

Charles Morris,  
Chair  
Town of Linden

Diane Wheatley,  
Vice-Chair  
Cumberland County

Jami McLaughlin,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman

Donovan McLaurin,  
Wade, Falcon & Godwin



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Vikki Andrews,  
Carl Manning,  
Lori Epler,  
Cumberland County

Benny Pearce,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

**MINUTES**

July 19, 2016

**Members Present**

Mrs. Diane Wheatley, Acting Chair  
Mr. Benny Pearce  
Mr. Carl Manning  
Mrs. Lori Epler  
Mrs. Jami McLaughlin  
Ms. Patricia Hall

**Members Absent**

Mr. Charles Morris  
Mr. Harvey Cain, Jr.  
Dr. Vikki Andrews  
Mr. Donovan McLaurin

**Others Present**

Ms. Patricia Speicher  
Ms. Donna McFayden  
Mrs. Laverne Howard  
Mr. Rob Hasty,  
Assistant County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Hall delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA.

There were none.

III. PUBLIC HEARING DEFERRAL / WITHDRAWAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. APPROVAL OF THE MINUTES OF JUNE 21, 2016

**Mrs. McLaughlin made a motion to accept the minutes as submitted, seconded by Mr. Manning. Unanimous approval.**

VI. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P16-30.** REZONING OF 7.87+/- ACRES FROM RR RESIDENTIAL & CD CONSERVANCY DISTRICT TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 8175 MCCORMICK BRIDGE RD, SUBMITTED BY TOM BROOKS (AGENT) ON BEHALF OF MCCORMICK FARMS LIMITED PARTNERSHIP (OWNER).

**1<sup>st</sup> MOTION**

The staff recommends the board find that approval of the request is not consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban fringe and conservation area" at this location; however, if the Special Flood Hazard Area (SFHA) were to be zoned CD, the request would be more consistent with the plan. Also, the request is not consistent with the Spring Lake Land Use Plan that calls for "open space and suburban density residential.

The staff recommends the board further find that approval of this rezoning could only be reasonable if the SFHA were protected by being zoned CD conservancy district. The A1 Agricultural zoning for that portion not in the SFHA is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *individual well and septic systems are allowed; could be located in any defined critical area as defined by the Fort Bragg Small Study Area – the subject property is located in an area that is “critically important to conserve;” desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations; desirable to not be located in an area that is a prime industrial site and may be outside the Sewer Service Area.*

### **2<sup>nd</sup> MOTION**

In addition to the information above, the staff recommends the board approve Case No. P16-30 for A1 Agricultural and CD Conservancy (where the SFHA exists) because the requested A1 zoning coupled with the conservancy district will ensure that limited development may occur on the subject property thus affording the suitability and compatibility of the military missions performed on nearby bases and be consistent with zoning and development within the general area.

**Mrs. McLaughlin made both of the motions referenced above, seconded by Mrs. Epler, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.**

- B. **P16-37. REZONING OF 3.01+/- ACRES FROM A1 AGRICULTURAL TO A1A AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE WEST SIDE OF SR 2243 (ROSLIN FARM ROAD), SOUTH OF RUNNING FOX ROAD; SUBMITTED BY ADA FAYE C. BRAMBLE (OWNER).**

### **1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends the board find that while approval of the request is not consistent with the map of the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban fringe” at this location, it is consistent with the text of the plan in that approval would be keeping with the existing character of the area. The request is also not consistent with the South Central Land Use Plan which calls for “suburban residential,” but could be found suitable as stated above.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *individual well and septic systems are allowed; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations; desirable to not be located in an area that is a prime industrial site and may be outside the Sewer Service Area.*

### **2<sup>nd</sup> MOTION**

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-37 for A1A Agricultural based on the following:

- The district requested will allow for land uses and lot sizes that exist in the general area.

There are no other suitable zoning districts to be considered at this location at this time.

**Mrs. McLaughlin made both of the motions referenced above, seconded by Mrs. Epler, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.**

## TEXT AMENDMENT

- C. **P16-39.** REVISION AND AMENDMENT TO THE TOWN OF HOPE MILLS ZONING ORDINANCE, ARTICLE X, SECTION 102A-1023. SEXUALLY ORIENTED BUSINESSES, CORRECTING THE ZONING DISTRICT TO READ M(P) PLANNED INDUSTRIAL AND CLARIFYING THAT A SPECIAL USE PERMIT IS REQUIRED SO THAT SECTION 102A-1023 IS CONSISTENT WITH SECTION 102A-403. USE MATRIX; UPDATING THE TABLE OF CONTENTS AS APPROPRIATE AND AUTHORIZING STAFF TO REPRINT THE ZONING ORDINANCE IN ITS ENTIRETY WITH ALL AMENDMENTS APPROVED TO THE CURRENT DATE. (HOPE MILLS)

The Planning & Inspections Staff recommends approval of the attached Hope Mills zoning ordinance text amendment which, if approved, would correct an error made in the drafting of the 2008 complete re-write of the ordinance. The use matrix currently specifies that sexually oriented businesses are only allowed within the M(P) Planned Industrial district upon approval by the Board of Adjustment of a special use permit. Article X contains various sections listing specific criteria for certain land uses. Section 102A-1023 establishes standards for sexually oriented uses and incorrectly states that these land uses are allowed with the C(P) Planned Commercial district.

The staff also recommends the board find that approval of the amendment to the town's zoning ordinance is consistent with the adopted comprehensive plan designated as the **2030 Growth Vision Plan**, specifically including: Policy Area 2: *Well-Managed Growth and Development*. The proposed amendment is also generally consistent with the **Southwest Cumberland Land Use Plan** in that the adopted goals and objectives of the plan related to industrial districts strives to ensure compatibility of land uses as well as promoting development that has a positive impact on the social, natural, and environmental conditions in the immediate surrounding area.

The staff further recommends the board find that approval of this amendment is reasonable and in the public interest based on the foregoing information and that by ensuring sexually oriented businesses are limited to areas where by the small town character will not be affected and located in a zoning district which may include land uses not appropriate to be in close proximity to residential uses.

**Mrs. McLaughlin made a motion, seconded by Mrs. Epler, to follow the staff recommendation and approve the text amendment. The motion passed unanimously.**

## VII. DISCUSSION

### DIRECTOR'S UPDATE

There was none.

## XI. ADJOURNMENT

There being no further business, the meeting adjourned at 7:02 pm.