



Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Vikki Andrews,  
Diane Wheatley,  
Carl Manning,  
Walter Clark,  
Cumberland County

Benny Pearce,  
Town of Eastover

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

*Planning & Inspections Department*

**MINUTES**

January 19, 2016

**Members Present**

Ms. Patricia Hall, Chair  
Mr. Harvey Cain, Jr.  
Mr. Benny Pearce  
Dr. Vikki Andrews  
Mrs. Jami McLaughlin  
Mr. Walter Clark  
Mr. Charles Morris  
Diane Wheatley  
Donovan McLaurin

**Members Absent**

Mr. Carl Manning

**Others Present**

Mr. Thomas Lloyd  
Ms. Patricia Speicher  
Ms. Donna McFayden  
Ms. Katlyn Allen  
Mr. Rick Moorefield,  
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. McLaurin delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA.

**Mr. Morris made a motion to approve the agenda, seconded by Dr. Andrews. Unanimous approval.**

III. PUBLIC HEARING DEFERRAL/ WITHDRAWAL

**P15-31. REZONING OF .73+/- ACRE FROM R10 RESIDENTIAL TO O&I(P) PLANNED OFFICE AND INSTITUTIONAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2444 AND 2448 HOPE MILLS ROAD, SUBMITTED BY RAFFAELLA AND MICHELE MASSA (OWNERS). DEFERRED INDEFINITELY**

**Mr. Morris made a motion to approve the deferral, seconded by Mrs. McLaughlin. Unanimous approval.**

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. APPROVAL OF THE MINUTES OF NOVEMBER 17, 2015

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

VI. PUBLIC HEARING CONSENT ITEM

TEXT AMENDMENT

A. **P16-01. REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CODE OF ORDINANCES, CHAPTER 42 ZONING BY AMENDING ARTICLE I. DEFINITIONS, SECTION 42-8. DEFINITIONS BY UPDATING THE PROVISION FOR RECREATIONAL VEHICLE PARKS AND ARTICLE II. ZONING DISTRICTS, SECTION 42-35. STATEMENT OF DISTRICT**

INTENT; PURPOSE AND ZONE CHARACTERISTICS, BY REPEALING ITEM (16) RECREATIONAL VEHICLE PARK DISTRICT (RVP(O)); AND AMENDING ARTICLE III. PERMITTED PRINCIPAL USES AND STRUCTURES, SECTION 42-63. DISTRICT USE REGULATIONS, TABLE OF USES AND ADDING SECTION 42-66. INDIVIDUAL USES, ITEM (A) RECREATION VEHICLE PARK AND/OR CAMPGROUND, INCLUDING SUB-SECTIONS (1) THROUGH (12); AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

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

The Planning and Inspections Staff recommends approval of Case No. P16-01 for a text amendment inserting specific provisions for Recreational Vehicle Parks and Campgrounds within the Town of Spring Lake based on the following:

1. If approved, the proposed amendment would restrict Recreational Vehicle Parks and Campgrounds to the CD and RR districts; and
2. The amendment was requested by the Town of Spring Lake.

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

The Planning and Inspections Staff recommends the board find that approval of the text amendment in Case No. P16-01 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan* as it is an effort to ensure that the Town of Spring Lake's zoning ordinance is updated and revised to be more consistent with county standards, which is important for annexation purposes. The proposed amendment is also consistent with the Spring Lake Area Detailed Land Use Plan as it will afford the town board the opportunity to ensure the character of the town is retained, a stated primary goal of the plan.

**Mr. Morris made both of the motions referenced above, seconded by Dr. Andrews, to follow the staff recommendations and approve the text amendment. The motions passed unanimously.**

## **REZONING CASES**

- B. **P16-03.** REZONING OF 1.38+/- ACRES FROM A1 AGRICULTURAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF NC HWY 24 (CLINTON ROAD), WEST OF PUZZLE CREEK DRIVE; SUBMITTED BY BARBARA LAYTON AND WENDELL SMITH (OWNERS) .

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

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P16-03 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "rural" because the site is not located within any Municipal Influence Area or Community Growth Area.

The staff also recommends the board approve this rezoning request as it is reasonable and in the public interest because the district requested for the subject property meets most of the location criteria of the adopted Land Use Policies Plan, in that: *septic system allowed based on soil type, lot size, and distance from public sewer*, public sewer is not available to this site; *must have direct access to a public street*, NC HWY 24 is a public street; *and must not be located in any defined critical area as defined by the Fort Bragg Small Area Study.*

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

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-03 for the R20 Residential district for residential use based on the following:

- The location and character of the requested district will be in harmony with the general area.

The R40 and R30 districts could also be considered suitable for this request.

**Mr. Morris made both of the motions referenced above, seconded by Dr. Andrews, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.**

- C. **P16-05.** REZONING OF 1.43+/- ACRES FROM A1 AGRICULTURAL AND RR RURAL RESIDENTIAL TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 6107 BEND OF RIVER ROAD (SR 1807) AND 7634 SHERRILL BAGGETT ROAD (SR 1806); SUBMITTED BY DONNA PHELPS (OWNER).

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

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P16-05 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “community growth area” at this location as the proposed district would allow development at 2.2 units or less per acre. The request is not consistent with the Vision Northeast Land Use Plan which calls for “farmland” uses at this location.

The staff also recommends the board further find that approval of this rezoning is reasonable and in the public interest because approximately 80% of the subject property is currently zoned RR Rural Residential and the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *use of septic allowed based on soil type, lot size and distance from public sewer; direct access to a public street is required, Sherrill Baggett and Bend of River Roads are public streets, and must not be located in any defined critical area as defined by the Fort Bragg Small Study Area.*

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

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P16-05 for RR Rural Residential district based on the following:

1. The RR Rural Residential district will allow for land uses and lot sizes currently allowed on the majority of the tract; and
2. The location and character of the requested district will be in harmony with the general area.

There are no other districts considered suitable at this location.

**Mr. Morris made both of the motions referenced above, seconded by Dr. Andrews, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.**

CONDITIONAL ZONING DISTRICT

- D. **P16-04.** REZONING OF .67+/- ACRES FROM R6A RESIDENTIAL TO C2(P) PLANNED COMMERCIAL AND RETAILING/CZ CONDITIONAL ZONING DISTRICT FOR GENERAL OFFICE AND TRADE CONTRACTING OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 462 BROOKLYN CIRCLE (SR 1126); SUBMITTED BY PATRICIA RENN (OWNER) AND C. GREGORY BAGLEY.

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

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P16-04 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban fringe” because the site is located in an urban area being within the Hope Mills Municipal Influence Area. The request is consistent with the Southwest Cumberland Land Use Plan which calls for “heavy commercial” at this location.

The staff also recommends the board approve this rezoning request as it is reasonable and in the public interest because the district requested for the subject property meets most of the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer available, connection to public water required, sewer is not available; must have direct access to a collector street, US HWY 301 S is a collector street; should have other light commercial uses in the area; should provide*

*convenient goods and services to the immediate surrounding neighborhood and may be located along a street that is in transition from residential to non-residential through redevelopment and physical improvements; may be located in an Activity Node or in a designated heavy commercial area.*

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

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-04 for the C2(P) Planned Service and Retail/CZ Conditional Zoning district for trade contracting and general office based on the following:

- The location and character of the requested district will be in harmony with the general area and the recently approved rezoning request.

There are no other districts considered suitable for this request at this location. The property owner has voluntarily agreed to all "Ordinance Related Conditions."

**Mr. Morris made both of the motions referenced above, seconded by Dr. Andrews, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.**

## VII. DISCUSSION

### DIRECTOR'S UPDATE

- Mr. Lloyd advised the Board that he met with a State Employees Credit Union representative and found out that County Board members could join the credit union without being a County or State Employee.
- Mr. Lloyd set the first Tuesday meeting of each month to meet at lunch for the whole Board to go over how the Land Use Policies Plan is used, where the Board sees growth based on that policies plan, and to use the time as a refresher for some and something new for new Board members. To start March 1<sup>st</sup> at noon.

## XI. ADJOURNMENT

There being no further business, the meeting adjourned at 7:18 pm.