



Clifton McNeill, Jr.  
Chair  
Cumberland County

Charles C. Morris, Vice-Chair  
Town of Linden  
David Averette,  
Dr. Marion Gillis-Olson  
Roy Turner,  
Cumberland County

# COUNTY of CUMBERLAND

## *Planning and Inspections Department*

Nancy Roy, AICP  
Director  
Thomas J. Lloyd,  
Deputy Director

Joe W. Mullinax,  
Town of Spring Lake  
Donovan McLaurin,  
Wade, Falcon & Godwin  
Harvey Cain, Jr.  
Town of Stedman

### MINUTES

February 1, 2005

7:00 p.m., Historic Courthouse

#### Members Present

Mr. Charles Morris, Vice-Chair  
Mr. David Averette  
Mr. Harvey Cain  
Dr. Marion Gillis-Olson  
Mr. Donovan McLaurin  
Mr. Joe W. Mullinax  
Mr. Roy Turner

#### Members Absent

Mr. Clifton McNeill, Chair

#### Others Present

Ms. Nancy Roy, Director  
Mr. Tom Lloyd, Dep. Director  
Ms. Patti Speicher  
Ms. Barbara Swilley

#### I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Turner delivered the invocation, and Vice-Chair Morris led those present in the Pledge of Allegiance.

#### II. APPROVAL OF/ADJUSTMENTS TO AGENDA

A motion was made by Mr. Turner and seconded by Mr. Averette to approve the Agenda as submitted. The motion passed unanimously.

#### III. APPROVAL OF THE MINUTES OF JANUARY 18, 2005

Mr. Averette asked that the R40 District be added to the motion approving the Conditional Use District on Case P05-06. A motion was made by Mr. Averette and seconded by Mr. Turner to approve the Minutes of January 18, 2005 with the above change. The motion passed unanimously.

#### IV. DISCUSSION

##### A. PRESENTATION OF DRAFT COUNTY ZONING ORDINANCE—LAND USE CODES COMMITTEE

Mr. Averette said that the Committee met on January 18 and voted to send the document to the Planning Board on February 1 after discussing the various items that needed to review.

Ms. Speicher presented an overview of changes made to the draft Zoning Ordinance since the last Land Use Codes Committee meeting. Mr. Lloyd said that Ms. Speicher was responsible for most of the work on the document and its being ready for presentation at this time. The Board thanked Ms. Speicher for her work.

Ms. Speicher said that the section regarding signs was not yet complete for inclusion, and the Board would receive the section soon. She said that the area on parking has been revised. Mr. Averette said that his concerns have always been about too much impervious area being required. Mr. Lloyd explained that the proposal states that 25 percent of the overflow parking may remain unpaved on larger shopping centers within the Urban Services Area. He said that there are no paving requirements for shopping centers outside the Urban Services Area. Ms. Speicher added that the number required is now based on net floor area. She added that requirements for gas stations have been reduced from 15 to 10,

and furniture stores recalculated and based on net floor space. Ms. Speicher said that a section has been added to cover shared parking when hours of operation don't coincide.

Ms. Speicher then explained the changes to the Density Development proposal. She said that it is now proposed as a Conditional Use District. Mr. Lloyd said that the vague wording on open space has been eliminated. He said that the buffer is to be opaque, and open space is not regulated as far as timbering, clearing, etc. are concerned. Ms. Speicher explained that open space is to be maintained by an owners' association or the developer of the property. She said that the intentions will be clearly stated on the CU Application and require Planning Board and Board of Commissioners approval. She said that parks and recreation fees will not apply to Density Developments. Ms. Speicher said that when a new Density Development is placed next to an existing one, the buffer may be reduced if approved by the Planning Board and Commissioners.

There was a discussion regarding buffers in the rear, and staff was asked to rewrite the section so that buffers are not allowed as part the required rear yard.

Ms. Roy pointed out another change that was made was that all Conditional Use District cases will now be treated as evidentiary hearings and require that speakers be sworn in. She said that the Commissioners already do this. Ms. Speicher added that decisions made are supposed to be based on what is stated at the hearing and not on a Board member's independent investigation possibly including visiting the sites.

Ms. Speicher pointed out some changes in the zoning districts. Mr. Averette said that side yard setbacks (50 feet) are excessive in the R87 District. Ms. Speicher said that Zero Lot Line, Manufactured Home Parks and Condominiums are included under Special Developments in Section 1003.

Ms. Speicher said that standards to help prevent light pollution have been added to the document under Lot and Yard Regulations. She then reviewed changes in the Mixed-Use District.

Mr. Lloyd said that billboards have been added as a special use in the C(P) Planned Commercial District.

Vice-Chair Morris suggested that a review process be established after the Ordinance has been in effect for one and two years. He said a clear, written procedure should be in place so that the document can be amended if necessary.

Mr. Lloyd said that 99 percent of the changes to the original Ordinance are less restrictive, and the entire document is more user friendly for individuals and developers.

Mr. Mullinax asked the difference between corner and through lots. Mr. Averette explained that a through lot has a street in front and behind it, and a corner lot has a street on the side and front.

A motion was made by Mr. Averette and seconded by Mr. Mullinax to hold a public hearing on the Draft County Zoning Ordinance on March 1, 2005 at 7:00 p.m. The motion passed unanimously.

## V. FOR YOUR INFORMATION

### A. DIRECTOR'S UPDATE

Ms. Roy handed out schedules of the 2030 Land Use Plan Executive Committee meetings including topics to be discussed. Vice-Chair Morris said that the Committee has received a strong overview from the forces that will be directing the 2030 Plan.

## VI. ADJOURNMENT

There being no further business, the meeting adjourned at 8:30 p.m.