



**DOCKET #:** F1457

**PROPOSED ZONING:**  
RS40

**EXISTING ZONING:**  
AG

**PETITIONER:**  
Page Construction Co.  
Inc. for property owned  
by Same

**SCALE:** 1" represents 400'

**STAFF:** Roberts

**GMA:** 5

**ACRE(S):** 8.37

**MAP(S):** 684894



March 22, 2006

Page Construction Co., Inc.  
c/o George C. Page President  
152B Furlong Industrial Drive  
Kernersville, NC 27284

RE: ZONING MAP AMENDMENT F-1457

Dear Mr. Page:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, AICP  
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office  
Jimmy Pack, 152B Furlong Industrial Drive, Kernersville, NC 27284  
Rick Atwood, 152B Furlong Industrial Drive, Kernersville, NC 27284



COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Page Construction Co., Inc., Docket F-1457

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF THE  
COUNTY OF FORSYTH,  
NORTH CAROLINA

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BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from AG to RS-40 the zoning classification of the following described property:

Tax Block 5242, Tax Lot 2B

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD STAFF  
STAFF REPORT FOR: Docket # F-1457  
March 9, 2006**

PETITION INFORMATION			
<b>Docket #</b>	F-1457		
<b>Staff</b>	Gary Roberts		
<b>Petitioner(s)</b>	Page Construction Company, Inc.		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	Tax Lot 2B / Tax Block 5242		
<b>Type of Request</b>	General Use District rezoning from AG to RS-40		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> AG Agricultural District; 40,000 sf minimum lot size <b>to</b> RS-40 Residential, Single Family District; 40,000 sf minimum lot size.</p> <p><b>NOTE:</b> Both general and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.</p>		
<b>Zoning District Purpose Statement</b>	<p>The RS-40 District is primarily intended to accommodate single family detached dwellings on large lots in areas without access to public water and sewer services. The district is established to promote single family detached residences where environmental features, public service capacities, or soil characteristics necessitate very limited development. This district is intended for application in Growth Management Areas 4 and 5 and appropriate protected watershed areas. This district may also be applicable to older, larger lot development in Growth Management Areas 2 and 3 developed prior to the effective date of this Ordinance.</p>		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes		
GENERAL SITE INFORMATION			
<b>Location</b>	Northeast side of Goodwill Church Road and northwest side of Piney Grove Road		
<b>Jurisdiction</b>	Forsyth County		
<b>Site Acreage</b>	Approximately ± 8.37 acre		
<b>Current Land Use</b>	Undeveloped		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	AG	Undeveloped
	East	AG	Single family homes

	South	AG and RS-30	Goodwill Baptist Church and associated cemetery and single family homes	
	West	AG	Undeveloped and single family homes	
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>			
	Yes			
<b>Physical Characteristics</b>	The site is almost completely cleared (was used for agricultural production) and has a moderate slope downward in all directions from the center of the site.			
<b>Proximity to Water and Sewer</b>	Public water is available to the site; however, public sewer is not available.			
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.			
<b>Amount of AG land rezoned since 12-31-94</b>	1,791.57 acres with a balance of 59,724.96 acres Note: F-1451 and F-1452 are pending rezoning cases which contain 35.67 acres and 0.68 acres of AG zoned land respectively. The above noted acreage calculations will need adjustment should either of these cases be approved by the County Commissioners.			
<b>Analysis of General Site Information</b>	Depending upon the site's capability to accommodate septic systems, the site is adequate for development allowed in the proposed RS-40 District. (note: AG and RS-40 density is the same)			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Goodwill Church Road	Minor Thoroughfare	913'	1,400	11,100
Piney Grove Road	Major Thoroughfare	420'	2,400	18,000
<b>Proposed Access Point(s)</b>	General use request with no site plan; site has extensive frontage along Goodwill Church Road and Piney Grove Road.			
<b>Planned Road Improvements</b>	Goodwill Church Road and Piney Grove Road are minor and major thoroughfares respectively. They are planned as two lane cross sections with wide shoulders. As indicated by the Thoroughfare Plan map (attached), Goodwill Church Road is proposed to be realigned with Freeman Road. Such realignment would significantly impact the subject property. See attached Exhibit A.			
<b>Trip Generation - Existing/Proposed</b>	<u>Existing Zoning: AG</u> 8.37 acres x 43,560 / 40,000 sf = 9 units x 9.57 (SFR Trip Rate) = 86 Trips per Day Note: Potential lot yield is contingent upon meeting the 150' minimum lot width requirement of the AG District unless the site is developed under a			

	<p>Planned Residential Development scenario.</p> <p><u>Proposed Zoning: RS-40</u>  8.37 acres x 43,560 / 40,000 sf = 9 units x 9.57 (SFR Trip Rate) = 86 Trips per Day</p>
<b>Sidewalks</b>	There are no sidewalks located in the general area.
<b>Transit</b>	None
<b>Analysis of Site Access and Transportation Information</b>	Access to the site is adequate; however the proposed realignment of Goodwill Church Road, as shown on the Thoroughfare Plan, will significantly impact the subject property. See attached Exhibit A and comments under Analysis of Conformity to Plans and Planning Issues below.
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Area 5 (Rural Area)
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• The Rural Area is located outside of the Future Growth Area and beyond the area that can be provided with public sewerage and other services in a cost effective manner. <i>Legacy</i> proposes that the majority of the future growth be directed away from the Rural Area and occur within the Municipal Services Area. (p. 42)</li> <li>• Discourage rezonings to more intense districts in the Rural Area. (p. 46)</li> <li>• New development at the suburban fringe requires expensive new facilities including new roads, schools, and water and sewer lines. Building these new facilities can be wasteful duplication since there is often excess capacity in already developed areas. Residents in older urban neighborhoods subsidize these new facilities since the costs in the community are spread evenly among all taxpayers. (p.26)</li> </ul>
<b>Relevant Area Plan(s)</b>	The site is not within the boundaries of an area plan or development guide.
<b>Thoroughfare Plan Information</b>	See comments above under Planned Road Improvements.
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>(S)(4) - Is the requested action in conformance with Legacy?</b>
	See comments below.
<b>Analysis of Conformity to Plans and Planning Issues</b>	While <i>Legacy</i> discourages rezonings to more intense districts within the Rural Growth Management Area, the only dimensional differences between the existing AG District and the proposed RS-40 District are the lot width and the amount of open space required for a PRD (30% vs 40%). The AG District has a minimum lot width of 150' as compared to the 100' minimum lot width of the RS-40 District. Therefore, under a conventional subdivision scenario, such a reduced lot width may provide some additional flexibility which would result in a slightly greater lot

yield. However, because both the AG and the RS-40 Districts have a minimum lot size of 40,000 sf, no additional lots would be achieved if the property was developed under a Planned Residential Development scenario.

The issue of AG to RS-40 conversion is a philosophical debate. The AG District was established with the creation of the UDO to recognize traditional farming areas in hopes of maintaining such areas in agricultural production. There is very little difference in the development restrictions between the AG and the RS-40 districts.

Regardless of which approach is taken, the UDO requires that major subdivisions be in conformity with the Thoroughfare Plan. As noted previously, the subject property would be impacted by the proposed realignment of Goodwill Church Road as shown on the Thoroughfare Plan. According to the WSDOT staff, should a subdivision request for the site be submitted for review, the minimum recommendation would include right of way dedication for the proposed road. However, depending upon several factors such as the total acreage submitted and the proposed lotting pattern, staff may recommend construction of the proposed road.

**RELEVANT ZONING HISTORIES**

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1340	AG to LI-S (Building Contractor, Heavy)	Denied 6-25-01	800' east	2.26	Denial	Denial
F-1310	RS-40 to GI-S (Landfill, Sanitary)	Denied 8-14-00	½ mile ± east	186	Approval	Denial

Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:	See comments above
	(B) Environmental Ord.	N/A
	(C) Subdivision Regulations	N/A

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

Positive Aspects of Proposal	Negative Aspects of Proposal
Request would provide the property owner with greater flexibility in regard to potential subdivision activity due to the smaller lot width of the proposed RS-40 District.	Request would potentially increase the number of residential lots (due to dimensional flexibility of RS-40 zoning) on a property which would be impacted by the realignment of Goodwill Church Road as shown on the Thoroughfare Plan.
	Request would result in the conversion of an additional 8.37 acres of AG zoned property to a zoning district which allows narrower lot sizes.



**STAFF RECOMMENDATION: Approval**

**NOTE:** These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Paul Mullican moved approval of the zoning map amendment.

SECOND: Clarence Lambe

VOTE:

FOR: Jerry Clark, Carol Eickmeyer, Arnold King, Clarence Lambe, Lynne Mitchell,  
Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor on February 2, 2006, the subject property was in the name of Page Construction Co., Inc.

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A. Paul Norby, AICP  
Director of Planning