



Town of Jamestown  
Planning Board

*Welcome to the Town of Jamestown Planning Board meeting. We appreciate your interest and we encourage public participation in our meeting. Your comments are important to our decision making process. Please note that there will be opportunities during the meeting for you to address the Board members. The first opportunity will come if there is a public hearing on the agenda, when the Chair declares the hearing open for comment. The second opportunity to address the Board will come near the end of the agenda when the Chair will inquire if anyone wishes to address the members of the Board. Anyone addressing the Board will approach the podium; give your first and last name and your complete physical address. Comments may be limited to three minutes.*

TO: Planning Board Members  
FROM: Anna Hawryluk, AICP – Town Planner  
RE: **Regular Meeting**  
**Monday, July 18, 2022 – 6:00PM**  
**Jamestown Town Hall, Civic Center**

Items on the agenda:

1. Call to Order – Sarah Glanville, Chair of the Planning Board
2. Roll Call – Anna Hawryluk, Town Planner
3. Meeting Overview – Matthew Johnson, Town Manager

4. Public Hearings:

*Procedure: Staff will present the case to the Board. The Chair will open the public hearing and request to hear from both those in favor and those opposed. If you wish to address the Board during the public hearing, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you at this time, even if direct questions are asked. **Once the public hearing is closed, no one may speak on the issue unless specifically requested by the Board Chair.***

A. Rezoning Request – Anna Hawryluk, Town Planner

A rezoning application has been received for the following parcels:

4718 Harvey Rd. (Parcel #223271) Approx. 31.4+/- acres. From AG

(Agricultural) to CZ-B (Conditional Zoning - Bypass).

- a. Vote on recommendation to Town Council – Chair of the Planning Board
- b. Adoption of the Statement of Consistency – Chair of the Planning Board

5. Public Comment Period: (Limited to a total of 30 minutes)

*Procedure: The Board Chair will ask the Town Clerk if anyone has signed up to speak to the Board. **It is advisable that if you wish to address the Board that you see the Town Clerk prior to the start of the meeting.** Once you have been recognized by the Chair, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you, even if direct questions are asked.*

6. Adjourn

7. Next Regularly Scheduled Meeting: August 8, 2022

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The meeting will be broadcast live on the Town's YouTube channel at: <https://www.youtube.com/townofjamestownnc>  
Click "Subscribe" and tap the "bell" icon to be notified when we go live.



**WORKING AGENDA**

*Items on the agenda:*

**1. CALL TO ORDER – Sarah Glanville, Chair of the Planning Board**

- i. Welcome to the July 18, 2022, Planning Board meeting. In order to allow all attendees to be able to hear Board business, I would ask that at this time, members of the board and the audience please set your cell phones to “SILENT”. As a reminder, there are generally two opportunities for the public to address the Board. One will be during the “PUBLIC COMMENT” portion of the agenda. Speakers during that portion of the meeting will be limited to 3 minutes per speaker and were requested to sign up to speak with the Town Clerk. The other opportunity will be during any “PUBLIC HEARING”, when instructed by the Chair to do so. Speakers in a “PUBLIC HEARING” will be asked to limit their comments to 3 minutes and must speak to the topic being considered. Thank you.

**2. ROLL CALL, Anna Hawryluk, Town Planner**

**Present**

**Absent**

Sarah Glanville.....	<input type="checkbox"/>	<input type="checkbox"/>
Dennis Sholl.....	<input type="checkbox"/>	<input type="checkbox"/>
Pamaila Burgess.....	<input type="checkbox"/>	<input type="checkbox"/>
Jane Walker Payne.....	<input type="checkbox"/>	<input type="checkbox"/>
Russ Walker.....	<input type="checkbox"/>	<input type="checkbox"/>
Donald Dale, ETJ.....	<input type="checkbox"/>	<input type="checkbox"/>
Robert Coon, ETJ.....	<input type="checkbox"/>	<input type="checkbox"/>
Peggy Levi, ETJ.....	<input type="checkbox"/>	<input type="checkbox"/>
Sherrie Richmond, ETJ.....	<input type="checkbox"/>	<input type="checkbox"/>
Rebecca Rayborn, Council Rep. ....	<input type="checkbox"/>	<input type="checkbox"/>

**3. Meeting Overview – Matthew Johnson**

**4. Public Hearings**

**Rezoning Request – Matthew Johnson, Assistant Town Manager/Director of Planning**

- a. Vote on recommendation to Town Council – Sarah Glanville, Chair of the Planning Board
  - i. **Motion:**
  - ii. **Second:**
  - iii. **ROLL CALL VOTE:**



- b. Adoption of the Statement of Consistency – Sarah Glanville, Chair of the Planning Board
  - i. **Motion:**
  - ii. **Second:**
  - iii. **VOTE:**

**5. Public Comment (LIMITED TO A TOTAL OF 30 MINUTES)**

- a. Reminder from Board Chair to audience: The Board Chair will ask the Town Clerk if anyone has signed up to speak to the Board. It is advisable that if you wish to address the Board that you see the Town Clerk prior to the start of the meeting. Once you have been recognized by the Chair, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you, even if direct questions are asked.

**6. Adjourn**

- a. **Motion to adjourn:**
- b. **Second:**
- c. **VOTE:**

**7. Next Meetings:**

Next Regularly Scheduled Meeting: August 8, 2022



The following items must be submitted with this form before the application may be processed.  
Please bring the following items with you when submitting your application form:

1. Copy of survey plat(s) and/or deed(s) or map to the parcel(s) requested for rezoning.
2. Completed *Adjoining Property Owner(s) List* form.
3. Completed *Project Questionnaire* included on page three of the application.
4. A site plan/development plan outlining features of the proposed use of the property (if new construction is proposed). The following items should be included on the plan:
  - Title, preparer, and date of plan
  - Property lines and dimensions
  - Easements affecting the property
  - Physical features such as flood plains
  - Setbacks, dimensions, floor area, and height of all existing and proposed buildings
  - Dimensions and locations of existing and proposed roads, driveways, entrances/exits, and parking areas (please label number of parking spaces on plan)
  - Location and description of site features such as landscaping, lighting, and signage (if proposed).

**Additional Notes:**

- Following approval of the rezoning application, your project may require additional permits. Please contact the Planning Department to discuss permits that may be required for the construction of your project at (336) 454-1138.
- **BY SIGNING THIS FORM, YOU ARE GRANTING PERMISSION FOR MEMBERS OF THE STAFF OR ANY APPOINTED OR ELECTED BOARD THE RIGHT TO ACCESS YOUR PROPERTY, INCLUDING BUT NOT LIMITED TO THE USE OF UNMANNED AERIAL SYSTEMS TO OVERFLY YOUR PROPERTY.**
- You (or a designated representative) are strongly encouraged to attend all public hearings for your project. Failure to appear may result in the delay of the application.

**Applicant Information**

Applicant Name: Land Acquisition and Development Services, LLC  
 PO Box 9147 Greensboro, N.C. 27429  
 Street Address or P.O. Box City/State/Zip Code  
 336-549-9699 336-549-9699 chall@windsorinvestments.com  
 Home/Work Phone Number Mobile Number Email

Is the applicant the owner of the parcel(s) to be rezoned? Yes  No

**Owner Information**

Owner Name: Sherrill L. Auman and Kitlee Gloria Auman  
 5203 Edmondson Ave Dallas, TX 75209  
 Street Address or P.O. Box City/State/Zip Code  
 214-957-4424 214-957-4424 lenaumanmd@gmail.com  
 Home/Work Phone Number Mobile Number Email

**Applicant and Owner Certification and Signature**

(If Applicant and Owner are different individuals, both must sign. If Applicant and Owner are the same, please sign as Owner.)

Applicant Signature: Tyner C. Hunt, MANAGER Date: 5-6-2022

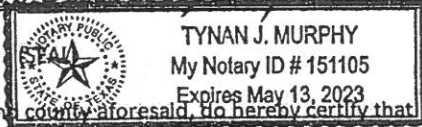
I, THE UNDERSIGNED, AM AN OWNER OF THE ABOVE-DESCRIBED PARCEL(S) AND CERTIFY I AM LEGALLY AUTHORIZED TO MAKE THIS APPLICATION FOR REZONING, HAVING THE PERMISSION OF ALL OTHER OWNERS (IF ANY).

Owner Signature: Sherrill POA for Kitlee M. Auman Date: 05/07/2022

**NOTARY STATEMENT:**

State of Texas, County of Dallas to wit:

Tynan J. Murphy a notary public in and for the state and county aforesaid, do hereby certify that Sherrill L. Auman Jr POA for Kitlee M. Auman whose name(s) is (are) signed to the foregoing statement, personally appeared before me in my state and county and acknowledged the same.



My commission expires \_\_\_\_\_  
 Given under my hand this 7th Day of MAY, 2022  
 Notary Signature T. Murphy Printed Name of Notary: Tynan J. Murphy

<b>Permit Information</b>					
Owner Requests Rezoning of the Following Parcel(s):					
<b>Parcel #1:</b>	<u>223271</u>	Parcel Size:	<u>31.4 Acres</u>	<u>4718 Harvey Rd. Jamestown, N.C. 27282</u>	
	Tax Map ID		Acres/Square Ft	Street Address	
Current Parcel Zoning:	<u>AGRI/HORT</u>		Request to Rezone to: <u>CZ-Bypass</u>		
Current Parcel Use:	Agricultural	Commercial	Industrial	Residential	<b>Vacant/Unused</b>
Owner Requests Rezoning of the Following Parcel(s):					
<b>Parcel #2:</b>	_____	Parcel Size:	_____	_____	
	Tax Map ID		Acres/Square Ft	Street Address	
Current Parcel Zoning:	_____		Request to Rezone to: _____		
Current Parcel Use:	Agricultural	Commercial	Industrial	Residential	Vacant/Unused
Owner Requests Rezoning of the Following Parcel(s):					
<b>Parcel #3:</b>	_____	Parcel Size:	_____	_____	
	Tax Map ID		Acres/Square Ft	Street Address	
Current Parcel Zoning:	_____		Request to Rezone to: _____		
Current Parcel Use:	Agricultural	Commercial	Industrial	Residential	Vacant/Unused

**If you are requesting a Zoning Text Amendment, please provide proposed new language or uses below. Add additional sheets if necessary.**

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<b>Adjoining Property Owner(s)</b>		
Please list ALL property owner(s) and street address(es) of parcel(s) immediately adjoining AND directly across street(s), road(s), and highway(s) from parcel(s) requested for rezoning.		Tax Map Numbers
James A. & Phyllis E. Willard	4818 Harvey Rd, Jamestown, N.C. 27282	160105
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Jonathan E. & Lisa A. Knight	4822 Harvey Rd. Jamestown, N.C. 27282	160115
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Creek Run, LLC	612 R-1 Oakdale Mill Rd. Jamestown, N.C. 27282	160135
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Sherril L. Auman & Kitsie G. Auman	4718 ZZ Harvey Rd. Jamestown, NC 27282	233809
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	
Shelba Auman & Michelle Preston Watson	4714 ZZ Harvey Rd. Jamestown, N.C. 27282	223270
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')	

**Project Questionnaire**

Rezoning requests involve analysis by Town staff, Planning Board, and Town Council members. The information provided below will help staff members review the application for compliance with town regulations. The questionnaire will also serve as an introduction to the Planning Board, as a copy of the application will be included in information delivered to each member prior to the meeting date. Please use additional sheets and attach photographs if necessary.

**Why are you requesting this rezoning?**

We are requesting rezoning for this property from AGR1/HORT to Bypass zoning because we would like to develop a site that includes attached 2 car garage master down townhomes with the potential for a +/- 2.5 acre commercial parcel included at the northern part of the property where it fronts Harvey Road.

**Please provide a description of the site before and after development (if construction is proposed).**

Currently the site has quite a bit of terrain on it sloping from front to back towards the creek that is cutting through the middle of the site. The site is mostly wooded with a mix of hardwoods and pines. There is a creek that cuts through the site as well as a couple of areas on the site shown as wetlands. After the development, the site will have attached single family dwellings on it and potentially a +/- 2.5 acre commercial site.

**Please describe the operation proposed including number of employees and hours of operation, if applicable.**

N/A

**Please describe how the properties around your site are used (residential, churches, business, schools) and how the proposed project may impact the surrounding area (e.g. noise, traffic, light, impact on environmental or other unique features).**

There are residential homes around this site. There are also some vacant parcels surrounding the site. To the north of the site is the new bypass and Ragsdale High School.

Due to the move down product we are proposing, we believe there will be a minimal impact to noise, light, traffic and the environment.

**Please describe potential impacts on public facilities and infrastructure such as the water/wastewater system, public schools, and roads.**

Our community will consist of townhomes targeted towards empty nesters thus the impact on schools should be minimal. Traffic generation, public facility usage, water usage and wastewater system usage will be lower than normal because of the reduced number of average occupants per townhome unit compared to a typical single family household.

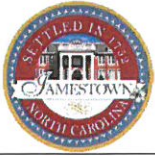
**Will your project require a permit from other licensing agencies (e.g. NCDENR, NC Department of Transportation, US Army Corps of Engineers, etc). Yes No If yes, please explain.**

Potentially some state agencies- such as NCDOT, NCDENR and Army Corps of Engineers.

**For Town Use Only**

Date Application Received: 5/9/22 *Ann C. Henry*

Town of Jamestown, North Carolina  
301 E. Main St.  
Jamestown, NC 27282  
(336) 454-1138



### Frequently Asked Questions

**What is a rezoning?** A rezoning is required if the proposed use of your property is not permitted by right or with a Special Use Permit.

**What is the process?** Applicants submit an application for rezoning to the Planning Department by the second Monday of the month to meet the deadline for the following month's Planning Board meeting. Applications are then considered at a public hearing before the Planning Board which makes a recommendation for consideration by the Town Council.

**How long does the process take?** The process *typically* takes 2 to 3 months to complete from beginning to end. This time frame can vary if an application requires additional time for review by the Planning Board or Town Council.

**What happens during a public hearing?** All rezoning applications require two public hearings, one by the Planning Board and one by the Town Council. The NC General Statutes requires that a notice of public hearing be placed in the newspaper. Generally, all property owners within a 500 ft. radius of your property will receive a notice of the date, time and nature of the public hearing and are invited to attend to make public comments.

**What can I expect during the meetings?** At the time of your public hearing, the meeting chairperson will introduce the item by reading the case summary from the meeting agenda. The Chair will then ask town staff to provide a summary of the application. The applicant and those attendees in support and opposed to the project are then invited to speak.

**Why is it important for the applicant to attend both public hearings?**  
During the public hearing, you (or your representative) will have the opportunity to present your project and respond to questions from Planning Board members and Interested parties in the audience.

### Typical Timeline

**Step 1.** Meet with town staff to discuss your proposed project. Staff members can assist you with the application and answer any questions you may have about the rezoning process.

**Step 2.** Applications are always due on the second Monday of the month. A non-refundable application fee is due upon submittal.

**Step 3.** Your application is reviewed by town staff for completeness. Applicants are notified if there are any deficiencies.

**Step 4.** Complete applications are advertised for public hearing.

**Step 5.** The Planning Board meeting is held on the 2<sup>nd</sup> Monday of every month.

**Step 6.** The Town Council public hearing is scheduled, generally, for the 3<sup>rd</sup> Tuesday in the following month.

**Step 7.** Approved applications may proceed with the building permit application process.

### Contact Information

You may find the following numbers helpful during your application process:

Planning Department	336-454-1138
Town Manager	336-454-1138
Public Services Department	336-454-1138
Guilford County Health Department	336-641-7777
NC Department of Transportation	336-487-0000
NC Department of Environmental Quality	336-641-3334
NC Department of Motor Vehicles	336-884-1003
NorthState Telecom	336-886-3600
Duke Energy	800-777-9898
Piedmont Natural Gas	800-752-7504
Time Warner Cable	800-892-4357
Utility Location Services	811

### Planning Board Members

Sarah Glanville	336-209-1712
Ed Stafford	336-669-5106
Jane Walker Payne	336-454-6552
Dennis Sholl	336-454-5902
Russell Walker, Jr.	336-302-8135
Cara Arena**	336-409-1175
Robert Coon**	336-580-1835
Donald Dale**	336-687-2453
Sherrie Richmond**	336-491-8983

\*\*Denotes ETJ member

### Guilford County, NC



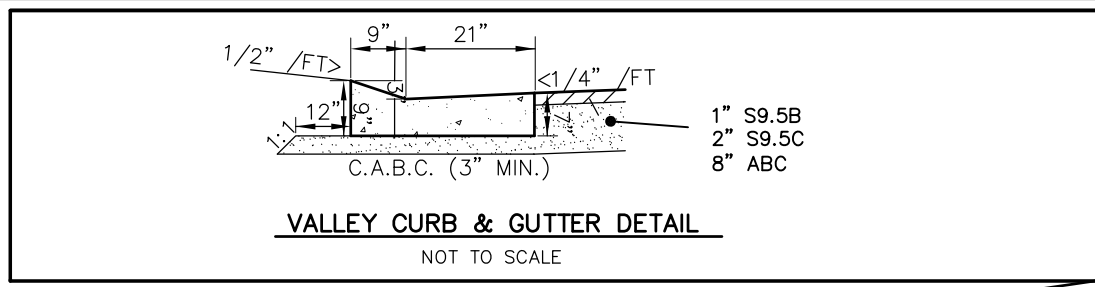
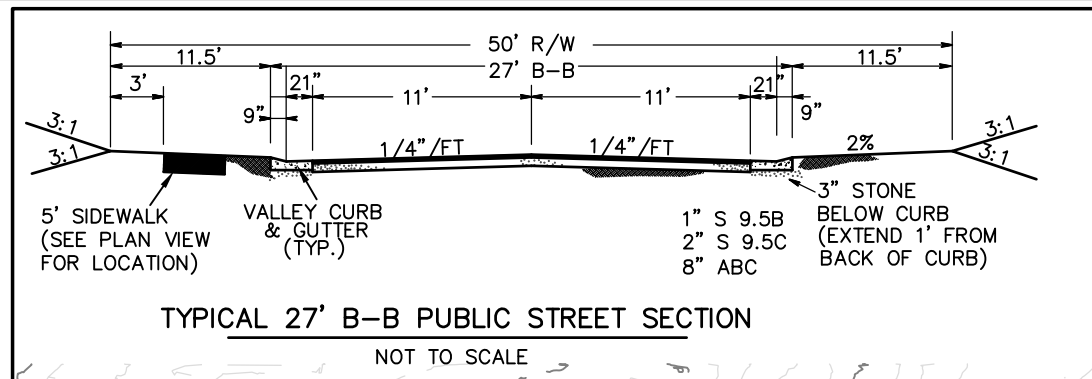
Parcel Number	223271	Total Out Building Value	0
PIN	7821755114	Total Land Value	200000
Owner	AUMAN, SHERRILL L;AUMAN, KITSIE GLORIA	Total Deferred Value	0
Owner History	Card Image	Bldg Card	
Mail Address	5203 EDMONDSON AVE	Appraisal Model Code	
Mail City	DALLAS	Deed Data	10/6/2015
Mail State	TX	Neighborhood	7821A03
Mail Zip	75209	Property Type	AGRI/HORT
Property Address	4718 HARVEY RD	Structure Size	
Legal Description		Lot Size	31.4
Deed	007747-02672	Year Built	
Plat		Bedrooms	
Condo		Bathrooms	
Total Assessed	200000	Grade	
Total Building Value	0		



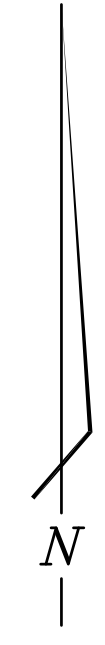
*Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.*

**Map Scale**  
**1 inch = 500 feet**  
 5/6/2022





**SITE DATA:**  
 PARCEL No.: 223271  
 EXISTING ZONING: AG  
 PROPOSED ZONING: BYPASS DISTRICT  
 TOTAL SITE AREA: 31.4 AC +/-  
 TOTAL No. OF LOTS = 86 (2.7 UN/AC)  
 TOTAL LENGTH OF ROAD: 2,420 LF +/-  
 LENGTH OF ROAD 'A': 2,016 LF +/-  
 LENGTH OF ROAD 'B': 404 LF +/-  
 WATERSHED: RANDELMAN GWA & WCA TIER 3  
 FLOOR AREA PER UNIT: 1,800 TO 2,400 SF (LIVING AREA)



GLOVER ENGINEERING, PLLC  
 7021 ENDORAIL ROAD  
 GREENSBORO, NC 27409  
 336.202.4163  
 RICH@GLOVERENG.COM  
 P.2464



ZONING SKETCH PLAN  
 WINDSOR HOMES  
 HARVEY ROAD SITE

Town of Jamestown  
 Guilford County, North Carolina  
 Drawing Title: SK1-SKETCH

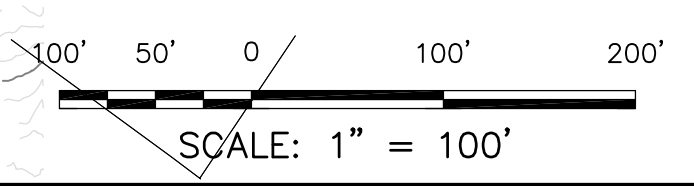
**BYPASS DISTRICT REQUIREMENTS:**  
 DENSITY: 12 UN/AC MAX.  
 SETBACKS:  
 FROM BYPASS: 75'  
 OTHER STREETS: 10' MIN. TO 25' MAX.  
 CORNER LOTS: 8' MIN. TO 15' MIN.  
 REAR: 5'  
 SIDE: 5'  
 BUILDING SEPARATION: 12' MIN.  
 MAX. HEIGHT: 25' (TO PEAK/EAVE MIDPOINT)

By	Revision

PROJECT NUMBER  
22-13

DATE  
MAY, 2022

Sheet:  
**RZ-1**



Rezoning Case: 2022-01  
4718 Harvey Road  
AG to CZ-Bypass; Rezoning Request

**Conditions as requested by the applicant:**

1. The area of potential commercial use shall be limited to 2.5 Acres. The remainder of the site shall be limited to residential uses only.
2. No apartments shall be allowed.
3. The maximum number of residential lots shall be 95.
4. Setbacks – Maximum front setback of 30’ along the internal roads and 65’ along Harvey Road
5. Architectural standards –
  - a. Vinyl exterior with some element of stone or brick wainscot on the front. Decorative vinyl shakes or board and batten in front gable. Shutters per plan and elevation (some elevations are designed to not be conducive for shutters). A variety of elevations and neutral exterior colors.
6. Commercial shall be limited to:
  - a. Post office
  - b. Medical, dental, or related office
  - c. Real estate office or other professional office such as insurance; legal; accounting; consulting
  - d. Bank / financial institution
  - e. Florist/gift shop
  - f. Hardware store
7. Type A Buffer (LDO 11.6) between commercial and residential uses
8. A Traffic Impact Analysis (TIA) shall be completed before this rezoning is heard by Town Council. The developer shall comply with requirements identified in the TIA.



**Planning Board Hearing Date: June 13, 2022**

**GENERAL INFORMATION**

**Applicant:** Charlie Hall c/o Windsor Homes  
Land Acquisition and Development Services, LLC  
PO Box 9147  
Greensboro, NC 27429

**Request:** Request for rezoning of the following parcels:  

- 4718 Harvey Rd (Parcel #223271) 31.4 +/- acres, From AG to CZ-B

**Conditions:** See Attached.

**Location:** 4718 Harvey Rd

**Parcel ID#:** 223271

**Public Notice:** Notice of Pubic Hearing mailed 05/27/2022

**Tract Size:** Total of all tracts is approximately 31.4 +/- acres

**Topography:** Generally flat throughout, an unnamed tributary to Bull Run Creek runs through the center of the parcel, a wetland area is on the southern portion of the parcel

**Vegetation:** Primarily forested throughout the parcel

**TRC Review:** TRC has reviewed the proposed rezoning and a detailed construction plan review will be required prior to the issuance of any construction permits

**SITE DATA.**

**Existing Use:** Vacant

**Adjacent Uses:**

	<b>Adj. Zoning</b>	<b>Adj Land Uses</b>
North	AG	Agricultural
South	SFR	Single Family Residential
East	SFR, CIV	Single Family Residential, Civic
West	SFR	Single Family Residential

**Zoning History:**

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

**SPECIAL INFORMATION**

**Overlay Districts:** N/A

**Environmental:**

Watershed: Randleman Lake GWA, Randleman Tier 3

Floodplains: Site is not adjacent to any floodplain per FEMA maps.

Streams: There is an unnamed tributary to Bull Run Creek through the center of the parcel

Other: N/A

**Utilities:** Public Water and Sanitary Sewer are available near this site. A letter of intent has been provided to obtain an easement to construct a sanitary sewer line across the property located at 612 R-1 Oakdale Mill.

**Landscape Requirements:** Landscaping requirements shall be per the TOJ Land Development Ordinance.

**Tree Conservation Areas (TCA):** Per LDO and to be reviewed by TRC. LDO requires six percent (6%) of lot area be preserved in a TCA.

**Open Space:** Per LDO and to be reviewed by TRC. LDO requirement: Other residential: 500 square feet of open space per unit or 10% of lot area, whichever is greater. Nonresidential uses (e.g., churches, schools, etc.): 10% of lot area.

**Transportation:**

Street Classification: Harvey Road – NCDOT, Local Secondary Route

Site Access: Harvey Road

Traffic Counts: NCDOT Traffic Counts on Harvey Rd between Vickrey Chapel Rd and Oakdale Rd are:  
2019: 3,500 ADT 2020: 2,900 ADT 2022 Projected: 3,800 ADT

Sidewalks: No existing sidewalks. Extension of sidewalks will be required by the Jamestown LDO and/or the site-specific master plan.

Transit: Not currently serviced by transit.

Traffic Impact Study: No TIS is required

Street Connectivity: N/A

Other: N/A

**IMPACT ANALYSIS**

**Land Use Compatibility and Envision Jamestown Comprehensive Plan**

The future land use map identifies these parcels future land use as “Mixed Use”. The 2020 Land Development Plan defines “Mixed Use” as:

MIXED USE: The Mixed Use future land use classification is applied exclusively to the properties located on, and adjacent to, the intersection of the Jamestown Bypass and Harvey Road. The intent of the Mixed Use classification is to facilitate the development of these key properties with a mixture of low intensity office and service uses in proximity to the bypass intersection, along with a mixture of a wide range of housing types in larger integrated developments in this prime growth area. In general, all nonresidential uses should be located along the Harvey Road and bypass frontages - with development standards that maintain the small town and historic aesthetic of the community, while residential uses should represent the majority of the development and occupy the interior of these parcels.

**Envision Jamestown Comprehensive Guiding Principles Applying To This Proposal**

**Guiding Principle #1:** Jamestown will actively facilitate high-quality growth that is both compatible with the Town’s traditional development pattern and innovative in how it meets the needs of our diverse and dynamic community.

- Implement subdivision standards that facilitate growth in a manner that achieves the Town’s desired urban development pattern and quality of public infrastructure.

**Guiding Principle #2:** As the strength of our community is directly tied to the long-term success of our neighborhoods, we will work diligently to promote and maintain the quality of life and aesthetic standards that our residents expect in Jamestown.

- Ensure that Jamestown’s residents have access to housing that is appropriate for all stages of life and family situations, including housing to allow older residents to “age in place”.

**Guiding Principle #4:** The ability to safely walk and ride a bicycle throughout the Town is critical to maintaining our community’s high quality of life. We will ensure that our community is well-connected with the necessary infrastructure to support walking and biking as an important mode of transportation for all residents.

- Provide every neighborhood in Jamestown with connections to a pedestrian system that will allow them to walk safely to any other destination in the community.

**Guiding Principle #10:** Jamestown is a welcoming and inclusive community that values the benefits of diversity in all aspects of the Town and its residents.

- Promote the development (and retention) of a wide range of housing types that meet the needs of current and future residents of all ages, abilities, family compositions, and socioeconomic backgrounds.

**Guiding Principle #11:** The quality and health of the natural environment is as important to our community as the quality of the built environment, and we will work to preserve and protect these vital resources.

- Protect and preserve mature trees and tree stands from removal in conjunction with land development activity, and promote the growth of healthy forests in the community.
- Protect riparian areas from encroachment by development to preserve water quality and natural habitats

**CONFORMITY WITH OTHER PLANS**

Town Plans:	N/A
Other Plans:	N/A

**STAFF COMMENTARY:**

The parcel is adjacent to the Jamestown Bypass and the applicant wishes to rezone the parcels to CZ-B, identifying the primary land use as residential with a potential commercial parcel that will compliment residential uses through conditional zoning (conditions attached).

The Technical Review Committee met on May 18, 2022. Public Services Director, Paul Blanchard, has investigated the parcels and found they can be served by Jamestown Public Utilities for water. A sewer easement is necessary for sewer service and the applicant has provided a letter of intent to gain access to sewer from an adjacent property.

Staff believe that the request to rezone this property from AG (Agriculture) to CZ-B (Conditional Zoning – Bypass) is appropriate and consistent with the Envision Jamestown Comprehensive Plan. Therefore, staff recommends that the Planning Board and Council follow the “Motion Finding Proposed Amendment Consistent With Comp Plan” procedure outlined below. *This will require two motions - one to consider the proposed zoning amendment and one to adopt the consistency statement.*

**Suggested timeline for consideration:**

Planning Board Public Hearing: June 13, 2022  
 Town Council Public Hearing: July 19, 2022

\*\*All dates, locations and times will be advertised according to North Carolina law.\*\*

**WRITTEN RECOMMENDATION ADDRESSING COMPREHENSIVE LAND USE PLAN CONSISTENCY:**

Effective October 1, 2017, state law has changed regarding the adoption of “consistency statements” when amending zoning ordinances. I have attached the UNC School of Government’s blog on the topic for your review. However, I thought I would pull some of the pertinent information out and place it below in a bulleted format:

- Boards are not required to take action that is consistent with an adopted Land Development Plan (aka – Comprehensive Plan or “Comp” Plan). They only need to consider what it says.
- The Council and Planning Board **must** adopt a statement that addresses plan consistency when considering zoning ordinance amendments.
- The adopted statement **may not be** something simple like “we find the request to be consistent/inconsistent with adopted policies”. Rather, it must say **how/why** the Council feels as it does.
- The consistency statement must include some modest discussion and explanation about the Planning Board and Council’s feelings on their actions. In other words, the statement should not be crafted beforehand by staff.
- The new law states that the Council must make their statement conform to one of three forms:
  - A statement approving the proposed zoning amendment and describing its consistency with the plan;
  - A statement rejecting the proposed zoning amendment and describing its inconsistency with the plan; or
  - A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.
- Each consistency statement **must** include an **explanation of why the board deems the action to be reasonable and in the public interest.**

All amendments must now follow this approach:

- 1) Consideration of the proposed zoning amendment and public hearing.
- 2) Deliberation by the Board.
- 3) Motion on consistency/inconsistency with the Land Development Plan (Comp Plan).
  - a. ***If the Board finds that the proposed amendment is inconsistent with the Comp Plan, but wishes to approve the amendment, it must also make a motion (separately) to amend the Comp Plan to conform to the amendment.*** The same is true if the Board finds that a proposed amendment is consistent with the Plan, yet wishes to deny the amendment.
- 4) Motion to approve/deny the zoning amendment.

A sample format is provided on the following pages.

**MOTION**  
**FINDING PROPOSED AMENDMENT CONSISTENT WITH COMP PLAN**

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 Jamestown.* The Planning Board further finds that the proposed zoning amendment is consistent with the comprehensive plan because:\_\_\_\_\_.

AND

2. *The proposed zoning amendment is reasonable.* The Planning Board 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 Planning Board further finds that the proposed zoning amendment is reasonable because:\_\_\_\_\_.

AND

3. *The proposed zoning amendment is in the public interest.* The Planning Board 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 Planning Board further finds that the proposed zoning amendment is in the public interest because:\_\_\_\_\_.

[Call for second etc .]

**MOTION**  
**FINDING PROPOSED AMENDMENT INCONSISTENT WITH COMP PLAN**

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 Jamestown.* The Planning Board finds that the proposed zoning amendment is inconsistent with the comprehensive plan because:\_\_\_\_\_.

AND/OR

2. *The proposed zoning amendment is not reasonable.* The Planning Board 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 Board further finds that the proposed zoning amendment is unreasonable because:\_\_\_\_\_.

AND/OR

3. *The proposed zoning amendment is in the public interest.* The Board 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 Board further finds that the proposed zoning amendment is against the public interest because:\_\_\_\_\_.

[Call for second etc .]



**MOTION  
TO APPROVE  
ZONING AMENDMENT  
(EVEN IF INCONSISTENT WITH COMP PLAN)**

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 Jamestown, a change in conditions in meeting the development needs of the community has occurred since plan adoption.* These changes include:

\_\_\_\_\_.

Furthermore, the Board finds that the proposed zoning amendment meets the development needs of the community because:\_\_\_\_\_

AND

2. *The proposed zoning amendment is reasonable.* The Board 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 Board 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 Board further finds that the proposed zoning amendment is in the public interest because:\_\_\_\_\_.

AND

4. By approving this motion, the Board also recommends that the Town Council also hereby amends the Town of Jamestown Land Development Plan (comprehensive plan) to reflect the approved zoning amendment.

[Call for second etc .]

**Zoning Staff Report prepared for the Town of Jamestown Planning Department by Anna Hawryluk, AICP.**