

**VILLAGE OF CLEMMONS STAFF REPORT: MAP AMENDMENT C-250**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	C-250
<b>Staff</b>	Nasser Rahimzadeh; Caroline Drake
<b>Petitioner(s)</b>	Village of Clemmons
<b>Owner(s)</b>	Village of Clemmons
<b>Address/PIN</b>	2838 Harper Road PIN 5883-67-9829
<b>Type of Request</b>	General Use District – Map Amendment
<b>Proposal</b>	The petitioner is requesting an amendment to the Official Zoning Map for the subject properties from RS-40 (Residential Single Family) to RM-8 (Residential Multifamily). As the request is for a general use, no particular use or conditions that are not part of the requirements for the zone can be discussed.
<b>Zoning District (Purpose Statement)</b>	The RM-8 District is primarily intended to accommodate duplexes, twin homes, townhouses, multifamily, and other low intensity multifamily uses at a maximum overall density of eight (8) units per acre. This district is appropriate for GMAs 2 and 3, and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services are available.
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.1(Q)</b>	<b>B.6-2.1(Q)(1) Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>
	Yes – the site is located in GMA 3 and has public water, sewer, and roads available.

<b>GENERAL SITE INFORMATION</b>			
<b>General Location</b>	Approximately 800 ft north from the intersection of Harper Road and S Peace Haven Road. The site is currently accessed by Harper Road.		
<b>Jurisdiction</b>	Village of Clemmons		
<b>Site Acreage</b>	6.06 acres ±		
<b>Physical Characteristics</b>	Variable topography with a 12% decline from the center of the parcel to the northern corner on Harper Road.		
<b>Proximity to Water &amp; Sewer</b>	Water/sewer extension plans must be submitted to Forsyth County Utilities for permitting and approval.		
<b>Stormwater/Drainage</b>	The site requires stormwater management & occupancy permits.		
<b>Watershed &amp; Overlay Districts</b>	Parcel falls inside of the Yadkin River Class IV watershed.		
<b>Historic, Natural Heritage, and/or Farmland Inventories</b>	No identified wetlands or floodplains on site. The property falls inside the Yadkin River watershed. Identified under 2012 Agricultural Lands Assessment, waiting to hear back from NC Department of Agriculture & Consumer Services.		
<b>Current Land Use</b>	Vacant		
<b>Surrounding Property Zoning &amp; Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	<b>North</b>	RS-40	Single-Family Residences
	<b>East</b>	RS-40/RM-18-S	Single-Family Residences
	<b>South</b>	RS-40/RS-20	Single-Family Residences/Utilities
	<b>West</b>	RS-40/RS-20	Single-Family Residences
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.1(Q)</b>	<b>B.6-2.1(Q)(2) Is/are the uses permitted under the proposed classification compatible with uses permitted on other property in the vicinity?</b>		
	Yes, the uses permitted in RM-8 are mostly residential, recreational, and institutional & public uses (see table of permitted uses on final page). The existing surrounding uses are residential, institutional, and utilities.		

**CONFORMITY TO PLANS AND PLANNING ISSUES**

<b>Forsyth Legacy GMA</b>	Growth Management Area 3 (Suburban Neighborhoods)
<b>Pertinent Legacy Recommendations</b>	GMA 3 Consists of neighborhoods built after World War II, and is where most development has occurred in recent decades. The area has a more separated growth pattern of different land uses with subdivisions that cater to specific housing styles and price ranges, featuring curvilinear streets that often lack connectivity. Pertinent suburban neighborhood goals include encouraging mixed-use development, increasing density at activity centers and growth corridors at planned locations, and constructing additional sidewalks.
<b>Clemmons Community Compass (2040)</b>	<p>Clemmons Community Compass Future Land Use Plan designates this parcel as Cluster Residential.</p> <p>Cluster Residential areas serve as a transitional area between rural preservation and neighborhood residential uses. Appropriate development includes single-family detached residential units designed in a suburban-style cluster pattern at a minimum of 2 units per acre. Cluster subdivisions provide an opportunity for developers to maintain the maximum lot yield of a traditional development while also protecting significant natural, cultural, and historical areas of the site. Cluster subdivisions employ smaller minimum lot size requirements in exchange for commonly protected open space that serves the entire development.</p> <p>The parcel also falls within the Lewisville-Clemmons Road Corridor (North) Strategic Planning Area. The strategic planning area has the following recommendations for future land use intent:</p> <ul style="list-style-type: none"> <li>• Desires a reduction in pace of commercial and higher-intensity developments along Lewisville-Clemmons Road Corridor.</li> <li>• Asks that residential land uses integrate with adjacent development to provide easy alternative transportation access to mixed use areas with buffered trees and landscaping to reduce visual and noise impacts from the corridor.</li> <li>• Requests that new uses respect existing developed areas that are likely to remain stable over time and to do so through transitional design features, aligning off-set intersecting streets and site planning.</li> <li>• Prefers that new subdivisions connect to existing and planned multi-use paths, sidewalks, bike paths, and roads to ensure better connectivity throughout this area</li> <li>• Would like to have parks, open space, and recreational areas within new neighborhoods. Access to these facilities should be provided to existing residential areas.</li> </ul>
<b>Clemmons Transportation Plan (2009)</b>	The 2009 Clemmons Transportation Plan recommended the installation of a roundabout at Harper and Peace Haven. NCDOT has since constructed a roundabout at the recommended intersection.
<b>Greenway Plan Information</b>	N/A
<b>Other Applicable Plans &amp; Planning</b>	N/A

<b>Issues</b>	
Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.1(Q)	<b>B.6-2.1(Q)(3) Have changing conditions substantially affected the area included in the petition?</b>
	Properties within municipal limits at the intersection of Harper Road and South Peace Haven Road and to the east of said intersection have been revised to denser zones and intense commercial development has been developed since the mid to late 2010s.
	<b>B.6-2.1(Q)(4) Is the requested action in conformance with Community Compass &amp; Legacy?</b>
	The requested action conforms to the goals of Clemmons Community Compass envisioning a mix of housing types and Legacy's concept of Growth Management Area 3. Note that requests not in alignment with their future land use designation will amend the future land use plan. Staff believes that the Neighborhood Residential designation may be a more appropriate future land use designation for the request than Cluster Residential.
<b>Analysis of Conformity to Plans &amp; Planning Issues</b>	See staff recommendation for C-250.

<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>PB</b>
C-227	RS-40 and RM-8-S to RM-18-S	Approved 10/8/2018	East	21.65	Approval	Approval
C-192	RS-40 to RM-8-S	Approved 11/14/2011	East	6.84	Approval	Approval
F-1487	RS-40 to RS-20	Withdrawn 8/9/2007	West	11.98	Withdrawal	Withdrawn
F-1394	RS-40 to RS-20	Approved (County) 7/22/2003	West	16.37	Approval	Approval

**Table B.2.6 PERMITTED USES**

<b>RESIDENTIAL USES</b>																	
Use Type	YR	AG	RS40	RS30	RS20	RS15	RS12	RS9	RS7	RSQ	RM5	RM8	RM12	RM18	RMU	MH	CONDS
Residential Building, Single Family			Z									Z					
Duplex												Z					
Townhouse												P					62
Twin Home												Z					
Multifamily												P					62
Manufactured Home, Class A			A														44
Congregate Care Facility												P					23
Family Group			Z									Z					26
Home A																	
Home B												P					26
Fraternity or Sorority												P					29
Life Care Community												P					42
Planned Residential Development			Z									Z					58
<b>AGRICULTURAL USES</b>																	
Agricultural Production, Crops			A														
<b>BUSINESS AND PERSONAL SERVICES</b>																	
Bed and Breakfast			A									Z					7
<b>RECREATIONAL USES</b>																	
Fishing, Fee Charged			A														28
Golf Course			P									P					30
Recreation Facility, Public			Z									Z					
Recreational Vehicle Park			A														60
Riding Stable			A														63
Swimming Pool, Private			Z									Z					68
<b>INSTITUTIONAL AND PUBLIC USES</b>																	
Adult Day Care Home			A														3
Adult Day Care Center												A					2
Cemetery, Licensed			P														11
Cemetery, Unlicensed			P														12
Child Care (Sick Children)												A					15
Child Day Care Center												A					16
Child Day Care, Large Home			A									P					17
Child Day Care, Small Home			A														18
Church or Religious Institution, Community			P									P					19
College or University																	
Correctional Institution																	24
Group Care Facility B																	32
Institutional Vocational Training Facility																	
Landfill, Construction & Demolition			P														38
Landfill, Land Clearing/Inert Debris			P									A					39
Landfill, Sanitary			E														40
Nursing Care Institution			A									Z					54
Post Office																	
School, Private			P									P					64

Use Type	YR	AG	RS40	RS30	RS20	RS15	RS12	RS9	RS7	RSQ	RM5	RM8	RM12	RM18	RMU	MIH	CONDS
Stadium, Coliseum, or Exhibition Building																	
Manufactur- ing C																	
Recycling Plant																	
<b>TRANSPORTATION AND UTILITIES</b>																	
Helistop																	<b>36</b>
Park and Shuttle Lot			A									A					<b>56</b>
Terminal, Freight																	
Transmission Tower			A									A					<b>70</b>
Utilities			P									P					<b>71</b>

Z = Permit From Zoning Officer  
P — Planning Board Review

A = Board of Adjustment Special Use Permit  
E — Elected Body Special Use Permit



To: Planning Board

From: Caroline Drake and Nasser Rahimzadeh

Date: September 13, 2022

Re: Map Amendment Request Zoning Docket #C-250

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## CLEMMONS COMMUNITY COMPASS

The Village of Clemmons Community Compass 2040 (2019) is devised of 4<sup>1</sup> key themes. The key themes serve to summarize citizen input used to prepare the Plan's Framework<sup>2</sup> – the key elements of the Plan (vision<sup>3</sup>, goals<sup>4</sup>, objectives<sup>5</sup>, and implementation actions<sup>6</sup>). Additionally, the Clemmons Community Compass includes a future land use map and land use classifications, both were created with the Plan's principles.

C-250 is a 14.70± acres parcel. The general use map amendment petition for property addressed 2838 Harper Road with parcel identification number 5883-67-9829 from Residential Single Family (RS-40) to Residential Multifamily (RM-8) with falls inside the Cluster Residential (6.3% of planning area) land use category and is within the Lewisville-Clemmons Road Corridor (North) Strategic Planning Area. The Cluster Residential category:

- Serves as a transitional area between rural preservation and neighborhood residential uses.

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<sup>1</sup>Theme # 1: Transportation and Linear Parks – promotion of parks, sidewalks, bike plans, and greenways. Transportation considerations include congestion, safety, and connectivity

Theme # 2: Future Land use Plan – Continuing its 2010 focus, Clemmons should look to create interconnected, mixed-use developments and promote efficient use of land, revitalize areas, and employ green design techniques.

Theme # 3: Quality of Life – Promotion of parks and recreation, safe pedestrian and bike routes that link with points of interest (e.g., neighborhoods, greenways, and trails). Also, healthy air quality and clean water.

Theme # 4: Economic and Community Development – Includes diverse employment opportunities, new housing types for the aging population, amenities that interest young professionals and families. In short, a vibrant economy and desirable residential neighborhoods with a variety of housing options.

<sup>2</sup> Key themes → vision → goals → objectives → implementation actions

<sup>3</sup> The Village of Clemmons is a prosperous, welcoming, safe, vibrant, residential community that promotes a high quality of life for its citizens providing a thriving diverse business environment, protecting our natural resources and preserving governmental fiscal integrity. Clemmons' defining characteristic is a superior quality of life for all

<sup>4</sup> Goal #1: Managed growth and balanced land use – utilizing existing infrastructure, balance land development with strategically located mixed-use centers. Adherence to the continuum of rural, to suburban, to village core development style.

Goal # 2: Revitalized commercial corridors – Mature commercial corridors, Lewisville-Clemmons Road, and US-158, will be redeveloped and revitalized in a way that captures the Village's character by creating a sense of place, promoting designs that accommodate multiple modes of transportation, and employ human-scale designs that beautify streetscapes and gateway areas

Goal # 3: Multi-modal transportation options – Utilizing transportation modes that include driving, bicycling, walking, and transit (bus and future mass transit).

Goal # 4: Wide range of housing opportunities – Housing stock that provides for rental apartments, starter, mid-level, and upscale homes, as well as senior housing; housing that fits various lifestyles will providing for in-town living and better multi-modal access to mixed-use centers.

Goal # 5: A vibrant community center – Clemmons and partners will develop a vibrant public gathering place to serve as a focal point for the community to support a sense of place that is walkable, accessible, and available for events and community programming

Goal # 6: Environmental stewardship – Clemmons will be a green community that provides parks, open spaces, and greenway. Trees will be preserved and planted to increase the Village's tree canopy. Landscaping and beautification efforts will improve the visual quality of the community. New development will be designed using sustainable best practices and stormwater infrastructure will protect water quality and quantity.

Goal # 7: Diverse employment opportunities – New and innovative businesses will be established in Clemmons and they will expand job opportunities to meet a wide variety of employment needs for residents and broaden the Village's tax base.

<sup>5</sup> See Clemmons Community Compass list of objectives (after appendices)

<sup>6</sup> See Clemmons Community Compass chapter 8

- Views the development of single-family detached residential units designed in a suburban-style cluster pattern at a minimum of two (2) units per acre to be appropriate.
- Believes that cluster subdivisions provide an opportunity for developers to maintain the maximum lot yield of a traditional development while also protecting significant natural, cultural, and historical areas of the site.
- Finds that cluster subdivisions should employ smaller minimum lot size requirements in exchange for commonly protected open space that serves the entire development.

The Lewisville-Clemmons Road Corridor (North) Strategic Planning Area. The Lewisville-Clemmons Road strategic planning area future land use intent:

- Desires a reduction in pace of commercial and higher-intensity developments along Lewisville-Clemmons Road Corridor.
- Asks that residential land uses integrate with adjacent development to provide easy alternative transportation access to mixed use areas with buffered trees and landscaping to reduce visual and noise impacts from the corridor.
- Requests that new uses respect existing developed areas that are likely to remain stable over time and to do so through transitional design features, aligning off-set intersecting streets and site planning.
- Prefers that new subdivisions connect to existing and planned multi-use paths, sidewalks, bike paths, and roads to ensure better connectivity throughout this area
- Would like to have parks, open space, and recreational areas within new neighborhoods. Access to these facilities should be provided to existing residential areas.

The unincorporated areas of Forsyth County between Harper Road and Lasater Road are designated as cluster residential. Two parcels recently annexed inside Village of Clemmons limits between Harper and Lasater were cluster residential and have since been changed to neighborhood residential. C-250 is fully inside the Yadkin IV watershed with no identified wetlands, streams, and floodplains.

Staff's recommendation of changing the parcel from RS-40 to RM-8 would amend the property to neighborhood residential on the Future Land Use map. The neighborhood residential category:

- States neighborhood densities should be determined on a case-by-case basis generally allowing for higher densities that include single-family attached housing near major corridors and activity centers and lower densities that include only single-family detached housing near cluster residential and rural preservation areas.
- Encourages master-planned developments that include neighborhood parks and open space as part of the development program.
- Believes that existing neighborhoods may include condominium or apartment housing and that new master planned neighborhoods may include condominiums or apartment housing if located adjacent to major corridors or activity centers.
- Finds schools, churches, and other civic and institutional facilities as appropriate secondary uses and that such secondary uses incorporate design features to mitigate impacts on neighborhoods.
- Recommends that subdivisions be designed to provide vehicular, bicycle, and pedestrian access and connectivity throughout.
- Promotes connectivity of developments to adjacent neighborhoods and commercial/employment areas.

## **CLEMMONS TRANSPORTATION PLAN**

The Clemmons Village Transportation Plan (2009) includes a number of figures involving the road networks around and within municipal limits. Figure 2.2<sup>7</sup> designates the functional classification of Harper Road as a Minor Thoroughfare<sup>8</sup>. Figure 3.6<sup>9</sup> recommends the installation of a roundabout at the intersection of Harper Road and South Peace Haven Road. Figure 4.1<sup>10</sup> recommends the widening of the portion of Harper Road from South Peace Haven to Styers Ferry Road to include either a wide outside lane or shoulder. As of the time of this document, NCDOT has installed a roundabout at the recommended location.

### **RECOMMENDATION**

The proposed petition reflects the change in preferences for more compact development, as evidenced by the denser zoning of municipal properties to the southeast of this parcel. The Clemmons Community Compass Goal #4 strives for a wide range of housing opportunities for all members of the community, including rental apartments, starter, mid-level, and upscale homes, as well as senior housing. The RM-8 district can accommodate all of the aforementioned types of housing. Given the changes in consumer preference and the goals of the future land use plan, Planning Staff recommends the rezoning of the property from RS-40 to RM-8 and the amendment of the future land use plan from Cluster Residential to Neighborhood Residential designation.

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<sup>7</sup> Existing Thoroughfare Plan

<sup>8</sup> Thoroughfares provide high mobility, operate at higher speeds (45 mph and above), provide significant roadway capacity, have a great degree of access control, and serve longer distances.

<sup>9</sup> Recommendations on Community Strategic Corridors: Harper Road

<sup>10</sup> Recommended Bicycle and Pedestrian Facilities





## STATEMENT OF PLAN CONSISTENCY

Per G.S. §160D-604(d) Plan Consistency

“When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board 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 comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.”

### **Consistency Statement for Zoning Map Amendment: Docket # C-250**

The proposed zoning docket C-250 zoning map amendment petition for 2838 Harper Road PIN: 5883-67-9829 from Residential Single Family (RS-40) to Residential Multifamily (RM-8) is consistent with the Village of Clemmons Community Compass:

- Applicable Clemmons Community Compass themes, goals, and objectives
  - Theme #2 Future Land Use – New developments should efficiently use existing land and have a positive fiscal impact on the Village. The development will encourage compact and efficient use of land with likely minimal fiscal impact to the Village.
  - Theme #4 Economic and Community Development – A mix of housing types is necessary to provide for the varying lifestyles of future generations living in Clemmons.
  - Goal # 4: Wide range of housing opportunities – Increase in housing stock in the Village will provide options for various lifestyles and household preferences.
- Future Land Use Map
  - The future land use for the parcel is cluster residential:
    - Appropriate development includes single-family detached residential units designed in a suburban-style cluster pattern.
    - Employs small minimum lot size requirements in exchange for open space that serves the entire development.

### **Inconsistency Statement for Zoning Map Amendment: Docket # C-250**

The proposed zoning docket C-250 zoning map amendment petition for 2838 Harper Road PIN: 5883-67-9829 from Residential Single Family (RS-40) to Residential Multifamily (RM-8) is inconsistent with the Village of Clemmons Community Compass:

- Applicable Clemmons Community Compass themes, goals, and objectives
  - Goal # 1: Managed Growth and Balanced Land Use – A continuum of development forms will be found in Clemmons – from rural, to suburban, to village core.
- Future Land Use Map
  - The future land use for the parcel is cluster residential:
    - Appropriate development includes single-family detached residential units designed in a suburban-style cluster pattern.
    - Employs small minimum lot size requirements in exchange for open space that serves the entire development.

### **Second Inconsistency Statement for Zoning Map Amendment: Docket # C-250**

The proposed zoning docket C-250 zoning map amendment petition for 2838 Harper Road PIN: 5883-67-9829 from Residential Single Family (RS-40) to Residential Multifamily (RM-8) is inconsistent with the Village of Clemmons Community Compass:

- Applicable Clemmons Community Compass themes, goals, and objectives
  - Theme #2 Future Land Use – New developments should efficiently use existing land and have a positive fiscal impact on the Village. The development will encourage compact and efficient use of land with likely minimal fiscal impact to the Village.
  - Theme #4 Economic and Community Development – A mix of housing types is necessary to provide for the varying lifestyles of future generations living in Clemmons.
  - Goal # 4: Wide range of housing opportunities – Increase in housing stock in the Village will provide options for various lifestyles and household preferences.
- Future Land Use Map (Proposed Amendment to Neighborhood Residential)
  - States neighborhood densities should be determined on a case-by-case basis generally allowing for higher densities that include single-family attached housing near major corridors and activity centers.
  - Believes that existing neighborhoods may include condominium or apartment housing and that new master planned neighborhoods may include condominiums or apartment housing if located adjacent to major corridors or activity centers.
  - Finds schools, churches, and other civic and institutional facilities as appropriate secondary uses and that such secondary uses incorporate design features to mitigate impacts on neighborhoods.
  - Recommends that subdivisions be designed to provide vehicular, bicycle, and pedestrian access and connectivity throughout.
  - Promotes connectivity of developments to adjacent neighborhoods and commercial/employment areas.