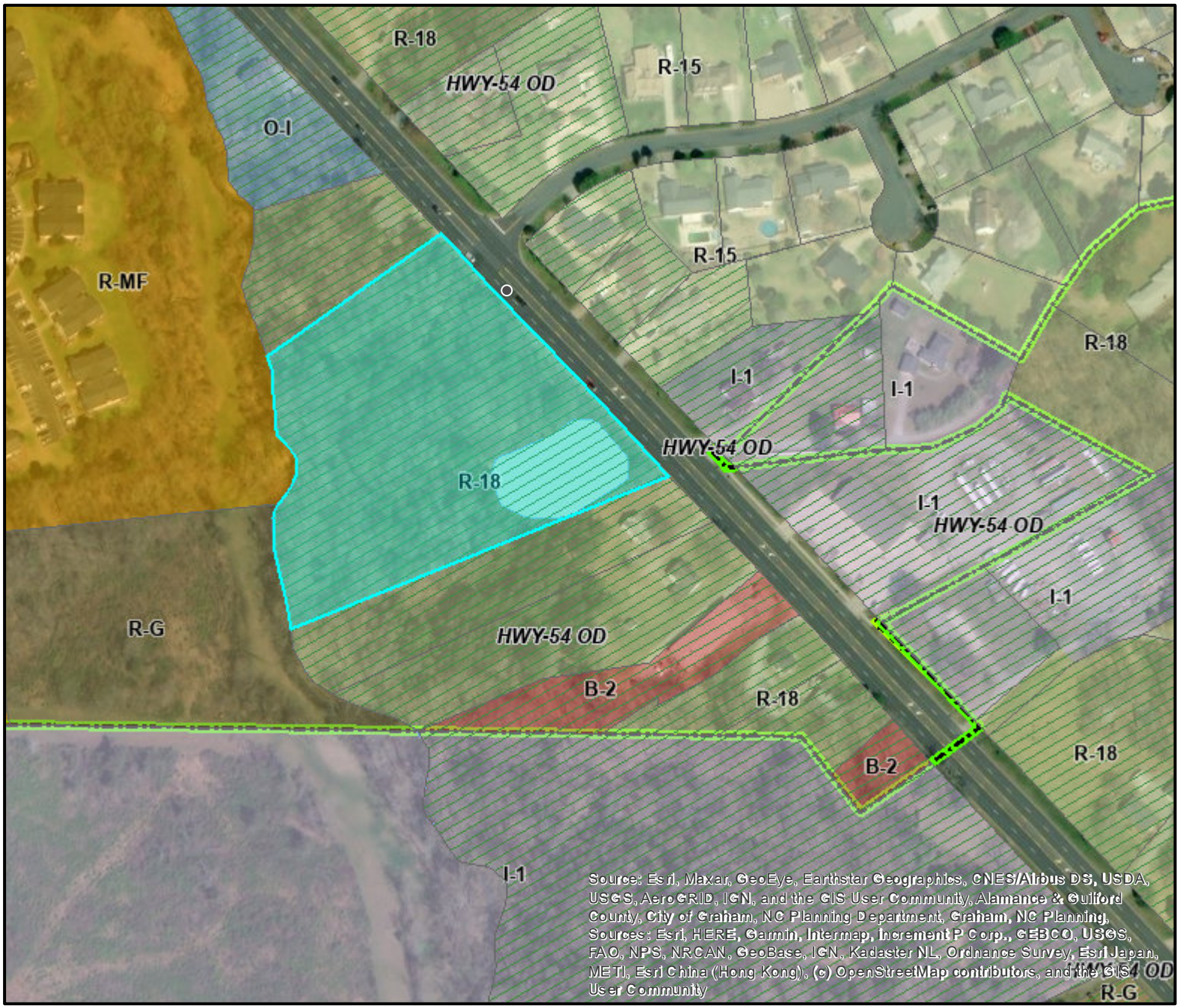
Zoning Overlay Districts

- HD
- PUD
- HWY-87 OD
- HWY-54 OD

N W E S

1 inch = 264 feet

Print Date: 10/20/2021



Disclaimer:
This map was compiled from the GIS resources of the Burlington Regional GIS Partnership for public planning and agency support purposes. These resources include public information sources of different scale, time, origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the City of Graham nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

L.E.A.D.S. GROUP, P.A.

LAND ENGINEERING AND DEVELOPMENT SERVICES

Date: 10-19-2021

Project Manager: CDH

TRANSMITTAL SHEET

Attn: Cameron West

1-21-1044

Graham Planning Dept.

Rezoning Application
Maple View, Inc. / City of Graham
5.11 Acres at 1205 East Harden Street, Graham, NC
PID Number 145334

This sheet

Thank you
The L.E.A.D.S. Group, PA
Chad Huffine
336-227-8724



Please let us know if you have any questions.

1205 EAST HARDEN STREET

L.E.A.D.S. GROUP, P.A.

505 E. Davis Street
Burlington, NC 27215

Phone: 336-227-8724
Fax: 336-222-9917

City Council
Decision & Statement of Consistency

Per NCGS 160D-701, 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.

East Harden Industrial (RZ2107)

Type of Request
Rezoning

Meeting Dates
Planning Board on November 16, 2021
City Council on December 14, 2021

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…

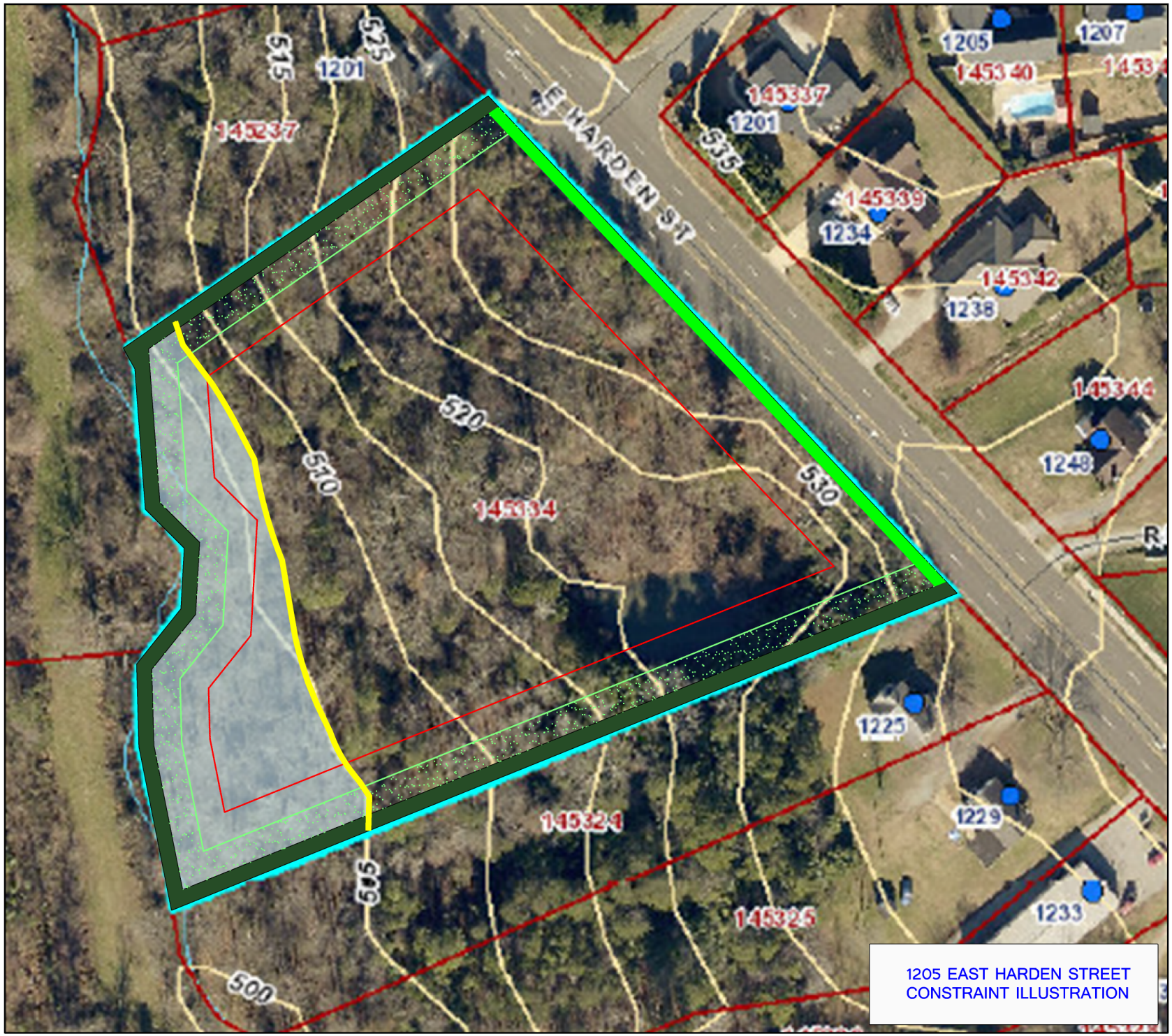
This action is reasonable and in the public interest for the following reasons:

This report reflects the decision of the City Council, this the 14th day of December, 2021.

Attest:

Jennifer Talley, Mayor

Darby Terrell, City Clerk


E HARDEN ST
515
525
1201
145337
1205
1207
145340
145339
1234
145342
1238
145344
1248
520
510
530
145334
1225
1229
145324
505
145325
1233
500
1205 EAST HARDEN STREET
CONSTRAINT ILLUSTRATION