

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

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

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

TENTATIVE AGENDA

May 19, 2015
7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL / WITHDRAWAL

P15-01. REZONING OF .23+/- ACRE FROM R6 RESIDENTIAL TO O&I(P) PLANNED OFFICE AND INSTITUTIONAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 5882, 5884 AND 5888 ROCKFISH ROAD; SUBMITTED BY JACKIE HAIRR ON BEHALF OF HAIRR FAMILY, LLC. (OWNER) AND MONICA KINNEY. **WITHDRAWN**

P15-26. REZONING OF 1.33+/- ACRES FROM C2(P) PLANNED SERVICE AND RETAIL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR A CONVENIENCE STORE WITH GASOLINE SALES AND RESTAURANT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1112 (ROCKFISH ROAD), SOUTH OF WELL STREET; SUBMITTED BY PAT MOLAMPHY ON BEHALF OF ALBEMARLE OIL COMPANY (OWNER) AND CLARK CAMPBELL, ESQUIRE. **DEFERRED UNTIL 6-16-15**

- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF APRIL 21, 2015
- VII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENT

- A. **P15-29.** REVISION AND AMENDMENT TO THE TOWN OF HOPE MILLS SUBDIVISION AND ZONING ORDINANCES TO MODIFY THE SIDEWALK PROVISIONS PERTAINING TO DEVELOPMENTS WITHIN THE TOWN; SPECIFICALLY AMENDING THE HOPE MILLS SUBDIVISION ORDINANCE, ARTICLE IV DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS, SECTION 86A-405. SIDEWALKS AND WALKWAYS; AND AMENDING THE HOPE MILLS ZONING ORDINANCE, ARTICLE I ADMINISTRATIVE PROVISIONS, SECTION 102A-107. ZONING PERMIT AND ARTICLE XV PLANNED DISTRICTS, SECTIONS 102A-1501. GENERAL OBJECTIVES, 102A-1502. DETAILED SITE PLAN SPECIFICATIONS, 102A-1503. SITE PLAN REVIEW, 102A-1504. BOARD

OF COMMISSIONERS' CONSIDERATION; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS)

REZONING CASES

- B. **P15-27.** REZONING OF 2.16+/- ACRES FROM R40 RESIDENTIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2226 DUNN ROAD, SUBMITTED BY JAMES A. MCLAURIN (OWNER) AND MICHAEL J. ADAMS, PLS. (COUNTY)
- C. **P15-28.** REZONING OF 3.00+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1062 CHARMAIN STREET, SUBMITTED BY ALBERT AND SHIRLEY R. NORTON ON BEHALF OF ASK PROPERTIES, LLC. (OWNER). (COUNTY)

VIII. PUBLIC HEARING CONTESTED ITEMS

IX. PUBLIC HEARING ITEM

- SOUTH CENTRAL LAND USE PLAN

X. DISCUSSION

DIRECTOR'S UPDATE

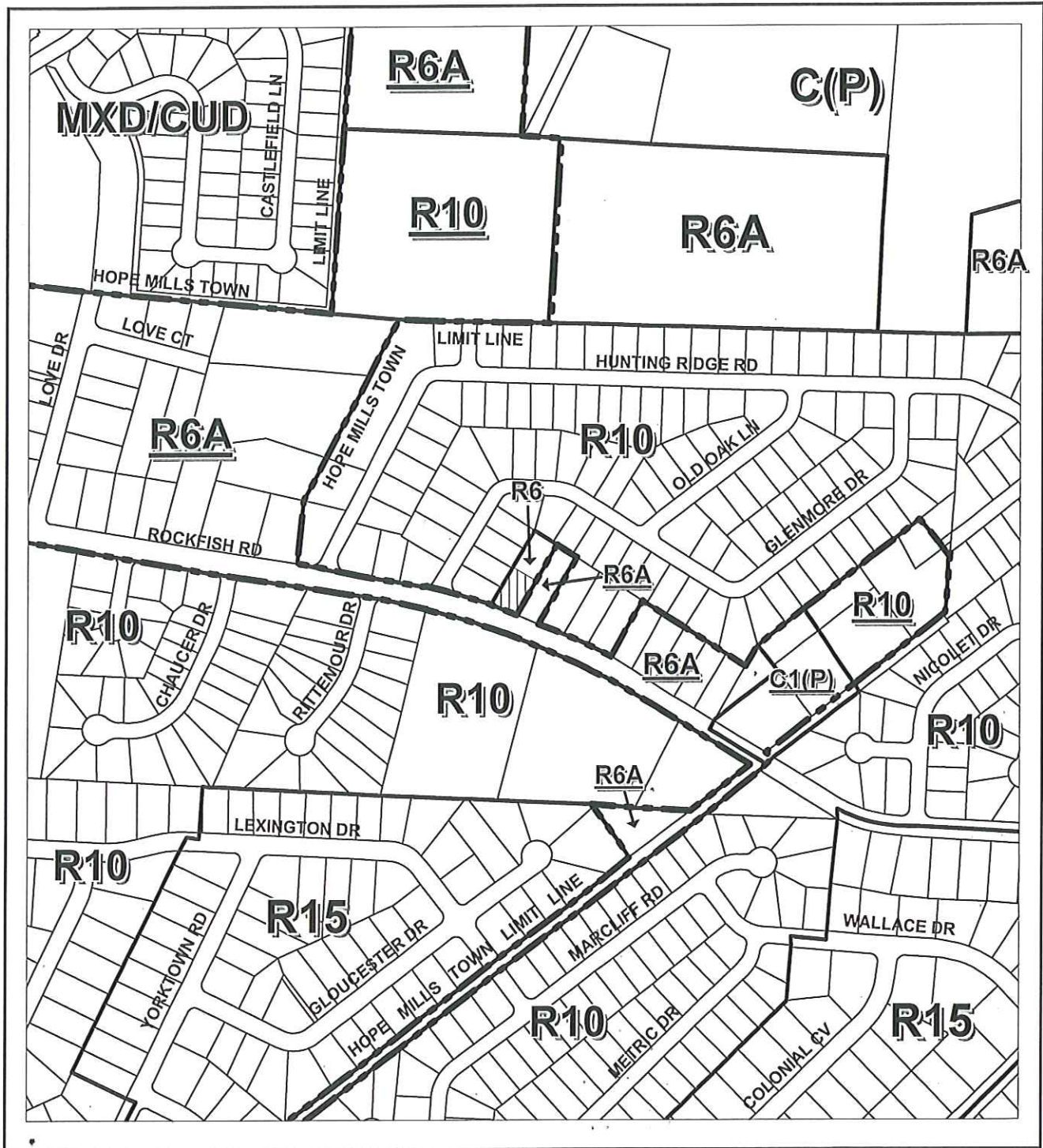
X. ADJOURNMENT

Johnny Scott

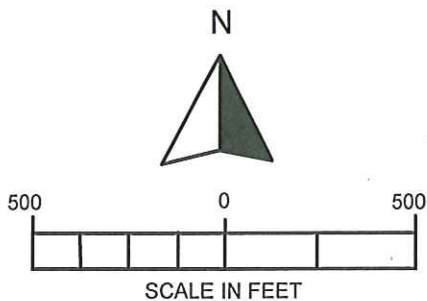
From: Monica Kinney <monicahcc@nc.rr.com>
Sent: Monday, May 11, 2015 3:49 PM
To: Johnny Scott
Subject: Withdrawl - Rezoning 5888 Rockfish Rd

Please withdraw our request for rezoning at the above reference address. Should you need anything further, please advise.

Monica Kinney
HCC Investments, LLC
Wyndfall Apartments, LLC
3077 N. Main Street, Suite 201
Hope Mills, North Carolina 28348
Ph: 910.426.0867
Fax: 910.426.0567



REQUESTED REZONING R6 TO O&I(P)



PORT. OF PIN: 0404-95-6888

ACREAGE: 0.23 AC.+/-		HEARING NO: P15-01	
ORDINANCE: HOPE MILLS	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

2/9/2015
AM

Johnny Scott

From: patmolamphy <patmolamphy@yahoo.com>
Sent: Monday, May 11, 2015 3:21 PM
To: Johnny Scott; Patricia Speicher
Cc: Michael Rutan; Jeff McCluskey
Subject: Rockfish Road Project

Johnny, per our discussions this morning, it is probably best to defer my application (P 15-26) until next month. After speaking with Michael again this afternoon, the applicable area of the code is Sec. 86A-401, section G. The application of page 41 item E was incorrect since it applies to Group Developments.

The date of the Comprehensive Transportation Plans that are being applied is dated April, 2014. I had asked Michael if Hope Mills has adopted this plan, and he didn't think so, but was unsure. I have gone back to the minutes of prior meetings, and don't see where Hope Mills Commissioners have officially adopted this plan. If in fact they have not adopted the plan per their ordinance, then the additional right of way can not be required. I have a call into the Town Manager, and hope to meet with him regarding these issues.

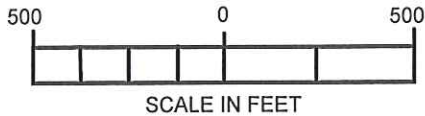
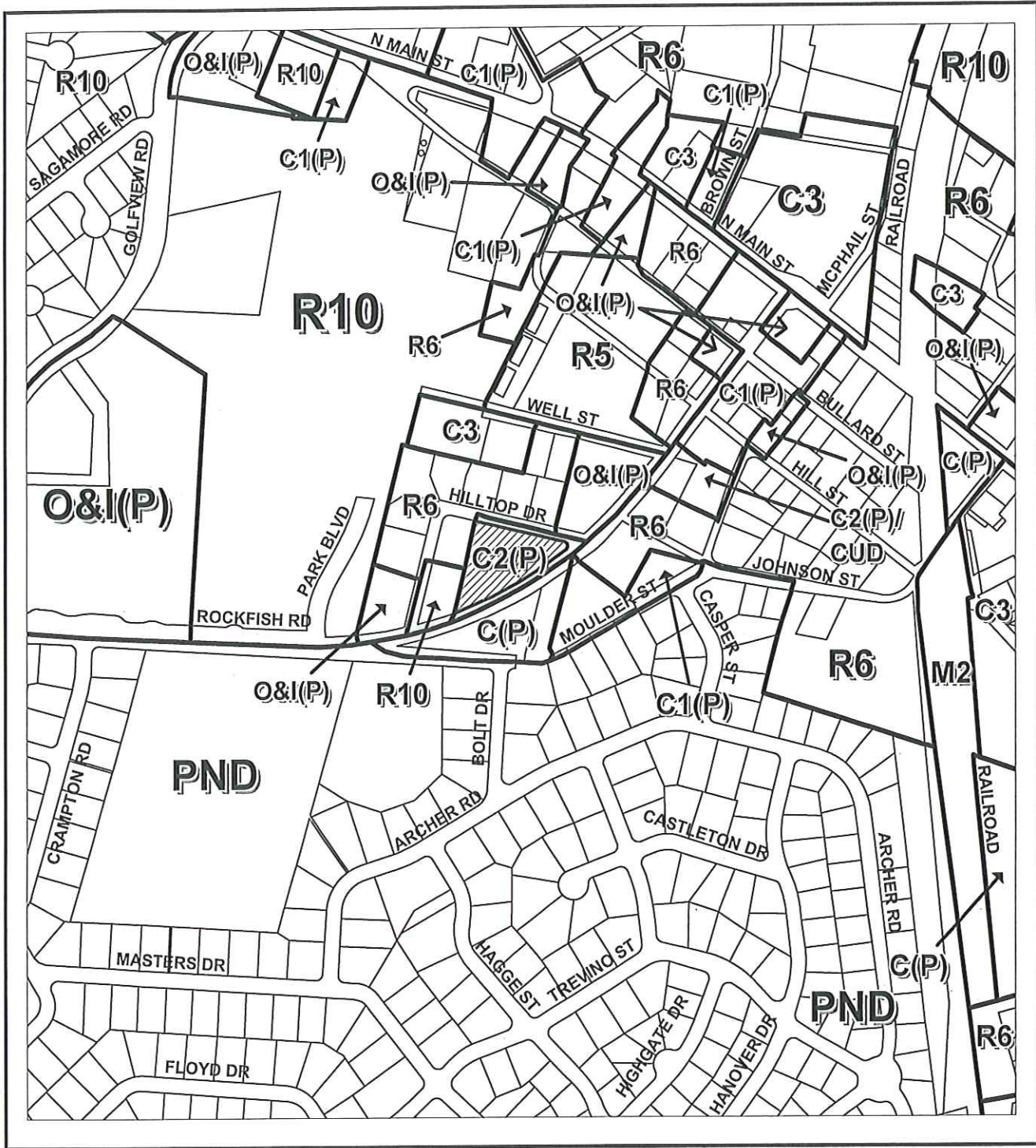
In the mean time, I will proceed to add the sidewalk and connectivity along Hillside Road.

Michael, in the meantime, can you verify if the Town of Hope Mills has adopted the April 2014 Highway Plan (the authorizing language in their ordinance).

Regards,

Pat Molamphy

704-985-9200



SCALE IN FEET

REQUESTED REZONING C2(P) TO C1(P)/CZ

ACREAGE: 1.33 AC.+/-		HEARING NO: P15-26	
ORDINANCE: HOPE MILLS		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

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Town of Eastover

May 12, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for May 19, 2015 Board Meeting

P15-29. REVISION AND AMENDMENT TO THE TOWN OF HOPE MILLS SUBDIVISION AND ZONING ORDINANCES TO MODIFY THE SIDEWALK PROVISIONS PERTAINING TO DEVELOPMENTS WITHIN THE TOWN; SPECIFICALLY AMENDING THE HOPE MILLS SUBDIVISION ORDINANCE, ARTICLE IV DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS, SECTION 86A-405. SIDEWALKS AND WALKWAYS; AND AMENDING THE HOPE MILLS ZONING ORDINANCE, ARTICLE I ADMINISTRATIVE PROVISIONS, SECTION 102A-107. ZONING PERMIT AND ARTICLE XV PLANNED DISTRICTS, SECTIONS 102A-1501. GENERAL OBJECTIVES, 102A-1502. DETAILED SITE PLAN SPECIFICATIONS, 102A-1503. SITE PLAN REVIEW, 102A-1504. BOARD OF COMMISSIONERS' CONSIDERATION; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS)

The Planning & Inspections staff recommends the board recommend approval of the attached Hope Mills subdivision and zoning ordinance text amendments which, if approved, would establish more stringent standards regarding sidewalks and walkways when development or re-development is proposed within the town. The staff has attended work sessions with the Hope Mills Board of Commissioners on three occasions ensuring that the pedestrian goals of the elected officials are addressed in the development ordinances.

The staff also recommends the board find that approval of the sidewalk and walkway text amendments for the town's subdivision and zoning ordinances is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, specifically including: Policy Area 2: *Well-Managed Growth and Development*; Policy Area 3: *Infrastructure That Keeps Pace*; Policy Area 4: *A Balanced Transportation System*; Policy Area 5: *Community Oriented Schools*; Policy Area 6: *Expanded Parks and Recreation*; Policy Area 8: *Quality Housing & Residential Development*; Policy Area 11: *A Healthy, Sustainable Environment*; Policy Area 12: *Vibrant Downtown Areas*. The proposed amendments are also consistent with the *Southwest Cumberland Land Use Plan* in that the adopted goals and objectives of the plan concerning sidewalks and walkways would be met, specifically: Residential objectives numbered 9-requiring sidewalks with new streets, 14-encouraging safe pedestrian passage, 17-pedestrian access to schools and parks; Commercial objectives numbered 2-commercial activities located in areas with pedestrian access, 15-commercial development located in areas to reduce [motor vehicle] travel; Transportation objectives numbered 1-pedestrian infrastructure dependent upon density and character of area, 2-pedestrian access to community facilities, 5-boulevards and thoroughfares having sidewalks on both sides, 11-safe modes of travel, 13-connected pedestrian mobility amenities; Open Space objective number 7-access for handicapped and elderly to open space/parks; and Hope Mills Downtown Goal objectives numbered 3-provide and encourage amenities enhancing small town character and 9-pedestrian plan linking residential to downtown.

The staff further recommends the board find that approval of these amendments is reasonable and in the public interest based on the foregoing information and that by ensuring the provision of sidewalks and walkways within the town more citizens would be encouraged to participate in a healthier lifestyle by increasing their walking thus alleviating some traffic on the town streets.

Attachment: P15-29 Hope Mills Subdivision & Zoning Ordinances Text Amendments

P15-29
Town of Hope Mills
Subdivision and Zoning Ordinances
(Sidewalks & Walkways)

P15-29. REVISION AND AMENDMENT TO THE TOWN OF HOPE MILLS SUBDIVISION AND ZONING ORDINANCES TO MODIFY THE SIDEWALK PROVISIONS PERTAINING TO DEVELOPMENTS WITHIN THE TOWN; SPECIFICALLY AMENDING THE HOPE MILLS SUBDIVISION ORDINANCE, ARTICLE IV DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS, SECTION 86A-405. SIDEWALKS AND WALKWAYS; AND AMENDING THE HOPE MILLS ZONING ORDINANCE, ARTICLE I ADMINISTRATIVE PROVISIONS, SECTION 102A-107. ZONING PERMIT AND ARTICLE XV PLANNED DISTRICTS, SECTIONS 102A-1501. GENERAL OBJECTIVES, 102A-1502. DETAILED SITE PLAN SPECIFICATIONS, 102A-1503. SITE PLAN REVIEW, 102A-1504. BOARD OF COMMISSIONERS' CONSIDERATION; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS)

AMEND the Hope Mills Subdivision Ordinance, Article IV Development Improvement and Design Standards, Section 86A-405. Sidewalks and walkways, as indicated below:

HOPE MILLS SUBDIVISION ORDINANCE
ARTICLE IV
DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS

Sec. 86A-405. Sidewalks and walkways.

(a) *Sidewalks and walkways required.* ~~Sidewalks shall be required to be constructed in the following instances:~~

(1) Except as described herein, sidewalks shall be installed along public and private right(s)-of-way within and adjacent to any development located in the town's jurisdiction, and shall be constructed in accordance with the town's sidewalk specifications and construction standards, and good engineering practices. Sidewalks shall be located according to the following:

a. For proposed residential subdivisions or developments, sidewalks shall be installed on both sides of all proposed streets and drives, and along the existing street right-of-way to which the project abuts. For multi-family developments, sidewalks shall be provided along the building side of the off-street parking area in addition to other sidewalk requirements of this ordinance.

b. For existing residential subdivisions or developments, if a sidewalk exists along the same side of the street abutting the new development or redevelopment of a principal structure, including situations where a principal structure is destroyed by more than 50%, regardless of distance away from the proposed development, a sidewalk shall be required along the lot to be developed; if no sidewalk

exists on the same street side, payment of a fee in-lieu of sidewalk construction shall be mandatory as regulated in sub-section (b) of this section.

c. For all non-residential development with no new streets proposed, sidewalks are required along internal drives and along the existing street(s) adjacent to the subject property. Where new streets are proposed in conjunction with any non-residential development, sidewalks are required along all proposed street(s) and internal drives, and along the existing street(s) adjacent to the subject property. For non-residential developments, sidewalks shall be provided along the building side of the off-street parking area in addition to other sidewalk requirements of this ordinance.

~~When a residential development with a density greater than or equal to 2.2 units per acre is proposed, sidewalks are required on one side of all streets proposed within the development and along any existing minor thoroughfare or higher classification street. Streets ending with a cul-de-sac or hammerhead turnaround when less than 500 feet in length are not required to have sidewalks. Sidewalks are also not required around the bulb of any cul-de-sac or t-type ending of any hammerhead.~~

(2) A walkway shall be installed when ~~When~~ any subdivision or development proposed is adjacent to an existing or proposed public school or park property. ~~The ,the developer~~ shall construct and offer for dedication to the affected public agency owning the affected park or school property a walkway ~~(sidewalk)~~ not less than ten feet in width in such a location as to facilitate direct convenient access to the adjacent school or park property from the proposed subdivision or development.

(3) Sidewalks and walkways shall be constructed by the developer and inspected by the town staff prior to the completion of any building final inspection or submission of final plat approval for recordation, except where a guarantee has been approved and posted as authorized in Section 86A-602.

(4) The developer shall be responsible for the entire cost of installing sidewalks and walkways within and adjacent to the subdivision or development. Payment in-lieu of sidewalk construction may be considered by the Board of Commissioners in accordance with sub-section (b) of this section. ~~When a non-residential development is proposed along a minor thoroughfare or higher classification street, sidewalks are required along the thoroughfare or higher classification street.~~

(b) Payment in-lieu of sidewalk construction.

(1) General. The payment of fees in-lieu of installing a required sidewalk or walkway may be made upon written request of the developer with approval from the Board of Commissioners upon the board finding that:

a. The street is designated as a state or local road subject to widening or improvement on an officially adopted plan;

b. The right-of-way, developing lot, or lot abutting a proposed sidewalk is not suitable for sidewalks due to floodplains, wetlands, riparian buffers, required tree preservation areas, slopes exceeding 25 percent, or other unique site conditions; or

c. The area to be subdivided or developed is too small for the construction of sidewalks or walkways to be practicable.

(2) Procedure for approval. The payment of such fees in-lieu shall be reviewed and approved as part of the subdivision or development application submittal. A sidewalk or walkway easement shall be included on the plan in the general area where a sidewalk or walkway would have been built had the fee in-lieu not been paid. The easement shall be offered for dedication to the town or in the case of walkways required by sub-section (a)(2) above to the agency owning the public park or school. The request to pay the fee in lieu must be attached to the plan application, in letter form and include an itemized estimate of the expected costs of sidewalk construction sealed by the developer's engineer or other qualified licensed professional. At the meeting in which the plan approval occurs, the Board of Commissioners shall also consider the request for the payment in lieu of installing the sidewalk. If the letter requesting payment in lieu of sidewalk construction is submitted on a date after the date the application is submitted, a new and separate fee equal to one-half of the original subdivision/development submittal fee shall be charged.

(3) Time of payment. The fees in-lieu of sidewalks shall be paid prior to the building final inspection and/or approval of each phase of the subdivision or development submitted for final plat approval as directed by the Board of Commissioners.

(4) Use of funds. Payments in-lieu of sidewalk construction received in accordance with this sub-section shall be used only for the development of new sidewalks or multi-use pedestrian/bicycle paths.

~~Sidewalk construction standards. All required sidewalks shall be constructed with concrete or other pre-approved surface material and shall comply with the provisions of the Americans with Disabilities Act standards. The required sidewalks shall be constructed with a minimum width of 48 inches, a minimum of four inch thickness for areas subject to pedestrian traffic, a minimum of seven inch thickness for areas subject to vehicular traffic, joints spaced every three feet, and a minimum 3,000 psi compressive strength. When walks are installed adjacent to parking areas, the walks shall accommodate vehicular bumper overhang and be functional. The Town shall review and approve all sidewalk plans prior to commencement of construction of any sidewalk.~~

(c) Exemptions. The sidewalk and in-lieu fee requirements of this section do not apply to (i) new development consisting solely of an accessory residential structure (for example a pool, garage or shed) or (ii) the reconstruction of a damaged principal residential structure, provided that the damage to the structure is 50% or less than the value of the structure at the time it is damaged. The Town Planner may determine the value of the structure using tax assessment information, an appraisal or other similarly credible sources.

AMEND the Hope Mills Zoning Ordinance, Article I Administrative Provisions, Sec. 102A-107. Zoning permit, as indicated below:

HOPE MILLS ZONING ORDINANCE
ARTICLE I
ADMINISTRATIVE PROVISIONS

Sec. 102A-107. Zoning permit.

(a) *Zoning permit required.* It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, or to commence the moving, alteration or repair of any structure, or the use of any land or building, including accessory structures, until the Town Planner ~~Chief Building Inspector~~ has issued a zoning permit for such work or use. Such permit shall include a statement that the plans, specifications for, and intended use of such land or structure, in all respects, conform ~~to~~ with the provisions of this ordinance and the town's subdivision regulations Chapter 86. Application for a zoning permit shall be made in writing to the Town Planner ~~Chief Building Inspector~~ on forms provided for that purpose. Zoning permits shall be void after six months from date of issue unless substantial progress on the project has been made by that time.

(b) *Approval of plans.* The Town Planner ~~Chief Building Inspector~~ shall review all applications for a zoning permit for any purpose regulated by this ordinance and the town's subdivision regulations Chapter 86 for conformity with this ordinance and the town's subdivision regulations Chapter 86. To this end, every application for a zoning permit shall be accompanied by a plan or plat drawn to scale and showing the following in sufficient detail to enable the Town Planner ~~Chief Building Inspector~~ to ascertain whether the proposed activity is in conformance with this ordinance and the town's subdivision regulations Chapter 86:

(1) The actual shape, location and dimensions of the lot;

(2) The shape, size and location of all buildings or other structures to be erected, altered or moved and of any building or other structures already on the lot;

(3) The existing and intended use of all such buildings or other structures; ~~and~~

(4) Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this ordinance and the town's subdivision regulations Chapter 86 are being observed; ~~and~~ .

(5) The plan or plat shall show the existing sidewalk location. In the event there is no sidewalk is present, the provisions of 102A-1503(j) of this ordinance and 86A-405 of the Hope Mills Subdivision Ordinance apply.

In any planned district, the Town Planner ~~Chief Building Inspector~~ shall not issue a zoning permit except in conformance with an approved site plan. The site plan shall also, without limitation, comply with all applicable standards of Article XV.

(c) *Issuance of zoning permit.* If the proposed activity as set forth in the application conforms to ~~with~~ the provisions of this ordinance and the town's subdivision regulations ~~Chapter 86~~, the Town Planner ~~Chief Building Inspector~~ shall issue a zoning permit for such purpose. If any application for a zoning permit is not approved, the Town Planner ~~Chief Building Inspector~~ shall state in writing on the application the cause for such disapproval. Issuance of a permit shall in no case be construed as waiving any provision of this ordinance or of the town's subdivision regulations ~~Chapter 86~~ and the town reserves the right to rescind any zoning permit mistakenly issued in contravention of the provisions of this ordinance or of the town's subdivision regulations ~~Chapter 86~~.

AMEND the Hope Mills Zoning Ordinance, Article XV Planned Districts, Sections 102A-1501. General objectives; 102A-1502. Detailed site plan specifications; 102A-1503. Site plan review; 102A-1504. Board of Commissioners' consideration; as indicated below:

**HOPE MILLS ZONING ORDINANCE
ARTICLE XV
PLANNED DISTRICTS**

Sec. 102A-1501. General objectives.

This article recognizes that through ingenuity, imagination, and quality design community development can be improved. All development in any planned zoning districts shall be subject to site plan review and approval prior to application for any permits. The careful review of development plans by the town and county planning staffs is a process that will:

- (a) Permit creative approaches to the development of land, reflecting changes in the technology of land development;
- (b) Provide for an efficient use of land, which can result in smaller networks of utilities and streets and thereby lower development costs;
- (c) Provide and ensure an environment of stable character compatible with surrounding land uses;
- (d) Accomplish a more desirable environment than would otherwise be possible; and
- (e) Enhance the appearance of the community.

Sec. 102A-1502. Detailed site plan specifications.

In any planned district, permits shall not be issued by the Town Planner ~~Chief Building Inspector~~ except in conformance with a detailed plan submitted to the County Planning Staff, reviewed by the town and county planning staffs, and approved by the Board of Commissioners or where applicable, the Board of Adjustment. Plans submitted for approval shall be in the number as required by the County Planning Director, drawn to an engineering scale of not less than one inch equaling 200 feet, and shall show all information necessary for proper evaluation of the plan, including:

- (a) The dimensions and location of the property, all existing and proposed structures, including any existing and/or proposed freestanding signs, sidewalks and existing and proposed rights-of-way;
- (b) The parking and general circulation plan, including entrances, exits, pedestrian ways, and lateral access to adjoining commercial or industrial properties where practical.
- (c) The service area, including off-street loading facilities, service drives, and dimensions thereof and proposed uses of all structures;
- (d) The proposed location and material of fences, walls, buffer and landscaping; and
- (e) The name of the developer, the date, the scale, the north arrow, parcel identification number, general vicinity sketch map, and the person or firm preparing the plan.

Sec. 102A-1503. Site plan review.

Plans for development shall be submitted to the county planning staff and shall be processed in accordance with the terms of this ordinance ~~accordance with the schedule adopted by the Board of Commissioners~~. The county planning staff shall ensure the plan is in compliance with this ordinance and the town's subdivision regulations Chapter 86 if applicable, and shall provide copies to the town staff for their review and comment prior to presentation to the board for final determination.

The burden shall be on the developer to show that their plans are in the best interests of the community and the users of the proposed developments. Site planning of the proposed development shall demonstrate that ~~provide~~ protection of the development from potentially adverse surrounding influences and protection of surrounding areas from potentially adverse influences is provided within the development. The development plan shall show, and careful review shall be given to, the following information:

- (a) Proposed land uses, the location of various land uses, their types, and densities;
- (b) Proposed circulation pattern for vehicles and pedestrians including providing for the interconnectivity of drives and parking areas by means of lateral access;

(c) Proposed parks, and other common open space areas, proposed means of dedication of any common open space areas and organizational arrangements for the ownership, maintenance, and preservation of common open space;

(d) Delineation of the units or phases to be constructed in progression;

(e) Relation to land uses in surrounding areas and to the general development plan;

(f) The layout of motor vehicle parking and loading areas, service areas, entrances, exits, yards, courts, landscaping, location of freestanding signs, and method control of lighting, noise or other potentially adverse influences in order to protect the residential character within and/or adjacent to the planned development;

(g) The yard setbacks and type of buffering and/or screening various land uses;

(h) The plan shall note and the developer shall ensure that all utilities are placed underground, except for 25kv or greater electrical lines; ~~and~~

(i) Extension and connection to public water and/or sewer, if extension and connection would be required under the provisions of the town's subdivision regulations Chapter 86. If the development consists of non-residential uses or mixed use and utilities are present within the right-of-way or if any adjacent lot is served by utilities, extension and connection is mandatory; ~~and~~

(j) Sidewalks and walkways, complying with the Americans with Disabilities Act (ADA), shall be provided along the street right(s)-of-way; all such sidewalks shall be constructed in accordance with the town's sidewalk specifications and construction standards. Sidewalks and payments in-lieu shall be required in accordance with the provisions of Section 86A-405 of the Hope Mills Subdivision Ordinance.

Upon the planning and town staff review, the combined staff recommendations shall be forwarded to the Board of Commissioners; the staff shall either recommend approval of the site plan and state the conditions of recommendation, if any, or shall recommend disapproval of the site plan and state their ~~its~~ reasons.

Sec. 102A-1504. Board of Commissioners' consideration.

The Board of Commissioners shall hear and approve the plan and state the conditions of the approval, if any, or shall disapprove the plan and state its reasons. Where a development plan meets the provisions of the town's subdivision regulations Chapter 86, approval of the development plan shall constitute preliminary subdivision plan approval for the purposes of the town's subdivision regulations Chapter 86. The decision of the Board of Commissioners shall be the final decision on the plan. The approved plan shall be filed with the Town Planner ~~Chief Building Inspector~~ and may be amended in the same manner as provided for original plan approval.

The Board of Commissioners may approve alternate yard setbacks for developments in any planned zoning district if such approval will provide a more logically planned development. The board shall give careful consideration to the relation and effect on the surrounding properties and the intent of this ordinance prior to granting such approval.

AMEND the Hope Mills Zoning Ordinance, Article X Individual Uses, Section 102A-1001. Development standards for individual uses, as indicated below:

**HOPE MILLS ZONING ORDINANCE
ARTICLE X
INDIVIDUAL USES**

Sec. 102A-1001. Development standards for individual uses.

The development standards of this article are additional to other requirements in this ordinance. If there is a conflict with another section of this ordinance or any other Federal, State or local regulation, the most restrictive requirement shall apply. These development standards are use-specific and apply as minimum development standards for the use regardless of the type of approval or permit otherwise required by this ordinance. All non-residential uses listed within this article require site plan review and approval in accordance with Article XV unless the use specifically requires approval of a special use permit or conditional zoning use-permit. Those uses requiring approval as a special use permit (Section 102A-1706) or a conditional zoning use-permit (Article V) shall also be subject to these standards and any additional standards or conditions required by the permit.

In addition to the specific criteria listed for each use, the following are to be considered as minimum criteria for every non-residential use:

(a) All parking and loading areas shall comply with the minimum provisions established in this ordinance, Article XIII, Off-Street Parking and Loading;

(b) All lighting shall be directed internally and shall comply with Section 102A-1202(m);

(c) Noise generated by any use shall not substantially or detrimentally affect the ability of surrounding property owners to reasonably enjoy the use of their properties and shall not contradict those standards of Chapter 34, Town of Hope Mills Code of Ordinances, Article II, entitled: "Noise" (also referred to as the 'Noise Ordinance');

(d) When any non-residential use is adjacent to property zoned for residential, a buffer shall be provided in accordance with Section 102A-1202(g);

(e) Unless otherwise specified within these individual sections, all signage shall be in compliance with this ordinance (Article XIV, Sign Regulations) for the specific district in which the subject property is located;

(f) All new non-residential development shall comply with the landscaping provisions of Section 102A-1202(n); ~~and~~

(g) Sidewalks and walkways, complying with the Americans with Disabilities Act (ADA), shall be provided along the street right(s)-of-way; all such sidewalks and walkways shall be constructed in accordance with the town's sidewalk construction standards. A payment of fees, in-lieu of sidewalk construction may be requested in accordance with the provisions of Section 86A-405(b), Hope Mills Subdivision Ordinance; and

(h g) Compliance with all applicable Federal, State, and local regulations, including the town's subdivision regulations ~~Chapter 86~~, is mandatory.

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Vice-Chair
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May 12, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the May 19, 2015 Board Meeting

P15-27. REZONING OF 2.16+/- ACRES FROM R40 RESIDENTIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2226 DUNN ROAD, SUBMITTED BY JAMES A. MCLAURIN (OWNER) AND MICHAEL J. ADAMS, PLS.

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-27 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban fringe area” at this location as the proposed district would allow development at one or less units per acre. The request is also consistent the Eastover Area Detailed Land Use Plan which calls for “one acre residential lots” at this location.

The staff also recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *individual well and septic systems are allowed, public water and sewer are not available; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to 1 unit per acre in areas with hydric and severe septic tank limitations soils; desirable to not be located in an area that is a prime industrial site; and may be outside the Sewer Service Area.*

2nd MOTION

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P15-27 for A1 Agricultural district based on the following:

1. The A1 Agricultural district will allow for land uses and lot sizes that exist in the general area; and
2. If approved, the re-zoning would make the zoning of the subject property consistent with the recently recombined parcel under same ownership.

There are no other districts considered suitable for this request.

Attachments: 1 – Site Profile 2 – Sketch Map

P15-27
SITE PROFILE

P15-27. REZONING OF 2.16+/- ACRES FROM R40 RESIDENTIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2226 DUNN ROAD, SUBMITTED BY JAMES A. MCLAURIN (OWNER) AND MICHAEL J. ADAMS, PLS.

Site Information:

Frontage & Location: No frontage

Depth: 980.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, west of subject property

Current Use: 1 residential structure & 3 accessory structures

Initial Zoning: A1 – April 26, 1979 (Area 8); rezoned to R40 May 21, 2007

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR (Eastover), R40 & A1; South: A1; East: R40 & A1; West: RR (Eastover) & A1

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

2030 Land Use Plan: Urban Fringe Area

Eastover Land Use Plan: One Acre Residential Lots

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: Yes, hydric – RO Roanoke and Wahee loams

School Capacity/Enrolled: Armstrong Elementary: 450/411; Mac Williams Middle: 1,270/1,165; Cape Fear High: 1,425/1,534

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

Average Daily Traffic Count (2012): 3,000 on SR 1838 (Dunn Road)

Highway Plan: Dunn Road is identified in the Highway Plan as a Local Road. 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:

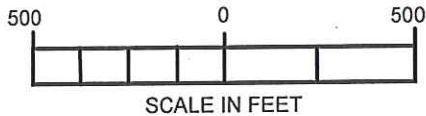
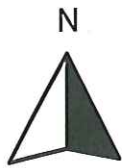
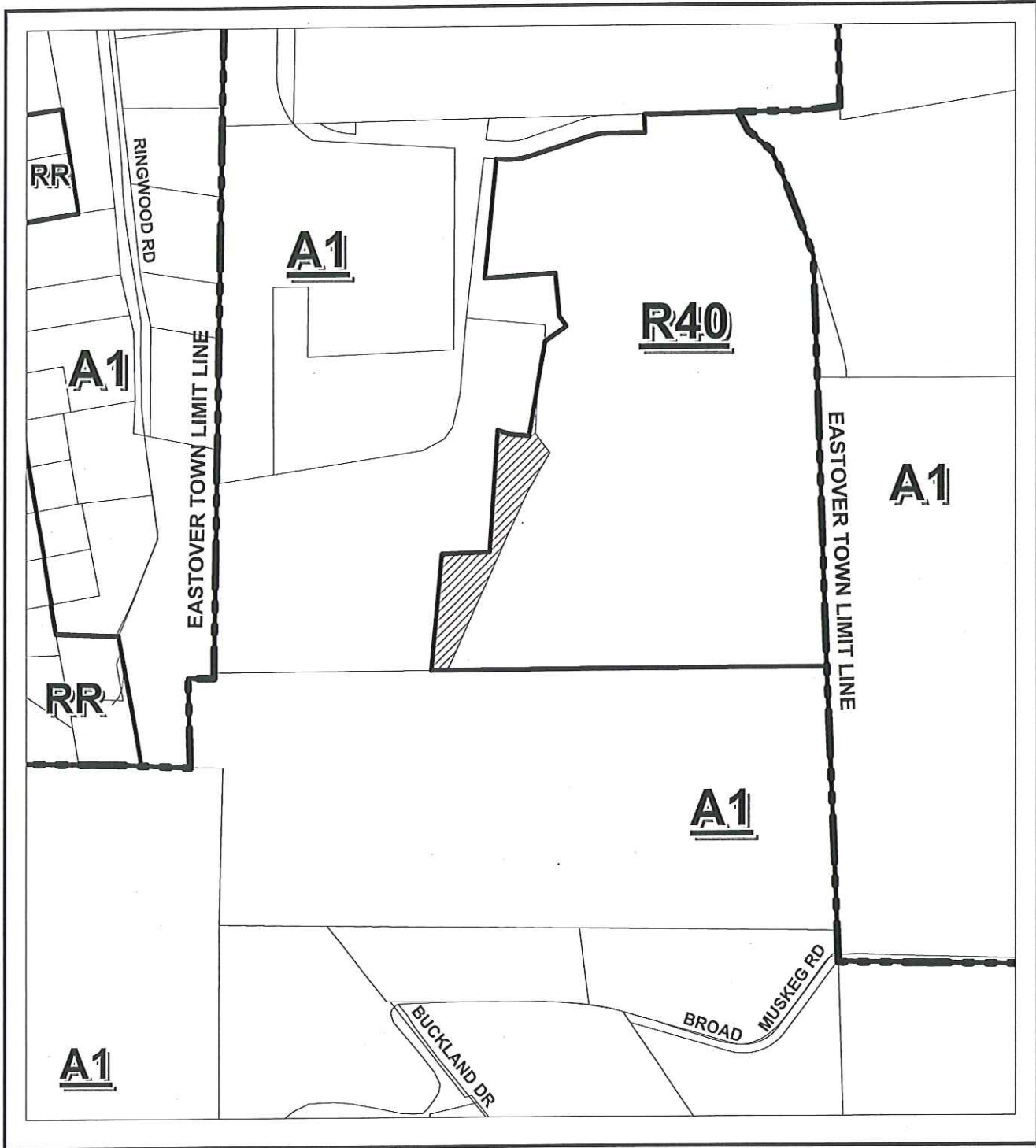
1. Density
R40 – 2 lots/units
A1 – 1 lot/unit

2. Minimum Yard Setback Regulations:

<u>R40</u>	<u>A1</u>
Front yard: 30'	Front yard: 50'
Side yard: 15'	Side yard: 20'
Rear yard: 35'	Rear yard: 50'

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.



PIN: 0457-79-3044

REQUESTED REZONING R40 TO A1

ACREAGE: 2.16 AC.+/-	HEARING NO: P15-27	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

JM
5/4/2015

Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

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

Donovan McLaurin
Wade, Falcon & Godwin



CUMBERLAND
COUNTY
NORTH CAROLINA

Planning & Inspections Department

May 12, 2015

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the May 19, 2015 Board Meeting

P15-28. REZONING OF 3.00+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1062 CHARMAIN STREET, SUBMITTED BY ALBERT AND SHIRLEY R. NORTON ON BEHALF OF ASK PROPERTIES, LLC. (OWNER).

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-28 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location as the proposed district will allow for a wide variety of commercial businesses. The request is also consistent with the Shaw Heights Land Use Plan which calls for "commercial" at this location.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, public water is available, however, due to topography PWC cannot extend sewer; *should have minimum direct access to a collector street*, Charmain Street is a local road; *should not be in a predominantly residential, office & institutional, or light commercial area*; *must be located on a sufficient site that provides adequate area for buffering, screening, and landscaping and could be located in a designated Activity Node Area*.

2nd MOTION

The Planning and Inspections Staff recommends the board approve Case No. P15-28 for C(P) Planned Commercial district based on the above information and the following:

1. The C(P) Planned Commercial district will allow for land uses and lot sizes that exist in the general area; and
2. If approved, the rezoning would be consistent with the adjacent commercial property under the same ownership.

There are no other districts considered suitable at this location.

Attachments:
1 – Site Profile
2 – Sketch Map

P15-28
SITE PROFILE

P15-28. REZONING OF 3.00+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1062 CHARMAIN STREET, SUBMITTED BY ALBERT AND SHIRLEY R. NORTON ON BEHALF OF ASK PROPERTIES, LLC. (OWNER).

Site Information:

Frontage & Location: 304.89'+/- on SR 1444 (Charmain Street)

Depth: 435.62'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, northeast of subject property

Current Use: Vacant land

Initial Zoning: R6A – September 17, 1973 (Area 2A)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: R6A/CU (motor vehicle sales), M(P), C3, C(P) & R6A; South: C(P)/CU (mandatory sewer connection), C3, C(P), CC (Fay), SF-6 (Fay) & R6A; East: C(P)/CU (specified uses), M(P), M1(P) & C3; West: C3 & R6A

Surrounding Land Use: Residential (including manufactured dwellings & multi-family), industrial operation not otherwise permitted, manufactured home parks (3), open storage, office, motor vehicle sales (2), substation, trade contractor, motor vehicle repair, tire sales & woodlands

2030 Land Use Plan: Urban

Shaw Heights Land Use Plan: Commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/Septic

Soil Limitations: None

Watershed: Yes

School Capacity/Enrolled: Warrenwood Elementary: 450/446; Spring Lake Middle: 700/487; Pine Forest High: 1,750/1,583

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

RLUAC: Does not object to the request but advises the property is located within a military aircraft high noise level area (65db)

Municipal Influence Area: City of Fayetteville

Average Daily Traffic Count (2012): 15,000 on NC Hwy 210 (Murchison Road)

Highway Plan: Charmain Street is identified in the Highway Plan as a Local Road. 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:

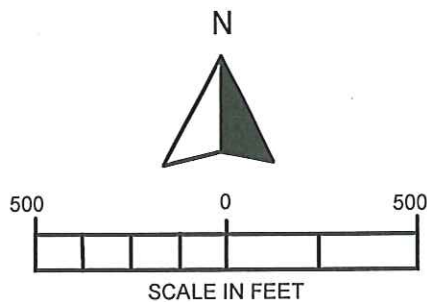
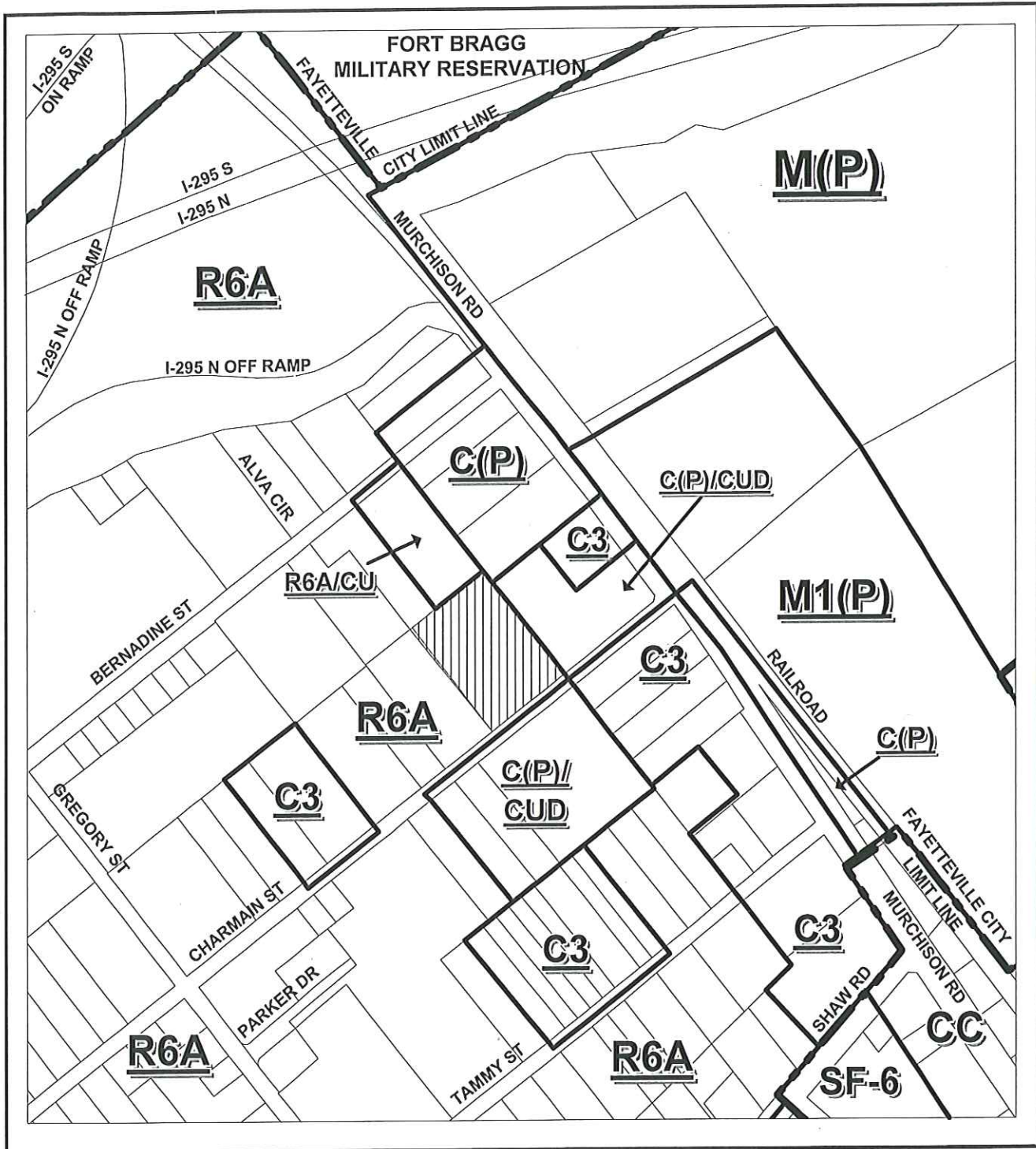
1. Density (minus 15% for ROW):
R6A – 31 lots/units (27 lots/units) *24 units if Manufactured Home Park

2. Minimum Yard Setback Regulations:

<u>R6A</u>	<u>C2(P) & C(P)</u>
Front yard: 25'	Front yard: 50'
Side yard: 10'	Side yard: 30'
Rear yard: 15'	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 R6A TO C(P)

ACREAGE: 3.00 AC.+/-	HEARING NO: P15-28	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0419-97-3674

JM 4/23/2015