



# TOWN OF OAK RIDGE PLANNING AND ZONING BOARD

RZ-20-03 Town Council: October 1st, 2020

## GENERAL INFORMATION

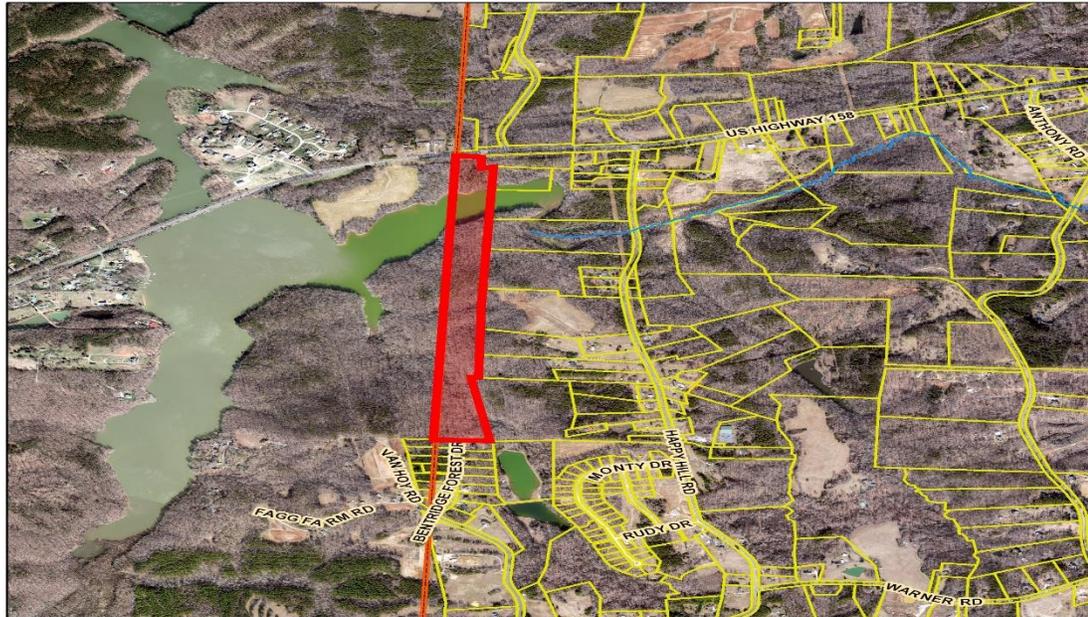
**Applicant:** Mary A. Leight

**Request:** Rezoning request from AG (Agricultural) to RS-40 (Residential)

**Development Conditions:**  
None

**Location:**

Guilford County, NC



August 5, 2020

1:16,000  
0 700 1,400 2,800 ft  
0 225 450 900 m

Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

**Tax Map ID#:** 6990-30-1268.00 (Forsyth County Tax Parcel) The majority of the overall parcel is located in Forsyth County.

**Public Notification:** The Town of Oak Ridge notified all property owners within 500' of the subject property and the property was posted for Public Hearings before the Planning & Zoning Board and Town Council.

**Community Outreach:**

None.

**Tract Size:** 35.6 approximately

**Topography:** Heavily contoured

**Vegetation:** Heavily Wooded.

**SITE DATA**

**Existing Use:** Agricultural (Undeveloped)

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
<b>N</b>	AG	Agricultural
<b>S</b>	RS-40	Single-Family Residential
<b>E</b>	AG	Agricultural
<b>W</b>	AG	Agricultural

**Zoning History:**

<b>Case #</b>	<b>Date</b>	<b>Summary</b>
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N/A

**ZONING DISTRICT STANDARDS**

**District Summary:**

Zoning District	Existing	Requested
Designation:	<b>AG</b>	<b>RS-40</b>
Max. Density:	1 DU/Per Acre No Major Subdivision	1 DU/per 40,000 square feet.

**Conditional Uses:** None

**Overlay Districts:** None

**Environmental:**

**Watershed:** Greensboro General Watershed

**Floodplains:** Northern portion of parcel within the boundaries of the Town of Oak Ridge ETJ along Belews Lake.

**Streams:** Kings Creek

Other: None

**Utilities:**

Public Water: Service brought in through either Forsyth or Stokesdale

Public Sanitary Sewer: Non-available (Lots will be served by onsite septic fields)

**Landscape Requirements:**

Landscaping requirements per **Article IX Division 4** "Landscaping and Tree Protection Requirements" apply to this site.

**Off-Street Parking Regulations:**

None

**Tree Conservation Areas:**

Will be determined during Subdivision approval process.

**Transportation:**

Street Classification: Bentrige Forest Dr. – Minor Collector

Happy Hill Rd. – Collector Street

Site Access: Bentrige Forest Dr. and a future connection to Happy Hill Rd.

Traffic Counts: 10,000 Annual Average Daily Traffic (AADT) Volume along Hwy 158. Counts taken approximately 2 miles north of Parcel.

Sidewalks: None required

Traffic Impact Study: Requirements for a Traffic Impact Analysis/Study is not required by the Town of Oak Ridge Code of Ordinance. However, NCDOT may require a study be completed during the subdivision review process.

Street Connectivity: Connection to Bentrige Forest Dr.

Other: N/A

**IMPACT ANALYSIS & STAFF DISCUSSION**

**Future Land Use Compatibility – 2016 Future Land Use Plan**

OBJECTIVE 1.2: Recommend RS-40 zoning for development on tracts outside the town core with marginal environmental, agricultural, historic, or community open space value.

**Comprehensive Pedestrian Transportation Plan**

No additions proposed for this area.

**STAFF RECOMMENDATIONS:**

The proposed request is consistent with the recommendations of the Oak Ridge Future Land Use Plan. Staff recommends approval of the rezoning application.

**Staff Report prepared for the Town of Oak Ridge Planning Department by Planning Director Sean Taylor, CZO.**

**PLANNING AND ZONING BOARD RECOMMENDATIONS:**

Motion to recommend **Approval** to Town Council the application for rezoning. The proposal is **Consistent** with the adopted land use plan, it is also **Reasonable** and **in**/not in the public interest:

**Patti Paslaru** \_\_\_\_\_

Seconded by: **Jason Streck** \_\_\_\_\_

**Vote 7 to 0 in favor of the motion.**

<b>VOTE:</b>	Schlaginhaufen	<u>AYE</u>
	Streck	<u>AYE</u>
	Stoudemire	<u>AYE</u>
	Paslaru	<u>AYE</u>
	Shepherd	<u>AYE</u>
	Stafford	<u>AYE</u>
	Gardner	<u>AYE</u>

**TOWN COUNCIL RECOMMENDATIONS:**

Motion to Approve/Deny by:

Seconded by:

Vote \_\_\_\_ to \_\_\_\_ in favor of the motion.

<b>ROLL CALL VOTE:</b>	Pittman	_____
	McClellan	_____
	Kinneman	_____
	Nodine	_____
	Schneider	_____

**MOTION  
TO APPROVE  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to RS-40

I make a motion that the proposed zoning amendment be approved based on the following:

1. *The proposed zoning amendment is consistent with the adopted comprehensive plan of the Town of Oak Ridge.* The Planning Board has provided the Council with its written statement that the proposed zoning amendment is consistent with the comprehensive plan, and the Council concurs and adopts the Planning Board's finding of consistency by reference. In addition, the Council further finds that the proposed zoning amendment is consistent with the comprehensive plan because:\_\_\_\_\_.

AND

2. *The proposed zoning amendment is reasonable.* The Council considers the proposed zoning amendment to be reasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.

B. The Council further finds that the proposed zoning amendment is reasonable because:\_\_\_\_\_.

AND

3. *The proposed zoning amendment is in the public interest.* The Council considers the proposed zoning amendment to be in the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

B. The Council further finds that the proposed zoning amendment is in the public interest because:\_\_\_\_\_.

[Call for second etc.]

**MOTION  
TO REJECT  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to RS-40

I make a motion that the proposed zoning amendment be rejected based on the following:

1. *The proposed zoning amendment is not consistent with the adopted comprehensive plan of the Town of Oak Ridge.* The Planning Board has provided the Council with its written statement that the proposed zoning amendment is not consistent with the comprehensive plan, and the Council concurs and adopts the Planning Board's finding of inconsistency by reference. In addition, the Council further finds that the proposed zoning amendment is inconsistent with the comprehensive plan because:\_\_\_\_\_.

AND/OR

2. *The proposed zoning amendment is not reasonable.* The Council considers the proposed zoning amendment to be unreasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be unreasonable is adopted by reference.

B. The Council further finds that the proposed zoning amendment is unreasonable because:\_\_\_\_\_.

AND/OR

3. *The proposed zoning amendment is in the public interest.* The Council considers the proposed zoning amendment to be against the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be against the public interest is adopted by reference.

B. The Council further finds that the proposed zoning amendment is against the public interest because:\_\_\_\_\_.

[Call for second etc.]

**MOTION  
TO APPROVE  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to RS-40

I make a motion that the proposed zoning amendment be approved based on the following:

1. *Even though the proposed zoning amendment is inconsistent with the adopted comprehensive plan of the Town of Oak Ridge, a change in conditions in meeting the development needs of the community has occurred since plan adoption.* These changes include:

\_\_\_\_\_.

Furthermore, the Planning Board has provided the Council with its written statement that the proposed zoning amendment is inconsistent with the comprehensive plan, but that a change in conditions in meeting the development needs of the community has occurred since plan adoption, and the Council concurs and adopts the Planning Board's finding of inconsistency and changing conditions by reference. In addition, the Council further finds that the proposed zoning amendment meets the development needs of the community because:

\_\_\_\_\_

AND

2. *The proposed zoning amendment is reasonable.* The Council considers the proposed zoning amendment to be reasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.

B. The Council further finds that the proposed zoning amendment is reasonable because:

\_\_\_\_\_.

AND

3. *The proposed zoning amendment is in the public interest.* The Council considers the proposed zoning amendment to be in the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

B. The Council further finds that the proposed zoning amendment is in the public interest because: \_\_\_\_\_.

AND

4. By approving this motion, the Council also hereby amends the Town of Oak Ridge comprehensive plan to reflect the approved zoning amendment.

[Call for second etc.]