

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Charles C. Morris,
Town of Linden



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

TENTATIVE AGENDA

February 19, 2013

7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL / WITHDRAWAL
 - A. **P12-25:** REZONING OF 2.94+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 3404, 3420 AND 3424 CUMBERLAND ROAD; SUBMITTED BY CHARLES L. MCBRIDE (OWNER). **WITHDRAWN**
 - B. **P13-02.** REZONING OF 4.21+/- ACRES FROM HS(P) PLANNED HIGHWAY SERVICES AND A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4838 J T MATTHEWS ROAD, SUBMITTED BY ROGER AND JEANETTE F. CORNETT ON BEHALF OF CORNETT PROPERTIES, LLC (OWNER). **DEFERRED UNTIL MARCH 19, 2013**
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF DECEMBER 18, 2012
- VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P12-68:** REZONING OF 6.55+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS AND R6 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 140 FARMERS ROAD AND ON THE NORTH SIDE OF SR 1612 (FARMERS ROAD), WEST SIDE OF US 401 (RAMSEY STREET); SUBMITTED BY BUTCH DUNLAP ON BEHALF OF GCMMB LLC. (OWNER).
- B. **P13-03.** REZONING OF 1.99+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED 3061 JOHN MCMILLAN ROAD, SUBMITTED BY CAROL Y. JACKSON (OWNER).

- C. **P13-04.** REZONING OF 10.36+/- ACRES FROM A1 AGRICULTURAL TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 820 AND 840 SAND HILL ROAD; SUBMITTED BY SARA C. DONALDSON, WAYMON W. AND MARGARET C. WOOD TRUSTEES (OWNERS) AND MARK CANDLER.

CONDITIONAL USE DISTRICT AND PERMIT

- D. **P13-01.** INITIAL ZONING OF 2.65+/- ACRES TO M1(P) PLANNED LIGHT INDUSTRIAL/CUD CONDITIONAL USE DISTRICT FOR MINI-WAREHOUSING AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED BETWEEN NC HWY 210 (LILLINGTON HWY) AND SR 1601 (CHAPEL HILL ROAD), NORTH OF SAMUEL DRIVE; OWNED BY PARMOUNT INVESTMENTS, LLC. (SPRING LAKE)

Note: See CUD and Permit from Case P10-07 recommended approval by Planning Board on March 16, 2010.

VIII. PUBLIC HEARING CONTESTED ITEMS

TEXT AMENDMENT

- E. **P11-20.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR "FIRING RANGE, OUTDOOR;" AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403. USE MATRIX BY INSERTING IN ALPHABETICAL ORDER A NEW ROW ENTITLED "FIRING RANGE, OUTDOOR (SEC. 907.1)" IN THE LAND USE COLUMN AND ALLOWING THIS USE AS CONDITIONAL ZONING BY INSERTING A "Z" IN THE A1 AGRICULTURAL AND M1(P) PLANNED LIGHT INDUSTRIAL ZONING DISTRICT COLUMNS ON THIS SAME ROW; AMENDING ARTICLE IX INDIVIDUAL USES BY CREATING AND INSERTING IN NUMERICAL ORDER A NEW SECTION ENTITLED: SECTION 907.1 FIRING RANGE, OUTDOOR, WITH SUB-SECTIONS "A" THROUGH "J;" AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

IX. PUBLIC HEARING WAIVER REQUEST

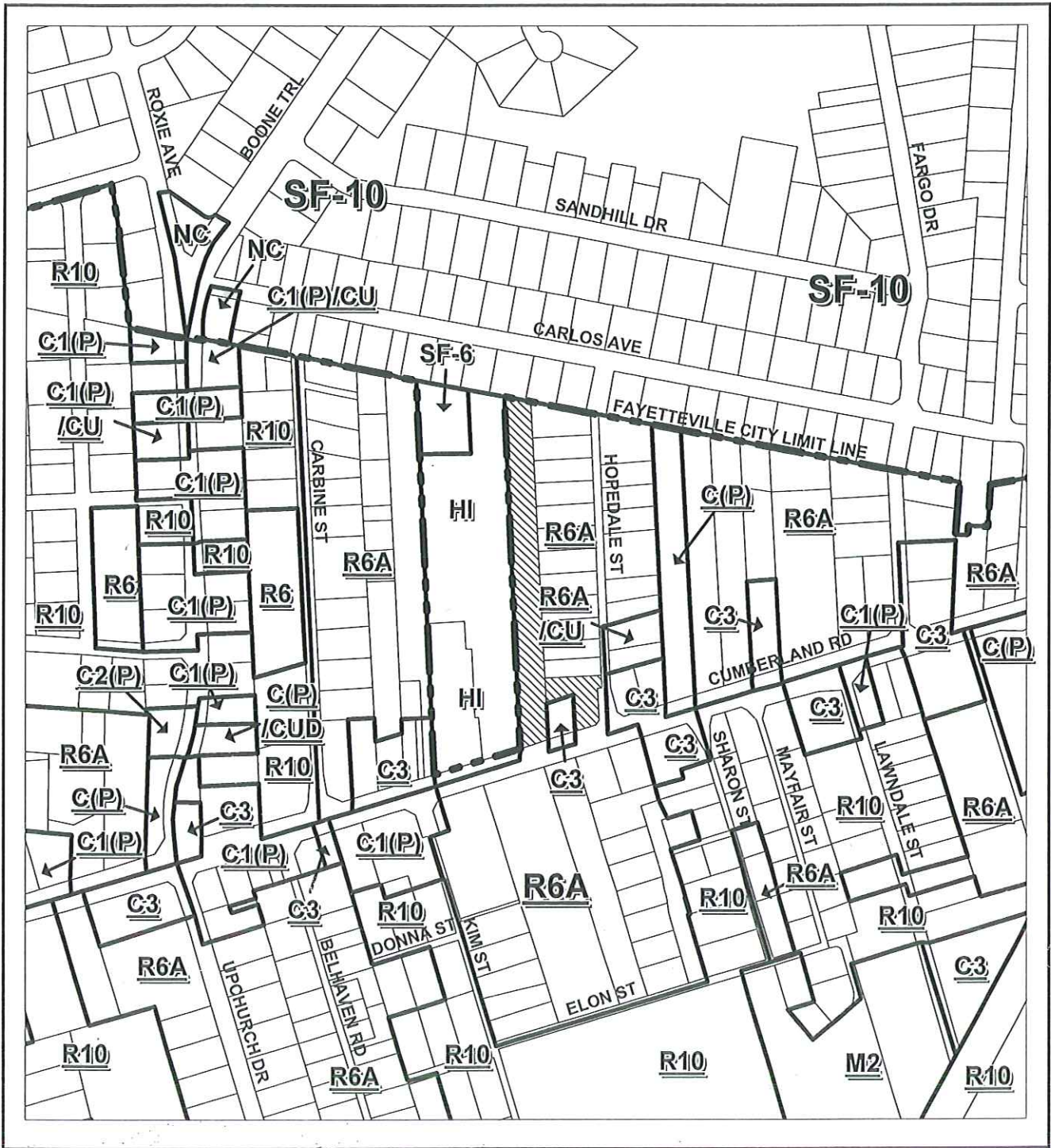
- F. **CASE NO. 12-100.** CONSIDERATION OF THE ISSAC YOUNG PROPERTY; GROUP DEVELOPMENT REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO HAVE A MINIMUM OF 20 FEET OF STREET FRONTAGE ABUTTING EITHER A PUBLIC OR PRIVATE STREET; COUNTY SUBDIVISION ORDINANCE, SECTION 2401.D STREET ACCESS; ZONED: A1; TOTAL ACREAGE: 14.20+/-; LOCATED AT 4439 CLAUDE LEE ROAD; SUBMITTED BY ISAAC YOUNG (OWNER) AND CELINDA FAIRCLOTH. (FAYETTEVILLE SSA/COUNTY JURISDICTION)

X. DISCUSSION

DIRECTOR'S UPDATE

- BOARD OF ADJUSTMENT TRAINING
- STAFF PRESENTATIONS

XI. ADJOURNMENT



N



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SCALE IN FEET

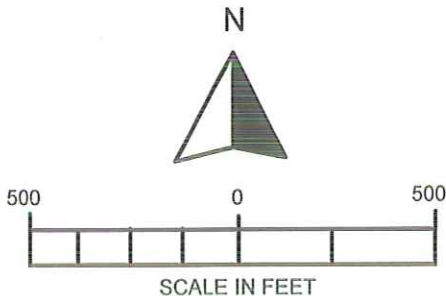
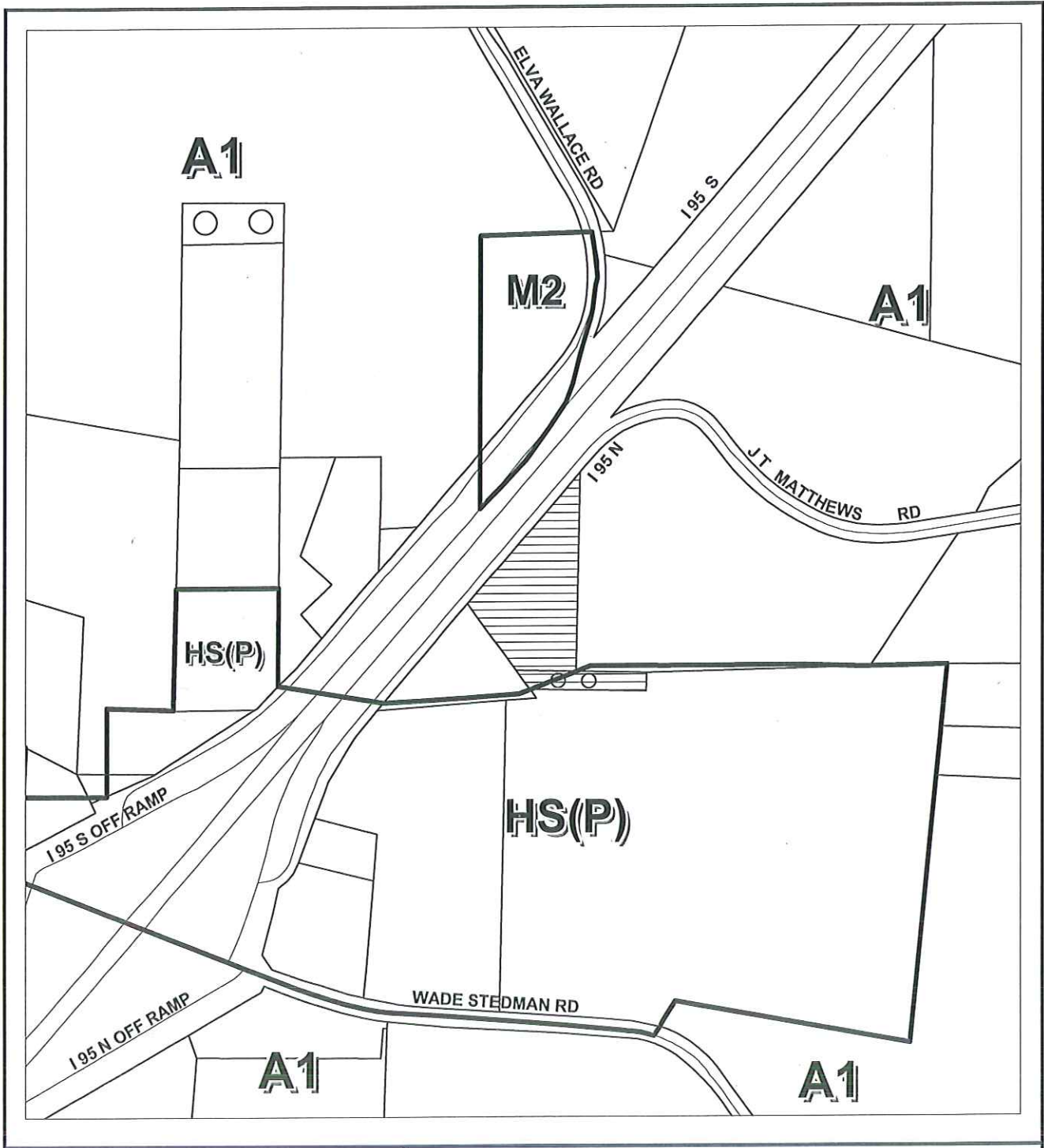
REQUESTED REZONING R6A TO C(P)

ACREAGE: 2.94 AC.+/-		HEARING NO: P12-25	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0426-01-5026
0426-00-7605

WL

WITHDRAWN BY STAFF 1/18/2013



REQUESTED REZONING A1 & HS(P) TO C(P)

ACREAGE: 4.21 AC.+/-	HEARING NO: P13-02	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0581-63-1861

AM

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February 12, 2013

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Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the February 19, 2013 Board Meeting

P12-68. REZONING OF 6.55+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS AND R6 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 140 FARMERS ROAD AND ON THE NORTH SIDE OF SR 1612 (FARMERS ROAD), WEST SIDE OF US 401 (RAMSEY STREET); SUBMITTED BY BUTCH DUNLAP ON BEHALF OF GCMMB LLC. (OWNER).

The Planning and Inspections Staff recommends denial of the request for the C(P) Planned Commercial district but approval of the C2(P) Planned Service and Retail district based on the following:

1. Although the C(P) Planned Commercial district in this area would be consistent with the location criteria of the Land Use Policies Plan of the 2030 Growth Vision Plan, all uses within the C(P) district would not be desirable nor compatible with other land uses in the general area; and
2. The recommendation of the C2(P) Planned Service and Retail district is consistent with the location criteria for the Policies Plan since the subject property has access to public water and sewer, direct access to a collector street and the recommended district would be reasonable allowing for the provision of convenient goods and services to the immediate surrounding neighborhood.

The C1(P) Planned Local Business district could also be considered suitable for this request.

The applicant has verbally agreed to the recommendation for the C2(P) Planned Service and Retail district.

Attachments:

- 1 - Site Profile
- 2 - Sketch Map

P12-68
SITE PROFILE

P12-68. REZONING OF 6.55+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS AND R6 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 140 FARMERS ROAD AND ON THE NORTH SIDE OF SR 1612 (FARMERS ROAD), WEST SIDE OF US 401 (RAMSEY STREET); SUBMITTED BY BUTCH DUNLAP ON BEHALF OF GCMMB LLC. (OWNER).

Site Information:

Frontage & Location: 95.05'+/- on US 401 (Ramsey Street) & 739.01'+/- on SR 1612 (Farmers Road)

Depth: 470.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant land

Initial Zoning: R6 – August 1, 1972 (Area 1); portion rezoned to C1(P) on October 26, 1982

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C(P), C1(P), CC (Fayetteville), R10, SF-10 (Fayetteville) & R6; South: C1(P), CC (Fayetteville), SF-10 (Fayetteville), PND, SF-6 (Fayetteville) & MR-5 (Fayetteville); East: C(P), CC (Fayetteville) & MR-5 (Fayetteville); West: R6

Surrounding Land Use: Residential (including multi-family), substation, vacant commercial buildings (2), religious worship (2), motor vehicle repair (2), convenience retail w/ gasoline sales, bank, offices (2) & woodlands

2030 Land Use Plan: Urban

North Fayetteville Land Use Plan: Heavy Commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: None

School Capacity/Enrolled: Howard Hall Elementary: 550/667; Pine Forest Middle: 820/760; Pine Forest High: 1,750/1,620

Subdivision/Site Plan: If approved, any new development will require review and approval

RLUAC: Does not object to the request but states that the properties are impacted by military aircraft noise (65dB) and are contained within a military "flight buffer". RLUAC would oppose the potential future erection of telecom tower(s) on the subject properties

Municipal Influence Area: City of Fayetteville

Average Daily Traffic Count (2010): 33,000 on US 401 (Ramsey Street)

Highway Plan: Fayetteville Outer Loop is identified in the Highway Plan as a Major Thoroughfare. This proposal calls for a multi-lane facility (U-2519) with a right-of-way of 250 feet. Road improvements have been completed for the portion between I-95 and Ramsey Street. The portion between Ramsey Street and the All American Expressway is currently under construction

Notes:

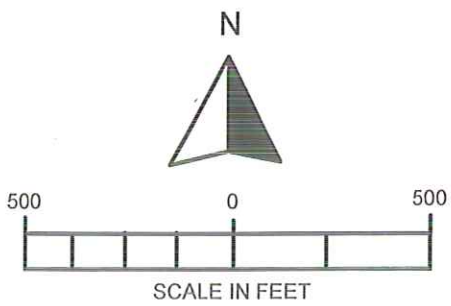
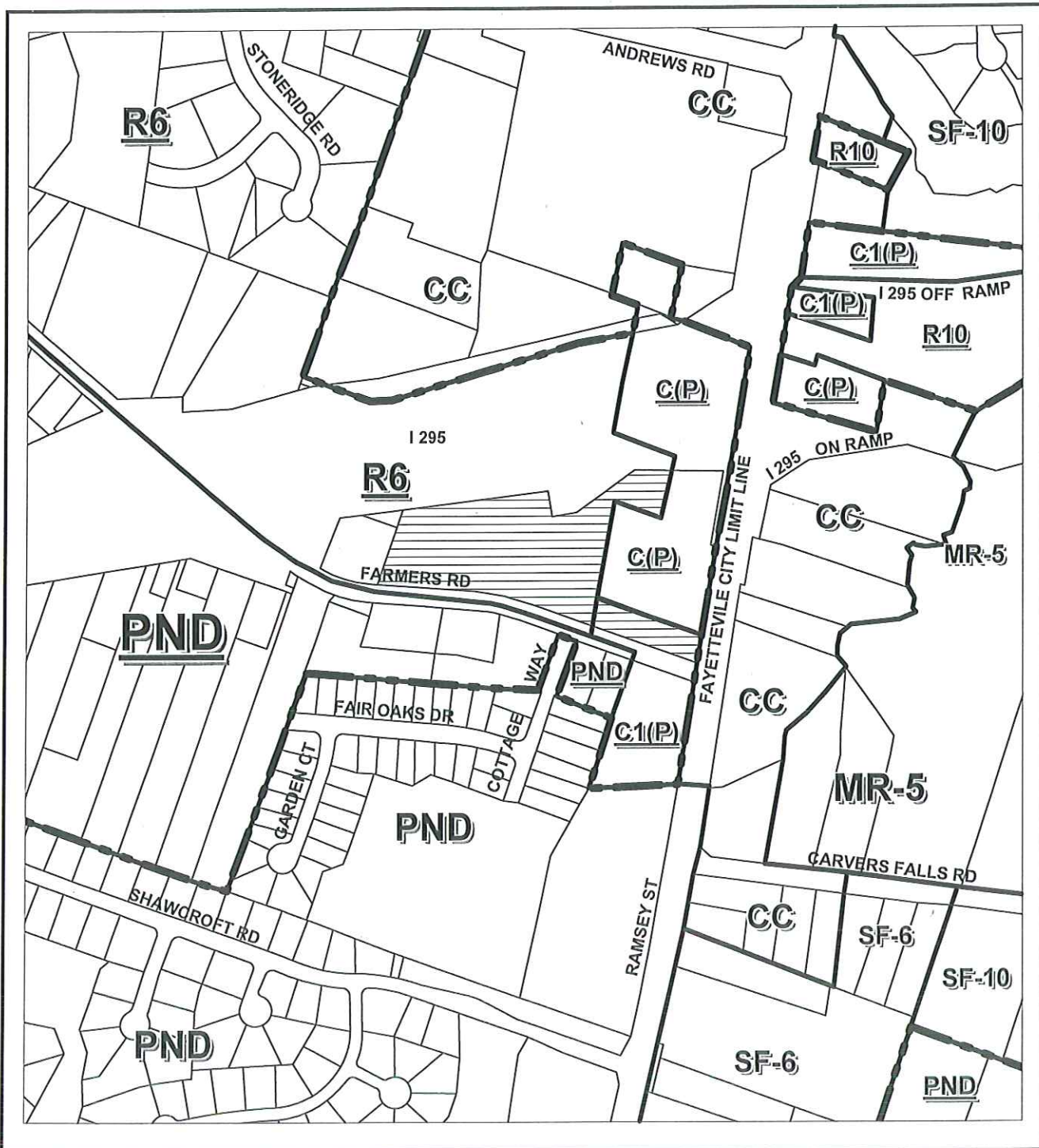
1. Density minus (15% for R/W):
R6 – 52 lots/units

2. Minimum Yard Setback Regulations:

<u>R6</u>	<u>C1(P)</u>	<u>C2(P) & C(P)</u>
Front yard: 25'	Front yard: 45'	Front yard: 50'
Side yard: 10'	Side yard: 15'	Side yard: 30'
Rear yard: 30'	Rear yard: 20'	Rear yard: 30'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



REQUESTED REZONING R6 & C1(P) TO C(P)

ACREAGE: 6.55 AC.+/-		HEARING NO: P12-68	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

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MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the February 19, 2013 Board Meeting

P13-03. REZONING OF 1.99+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED 3061 JOHN MCMILLAN ROAD, SUBMITTED BY CAROL Y. JACKSON (OWNER).

The Planning and Inspections Staff recommends approval of the R40A Residential district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for “rural” at this location, as well as meeting the location criteria for “rural density residential” development as listed in the Land Use Policies Plan; and
2. The location and character of the district is reasonable and will be in harmony with the surrounding area.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-03
SITE PROFILE

P13-03. REZONING OF 1.99+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED 3061 JOHN MCMILLAN ROAD, SUBMITTED BY CAROL Y. JACKSON (OWNER).

Site Information:

Frontage & Location: 156.26'+/- on SR 2244 (John McMillan Road)

Depth: 509.41'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant land

Initial Zoning: A1 – June 25, 1980 (Area 13)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR & A1; South: R40 & A1; East: R40, A1A & A1; West: A1

Surrounding Land Use: Residential (including manufactured dwellings), farmland & woodlands

2030 Growth Strategy Map: Rural

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: None

School Capacity/Enrolled: Gray's Creek Elementary: 495/425; Gray's Creek Middle: 1,000/999; Gray's Creek High: 1,270/1,227

Subdivision/Site Plan: If approved, new development may require review and approval

Average Daily Traffic Count (2010): 1,200 on SR 2244 (John McMillan Road)

Highway Plan: There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program

Notes:

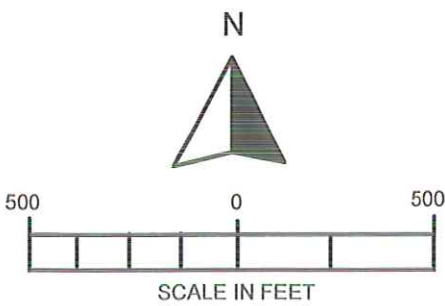
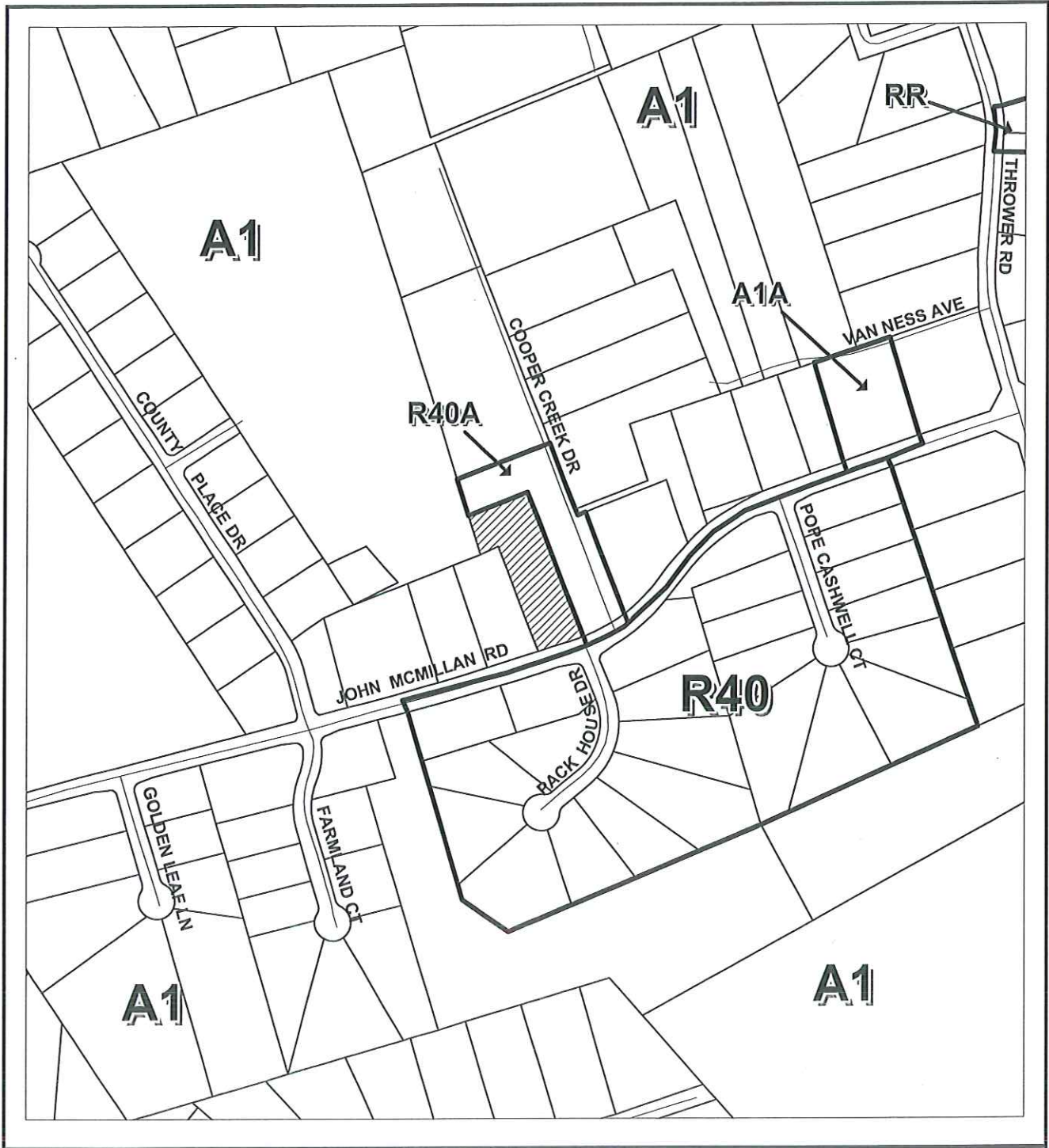
1. Density:
A1 – 1 lot/unit
R40A – 2 lots/units

2. Minimum Yard Setback Regulations:

<u>A1</u>	<u>R40A</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



REQUESTED REZONING A1 TO R40A

ACREAGE: 1.99 AC.+/-		HEARING NO: P13-03	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0431-69-8256

AM

Walter Clark,
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MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the February 19, 2013 Board Meeting

P13-04. REZONING OF 10.36+/- ACRES FROM A1 AGRICULTURAL TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 820 AND 840 SAND HILL ROAD; SUBMITTED BY SARA C. DONALDSON, WAYMON W. AND MARGARET C. WOOD TRUSTEES (OWNERS) AND MARK CANDLER.

The Planning and Inspections Staff recommends approval of the R7.5 Residential district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for “urban” at this location, as well as meeting the location criteria for “low density residential” development as listed in the Land Use Policies Plan;
2. The location and character of the district is reasonable and will be in harmony with the surrounding area; and
3. Public utilities are available to the subject property.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-04
SITE PROFILE

P13-04. REZONING OF 10.36+/- ACRES FROM A1 AGRICULTURAL TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 820 AND 840 SAND HILL ROAD; SUBMITTED BY SARA C. DONALDSON, WAYMON W. AND MARGARET C. WOOD TRUSTEES (OWNERS) AND MARK CANDLER.

Site Information:

Frontage & Location: 383.38'+/- on SR 2238 (Sand Hill Road)

Depth: 1,427.06'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant woodlands

Initial Zoning: A1 – June 25, 1980 (Area 13)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M(P) & A1; South: C(P)/CU (all uses), O&I(P)/CU (all uses), R10/CU (all uses), R6/CU (all uses) & A1; East: R10; West: A1

Surrounding Land Use: Residential, distribution center, farmland & woodlands

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: Yes, hydric – JT Johnston loam

School Capacity/Enrolled: Gallberry Farms Elementary: 900/828; Gray's Creek Middle: 1,000/999; Gray's Creek High: 1,270/1,227

Subdivision/Site Plan: If approved, any new development may require review and approval

Sewer Service Area: Yes

Average Daily Traffic Count (2010): 6,800 on SR 2238 (Sand Hill Road)

Highway Plan: Sand Hill Road is identified in the Highway Plan as a Major Thoroughfare. The plan calls for widening to a multi-lane facility (4 lane divide)

Notes:

1. Density minus (15% for R/W):

A1 – 4 lots/units

R40 – 10 lots/units

R30 – 13 lots/units

R20 – 19 lots/units

R15 – 26 lots/units

R7.5 – 51 lots/units

2. Minimum Yard Setback Regulations:

A1

R40, R30 & R20

R15 & R7.5

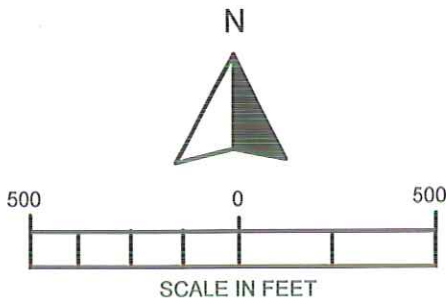
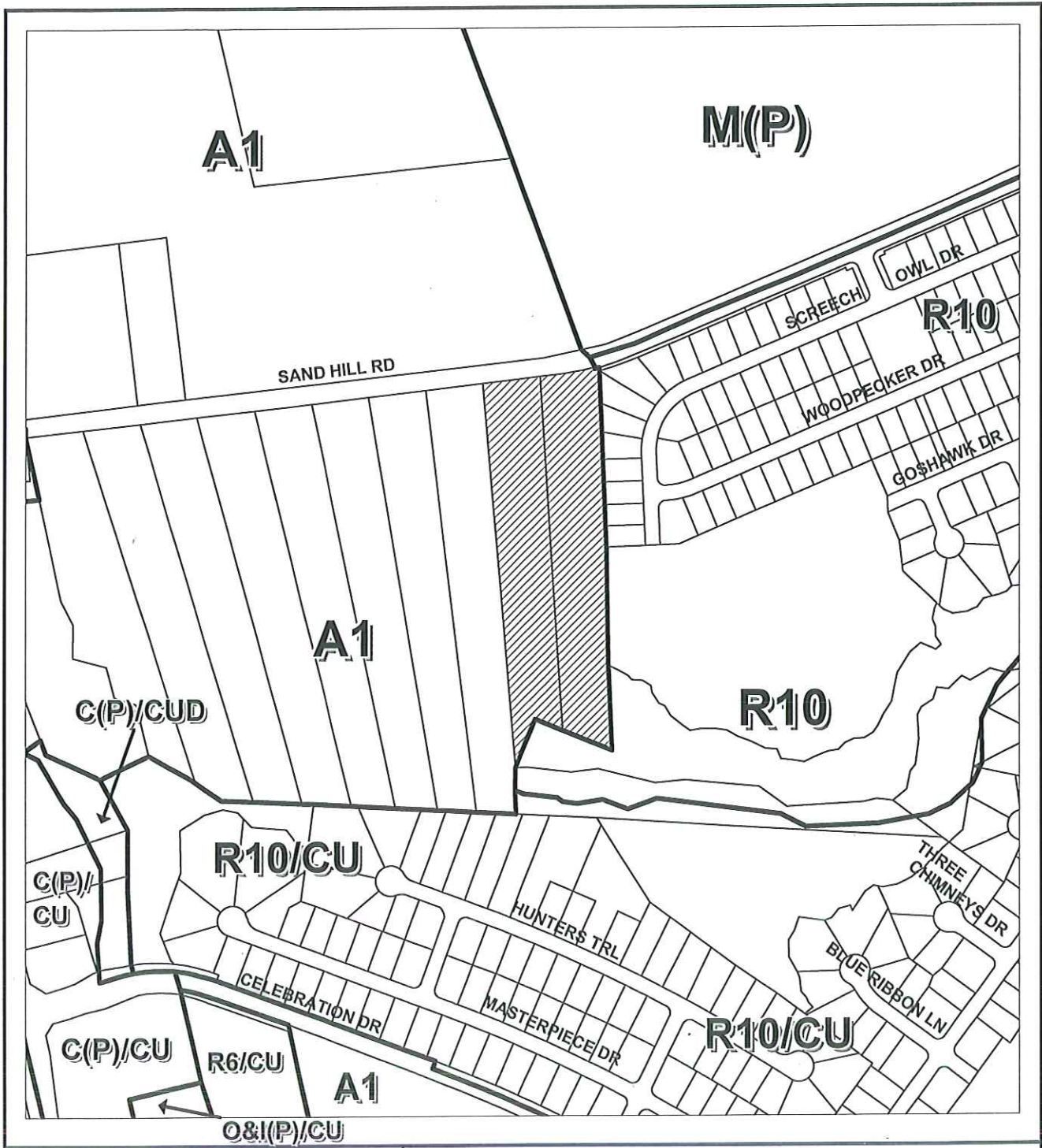
Front yard: 50' Front yard: 30' Front yard: 30'

Side yard: 20' Side yard: 15' Side yard: 10'

Rear yard: 50' Rear yard: 35' Rear yard: 35'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



REQUESTED REZONING A1 TO R7.5

ACREAGE: 10.36 AC.+/-

HEARING NO: P13-04

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

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MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the February 19, 2013 Board Meeting

P13-01. INITIAL ZONING OF 2.65+/- ACRES TO M1(P) PLANNED LIGHT INDUSTRIAL/CUD CONDITIONAL USE DISTRICT FOR MINI-WAREHOUSING AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED BETWEEN NC HWY 210 (LILLINGTON HWY) AND SR 1601 (CHAPEL HILL ROAD), NORTH OF SAMUEL DRIVE; OWNED BY PARMOUNT INVESTMENTS, LLC. (SPRING LAKE)

The Planning and Inspections Staff recommends approval of the initial zoning to M1(P) Planned Light Industrial/ CUD Conditional Use District for mini-warehousing based on the following:

1. The zoning district is consistent with the 2030 Growth Vision Plan, which calls for “urban” land uses at this location, as well as meeting the location criteria for a “light industrial” development; and
2. Approval of the M1(P)/CUD for mini-warehousing is reasonable as it will ensure consistency with the previous zoning approvals on the subject property.

The Planning & Inspections Staff also recommends approval of the Conditional Use Permit based on the declaration of a vested right by the property owner who desires to develop under the County approval and the following:

1. The use will not materially endanger the public health or safety if located according to the plan submitted;
2. The use will meet all required conditions and specifications if developed according to the site plan and application – a copy of the ordinance provisions in which the County approval pertaining to this site was conditioned upon are attached;
3. The use will maintain or enhance the value of adjoining or abutting properties in that this is a quality, well planned development that, if allowed to continue as approved, will compliment the area in which it is proposed; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with the 2030 Growth Vision Plan and adopted planning policies.

The effective date of annexation was December 10, 2012. There are no other suitable districts to be considered for this request. The property owner has agreed to all Ordinance Related Conditions.

Attachments: 1 – Site Profile 2 – Rezoning Sketch Map 3 – Site Plan 4 – Ordinance-Related Conditions 5 – Orig CUD application
6 – Planning Board Minutes dated 03/16/2010

P13-01
SITE PROFILE

P13-01. INITIAL ZONING OF 2.65+/- ACRES TO M1(P) PLANNED LIGHT INDUSTRIAL/CUD CONDITIONAL USE DISTRICT FOR MINI-WAREHOUSING AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED BETWEEN NC HWY 210 (LILLINGTON HWY) AND SR 1601 (CHAPEL HILL ROAD), NORTH OF SAMUEL DRIVE; OWNED BY PARMOUNT INVESTMENTS, LLC. (SPRING LAKE)

Site Information:

Frontage: 571.03'+/- on NC HWY 210 (Lillington Highway) and 108.00'+/- on SR 1601 (Chapel Hill Road)

Depth: 440.00'+/-

Jurisdiction: Town of Spring Lake (annexation effective December 10, 2012)

Adjacent Property: No

Current Use: Vacant land

Initial Zoning: R10 – January 7, 1977 (Area 11); portion rezoned to R6A on March 26, 1996; rezoned to M1(P)/CUD on April 26, 2010

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR/CU (to allow manufactured dwelling), R10/CU (to allow manufactured dwelling), M(P), C3, RR, R10, R6A & R6 (Spring Lake); South: C3, C(P), C1 (Spring Lake), R10, R6A & R5A (Spring Lake); East: C(P) (Spring Lake) & R5A (Spring Lake); West: C1(P) & R10

Surrounding Land Use: Residential (including manufactured dwellings and multi-family), motor vehicle repair & wrecking yard, religious worship (3), office, barbering, shopping center & woodlands

2030 Land Use Plan: Urban

Spring Lake Area Detailed Land Use Plan: Low density residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Spring Lake/Spring Lake

Soil Limitations: None

School Capacity/Enrolled: Manchester Elementary: 340/371; Spring Lake Middle: 700/496; Pine Forest High: 1,750/1,626

Subdivision/Site Plan: If approved, all related conditions of approval from case P10-07 are applicable – property owner has agreed to Ordinance Related Conditions

Average Daily Traffic Count (2010): 23,000 on NC HWY 210 (Lillington Highway) & 3,600 on SR 1601 (Chapel Hill Road)

Highway Plan: This portion of Bragg Blvd. is identified as an existing boulevard that needs improvements. It is part of the NC Strategic Highway Corridors Network. The corridor is not included in the Transportation Improvement Program

Notes: 1. Minimum Yard Setback Regulations

M1(P) – Spring Lake

Front yard: 50'

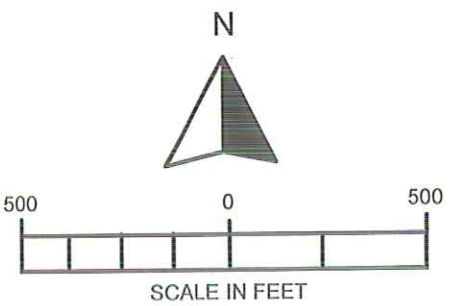
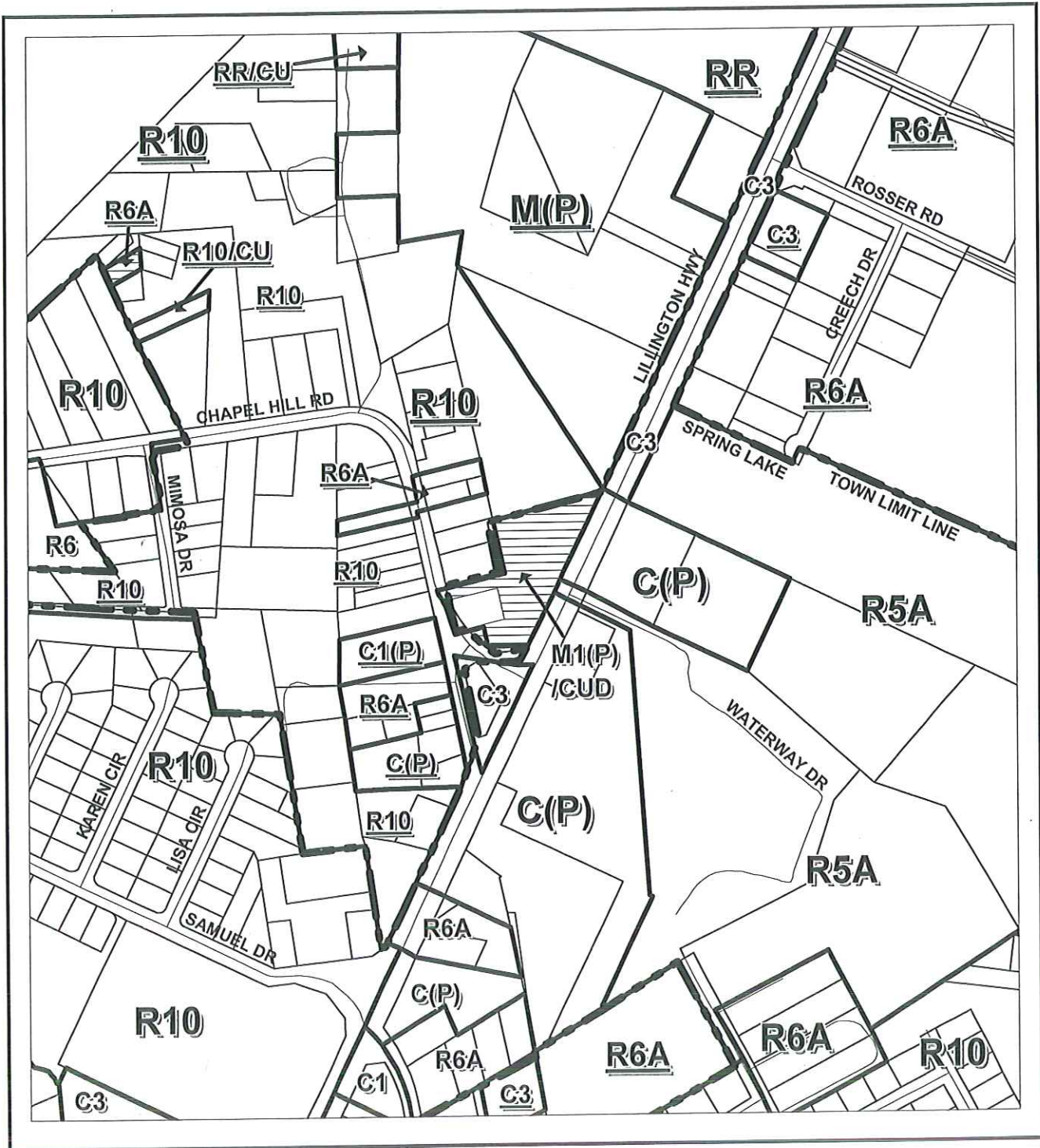
Side yard: 30'

Rear yard: 20'

2. Proposed main building is 3 stories

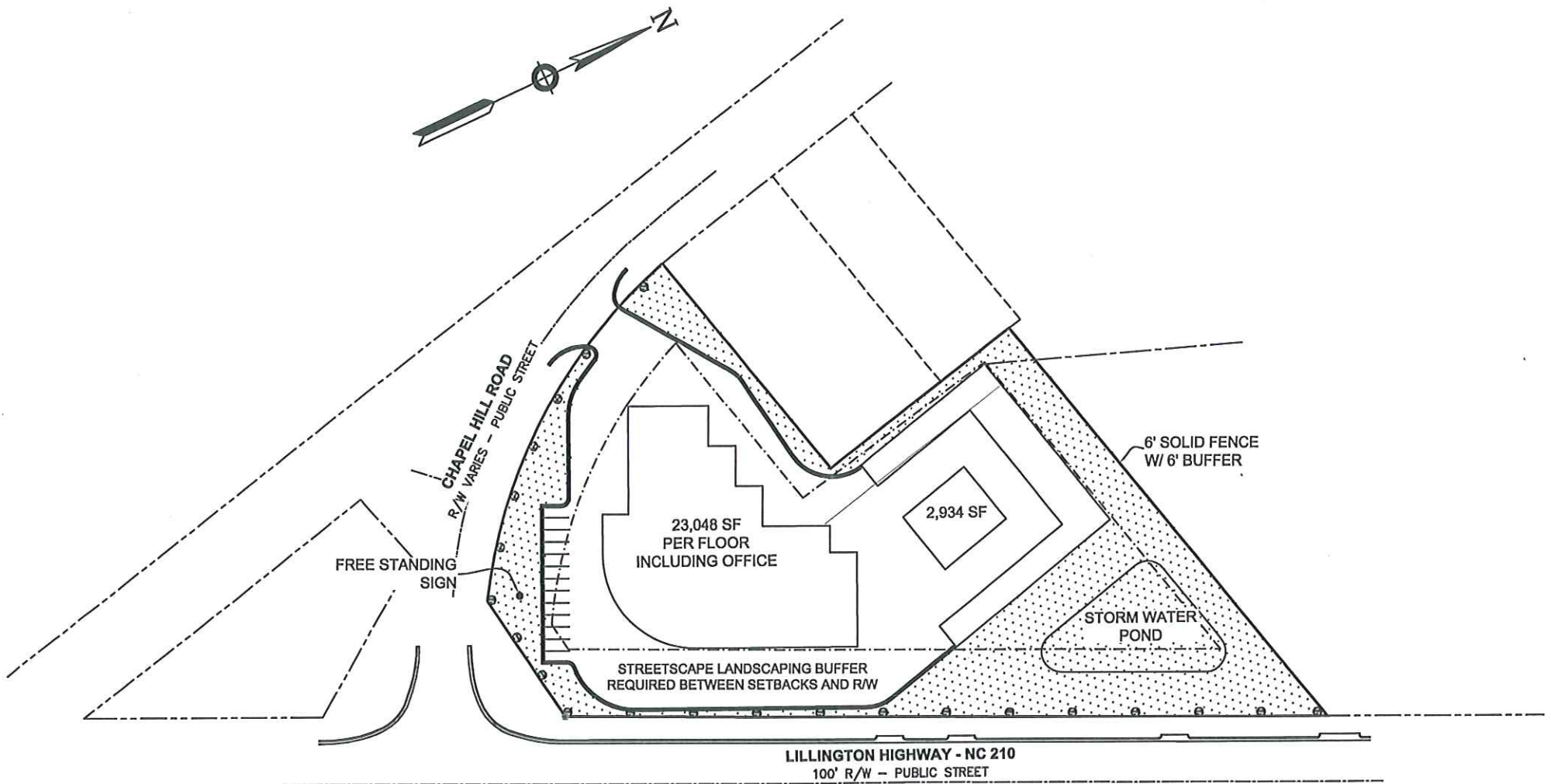
First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



INITIAL ZONING TO M1(P)/CUD

ACREAGE: 2.65 AC.+/-		HEARING NO: P13-01	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			



M1(P)/CUD CONDITIONAL USE DISTRICT & PERMIT
 REQUEST: TO ALLOW A MINI-WAREHOUSING
 CASE: P13-01 ACREAGE: 2.65 AC ±
 ZONED: M1(P)/CUD SCALE: NTS
 PARKING: AS SHOWN

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

Conditional Use District & Permit

Ordinance Related Conditions

Note: Original approved conditions have been modified to reflect the current status of this proposed development.

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Zoning Code and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street. For additional information, the developer should contact a Town Inspector.
2. Prior to application for any permits, all plans must be approved by the Town's Plan Review Committee. In the event the site plan changes as a result of the Town's Review Committee requirements, the developer must submit five copies of the revised site plan to the County Planning Staff and dependent upon the extent of the changes, may require re-review and approval by the Town Board of Aldermen.
3. Connection to public water and sewer is required, the Spring Lake Public Utility Department must approve water and sewer plans prior to application for any permits. A copy of the Spring Lake Public Utility Department's approval must be provided to the Town's Inspector at the time of application for building/zoning permits. (Section 36-66 "Water and sewer systems", Spring Lake Subdivision Chapter)
4. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Spring Lake Stormwater Department. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to Town's Inspections Department.
5. For any new development, the developer must provide the Spring Lake Inspections Department with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Town's Inspections Department at the time of application for any building/zoning permits.
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
7. The building final inspection cannot be accomplished until a Town Inspector inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the Spring Lake Subdivision and Zoning Chapters for the M1(P)/CUD zoning district and the terms of the approved Permit must be complied with, as applicable.
9. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
10. The developer is encouraged to refrain from clearing trees unnecessarily and where possible to keep and protect full grown trees.
11. The building façade must be constructed with brick or similar finishing material and no one story stand alone individual units with rollup sliding doors may face any public right-of-way.

DRAFT

12. This conditional approval is not approval of the permit for the freestanding sign. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XI of the Spring Lake Zoning Chapter 42 and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
13. A concrete, or other approved surface material, sidewalks may be required to be constructed along the existing streets; to include along NC HWY 210 (Lillington HWY) and SR 1601 (Chapel Hill Road); the sidewalks if required must be fully constructed prior to the building final inspection. [Section 36-107(f) "Sidewalks", Spring Lake Subdivision Chapter] (Note: The owner/developer is the responsible party to satisfy this requirement prior to application for permits from the Town of Spring Lake – contact the Spring Lake Inspection Department for more information.)
14. For any new development, an adequate drainage system must be installed by the developer in accordance with good engineering practices and all drainage ways must be kept clean and free of debris with the standards of Section 36-106(f) "Required drainage", Spring Lake Subdivision Chapter.
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground.
16. If a stormwater pond is required, the owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
17. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
18. Turn lanes may be required by the NC Department of Transportation (NCDOT).
19. All lighting is required to be directed internally within this development.
20. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts residentially zoned properties in accordance with the provisions of Article IX, Landscape Requirements - Section 42-228, Buffers, Spring Lake Zoning Chapter 42.
21. All dumpsters shall be buffered by an opaque fence a minimum of one foot higher than the trash receptacle with a lockable fence as required by the Solid Waste Ordinance.
22. All utility areas shall be located on concrete pads and screened on a minimum of three sides.
23. All required off-street parking spaces shall be a minimum of 8 1/2' x 20'. A minimum of one space for each 300 square feet of office of gross floor area of off-street parking spaces are required for this development. (Article X, Off-street parking and loading, Spring Lake Zoning Chapter 42.)
24. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
25. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.

Advisories:

26. The applicant is advised to consult an expert on wetlands before proceeding with any development.
27. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

DRAFT

Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Town of Spring Lake:	Paul Hoover (Public Utilities)	436-0241*
	Joseph McLamb (Fire Chief)	
	John Kelly (Inspections)	
	Patricia Hickmon (Permits)	
	Byron Blumenfield (Water & Wastewater)	
	Rhonda Webb (Town Clerk)	
Corp of Engineers (wetlands):	Crystal C. Amschler	(910) 251-4170
NCDENR (E&S):	Sally Castle	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

*This is the main telephone number for the Town of Spring Lake; once connected, the caller will be directed to the various departments.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from R6A & R-10 to C1(P) & M1(P). (SL)
2. Address of Property to be Rezoned: West of L. Winston Hwy 210 North of Chapel Hill
3. Location of Property: Spring Lake
4. Parcel Identification Number (PIN #) of subject property: 0512-01-6616, 0512-01-4661, 0512-01-6602, 0512-01-4487, 0512-01-2495, 0512-01-3316, 0612-01-4228, 0512-01-4420
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.93 3 AC. Frontage: 560 (210) Depth: 400
6. Water Provider: Well PWC Other (name) _____
7. Septage Provider: Septic Tank _____ PWC 795-416
8. Deed Book 0512-01-2495, Page(s) 0512-01-3316, Cumberland County 4407-1645
Registry. (Attach copy of deed of subject property as it appears in Registry). Plot 90-166
9. Existing use of property: residential
10. Proposed use(s) of the property: Storage
11. Do you own any property adjacent to or across the street from this property?
Yes No If yes, where? borders property-south
12. Has a violation been issued on this property? Yes No

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

1. APPLICANT/AGENT: _____
2. ADDRESS: _____ ZIP CODE: _____
3. TELEPHONE: (Home) _____ (Work) _____
4. Location of Property: _____

5. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)
6. Acreage: _____ Frontage: _____ Depth: _____
7. Water Provider: _____
8. Septage Provider: _____
9. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: _____
11. Proposed use(s) of the property: _____

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: R6A & R-10
CIP

- TO: (select one)
- Conditional Use District, with an underlying zoning district of MIP
(Article V)
 - Mixed Use/Conditional Use District (Article VI)
 - Planned Neighborhood District/Conditional Use District (Article VII)
 - Density Development/Conditional Use District, at the _____ Density
(Article VIII)

273-5016
TIM

APPLICATION FOR
CONDITIONAL USE PERMIT

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Use Permit. (Use of the underlying district will be restricted only to the use(s) specified in this application.)

Mini Storage

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

N/A

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

Per Site Plan

- B. Off-street parking and loading, Sec. 1202: List the number of spaces, type of surfacing material and any other pertinent information.

Per Site Plan

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

Per Site Plan

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

Rev Site Plan

- B. Indicate the type of buffering and approximate location, width and setback from the property lines.

Rev Site Plan

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

6. SITE PLAN REQUIREMENTS:

The application shall include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan shall be of sufficient detail to allow the Planning and Inspections Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. ACKNOWLEDGEMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (change) rests with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request, not incompatible with existing neighborhood zoning patterns.

In order for the Planning Board to offer a favorable recommendation, and for the Board of Commissioners to approve, any Conditional Use District and Permit they must find from the evidence presented at their respective public hearing that:

- A. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;
- B. The use meets all required conditions and specifications;
- C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
- D. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Cumberland County's most recent Comprehensive Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all conditions proposed for the Conditional Use Permit.

The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Rubin B. McCoy
Jubette G. McCoy
Jubette G. McCoy
RUBIN B. MCCOY

Willie Smith

NAME OF OWNERS (PRINT OR TYPE)

809 Chapel Hill RD, SPLK NC 28390
ADDRESS OF OWNER(S)

1742 SWANN ST, FAY, NC 28303

910 447 9697
HOME TELEPHONE #

Home 910-822-4971
WORK TELEPHONE #

Jubette G. McCoy
Rubin B. McCoy
SIGNATURE OF OWNER(S)

Willie Smith
SIGNATURE OF OWNER(S)

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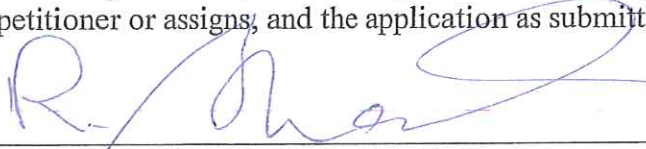
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- B. The use meets all required conditions and specifications;
- C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
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The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.


W
 Rajan Shandassani

NAME OF OWNERS (PRINT OR TYPE)

ADDRESS OF OWNER(S)

HOME TELEPHONE #

WORK TELEPHONE #


 SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

The undersigned understands that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (change) rests with the petitioner.

The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

✓✓ Juliette C. McCoy
✓✓ Rubie Brennot McCoy
NAME OF OWNERS (PRINT OR TYPE)
mccoy's
✓✓ 309 Chapel Hill Rd (Spr. Lake) 28390
ADDRESS OF OWNER(S)
mccoy's 110-4417-8697
Smith's (822-0971)
HOME TELEPHONE #
✓✓ Willie Smith Jr.
✓✓ Smith's
1743 Swann St. Fay. 28303
Juliette McCoy (910-261-6239)
Willie Smith (910-670-0224)
WORK TELEPHONE #

✓✓ Timothy B. Evans
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)
✓✓ 4239 Cameron Rd, Fay. N.C. 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT
910-273-5016
HOME TELEPHONE #
✓ Same
WORK TELEPHONE #

✓✓ Juliette C. McCoy
✓ Rubie B. McCoy
SIGNATURE OF OWNER(S)
✓ S. Bhatia
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT
✓ S. Bhatia
SIGNATURE OF OWNER(S)
✓ Timothy B. Evans

The contents of this application, upon submission, becomes "public record."

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



COUNTY *of* CUMBERLAND

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

MINUTES March 16, 2010

Members Present

Mrs. Lori Epler, Chair
Mr. Roy Turner, Vice-Chair
Mr. Benny Pearce
Mr. Walter Clark
Ms. Patricia Hall
Mr. Harvey Cain, Jr.
Mr. Donovan McLaurin
Mrs. Sara Piland
Mr. Garland Hostetter
Mr. Charles Morris

Members Absent

None

Others Present

Mr. Tom Lloyd, Director
Ms. Patricia Speicher
Ms. Donna McFayden
Ms. Melodie Robinson
Mr. Rick Moorefield
(County Attorney)

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF / ADJUSTMENT TO AGENDA

Mr. Lloyd advised the board that cases P10-09 and P07-32 would be moved from Public Hearing Consent Items to Public Hearing Contested Items.

Mr. Morris made a motion to approve the adjustments to the agenda, seconded by Mr. Hostetter. Unanimous approval.

III. PUBLIC HEARING DEFERENTIAL/WITHDRAWAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. APPROVAL OF THE MINUTES OF FEBRUARY 16, 2010.

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

VI. PUBLIC HEARING CONSENT ITEMS

CONDITIONAL USE DISTRICT AND PERMIT

- A. **P10-07:** REZONING OF 2.93+/- ACRES FROM R6A RESIDENTIAL AND R10 RESIDENTIAL TO M1(P) PLANNED LIGHT INDUSTRIAL/CUD CONDITIONAL USE DISTRICT FOR MINI-WAREHOUSING AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED BETWEEN NC HWY 210 (LILLINGTON HWY) AND SR 1601 (CHAPEL HILL ROAD), NORTH OF SAMUEL DRIVE; SUBMITTED BY WILLIE SMITH, RUBIN AND JULIETTE MCCOY AND PARMOUNT INVESTMENTS, LLC (OWNERS) AND TIMOTHY B. EVANS. (COUNTY & SPRING LAKE)

The Planning & Inspections Staff recommends approval of the requested rezoning to M1(P) Planned Light Industrial/Conditional Use District [M1(P)/CUD] for mini-warehousing based on the following:

1. The area in which the subject property is located is consistent with the location criteria as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan;
2. NC HWY 210 (Lillington HWY) is a major thoroughfare; and
3. Spring Lake water and sewer is available to this site.

The Planning & Inspections Staff also recommends approval of the Conditional Use Permit based on the following:

1. The use will not materially endanger the public health or safety if located according to the plan submitted, the proposed site layout is designed in such a manner that at a minimum the development standards of the ordinances will be met or exceeded;
2. The use and the proposed development will meet all required conditions and specifications if developed according to the site plan, application and the attached Ordinance Related Conditions;
3. The use will maintain or enhance the value of adjoining or abutting properties if developed as proposed in that the developer and property owners are proposing a high quality development that is not typical of the standard metal building with roll up doors as normally seen used for mini-warehousing; and

4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general will be developed in conformance with the development ordinances and adopted planning policies.

There are no other suitable zoning districts to be considered for this site.

Mr. McLaurin made a motion, seconded by Mr. Morris, that the Joint Planning Board finds that this Conditional Use District is reasonable, neither arbitrary nor unduly discriminatory, and in the public interest, and that the Conditional Use District with the use as recommended by the staff.

A motion was made by Mr. McLaurin and seconded by Mr. Hostetter to approve the Conditional Use Permit as recommended by the staff after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan as officially adopted by the Board of Commissioners. Unanimous approval.

- B. **P10-10: REZONING OF 1.30+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 149 WEST MANCHESTER ROAD AND WEST OF NORTH BRAGG BOULEVARD(NC HWY 87), SOUTH OF SR 1451 (WEST MANCHESTER ROAD); SUBMITTED BY SOON KU AND YOUNG HUI YUN (OWNERS) AND DON TYSON.**

The Planning & Inspections Staff recommends approval of the request for C2(P) Planned Service and Retail District based on the following:

1. The request is both consistent with the location criteria for “urban area” as listed in the recently adopted Land Use Policies Plan as well as with the Spring Lake Area Detailed Land Use Plan which calls for “planned commercial”;
2. Public utilities are available to the subject property; and
3. The Town of Spring Lake supports this request.

There are no other districts considered suitable for this request.

A motion was made by Mr. McLaurin, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P10-10 as submitted. Unanimous approval.

- C. **P10-11: REZONING OF 2.00+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS AND R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3163 CAMDEN ROAD; SUBMITTED BY GAYLE S. LANIER FOR PROGRESS ENERGY CAROLINAS, INC. (OWNER) AND ALICE S. WANN.**

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Charles C. Morris,
Town of Linden



CUMBERLAND
COUNTY
NORTH CAROLINA

Planning & Inspections Department

January 16, 2013

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

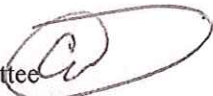
Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Charles Morris, Moderator, Land Use Codes Committee 

SUBJECT: **P11-20.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR "FIRING RANGE, OUTDOOR;" AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403. USE MATRIX BY INSERTING IN ALPHABETICAL ORDER A NEW ROW ENTITLED "FIRING RANGE, OUTDOOR (SEC. 907.1)" IN THE LAND USE COLUMN AND ALLOWING THIS USE AS CONDITIONAL ZONING BY INSERTING A "Z" IN THE A1 AGRICULTURAL AND M1(P) PLANNED LIGHT INDUSTRIAL ZONING DISTRICT COLUMNS ON THIS SAME ROW; AMENDING ARTICLE IX INDIVIDUAL USES BY CREATING AND INSERTING IN NUMERICAL ORDER A NEW SECTION ENTITLED: SECTION 907.1 FIRING RANGE, OUTDOOR, WITH SUB-SECTIONS "A" THROUGH "J;" AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

The Land Use Codes Committee has considered the above referenced text amendment to the County Zoning Ordinance and recommends approval of the proposed amendment as attached.

The amendment is necessary to ensure that the Cumberland County Zoning Ordinance contains specific provisions related to the land use impacts resulting from the operation of outdoor firing ranges. If adopted the provisions are intended to ensure the ranges are in an appropriate location with sufficient land area, have appropriate safety measures in place and provide a safe environment for the users of the facility as well as the occupants/owners of surrounding properties.

The committee recommends the review process require Planning Board consideration with the board's recommendation presented to the County Commissioners at public hearing for final determination.

Please contact me with any questions at 910-323-3161, email: charles@morriscoyler.com or Patti Speicher at 910-678-7605 or email: pspeicher@co.cumberland.nc.us.

Attachment:

1. P11-20 County Zoning Ordinance Text Amendment – Outdoor Firing Ranges
2. Sections 4 & 6 and Attachments 1-2 thru 1-20, Range Design Criteria, U.S. Dept. of Energy Office of Health, Safety and Security (June 2012)
3. Listing of Known Existing Ranges in Cumberland County
4. Listing of Various NC Counties Outdoor Firing Range Requirements

P11-20
COUNTY ZONING ORDINANCE TEXT AMENDMENT
(Outdoor Firing Ranges)

P11-20. REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR "FIRING RANGE, OUTDOOR;" AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403. USE MATRIX BY INSERTING IN ALPHABETICAL ORDER A NEW ROW ENTITLED "FIRING RANGE, OUTDOOR (SEC. 907.1)" IN THE LAND USE COLUMN AND ALLOWING THIS USE AS CONDITIONAL ZONING BY INSERTING A "Z" IN THE A1 AGRICULTURAL AND M1(P) PLANNED LIGHT INDUSTRIAL ZONING DISTRICT COLUMNS ON THIS SAME ROW; AMENDING ARTICLE IX INDIVIDUAL USES BY CREATING AND INSERTING IN NUMERICAL ORDER A NEW SECTION ENTITLED: SECTION 907.1 FIRING RANGE, OUTDOOR, WITH SUB-SECTIONS "A" THROUGH "J;" AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (COUNTY 03/18/13*)

1. **AMEND** Article II Interpretations, Calculations, and Definitions, Section 203. Definitions of Specific Terms and Words, by **INSERTING** in alphabetical order the following definition:

Firing Range, Outdoor: A facility, including its component shooting ranges, safety fans or shotfall zones, parking areas, all structures for classrooms, administrative offices, ammunition storage areas and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms or the practice of archery. For purposes of this ordinance, outdoor firing ranges are a principal use of property and therefore, shall not be considered incidental or accessory. This definition does not include occasional target practice by an individual on property owned or leased by the individual or the individual's immediate family or temporary turkey shoots conducted on a property no more than 12 days in any calendar year. (Sec. 907.1)

2. **AMEND** Article IV Permitted, Conditional, and Special Uses, Section 403. Use Matrix, by **INSERTING** in alphabetical order in the *Land Uses* column the term **FIRING RANGE, OUTDOOR (Sec. 907.1)** with the new row reflecting that outdoor firing ranges are allowed with Conditional Zoning approval as indicated by **INSERTING** an "**Z**" in the **A1** Agricultural and **M1(P)** Planned Light Industrial zoning district columns.

3. **AMEND** Article IX Individual Uses, by **INSERTING** in numerical order **SECTION 907.1. FIRING RANGE, OUTDOOR**, including sub-sections, as follows:

SECTION 907.1. FIRING RANGE, OUTDOOR.

A. A detailed site plan complying with the provisions of Article XIV shall be submitted for review and if approved, all applicable permits must be obtained prior to commencement of range activity. The detailed site plan shall be sealed by a North Carolina registered engineer attesting that the proposed plan incorporates the specific safety and design standards for outdoor firing range provisions and live fire shoot house provisions, if applicable, as set out in Section 4, Outdoor Range Design; Section 6, Live Fire Shoot House; and Attachments 1-2 through 1-20, of the *Range Design Criteria* (June 2012) as published by the US Department of Energy's Office of Health, Safety and Security for the type of range proposed; except that Section 4.b(10), the second sentence of Section 4.c(7) and Section 6.a(1) shall not be considered for the reason that these sections are specific to the needs of the DOE.

[Editor's note: If adopted, a link to the *Range Design Criteria* publication will be provided for this sub-section on the County's website. A hardcopy will be made available to the public in the office of the Land Use Codes section of the Planning & Inspections Department.

B. The site on which the outdoor firing range is proposed shall contain a minimum of 500 acres within a tract or contiguous tracts owned or leased under a recorded lease to the owner/operator of the outdoor firing range. The detailed site plan shall show the boundary of the subject property in its entirety and shall further disclose all existing uses, if discernible, and structures within a distance of 300 feet from the boundary.

C. Surface danger zones shall be located entirely on the subject property and shall be designed to contain all projectiles and debris caused by the type of ammunition, targets and activities to be used or occur on the property. The layout of the proposed range(s) with the accompanying safety fans shall be delineated on the required site plan for each/all range(s) to be constructed on the property.

D. A 60 foot wide buffer, undisturbed except for fence installation and vegetative planting, shall be provided around the entire perimeter of the subject property and shall also be delineated on the detailed site plan.

E. A firing range facility must have access to an approved private street or a public street.

F. Unauthorized access to the firing range facility shall be controlled while firearms are being discharged.

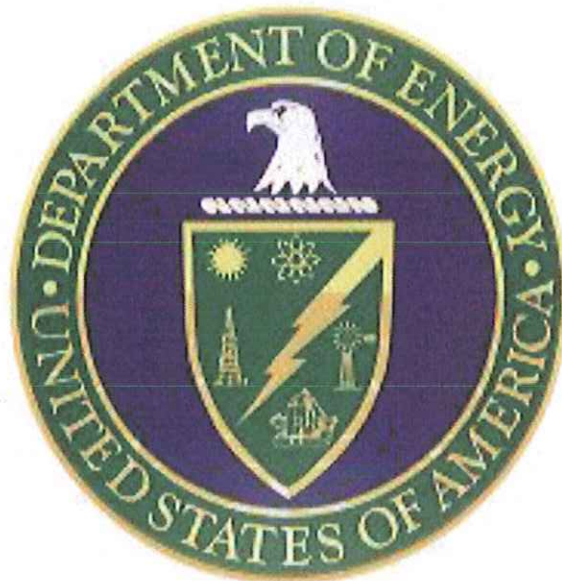
G. The developer/operator of the firing range facility shall provide to Code Enforcement at the time of application for the building final inspection, a certification prepared by a North Carolina registered engineer that the firing range facility operator has an environmental stewardship plan, which may include semi-annual soil and water sampling, regular liming of the soil to prevent lead migration, reclamation and recycling of the lead and is compliant with the Best Management Practices, specifically relating to lead management, as specified by the Environmental Protection Agency's (EPA) most current edition of *Best Management Practices for Lead at Outdoor Shooting Ranges*.

H. If any firing range facility or the use thereof is intended to be substantially changed or expanded to include types of ranges, operations, munitions or activities not covered by the most current conditional approval or pre-existing status, re-submittal/submittal of the site plan for the entire firing range facility for review and approval shall be required prior to commencement of the change or expansion. This provision applies regardless whether or not the firing range facility was in existence prior to the adoption of this section.

I. All outdoor firing range facilities shall maintain general liability insurance coverage in an amount of not less than One Million Dollars through an insurance company licensed to do business in North Carolina. The policy shall not exclude coverage for property damage or personal injury caused by the discharge of firearms.

J. All other applicable Federal, State and local regulations, to include the County's Noise Ordinance, shall be strictly adhered to.

RANGE DESIGN CRITERIA



U.S. DEPARTMENT OF ENERGY
Office of Health, Safety and Security

AVAILABLE ONLINE AT:
<http://www.hss.energy.gov>

INITIATED BY:
Office of Health, Safety and Security

- (2) The range master/manager, training manager, safety manager, industrial hygienist, appropriate operating personnel and public works engineer should review and approve the design requirements during the planning phase, before the construction drawings are started, and during the construction phase.

4. OUTDOOR RANGE DESIGN.

a. Site Selection.

- (1) Outdoor range sites should be remote from other activities but accessible by road. SDZs should not extend across traveled roads, navigable waterways, railroads, or other areas.
- (2) To protect against unauthorized access, SDZs should be controlled while firearms are being discharged. To prevent future encroachment, SDZs should be recorded on site maps.
- (3) If other methods to control access to SDZs are not effective, then the zones should be fenced in. Natural barriers around the site; e.g., rivers, hills or a large drainage channel may be used to prevent encroachment and will ensure privacy. The best site is one with a natural backstop for projectiles to reduce the cost of constructing earth impact berms and to provide natural sound abatement.
- (4) Outdoor ranges should be oriented to eliminate firing into the sun. The range should be oriented to the north or slightly to the northeast. The ideal direction is between due north and 25° northeast.

b. Range Planning.

- (1) Firing into upward sloping land and land with natural backstops of hills or mountains is recommended.
- (2) Firing platforms, access roads, and targets should be elevated above the flood level.
- (3) The line of fire in rough terrain should be perpendicular to high ground. The line of fire on flat terrain should be free of knolls, ridges, and trees that reduce visibility.
- (4) Known distance ranges should be as flat or evenly graded as possible. If the grade between the firing points and target does not exceed 2 percent, then the firing points may be below the target.
- (5) Roads used for setting and servicing targets in impact areas and for maintenance of earth berm may be graded pathways. Roads in areas not subject to disturbance; e.g., vehicle parking areas, and roadways behind

firing lines or out of range of weapons, should be designed for anticipated vehicle weight and usage.

- (6) The ground between the targets and firing line should be free of any hardened surface (smooth-surfaced walkways excepted) such as rocks or other ricochet-producing material.
 - (7) The surface may be sodded or planted with low-growing ground cover.
 - (8) The surface should be smooth, firm, and graded to drain away from the targets. A slight side-to-side grade of 1 percent to 2 percent should be provided for storm water runoff. For baffled ranges, the lateral slope should not exceed 2 percent because of the geometry of the baffle system.
 - (9) The overall size will be governed by the range distance and number of firing positions.
 - (10) Range distances from the firing line to the target are determined by the approved DOE qualification courses of fire for all weapons available for use by Protective Force (PF) personnel and by site-specific training courses of fire. The distances from the firing line to the target should be accurate to ± 0.1 percent. It is important that any inaccuracy in the firing line-to-target distance is a greater, rather than lesser, distance (e.g., 101 yards for a 100-yard range instead of 99 yards).
 - (11) Shooters should have secure footing.
- c. Surface Danger Zones. SDZs should be established to contain all projectiles and debris caused by firing ammunition and explosives (see Table 1). SDZ dimensions are dictated by the types of ammunition, types of targets, and types of firing activities allowed on the range. A basic SDZ consists of three parts: impact area, ricochet area, and secondary danger area (Figure 1). Figures 2 through 6 illustrate the application of the basic parts in the design of SDZs for various kinds of range activities.
- (1) The primary danger area established for the impact of all rounds extends 5° to either side of the left and right limits of fire and downrange to the maximum range of any ammunition to be used on the range.
 - (2) The ricochet area is 5° to either side of the impact area and extends downrange to the maximum range of any ammunition to be used on the range.
 - (3) The secondary danger area is that area paralleling, and 100 yards outside of, the outermost limits of the ricochet area and extending downrange to the maximum range of any ammunition to be used on the range.

- (4) Boundaries of SDZs must be posted with permanent signs warning persons of the danger of the live-fire range and prohibiting trespassing. The signs must be posted in a way that will ensure a person cannot enter the SDZ without seeing at least one legible sign (i.e., usually 200 yards distant or less).
 - (5) Limit of fire markers, both external and internal, must be placed to denote right and left limits of fire. Where cross firing is to be conducted, internal limit markers must be emplaced to denote internal right or left limits of fire from specific firing positions.
 - (6) Ranges may be located parallel to one another if in compliance with Figure 19 for separation.
 - (7) When there is insufficient distance to lay out a new range with the required SDZ or utilize other ammunition with a maximum range that does not exceed the SDZ, engineered or administrative controls can be used to control firing on that range. Permission to deviate from established SDZ requirements must be granted by the DOE cognizant security authority and supported by a safety risk analysis.
 - (8) Administrative controls such as use of the low-ready position or engineered controls such as muzzle traverse/elevation limiters can be used to control the firearm. Natural terrain such as a mountain or a hill provides an excellent backstop for firing. The terrain should be high enough to capture rounds fired at up to a maximum 15° muzzle elevation.
 - (9) To change the size and shape of an SDZ, baffles may be installed. Partial and full baffle systems consist of the following components: overhead baffles, a canopy shield over firing points, bullet impact berm, and side berms, sidewalls, or side baffles. A fully baffled range must be constructed so all direct fire can be contained within the range (see Figures 7 and 8).
- d. Support Facilities. Range planners should consider the site-specific need for the following range support facilities.
- (1) Targets.
 - (2) Target storage.
 - (3) Bunkers, trenches, and protective barriers for personnel protection.
 - (4) Range control towers.
 - (5) Toilets.
 - (6) Range poles, banners, markers, and signs.

- (7) Communication systems.
- (8) Access and range roads.
- (9) Parking areas.
- (10) Potable water.
- (11) Target maintenance.
- (12) Ammunition storage.
- (13) Power.
- (14) Sewer.
- (15) All other necessary utilities.

Table 1. Maximum Range of Small Arms Ammunition

Maximum Range of Small Arms Ammunition	
Caliber	Maximum range of small arms ammunition (distance in meters/yards)
.22 long rifle	1400/1531
.38 revolver	
Ball, M41	1600/1749
Ball PGU-12/8	1900/2077
.40 pistol	
Ball	1783/1950
JHP	1908/2086
Frangible	1000/1093
.45 pistol	1500/1640
.45 submachine gun	1600/1749
.357 magnum	2160/2362
9mm pistol	1740/1902
9mm submachine gun	1920/2099
.44 magnum	2290/2504
.50 machine gun	
Ball, M33	6500/7108
AP, M26	6100/6671
12 gauge shotgun, riot 00 buckshot	600/656
.30 rifle and machine gun	
Ball, M23	3100/3390
AP, M2	4400/4811
.30 carbine	2300/2515
5.56mm rifle	
Ball, M193	3100/3390
7.62mm rifle and machine gun	
Ball, M80	4100/4483
Match, M118	4800/5249
40mm	
M79	400/437
Mk-19 40mm	2200/2406

e. Design Criteria.(1) Firing Line Items. Provide the following components:

- (a) Floor Surface. The surface should be smooth, firm, and graded to drain away from the targets. A slight side-to-side grade of 1 percent to 2 percent should be provided for storm water runoff. Transverse firing line grading should match target line transverse grading. The distance between the firing line(s) must be sufficient to support the type of training conducted. Firing lanes must be clearly marked on the surface to match the targets. Depending on the number of personnel to be supported and the funds available, the following surfaces should be considered:
- 1 ground firmly compacted with mown grass;
 - 2 sand or fine gravel;
 - 3 wood decking of sufficient thickness and support to prevent movement; and
 - 4 concrete topped with appropriate cushioning material.
- (b) Overhead Containment. On partially and fully baffled ranges, a ballistic canopy (see Figure 9) should be provided over all locations where a weapon may be expected to be discharged (firing line, by definition). Figure 9 represents one construction approach, but the canopy must contain the direct fire effects of the most energetic round fired on the range. This canopy should begin at least 3 feet behind the firing line. General structural requirements may dictate more distance. The canopy should extend forward a minimum distance of 13 feet minimum, which will work geometrically with the first overhead baffle to prevent a weapon from firing directly out of the range (see Figures 16 and 17). The canopy should be constructed of ballistic material with sacrificial cladding as described below. Sound reduction ceiling waffles should be considered. Weather roofing is required above the ballistic material and it must slope sufficiently to drain.

(2) Firing Point. The depth of the firing point is determined by the shooting activity; e.g., rifle firing requires more depth than pistol firing.

- (a) The minimum depth of the firing point is the area required for the shooter, shooter's equipment, scorers, and range officers. For example, a pistol range might have a firing line approximately 6 to 10 feet deep, while a rifle range would have a firing line up to 20 feet deep. This variation is based on available space, type of

shooting, size of target frames and carriers, and the spacing of target frames or carriers.

- (b) For rifle ranges, each firing point should be 9 feet wide (see Figure 10). Firing lanes for pistols and shotguns should be 5 feet center to center (see Figure 11).
- (3) Ballistic Material. The purpose of this material is to absorb, deflect, or fragment projectiles. Material for baffles on partially and fully baffled ranges is shown in Figures 12 and 18. Wood that is used should be of middle grade exterior timber or plywood. Timber in contact with the ground must be pressure-treated for this purpose. Avoid exposed connectors if possible. Refer to Table 2, Thickness of Material for Positive Protection Against the Caliber of Ammunition Listed, for the thickness of various materials.
- (4) Sacrificial Cladding. Provide ¾-inch thick plywood with a ¾-inch air gap on any surfaces (baffles, wing walls, metal connectors, etc.) that are within 11 yards of the firing line to prevent back splatter.
- (5) Firing Line Cover Material. The firing line should be covered to protect the shooter and allow activities to be held regardless of the weather. On ranges with several firing lines, the cover is generally installed at the longest firing distance. The firing line covers described below are for shelter only and should not be confused with the ballistic firing line canopies required on baffled ranges. Material that can be used for firing line covers includes wood, concrete, steel, and plastic. Most covers are constructed from wood products and are a shed or gable roof design. In some cases, corrugated metal or fiberglass roofing material can actually increase sound levels at the firing line and in areas around the range. Therefore, to reduce noise, corrugated metal or fiberglass roofing material should not be used unless it is acoustically treated. The structure should be designed to include the following:
 - (a) The shed roof should have a 6-inch cavity filled with fiberglass insulation (or equivalent) and be enclosed on the bottom with ¾-inch plywood or insulation board. Although this will not provide a completely effective sound barrier, sound waves will strike and penetrate the inside layer of plywood, and the sound will be reduced;
 - (b) A plywood shed roof should have a 6-inch hollow core enclosed with a small grid mesh screen and a six-mil polymer barrier to retain the insulation. The intervening space should be filled with blown-in insulation to trap sound waves and reduce the drum effect of an open roof; and

- (c) A gable roof has a large hollow area above the joists; however, additional sound damping materials should be installed to reduce the drum effect and the sound pressure level as they are reflected onto the firing line area. The underside of the roof surface will require a minimum of 4 inches of insulation to fill in between the rafters and a minimum of 3 inches of insulation above the ceiling and between the joists. This will reduce the drum effect caused when sound waves strike surface material (e.g., corrugated metal) and will absorb a portion of the reflected sound waves.
- (6) Surface Material. Positions should be hard-surfaced (e.g., concrete, gravel, wood, asphalt, or sod).
- (a) For ranges where prone shooting is conducted, gravel or similar materials may cause difficulty for the shooter. When the surface material is concrete or asphalt, shooting mats or padding will be required when the kneeling or prone positions are used.
 - (b) For ranges with multiple firing lines, hard-surfaced firing lines located downrange of another firing line should be recessed or shielded from bullet impact to avoid ricochets off exposed edges.
- (7) Landscaping. The site should be landscaped to provide for erosion control, noise abatement, maintenance, appearance, fire protection, and safety.

NOTE: Any landscaping will complicate the removal of lead in the berms, especially on impact surfaces, and will create higher maintenance costs.

- (a) Berms should be planted with grass to prevent erosion. Ground cover is acceptable on existing berms that have been maintained and where erosion is not a problem.
- (b) When grass is selected as a ground cover, it should be appropriate for the geographic area and should readily grow and provide good coverage. The degree of shading caused by overhead baffles will determine the type of grass for the range floor. Use grasses and cover for earth berms that will not be accessed by moving equipment so that natural growth heights will be acceptable. In areas where the soil is poor or extremely sandy, plants such as Bermuda grass, ice plant, or vine root can be used to control soil erosion.
- (c) Heavy landscaping may be used to cut down on noise transmission. Plants and trees may be planted behind the firing position shelters to alleviate noise transmission problems.

Soundproofing the firing line structures should be considered in problem areas. Trees should be kept away from firing lines to allow range control officers to see all shooters.

- (d) For windbreaks, trees may be planted along the length of the range with partial side berms or wing walls where strong prevailing crosswinds are problems to shooting accuracy.
 - (e) Densely planted rows of fast-growing, compact, and thorny shrubs may be planted below the trees at ranges with partial berms or wing walls to abate noise, prevent encroachment, and alleviate crosswind problems.
- (8) Target Line and Mechanisms. Components must be as follows:
- (a) The target line should be a minimum of 30 feet from the toe of the impact berm. The distance between targets must be the same as the distance between firing positions.
 - (b) Target line bases must match grading with the firing line. Mechanical target support bases must be protected from the direct line of fire. They may be buried flush with the ground or placed behind a protective wall. Note that a small raised earth berm at this location generates significant ricochet. The complexity of the mechanism will dictate the protection requirement. See Figure 13 for wall or trench protection of high cost target line mechanisms.
 - (c) Target supports can be made of steel angles and channels, PVC pipe or wood. Do not use metal parts within 33 feet of the firing line where direct fire strikes are anticipated. Discharging weapons close to metal surfaces is extremely dangerous. Present the smallest surface area that is structurally sound to the line of fire to minimize ricochet. Design the target holders for easy and inexpensive replacement. Portable, self-supporting 2- by 4-inch wood frames or 2-inch by 2-inch wood plank placed into buried PVC pipe work well on simple ranges. The full face of the target must be visible to the shooter.
 - (d) Turning targets and the display time are at the discretion of the user. Commercially available, electrically motorized target carrier and electronic scoring systems should be considered where economically feasible.
 - (e) On open ranges, a single target line with multiple firing lines is preferred. On partially or fully baffled ranges, in most instances, a single firing line with multiple target lines will produce the most cost-effective range because of the firing line canopy. An

extremely advanced target mechanism may be significantly more expensive than multiple canopies.

- (9) Impact Structures. The structure varies depending on the type of range. Natural terrain such as a mountain, cliff, or steep hill may be incorporated into impact structures provided the completed structure complies with the minimum design requirements. Acceptable structures by range type are listed below.
- (a) For open ranges, the top elevation of the earth impact berm should be 26 feet above the range surface for ranges 100 yards long or longer and 16 feet above the range surface for ranges 50 yards long or less. The impact berm should extend 50 yards beyond where the target line ends for 100-yard-long ranges or until joining with the side containment, if provided for ranges 50 yards long or less.
 - (b) The suggested elevation may be met by designing a combination of earth berm and vertical baffle (see Figure 14). The earth berm portion should have a top elevation of 16 feet above the surface of the range. The vertical baffle should be constructed of ballistic material and designed to withstand local seismic and wind loads. This combination arrangement would reduce the footprint and the amount of material in the earth berm.
 - (c) The preferred slope of the impact berm face is 1 to 1 or steeper. The steeper the slope, the more likely the berm is to absorb projectiles. The top should be 10 feet wide. The impact slope should be constructed with a 3-foot layer of easily filtered soil (to reclaim the lead projectiles) free of boulders, trees, rocks, stones, or other material that will cause ricochet. The rear slope should be appropriate to the native soil and maintenance requirements.
 - (d) For partially and fully baffled ranges, the top elevation of the impact structure will vary depending on the overhead baffle and impact structure arrangement. The impact structure for a partially baffled range can be: standard impact berm, bullet trap, or hybrid. For fully baffled ranges, the impact structure must be a bullet trap. In all instances, the impact structure must connect to the side containment. The top of the berm should be at an elevation 5 feet above the point where the highest line of direct fire can strike the berm.
 - (e) Outdoor baffled bullet stops can be constructed by placing the last vertical overhead baffle over the last target line and placing a sloped baffle to connect from the top of the earth berm to the back of the last vertical baffle. The bottom of this lower-sloped overhead baffle should be 2 feet above the highest point on the

berm where direct fire might strike. See Figure 15 for material and construction details. Rainfall runoff from the sloped baffle onto the berm must be considered. (See “Use of Bullet Traps and Steel Targets” for Shoot House bullet trap information.)

- (10) Side Containment. For partially and fully baffled ranges (Figures 7 and 8), the top elevation of the side containment must geometrically mate with the overhead baffles to be high enough to prevent any direct fire from exiting the range. Full-side height containment should extend 3 feet to the rear of the firing line. Locate the side containment at least 10 feet outside of the centerline of the outermost firing lane. Construction may be in the following forms.
- (a) Earth Berm. Construct earth berms to an inside slope of 1 to 1.5. If native soil characteristics will not produce a stable slope at this angle, provide geotechnical fabric reinforcement in the fill. The top width of the berm should be at least 10 feet. No rocks are permitted in the top 3 feet of the inside surface. Generally, earth berms cannot be used on partially or fully baffled ranges; however, earth berms are permissible if the firing range is small and the overhead baffle and berm geometry intercept ricochets.
 - (b) Continuous Walls. Construct continuous walls of ballistic material to withstand local wind and seismic loads. Provide sacrificial cladding to 13 feet forward of the firing line and 3 feet behind the firing line. Continuous walls are preferred for fully baffled ranges.

**Table 2. Thickness of Material for Positive Protection
Against the Caliber of Ammunition Listed**

Cover material	Caliber and thickness required to stop penetration		
	5.56 mm	7.62 mm and Cal. 30	Cal. 50
Concrete (5,000 lbf/in ²)	5 inches	7 inches	12 inches
Gravel-filled concrete masonry units	8 inches	12 inches	24 inches
Broken stone	14 inches	20 inches	30 inches
Dry sand	16 inches	24 inches	32 inches
Wet sand	25 inches	36 inches	48 inches
Oak logs (wired)	28 inches	40 inches	56 inches
Earth			
Packed or tamped	32 inches	48 inches	60 inches
Undisturbed compact	35 inches	52 inches	66 inches
Freshly turned	38 inches	56 inches	72 inches
Plastic clay	44 inches	65 inches	100 inches

NOTE: Figures are based on new material. Degradation may occur over time.

- (c) Wing Walls. Wing walls (side baffles) are discontinuous side protection set at 45° to the line of fire. Locate the wing walls so that they are overlapped by 6 inches based on any line of fire that may strike them. Construct the wing walls of ballistic material to

withstand wind and seismic loads. Additionally, provide sacrificial cladding on wing walls closer than 30 feet to the firing line.

- (d) End Walls. End walls may be constructed at the firing lane edge on the firing line in lieu of extending side containment 3 feet behind the firing line. Walls should be long enough to close off any line of sight between the end of the side containment and the rear 3 feet mark. The end walls should be constructed of ballistic material with sacrificial cladding extending from the canopy to the firing line surface.
- (11) Overhead Baffles. Overhead baffles must be located so that no direct fire can exit the range from any firing position. The first overhead baffle must be geometrically coordinated with the firing line ballistic canopy (see Figure 9). The elevation of the top of each succeeding baffle should be 6 inches higher than a line of fire that just clears beneath each preceding baffle (see Figure 16). Overhead baffles should be the same height and spaced apart down range to achieve the required geometry (see Figure 17). The last baffle should be placed so the line of fire will strike the impact structure no higher than 5 feet below the top elevation of the structure. On a fully baffled range, the last overhead baffle must be over the last target line.
- (a) On partially baffled ranges, overhead baffles must extend laterally to within 1 foot of the side containment. On fully baffled ranges, the overhead baffle must tie into the side containment.
 - (b) The vertical dimension of an overhead baffle when it is vertical varies with the number and spacing of the baffles. Normally, the height is between 5 and 8 feet when considering structural support size and costs.
 - (c) The baffles must be constructed of ballistic material. Baffles within 11 yards of the firing line should be covered with sacrificial cladding. See Figures 12 and 18 for possible configurations.
 - (d) Space the structural columns as far apart laterally as possible to open firing lanes. If possible, do not construct columns within the range. Design columns or beams to withstand local wind and seismic loads, and provide protective steel plate on the faces of the columns exposed to the firing line in accordance with Figures 12 and 18. Provide sacrificial cladding if the column is within 10 yards of the firing line. Overhead baffles may be placed on a flatter slope and overlapped to function as firing line canopies if multiple firing lines are to be used (see Figure 17). This arrangement is cost-effective for baffled combat lanes.

- (15) Target Carriers. Target carriers are used for the convenience of shooters to allow them to continue shooting without delay when target changes are necessary. For health considerations, target carriers keep shooters out of the high lead concentration areas and safely behind the firing line.
- (16) Heaters. Protected heating units should be installed behind and above the firing position to provide a comfort zone for shooters.
- (17) Gun Racks. Gun racks should be mounted behind the firing positions as an additional safety feature to reduce gun handling and to keep the range areas orderly. Appropriate material should be used to construct the gun racks, and the design must correspond to the weapons being used.

6. LIVE FIRE SHOOT HOUSE.

a. Introduction.

- (1) A live fire shoot house (LFSH) is intended for use in advanced tactical training for Security Police Officers. Use of this facility includes individual tactics or Special Response Team force option training. All LFSHs must have an elevated observation control platform (EOCP). The following sections illustrate recognized construction methods for LFSHs. However, they do not eliminate the requirement for sound professional engineering design and validation.
- (2) Administrative controls not directly related to design and construction must be in place during facility use. The administrative controls and engineering design allow for a reduction in physical barriers that prevent rounds from escaping the facility. Designed barriers must prevent a round fired with a vertical upward error of 15° from escaping the facility.

b. Site Selection.

- (1) Site selection for an LFSH is similar to that for any range facility. Terrain features, noise, and availability of utilities and access roads must be considered, as already discussed in previous sections for indoor and outdoor ranges. The LFSH should be placed adjacent to other range facilities whenever possible so that it may utilize the same support facilities, access roads, etc.
- (2) Facility design, target and shooter placement, and other administrative controls minimize the possibility of rounds being fired over the top of the walls and leaving the structure and mitigate the need for an SDZ outside the confines of the LFSH proper.

c. Design and Layout.

- (1) The interior layout of the facility is based on the mission and training requirements of the site. Facility design should incorporate a wide variety of room configurations. Some of the room configurations that should be considered are: multiple floors, an L-shaped room, stairwells, rooms within a room, hallways, and closets.
- (2) The floor plan design should accommodate the movement of target systems, bullet traps, and other equipment into and out of the LFSH.
- (3) Exposure to airborne contaminants for a fully enclosed LFSH must be controlled by adequate ventilation. The lighting requirements are similar to those for indoor ranges.

d. Wall Construction.

- (1) Wall Height. Exterior walls of the LFSH must be designed to absorb the most energetic projectile identified for use within the facility. Wall height must be a minimum of 8 feet. The wall height should allow a maximum error angle of 15° from horizontal standing shooting distance from the target and still enable a projectile to be contained by the wall, which can be described by the following equation: Wall Height is equal to the muzzle height plus 0.27 (tangent 15°) times the target distance. The following table assumes a muzzle height of 5 feet.

<u>Distance from Muzzle to Ballistic Wall (Feet)</u>	<u>Wall Height (Feet)</u>
11' 1"	8' 0"
13' 3"	8' 6"
14' 10"	9' 0"
17' 0"	9' 6"
18' 6"	10' 0"
20' 9"	10' 6"
22' 2"	11' 0"
24' 5"	11' 6"
25' 11"	12' 0"

If the distance from muzzle to ballistic wall exceeds the required wall height, other administrative, engineering or natural ballistic wall controls must be administered or considered such as shooter-to-instructor ratio, canopies, baffles, natural terrain, existing SDZ, standard operating procedures, and training.

- (2) Ballistic Walls. Ballistic interior walls are the preferred method of construction. Where non-ballistic interior walls are used, additional administrative controls must be applied to target placement and team

choreography. Ballistic walls are required in all cases where containment of the round and protection of personnel is paramount.

- (a) Footings. Footings must be designed using the engineering criteria that best ensures structural integrity and stability of wall construction.
- (b) Composite Walls.
 - 1 A combination of 3/4-inch exterior grade plywood and steel is effective. Minimum thickness will be 1/4-inch mild steel with an exterior-grade plywood separated by a minimum of 3/4 inch with a maximum of 1 1/2 inches from the steel surface.
 - 2 Other combinations are possible. The main criterion is that the wall must stop any round fired and contain bullet fragments.
- (3) Non-Ballistic Walls. These walls are constructed of materials that offer no protection to personnel or equipment in adjoining rooms. Material used for these walls must not contribute to or enhance ricochet or splatter. Additional administrative controls must be applied such as target placement and team choreography.
- e. Doors. All doors must be constructed of wood with no glass. Additionally, at least a portion of the rooms must have working doors, some opening inward, some opening outward, and doors opening left and right.

NOTE: All devices in the LFSH, such as brackets and hangers, used to secure walls to floors or secure doors must be covered or protected to mitigate any tripping or ricochet hazards.
- f. Ceiling or Roofs. Ceilings or roofs can be of value when the shoot house is required for year-round use in areas with severe weather conditions. Exposure to airborne contaminants must be controlled by adequate ventilation. The lighting requirements for fully enclosed shoot houses are similar to those for indoor ranges. When training exercises require target placement above the wall design, the ceiling or roof must be protected unless firing into an approved SDZ.
- g. Floors.
 - (1) Floor construction must be selected for its ability to absorb direct fire, minimize ricochets, and provide a walking surface free of slipping/tripping hazards. Floors should provide the same ricochet protection as walls. Options include:

- (a) exterior-grade plywood floor constructed in accordance with American Plywood Association guidelines over smooth finished concrete;
 - (b) concrete with brushed surface that minimizes slip and tripping hazards;
 - (c) asphalt;
 - (d) exterior-grade plywood;
 - (e) shredded bias-ply tires; and
 - (f) earth, free of rocks and debris that could cause ricochet.
 - (2) Construction joints between walls and floors must be designed to contain projectiles within the LFSH.
- h. Bullet Traps.
 - (1) General Information.
 - (a) Targets used in LFSHs must be placed so that fire is directed into a bullet trap designed to capture the rounds.
 - (b) Bullet traps must be constructed to contain the most energetic projectile to be fired into them without dimpling/pitting the steel and contain splatter and fragments in all directions. The size and shape of a bullet trap may be altered, but materials may not be substituted.
 - (2) Specifications for construction. See “Use of Bullet Traps and Steel Targets” for Shoot House bullet trap information.
- i. Elevated Observation Control Platform (EOCP).
 - (1) EOCPs enhance the ability to observe and control LFSH operations. Administrative controls must be considered when constructing the EOCP. Platform construction and location is based on the training to be conducted. EOCPs must be constructed in accordance with all applicable regulations for elevated work platforms.
 - (2) EOCPs must be constructed to:
 - (a) maximize instructors’ observation and control of the entry team fire and movement;

- (b) facilitate communication between instructors on the EOCP and the floor;
- (c) position the lowest point of the horizontal walking surface higher than the 15° vertical error for any target engaged;
- (d) provide ready access;
- (e) integrate instructors' movement with team flow;
- (f) maximize instructors' ability to see shooters clearly at all times;
and
- (g) have supporting structures placed so that they pose no additional hazards such as tripping, ricochet, splatter, etc.

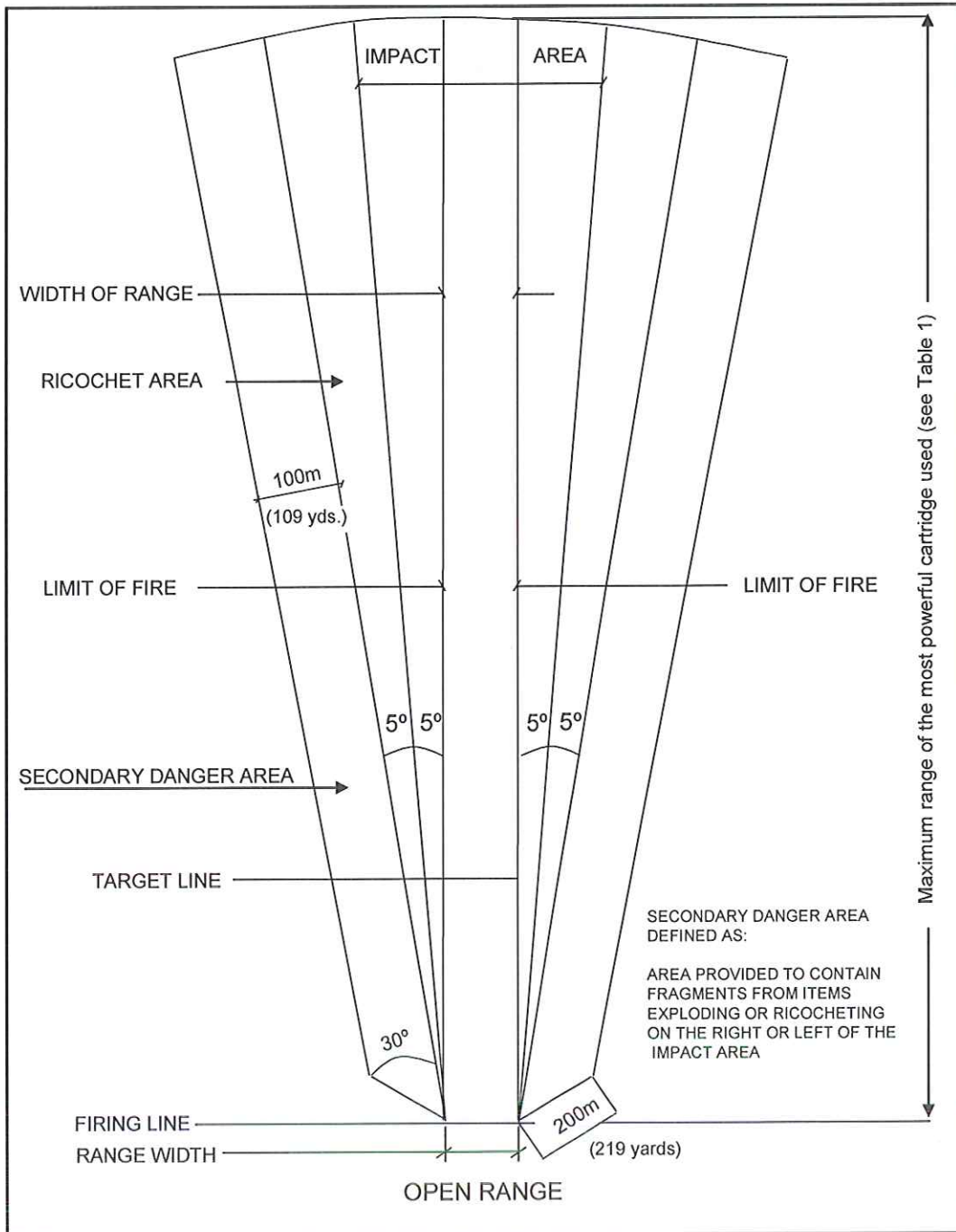


Figure 1
Surface Danger Zone for Small Arms
Firing at Fixed Ground Targets

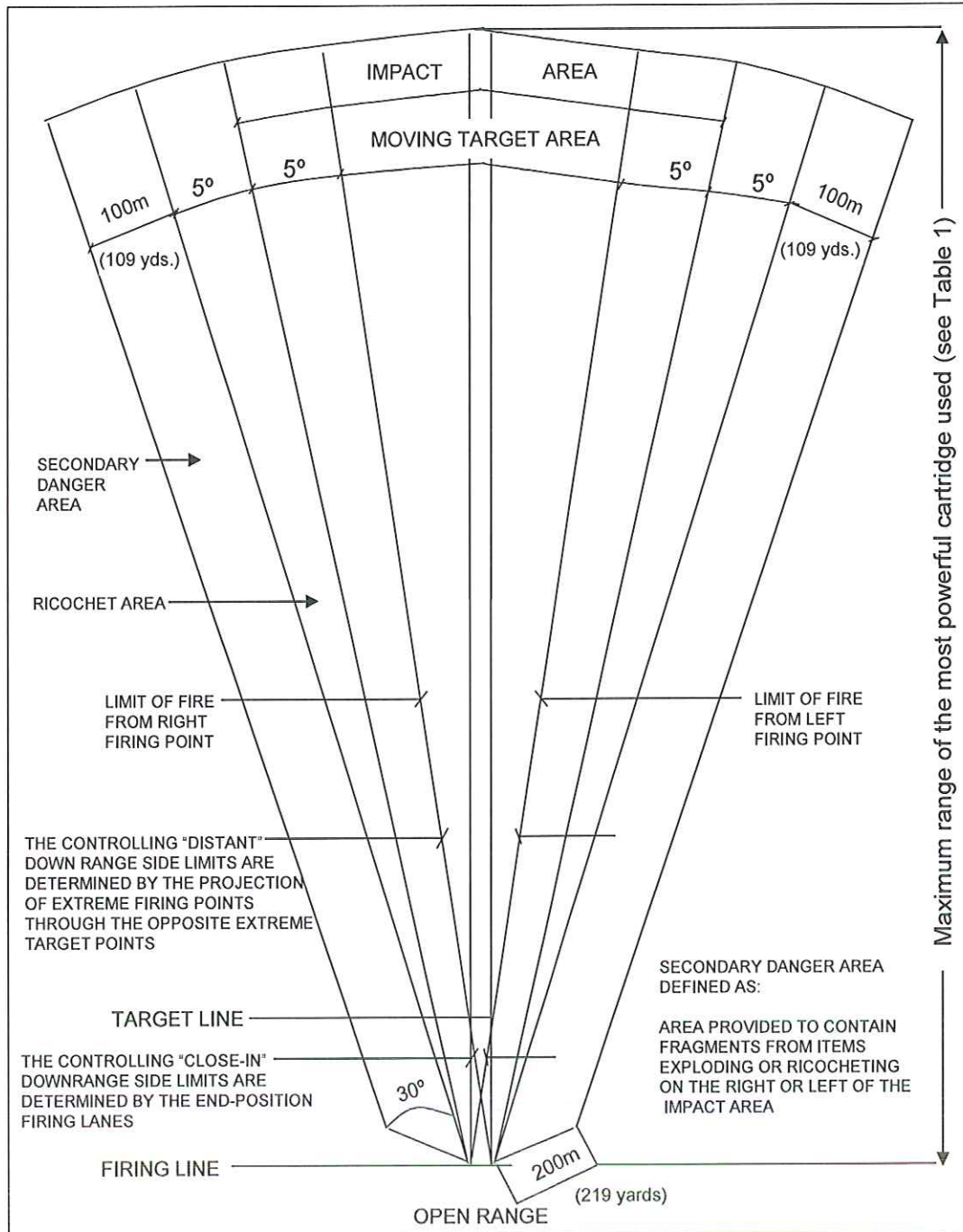


Figure 2
Surface Danger Zone for Small Arms Weapons
Firing at Moving Ground Targets

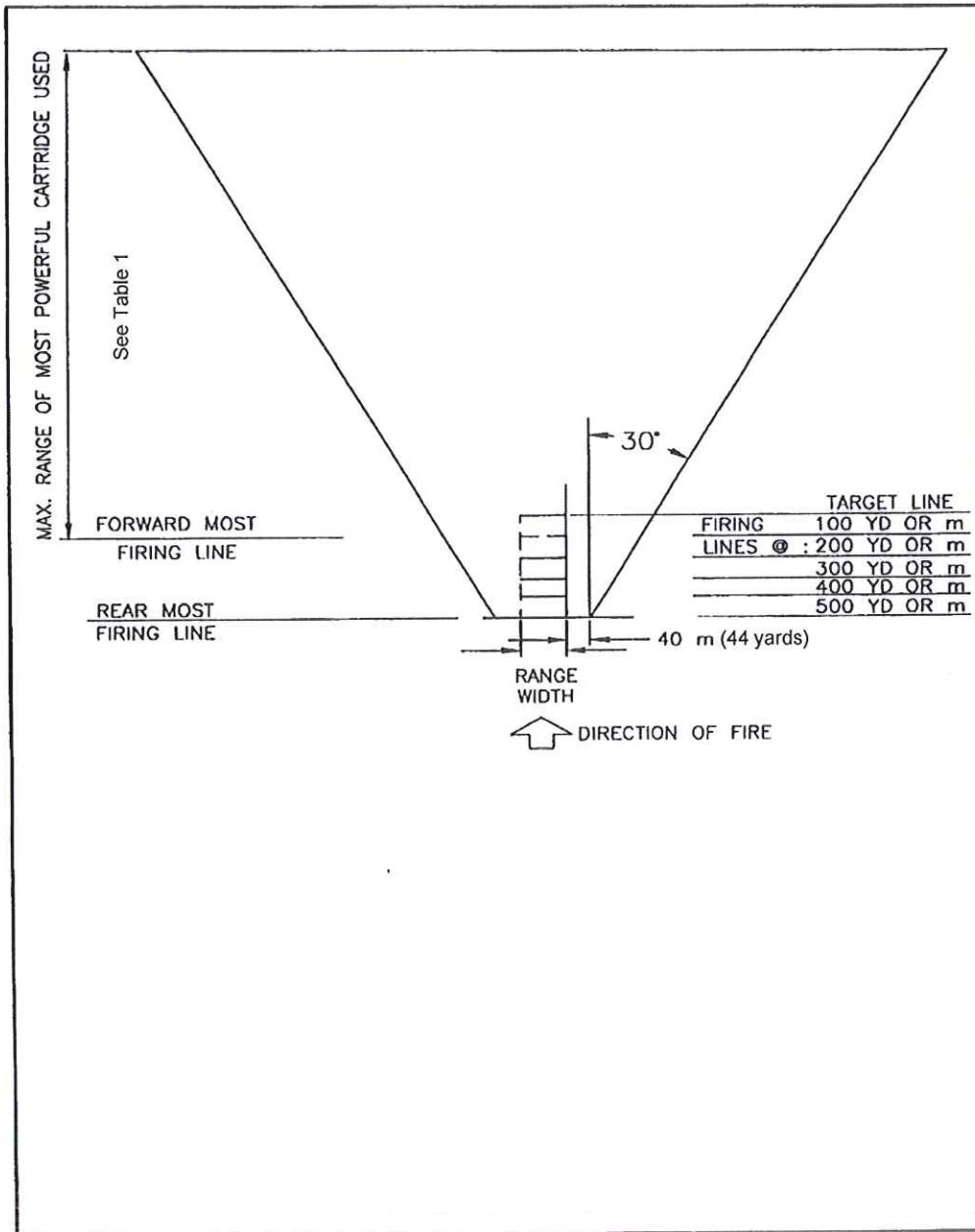


Figure 3
Surface Danger Zone for Small Arms Firing
At Fixed Ground Targets with Rocky Soil
Or Targets Causing Ricochet

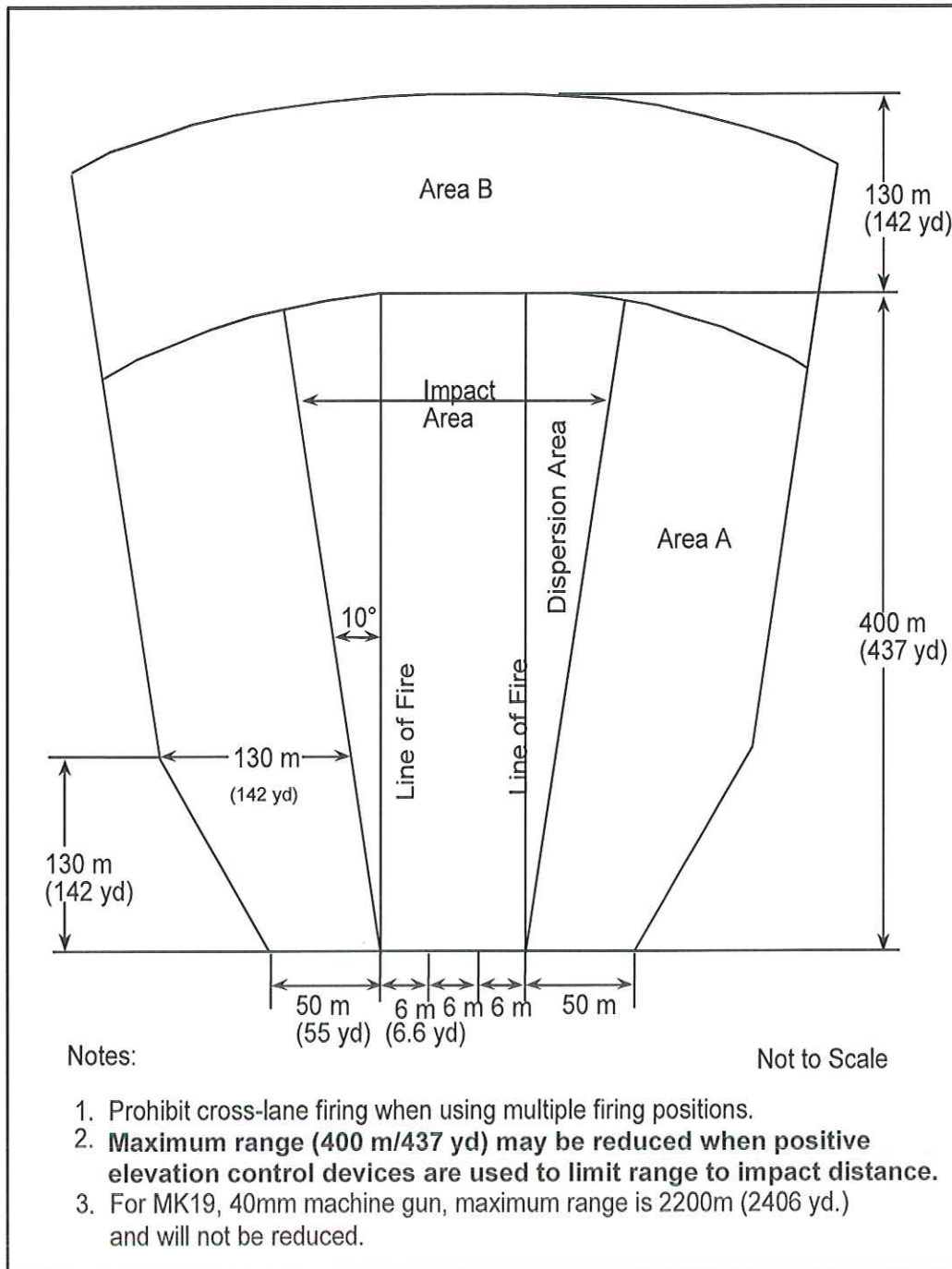


Figure 4
Surface Danger Zone for Firing
M79, M203, and M19 40mm Grenade Launchers

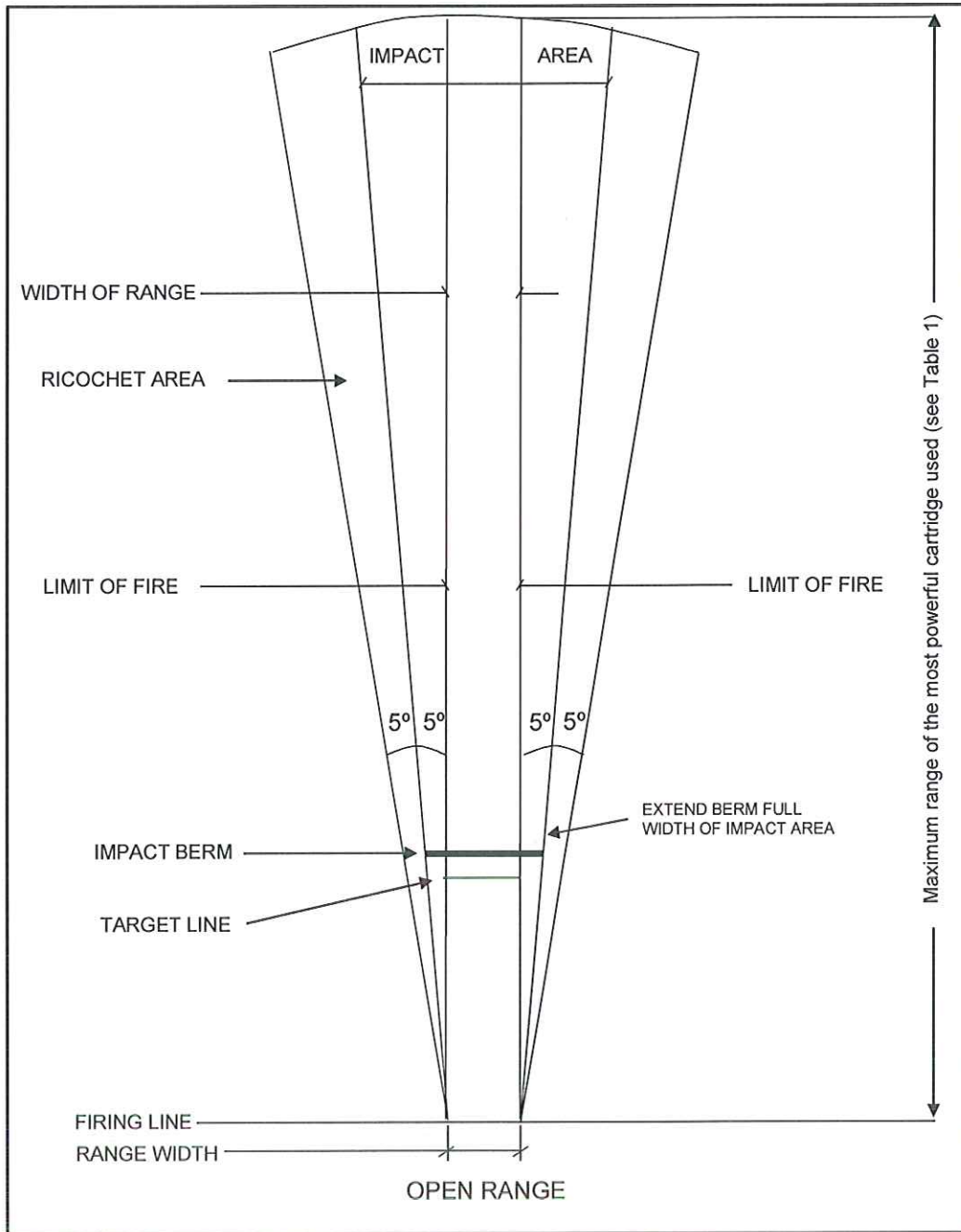


Figure 5
Surface Danger Zone with Impact Berm
for Small Arms Firing at Fixed Ground Targets

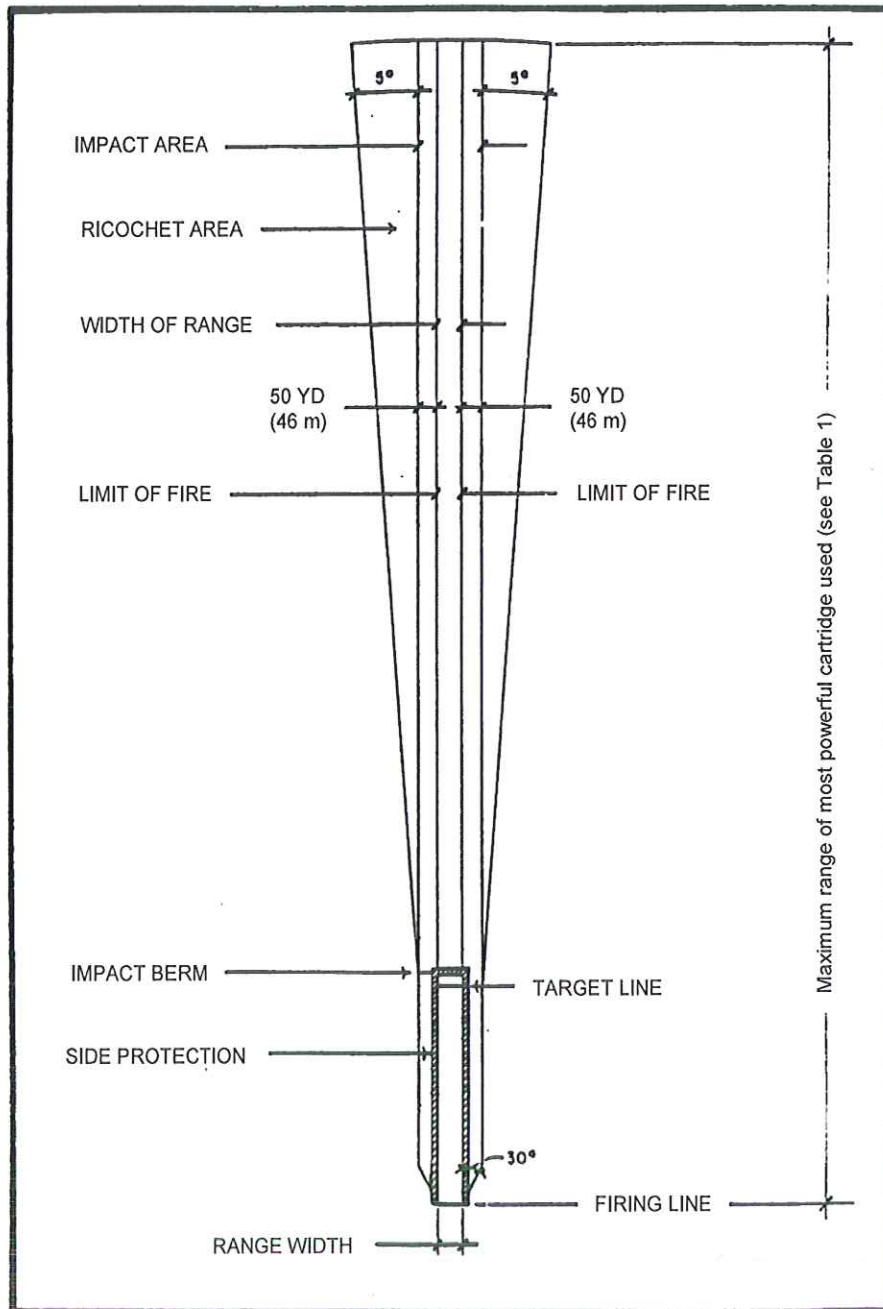


Figure 6

Open Range with Impact Berm and Side
Protection Surface Danger Zone for Small Arms
Firing at Fixed Ground Targets

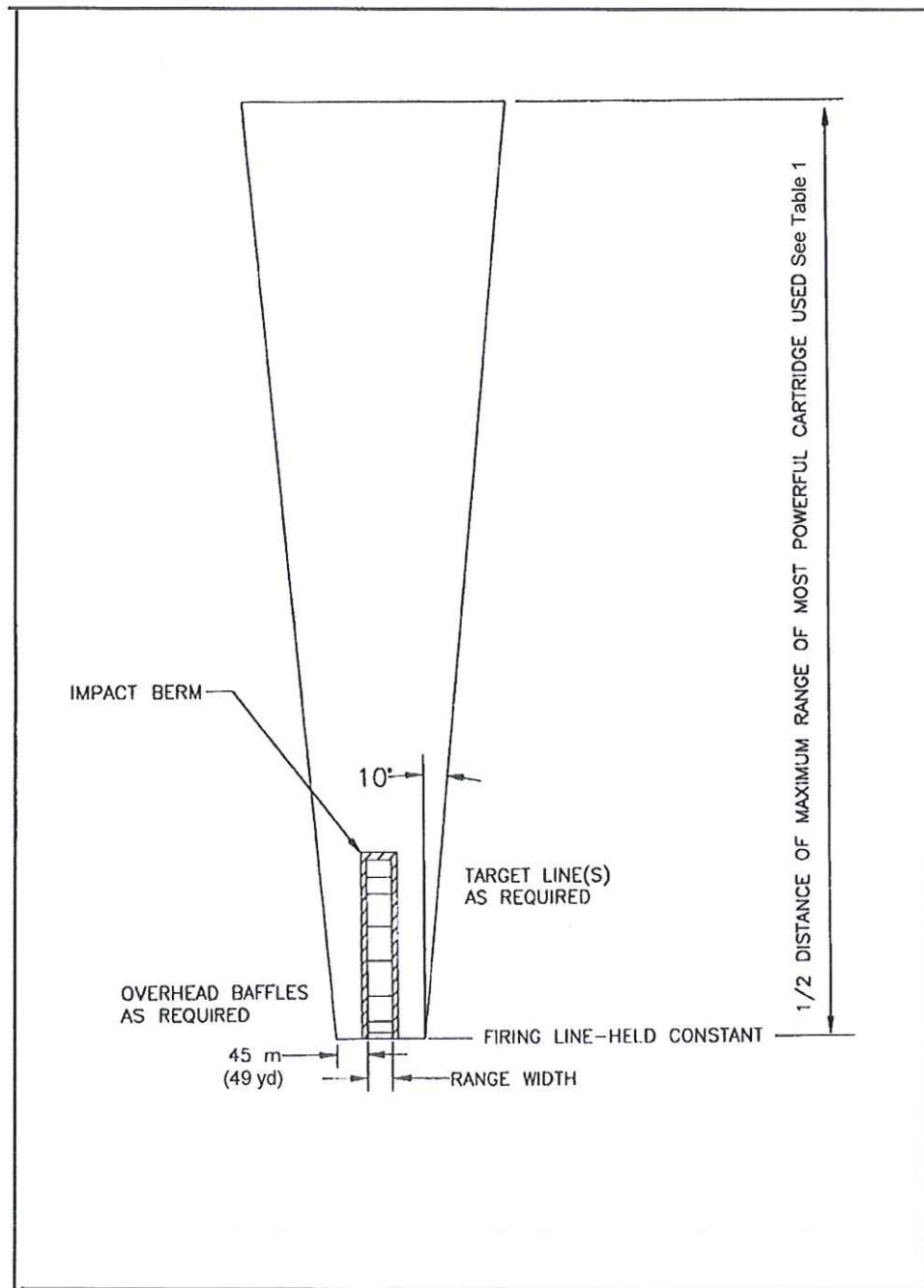


Figure 7
Surface Danger Zone for Partially Baffled Range
(Small Arms Firing at Fixed Ground Targets)

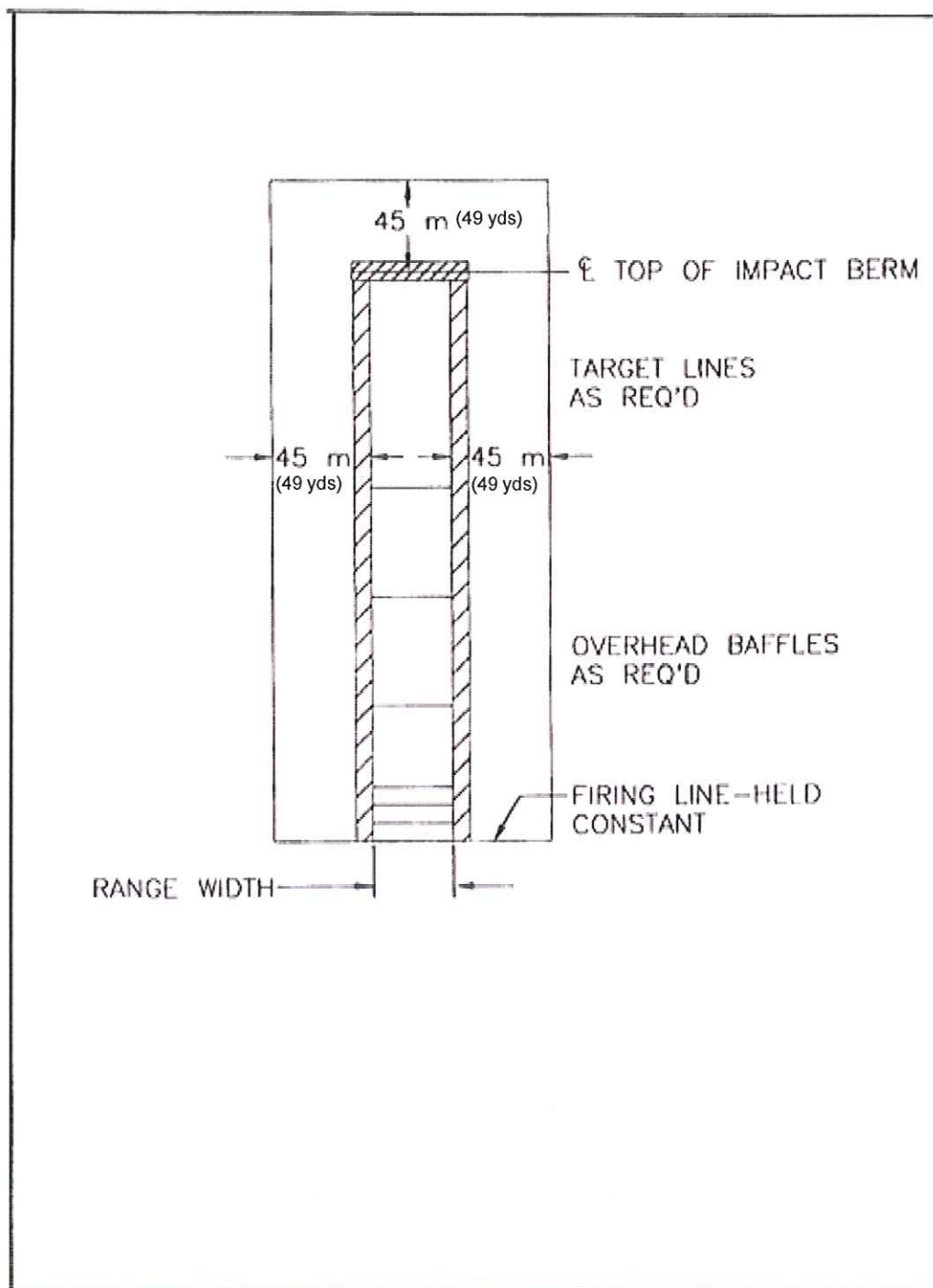


Figure 8
Surface Danger Zone for Fully Baffled Range
(Small Arms Firing at Fixed Ground Targets)

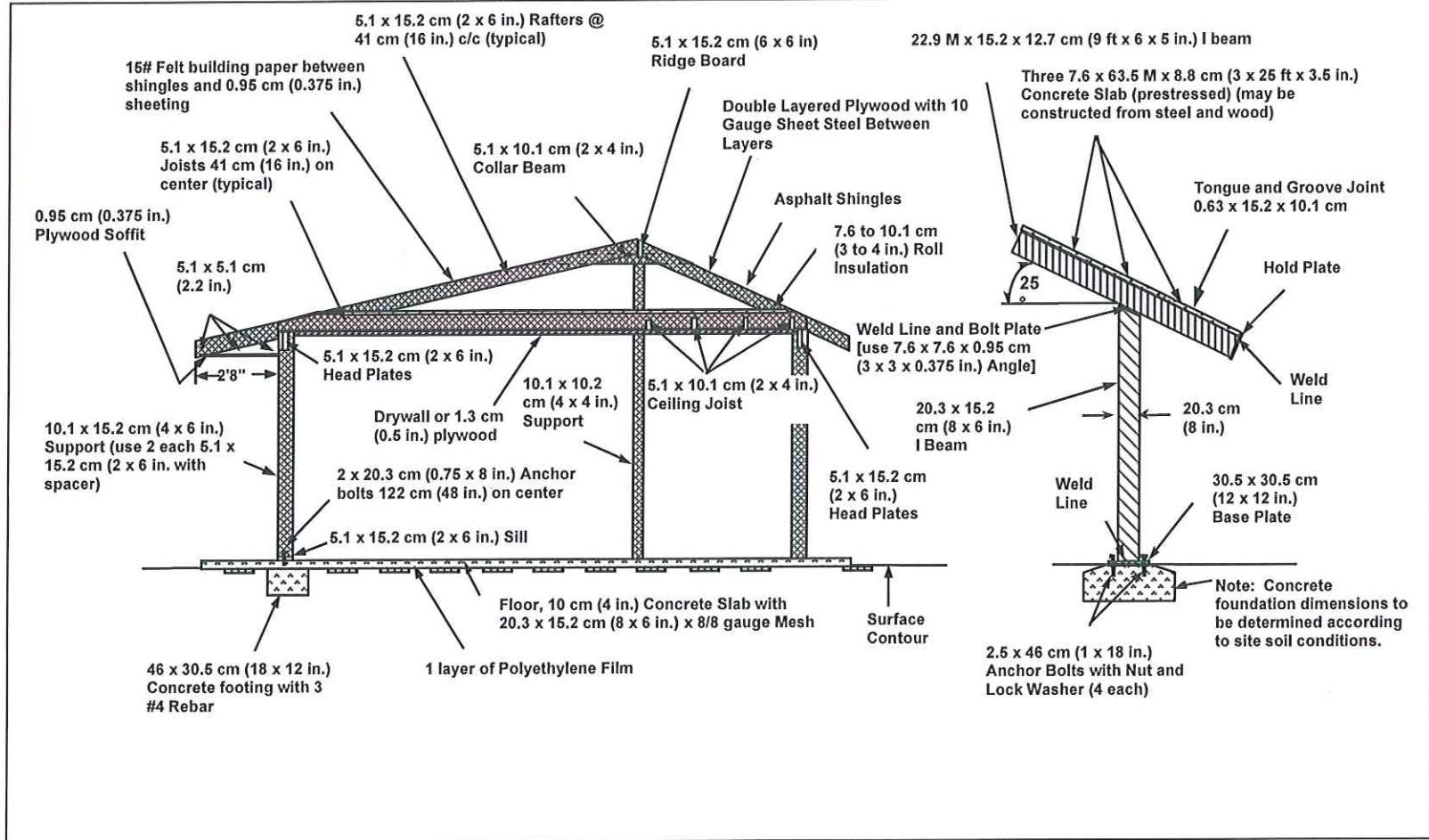


Figure 9
Ballistic Overhead Canopy

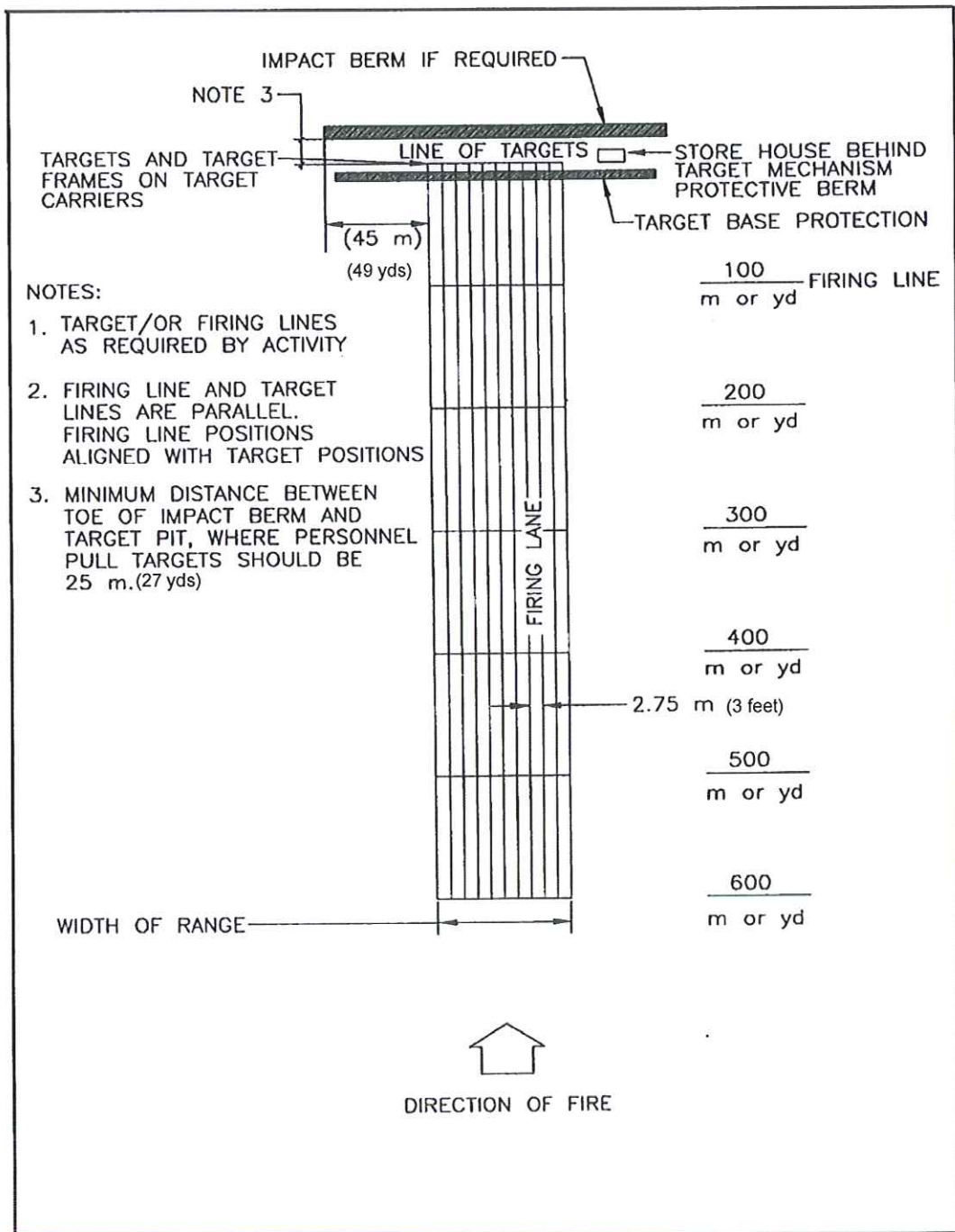


Figure 10
Outdoor Rifle Range Layout

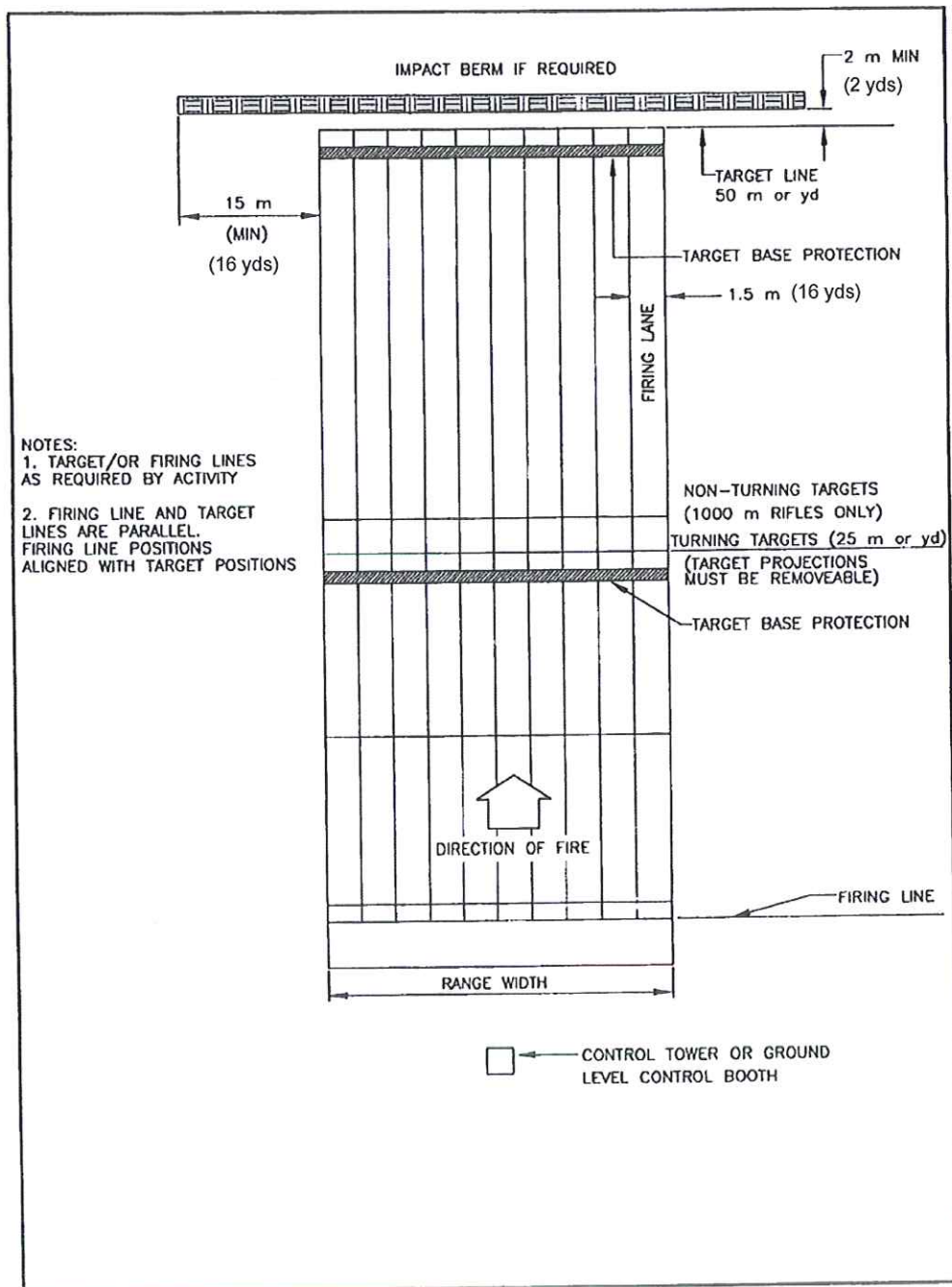


Figure 11
Pistol Range Layout

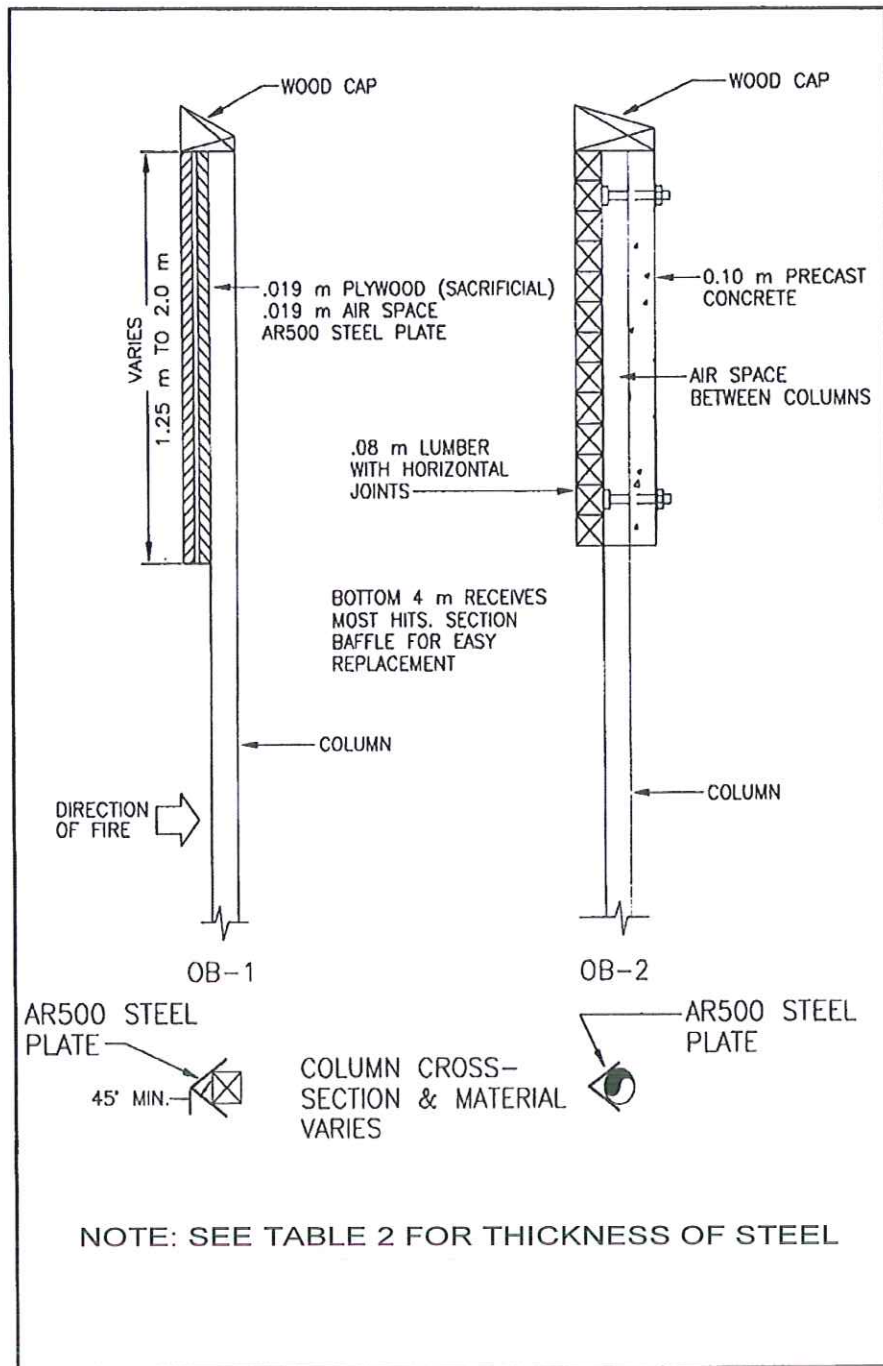


Figure 12
Ballistic Material

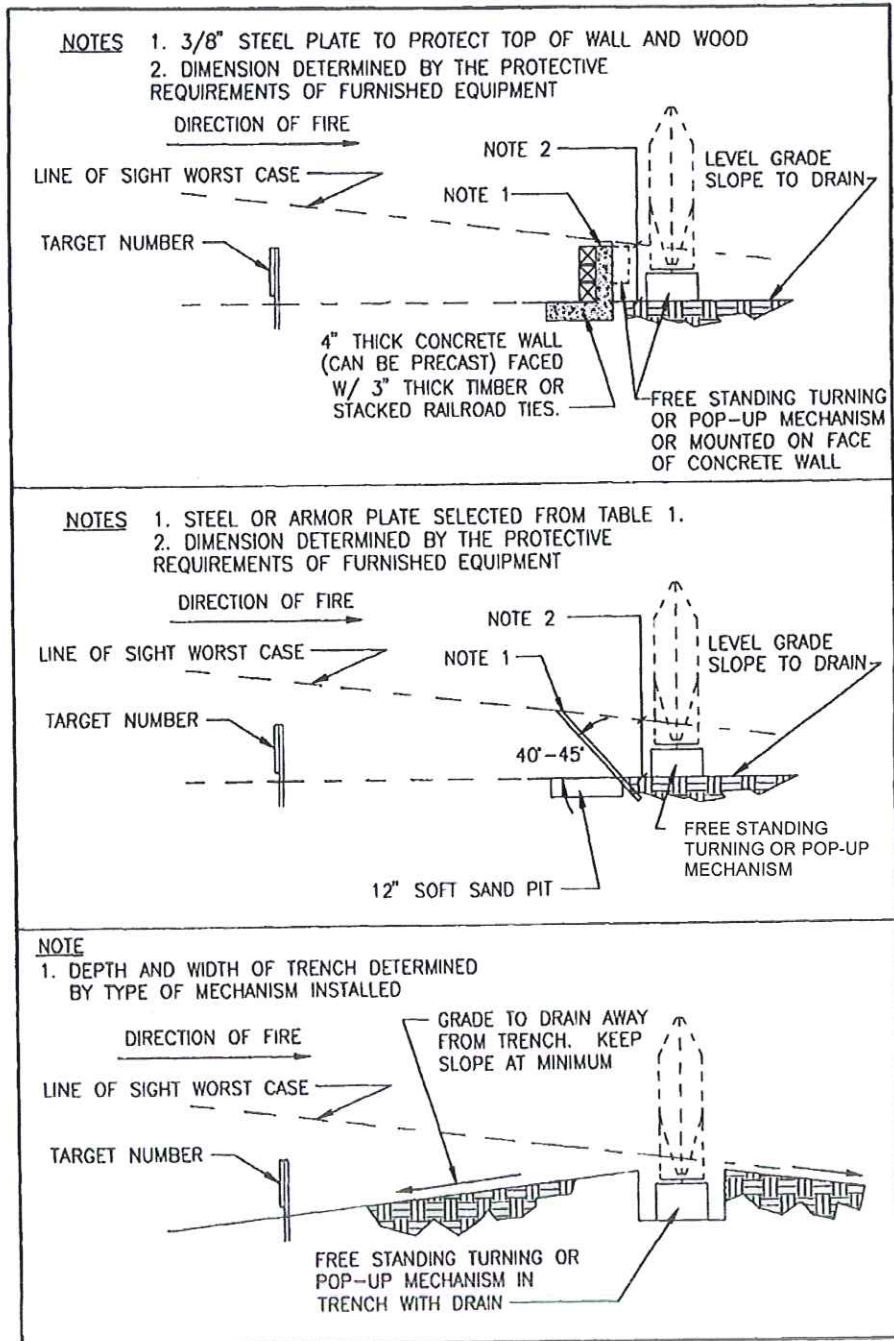


Figure 13
Ballistic Protection of Target Mechanism

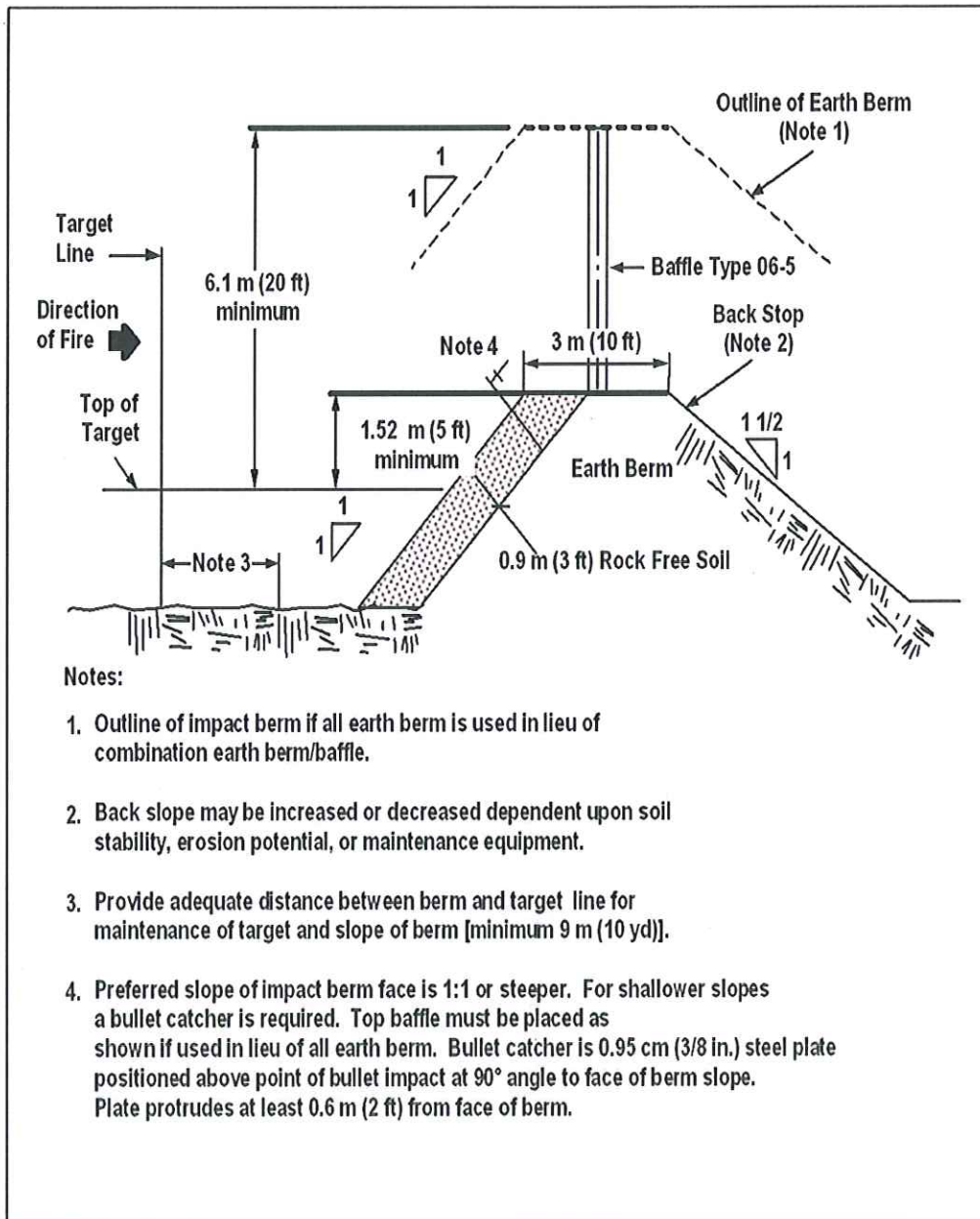


Figure 14
Impact Berm for Open and
Partially Baffled Ranges

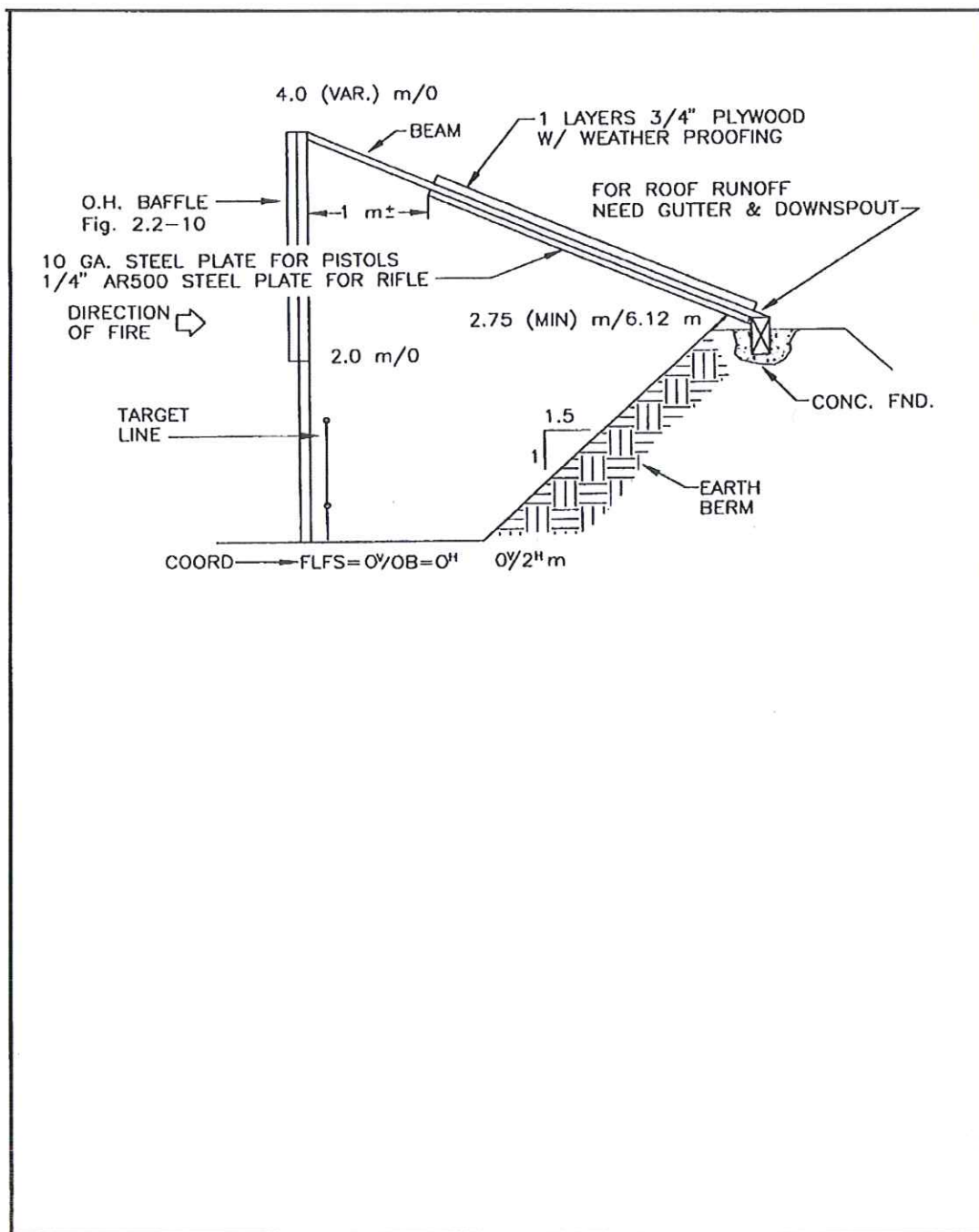
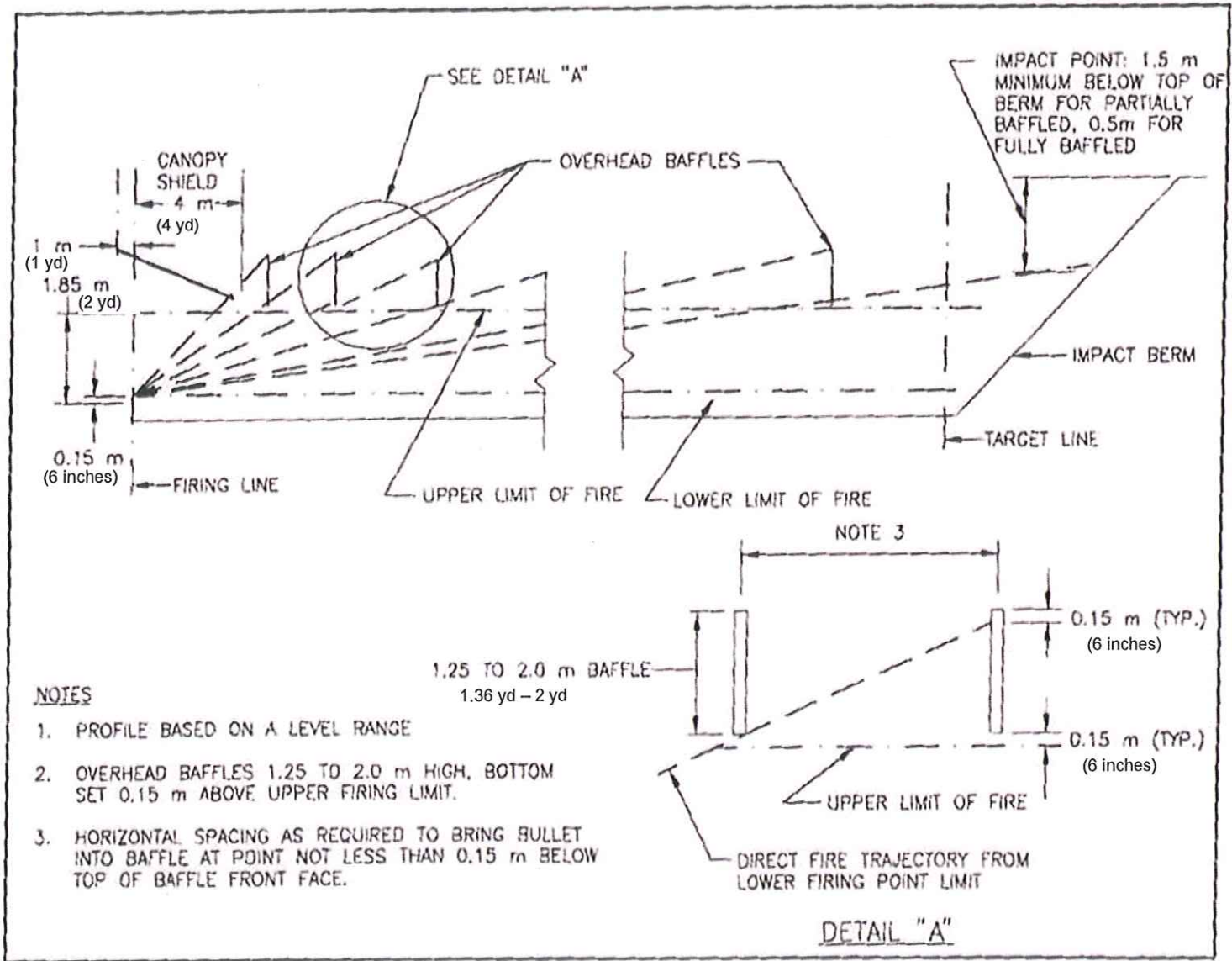


Figure 15
Outdoor Baffled Bullet Stop

Figure 16
Baffled Range Profile



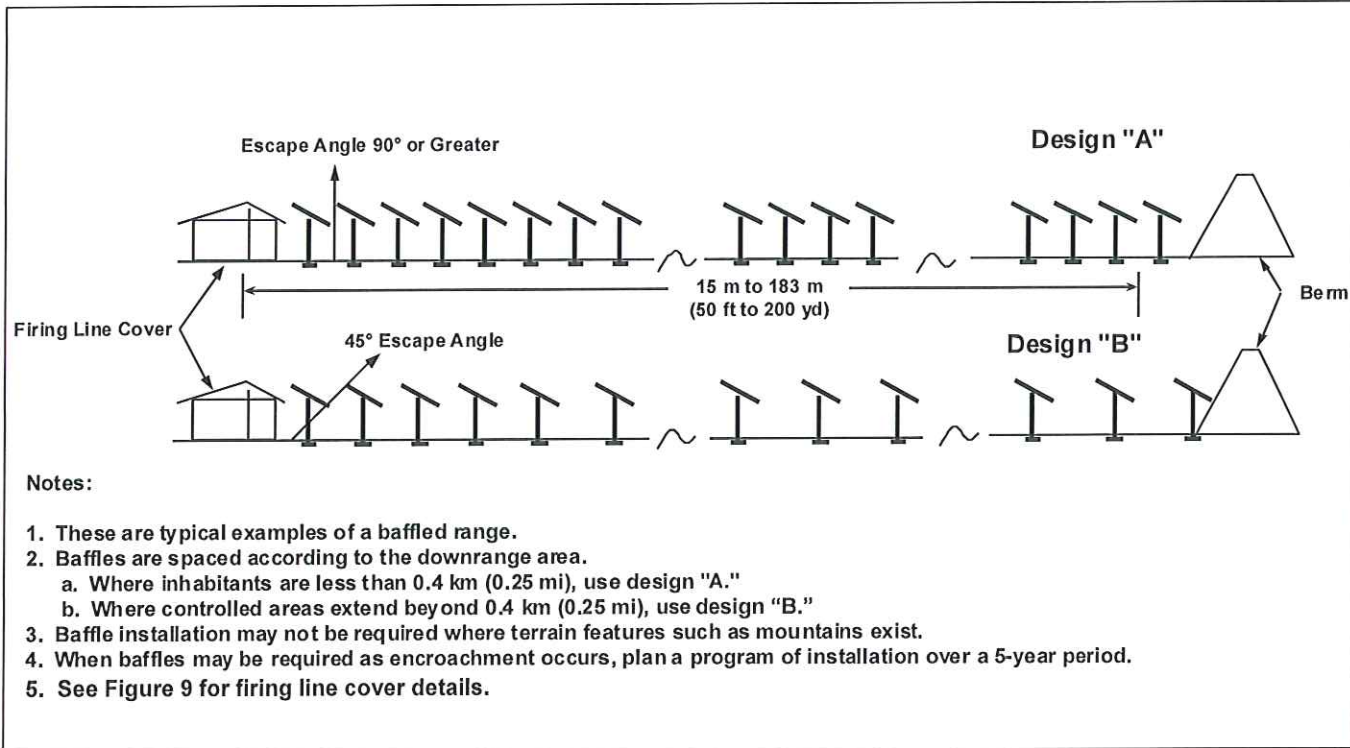


Figure 17
Baffle System Geometry

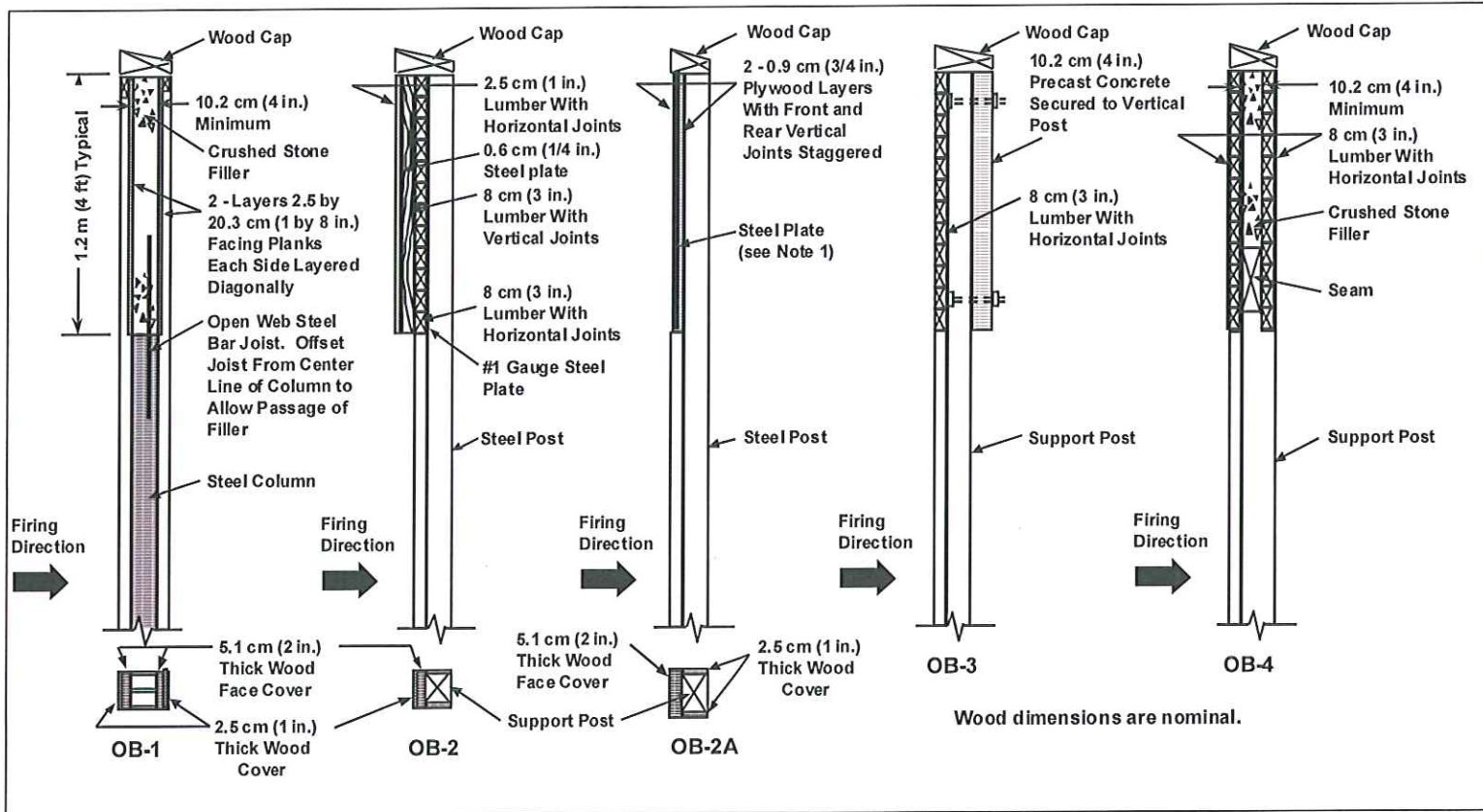


Figure 18
Overhead Baffle Ballistic Designs

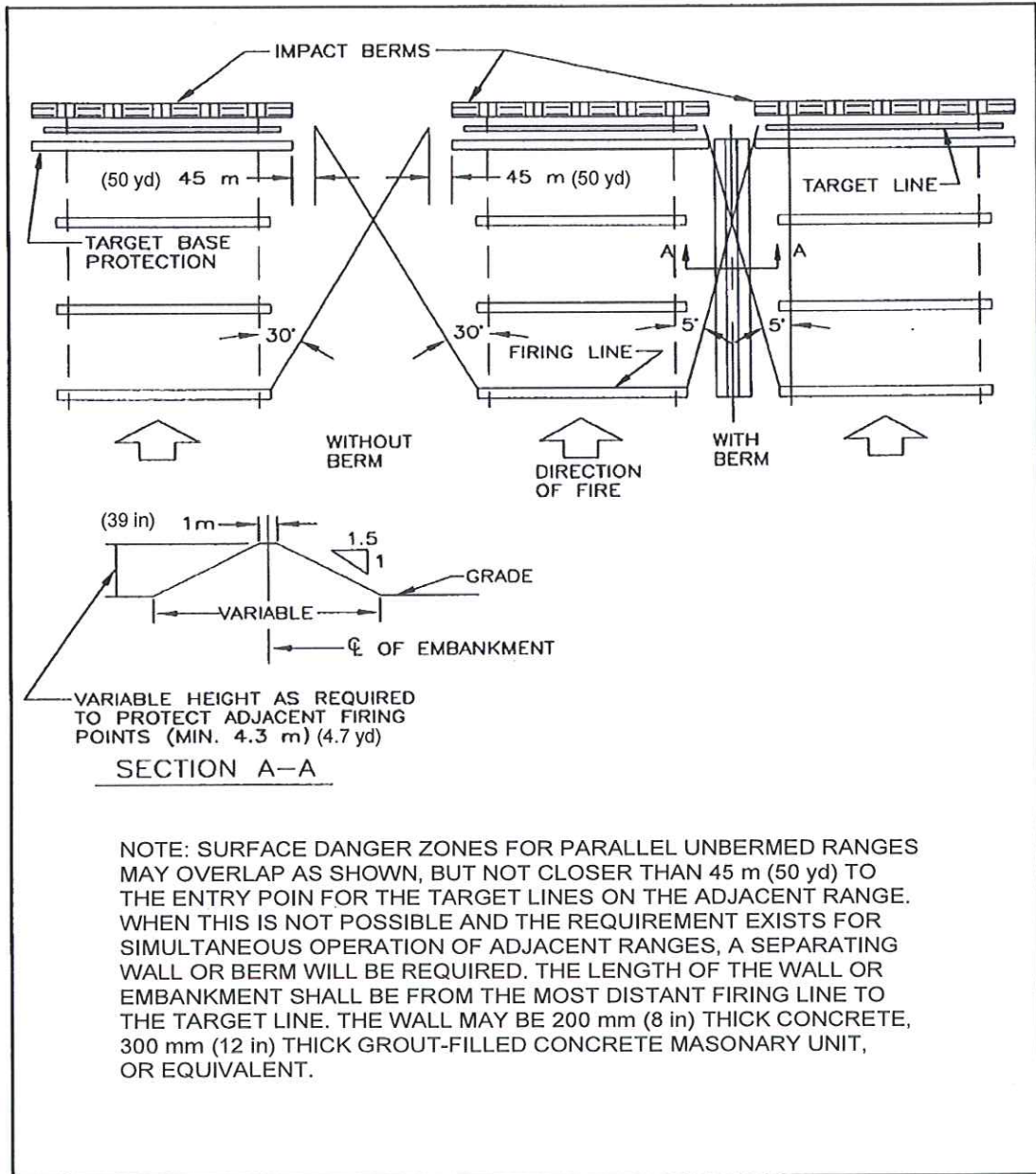


Figure 19
Parallel Ranges

Known Existing Outdoor Firing Ranges as of December 6, 2012

1. Cross Creek Rifle & Pistol Club, Inc. (Grays Creek)	3233 Blossom Rd	38.99 +/- acs
2. Wagram Sportsmans' Association Inc	9540 Giles Rd	48 +/- acs
3. TigerSwan	Tiger Swan Dr	997 +/- acs
4. County Sheriff's @ Coliseum	3351 Owen Dr	18 +/- acs
5. Fayetteville Police (w/ waste treatment)	N Eastern Blvd (sm portion)	90.69 +/- acs
6. Godwin Range (Linden)	10594 Ramsey St	45.50 +/- acs
7. Cumberland Co Wildlife Club	Mellwood Dr	7.23 +/- acs
8. Jimmy Pugh	off Turnbull Rd	110 +/- acs
9. Stanley Range	Johnson Rd	135.9 +/- acs
10. Ft Bragg Range (Skeet?)	E Manchester Rd	unknown
11. Edward's Firearm Training	6678 Clinton Rd	10.57 +/- acs

Outdoor Firing Range Regulations – Comparison by County

COUNTY	ZONING DISTRICT	ZONING MIN LOT SIZE	TYPE OF APPROVAL REQUIRED
Bladen**	RA Residential Agricultural	10,000 sq ft w/ w&s 25,000 sq ft w/ w 30,000 sq ft no utilities	SUP by Planning Board w/ Ord Conditions
Harnett**	RA-20M & RA-20R Residential/Agricultural	20,000 sq ft	CU by BOA w/Ord Conditions
	RA-30 Residential Agricultural	30,000	CU by BOA w/Ord Conditions
	RA-40 Residential Agricultural	40,000	CU by BOA w/Ord Conditions
	O&I Office & Institutional	n/a	CU by BOA w/Ord Conditions
	COMM Commercial/Business	10 ac	CU by BOA w/Ord Conditions
	LI Light Industrial	10 ac	CU by BOA w/Ord Conditions
	IND Industrial	10 ac	CU by BOA w/Ord Conditions
Iredell UDO**	AC Agricultural Conservation	87,120 sq ft (2 acres)	SUP by BOA w/ Ord Conditions
	R-A Residential Agricultural	20,000 sq ft	SUP by BOA w/ Ord Conditions
	RUR Rural Residential	30,000 sq ft	SUP by BOA w/ Ord Conditions
	M-1 Light Manufacturing	n/a	Staff Review w/ Ord Conditions
New Hanover	I2 Industrial	n/a	SUP by BOC w/ PB rec – Ord conditions apply
	AI Airport Industrial	43560 sq ft	SUP by BOC w/ PB rec – Ord conditions apply
Onslow	RA Residential Agricultural*	20,000 sq ft	SUP by BOA w/ compliance of separate chapter in County Code
	HB Highway Business	n/a	Same as above
	Conservation	n/a	Same as above
Sampson	RA Residential Agricultural*	10,000 sq ft w/ w&s 25,000 sq ft w/ w 30,000 sq ft no utilities	SUP to Planning Board w/ Ord Conditions
	C Commercial	40,000 sq ft	SUP to Planning Board w/ Ord Conditions
Wake**	R-80W, R40W, & R80-R5	80,000 to 5,000 sq ft	SUP by BOA
	HD	n/a	SUP by BOA
	RHC - Activity Center	n/a	SUP by BOA
	RHC - Res Support Area	n/a	SUP by BOA
	RHC - Outside RSA	n/a	SUP by BOA
	GB	n/a	SUP by BOA
	HC	n/a	Permitted use
Yadkin**	RA, MI-1, MI-2	No minimum size; 3,000' separation for protected uses; up to 8' high buffer; 20' high backstop	CUP by BOA

*Only agricultural zoning district in jurisdiction

** No solely agricultural zoning district in jurisdiction

12-100
SITE PROFILE

CASE NO. 12-100. CONSIDERATION OF THE ISSAC YOUNG PROPERTY; GROUP DEVELOPMENT REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO HAVE A MINIMUM OF 20 FEET OF STREET FRONTAGE ABUTTING EITHER A PUBLIC OR PRIVATE STREET; COUNTY SUBDIVISION ORDINANCE, SECTION 2401.D STREET ACCESS; ZONED: A1; TOTAL ACREAGE: 14.07+/-; LOCATED AT 4439 CLAUDE LEE ROAD; SUBMITTED BY ISAAC YOUNG (OWNER) AND CELINDA FAIRCLOTH. (FAYETTEVILLE SSA/COUNTY JURISDICTION)

Summary of Request

Developer is requesting a waiver from the requirement to have a minimum of 20 feet of street frontage along either an approved private street or public street for the placement of a second dwelling unit. The existing lot was created by deed on October 6, 1969 (Deed Bk. 2179, Pg. 343) prior to being subject to the subdivision regulation and is landlocked. A 30 foot wide ingress/egress easement authorizing access across the adjacent property is recorded in the County Register of Deeds.

Site Information:

Frontage & Location: 0.00'+/- 230.00' +/- off of SR 2341 (Claude Lee Road)

Depth: 1,160.00'+/-

Jurisdiction: Cumberland County

Municipal Influence Area (MIA): N/A

Sewer Services Area (SSA): Yes

Adjacent Property: No

Nonconformities: Yes for second dwelling unit – lot created by deed prior to August 22, 1984 without street frontage.

Water & Sewer: Well & Septic

Special Flood Hazard Area (SFHA): Yes

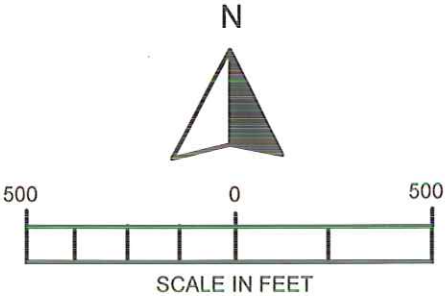
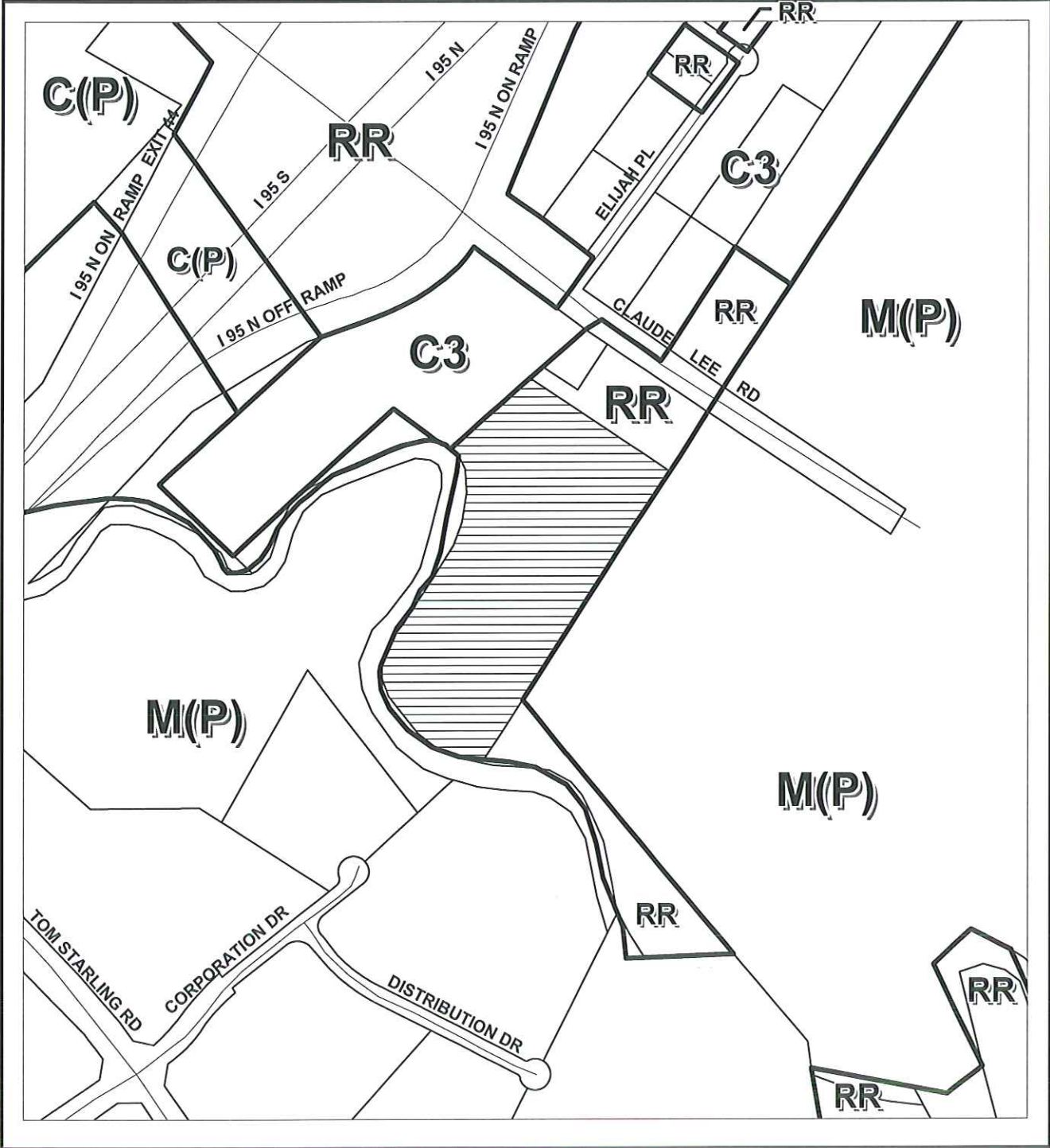
Applicable County Subdivision Ordinance Provisions

Section 2401 GROUP DEVELOPMENTS, D, *Street access.* The property to be developed must have a boundary line or lines contiguous with and giving direct vehicular access to and from one or more public streets, or private streets with public access approved in accordance with Section 2304. Group developments in the form of apartment complexes or unit ownership (i.e., condominium or townhouse) developments with owners' associates legally obligated to maintain vehicular access and circulation drives shall not be subject to the street standards specified in Section 2304.

Attachments

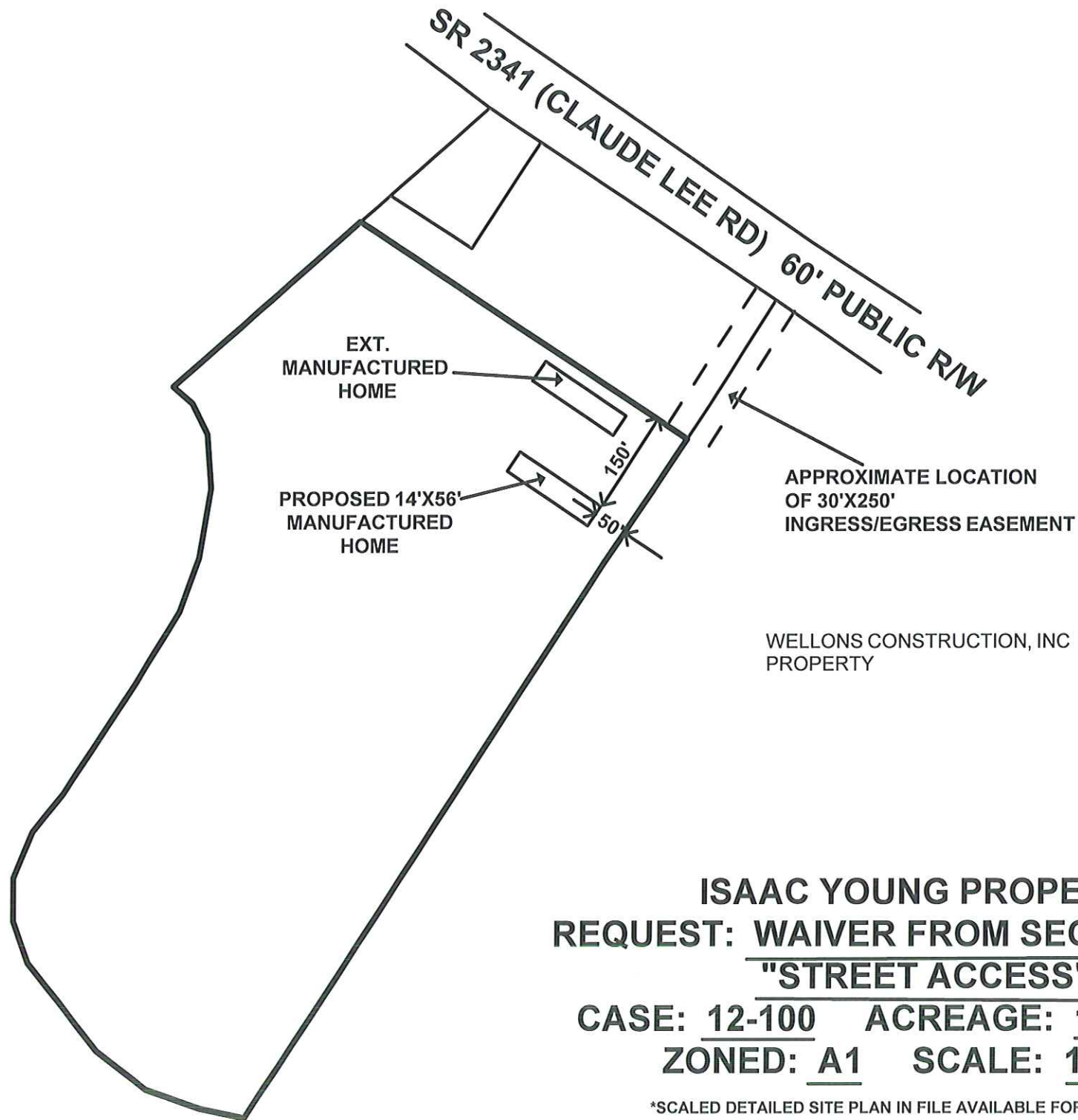
- 1 - Sketch Map
- 2 - Group Development Sketch Plan
- 3 - Aerial Photo
- 4 - Application for Waiver
- 5 - Conditions of Approval
- 6 – 30' Ingress/Egress Easement, Deed Book 9093, Page 795

NOTE: PROP. IN AOD AREA



COUNTY SUBDIVISION ORDINANCE WAIVER

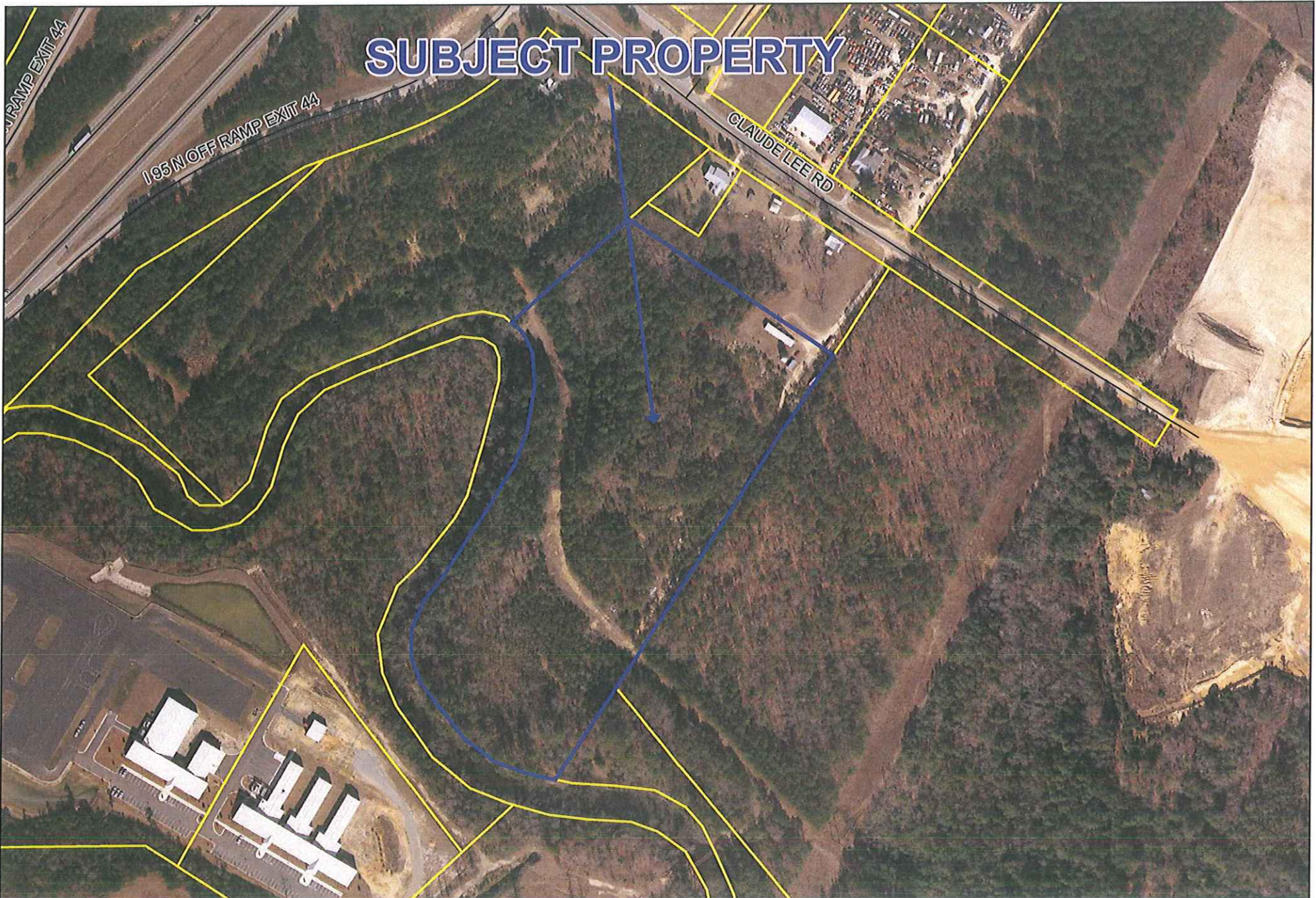
ACREAGE: 14.07 AC.+/-		HEARING NO: 12-100	
ORDINANCE: COUNTY		HEARING DATE	ACTION
GOVERNING BOARD			



ISAAC YOUNG PROPERTY
REQUEST: WAIVER FROM SECTION 2401.D
"STREET ACCESS"
CASE: 12-100 ACREAGE: 14.07 AC +/-
ZONED: A1 SCALE: 1"=200'

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

SUBJECT PROPERTY



**AERIAL PHOTO
CASE NO: 12-100**



**TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD,
FAYETTEVILLE, NORTH CAROLINA:**

I (We), the undersigned, hereby submit this application, and petition the Cumberland County Joint Planning Board to waive [vary] certain adopted provisions of the County's Subdivision Ordinance as specified below and provided for under the terms of the Subdivision Ordinance. In support of this petition, the following facts are submitted:

LOCATION OF PROPERTY: Claude Lee Rd

OWNER: Isaac Young

ADDRESS: 4439 Claude Lee Rd ZIP CODE: 28306

TELEPHONE: HOME 910-425-7556 WORK _____

AGENT: Celinda Fairclath

ADDRESS: 4458 Claude Lee Rd

TELEPHONE: HOME 910-425-7556 WORK _____

**APPLICATION FOR A WAIVER [VARIANCE]
As required by the Subdivision Ordinance**

A. Parcel Identification Number (PIN #) of subject property: 0433-39-6757
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 14.07 Frontage: 0 Depth: 1052

C. Water Provider: Well

D. Septage Provider: Sep-tank

E. Deed Book 2510, Page(s) 73, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing and/or proposed use of property: Residential

G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:

SECTION 2401.D "STREET ACCESS"

Existing access easement

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

Large track of land, is greater than 10 acres and we also have access easement for the road. That will provide emergency and personal services for the road.

STATEMENT OF ACKNOWLEDGEMENT

Regarding appearance before the Joint Planning Board, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all arguments for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
- If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case.
- If the board's action is to deny the matter before them, the course of appeal to the decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from date of proper notification in which to serve notice of appeal).

Signed acknowledgement that the County Planning & Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above and that the application is complete and accurate.

↓ Isaac C Young
Property owner(s)' signature(s)

Isaac Young
Property owner(s)' name (print or type)

4439 Claude Lee Rd Fayetteville NC 28306
Complete mailing address of property owner(s)

910-425-7556 _____
Telephone number Alternative telephone number

Email address FAX number

✓ Celinda Faircloth

Agent, attorney, or applicant's signature (other than property owner)

Celinda Faircloth

Agent, attorney, or applicant (other than property owner) (print or type)

4458 Claude Lee Rd Fayetteville NC 28306

Complete mailing address of agent, attorney, or applicant

910-425-7534

Telephone number

Alternative telephone number

Email address

FAX number

Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Charles C. Morris,
Town of Linden



CUMBERLAND COUNTY NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

STAFF REVIEW: 07-26-12 PLANNING BOARD DECISION: 2-13-13

CASE NO: 12-100 NAME OF DEVELOPMENT: ISAAC YOUNG PROPERTY

MIA: (FAY SSA) GROUP DEVELOPMENT REVIEW

LOCATION: 4458 CLAUDE LEE ROAD (SR 2341) ZONING: RR

PIN: 0433-39-6751

OWNERS / DEVELOPER: ISAAC YOUNG ENGINEER OR DESIGNER: N/A

PLANNING & INSPECTIONS DEPARTMENT ACTION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

PLANNING BOARD DECISION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

The development plat/plan you submitted to this office is conditionally approved. Your approval is subject to the following conditions:

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. At the time of application for permits, the developer must provide to Code Enforcement approval from the entity that owns and/or regulates the type water and sewer serving the proposed development.
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
4. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
5. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR)

sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.

6. The *Special Flood Hazard Area* (SFHA) exists on this tract; any development within SFHA must have first flood elevations, including all mechanical and electrical equipment above base flood elevation (BFE) plus two feet of freeboard. Proper flood plain development permits are required, issued by the County Engineer, prior to any building/permit application. A copy of the approved flood plain permit must be provided to Code Enforcement at the time of building/zoning permit applications.

Note: The SFHA is not in the area where the proposed manufactured home is to be located.

7. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the RR zoning district must be complied with, as applicable. (Note: A copy of the ingress/egress easement recorded in Deed Bk. 9093, Pg. 795 has been provided to Code Enforcement.)
9. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
10. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
11. If driveways are changed or added, the developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). If required, a copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.

Other Relevant Conditions:

12. The applicant is advised to consult an expert on wetlands before proceeding with any development.
13. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
14. Because the subject property is located within the Airport Overlay District, the developer is strongly encouraged to discuss their development plans with Land Use Codes Section and/or the Fayetteville Regional Airport Director early in the planning stage to ensure that the proposed height of any proposed structure can be found to be no obstruction or hazard to air navigation.
15. The developer submitted a request for a waiver from Section 2401.D "Street Access" for the requirement to have a minimum of 20 feet of street frontage. The Cumberland County Joint Planning Board will hear this case on August 21, 2012.

Note: If the waiver request is approved, it is specific to the current application only and will not apply to any future development.

Thank you for making Cumberland County your home!

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Watershed Officer/Improvements:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609

Code Enforcement (Permits):	Ken Sykes	321-6654
County Engineer's Office:	Wayne Dudley	678-7636
County Health Department:	Daniel Ortiz	433-3680
Ground Water Issues:	Matt Rooney	678-7625
PWC:	Heidi Maly	223-4737
Fayetteville Planning:	Marsha Bryant	433-1416
County Public Utilities:	Amy Hall	678-7682
Corp of Engineers (wetlands):	Crystal C. Amschler	(910) 251-4170
NCDENR (E&S):	Sally Castle	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 807-6374

cc: Marsha Bryant, City of Fayetteville

9093
0795

BK 09093 PG 0795

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS
FILED Jan 23, 2013
AT 08:22:00 am
BOOK 09093
START PAGE 0795
END PAGE 0797
INSTRUMENT # 02646
RECORDING \$26.00
EXCISE TAX (None)
DJ

Prepared by and return to Attorney Dwight W. Snow, P.O. Box 397, Dunn, NC 28335

NORTH CAROLINA

DEED OF EASEMENT

CUMBERLAND COUNTY

THIS DEED OF EASEMENT, made this the 21st day of December, 2012, by and between WELLONS CONSTRUCTION, INC. of P.O. Box 730, Dunn, NC 28335, hereinafter referred to as "Wellons Const.", and ISAAC C. YOUNG, Widower, of 4439 Claude Lee Road, Fayetteville, NC 28306, hereinafter referred to as "Young."

WITNESSETH:

THAT WHEREAS, Wellons Const. is the owner of a certain 110.17 acre tract of land located in Pearces Mill Township, near the City of Fayetteville in Cumberland County, North Carolina which said land is more particularly shown on that map recorded in Map Book 100, Page 28, Cumberland County Registry; and

WHEREAS, Young is the owner of a certain 14.07 acre tract of land (Parcel ID No. 0433-39-6751) which is contiguous to the Wellons Const. tract and is also located in Pearces Mill Township, near the City of Fayetteville in Cumberland County which said land is more

particularly described in that deed from David J. Young and recorded in the Cumberland County Registry, upon which is located a single family residence which has an address of 4458 Claude Lee Road, Fayetteville, NC 28306; and

WHEREAS, in order to provide access for the above referenced Young real property tract and single family residence to Claude Lee Road (NCSR 2341), Young desires to obtain from Wellons Const. a thirty foot wide ingress and egress easement and Wellons Const. desires through this instrument to convey such a right of easement to Young.


NOW, THEREFORE, Wellons Const., for a consideration paid by Young, the receipt of which is hereby acknowledged, does hereby give, grant and convey unto Young and his heirs, assigns and successors in title, a thirty foot wide perpetual right and easement of ingress and egress extending from Claude Lee Road (NCSR 2341) 120 feet to the Young real property and single family residence which is more particularly described as follows:

BEGINNING at a point at the intersection of the southern right-of-way margin of Claude Lee Road (NCSR 2341) and the northwestern boundary of the 110.17 acre tract of Wellons Const. as shown on that map recorded in Map Book 100, Page 28, Cumberland County Registry; thence from said Beginning Point a 30 foot wide perpendicular easement with a northwestern boundary running with the Wellons Const. property northwestern boundary South 32 deg. 25 min. 21 sec. West 250 feet to a point perpendicular to that single family residence located at 4458 Claude Lee Road, Fayetteville, NC 28306, with said easement having the dimensions of 250 feet X 30 feet.

TO HAVE AND TO HOLD said right and easement to Young and his heirs, assigns, successors in title, it being agreed that the right and easement hereby granted is appurtenant to and runs with the land now owned by Young and hereinabove referred to.

IN WITNESS WHEREOF, the Wellons Const. has caused this instrument to be executed in its corporate name by its duly authorized officer, the day and year first above written.

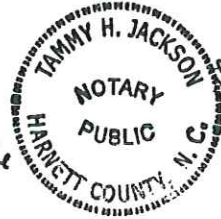
WELLONS CONSTRUCTION, INC.

By: 
Robert P. Wellons, President

NORTH CAROLINA
HARNETT COUNTY

I, a Notary Public, certify that Robert P. Wellons, personally came before me this day and acknowledged that he is President of Wellons Construction, Inc., a corporation, and that he, as President being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the 21 day of December, 2012.




Notary Public

My Commission Expires: 8-31-2016

(N.P. SEAL)