

CONDITIONAL REZONING CASE #25-03-PBLD-00114: CONDITIONALLY REZONE FROM AGRICULTURAL (AG) TO CZ-RS-40 A PORTION OF PROPERTY LOCATED AT 5475 YANCEYVILLE ROAD (TAX PARCEL #129849)

Property Information

Located at 5475 Yanceyville Road (Guilford County Tax Parcel #129849 in Monroe Township), approximately 2,990 feet south of the intersection of NC Highway 150 E and Yanceyville Road and comprising the western portion (21.29 acres) fronting Oldsquaw Drive of approximately 37.66 acres total.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This request is to conditionally rezone the western portion (21.29 acres) of Tax Parcel #129849 fronting Oldsquaw Drive from AG to CZ-RS-40. The zoning of the remaining acreage (16.37 acres) of Tax Parcel 129849 fronting Yanceyville Road will remain AG.

Use Conditions: Permitted uses shall include all uses allowed in RS-40 Residential Zoning District **except** the following:

- (1) Cemetery or Mausoleum.
- (2) Land Clearing & Inert Debris Landfill, Minor

Development Conditions: None

District Descriptions

The **AG, Agriculture** district is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales - "agritourism" - may be permitted. The minimum lot size of this district is 40,000 square feet.

This **RS-40, Residential** district is primarily intended to accommodate single-family residential detached dwellings on lots in areas without access to public water and sewer services. The minimum lot size of this district is 40,000 square feet. Conservation subdivisions may be developed in this district.

Conditional Zoning is established as a companion district for every district established in the Unified Development Ordinance. These districts are CZ-AG, **CZ-RS-40**, CZ-RS-30, CZ-RS-20, CZ-RS-3, CZ-RS-5, CZ-RS-7, CZ-RM-8, CZ-RM-18, CZ-RM-26, CZ-LO, CZ-NB, CZ-LB, CZ-MXU CZ-GB, CZ-HB, CZ-CP, CZ-LI, CZ-HI, CZ-PI, CZ-RPD, CZ-PD-R, and CZ-PD-M. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations, which may be offered by the property owner and

approved by the Jurisdiction as part of the rezoning process, also shall apply.

Character of the Area

The area has generally developed with single-family dwellings within major subdivisions.

Existing Land Use(s) on the Property: . A single-family dwelling is located on the parcel in its current configuration. The portion of the parcel subject to this rezoning is undeveloped.

Surrounding Uses:

North: Undeveloped & low-density single-family residential

South: Undeveloped & low-density single-family residential

East: Single-family, low-density residential.

West: Single-family residential subdivision

Historic Properties: There are no inventoried historic resources located on or adjacent to the subject property.

Cemeteries: No cemeteries are shown to be located on or adjacent to the subject property, but efforts should be made to rule out potential grave sites.

Infrastructure and Community Facilities

Public School Facilities:

5475 YANCEYVILLE RD RD - Single Family Units)				37.66 acres	from AG to RS40
Guilford County					
School Boundaries	Built Capacity	2024-25 20th Day En	Mobile Classrooms	Estimated Additional Students	
	2024-25				
Northern ES	760	622	3	11-13	
Northern MS	1152	780	0	7-9	
Northern HS	1370	1253	0	11-13	
Remarks:					
Remarks					
Elementary K-3 built capacity assumes maximum reduced class sizes per applicable core academic classrooms					
Fourth grade,fifth grade ,middle and high school built capacity assumes 30 studens per core academic classroom					

Emergency Response:

Fire Protection District: Northeast Fire Protection District

Miles from Fire Station: Approximately 1 mile

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: Yes

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Oldsquaw Drive is a local subdivision road that stubs into the portion of Parcel #129849, which is the subject of this request. Yanceyville Road is a major thoroughfare under the 2015 Guilford County Thoroughfare Plan prepared by the Greensboro MPO. The NCDOT annual average daily traffic count in 2023 was 1300 vehicles.

Proposed Improvements: Streets in major subdivision must be installed by the developer.

Projected Traffic Generation: Not available.

Environmental Assessment

Topography:

Slope Class		USDA Soil Type and Slope Percent
3-7%	Gently sloping	PoB, 2 to 6% slopes
7-12%	Strongly sloping	PoD, 10-15% slopes
12-20%	Moderately steep	
20-30%	Steep	PoE, 15-35% slopes
30-40%	Very steep	

Regulated Floodplain: There is no regulated floodplain on-site per FIRM map #3710787900J, effective 06/18/2007.

Wetlands: There are no regulated wetlands on-site per National Wetlands Inventory.

Streams: There are multiple mapped streams on-site per US Geological Survey and NRCS Soil Survey maps.

Watershed: This property is within the Greensboro (Reedy Fork) WS-III, Watershed Critical Area Tier 4.

Consistency: Land Use & Comprehensive Plan

Land Use Plan: Northern Lakes Area Plan

Plan Recommendation:

The AG Rural Residential (AGRR) is intended to accommodate agricultural uses, large-lot residential development, and low-density residential subdivisions not connected to public water and sewer with densities not to exceed two (2) units per acre. Large major residential subdivisions in the AG Rural Residential area should incorporate into their design a minimum of two (2) policies recommended by this plan. Anticipated land uses are those permitted in the Agricultural (AG), RS-40 Residential Single-Family, RS-30 Residential Single-Family, Planned Unit Development-Residential (PD-R), and Rural Preservation (RPD) zoning districts, including but not limited to institutional and recreational uses, as determined by the Guilford County Development Ordinance.

Consistency: This requested zoning is consistent with the Northern Lakes Area Plan recommendation of AG Rural Residential under the Future Land Use Compatibility Matrix.

Comprehensive Plan:

Consistency: The requested zoning is consistent with Policy 1.1.1 under the Future Land Use Element of the Guilford County Comprehensive Plan, which states “Planning staff will continue to utilize the future land uses depicted on citizen-based Area Plans, in conjunction with the rezoning guidance matrix, as the basis for land use and policy recommendations.”

Reasonableness

The request to rezone the subject property from **AG to CZ-RS-40** is deemed not reasonable by the Planning Board based on its 3-4 vote to deny the request to conditionally rezone the subject property from AG to CZ-RS-40. During the Planning Board’s legislative hearing, it was cited that the applicant has not sufficiently addressed how the development will mitigate adverse effects on the surrounding neighborhood, nor provided a clear plan for coordinating with existing residents or protecting existing infrastructure during and after the construction. Concerns have been expressed around key infrastructure impacts, particularly traffic flow, road wear, and emergency access, which is associated with having only a single point of entry into the proposed development. The single point of entry is directly through the Triple Lakes subdivision off of Burton Farm Rd. (SR2520). A stream splits the parcel, with the portion of the parcel requested to be rezoned adjacent to the Oldsquaw Dr. stub out and the eastern portion of the property accessible by Yanceyville Rd. (SR2523).

Recommendation

Staff Recommendation:

Although staff recommended approval, the Planning Board voted 3-4 against a motion to approve the request, which constitutes a denial.

Area Plan Amendment Recommendation:

The proposed rezoning is consistent with the Guilford County Northern Lakes Area Plan recommendation of AG Rural Residential. If the request is approved, an amendment to the Northern Lakes Area Plan will not be required.