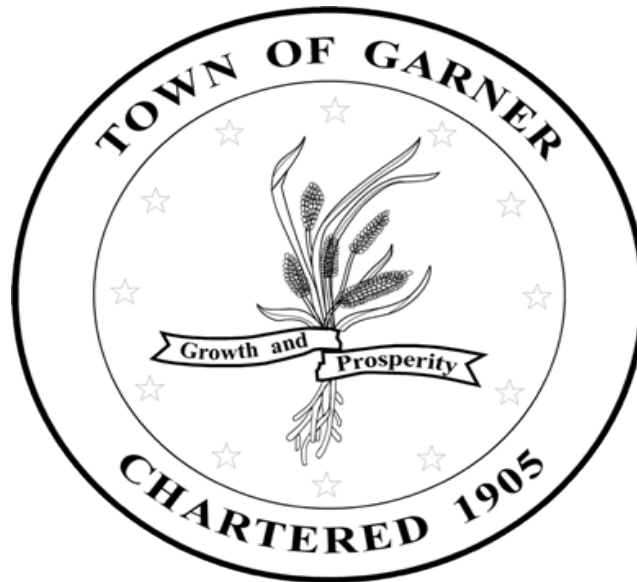


# **TOWN OF GARNER**



## **TOWN COUNCIL MEETING**

June 4, 2018  
7:00 P.M.

Garner Town Hall  
900 7th Avenue  
Garner, NC 27529

**Town of Garner  
Town Council Agenda  
June 4, 2018**

*Dinner will be served for town officials in the Conference Room at 6:15 p.m.*

The Council will meet in regular session at 7:00 p.m. in the Garner Town Hall located at 900 7<sup>th</sup> Avenue.

- A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

*The Council will call for a brief recess at 9:00 p.m.*

- B. PLEDGE OF ALLEGIANCE: Mayor ProTem Ken Marshburn

- C. INVOCATION: Mayor ProTem Ken Marshburn

- D. PETITIONS AND COMMENTS

*This portion of the meeting is to receive comments from the public on items not included in this agenda. Citizens should sign up with the Town Clerk to speak prior to the start of the meeting. The Board is interested in hearing your concerns, but may not take action or deliberate on subject matter brought up during the Petitions and Comments segment. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda.*

- E. ADOPTION OF AGENDA

- F. PRESENTATIONS

- G. CONSENT

*All items on the Consent Agenda are considered routine, to be enacted by one motion and without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.*

- 1. Resolution Authorizing Wake County Revenue to Levy and Collect Garner Property Tax..... Page 4  
Presenter: Pam Wortham, Finance Director

This Resolution gives the Wake County Revenue Administrator authorization to levy and collect real and personal property taxes on behalf of the Town of Garner.

Action: Adopt Resolution (2018) 2350

2. Ordinance Amending FY2017/2018 Operating Budget ..... Page 6  
Presenter: Pam Wortham, Finance Director

Ordinance to transfer remaining Public Works funds to the various divisions of the department and utilize for the following one-time purchases: a NCDMV inspection machine, a nitrogen fill machine, a climate control system for the fleet garage, bulk salt, salt spreader and snow plow for pickup trucks, a domestic water tap for Thompson Road Park, and some aesthetic enhancements for the lobby of the main Public Works building.

Action: Adopt Ordinance (2018) 3913

3. Spring Drive Sidewalk Project ..... Page 9  
Presenter: William E. Anderson, Town Attorney

This Resolution of Intent is to acquire rights-of-way and easements needed for construction of a sidewalk on Spring Drive and Vandora Springs Road, by negotiated purchase if possible or by eminent domain if necessary.

Action: Adopt Resolution (2018) 2351

#### H. PUBLIC HEARINGS

1. Conditional Use Zoning CUD-Z-18-01 and Conditional Use Permit  
CUP-SP-18-02, Lofts at Aversboro..... Page 23  
Presenter: Het Patel, Senior Planner and Jeff Triezenberg, Planning Director

Request for conditional use rezoning for approximately 1.86 acres from Office and Institutional (O&I) to Multi-family 2 (MF2). A companion conditional use site plan for a twenty-six (26) unit apartment complex accompanies this conditional use rezoning request. The site is located on Aversboro Road south of Poole Drive. The Planning Commission recommended approval at their May 14, 2018 meeting.

Action: Adopt Ordinance (2018) 3912; Approve CUP-SP-18-02

2. General Use Rezoning Z-18-02, Old Stage Road ..... Page 41  
Presenter: Het Patel, Senior Planner

Request to rezone approximately 1.0 acre from Residential 20 (R-20) to Residential 40 (R-40) General Use. The site is located at 5200 Old Stage Road.

Action: Close Public Hearing; Refer to Planning Commission

- 3. FY2018/2019 Recommended Budget Public Hearing ..... Page 49  
Presenter: Mike Franks, Budget & Special Projects Manager

Town Council and the general public will be provided an opportunity for discussion and input related to the FY2018/2019 Recommended Budget. The recommended budget is currently available for review on the Town's website, at Town Hall, and at the Southeast Regional Library.

Action: Receive Comments

I. NEW/OLD BUSINESS

- 1. Proposed Fee Schedule for FY 2018-2019 ..... Page 56  
Presenter: John Hodges, Asst. Town Manager-Development Services

Staff has completed a review of the Town's fee schedule and recommends the changes highlighted in the attached draft. Most of the changes proposed this year are to clarify or remove confusing or outdated language. Only a few fees are proposed to increase or be added.

Action: Receive Comments

- 2. General Use Rezoning Z-18-01, Loop Road ..... Page 77  
Presenter: Het Patel, Senior Planner

Request to rezone approximately 0.67 acres from R-20 to Neighborhood Office (NO) for property located at 310 Loop Road to allow a beauty / barber shop salon as a home-based business out of the existing single-family home. The Public Hearing was held on May 7, 2018. The Planning Commission recommended approval at their May 14, 2018 meeting.

Action: Adopt Ordinance (2018) 3914

J. COMMITTEE REPORTS

K. MANAGER REPORTS

- 1. garner info

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. ADJOURNMENT

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: June 4, 2018		
Subject: Authorization for Wake County Revenue to Levy & Collect Garner Property Tax		
Location on Agenda: Consent		
Department: Finance		
Contact: Pam Wortham, Finance Director		
Presenter: Pam Wortham, Finance Director		
Brief Summary:  This Resolution authorizes the Wake County Revenue Administrator to levy and collect property taxes for the Town of Garner for the FY 2018/2019 budget year.		
Recommended Motion and/or Requested Action: Adopt Resolution (2018) 2350		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	PW	
Finance Director:	PW	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**RESOLUTION NO. (2018) 2350**

**A RESOLUTION OF THE GARNER TOWN COUNCIL  
AUTHORIZING THE WAKE COUNTY REVENUE ADMINISTRATOR  
TO LEVY AND COLLECT PROPERTY TAXES FOR THE TOWN OF GARNER**

**BE IT RESOLVED** by the Town Council of the Town of Garner, North Carolina, as follows:

The Wake County Revenue Administrator is hereby authorized, empowered, and commanded to levy and collect taxes set forth in the tax records filed in the Office of the Wake County Revenue Administrator in the amounts and from the taxpayers likewise therein set forth.

This resolution bestows the Wake County Revenue Administrator with full and sufficient authority to levy and collect any real or personal property taxes on behalf of the town of Garner, North Carolina.

Witness my hand and official seal, this 4<sup>th</sup> day of June, 2018.

\_\_\_\_\_  
Ronnie S. Williams, Mayor

ATTEST:

\_\_\_\_\_  
Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: June 4, 2018		
Subject: Budget Amendment-Public Works		
Location on Agenda: Consent		
Department: Finance		
Contact: Pam Wortham, Finance Director		
Presenter: Pam Wortham, Finance Director		
<b>Brief Summary:</b>  Budget amendment to transfer remaining Public Works funds to the various divisions of the department and utilize for the following one-time purchases: a NCDMV inspection machine, a nitrogen fill machine, a climate control system for the fleet garage, bulk salt, salt spreader and snow plow for pickup trucks, a domestic water tap for Thompson Road Park, and some lobby aesthetic enhancements for the lobby of the main Public Works building.		
<b>Recommended Motion and/or Requested Action:</b> Adopt Ordinance (2018) 3913		
<b>Detailed Notes:</b> In late April, Council agreed to utilize some one-time items with remaining departmental funds. The purchases for the Public Works Department require a budget amendment because the funds needed are distributed among divisions of that department. The total being purchased is \$77,569, and includes an NCDMV inspection machine, a nitrogen fill machine, a climate control system for the fleet garage, bulk salt, salt spreader and snow plow for pickup trucks, a domestic water tap for Thompson Road Park, and some lobby aesthetic enhancements for the lobby of the main Public Works building.		
Funding Source:		
Cost:	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
<b>Manager's Comments and Recommendations:</b> N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	PW	
Finance Director:	PW	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

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**FINANCE DEPARTMENT MEMORANDUM**

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**TO:** RODNEY DICKERSON, TOWN MANAGER  
**FROM:** PAM WORTHAM, FINANCE DIRECTOR  
**SUBJECT:** BUDGET AMENDMENT-PUBLIC WORKS  
**DATE:** MAY 29, 2018

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**GENERAL FUND**

In late April, you reached out to Council for approval to utilize some one-time items with remaining departmental funds. The purchases for the Public Works Department require a budget amendment because the funds needed are distributed among divisions of that department. The total being purchased is \$77,569, and includes an NCDMV inspection machine, a nitrogen fill machine, a climate control system for the fleet garage, bulk salt, salt spreader and snow plow for pickup trucks, a domestic water tap for Thompson Road Park, and some lobby aesthetic enhancements for the lobby of the main Public Works building.

If you have any questions or concerns, please let me know. Thank you.



ORDINANCE NO. (2018) 3913

ORDINANCE AMENDING ORDINANCE NO. (2017) 3862  
WHICH ESTABLISHED THE 2017 – 2018 OPERATING BUDGET

BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina:

Section One. That the GENERAL FUND be amended as follows:

**General Fund Budget Changes:**

<b>Department/ Category</b>	<b>Description</b>	<b>Current</b>	<b>Amended</b>	<b>Net Change</b>
<b><i>Expenditures</i></b>				
10562000-523300	Snow Removal-Dept Supplies	\$11,518	\$25,518	+\$14,000
10562000-523399	Snow Removal-Non Capital Equipment	\$9,338	\$28,338	+\$19,000
10565000-523399	Fleet-Non Capital Equipment	\$1,685	\$15,962	+\$14,277
10565000-537400	Fleet-Equipment	\$0	\$22,592	+\$22,592
10561000-521300	Streets-Utilities	\$594,231	\$524,362	-\$69,869

Section Two. Copies of this ordinance shall be furnished to the Finance Director and the Town Clerk for their direction in the disbursement of the Town's funds and for public inspection.

Duly adopted this 4<sup>th</sup> day of June, 2018.

\_\_\_\_\_  
Ronnie S. Williams, Mayor

ATTEST: \_\_\_\_\_  
Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: June 4, 2018		
Subject: Easements for Spring Drive Sidewalk Project		
Location on Agenda: Consent		
Department: Engineering		
Contact: William E. Anderson, Town Attorney		
Presenter: William E. Anderson, Town Attorney		
Brief Summary:  This Resolution of Intent is to acquire rights-of-way and easements needed for construction of a sidewalk on Spring Drive and Vandora Springs Road, by negotiated purchase if possible or by eminent domain if necessary.		
Recommended Motion and/or Requested Action: Adopt Resolution (2018) 2351		
Detailed Notes: Resolution to acquire easements and right of way from multiple property owners as part of the Spring Drive sidewalk project		
Funding Source: Bond project funding		
Cost: 27,615.68	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	WEA	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

RESOLUTION NO. (2018) 2351

A RESOLUTION OF INTENT TO ACQUIRE RIGHTS-OF-WAY AND EASEMENTS  
NEEDED FOR CONSTRUCTION OF A SIDEWALK ON SPRING DRIVE AND VANDORA  
SPRINGS ROAD, BY NEGOTIATED PURCHASE IF POSSIBLE  
OR BY EMINENT DOMAIN IF NECESSARY

WHEREAS, the Town Council of the Town of Garner is undertaking the construction of certain roadway and sidewalk improvements on Spring Drive and Vandora Springs Road; it is necessary and in the public interest to acquire the rights-of-way, permanent drainage easements, and temporary construction easements described below, by negotiated purchase at the following prices if possible, or by eminent domain if necessary:

WHEREAS, if the Town has not acquired all necessary rights-of-way and easements by the date determined necessary by the Project Engineer and Town Attorney, the Town will acquire the remaining easements from the list set forth below by eminent domain, and the Town Attorney is authorized and directed to initiate such proceedings to acquire the following real property interest for the following purposes and compensation:

1. Property Address: 0 Spring Drive, Garner, NC 27529

To acquire a temporary construction easement consisting of 391.58 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701825843

Owner(s): 1948 Spring LLC

Temporary Construction Easement: (391.58 sq. ft.) \$ 251.78

2. Property Address: 1810 Spring Drive, Garner, NC 27529

To acquire a permanent drainage easement consisting of 27.22 square feet and a temporary construction easement consisting of 99.69 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701823396

Owner(s): Alessandra J. & Wesly T. Holt

Permanent Drainage Easement:	(27.22 sq. ft.)	\$ 33.78
Temporary Construction Easement:	(99.69 sq. ft.)	<u>\$ 49.48</u>
	Total:	\$ 83.26

3. Property Address: 1804 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 329.45 square feet and a temporary construction easement consisting of 1,193.76 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701826240

Owner(s): Marilyn Y. Merritt & James I. Brown

Right-of-Way:	(329.45 sq. ft.)	\$ 756.31
Temporary Construction Easement:	(1,193.76 sq. ft.)	<u>\$ 548.10</u>
	Total:	\$ 1,304.41

4. Property Address: 1802 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 226.92 square feet and a temporary construction easement consisting of 372.13 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701827157

Owner(s): John D. Benz

Right-of-Way:	(226.92 sq. ft.)	\$ 726.15
Temporary Construction Easement:	(372.13 sq. ft.)	\$ <u>238.17</u>
	Total:	\$ 964.32

5. Property Address: 1800 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 214.67 square feet and a temporary construction easement consisting of 372.32 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701828146

Owner(s): Steve Wu

Right-of-Way:	(214.67 sq. ft.)	\$ 686.95
Temporary Construction Easement:	(372.32 sq. ft.)	\$ <u>238.29</u>
	Total:	\$ 925.24

6. Property Address: 1706 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 198.95 square feet and a temporary construction easement consisting of 376 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701829133

Owner(s): Walter K. Mercer, II

Right-of-Way:	(198.95 sq. ft.)	\$ 636.65
Temporary Construction Easement:	(376 sq. ft.)	\$ <u>240.64</u>
	Total:	\$ 877.29

7. Property Address: 1704 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 187.01 square feet and a temporary construction easement consisting of 376 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701920121

Owner(s): Christopher A. & Opeia J. Bryant

Right-of-Way:	(187.01 sq. ft.)	\$ 598.44
Temporary Construction Easement:	(376 sq. ft.)	\$ <u>240.64</u>
	Total:	\$ 839.08

8. Property Address: 1702 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 185.92 square feet and a temporary construction easement consisting of 399.93 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701921029

Owner(s): Timothy J. Golas

Right-of-Way:	(185.92 sq. ft.)	\$ 577.45
Temporary Construction Easement:	(399.93 sq. ft.)	\$ <u>248.43</u>
	Total:	\$ 825.88

9. Property Address: 1700 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 214.94 square feet and a temporary construction easement consisting of 762.68 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701922035

Owner(s): Craig A. & Vanessa D. Minter

Right-of-Way:	(214.94 sq. ft.)	\$ 667.59
Temporary Construction Easement:	(762.68 sq. ft.)	\$ <u>473.77</u>
	Total:	\$ 1,141.35

10. Property Address: 1604 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 259.33 square feet and a temporary construction easement consisting of 585.01 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701924031

Owner(s): Dennis J. & Alison J. Gazso

Right-of-Way:	(259.33 sq. ft.)	\$ 855.80
Temporary Construction Easement:	(585.01 sq. ft.)	<u>\$ 386.11</u>
	Total:	\$ 1,241.91

11. Property Address: 1602 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 157.82 square feet and a temporary construction easement consisting of 400.44 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701925051

Owner(s): Walter L. & Mary G. Carter

Right-of-Way:	(157.82 sq. ft.)	\$ 490.18
Temporary Construction Easement:	(400.44 sq. ft.)	<u>\$ 248.75</u>
	Total:	\$ 738.92



12. Property Address: 1600 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 137.41 square feet and a temporary construction easement consisting of 379.85 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701916959

Owner(s): Charles K. & Amy Hairr

Right-of-Way:	(137.41 sq. ft.)	\$ 439.72
Temporary Construction Easement:	(379.85 sq. ft.)	\$ <u>243.11</u>
	Total:	\$ 682.83

13. Property Address: 1506 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 139.06 square feet and a temporary construction easement consisting of 400.15 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701917947

Owner(s): Lester D. & Sharon R. Massey

Right-of-Way:	(139.06 sq. ft.)	\$ 419.57
Temporary Construction Easement:	(400.15 sq. ft.)	\$ <u>241.47</u>
	Total:	\$ 661.04

14. Property Address: 1504 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 133.76 square feet and a temporary construction easement consisting of 380.62 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701918943

Owner(s): Trustee of the 1504 Spring Drive Trust

Right-of-Way:	(133.76 sq. ft.)	\$ 428.04
Temporary Construction Easement:	(380.62 sq. ft.)	\$ <u>243.60</u>
	Total:	\$ 671.64

15. Property Address: 1502 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 141.50 square feet and a temporary construction easement consisting of 379.29 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1701919930

Owner(s): Earnest L. Smith

Right-of-Way:	(141.50 sq. ft.)	\$ 452.81
Temporary Construction Easement:	(379.29 sq. ft.)	\$ <u>242.75</u>
	Total:	\$ 695.56

16. Property Address: 1500 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 214.28 square feet and a temporary construction easement consisting of 503.48 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711010839

Owner(s): Mary Jane Carr

Right-of-Way:	(214.28 sq. ft.)	\$ 646.52
Temporary Construction Easement:	(503.48 sq. ft.)	\$ <u>303.82</u>
	Total:	\$ 950.34

17. Property Address: 1412 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 242.28 square feet and a temporary construction easement consisting of 1,017.06 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711011816

Owner(s): Mildred C. Clark

Right-of-Way:	(242.28 sq. ft.)	\$ 731.00
Temporary Construction Easement:	(1,017.06 sq. ft.)	\$ <u>613.73</u>
	Total:	\$ 1,344.74

18. Property Address: 1410 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 171.14 square feet and a temporary construction easement consisting of 1,055 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711012812

Owner(s): Steven V. & Suzette F. Mitchell

Right-of-Way:	(171.14 sq. ft.)	\$ 516.36
Temporary Construction Easement:	(1,055 sq. ft.)	\$ <u>636.63</u>
	Total:	\$ 1,152.99

19. Property Address: 1408 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 179.51 square feet and a temporary construction easement consisting of 617.93 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711013709

Owner(s): Kevin J. & Patricia B. Jorgenson

Right-of-Way:	(179.51 sq. ft.)	\$ 541.61
Temporary Construction Easement:	(617.93 sq. ft.)	\$ <u>372.88</u>
	Total:	\$ 914.50

20. Property Address: 1406 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 185.89 square feet and a temporary construction easement consisting of 400 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711014706

Owner(s): Christopher & Lindsey E. Moore

Right-of-Way:	(185.89 sq. ft.)	\$ 560.86
Temporary Construction Easement:	(400 sq. ft.)	<u>\$ 241.37</u>
	Total:	\$ 802.24

21. Property Address: 1404 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 192.26 square feet and a temporary construction easement consisting of 400 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711015703

Owner(s): Billy R. & Betty W. Parker

Right-of-Way:	(192.26 sq. ft.)	\$ 580.08
Temporary Construction Easement:	(400 sq. ft.)	<u>\$ 241.37</u>
	Total:	\$ 821.46

22. Property Address: 1402 Spring Drive, Garner, NC 27529

To acquire a right-of-way consisting of 198.64 square feet and a temporary construction easement consisting of 1,606.01 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711015790

Owner(s): Manuel M. Martinez & Jose Martinez

Right-of-Way:	(198.64 sq. ft.)	\$ 599.33
Temporary Construction Easement:	(1,606.01 sq. ft.)	<u>\$ 969.13</u>
	Total:	\$ 1,568.46

23. Property Address: 1020 Vandora Springs Road, Garner, NC 27529

To acquire a right-of-way consisting of 292.26 square feet, a permanent drainage easement consisting of 210 square feet, and a temporary construction easement consisting of 4,139.63 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711017617

Owner(s): Eric C. Bennett

Right-of-Way:	(292.26 sq. ft.)	\$ 593.52
Permanent Drainage Easement:	(210 sq. ft.)	\$ 213.15
Temporary Construction Easement:	(4,139.63 sq. ft.)	<u>\$ 1,681.35</u>
	Total:	\$ 2,488.02

24. Property Address: 1008 Vandora Springs Road, Garner, NC 27529

To acquire a right-of-way consisting of 184.24 square feet, a permanent drainage easement consisting of 3,259.27 square feet, and a temporary construction easement consisting of 5,103.53 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711025143

Owner(s): Roman Catholic Diocese of Raleigh

Right-of-Way:	(184.24 sq. ft.)	\$ 381.38
Permanent Drainage Easement:	(3,259.27 sq. ft.)	\$ 3,373.34
Temporary Construction Easement:	(5,103.53 sq. ft.)	<u>\$ 2,092.45</u>
	Total:	\$ 5,847.17

25. Property Address: 1002 Vandora Springs Road, Garner, NC 27529

To acquire a permanent drainage easement consisting of 29.39 square feet as shown on survey map by RAMEY KEMP & ASSOCIATES, INC. dated 4/10/2018 on file at the Garner Town Hall;

PIN #: 1711025143

Owner(s): Sample Properties

Permanent Drainage Easement:	(29.39 sq. ft.)	\$ 73.03
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THIS RESOLUTION. adopted this 4<sup>th</sup> day of June, 2018.

\_\_\_\_\_  
Ronnie S. Williams, Mayor

ATTEST: \_\_\_\_\_  
Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: June 4, 2018		
Subject: Conditional Use Rezoning CUD-Z-18-01 & Conditional Use Site Plan CUP-SP-18-02 - Lofts @ Aversboro		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Het Patel, Senior Planner and Jeff Triezenberg, Planning Director		
Presenter: Het Patel and Jeff Triezenberg		
<p><b>Brief Summary:</b></p> <p>Ball Properties is requesting conditional use rezoning for approximately 1.86 acres from Office and Institutional (O&amp;I) to Multi-family 2 (MF2). A companion conditional use site plan for a twenty-six (26) unit apartment complex accompanies this conditional use rezoning request. The site is located on Aversboro Road south of Poole Drive. The Planning Commission recommended approval of this request at their May 14, 2018, meeting.</p>		
<p><b>Recommended Motion and/or Requested Action:</b></p> <p>Adopt Ordinance (2018) 3912; Approve CUP-SP-18-02</p>		
<p><b>Detailed Notes:</b></p> <p>Please refer to Motion Worksheets at the end of the staff report for assistance in making a motion.</p>		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p><b>Manager's Comments and Recommendations:</b></p> <p>N/A</p>		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



**TO:** Mayor and Town Council Members

**FROM:** Het Patel, AICP; Senior Planner  
Jeff Triezenberg, AICP, GISP; Planning Director

**SUBJECT:** *CUD-Z-18-01, Conditional Use Rezoning*  
*CUP-SP-18-02, Conditional Use Site Plan – Lofts at Aversboro*

**DATE:** June 4, 2018

---

### I. PROJECT AT A GLANCE

**Project Number(s):** CUD-Z-18-01 Conditional Use Rezoning  
CUP-SP-18-02 Conditional Use Site Plan

**Applicant:** Ball Rentals, LLC.

**Owner:** Douglas Ball

**General Description -**

**Project Area & Location:** 1.86 +/- acres located on the east side of Aversboro Road between Poole Drive and Heather Park Drive.

**Wake Count PIN(s):** 1710-47-1422

**Current Zoning:** O&I (Office and Institutional)

**Requested Zoning:** MF-2 C200 (Multi-Family Conditional Use)

**Proposed Use(s):** Apartments (proposed)

**Key Meeting Dates:**

**Planning Commission:** May 14, 2018

**Public Hearing & Action:** June 4, 2018

## **II. BACKGROUND / REQUEST SUMMARY**

The rezoning (CUD-Z-18-01) and associated site plan (CUP-SP-18-02) have been submitted to develop a vacant piece of land on the east side of Aversboro Road between Poole Drive and Heather Park Drive. The applicant is requesting to rezone the site from Office and Institutional (O&I) to Multi-Family 2 Conditional Use (MF-2 C200). Use restrictions are proposed to limit the range of MF-2 uses.

## **III. ZONING ANALYSIS**

**Existing:** The existing zoning of the 1.86-acre site is **Office & Institutional (O&I)**. The purpose of this district is to accommodate more intense professional and service occupations than permitted in the Neighborhood Office (NO) district and to ensure that the environmental effects (including noise, odor, glare, heat, vibration and air pollution) resulting from conduct of such operations shall not interfere with the quality of any surrounding district. This district serves as a transition between residential districts and more intense districts, including commercial districts.

### ***The following is a list of permitted uses in the OI District:***

1. Townhouse
2. Condominium
3. Community center
4. Library, museum, art gallery, art center
5. Other community service
6. Civil, service fraternal clubs, lodges and similar uses
7. Adult day care
8. Day care center
9. Business school, college or university satellite in single building
10. College/university
11. School, public or private
12. Trade/vocational school
13. Music, dance, art instruction
14. Funeral home, crematorium
15. Ambulance, police, fire station
16. Government office
17. Continuing care, retirement facility
18. Hospice
19. Hospital
20. Ambulatory health, emergency care
21. Medical clinic
22. Mental health facility
23. Group care facility
24. Handicapped institution
25. Intermediate care institution
26. Nursing care institution
27. Cemetery
28. Public park, swimming pool, open space
29. Religious institution
30. Minor utility, elevated water tank
31. Golf course, country club
32. Indoor gym, spa, pool, tennis courts
33. Medical office, individual
34. Other general office
35. Bed and breakfast
36. Hair salons, barber shops
37. Banks or financial institutions
38. Repair oriented use (no outdoor operations)
39. Veterinarian/kennel, indoor
40. Commercial parking

**Proposed:** The proposed zoning of the 1.86-acre site is **Multi-Family 2 Conditional Use (MF-2 C200)**. The MF-2 district is designed to create and maintain higher density residential neighborhoods composed primarily of multifamily dwellings. For MF-2 zoning districts emphasis shall be given to the location of the proposed district to adjoining developed property to ensure that such district is carefully located and achieves a satisfactory relationship with surrounding properties. Use restrictions are proposed as part of this request.

***The following is a list of permitted uses in the MF-2 C200 district (uses not highlighted are prohibited)***

- |   |  |
|---|--|
| 1. Residential cluster                                  | 13. Ambulance, police, fire station        |
| 2. Two-family dwelling (duplex)                         | 14. Continuing care, retirement facility   |
| 3. Townhouse  | 15. Hospice                                |
| 4. Condominium  | 16. Cemetery                               |
| 5. Triplexes and apartments                             | 17. Public park, swimming pool, open space |
| 6. Family care home                                     | 18. Religious institution                  |
| 7. Group care home                                      | 19. Minor utility, elevated water tank     |
| 8. Intermediate care home                               | 20. Golf course, country club              |
| 9. Community center                                     | 21. Bed and breakfast                      |
| 10. Other community service                             |  |
| 11. Child day care, up to 3 children as home occupation |  |
| 12. School, public or private                           |  |

**Zoning History:** The Planning Department’s rezoning database contains the following rezoning cases in the vicinity of this property. Many of the properties in this area were rezoned between the late 1960s and the 1980s. More recent cases are listed below.

Case	Applicant	Location	Zoning Change
Z 80-10	George Rucker	Aversboro Road	MF-2 to O&I
Z 81-7	Stacy Blackmon	Aversboro Road	O&I to CB
CUD-Z-86-25	Laura & Robert Hamilton	1419 Aversboro Road	MF-2 to O&I C5
Z 86-16	Garner Rest Home	1437 Aversboro Road	MF-2 to O&I
Z-88-20	Aversboro Road Church	1600 Aversboro Road	MF-1 to O&I
CUD-Z-02-06	Real Estate Management Services	Lawndale Townes	O&I to MF-1 C117
Z 02-01	Douglas Ball	Aversboro Road	MF-1 to CB
Z-10-01	GFR Properties LLC	Poole Drive	O&I to MF-2

**Adjacent Zoning and Land Use:**

<b>North:</b>	Community Retail (CR)	Aversboro Square shopping center
<b>South:</b>	Multi-Family 2 (MF-2)	Religious institution
<b>East:</b>	Multi-Family 2 (MF-2)	Planned multi-family residential
<b>West:</b>	Office & Institutional (OI) Multi-Family 2 (MF-2)	General offices Townhomes (across Aversboro Road)



**Overall Neighborhood Character:**

Aversboro Road is identified as major thoroughfare on the *2010 Garner Transportation Plan* with a moderate amount of daily traffic. There is a mix of single-family and multi-family homes along with neighborhood scale commercial and office center uses along this corridor. Most of the uses are multi-family residential and office center. The area around the intersection of Aversboro Road and Olde Manor Lane contains a mix of multi-family residential, office center, and neighborhood commercial uses.

**IV. TRAFFIC IMPACTS**

The addition of this relatively small two building development of 26 apartment units is expected to have insignificant impacts on traffic along Aversboro Road – approximately 14 AM peak hour movements, 16 PM peak hour movements and 173 daily trips.

The NCDOT average daily traffic count history on Aversboro Road is as follows:

- Year 2007 – 9,700
- Year 2009 – 7,900
- Year 2011 – 8,200
- Year 2013 – 8,100
- Year 2015 – 8,600

## V. STATEMENTS OF ZONING CONSISTENCY WITH THE COMPREHENSIVE PLAN

### 2006 Comprehensive Growth Plan:

The majority of the site (approx. 80%) falls within the boundary of a **½ Mile Neighborhood**. A ½ Mile Neighborhood (Primary Residential) recommends a residential density of 3 to 9 units per acre and retail /service commercial uses. Suggested zoning districts include: NO, MF1, R09, R12, TND, PRD, PUD.



A smaller northern portion of the site (approx. 20%) falls within the boundary of **1/8 Mile Neighborhood Core**. A 1/8 Mile Neighborhood Core recommends residential density up to 9 units per acre and neighborhood-scale retail services, including professional offices and high density residential. Suggested zoning districts include: CBD, NC, O&I, NO, MF2, MF1, MXD, TND, PUD, R9.

### Draft 2018 Garner Forward Plan (target adoption June 2018):

On the current draft Plan map, the site along Aversboro Road is designated as **Multi-Family Residential** and the surrounding tracts in this area are designated as either **Office Center**, **Neighborhood Commerce Center**, or **High-Density Residential**.



The **Multi-Family Residential** land use category encompasses multi-unit, multi-structure apartment buildings, condominiums up to 4 stories in height. These developments are typically independent of surrounding land uses and not part of a larger project or a mixed density development.

In summary, the request for a conditional use Multi-Family 2 zoning district may be considered consistent with the *2006 Comprehensive Growth Plan* and the *DRAFT 2018 Garner Forward Plan*.

## **VI. SITE PLAN PROJECT DATA**

**Acreage:** 1.86 acres

**Building Size:** 2 buildings with footprints of 9,535 square feet and 6,322 square feet. Building #1 is 3 stories tall with a total of 28,605 square feet. Building #2 is 2 stories tall with a total of 12,644 square feet.

**Building Materials:** The buildings will be wood frame construction and finished with a combination of traditional red brick and fiber cement siding. The siding will be painted in a gray and white color scheme, and the buildings will be accented with metal railings, eave brackets and multiple roof breaks.

**Landscape and Buffer Requirements:** The plan as proposed meets the requirements of the Landscape Ordinance.

- **Tree Cover:** Requirements are met with a combination of existing vegetation and replacement plantings but is planned at a maximum requirement of 12% of the lot area as if the requirement were being met exclusively by replacement plantings.
- **Street Buffers:** Due to the flag shape of the lot, there is only a street yard planting requirement along the flag pole portion of the lot, and this requirement has been met.
- **Perimeter Buffers:** Perimeter buffers vary from 15 feet to 25 feet depending on adjacent uses and zoning.

All buffers except the eastern buffer are shown as required. Existing vegetation, within the buffers, may meet the screening requirements; if not, the landscape plan reflects a planting plan for each buffer width to determine what is needed to meet the requirements. Exact quantities will be determined in the field.

The eastern buffer covered in its entirety by a City of Raleigh water line easement, in which no plantings are allowed. Due to this impact, the buffer width in this location has been

administratively reduced to 10.5 feet. Although vegetation will be protected, it is unknown as to how long it will be before the easement is “maintained” and cleared. Permission for a privacy fence has been granted by the City of Raleigh to screen the parking from the adjacent townhomes (currently under construction). Vegetation for the buffer has been moved to the area between the buildings and the parking lot to the extent practical and in conformity with the guidelines of the UDO.

**Parking Spaces:**

**Number** - Parking is based on the number of apartment units and the number of bedrooms with them. ITE studies suggest that 60 parking spaces would meet peak hour need – a reduction of 10.4% that is consistent with past multi-family parking approvals.

- Required: 67 (3 accessible)
- Proposed: 60 (4 accessible)

**Environmental Features:**

This site does not contain a FEMA designated floodplain and slopes generally to the west. There also does not appear to either USGS streams or flood prone soils on the site.



**Fire Protection:**

The Inspections Department has reviewed the plan for fire protection and given their approval.

**Lighting:**

The lighting plan conforms to the requirements of the UDO as well as staff recommendations concerning LED fixtures.

**Infrastructure: Stormwater Management** – The Lofts at Aversboro development site is located within the watershed water supply area for the Town of Garner and drains to Lake Benson. This site is subject to stormwater quality regulations for nitrogen and 85% TSS removal as well as stormwater quantity regulations for detention of the 1, 10 and 25 year storms. A bioretention area is proposed as a stormwater control measure that will handle stormwater quality and quantity requirements at this site. The stormwater control measure will treat 85% TSS as well as reduce the nitrogen below the allowable threshold (10 pounds per acre per year) for multiuse development. It will also meet all the detention requirements. This development will also be required to make a nitrogen offset payment because even after the addition of the bioretention area, the nitrogen loading rate exceeds the 3.6 pounds per acre per year threshold.

**Water/Sewer** – Water service is available in the area. An 8” water main runs along the westside of Aversboro Road. There is also an 8” gravity sewer line that runs along the eastside of Aversboro Road. This project will connect to both services in accordance with City of Raleigh Public Utility Department rules and regulations.



**Transportation/Access** – The rezoning site has approximately 40 feet of frontage along Aversboro Road. Aversboro Road is classified as a Major Thoroughfare on the 2010 Garner Transportation Plan and is maintained by NCDOT. Driveway has been reviewed and approved by NCDOT.



## **VII. SITE PLAN CONFORMITY WITH ADOPTED TOWN PLANS AND POLICIES**

### **2010 Garner Transportation Plan:**

Aversboro Road is identified as an “Existing Major Thoroughfare” consisting of 4 lanes of travel (2 in each direction) in 2035. The existing roadway has already been improved to this standard. Additionally, there are no unconstructed pedestrian or bicycle facility recommendations for Aversboro Road at this location. Therefore, this project, as proposed, may be found to be in conformity with the 2010 Garner Transportation Plan.

### **Parks & Recreation, Open Space & Greenways Master Plan:**

Apart from sidewalks along Aversboro Road which already exist, a review of the Parks and Recreation, Open Space and Greenways Master Plan revealed no other plan recommendations in the project area; therefore, this project, as proposed, may be found to be in conformity with the Parks & Recreation, Open Space & Greenways Master Plan.

### **Swift Creek Land Management Plan:**

This site is classified as an existing non-compliant area, and is therefore only subject to Town zoning, stormwater and UDO regulations; therefore, this project, as proposed, may be found to be in conformity with the Swift Creek Land Management Plan.

### **Unified Development Ordinance Regulations:**

After sufficient review and plan revisions, staff finds that this project, as now proposed, conforms to the regulations of the Unified Development Ordinance.

## **VIII. PLANNING COMMISSION NOTES AND RECOMMENDATION**

The Planning Commission reviewed this request at their May 14, 2018 meeting. The Planning Commission confirmed staff’s findings in Section VII that CUP-SP-18-02, Lofts at Aversboro, is in conformity with adopted town plans and policies; and further accepted staff’s statements regarding zoning consistency with the Comprehensive Growth Plan, detailed in Section V of this report, as their own, and unanimously recommended approval of CUD-Z-18-01.

**IX. COUNCIL MOTION WORKSHEETS**

*NOTE: Two separate motions and vote are required.*

**REZONING ACTION MOTION WORKSHEET**

**Choose one (1) of the following three (3) options:**

- ( ) 1. Find **Consistent** with the Comprehensive Plan and **Approve**:

“I move that the Town Council accept staff’s statements regarding zoning consistency with the Comprehensive Growth Plan, detailed in Section V of this report, as our own; and I therefore move further that the Town Council accept the recommendation of the Planning Commission and adopt Ordinance No. \_\_\_\_\_ approving rezoning request number CUD-Z-18-01.”

- ( ) 2. Find **Inconsistent** with the Comprehensive Plan and **Deny**:

“I move that the Town Council find the rezoning request inconsistent with the Comprehensive Growth Plan for the following reason(s):

(1) \_\_\_\_\_  
\_\_\_\_\_;

(2) \_\_\_\_\_  
\_\_\_\_\_;

(3) \_\_\_\_\_  
\_\_\_\_\_;

and therefore, I move further that the Town Council reject the recommendation of the Planning Commission and deny rezoning request number CUD-Z-18-01.”

- ( ) 3. Find **Inconsistent** with the Comprehensive Plan and **Approve**:

“I move that the Town Council find that although the rezoning request is inconsistent with the Comprehensive Growth Plan for the following reason(s):

(1) \_\_\_\_\_  
\_\_\_\_\_;

(2) \_\_\_\_\_  
\_\_\_\_\_;

(3) \_\_\_\_\_  
\_\_\_\_\_;

it is reasonable and in the public interest because it will likely (*check as many as appropriate*)

- ( ) allow the development of an appropriate density of housing in the area in which it is located;
- ( ) allow appropriate types of business at the described location which will provide opportunities for access to goods and/or services useful to the surrounding area;
- ( ) allow appropriate types of business at the described location which will provide employment opportunities for citizens;
- ( ) allow the types of businesses at the described location which will enhance the Town's economic development;
- ( ) allow the types of businesses at the described location which will likely enhance the Town's tax base;
- ( ) \_\_\_\_\_  
\_\_\_\_\_;
- ( ) \_\_\_\_\_  
\_\_\_\_\_;

and therefore, I move further that the Town Council adopt Ordinance No. \_\_\_\_\_ approving rezoning request number CUD-Z-18-01, and in so doing, also amend the Town's Comprehensive Growth Plan from designating the subject property as ½ Mile Neighborhood to Multi-Family Residential.

(*fill in with appropriate area designation*) \_\_\_\_\_."

## CONDITIONAL USE PERMIT ACTION WORKSHEET

**Approve:** I move that the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-18-02, Lofts at Aversboro, with the three standard conditions.

**Optional (conditions – mark, fill in and read all that applies):** ...and including the following reasonable conditions necessary to address the impacts of the proposed development on:

- adjoining property,
- the existing natural and man-made features of the site,
- off-site and on-site traffic flow,
- public utilities,
- such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development (*enumerate plan services/goals*):

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**Condition #1:**

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**Condition #2:**

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**Condition #3, (etc.):**

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or

**Deny:** I move that the Council find the application does not meet one or more of the criteria in Section 3.14.D. for granting a special use permit,

***(Check and read all that apply – include stated reason/evidence)***

- 1. The proposed use will endanger the public health or safety because/as evidenced by \_\_\_\_\_;
- 2. The proposed use will substantially injure the value of adjoining or abutting property; because/as evidenced by \_\_\_\_\_;

- \_\_\_ 3. The proposed use does not comply with all applicable provisions of this UDO;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 4. If completed as proposed, the development will not comply with all requirements of this section;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 5. The proposed use will not be compatible with the proximate area in which it is to be located;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 6. The proposed use is inconsistent with the Transportation Plan, other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan);  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 7. The proposed use is incompatible with adjacent uses in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 8. Any significant adverse impacts resulting from the use will not be mitigated or offset, including impacts on the natural environment;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 9. The public safety, transportation and utility facilities and services will not be available to serve the subject property while maintaining sufficient levels of service for existing development;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 10. Adequate assurances of continuing maintenance have not been provided;  
*because/as evidenced by* \_\_\_\_\_;

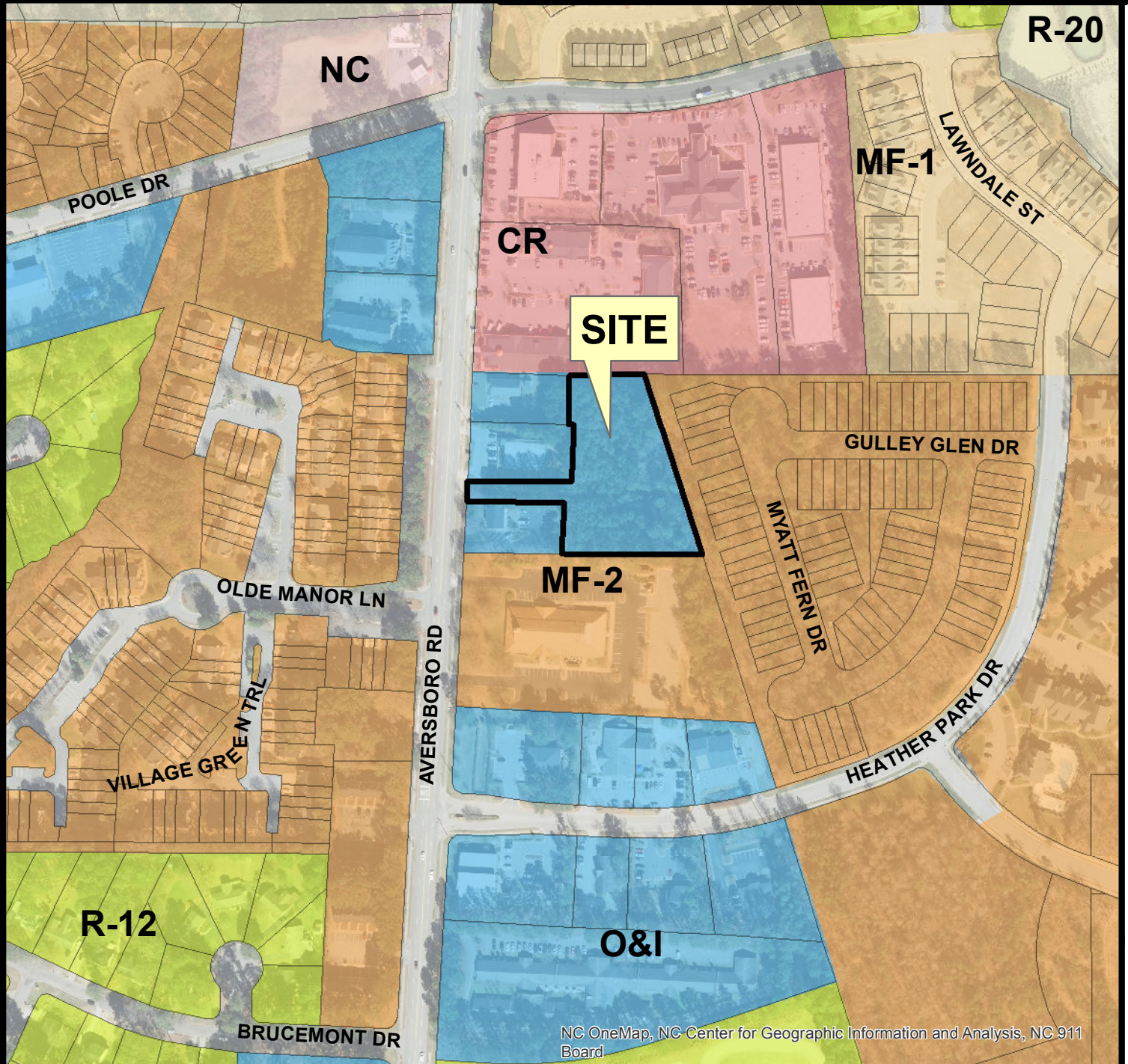
and therefore, deny Conditional Use Permit for Lofts at Aversboro – CUP-SP-18-02.



**Town of Garner  
Planning Department**

**Conditional Use Applications  
CUP-SP-18-02 & CUD-Z-18-01**

0 250 500 Feet



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board

Project: Ball Apartments  
 Applicant: Douglas Ball  
 Owner: Douglas Ball  
 Location: Aversboro Road  
 Pin: 1710-47-1422

Proposed Use: Apartments  
 Current Zoning: Office & Institutional  
 Proposed Zoning: MF-2 C 200  
 (Conditional Use)  
 Overlay: None  
 Acreage: 1.86  
 Site Plan Case: CUP-SP 18-02

Return to:  
Stella Gibson  
Town of Garner  
900 7<sup>th</sup> Avenue  
Garner, NC 27529

**ORDINANCE NO. (2018) 3912**

**AN ORDINANCE AMENDING THE TEXT OF THE GARNER UNIFIED DEVELOPMENT ORDINANCE  
TO CREATE A NEW CONDITIONAL USE ZONING DISTRICT AND TO AMEND THE OFFICIAL  
ZONING MAP TO APPLY THE NEW ZONING CLASSIFICATION**

WHEREAS, The Town Council has received a petition requesting that a new conditional use zoning district be established and that this new district classification be applied to the applicant's property.

WHEREAS, the Town Council is authorized by the Town Charter to establish conditional use zoning districts:

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF GARNER ORDAINS:

Section 1. That the Official Zoning Map of the Town of Garner and Extraterritorial Jurisdiction be amended by changing the zoning classification of the property described below from its present zoning to that requested by Ball Rentals, LLC. in Rezoning Application No. CUD-Z-18-01 (MF-2 C200).

Section 2. There is hereby created a new conditional use zoning district, to be known as the Multi-Family Conditional Use (MF-2 C200); within this district, all of the regulations that apply to property within the Multi-Family Conditional Use (MF-2 C200) zoning district shall be applicable and that all other uses are prohibited except those that are listed as permissible shall require a conditional use permit:

The following is a list of permitted uses in the Multi-Family Conditional Use (MF-2 C200) district.

1. Two-family dwelling (duplex)
2. Townhouse
3. Condominium
4. Triplexes and Apartments
5. Child day care, up to 3 children as home occupation
6. Continuing care, retirement facility

Section 3. The official Zoning Map of the Town of Garner is amended by changing the

zoning classification of the property identified below and as shown on a map in application file:

<b>Owner(s)</b>	<b>Tract No.</b>	<b>Existing Zoning</b>	<b>New Zoning</b>
<b>Ball Rentals, LLC</b>	<b>1710-47-1422</b>	<b>Office &amp; Institutional (O&amp;I)</b>	<b>Multi-Family Conditional Use (MF-2 C200)</b>

Section 4. The Planning Department shall change the Official Zoning Map displayed for the public to reflect this change immediately following adoption of this ordinance. In addition, a copy of this ordinance shall be filed in the Planning Department.

Section 5. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 6. That the Town Clerk shall cause a duly certified copy of this ordinance to be recorded in the office of the Wake County Register of Deeds.

Section 7. This ordinance shall become effective upon adoption.

Duly adopted this 4th day June 2018.

\_\_\_\_\_  
Ronnie S. Williams, Mayor

ATTEST: \_\_\_\_\_  
Stella L. Gibson, Town Clerk



**TOWN OF GARNER  
CUP-SP-18-02 – LOFTS @ AVERSBORO  
CONDITIONAL USE PERMIT**

<b>APPLICANT</b>	Ball Rentals, LLC. 1401 Aversboro Road, Suite 206 Garner, NC 27529
<b>LOCATION</b>	Aversboro Road between Poole Drive and Heather Park Drive
<b>USE</b>	Apartment Complex
<b>DATE ISSUED</b>	June 4, 2018

**I. COMPLETENESS OF APPLICATION**

The application is complete.

**II. COMPLIANCE WITH ORDINANCE REQUIREMENTS**

The application complies with all applicable requirements of the Unified Development Ordinance.

**III. GRANTING THE APPLICATION**

The application is granted, subject to the following conditions:

- 1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Town Council, a copy of which is filed in the Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in the Unified Development Ordinance.
- 2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- 3) All applicable permit approvals shall be obtained by the applicant.

**IV. SPECIFIC TO THE PROJECT**

None

c:

Timmons Group  
Attn: Keith Roberts  
5410 Trinity Road, Suite 102  
Raleigh, NC 27607

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: June 4, 2018		
Subject: General Use Rezoning Z-18-02 (5200 Old Stage Road)		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Het Patel, Senior Planner		
Presenter: Het Patel, Senior Planner		
Brief Summary:  Larry Mack is requesting a change in zoning for 1.0 +/- acres from Residential 20 (R-20) to Residential 40 (R-40) General Use. The site is located at 5200 Old Stage Road and can be further identified as Wake County PIN 1701-12-7648.		
Recommended Motion and/or Requested Action: Forward to the Planning Commission at their June 11, 2018, meeting		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

## Planning Department Staff Report

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**TO:** Mayor and Town Council Members

**FROM:** Het Patel, AICP; Senior Planner – Transportation and Land Use

**SUBJECT:** General Use Rezoning – Z-18-02, Old Stage Road

**DATE:** June 4, 2018

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### I. PROJECT AT A GLANCE

<b>Rezoning Application:</b>	Z-18-02 General Use Rezoning
<b>Applicant:</b>	Larry D. Mack
<b>Owner:</b>	Larry D. Mack
<b>Property Location:</b>	5200 Old Stage Road
<b>Wake Count PIN(s):</b>	1701-12-7648
<b>Area:</b>	1.00 +/- acres
<b>Town Limits:</b>	No
<b>Present Zoning:</b>	Residential 20 (R-20)
<b>Requested Zoning:</b>	Residential 40 (R-40) Note: This is a general use request. No conditions are proposed.
<b>Key Meeting Dates:</b>	
<b>Town Council Public Hearing:</b>	June 4, 2018
<b>Planning Commission:</b>	June 11, 2018
<b>Town Council Action Hearing:</b>	July 2, 2018

## **II. BACKGROUND / REQUEST SUMMARY**

The rezoning Z-18-02 has been submitted to allow construction of a storage garage along with residential use of the property. It is our understanding the proposed use would include a single-family residence and a garage to house personal classic cars. The applicant is requesting to rezone the site from Single-Family Residential (R-20) to Single-Family Residential (R-40).

The reason for the zoning request is that building of storage garage larger than the heated square footage of the house would not be allowed in Single-Family Residential (R-20). This use is however allowed in a Single-Family Residential (R-40) zoned property.

## **III. ZONING ANALYSIS**

**Existing:** The existing zoning of the 1.00-acre site is **Residential 20 (R-20)**. Residential districts are designed to create and maintain residential neighborhoods composed primarily of single-family dwellings and, as special uses, such institutional, public, and other compatible uses that are designed, constructed and maintained so as not to detract from the quality of each district. R-20 district allows single-family lots of at least 20,000 square feet (.45 acres).

***The following is a list of permitted uses in the R-20 district:***

- |   |  |
|---|--|
| 1. Single-family site built and modular homes | 10. Public safety facilities (fire, police, rescue, ambulance) |
| 2. Residential Cluster                        | 11. Cemetery   |
| 3. Family Care home                           | 12. Public parks, swimming pools, tennis and golf courses      |
| 4. Group care home                            | 13. Religious institutions                                     |
| 5. Intermediate care home                     | 14. Minor utility—elevated water tank                          |
| 6. Community center                           | 15. Private golf course or country club                        |
| 7. Child day care up to 3 as home occupation  | 16. Bed and breakfast  |
| 8. Family child day care up to 8 in home      | 17. Agriculture or silviculture                                |
| 9. School public or private                   |  |

**Proposed:** The proposed zoning of the 1.00-acre site is **Residential 40 (R-40)**. Residential districts are designed to create and maintain residential neighborhoods composed primarily of single-family dwellings and, as special uses, such institutional, public, and other compatible uses that are designed, constructed and maintained so as not to detract from the quality of each district. R-40 district allows single-family lots of at least 40,000 square feet (.92 acres).

***The following is a list of permitted uses in the R-40 district.***

- |   |                           |
|---|---------------------------|
| 1. Single-family site built and modular homes | 4. Family Care home       |
| 2. Residential Cluster                        | 5. Group care home        |
| 3. Manufactured Home                          | 6. Intermediate care home |
|   | 7. Community center       |

- 8. Civil, service fraternal clubs, lodges and similar uses
- 9. Child day care up to 3 as home occupation
- 10. Family child day care up to 8 in home
- 11. School public or private
- 12. Public safety facilities (fire, police, rescue, ambulance)
- 13. Cemetery
- 14. Public parks, swimming pools, tennis and golf courses
- 15. Religious institutions
- 16. Minor utility—elevated water tank
- 17. Solar farms
- 18. Telecommunication facility
- 19. Other major utility
- 20. Private golf course or country club
- 21. Horse stables and related facilities
- 22. Bed and breakfast
- 23. Agriculture or silviculture

**Zoning History:** The Planning Department’s rezoning database contains the following rezoning cases in this area.

Case	Applicant	Location	Zoning Change
Z-17-01	Town of Garner	ETJ Expansion (west & east side of US 401)	Various from Wake County to Town of Garner
CUD-Z-17-06	Bannister Properties	Fayetteville Road (US 401)	NO to SB C199
CUD-Z-08-02	Homestead Developer	Maxwell Drive	R40 to R9

**Adjacent Zoning and Land Uses:**

- North:** Single-Family Residential (R-20)                      Single-Family Residential
- South:** Single-Family Residential (R-20)                      Single-Family Residential
- East:** Single-Family Residential (R-20)                      Single-Family Residential
- West:** Single-Family Residential (R-20)                      Single-Family Residential



**Overall Neighborhood Character:** This area along Old Stage Road is located between Ranch Farm Road and Sunny Lane. This area contains single-family residential land uses. The predominant zoning in this area is Single-Family Residential (R-20). There is a small parcel along Ranch Farm Road, which is zoned Single-Family Residential (R-40). Additionally, parcels to the west along US 401 have a mix of NO, SB, and I-1 zoning.

**Transportation Access:** The site has approximately 155 feet of road frontage on Old Stage Road. Old Stage Road is a 22-foot wide Town-maintained facility within a 60-foot right of way. This road lacks curb and gutter and sidewalks. Old Stage Road is classified as a Major Thoroughfare in the 2010 Transportation Plan. The NCDOT average daily traffic count history on Old Stage Road is as follows:

- Year 2009 – 12,000
- Year 2013 – 11,000
- Year 2015 – 11,000

The site is already developed so road improvements will not be required as part of this rezoning. However, if this site is re-developed in the future, road improvements would apply (curb / gutter / sidewalks). We also do not anticipate additional traffic impacts as a result of this rezoning.

#### **IV. COMPREHENSIVE PLAN ANALYSIS**

**2006 Comprehensive Growth Plan:** This area of Garner was brought into the ETJ in 2017. Unfortunately, the 2006 Comprehensive Growth Plan does not properly account for this area, and the current designation for future residential does not make sense given the existing commercial and industrial development pattern in this area. The draft Garner Forward Plan Map attempts to better account for this corridor; this is discussed in the next section below.

According to the *Town of Garner 2006 Comprehensive Growth Plan* map, the rezoning site is entirely within the boundary of the **1/2 Mile Neighborhood**.

A 1/2 Mile Neighborhood (Primary Residential) recommends a residential density of 3 to 9 units per acre and retail /service commercial uses. Suggested zoning districts include: NO, MF1, R09, R12, TND, PRD, PUD.

Since this is a general use rezoning, all allowable Single-Family Residential (R-40) uses must be considered when evaluating this rezoning request.

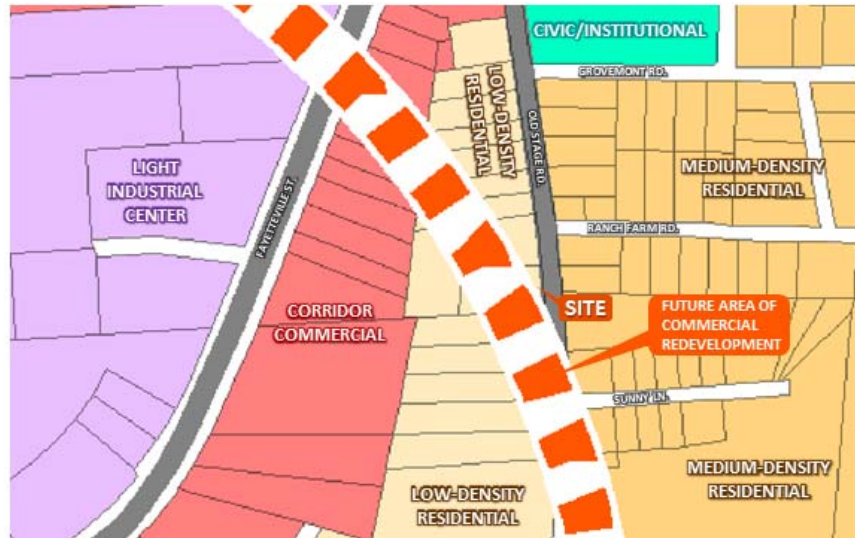


**Draft 2018 Garner Forward Plan (target adoption June 2018):** On the current draft Plan map, the site and tracts along Old Stage Road in this area are designated as **Low-Density Residential** on the west side and **Medium-Density Residential** on the east side.

The **Low-Density Residential** land use category would be mostly traditional county-approved subdivisions – anything that could be sustained on individual well and septic – with less than two and half (2.5) units per acre.

The Future Land Use Map identified areas of potential redevelopment and activity centers along the US 401 corridor.

As such, the site also falls on the edge of a **Future Area of Commercial Redevelopment** designation should any of the properties currently fronting on Old Stage Road ever be reconfigured to have direct access to US 401.



#### **V. STAFF RECOMMENDATION**

**Staff Recommendation:** Staff will provide a recommendation at the June 11, 2018 Planning Commission meeting.

**Town Council Action:** After conducting the public hearing, staff recommends referring the rezoning application Z-18-02 to the Planning Commission for review at their June 11, 2018 meeting.

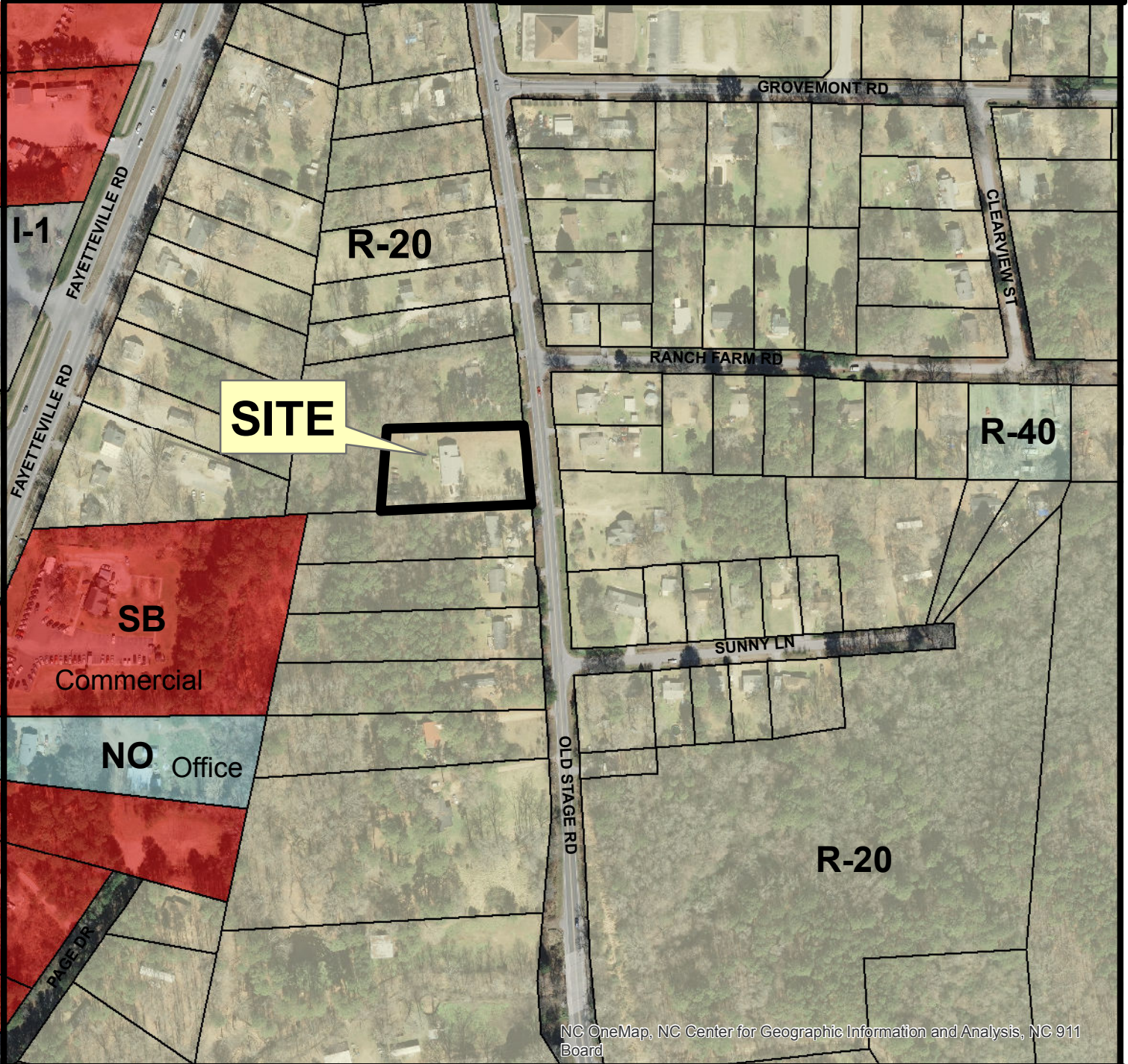




# Town of Garner Planning Department

## General Use Applications Z 18-02

0 250 500  
Feet



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board

Applicant: Larry Mack  
Owner: Larry Mack  
Location: 5200 Old Stage Road  
Pin: 1701127648

Current Zoning: R-20 (residential)  
Proposed Zoning: R-40 (residential)  
Overlay: Noney  
Acreage: 1

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: June 4, 2018		
Subject: Public Hearing on FY 2018 - 2019 Recommended Budget		
Location on Agenda: Public Hearings		
Department: Town Manager's Office		
Contact: Mike Franks, Budget & Special Projects Manager		
Presenter: Mike Franks, Budget & Special Projects Manager		
Brief Summary:  Town Council and the general public will be provided an opportunity for discussion and input related to the FY 2018 - 2019 Recommended Budget. The recommended budget is currently available for review on the Town's website, at Town Hall, and at the Southeast Regional Library.		
Recommended Motion and/or Requested Action: Receive comments		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MF	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



# FY 2018 – 2019 BUDGET SUMMARY



# Budget Highlights

- Property tax rate remains unchanged at 53.25 cents per \$100
- Recommended budget of \$34,898,432 represents an increase of \$1,696,954, or 5.1 percent, over last year
- Includes six new positions
- Includes reductions of \$209,988 and unfunded decision packages totaling \$1,075,691

# Revenue Summary

	FY 2016 -2017	FY 2017 - 2018	FY 2017 - 2018	FY 2018 - 2019	Increase/Decrease
	<u>Actual</u>	<u>Adopted</u>	<u>Revised</u>	<u>Recommended</u>	<u>From Adopted</u>
<b>Categories</b>					
<b>Revenue Categories</b>					
Property Tax	\$17,493,182	\$17,714,800	\$17,714,800	\$18,526,156	\$811,356
Permits and Fees	\$3,054,835	\$2,336,573	\$2,336,573	\$1,923,480	-\$413,093
Other Taxes and License	\$6,232,908	\$6,383,000	\$6,383,000	\$6,863,875	\$480,875
Intergovernment Revenue	\$3,242,926	\$3,301,068	\$3,365,718	\$3,334,967	\$33,899
Sales and Service	\$546,431	\$543,898	\$543,898	\$573,573	\$29,675
Total Interest Earnings	\$151,936	\$160,000	\$160,000	\$410,000	\$250,000
Other Revenue	\$370,677	\$163,582	\$165,932	\$163,250	-\$332
<b>Total Revenue Subtotal</b>	<b>\$31,092,895</b>	<b>\$30,602,921</b>	<b>\$30,669,921</b>	<b>\$31,795,301</b>	<b>\$1,192,380</b>
Other Financing Sources	\$6,330,066	\$2,598,557	\$3,774,370	\$3,103,131	\$504,574
<b>Total Revenue</b>	<b>\$37,422,961</b>	<b>\$33,201,478</b>	<b>\$34,444,291</b>	<b>\$34,898,432</b>	<b>\$1,696,954</b>

# Decision Packages Funded - Positions

- \$159,286 for Public Works Positions
- \$130,024 for Parks, Recreation and Cultural Resources Positions
- \$114,574 for a School Resource Officer
- \$69,157 for Training Officer in Police

# Decision Packages Funded - Operating

- \$100,000 for Unified Development Ordinance
- \$25,000 for Rebuilding Together of the Triangle
- \$24,600 for Technology Requirements in Finance
- \$23,200 for Grant Match Requirements in the Police Department
- \$14,173 for City of Raleigh Utility Bill Assistance Program
- \$8,000 for Part-Time Pay Adjustments

# Budget Schedule

- May
  - 5-23-2018 - *Budget Work Session*
- June
  - 6-4-2018 - *Recommended Budget Public Hearing*
  - 6-19-2018 - *Proposed Council Adoption*
- August
  - 8-15-2018 - *Publish Adopted Budget Book and Budget Brief*



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: June 4, 2018		
Subject: Proposed Fee Schedule for FY 2018-2019		
Location on Agenda: Old/New Business		
Department: Town Manager's Office		
Contact: John Hodges, Assistant Town Manager - Development Services		
Presenter: John Hodges, Assistant Town Manager - Development Services		
Brief Summary:		
Recommended Motion and/or Requested Action: Receive comments		
Detailed Notes: In reviewing the changes, please note the following: <ul style="list-style-type: none"> <li>- Items struck through in red are being deleted;</li> <li>- Wording highlighted in yellow is being changed or added for clarification;</li> <li>- Fee amounts in yellow are being changed; and</li> <li>- Entire lines (wording and fee amounts) highlighted are being added.</li> </ul> A copy of the FY 2017-2018 Adopted Fee Schedule is also attached for your convenience.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JMH	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



## Town Manager's Office Memorandum

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TO: Town Council

FROM: John Hodges  
Assistant Town Manager – Development Services

DATE: May 30, 2018

SUBJECT: Proposed FY 2018-2019 Fee Schedule

Staff has completed a review of the Town's fee schedule and recommends the changes highlighted in the attached draft. Most of the changes proposed this year are to clarify or remove confusing or outdated language. Only a few fees are proposed to increase or be added.

One significant change to the fee schedule is the elimination of the Public Utility Fee Charges collected by the Town of Garner on behalf of the City of Raleigh. Because of the recent changes to how and when these fees can be charged, staff recommends removing the listing of specific fees and only include links to the City of Raleigh's schedules and ordinances. Staff is currently working with City of Raleigh staff to process charges collected on their behalf directly through their payment system, eliminating the Town of Garner from collecting, holding and remitting the monies.

Another noticeable change is the elimination of a section on the first page titled *Business Activities Exempt by the State of North Carolina from Business Registration Fee*. Updated administrative guidance will be developed outside the fee schedule document. No change is proposed to the fee amounts.

In reviewing the changes, please note the following:

- Items struck through in red are being deleted;
- Wording highlighted in yellow is being changed or added for clarification;
- Fee amounts in yellow are being changed; and
- Entire lines (wording and fee amounts) highlighted are being added.

A copy of the FY 2017-2018 Adopted Fee Schedule is also attached for your convenience.

Town of Garner  
Fiscal Year 2018 – 2019  
Proposed Fee Schedule

Department & Fee Description

FY 2018 – 2019 Proposed Fees

**SECTION 1 - Executive, Finance and Administrative Charges**

**Miscellaneous**

Return Check Fee \$ 25.00

**Other Fees & Charges**

Vehicle Fee *(annual fee charged with vehicle taxes billed by NC Division of Motor Vehicles)* **\$ 30.00**

**Business Registration Fees**

All In-town Business *(annual registration fee)* \$ 25.00

Itinerant Merchant *(mobile vendor or solicitor)* \$ 100.00

**Peddler**

On Foot \$ 10.00

With Vehicle \$ 25.00

Farm Products Only \$ 25.00

**Precious Metal Dealer**

Initial Application \$ 180.00

Renewal \$ 3.00

~~Taxicab Service~~ **DELETE** **\$ 15.00**

**Taxicab Service Fees\***

**Taxicab Company**

Initial Application *(for new companies)* \$ 15.00 plus \$ 15.00 per cab

Registration Renewal *(annual)* \$ 15.00 per cab

**Taxicab License *(required for each driver)***

Initial Application \$ 10.00

License Renewal *(annual)* \$ 5.00

\*Refer to Section 6 – Public Safety Charges for taxicab inspection fee.

**Business Activities Exempt by the State of NC from Business Registration Fee DELETE**

*Note: Although the Privilege License system has been repealed, a Business Registration Program still precludes the following activities from paying a business registration fee.*

- |                                     |                                      |                                |
|-------------------------------------|--------------------------------------|--------------------------------|
| Accountants                         | Distributing Motor Fuel at Wholesale | Optometrists                   |
| Alarm System Installation           | Embalmers                            | Osteopaths                     |
| Alarm System Monitoring             | Engineers                            | Pest Control Applicators       |
| Appliances-Retail and Rental        | Flea Market Vendors                  | Photographer                   |
| Architects                          | Healers                              | Physicians                     |
| Art Festivals                       | Installment Paper Dealer             | Private Investigator/Detective |
| Attorneys                           | Insurance Companies                  | Railway Companies              |
| Auctioneers                         | Landscape Architects                 | Real Estate Agent              |
| Banks                               | Land Surveyors                       | Real Estate Appraisers         |
| Bondsmen                            | Merchandising Machines               | Real Estate Loan Broker        |
| Breweries                           | Morticians                           | Savings and Loan Associations  |
| Bus Companies                       | Motion Picture Making                | Soft Drink Manufacturer        |
| Chiropodists                        | Newspapers                           | Surgeons                       |
| Chiropractors                       | Non-Profit Organizations             | Telephone Companies            |
| Computer Hardware-Retail and Rental | Office Equipment-Retail and Rental   | Vending Machine Corporation    |
| Coop Markets                        | Ophthalmologist                      | Veterinarian                   |
| Dentists                            | Opticians                            | Winery                         |

**Fees Regulated by the State of NC for the Sale of Beer and Wine**

Beer on Premises \$ 15.00

Beer off Premises \$ 5.00

Wine on Premises \$ 15.00

Wine off Premises \$ 10.00

Wholesale Dealer - Beer Only \$ 37.50

Wholesale Dealer - Wine Only \$ 37.50

Wholesale - Beer and Wine Under Same License \$ 62.50

**SECTION 2 - Community Services Charges**

**Land Use Application Permit Fees**

Voluntary Annexation Petition \$ 150.00

Board of Adjustment Application *(Variance, Special Exception, Administrative Appeal)* \$ 400.00

General or Conditional Zoning Map Amendment \$ 450.00 + \$ 10.00 per acre

Zoning Verification Letter \$ 75.00

UDO Text Amendment \$ 400.00

Administrative Zoning Interpretation \$ 75.00

Petition to Close Street \$ 450.00

~~Change of Use Permit~~ **DELETE** **Fee of such initial application**

Conditional Use Permit - Site Plan	\$ 750.00
Conditional Use Permit - Subdivision	\$ 500.00 + \$ 10.00 per lot
Major Subdivision	\$ 250.00 + \$ 5.00 per lot
Comprehensive Growth Plan Amendment	\$ 300.00
Special Use Permit - Site Plan	\$ 750.00
Special Use Permit - Subdivision	\$ 500.00 + \$ 10.00 per lot
Temporary Use Permit	\$ 25.00
Plan Review Re-Submittal (4 <sup>th</sup> or more)	50% of Original Fee
<b>Final Plat Petitions</b>	
Subdivision Exemption, Recombination or Easement	\$ 100.00
Final Subdivision Plat	\$ 300.00
Minor Subdivision	\$ 150.00
Planned Development <i>(must file a Conditional Zoning Map Amendment application and the appropriate CUP Site Plan or CUP Subdivision application)</i>	See above for specific fee
Sign Permit <i>(per sign)</i>	\$ 50.00
Temporary Sign Permit <i>(per sign)</i>	\$ 25.00
Temporary Off-Premise Subdivision Sign Permit	\$ 100.00
Temporary On-Premise Construction Identification Signs	\$ 100.00
Master Sign Plan Review	\$ 100.00
Administrative Site Plan Review	\$ 300.00
Administrative Site Plan Modification	\$ 150.00
<b>Zoning Compliance Permits</b>	
Accessory Structure	\$ 50.00
Building Re-use	\$ 100.00
Fence	\$ 35.00
Home Occupation	\$ 35.00
<b>Plan Review Fees</b>	
Residential Single – Family Plans	No Charge
<b>Commercial Plans</b>	
Under 25,000 sq. ft.	\$ 100.00
25,001 – 50,000 sq. ft.	\$ 150.00
50,001 – 100,000 sq. ft.	\$ 200.00
Over 100,000 sq. ft.	\$ 250.00
Single Trade Renovations	\$ 50.00
<b>Fire Protection Systems &amp; Alternate Systems</b>	
Sprinkler Systems	\$ 25.00 plus \$ 1.00 per head count
Fire Pumps	\$ 50.00
Fire Alarm Systems	\$ 50.00
All other Fire Protection Systems	\$ 50.00
Express Fire Plan Review Additional (48-Hours)	\$ 250.00
<b>Construction Fees</b>	
<b>Residential</b>	
New Single Family Detached & Townhomes <i>(per unit; includes all trades)</i>	
Up to 1,200 sq. ft.	\$ 604.00
Over 1,200 sq. ft.	\$ 604.00 + \$ .25 per sq.ft. over 1,200 sq.ft.
Residential Addition <i>(includes all trades)</i>	
Up to 400 sq. ft.	\$ 330.00
401 – 600 sq. ft.	\$ 500.00
Over 600 sq. ft.	\$ 500.00 + \$ .25 per sq.ft. over 600 sq.ft.
Residential Interior Renovations	\$ 80 per trade
Manufactured Home <i>(includes all trades)</i>	\$ 330.00
Construction/Sales Office	\$ 200.00
Modular Homes/Dwellings <i>(includes all trades)</i>	\$ 500.00
Residential Accessory Structures <i>(with dimensions greater than 12' on any side)</i>	Trade Inspections Fee + \$ .18 per sq.ft.
Temporary Service Poles	\$ 80.00
Temporary Power	\$ 80 first meter plus \$ 40 per meter additional
<b>Commercial and Multi-Family - 3 or More Units</b>	
<i>Each trade is independent and based on cost of that trade: building (includes site work), plumbing, electrical, fire, mechanical, any sub-system requiring an inspection.</i>	
Up to \$5,000	Trade Fees as Noted in Trade Inspections
\$5,001 - \$12,500	\$ 200.00
\$12,501 - \$25,000	\$ 441.00
\$25,001 - \$50,000	\$ 678.00
\$50,001 - \$100,000	\$ 1,258.00
\$100,001 - \$200,000	\$ 2,252.00
\$200,001 - \$350,000	\$ 3,810.00
\$350,001 - \$500,000	\$ 5,037.00
\$500,001 - \$750,000	\$ 7,011.00
\$750,001 - \$1,000,000	\$ 8,766.00

Greater than \$1,000,000	Base fee of \$8,766.00 plus \$.30 per \$100.00 or fraction thereof	
<b>Miscellaneous Construction Fees</b>		
Monument/Pole Sign Permits with Electrical or Footings Required		\$ 100.00
Wall Sign Permits with Electrical		\$ 50.00 per sign, \$ 80.00 minimum
<del>Exhaust Hoods with Ansul System</del>	<del>DELETE</del>	<del>\$ 75.00</del>
Demolition Permit <i>(when not part of construction)</i>		\$ 100.00
Change of Occupancy <i>(plus trade permits)</i>		\$ 100.00
<del>Change of Occupancy <i>(between Business and Mercantile, less than 50,000 sq.ft.)</i></del>	<del>DELETE</del>	<del>\$ 75.00</del>
Change of Tenant, Same Use <i>(plus trade permits)</i>		\$ 75.00
Mandatory Operational Fire Permits		\$ 80.00
Daycare, Group Home and Foster Home License Inspections		\$ 80.00
Fire Flow Test Witness <i>(if not third-party certified)</i>		\$ 100.00
ABC License		\$ 100.00
Change of Contractor on Permit		\$ 50.00
Administrative Fee on Cancelled Permits without an Inspection		\$ 25.00
<b>Trade Inspections <i>(Includes two trips)</i></b>		
Building		\$ 80.00
Electrical		\$ 80.00
Fire		\$ 80.00
Mechanical		\$ 80.00
Plumbing		\$ 80.00
Additional Trips not for Re-inspection		\$ 60.00
Trade Re-inspection Fees		
First & Second Re-inspection		\$ 80.00
Third Re-inspection <i>(same trade)</i>		\$ 150.00
Fourth Re-inspection and Subsequent <i>(each)</i>		\$ 250.00
Not Ready Charge		\$ 80.00
<del>Fire Inspection Fees <i>(For periodic inspections)</i></del>	<del>DELETE</del>	
<del>Initial and One-Time Follow-up Inspection</del>	<del>DELETE</del>	<del>\$ 50.00</del>
Fire Inspection Periodic Maintenance Inspections <i>(initial and one re-inspection)</i>		
0 – 2,499 sq. ft.		\$ 50.00
2,500 – 14,999 sq. ft.		\$ 100.00
15,000 – 49,999 sq. ft.		\$ 150.00
50,000 – 149,999 sq. ft.		\$ 200.00
Over 150,000 sq. ft.		\$ 250.00
Life Safety Fine Per G.S. 143-139 (b1) Remedies		
1 <sup>st</sup> Offense		\$ 100.00
2 <sup>nd</sup> Offense		\$ 250.00
3 <sup>rd</sup> Offense		\$ 500.00
Weekend or After-Hours Inspection <i>(per hour)</i>		\$ 240.00 for up to 3 hours
Weekend of After Hours Inspection <i>(over three hours)</i>		\$ 240.00 plus \$ 80.00 per hour
Emergency Inspections		Fee to be determined by Inspections Director
Commencement of Work Before Permit is Obtained		Double Fee
<i>Note: Per NCGS 153-354 and 160A-414, if the valuation of a building or service system appears to be under estimated on the application, the Inspections Department shall determine the project cost based on the most recent edition of the ICC "Building Valuation Data," or the applicant can show detailed estimates to meet the approval of the Inspections Department. Permit valuations shall include total cost, such as electrical, gas mechanical, plumbing equipment, fire protection, other systems, material and labor.</i>		
<b>Miscellaneous</b>		
Sign Return Fee		\$ 5.00
Homeowner Recovery Fund Fee		\$ 10.00
<i>(Per permit. Homeowner Recovery Fund Fees are collected on behalf of and remitted to the NC Licensing Board for General Contractors.)</i>		
<b>Nuisance Abatements*</b>		
Initial Inspection plus One Follow-up		\$ 50.00
Each Additional Inspection Over Two		\$ 25.00
Inspections Department Administrative Fee		\$ 100.00
Public Works Department Administrative Fee		\$ 75.00
Finance Department Administrative Fee		\$ 25.00
* <i>The above fees will be charged to the property owner in addition to the actual cost of the nuisance abatement.</i>		
<b>Engineering Inspection Fees</b>		
Street Inspections		\$ 1.50 per linear foot
Sidewalk Inspections		\$ .75 per linear foot
Water Supply / Watershed (BMP) Inspection		\$ 200.00
Weekend or After-Hours Inspections <i>(per hour)</i>		\$ 80.00 minimum, 3 hours
<b>Public Utility Fees</b>		
Capacity Replacement Fees <i>(Fees have been suspended; except as set forth in Ordinance No. (2017)3884. Effective 09/19/17.)</i>		
Water (Residential & Non-Residential)		Fee has been SUSPENDED
Sewer (Residential & Non-Residential)		Fee has been SUSPENDED

Utility Development Fees	
Water (Residential & Non-Residential)	Fee has been SUSPENDED
Sewer (Residential & Non-Residential)	Fee has been SUSPENDED
Acreage Fees <i>(Fees have been suspended. Effective 09/19/2017)</i>	Fee has been SUSPENDED
<b>Maps and Reports</b>	
Unified Development Ordinance	Hardcopy purchased through American Legal Purchasing
Code of Ordinances Supplement	Hardcopy purchased through American Legal Purchasing
Engineering Standards <i>(water, sewer, streets, sidewalks, and drainage)</i>	\$ 5.00
Comprehensive Growth Plan	\$ 40.00
Comprehensive Plan Roster	\$ 10.00
Growth and Development Report	\$ 10.00
Capital Improvements Plan	\$ 10.00
Monthly Building Permit Report	\$ 5.00
Standard Maps (3' x 4')	\$ 20.00
Standard Maps (2' x 3')	\$ 10.00
Standard Maps (11" x 17")	\$ 5.00
Standard Maps 8 1/2" x 11" or 8 1/2" x 14")	\$ 1.00
Electronic Media	\$ 2.00
Copies – Black/White <i>(more than 20)</i>	\$ .10 per page
Copies – Color <i>(more than 20)</i>	\$ .25 per page
Copies – Black/White or Color <i>(less than 20)</i>	No Charge
Fee in Lieu of Sidewalks <i>(Fees are due at plat recording)</i>	\$ 25.00 per linear foot
Fee in Lieu of Parkland Dedication <i>(Fees are due at building permit submittal)</i>	
Single Family Detached	\$ 1,147.00 per unit
Multi-Family <i>(townhomes, apartments)</i>	\$ 895.00 per unit

**SECTION 3 - Public Works Charges**

<b>Containers*</b>	
Mobile Refuse Containers	\$ 85.00
Mobile Recycling Containers	\$ 65.00
<i>* Containers remain property of the Town and are provided and assigned for the health, safety, convenience and general welfare of occupants. Containers that are damaged, destroyed or stolen through abuse neglect, or improper use shall be replaced by the Town at the expense of the owner or occupant. For more information, please refer to Town of Garner Code of Ordinances, Part 1, Chapter 5, Section 5.5 "Residential Garbage Collection."</i>	
<b>Special Collection Charges</b>	
Trash in Excess of Six Cubic Yards Per Week	\$ 40.45 per six cubic yards
Yard Waste in Excess of Six Cubic Yards Per Week	\$ 17.34 per six cubic yards
Bulky Waste in Excess of 60 Pounds	\$ 40.45 per item
<i>For more information, please refer to Town of Garner Code of Ordinances, Part 1, Chapter 5, Section 5.6.1 "Special Collections."</i>	
<b>Improperly Prepared Waste</b>	
Small Load	\$ 50.00
Medium Load	\$ 100.00
Large Load	\$ 200.00 per load
<i>For more information, please refer to Town of Garner Code of Ordinances, Part 1, Chapter 5, Section 5.5 "Residential Garbage Collection."</i>	

**SECTION 4 - Public Utility Fee Charges (City of Raleigh)**

As of July 1, 2018, this schedule will no longer list City of Raleigh Utility Connection Fees. Though this schedule no longer displays City of Raleigh Utility Connection Fees, these fees will still be collected by the Town of Garner on behalf of the City of Raleigh. An estimate of potential fees can be requested through the Town of Garner consisting of Meter Fees, Tap Fees and Capital Facility Fees. Payment for these fees will be required as a stand-alone transaction separate from any Town fees.

A list of public utility rates and fees can be found on the City of Raleigh's website at:  
<http://www.raleighnc.gov/services/content/FinUtilityBilling/Articles/UtilityBillingDepositFees.html>.

Current City of Raleigh Utility Connection Fees can be found at:  
<http://www.raleighnc.gov/content/extra/Books/PlanDev/DevelopmentFeeSchedule/28/>.

<b>Tap Fees</b>	<b>DELETE ALL CORPUD FEES BELOW</b>	
Stub Permit Fee <i>(A licensed contractor must obtain a stub permit for each fire, water and/or sewer service connection to a main.)</i>		\$ 90.00
3/4-inch Water Service*		\$ 2,900.00
1-inch Water Service*		\$ 3,187.00
3/4-inch Split Water— New Application		\$ 580.00
3/4-inch Split Water— Existing Application		\$ 1,194.00
1-inch Split Water— New Application		\$ 988.00
1-inch Split Water— Existing Application		\$ 1,599.00
4-inch Sewer Service*		\$ 3,625.00
Sewer Only Disconnection/Reconnection Fee		\$ 1,463.00
<i>*The City of Raleigh does not install taps across divided roadways, or across roadways/streets measuring 45-feet or longer as measured from back-of curb to back-of curb. When no curb exists, the measurement shall be marked from the edge of pavement.</i>		
<b>Meter Installation Fees</b>		
5/8-inch Meter		\$ 254.00
3/4-inch Meter		\$ 233.00
1-inch Meter		\$ 335.00
1-1/2-inch Meter		\$ 488.00

2-inch Meter	\$ 619.00
4-inch Meter	\$ 3,474.00
6-inch Meter	\$ 5,100.00
6-inch Meter with Fire Protection	\$ 7,800.00
8-inch Meter	\$ 4,476.00
8-inch Meter with Fire Protection	\$ 10,417.00
10-inch Protectus III Meter	\$ 13,898.00
Not Ready Fee*	\$ 50.00

\* A 'Not Ready Fee' shall be collected by the City of Raleigh only if the City has attempted to initially install the water meter and determined that the water service stub was either not installed to the property or the water service stub was not installed in accordance with City of Raleigh standards. The 'Not Ready Fee' must then be paid to the City prior to the City proceeding to install the meter again after the initial failed attempt and prior to any water being provided to the property.

**Capital Facility Fees\*** (Capital Facility Fees were revised per City of Raleigh Ordinance No. 2017-735, Effective 09/30/2017.)

**Water Capital Facilities Fees** (per tap)

—5/8-inch Connection	\$ 1,315.00
—3/4-inch Connection	\$ 1,973.00
—1-inch Connection	\$ 3,289.00
—1 1/2-inch Connection	\$ 6,577.00
—2-inch Connection	\$ 10,523.00
—3-inch Connection	\$ 19,731.00
—4-inch Connection	\$ 32,885.00
—6-inch Connection	\$ 65,771.00
—8-inch Connection	\$ 105,233.00
—10-inch Connection	\$ 151,273.00
—12-inch Connection	\$ 282,815.00

**Sewer Capital Facilities Fees** (per tap)

—5/8-inch Connection	\$ 1,938.00
—3/4-inch Connection	\$ 2,909.00
—1-inch Connection	\$ 4,849.00
—1 1/2-inch Connection	\$ 9,697.00
—2-inch Connection	\$ 15,516.00
—3-inch Connection	\$ 29,092.00
—4-inch Connection	\$ 48,487.00
—6-inch Connection	\$ 96,975.00
—8-inch Connection	\$ 155,159.00
—10-inch Connection	\$ 223,042.00
—12-inch Connection	\$ 416,991.00
—Sewer Only Connection (4-inch)	\$ 1,938.00

\* For redevelopment projects, the amount of the capital facilities fee shall take into account and provide credit for the number of units and meter sizes on the property that were connected to the utility system prior to the redevelopment of the property. In no case shall the credit for the existing connections exceed the amount of the new capital facilities fee.

**SECTION 5 - Parks, Recreation & Cultural Resources Charges**

**Activity Fees** (Fee reductions offered for underprivileged youth)

**Variable Cost Activities** Activities whose costs increase or decrease due to participation levels shall be reviewed by the Town Council on a biannual basis. This review shall consist of a comparison of current Town fees with current market rates and review of the Town's anticipated expenses for the activities.

Adult Open Basketball League	\$ 450.00 per team, plus \$ 20.00 per non-resident
Adult 3 on 3 Basketball League	\$ 225.00 per team, plus \$20.00 per non-resident

Adult Individual

Resident	\$ 68.00
Non-Resident	\$ 90.00

Adult Softball	\$ 450.00 per team, plus \$ 20.00 per non-resident
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**Youth Basketball (10 and Under)**

Resident	\$ 50.00
Non-Resident	\$ 65.00

**Youth Basketball (11-17)**

Resident	\$ 55.00
Non-Resident	\$ 72.00

Day Camps

Resident	\$ 80.00 per week
Non-Resident	\$ 105.00 per week

**Activities with Fixed Costs\*** Activities whose costs to the Town are fixed regardless of participation levels shall have fees set according to the following:

Adult Activities	Fee shall recover 100% of direct costs
Youth Activities, ages 13-18	Fee shall recover 85% of direct costs
Youth Activities, ages 12 and under	Fee shall recover 60% of direct costs
Preschool Activities	Fee shall recover 75% of direct costs
Family Activities	Fee shall recover 100% of direct costs
Non-Resident	Resident fee plus 30%, maximum \$ 25.00 additional

\*Direct costs may be waived at the discretion of the Parks, Recreation & Cultural Resources director for first-time programs.

**Activities Not Requiring Pre-Registration\*** (fees listed are for Residents unless otherwise noted)

Adult Activities	Fee shall recover 110% of direct costs
Youth Activities, ages 13-18	Fee shall recover 85% of direct costs

Youth Activities, ages 12 and under	Fee shall recover 60% of direct costs
Preschool Activities	Fee shall recover 75% of direct costs
Family Activities	Fee shall recover 75% of direct costs
Preschool Open Art or Open Gym	
Resident	\$ 2.00
Non-Resident	\$ 3.00
Non-Resident	Resident fee plus 30%, maximum \$ 25.00 additional
<i>*Direct costs may be waived at the discretion of the Parks, Recreation &amp; Cultural Resources director for first-time programs.</i>	
<b>Open Gym</b>	
Adult	
Resident	\$ 2.00 for length of activity
Non-Resident	\$ 3.00 for length of activity
Youth or Family	No Charge
<b>Garner Senior Center Activities</b>	
Annual Fitness Pass-Resident (Jan. 1 – Dec. 31)	\$ 20.00
Fitness Pass-Resident (July 1 – Dec. 31)	\$ 10.00
Annual Fitness Pass-Non-Resident (January 1 – Dec. 31)	\$ 35.00
Fitness Pass-Non-Resident (July 1 – Dec. 31)	\$ 18.00
Instructional Classes	Fee to recover direct costs, minimum \$ 5.00
Special Events	Fee to recover direct costs, minimum \$ 5.00
Trips	Fee to recover direct costs
Non-Resident Instructional Classes, Events & Trips	Resident fee plus 30%, maximum \$ 25.00 additional
<b>Senior Center Fitness Room*</b>	
Adults (ages 18 - 54)	
Resident	\$ 11.00 per month
Non-Resident	\$ 13.00 per month
Senior Adults (ages 55 or older)	\$ 11.00 per month
Resident	\$ 11.00 per month
Non-Resident	\$ 13.00 per month
<i>*The above allows for access Monday-Thursday, 8:00am-8:00pm and Friday, 8:00am-5:00pm</i>	
Bus Use	No Charge

**SECTION 5.1 – Shelter, Parkland and Facility Fees**

**Commercial Use of Parkland\* (Fitness Classes Only)**

1 Month Agreement – Residents	
1 – 50 Participants	\$ 25.00 per hour
Over 50 Participants	\$ 35.00 per hour
1 Month Agreement – Non-Residents	
1 – 50 Participants	\$ 33.00 per hour
Over 50 Participants	\$ 46.00 per hour
3 Month Agreement – Residents	
1 – 50 Participants	\$ 20.00 per hour
Over 50 Participants	\$ 30.00 per hour
3 Month Agreement – Non-Residents	
1 – 50 Participants	\$ 26.00 per hour
Over 50 Participants	\$ 39.00 per hour
Application Fee ( <i>Applies to all agreements</i> )	
Residents	\$ 25.00
Non-Residents	\$ 35.00

*\*Only available within certain parks and park areas. Refer to Parks, Recreation, and Cultural Resources Department for further information.*

**Lake Benson Park**

Resident	
Shelter 1 (max 150 people)	\$ 30.00 per hour, 2-hour minimum
Shelter 2 (max 50 people)	\$ 20.00 per hour, 2-hour minimum
Shelter 3 (max 20 people)	\$ 10.00 per hour, 2-hour minimum
Shelter 4 (max 20 people)	\$ 10.00 per hour, 2-hour minimum
Gazebo ( <i>requires Special Event Application</i> )	\$ 20.00 per hour
Gazebo with Lawn Space ( <i>requires Special Event Application</i> )	\$ 35.00 per hour
Amphitheater	\$ 40.00 per hour
Earth Stage	\$ 20.00 per hour
Earth Stage with Lawn Space	\$ 100.00 per hour
Camping Fee	\$ 50.00 per night plus \$ 25.00 refundable key deposit
Full Park	\$ 325.00 per hour
Non-Resident	
Shelter 1 (max 150 people)	\$ 40.00 per hour, 2-hour minimum
Shelter 2 (max 50 people)	\$ 30.00 per hour, 2-hour minimum
Shelter 3 (max 20 people)	\$ 20.00 per hour, 2-hour minimum
Shelter 4 (max 20 people)	\$ 20.00 per hour, 2-hour minimum
Gazebo ( <i>requires Special Event Application</i> )	\$ 30.00 per hour



Gazebo with Lawn Space <i>(requires Special Event Application)</i>	\$ 53.00 per hour
Amphitheater	\$ 60.00 per hour
Earth Stage	\$ 30.00 per hour
Earth Stage with Lawn Space	\$ 150.00 per hour
Camping Fee	\$ 75.00 per night plus \$ 25.00 refundable key deposit
Full Park	\$ 473.00 per hour
Lawn Space in Addition to Shelters	
Shelter 1	\$ 20.00 per hour
Shelter 2	\$ 10.00 per hour
Shelter 4	\$ 10.00 per hour
<b>White Deer Park</b>	
Resident	
All Shelters	\$ 20.00 per hour
Front Lawn <i>(Adjacent to Aversboro Rd.)</i>	\$ 40.00 per hour
Meadow Lawn <i>(requires Special Event Application)</i>	\$ 40.00 per hour
Nature Center Lawn	\$ 40.00 per hour
Outdoor Classroom <i>(requires Special Event Application)</i>	\$ 15.00 per hour
Non-Resident	
All Shelters	\$ 30.00 per hour
Front Lawn <i>(Adjacent to Aversboro Rd.)</i>	\$ 60.00 per hour
Meadow Lawn <i>(requires Special Event Application)</i>	\$ 60.00 per hour
Nature Center Lawn	\$ 60.00 per hour
Outdoor Classroom <i>(requires Special Event Application)</i>	\$ 25.00 per hour
Memorial Bench	10% above Town cost
<b>White Deer Nature Center</b> <i>(A \$150.00 refundable security deposit applies to all rentals of White Deer Nature Center)</i>	
Resident	
Indoor Classroom	\$ 50.00 per hour, 2-hour minimum
Indoor Classroom with Learning Deck	\$ 70.00 per hour, 2-hour minimum
After Hours-Indoor Classroom	\$ 60.00 per hour, 2-hour minimum
After Hours-Indoor Classroom with Learning Deck	\$ 80.00 per hour, 2-hour minimum
Non-Resident	
Indoor Classroom	\$ 50.00 per hour, 2-hour minimum
Indoor Classroom with Learning Deck	\$ 70.00 per hour, 2-hour minimum
After Hours - Indoor Classroom	\$ 60.00 per hour, 2-hour minimum
After Hours - Indoor Classroom with Learning Deck	\$ 80.00 per hour, 2-hour minimum
<b>Centennial Park</b>	
All Shelters	
Resident	\$ 20.00 per hour
Non-Resident	\$ 30.00 per hour
<b>Creech Road Elementary School Park</b>	
All Shelters	
Resident	\$ 20.00 per hour
Non-Resident	\$ 30.00 per hour
<b>Garner Recreational Park</b>	
All Shelters	
Resident	\$ 25.00 per hour
Non-Resident	\$ 35.00 per hour
<b>Garner Senior Center</b>	
Weekend Rentals <i>(Friday, 5:00PM – 11:00PM, Saturday – Sunday, 7:00AM – 11:00PM. A \$150.00 refundable security deposit applies to all weekend rentals.)</i>	
Multipurpose Room <i>(max 150 people)</i>	\$ 65.00 per hour, 3-hour minimum
Fitness Annex <i>(max 214 people)</i>	\$ 70.00 per hour, 3-hour minimum
Food Fee <i>(includes use of Warming Kitchen)</i>	\$ 50.00 per event
Weeknight Rentals <i>(Monday – Thursday, 5:00PM – 8:00PM. A \$50.00 refundable security deposit applies to all weeknight rentals.)</i>	
Multipurpose Room	\$ 30.00 per hour
Multipurpose Room – Audio Visual Use Fee	\$ 25.00 per event
Dining Room	\$ 40.00 per hour
Game Room	\$ 20.00 per hour
Additional Staff <i>(as needed)</i>	\$ 15.00 per hour
<b>Avery Street Recreation Center</b> <i>(A \$150.00 refundable security deposit applies to all rentals of Avery Street Recreation Center)</i>	
Gymnasium	\$ 70.00 per hour, 2-hour minimum
Gym Floor Cover Fee	\$ 200.00 per event
Single Multi-Purpose Room	\$ 40.00 per hour, 2-hour minimum
Both Multi-Purpose Rooms	\$ 60.00 per hour, 2-hour minimum
Meeting Room	\$ 30.00 per hour, 2-hour minimum
Entire Facility	\$ 150.00 per hour, 2-hour minimum
<b>Avery Street Annex</b> <i>(A \$150.00 refundable security deposit applies to all rentals of Avery Street Annex)</i>	
Classroom	\$ 40.00 per hour, 2-hour minimum
<b>Avery Street Park Lawn / GPAC Back Lawn</b> <i>(A \$150.00 refundable security deposit applies to all rentals of Avery Street/GPAC Lawn)</i>	
Rentals	\$ 60.00 per hour

**Athletic Rental Facility\*** (*\$150.00 refundable security deposit applies to all field rentals*)

Baseball Field	\$ 30.00 per hour
Baseball Field with Lights	\$ 55.00 per hour
Soccer Field - Youth	\$ 35.00 per hour
Soccer Field - Adult	\$ 45.00 per hour
Soccer Field with Lights - Youth	\$ 70.00 per hour
Soccer Field with Lights - Adult	\$ 80.00 per hour

\* Facility supervision is included in the rental price.

**Thompson Road Park**

Multipurpose Field	\$ 30.00 per hour
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**Lake Benson Boathouse Rentals \***

Jon-boats without Motors	\$ 4.00 per hour, \$ 20.00 per day
Jon-boats with Motors	\$ 8.00 per hour, \$ 40.00 per day
Canoes	\$ 5.00 per hour
<b>Kayaks</b>	<b>\$ 5.00 per hour</b>

\* Senior citizens age 55 or over will be charged 50% of the above rates for full day rentals only.

**Garner Performing Arts Center Auditorium and Lobby**

## Regular Rates

Auditorium	\$ 125.00 per hour
Rehearsal Fees (Monday-Thursday)	\$ 55.00 per hour
Rehearsal Fees (Friday-Sunday)	\$ 125.00 per hour
Back Lobby (max 30 people)	\$ 40.00 per hour
Front Lobby (max 60 people)	\$ 50.00 per hour
Auditorium Hold Day with Dressing Rooms (Monday-Thursday)	\$140.00 per day
Auditorium Hold Day with Dressing Rooms (Friday-Sunday)	\$300.00 per day

Non-Profit Group Rates\* (*All rentals of the Garner Performing Arts Center require a \$ 200.00 per day refundable security deposit*)

Auditorium	\$100.00 per hour
Rehearsal Fees (Monday-Thursday)	\$ 50.00 per hour
Rehearsal Fees (Friday-Sunday)	\$ 100.00 per hour
Back Lobby (max 30 people)	\$ 40.00 per hour
Front Lobby (max 60 people)	\$ 50.00 per hour
Auditorium Hold Day with Dressing Rooms (Monday-Thursday)	\$ 90.00 per day
Auditorium Hold Day with Dressing Rooms (Friday-Sunday)	\$ 240.00 per day

\* Non-profit groups are defined as follows: all IRS tax exempt and non-profit groups, or non-tax-exempt group activities such as private parties, family activities, family reunions, weddings and receptions, etc., for which no money is collected for participation.

Miscellaneous Fees (*Applies to all groups*)

Sound and Lighting Technician	\$ 20.00 per hour
Facility Attendant	\$ 15.00 per hour
Security	Based on personnel cost
Piano Tuning	Based on personnel cost
Pre-event Setup and Post-Event Cleanup	Based on personnel cost
Concession Stand	\$ 50.00 per day

**Lake Benson Trails\***

Dual Meets (Two teams)	\$ 7.00 per hour, 2-hour minimum
Meets with Three to Five Teams	\$ 11.00 per hour, 2-hour minimum
Meets with Six to Nine Teams	\$ 16.00 per hour, 2-hour minimum
Meets with 10 or More Teams	\$ 21.00 per hour, 2-hour minimum

\* The above fees would be assessed in addition to reimbursement of any additional Town expenses arising from the event above normal operations.

**Christmas Parade**

Float Rentals	10% above Town cost
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## Parade Entry Fees

## Business / Individual

Walkers & Bicycles	<b>\$ 65.00</b>
Vehicles	\$ 55.00 per vehicle
ATV & Motorcycles	\$ 45.00 per vehicle
Trucks & Floats	\$ 80.00 per truck/float

## Non-Profit / Church

Walkers & Bicycles	<b>\$ 45.00</b>
Vehicles	\$ 35.00 per vehicle
ATV & Motorcycles	\$ 25.00 per vehicle
Trucks & Floats	\$ 55.00 per truck/float

Marching Band, Emergency Management, or Elected Official	No Charge
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**Special Events & Facility Rentals Policy Fees**

Application Fee	\$ 25.00 non-refundable fee
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Mobile Stage ( <i>Requires Mobile Stage Rental Application. A \$500 non-refundable deposit due upon application approval.</i> )	<b>\$ 2,500 one day rental</b>
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Police Officer	\$ 35.00 per hour, 3-hour minimum
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<b>Police Officer Holiday Rate</b>	<b>\$ 54.00 per hour, 3-hour minimum</b>
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Staff Assistance	\$ 15.00 per hour, 3-hour minimum
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Parking Attendants ( <i>2 attendants</i> )	\$ 30.00 per hour, 3-hour minimum
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Street Closure	
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Resident	\$ 80.00 per event
Non-Resident	\$ 120.00 per event
Use of Park Trails	
Resident	\$ 40.00 per day
Non-Resident	\$ 60.00 per day
<b>Event with Admission Fees or Ticket Sales</b>	
Resident	\$ 270.00 per day
Non-Resident	\$ 405.00 per day
Event with Sales of Food or Merchandise	
Resident	\$ 200.00 per day
Non-Resident	\$ 300.00 per day
<b>Food Truck Participation at Special Events (excludes Independence Day Celebration)</b>	
Small Event (500 – 2,000 expected patrons)	\$ 50.00
Medium Event (2,001 – 9,999 expected patrons)	\$ 100.00
Large Event (10,000 or more expected patrons)	\$ 250.00
<b>Food Truck Participation at Independence Day Celebration</b>	
Tier 1 – Non-Profit Organization (without Food Truck)	No Charge
Tier 2 – Non-Profit Organization partnering with Food Truck	\$ 125.00
Tier 3 – For Profit Food Truck	\$ 250.00
Photo and Video Shoot	
Resident	\$ 50.00 per day
Non-Resident	\$ 75.00 per day
Sanitation Deposit	
Class A or B Special Events	\$ 1,000.00 per event
Class C Special Events	\$ 500.00 per event
Class D Special Events	No Charge

**SECTION 6 – Public Safety Charges****Accident/Criminal Investigation Report**

First 5 Copies	No Charge
Each Copy Over 5 (per page)	\$ .20 per page
CD/DVD Production	\$ 22.00

**Miscellaneous**

Storage of Seized Vehicle	\$ 5.00 per day
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**Off-Duty Officer**

Police Officer	\$ 35.00 per hour, 3-hour minimum
Police Officer Holiday Rate	\$ 54.00 per hour, 3-hour minimum

**Removal of Recreational Devices**

First Violation	\$ 25.00
Second Violation	\$ 50.00
Third Violation	\$ 100.00

**Parking Violation Fee\***

No Parking Zone	\$ 30.00
Parking Too Close to Intersection	\$ 30.00
Parking on Sidewalk	\$ 30.00
Parking Too Far Away from Curb or Street Edge	\$ 30.00
Double Parking	\$ 30.00
Parking in a Loading Zone	\$ 30.00
Parking in a Restricted Time Zone	\$ 30.00
Residential Parking Permit Zone	\$ 30.00
Parking on Wrong Side of Street Facing Traffic	\$ 30.00
Emergency Zone Parking	\$ 50.00
Parking in Fire Lane	\$ 50.00
Parking in Front of Fire Hydrant	\$ 50.00
Obstructing Traffic	\$ 50.00
Parking in a Handicapped Zone	\$ 100.00
All Other Parking Violations Not Noted Above	\$ 30.00

\* Parking fines must be paid within 30 days from issuance to avoid additional penalty. Fines not paid within 30 days will be subject to the violator to double the amount of the original fine.

**Animal Control Charges\***

<b>Violations of Licensing Ordinance</b>	
First Violation	\$ 100.00
Subsequent Violations (Charged per violation; applies to any violation not paid within 60-days of first violation)	\$ 200.00
<b>Number of Dogs kept on Premises</b>	
Each dog over allowable limit (per dog)	\$100.00
Subsequent Violations (accrued every 7 days)	\$100.00
<b>Animals at Large and Animals Creating a Nuisance</b>	
First Violation	\$ 50.00
Second Violation	\$ 100.00

Subsequent Violations	\$ 150.00
Dangerous Animal Violations	
Violation of Dangerous Animal Sign <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Violation of Muzzling Requirement <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Dangerous Animal at Large <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Failure to Microchip Dangerous Animal <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Secure Enclosure Requirement <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Competent Person 18 YOA or Older Removal from Property Requirement <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Fail to Allow Animal Control Officer Access to Inspect <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Fail to Notify a garner Officer/Animal Control within 24-hours Requirement <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Dangerous Animal Toward Human Being	
First Violation <i>(Civil Penalty + Animal Seizure)</i>	\$ 500.00
Dangerous Animal Toward Domestic Pet	
First Violation <i>(Civil Penalty + Animal Seizure)</i>	\$ 250.00
Other General Penalties Not Specified Above	\$ 100.00
<i>* Animal control charges are applied to dogs and cats. Fines and penalties listed above do not include shelter reclaim fees, which must also be paid by owner.</i>	
<b>False Alarm Penalties</b>	
First Three False Alarms	No Charge
Fourth and Fifth False Alarms	\$ 50.00 per alarm
Sixth, Seventh, and Eighth False Alarms	\$ 100.00 per alarm
Ninth and Tenth False Alarms	\$ 150.00 per alarm
All False Alarms in Excess of 10	\$ 250.00 per alarm
<b>Taxicabs</b>	
<del>Permit Application Fee</del> - <b>DELETE</b>	<del>\$ 10.00</del>
Bi-Annual Inspection Fee	No Charge

**SECTION 7 - Penalty Fee**

Penalty Fee: The fee or penalty to be paid to the Town for any one violation of an ordinance as above set out is hereby fixed as noted. Offenses denominated a misdemeanor pursuant to NCGS 14-4 shall be punishable as infractions; offenses not denominated as misdemeanors under the State's penal laws are not punishable as misdemeanors under administering ordinances within the Town.

Town of Garner  
Fiscal Year 2017 – 2018  
Adopted Fee Schedule

Department & Fee Description

FY 2017 – 2018 Adopted Fees

**SECTION 1 - Executive, Finance and Administrative Charges**

**Miscellaneous**

Return Check Fee \$ 25.00

**Other Fees & Charges**

Vehicle Decal Fee\* \$ 15.00

*\*Annual fee charged with vehicle taxes billed by NC Division of Motor Vehicles.*

**Business Registration Fees**

All In-town Business (annual registration fee) \$ 25.00

Itinerant Merchant (mobile vendor or solicitor) \$ 100.00

**Peddler**

On Foot \$ 10.00

With Vehicle \$ 25.00

Farm Products Only \$ 25.00

Precious Metal Dealer (initial application) \$ 180.00

Precious Metal Dealer (renewal) \$ 3.00

Taxicab Service (per cab) \$ 15.00

**Business Activities Exempt by the State of NC from Business Registration Fee**

*Note: Although the Privilege License system has been repealed, a Business Registration Program still precludes the following activities from paying a business registration fee.*

Accountants	Distributing Motor Fuel at Wholesale	Optometrists
Alarm System Installation	Embalmers	Osteopaths
Alarm System Monitoring	Engineers	Pest Control Applicators
Appliances-Retail and Rental	Flea Market Vendors	Photographer
Architects	Healers	Physicians
Art Festivals	Installment Paper Dealer	Private Investigator/Detective
Attorneys	Insurance Companies	Railway Companies
Auctioneers	Landscape Architects	Real Estate Agent
Banks	Land Surveyors	Real Estate Appraisers
Bondsmen	Merchandising Machines	Real Estate Loan Broker
Breweries	Morticians	Savings and Loan Associations
Bus Companies	Motion Picture Making	Soft Drink Manufacturer
Chiropodists	Newspapers	Surgeons
Chiropractors	Non-Profit Organizations	Telephone Companies
Computer Hardware-Retail and Rental	Office Equipment-Retail and Rental	Vending Machine Corporation
Coop Markets	Ophthalmologist	Veterinarian
Dentists	Opticians	Winery

**Fees Regulated by the State of NC for the Sale of Beer and Wine**

Beer on Premises \$ 15.00

Beer off Premises \$ 5.00

Wine on Premises \$ 15.00

Wine off Premises \$ 10.00

Wholesale Dealer - Beer Only \$ 37.50

Wholesale Dealer - Wine Only \$ 37.50

Wholesale - Beer and Wine Under Same License \$ 62.50

**SECTION 2 - Community Services Charges**

**Land Use Application Permit Fees**

Voluntary Annexation Petition \$ 150.00

Board of Adjustment Application (Variance, Special Exception, Administrative Appeal) \$ 400.00

General or Conditional Zoning Map Amendment \$ 450.00 + \$ 10.00 per acre

Zoning Verification Letter \$ 75.00

UDO Text Amendment \$ 400.00

Administrative Zoning Interpretation \$ 75.00

Petition to Close Street \$ 450.00

Change of Use Permit Fee of such initial application

Conditional Use Permit (Site Plan) \$ 750.00

Conditional Use Permit (Subdivision) \$ 500.00 + \$ 10.00 per lot

Major Subdivision \$ 250.00 + \$ 5.00 per lot

Comprehensive Growth Plan Amendment \$ 300.00

Special Use Permit (Site Plan) \$ 750.00

Special Use Permit (Subdivision) \$ 500.00 + \$ 10.00 per lot

Temporary Use Permit \$ 25.00

Plan Review Re-Submittal (4<sup>th</sup> or more) 50% of Original Fee

**Final Plat Petitions**

Subdivision Exemption, Recombination or Easement \$ 100.00

Final Subdivision Plat	\$ 300.00
Minor Subdivision	\$ 150.00
Planned Development <i>(must file a Conditional Zoning Map Amendment application and the appropriate CUP Site Plan or CUP Subdivision application)</i>	See above for specific fee
Sign Permit	\$ 50.00
Temporary Sign Permit	\$ 25.00
Temporary Off-Premise Subdivision Sign Permit	\$ 100.00
Temporary On-Premise Construction Identification Signs	\$ 100.00
Master Sign Plan Review	\$ 100.00
Administrative Site Plan Review	\$ 300.00
Administrative Site Plan Modification	\$ 150.00
Zoning Compliance Permits	
Accessory Structure	\$ 50.00
Building Re-use	\$ 100.00
Fence	\$ 35.00
Home Occupation	\$ 35.00
<b>Plan Review Fees</b>	
Residential Single – Family Plans	No Charge
Commercial Plans	
Under 25,000 sq. ft.	\$ 100.00
25,001 – 50,000 sq. ft.	\$ 150.00
50,001 – 100,000 sq. ft.	\$ 200.00
Over 100,000 sq. ft.	\$ 250.00
Single Trade Renovations	\$ 50.00
Fire Protection Systems & Alternate Systems	
Sprinkler Systems	\$ 25.00 plus \$ 1.00 per head count
Fire Pumps	\$ 50.00
Fire Alarm Systems	\$ 50.00
<b>Construction Fees</b>	
Residential	
New Single Family Detached & Townhomes <i>(per unit; includes all trades)</i>	
Up to 1,200 sq. ft.	\$ 604.00
Over 1,200 sq. ft.	\$ 604.00 + \$ .25 per sq.ft. over 1,200 sq.ft.
Residential Addition <i>(includes all trades)</i>	
Up to 400 sq. ft.	\$ 330.00
401 – 600 sq. ft.	\$ 500.00
Over 400 sq. ft.	\$ 500.00 + \$ .25 per sq.ft. over 600 sq.ft.
Residential Interior Renovations	50% of Residential Addition Fees
Manufactured Home <i>(includes all trades)</i>	\$ 330.00
Construction/Sales Office	\$ 200.00
Modular Homes/Dwellings <i>(includes all trades)</i>	\$ 500.00
Residential Accessory Structures <i>(with dimensions greater than 12' on any side)</i>	Trade Inspections Fee + \$ .18 per sq.ft.
Temporary Service Poles	\$ 80.00
Temporary Power	\$ 80 first meter plus \$ 40 per meter additional
Commercial and Multi-Family 3 or more units <i>(Trades and sprinkler as independent, with building trade including site work. Based on project cost.)</i>	
Up to \$5,000	Trade Fees as Noted in Trade Inspections
\$5,001 - \$12,500	\$ 200.00
\$12,501 - \$25,000	\$ 441.00
\$25,001 - \$50,000	\$ 678.00
\$50,001 - \$100,000	\$ 1,258.00
\$100,001 - \$200,000	\$ 2,252.00
\$200,001 - \$350,000	\$ 3,810.00
\$350,001 - \$500,000	\$ 5,037.00
\$500,001 - \$750,000	\$ 7,011.00
\$750,001 - \$1,000,000	\$ 8,766.00
Greater than \$1,000,000	\$ .30 per \$ 100.00 or fraction thereof
<b>Miscellaneous Construction Fees</b>	
Monument/Pole Sign Permits with Electrical or Footings Required	\$ 100.00
Wall Sign Permits with Electrical	\$ 50.00 per sign, \$ 80.00 minimum
Exhaust Hoods with Ansul System	\$ 75.00
Demolition Permit <i>(when not part of construction)</i>	\$ 100.00
Change of Occupancy	\$ 150.00
Change of Occupancy <i>(between Business and Mercantile, less than 50,000 sq.ft.)</i>	\$ 75.00
Change of Tenant, Same Use	\$ 75.00
Mandatory Fire Permits	\$ 80.00
Daycare Inspection for License	\$ 80.00
ABC License	\$ 100.00
Change of Contractor on Permit	\$ 50.00
Administrative Fee on Cancelled Permits without an Inspection	\$ 25.00

<b>Trade Inspections</b> <i>(Includes two trips)</i>	
Building	\$ 80.00
Electrical	\$ 80.00
Fire	\$ 80.00
Mechanical	\$ 80.00
Plumbing	\$ 80.00
Additional Trips not for Re-inspection	\$ 60.00
<b>Fire Inspection Fees</b> <i>(For periodic inspections)</i>	
Initial and One-Time Follow-up Inspection	\$ 50.00
<b>Trade Re-inspection Fees</b>	
First & Second Re-inspection	\$ 80.00
Third Re-inspection <i>(same trade)</i>	\$ 150.00
Fourth Re-inspection and Subsequent <i>(each)</i>	\$ 250.00
Not Ready Charge	\$ 80.00
Weekend or After-Hours Inspection <i>(per hour)</i>	\$ 240.00 for up to 3 hours
Weekend of After Hours Inspection <i>(over three hours)</i>	\$ 240.00 plus \$ 80.00 per hour
Emergency Inspections	Fee to be determined by Inspections Director
Commencement of Work Before Permit is Obtained	Double Fee
<i>Note: Per NCGS 153-354 and 160A-414, if the valuation of a building or service system appears to be under estimated on the application, the Inspections Department shall determine the project cost based on the most recent edition of the ICC "Building Valuation Data," or the applicant can show detailed estimates to meet the approval of the Inspections Department. Permit valuations shall include total cost, such as electrical, gas mechanical, plumbing equipment, fire protection, other systems, material and labor.</i>	
<b>Miscellaneous</b>	
Sign Return Fee	\$ 5.00
Homeowner Recovery Fund Fee	\$ 10.00
<i>(Per permit. Homeowner Recovery Fund Fees are collected on behalf of and remitted to the NC Licensing Board for General Contractors.)</i>	
<b>Nuisance Abatements*</b>	
Initial Inspection plus One Follow-up	\$ 50.00
Each Additional Inspection Over Two	\$ 25.00
Inspections Department Administrative Fee	\$ 100.00
Public Works Department Administrative Fee	\$ 75.00
Finance Department Administrative Fee	\$ 25.00
<i>* The above fees will be charged to the property owner in addition to the actual cost of the nuisance abatement.</i>	
<b>Engineering Inspection Fees</b>	
Street Inspections	\$ 1.50 per linear foot
Sidewalk Inspections	\$ .75 per linear foot
Water Supply / Watershed (BMP) Inspection	\$ 200.00
Weekend or After-Hours Inspections <i>(per hour)</i>	\$ 80.00 minimum, 3 hours
<b>Public Utility Fees</b>	
Capacity Replacement Fees <i>(Fees have been suspended; except as set forth in Ordinance No. (2017)3884. Effective 09/19/17.)</i>	
Water (Residential & Non-Residential)	Fee has been SUSPENDED
Sewer (Residential & Non-Residential)	Fee has been SUSPENDED
Utility Development Fees	
Water (Residential & Non-Residential)	Fee has been SUSPENDED
Sewer (Residential & Non-Residential)	Fee has been SUSPENDED
Acreage Fees <i>(Fees have been suspended. Effective 09/19/2017)</i>	Fee has been SUSPENDED
<b>Maps and Reports</b>	
Unified Development Ordinance	Hardcopy purchased through American Legal Purchasing
Code of Ordinances Supplement	Hardcopy purchased through American Legal Purchasing
Engineering Standards <i>(water, sewer, streets, sidewalks, and drainage)</i>	\$ 5.00
Comprehensive Growth Plan	\$ 40.00
Comprehensive Plan Roster	\$ 10.00
Growth and Development Report	<b>\$ 10.00</b>
Capital Improvements Plan	\$ 10.00
Monthly Building Permit Report	\$ 5.00
Standard Maps (3' x 4')	\$ 20.00
Standard Maps (2' x 3')	\$ 10.00
Standard Maps (11" x 17")	\$ 5.00
Standard Maps 8 1/2" x 11" or 8 1/2" x 14")	\$ 1.00
Electronic Media	\$ 2.00
Copies – Black/White <i>(more than 20)</i>	\$.10 per page
Copies – Color <i>(more than 20)</i>	\$.25 per page
Copies – Black/White or Color <i>(less than 20)</i>	No Charge
Fee in Lieu of Sidewalks <i>(Fees are due at plat recording)</i>	\$ 25.00 per linear foot
Fee in Lieu of Parkland Dedication <i>(Fees are due at building permit submittal)</i>	
Single Family Detached	\$ 1,147.00 per unit
Multi-Family <i>(townhomes, apartments)</i>	\$ 895.00 per unit

**SECTION 3 - Public Works Charges****Containers\***

Mobile Refuse Containers	\$ 85.00
Mobile Recycling Containers	\$ 40.00

\* Containers remain property of the Town and are provided and assigned for the health, safety, convenience and general welfare of occupants. Containers that are damaged, destroyed or stolen through abuse neglect, or improper use shall be replaced by the Town at the expense of the owner or occupant. For more information, please refer to Town of Garner Code of Ordinances, Part 1, Chapter 5, Section 5.5 "Residential Garbage Collection."

**Special Collection Charges**

Trash in Excess of Six Cubic Yards Per Week	\$ 40.45 per six cubic yards
Yard Waste in Excess of Six Cubic Yards Per Week	\$ 17.34 per six cubic yards
Bulky Waste in Excess of 60 Pounds	\$ 40.45 per item

For more information, please refer to Town of Garner Code of Ordinances, Part 1, Chapter 5, Section 5.6.1 "Special Collections."

**Improperly Prepared Waste**

Small Load	\$ 50.00
Medium Load	\$ 100.00
Large Load	\$ 200.00 per load

For more information, please refer to Town of Garner Code of Ordinances, Part 1, Chapter 5, Section 5.5 "Residential Garbage Collection."

**SECTION 4 - Public Utility Fee Charges - City of Raleigh**

A list of public utility rates and fees can be found on the City of Raleigh's website at:

<http://www.raleighnc.gov/services/content/FinUtilityBilling/Articles/UtilityBillingDepositFees.html>.

Current City of Raleigh Utility Connection Fees billed directly by and paid directly to the City of Raleigh can be found at:

<http://www.raleighnc.gov/content/extra/Books/PlanDev/DevelopmentFeeSchedule/28/>.

**Tap Fees**

Stub Permit Fee	\$ 87.00
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A licensed contractor must obtain a stub permit for each fire, water and/or sewer service connection to a main.

3/4" Water Service*	\$ 2,792.00
1" Water*	\$ 3,069.00
3/4" Split Water (new service application)	\$ 558.00
1" Split Water (existing service application)	\$ 1,150.00
1" Split Water (new service application)	\$ 951.00
1" Split Water (existing application)	\$ 1,540.00
4" Sewer Service*	\$ 3,490.00
Sewer Only Disconnection/Reconnection Fee	\$ 1,409.00

\* The City of Raleigh does not install taps across divided roadways, or across roadways/streets measuring 45 feet or longer as measured from back of curb to back of curb. When no curb exists, the measurement shall be marked from the edge of pavement.

**Meter Installation Fees**

5/8" Meter	\$ 245.00
1" Meter	\$ 323.00
1 1/2" Meter	\$ 470.00
2" Meter	\$ 596.00
4" Meter	\$ 3,345.00
6" Meter	\$ 4,910.00
6" Meter with Fire Protection	\$ 7,510.00
8" Meter	\$ 4,310.00
8" Meter with Fire Protection	\$ 10,030.00
10" Protectus III Meter	\$ 13,381.00
Not Ready Fee*	\$ 50.00

\* A Not Ready Fee shall be collected by the City of Raleigh only if the City has attempted to initially install the water meter and determined that the water service stub was either not installed to the property or the water service stub was not installed in accordance with City of Raleigh standards. The 'Not Ready Fee' must then be paid to the City prior to the City proceeding to install the meter again after the initial failed attempt and prior to any water being provided to the property.

**Capital Facility Fees\***

Capital Facility Fees were revised per City of Raleigh Ordinance No. 2017-735. Effective 09/30/2017.

**Water Capital Facilities Fees (per tap)**

5/8" Connection	\$ 1,315.00
3/4" Connection	\$ 1,973.00
1" Connection	\$ 3,289.00
1 1/2" Connection	\$ 6,577.00
2" Connection	\$ 10,523.00
3" Connection	\$ 19,731.00
4" Connection	\$ 32,885.00
6" Connection	\$ 65,771.00
8" Connection	\$ 105,233.00
10" Connection	\$ 151,273.00
12" Connection	\$ 282,815.00

**Sewer Capital Facilities Fees (per tap)**

5/8" Connection	\$ 1,938.00
3/4" Connection	\$ 2,909.00
1" Connection	\$ 4,849.00
1 1/2" Connection	\$ 9,697.00
2" Connection	\$ 15,516.00



3" Connection	\$ 29,092.00
4" Connection	\$ 48,487.00
6" Connection	\$ 96,975.00
8" Connection	\$ 155,159.00
10" Connection	\$ 223,042.00
12" Connection	\$ 416,991.00
Sewer Only Connection (4")	\$ 1,938.00

\* For redevelopment projects, the amount of the capital facilities fee shall take into account and provide credit for the number of units and meter sizes on the property that were connected to the utility system prior to the redevelopment of the property. In no case shall the credit for the existing connections exceed the amount of the new capital facilities fee.

## SECTION 5 - Parks, Recreation & Cultural Resources Charges

### Activity Fees (Fee Reductions for Underprivileged Youth)

#### Variable Cost Activities

Activities whose costs increase or decrease due to participation levels shall be reviewed by the Town Council on a biannual basis. This review shall consist of a comparison of current Town fees with current market rates and review of the Town's anticipated expenses for the activities.

Adult Open Basketball	\$ 450.00 per team, plus \$ 32.00 per non-resident
Adult Individual	
Resident	\$ 68.00
Non-Resident	\$ 90.00
Adult Softball	\$ 450.00 per team, plus \$ 32.00 per non-resident
Youth Basketball (12 and Under)	
Resident	\$ 58.00
Non-Resident	\$ 80.00
Youth Basketball (13-17)	
Resident	\$ 65.00
Non-Resident	\$ 84.00
Day Camps	
Resident	\$ 82.00 per week
Non-Resident	\$ 108.00 per week

#### Activities with Fixed Costs\*

Activities whose costs to the Town are fixed regardless of participation levels shall have fees set according to the following guidelines:

Adult Activities	Fee shall recover 100% of direct costs
Youth Activities, ages 13-18	Fee shall recover 85% of direct costs
Youth Activities, ages 12 and under	Fee shall recover 60% of direct costs
Preschool Activities	Fee shall recover 75% of direct costs
Family Activities	Fee shall recover 100% of direct costs
Non-Resident	Resident fee plus 30%, maximum \$ 25.00 additional

\*Direct costs may be waived at the discretion of the Parks, Recreation & Cultural Resources director for first-time programs.

#### Activities Not Requiring Pre-Registration\*

Adult Activities	Fee shall recover 110% of direct costs
Youth Activities, ages 13-18	Fee shall recover 85% of direct costs
Youth Activities, ages 12 and under	Fee shall recover 60% of direct costs
Preschool Activities	Fee shall recover 75% of direct costs
Family Activities	Fee shall recover 75% of direct costs
Preschool Open Art or Open Gym – Resident	\$ 2.00
Preschool Open Art or Open Gym – Non-Resident	\$ 3.00
Non-Resident	Resident fee plus 30%, maximum \$ 25.00 additional

\*Direct costs may be waived at the discretion of the Parks, Recreation & Cultural Resources director for first-time programs.

#### Open Gym

Adult – Resident	\$ 2.00 for length of activity
Adult – Non-Resident	\$ 3.00 for length of activity
Youth or Family	No Charge

#### Garner Senior Center Activities

Annual Fitness Pass-Resident (Jan. 1 – Dec. 31)	\$ 20.00
Fitness Pass-Resident (July 1 – Dec. 31)	\$ 10.00
Annual Fitness Pass-Non-Resident (January 1 – Dec. 31)	\$ 35.00
Fitness Pass-Non-Resident (July 1 – Dec. 31)	\$ 18.00
Instructional Classes	Fee to recover direct costs, minimum \$ 5.00
Special Events	Fee to recover direct costs, minimum \$ 5.00
Trips	Fee to recover direct costs
Non-Resident Instructional Classes, Events & Trips	Resident fee plus 30%, maximum \$ 25.00 additional

#### Senior Center Fitness Room\*

Adults (ages 18 - 54) – Resident	\$ 11.00 per month
Adults (ages 18 - 54) – Non-Resident	\$ 13.00 per month
Senior Adults (ages 55 or older) – Resident	\$ 11.00 per month
Senior Adults (ages 55 or older) – Non-Resident	\$ 13.00 per month

\*The above allows for access Monday-Thursday, 8:00am-8:00pm and Friday, 8:00am-5:00pm

Bus Use Charges	No change
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**SECTION 5.1 – Shelter, Parkland and Facility Fees****Commercial Use of Parkland\* (Fitness Classes Only)**

1 Month Agreement – Residents	
1 – 50 Participants	\$ 25.00 per hour
Over 50 Participants	\$ 35.00 per hour
1 Month Agreement – Non-Residents	
1 – 50 Participants	\$ 33.00 per hour
Over 50 Participants	\$ 46.00 per hour
3 Month Agreement – Residents	
1 – 50 Participants	\$ 20.00 per hour
Over 50 Participants	\$ 30.00 per hour
3 Month Agreement – Non-Residents	
1 – 50 Participants	\$ 26.00 per hour
Over 50 Participants	\$ 39.00 per hour
Application Fee ( <i>Applies to all agreements</i> )	
Residents	\$ 25.00
Non-Residents	\$ 35.00

\*Only available within certain parks and park areas. Refer to Parks, Recreation, and Cultural Resources Department for further information.

**Lake Benson Park**

## Resident

Shelter 1 (max 150 people)	\$ 30.00 per hour, 2-hour minimum
Shelter 2 (max 50 people)	\$ 20.00 per hour, 2-hour minimum
Shelter 3 (max 20 people)	\$ 10.00 per hour, 2-hour minimum
Shelter 4 (max 20 people)	\$ 10.00 per hour, 2-hour minimum
Gazebo ( <i>requires Special Event Application</i> )	\$ 20.00 per hour
Gazebo with Lawn Space ( <i>requires Special Event Application</i> )	\$ 35.00 per hour
Amphitheater	\$ 40.00 per hour
Earth Stage	\$ 20.00 per hour
Earth Stage with Lawn Space	\$ 100.00 per hour
Camping Fee	\$ 50.00 per night plus \$ 25.00 refundable key deposit
Full Park	\$ 325.00 per hour

## Non-Resident

Shelter 1 (max 150 people)	\$ 40.00 per hour, 2-hour minimum
Shelter 2 (max 50 people)	\$ 30.00 per hour, 2-hour minimum
Shelter 3 (max 20 people)	\$ 20.00 per hour, 2-hour minimum
Shelter 4 (max 20 people)	\$ 20.00 per hour, 2-hour minimum
Gazebo ( <i>requires Special Event Application</i> )	\$ 30.00 per hour
Gazebo with Lawn Space ( <i>requires Special Event Application</i> )	\$ 53.00 per hour
Amphitheater	\$ 60.00 per hour
Earth Stage	\$ 30.00 per hour
Earth Stage with Lawn Space	\$ 150.00 per hour
Camping Fee	\$ 75.00 per night plus \$ 25.00 refundable key deposit
Full Park	\$ 473.00 per hour

## Lawn Space in Addition to Shelters

Shelter 1	\$ 20.00 per hour
Shelter 2	\$ 10.00 per hour
Shelter 4	\$ 10.00 per hour

**White Deer Park**

## Resident

All Shelters	\$ 20.00 per hour
Front Lawn ( <i>Adjacent to Aversboro Rd.</i> )	\$ 40.00 per hour
Nature Center Lawn	\$ 40.00 per hour

## Non-Resident

All Shelters	\$ 30.00 per hour
Front Lawn ( <i>Adjacent to Aversboro Rd.</i> )	\$ 60.00 per hour
Nature Center Lawn	\$ 60.00 per hour

**White Deer Nature Center\***

## Resident

Indoor Classroom	\$ 50.00 per hour, 2-hour minimum
Indoor Classroom with Learning Deck	\$ 70.00 per hour, 2-hour minimum
After Hours-Indoor Classroom	\$ 60.00 per hour, 2-hour minimum
After Hours-Indoor Classroom with Learning Deck	\$ 80.00 per hour, 2-hour minimum

## Non-Resident

Indoor Classroom	\$ 50.00 per hour, 2-hour minimum
Indoor Classroom with Learning Deck	\$ 70.00 per hour, 2-hour minimum
After Hours - Indoor Classroom	\$ 60.00 per hour, 2-hour minimum
After Hours - Indoor Classroom with Learning Deck	\$ 80.00 per hour, 2-hour minimum

\* \$150.00 refundable security deposit applies to all rentals of White Deer Nature Center.

<b>Centennial Park</b>	
All Shelters – Resident	\$ 20.00 per hour
All Shelters – Non-Resident	\$ 30.00 per hour
<b>Creech Road Elementary School Park</b>	
All Shelters – Resident	\$ 20.00 per hour
All Shelters – Non-Resident	\$ 30.00 per hour
<b>Garner Senior Center*</b>	
Multipurpose Room (max 150 people)	\$ 65.00 per hour, 3-hour minimum
Fitness Annex (max 214 people)	\$ 70.00 per hour, 3-hour minimum
Food Fee (includes use of Warming Kitchen)	\$ 50.00 per event
<b>Weeknight Rentals (Monday – Thursday, 5:00PM – 8:00PM)</b>	
Multipurpose Room	\$ 30.00 per hour
Multipurpose Room – Audio Visual Use Fee	\$ 25.00 per event
Dining Room	\$ 40.00 per hour
Game Room	\$ 20.00 per hour
Additional Staff (as needed)	\$ 15.00 per hour
* \$150.00 refundable security deposit applies to all rentals of the Garner Senior Center	
<b>Avery Street Recreation Center*</b>	
Gymnasium	\$ 70.00 per hour, 2-hour minimum
Gym Floor Cover Fee	\$ 200.00 per event
Single Multi-Purpose Room	\$ 40.00 per hour, 2-hour minimum
Both Multi-Purpose Rooms	\$ 60.00 per hour, 2-hour minimum
Meeting Room	\$ 30.00 per hour, 2-hour minimum
Entire Facility	\$ 150.00 per hour, 2-hour minimum
<b>Avery Street Annex*</b>	
Classroom	\$ 40.00 per hour, 2-hour minimum
* \$150.00 refundable security deposit applies to all rentals of Avery Street Recreation Center and Annex.	
<b>Avery Street Park Lawn / GPAC Back Lawn*</b>	
Rentals	\$ 60.00 per hour
* \$150.00 refundable security deposit applies to all rentals of Avery Street/GPAC Lawn.	
<b>Athletic Rental Facility*</b>	
Baseball Field	\$ 30.00 per hour
Baseball Field with Lights	\$ 55.00 per hour
Soccer Field - Youth	\$ 35.00 per hour
Soccer Field - Adult	\$ 45.00 per hour
Soccer Field with Lights - Youth	\$ 70.00 per hour
Soccer Field with Lights - Adult	\$ 80.00 per hour
* Facility supervision is included in the rental price.	
** \$150.00 refundable security deposit applies to all field rentals.	
<b>Thompson Road Park</b>	
Multipurpose Field	\$ 30.00 per hour
<b>Lake Benson Boathouse Rentals*</b>	
Jon-boats without Motors	\$ 4.00 per hour, \$ 20.00 per day
Jon-boats with Motors	\$ 8.00 per hour, \$ 40.00 per day
Canoes	\$ 5.00 per hour
* Senior citizens age 55 or over will be charged 50% of the above rates for full day rentals only.	
<b>Garner Performing Arts Center Auditorium and Lobby</b>	
Regular Rates	
Auditorium	\$ 125.00 per hour
Rehearsal Fees (Monday-Thursday)	\$ 55.00 per hour
Rehearsal Fees (Friday-Sunday)	\$ 125.00 per hour
Back Lobby (max 30 people)	\$ 40.00 per hour
Front Lobby (max 60 people)	\$ 50.00 per hour
Auditorium Hold Day with Dressing Rooms (Monday-Thursday)	\$ 140.00 per day
Auditorium Hold Day with Dressing Rooms (Friday-Sunday)	\$ 300.00 per day
Non-Profit Group Rates*	
Auditorium	\$ 100.00 per hour
Rehearsal Fees (Monday-Thursday)	\$ 50.00 per hour
Rehearsal Fees (Friday-Sunday)	\$ 100.00 per hour
Back Lobby (max 30 people)	\$ 40.00 per hour
Front Lobby (max 60 people)	\$ 50.00 per hour
Auditorium Hold Day with Dressing Rooms (Monday-Thursday)	\$ 90.00 per day
Auditorium Hold Day with Dressing Rooms (Friday-Sunday)	\$ 240.00 per day
* Non-profit groups are defined as follows: all IRS tax exempt and non-profit groups, or non-tax-exempt group activities such as private parties, family activities, family reunions, weddings and receptions, etc., for which no money is collected for participation.	
* All rentals of the Garner Performing Arts Center require a \$ 200.00 per day refundable security deposit.	
Miscellaneous Fees (Applies to <u>all</u> groups)	
Sound and Lighting Technician	\$ 20.00 per hour
Facility Attendant	\$ 15.00 per hour
Security	Based on personnel cost
Piano Tuning	Based on personnel cost

Pre-event Setup and Post-Event Cleanup	Based on personnel cost
Concession Stand	\$ 50.00 per day
<b>Lake Benson Trails*</b>	
Dual Meets (Two teams)	\$ 7.00 per hour, 2-hour minimum
Meets with Three to Five Teams	\$ 11.00 per hour, 2-hour minimum
Meets with Six to Nine Teams	\$ 16.00 per hour, 2-hour minimum
Meets with 10 or More Teams	\$ 21.00 per hour, 2-hour minimum
* The above fees would be assessed in addition to reimbursement of any additional Town expenses arising from the event above normal operations.	
<b>Christmas Parade</b>	
Float Rentals	10% above Town cost
<b>Parade Entry Fees</b>	
Business / Individual	
Walkers & Bicycles	\$ 60.00
Vehicles	\$ 55.00 per vehicle
ATV & Motorcycles	\$ 45.00 per vehicle
Trucks & Floats	\$ 80.00 per truck/float
Non-Profit / Church	
Walkers & Bicycles	\$ 40.00
Vehicles	\$ 35.00 per vehicle
ATV & Motorcycles	\$ 25.00 per vehicle
Trucks & Floats	\$ 55.00 per truck/float
Marching Band, Emergency Management, or Elected Official	No Charge
<b>Special Events &amp; Facility Rentals Policy Fees</b>	
Application Fee	\$ 25.00 non-refundable fee
Police Officer	\$ 35.00 per hour
Staff Assistance	\$ 15.00 per hour, 3-hour minimum
Parking Attendants (2 attendants)	\$ 30.00 per hour, 3-hour minimum
<b>Street Closure</b>	
Resident	\$ 80.00 per event
Non-Resident	\$ 120.00 per event
<b>Use of Park Trails</b>	
Resident	\$ 40.00 per day
Non-Resident	\$ 60.00 per day
<b>Event with Admission Fees or Ticket Sales</b>	
Resident	\$ 270.00 per day
Non-Resident	\$ 405.00 per day
<b>Event with Sales of Food or Merchandise</b>	
Resident	\$ 200.00 per day
Non-Resident	\$ 300.00 per day
<b>Photo and Video Shoot</b>	
Resident	\$ 50.00 per day
Non-Resident	\$ 75.00 per day
<b>Sanitation Deposit</b>	
Class A or B Special Events	\$ 1,000.00 per event
Class C Special Events	\$ 500.00 per event
Class D Special Events	No Charge

**SECTION 6 – Public Safety Charges**

<b>Accident/Criminal Investigation Report</b>	
First 10 Copies	No Charge
Each Copy Over 10 (per page)	\$ .20 per page
CD/DVD Production	\$ 22.00
<b>Miscellaneous</b>	
Storage of Seized Vehicle	\$ 5.00 per day
<b>Off-Duty Officer</b>	
Officer Only	\$ 35.00 per hour
<b>Removal of Recreational Devices</b>	
First Violation	\$ 25.00
Second Violation	\$ 50.00
Third Violation	\$ 100.00
<b>Parking Violation Fee*</b>	
No Parking Zone	\$ 30.00
Parking Too Close to Intersection	\$ 30.00
Parking on Sidewalk	\$ 30.00
Parking Too Far Away from Curb or Street Edge	\$ 30.00
Double Parking	\$ 30.00
Parking in a Loading Zone	\$ 30.00
Parking in a Restricted Time Zone	\$ 30.00
Residential Parking Permit Zone	\$ 30.00

Parking on Wrong Side of Street Facing Traffic	\$ 30.00
Emergency Zone Parking	\$ 50.00
Parking in Fire Lane	\$ 50.00
Parking in Front of Fire Hydrant	\$ 50.00
Obstructing Traffic	\$ 50.00
Parking in a Handicapped Zone	\$ 100.00
All Other Parking Violations Not Noted Above	\$ 30.00

\* Parking fines must be paid within 30 days from issuance to avoid additional penalty. Fines not paid within 30 days will be subject to the violator to double the amount of the original fine.

**Animal Control Charges\***

Violations of Licensing Ordinance	
First Violation	\$ 100.00
Subsequent Violations (Charged per violation; applies to any violation not paid within 60-days of first violation)	\$ 200.00
Number of Dogs kept on Premises	
Each dog over allowable limit (per dog)	\$100.00
Subsequent Violations (accrued every 7 days)	\$100.00
Animals at Large and Animals Creating a Nuisance	
First Violation	\$ 50.00
Second Violation	\$ 100.00
Subsequent Violations	\$ 150.00
Dangerous Animal Violations	
Violation of Dangerous Animal Sign (Civil Penalty + Animal Seizure)	\$ 500.00
Violation of Muzzling Requirement (Civil Penalty + Animal Seizure)	\$ 500.00
Dangerous Animal at Large (Civil Penalty + Animal Seizure)	\$ 500.00
Failure to Microchip Dangerous Animal (Civil Penalty + Animal Seizure)	\$ 500.00
Secure Enclosure Requirement (Civil Penalty + Animal Seizure)	\$ 500.00
Competent Person 18 YOA or Older Removal from Property Requirement (Civil Penalty + Animal Seizure)	\$ 500.00
Fail to Allow Animal Control Officer Access to Inspect (Civil Penalty + Animal Seizure)	\$ 500.00
Fail to Notify a Garner Officer/Animal Control within 24-hours Requirement (Civil Penalty + Animal Seizure)	\$ 500.00
Dangerous Animal Toward Human Being	
First Violation (Civil Penalty + Animal Seizure)	\$ 500.00
Dangerous Animal Toward Domestic Pet	
First Violation (Civil Penalty + Animal Seizure)	\$ 250.00
Other General Penalties Not Specified Above	\$ 100.00

\* Animal control charges are applied to dogs and cats. Fines and penalties listed above do not include shelter reclaim fees, which must also be paid by owner.

**False Alarm Penalties**

First Three False Alarms	No Charge
Fourth and Fifth False Alarms	\$ 50.00 per alarm
Sixth, Seventh, and Eighth False Alarms	\$ 100.00 per alarm
Ninth and Tenth False Alarms	\$ 150.00 per alarm
All False Alarms in Excess of 10	\$ 250.00 per alarm

**Taxicab Permit**

Application Fee	\$ 10.00
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**SECTION 7 - Penalty Fee**

Penalty Fee: The fee or penalty to be paid to the Town for any one violation of an ordinance as above set out is hereby fixed as noted. Offenses denominated a misdemeanor pursuant to NCGS 14-4 shall be punishable as infractions; offenses not denominated as misdemeanors under the State's penal laws are not punishable as misdemeanors under administering ordinances within the Town.

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: June 4, 2018		
Subject: General Use Rezoning Z-18-01 (310 Loop Road)		
Location on Agenda: Old/New Business		
Department: Planning		
Contact: David Bamford, Planning Services Manager		
Presenter: Het Patel, Senior Planner		
<b>Brief Summary:</b>  Tracy Evans at 310 Loop Road is requesting rezoning from R-20 to Neighborhood Office (NO) to allow a beauty / barber shop salon as a home-based business out of the existing single-family home. This is a general use request with no conditions proposed. The Public Hearing was held on May 7, 2018, with no concerns from the public. The Planning Commission recommended approval of this request at their May 14, 2018, meeting.		
<b>Recommended Motion and/or Requested Action:</b> Adopt Ordinance (2018) 3914		
<b>Detailed Notes:</b> Please refer to Motion Worksheet at the end of the staff report for assistance in making a motion in conformance with revised state statute.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<b>Manager's Comments and Recommendations:</b> N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

## Planning Department Staff Report

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**TO:** Mayor and Town Council Members

**FROM:** Het Patel, AICP; Senior Planner – Transportation and Land Use

**SUBJECT:** General Use Rezoning – Z-18-01, Loop Road

**DATE:** June 4, 2018

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### I. PROJECT AT A GLANCE

<b>Rezoning Application:</b>	Z-18-01 General Use Rezoning
<b>Applicant:</b>	Tracy Evans, Perfect Touch Hairstyling
<b>Owner:</b>	Timothy Evans and Tracy Lynn Evans
<b>Property Location:</b>	310 Loop Road
<b>Wake Count PIN(s):</b>	1701-85-5423
<b>Area:</b>	0.67 +/- acres
<b>Town Limits:</b>	Yes
<b>Present Zoning:</b>	R-20
<b>Overlay:</b>	US 70/401 Thoroughfare Overlay District
<b>Requested Zoning:</b>	Neighborhood Office (NO) Note: This is a general use request. No conditions are proposed.
<b>Key Meeting Dates:</b>	
<b>Town Council Public Hearing:</b>	May 7, 2018
<b>Planning Commission:</b>	May 14, 2018
<b>Town Council Action Hearing:</b>	June 4, 2018

## **II. BACKGROUND / REQUEST SUMMARY**

The rezoning Z-18-01 has been submitted to allow an opportunity for home-based business use along with residential use of the property. It is our understanding the proposed use would include a single-family residence and a home-based barber / beauty salon. The applicant is requesting to rezone the site from Single-Family Residential (R-20) to Neighborhood Office (NO).

The reason for the zoning request is that “barber, beauty, and other personal service shops” are not an allowed home occupation in any residential district such as R-20, R-15, R-12, or R-9. This use is however allowed in a single-family home as a home-based business if the property is zoned Neighborhood Office.

## **III. ZONING ANALYSIS**

**Existing:** The existing zoning of the 0.67-acre site is **Residential 20 (R-20)**. Residential districts are designed to create and maintain residential neighborhoods composed primarily of single-family dwellings and, as special uses, such institutional, public, and other compatible uses that are designed, constructed and maintained so as not to detract from the quality of each district. R-20 district allows single-family lots of at least 20,000 square feet (.45 acres).

***The following is a list of permitted uses in the R-20 district:***

- |   |  |
|---|--|
| 1. Single-family site built and modular homes | 10. Public safety facilities (fire, police, rescue, ambulance) |
| 2. Residential Cluster                        | 11. Cemetery   |
| 3. Family Care home                           | 12. Public parks, swimming pools, tennis and golf courses      |
| 4. Group care home                            | 13. Religious institutions                                     |
| 5. Intermediate care home                     | 14. Minor utility—elevated water tank                          |
| 6. Community center                           | 15. Private golf course or country club                        |
| 7. Child day care up to 3 as home occupation  | 16. Bed and breakfast  |
| 8. Family child day care up to 8 in home      | 17. Agriculture or silviculture                                |
| 9. School public or private                   |  |

**Proposed:** The proposed zoning of the 0.67-acre site is **Neighborhood Office (NO)**. The **NO** zoning district has been established to accommodate modest-scale professional and service occupations, along with single-family residential units, to serve as a neighborhood activity center and as a transition between residential and more intense commercial uses.

***The following is a list of permitted uses in the NO district.***

- |                            |                           |
|----------------------------|---------------------------|
| 1. Single-family detached  | 4. Family care home       |
| 2. Upper story residential | 5. Group care home        |
| 3. Modular home            | 6. Intermediate care home |



- |   |   |
|---|---|
| 7. Adult daycare  | 16. Golf course or country club private     |
| 8. Child day care (in home)                               | 17. Gym, spa, indoor tennis or pool private |
| 9. Day care center  | 18. Medical office                          |
| 10. Funeral home crematorium                              | 19. Other office; general office            |
| 11. Ambulance, rescue squad, police, fire station         | 20. Bed and breakfast                       |
| 12. Cemetery  | 21. Hair and beauty salons                  |
| 13. Public parks, swimming pools, tennis and golf courses | 22. Banks and financial institutions        |
| 14. Religious institutions                                | 23. Veterinarian/kennel, indoor tank        |
| 15. Minor utility—elevated water tank                     |   |

**Overlay Districts:** This property falls within the **US 70/401 Thoroughfare Overlay District**. This overlay district has additional development standards and use restrictions for properties with frontage along these 2 corridors. The overlay is explained in Article 4.11 of the *Unified Development Ordinance*. There are several uses that are prohibited or restricted within the overlay district.

**Prohibited uses:** None of the prohibited overlay district uses are included in the proposed use list provided above.

**Prohibited uses adjacent to or within 150 feet of existing residential uses:** The following may be expressly included in whole or in part in the proposed use list provided above and are prohibited as noted unless more stringently prohibited by the base zone.

- a. Hotel/motels
- b. Pool halls/bowling alleys only
- c. Bars/night clubs/ABC-permitted private clubs

**Restricted uses with additional standards (site layout, screening):** The following may be expressly included in whole or in part in the proposed use list provided above and are restricted by additional standards unless more stringent standards are already required by the base zone or they are not permitted by the proposed use list provided above.

- a. Uses with outdoor storage, display, or goods for sale
- b. Manufactured home sales lots
- c. Motor vehicle sales lots
- d. Automobile service centers
- e. Automobile repair and body shops
- f. Veterinarians or kennels
- g. Truck terminals
- h. Car washes

**Zoning History:** The Planning Department’s rezoning database contains the following rezoning cases in this area.

Case	Applicant	Location	Zoning Change
CUD-Z 96-09	Springfield Development Corp.	Garner Towne Square (Home Depot)	CB to SB C57
CUD-Z 06-11	BSS Properties LLC	Fidelity Business Park	SB & O&I to CR C145
CUD-Z 08-03	BSS Properties LLC	201 New Fidelity Court	CR C145 to CR C154
CUD-Z 12-04	BRE Throne Garner Towne Square	9 <sup>th</sup> Grade Center	SB C54 and CR to O&I C165
CUD-Z 13-05	Sherman Yeargan	Loop Road & US 70 (Walgreens)	CR C69 to CR C170

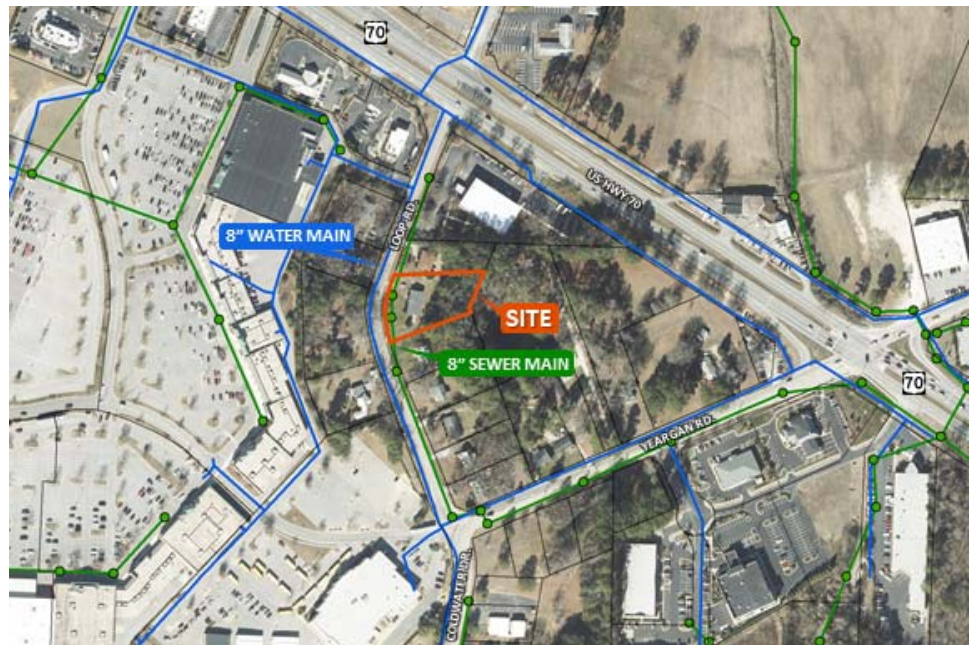
**Adjacent Zoning and Land Uses:**

- North:** Office & Institutional (O&I)                      Single-Family Residential
- South:** Single-Family Residential (R-20)                      Single-Family Residential
- East:** Single-Family Residential (R-20)                      Single-Family Residential
- West:** Commercial Retail (CR)                                      Single-Family Residential



**Overall Neighborhood Character:** This area along Loop Road is located between US 70 Highway and Yeargan Road. This area contains a mix of single-family residential, office, and heavy commercial uses. The predominant zoning in this area is non-residential CR and O&I. There is a small block of residential R-20 and R-12 tucked in the center of this activity center. Four (4) single-family homes across the street from the rezoning site (310 Loop Rd) are zoned Community Retail (CR). As development pressures mount in this area of Garner, we expect the remaining single-family homes to eventually transition over non-residential uses.

**Infrastructure:** **Water/Sewer** – The property is in the town limits and has access to public water and sewer. The property is developed as single-family residential home and is connected to an 8” water line and an 8” sewer line on Loop Road.



**Transportation** – The site has approximately 180 feet of road frontage on Loop Road. Loop Road is an 18-foot wide Town-maintained facility within a 60-foot right of way. With the exception of the newer Walgreens development, this road lacks curb and gutter and sidewalks. There is no traffic count information, and Loop Road is not classified on the Town of Garner’s *Transportation Plan* as either a major or minor thoroughfare.

The site is already developed so road improvements will not be required as part of this rezoning. However, if this site is re-developed in the future, road improvements would apply (curb / gutter / sidewalks). We also do not anticipate additional traffic impacts as a result of this rezoning.

**Environment** – This site is not located within the 100-year flood plain as delineated by the FEMA Flood Insurance Rate Maps.

#### IV. STATEMENTS OF ZONING CONSISTENCY WITH THE COMPREHENSIVE PLAN

**2006 Comprehensive Growth Plan:** According to the *Town of Garner 2006 Comprehensive Growth Plan* map, the rezoning site is entirely within the boundary of the **Regional Center** which extends from Yeargan Road west over to Fayetteville Road (US 401) and south down to Old Stage Road.

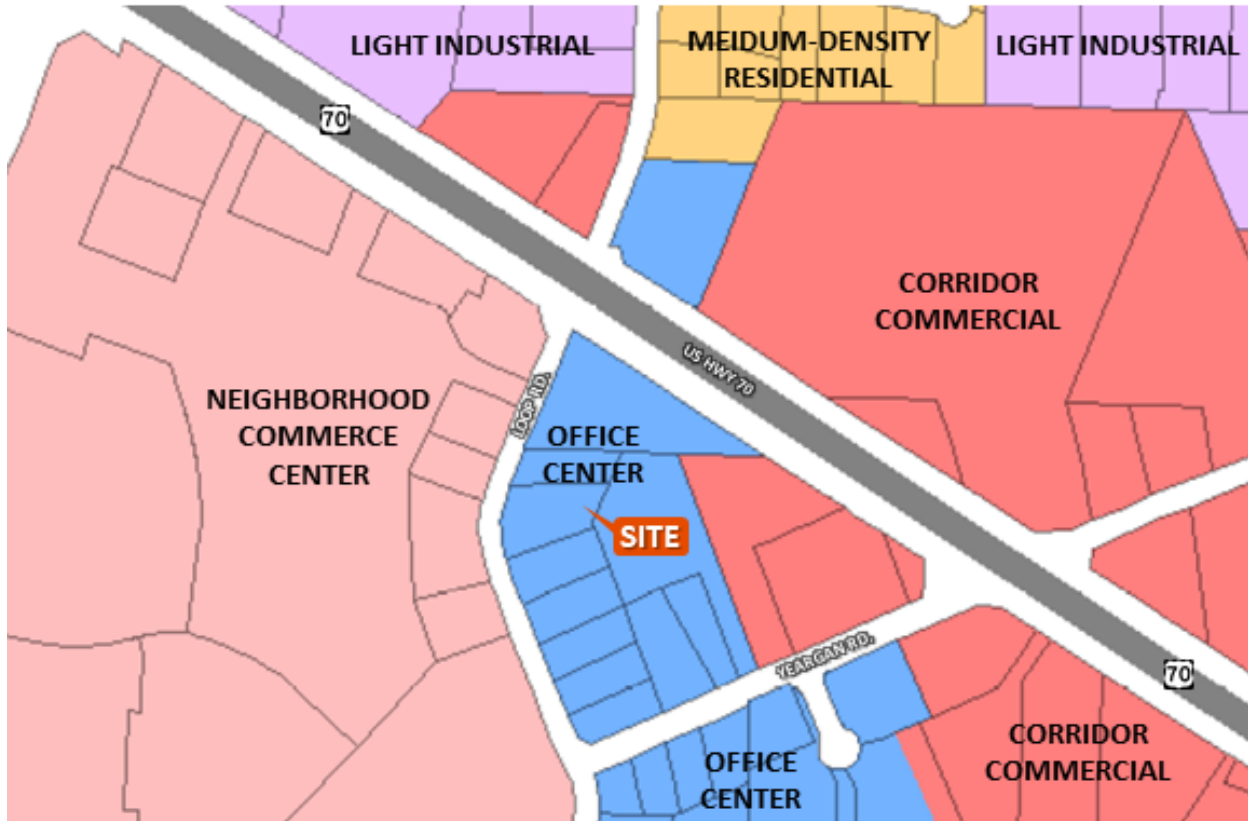
A **Regional Center** is designed to target a regional population. In these areas, the land uses are primarily non-residential which incorporates large areas of retail and large office buildings. However the development of higher density residential (apartments) is often incorporated in these centers and provides housing options close to employment with direct access to the freeway. These centers also include park or natural areas for general public use and to mitigate the impacts of intensive development. The recommended zoning districts for a Regional Center include: O&I, PUD, SB, CR, MXD, and MF-2. The recommended residential density range is 13+ dwelling units per acre.

The requested zoning change from R-20 to NO is consistent with the recommendations of the Comprehensive Growth Plan and with the prevailing zoning and land use pattern in this area along Loop Road and Yeargan Road.

Since this is a general use rezoning, all allowable Neighborhood Office uses must be considered when evaluating this rezoning request.



**Draft 2018 Garner Forward Plan (target adoption May/June 2018):** Additionally, on the current draft Plan map, the site and tracts along Loop Road in this area are designated as **Office Center** on the east side and Neighborhood Commerce Center on the west side. The **Office Center** land use category may have multiple, non-government tenants occupying a single building, adjacent spaces, or separate buildings accessed by 1-2 driveways from an arterial roadway. Examples may include professional or medical offices. The **Office Center** is usually located near transitional uses like moderate- to higher-density residential and mixed-use developments.



**V. RECOMMENDATIONS:**

Based on the preceding commentary regarding consistency with Town plans, the Planning Commission voted unanimously to recommend approval of this request to the Town Council.

Staff has no objections to Rezoning Application Z-18-01. Staff recommends approval as submitted.

**MOTION WORKSHEET:**

**Note:** The Council will need to include a statement regarding the consistency of the rezoning application with the Town’s Comprehensive Growth Plan as part of the recommendation motion.

MOTION TO APPROVE REZONING REQUEST:

**I move** that the Council find the following regarding rezoning application Z-18-01 (*check/choose one*)

that it complies with the Town’s Comprehensive Growth Plan

**(or)**

that it does not strictly comply with the Comprehensive Growth Plan; however, the application \_\_\_\_\_

\_\_\_\_\_.

**and** that the zoning application Z-18-01 is reasonable and in the public interest because it will likely (*use as many of the following as are appropriate*):

allow the development of an appropriate density of housing in the area in which it is located;

allow appropriate types of business at the described location which will provide opportunities for access to goods and/or services useful to the surrounding area;

allow appropriate types of business at the described location which will provide employment opportunities for citizens;

allow the types of businesses at the described location which will enhance the Town’s economic development,

allow the types of businesses at the described location which will likely enhance the Town’s tax base,

\_\_\_\_\_

\_\_\_\_\_

**and** I therefore move that the Council (*check/choose one*)

accept the recommendation of the Planning Commission and adopt Ordinance No. (2018) \_\_\_\_\_ approving rezoning request number Z-18-01.

**(or)**

adopt Ordinance No. (2018) \_\_\_\_\_ approving rezoning request number Z-18-01.

MOTION TO DENY REZONING REQUEST:

***I move*** that the Council deny rezoning request Z-18-01 as it is neither reasonable nor in the public interest, because (use as many of the following as are appropriate):

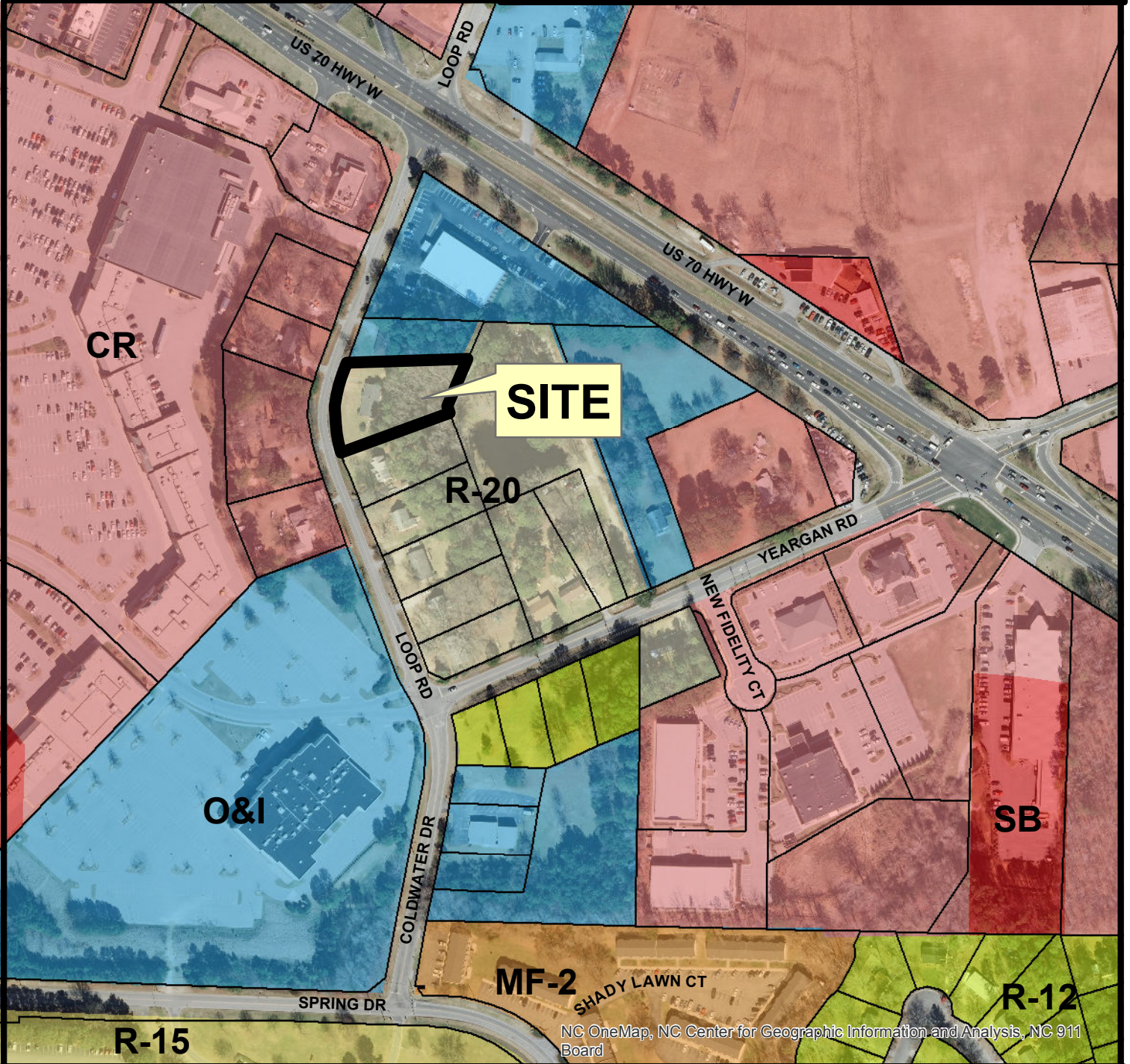
- ( ) it does not comply with the comprehensive growth plan,
- ( ) would allow the development of an excessive density of housing for the area in which it is located;
- ( ) it would likely lead to an unacceptable additional level of traffic in the area in which it is located;
- ( ) it would allow types of business at the described location which will not be appropriate for the area in which it is located;
- ( ) \_\_\_\_\_
- ( ) \_\_\_\_\_



# Town of Garner Planning Department

## General Use Applications Z 18-01

0 250 500  
Feet



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board

Applicant: Tracy Evans  
Owner: Tracy Evans  
Location: 310 Loop Rd  
Pin: 1701855423

Proposed Use: Residential with home business  
Current Zoning: R-20 (residential)  
Proposed Zoning: NO (Neighborhood Office)  
Overlay: US / 401 Overlay  
Acreage:0.72



Return to:  
Stella Gibson  
Town of Garner  
900 7<sup>th</sup> Avenue  
Garner, NC 27529

**ORDINANCE NO. (2018) 3914**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF GARNER AND ITS  
EXTRATERRITORIAL JURISDICTION**

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GARNER:

Section 1. That the Official Zoning Map of the Town of Garner and Extraterritorial Jurisdiction be amended by changing the zoning classification of the property described below from its current zoning of Single-Family Residential 20 (R-20) to Neighborhood Office (NO) general use district as requested in Rezoning Application No. Z-18-01 by Tracy Evans.

0.67 +/- acres further identified as Wake County PIN # 1701-85-5423

Section 2. That all ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Section 3. That this ordinance shall become effective upon its adoption.

Section 4. That the Planning Department shall change the Official Zoning Map displayed for the public to reflect this change immediately following adoption.

Section 5. That the Town Clerk shall cause a duly certified copy of this ordinance to be recorded in the office of the Wake County Register of Deeds.

Duly adopted this 4th day of June 2018.

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Ronnie S. Williams, Mayor

ATTEST: \_\_\_\_\_  
Stella L. Gibson, Town Clerk