

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**

April 19, 2016  
7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL / WITHDRAWAL
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF MARCH 15, 2016
- VII. PUBLIC HEARING CONSENT ITEMS

**REZONING CASES**

- A. **P16-02:** REZONING OF 25.96+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 2233 (SCHOOL ROAD), WEST OF SR 2251 (YARBOROUGH ROAD); SUBMITTED BY CHARLES JEFFERY DEVORE (OWNER) AND TIM EVANS (AGENT).
- B. **P16-15.** REZONING OF 3.06+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2245 (THROWER ROAD), WEST OF NC HWY 87 S; SUBMITTED BY JAMES SMITH, JR. (OWNER) AND TIM EVANS (AGENT).
- C. **P16-16.** REZONING OF 1.13+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2245 (THROWER ROAD), WEST OF NC HWY 87 S; SUBMITTED BY JAMES SMITH, JR. (OWNER) AND TIM EVANS (AGENT).
- D. **P16-17.** REZONING OF 20.00+/- ACRES FROM RR RESIDENTIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE EAST SIDE OF SR 1121 (MCDONALD ROAD), SOUTH SIDE OF SR 1118 (PARKTON ROAD); SUBMITTED BY CHARLES & JOHN CALHOUN(OWNERS) AND VIPER SOLAR, LLC (AGENT).

- E. **P16-18.** REZONING OF 66.13+/- ACRES FROM R30 RESIDENTIAL/DD DENSITY DEVELOPMENT/CZ CONDITIONAL ZONING FOR A 66 LOT RESIDENTIAL SUBDIVISION TO R30 RESIDENTIAL & A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 2243 (ROSLIN ROAD), NORTH OF RUNNING FOX ROAD; SUBMITTED BY CHARLES GARDNER (OWNER) AND JIMMY KIZER, MOORMAN, KIZER & REITZEL, INC. (AGENT).

TEXT AMENDMENT

- F. **P16-19.** REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CODE OF ORDINANCES, CHAPTER 42 ZONING BY AMENDING ARTICLE III. PERMITTED PRINCIPAL USES AND STRUCTURES, IN ITS ENTIRETY; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

VIII. CONTESTED ITEMS

IX. DISCUSSION

DIRECTOR'S UPDATE

- CONVENE A COMPREHENSIVE PLANNING COMMITTEE MEETING TO DISCUSS THE MIA OF SPRING LAKE.
- MAY 3, 2016 NEXT LUNCH WORKSHOP

X. ADJOURNMENT

Patricia Hall,  
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Walter Clark,  
Cumberland County

Benny Pearce,  
Town of Eastover

April 12, 2016

**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the April 19, 2016 Board Meeting

**P16-02.** REZONING OF 25.96+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 2233 (SCHOOL ROAD), WEST OF SR 2251 (YARBOROUGH ROAD); SUBMITTED BY CHARLES JEFFERY DEVORE (OWNER) AND TIM EVANS (AGENT).

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

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P16-02 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “rural” at this location because the district requested will allow for single family dwelling units on relatively large lots in a rural area. Although the request is not entirely consistent with the South Central Land Use Plan which calls for “farmland”, the requested district would restrict development to approximately one acre lots where soil conditions are suitable for septic systems.

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 is not available; *could be located in any defined critical area as defined by the Fort Bragg Small Study Area*; and *may be outside the Sewer Service Area*.

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

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-02 for the R40 Residential based on the following:

- The R40 Residential district will allow for land uses and lot sizes that exist in the general area.

There are no other districts suitable for this request at this location.

Attachments: 1 – Site Profile 2 – Sketch Map

**P16-02**  
**SITE PROFILE**

**CASE HEADING HAS CHANGED**

**P16-02.** REZONING OF 25.96+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 2233 (SCHOOL ROAD), WEST OF SR 2251 (YARBOROUGH ROAD); SUBMITTED BY CHARLES JEFFERY DEVORE (OWNER) AND TIM EVANS (AGENT).

**Site Information:**

**Frontage & Location:** N/A [60 ft on proposed street stub to SR 2233 (School Road)]

**Depth:** 1510'+/-

**Jurisdiction:** Cumberland County

**Adjacent Property:** Yes

**Current Use:** Farm

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

**Nonconformities:** None

**Zoning Violation(s):** None

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

**Surrounding Land Use:** Residential (including manufactured homes), hair salon, elementary school, religious worship & community center

**2030 Growth Strategy Map:** Rural

**South Central Land Use Plan:** Farmland

**Special Flood Hazard Area (SFHA):** None

**Watershed:** Yes, watershed approval is required

**Water/Sewer Availability:** Well/Septic

**Soil Limitations:** Yes, hydric – JT Johnston loam

**Subdivision/Site Plan:** Case no. 14-123 must be revised for proposed road. Review required prior to development.

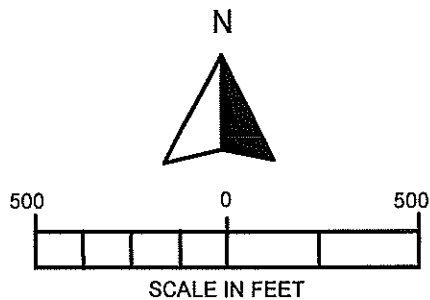
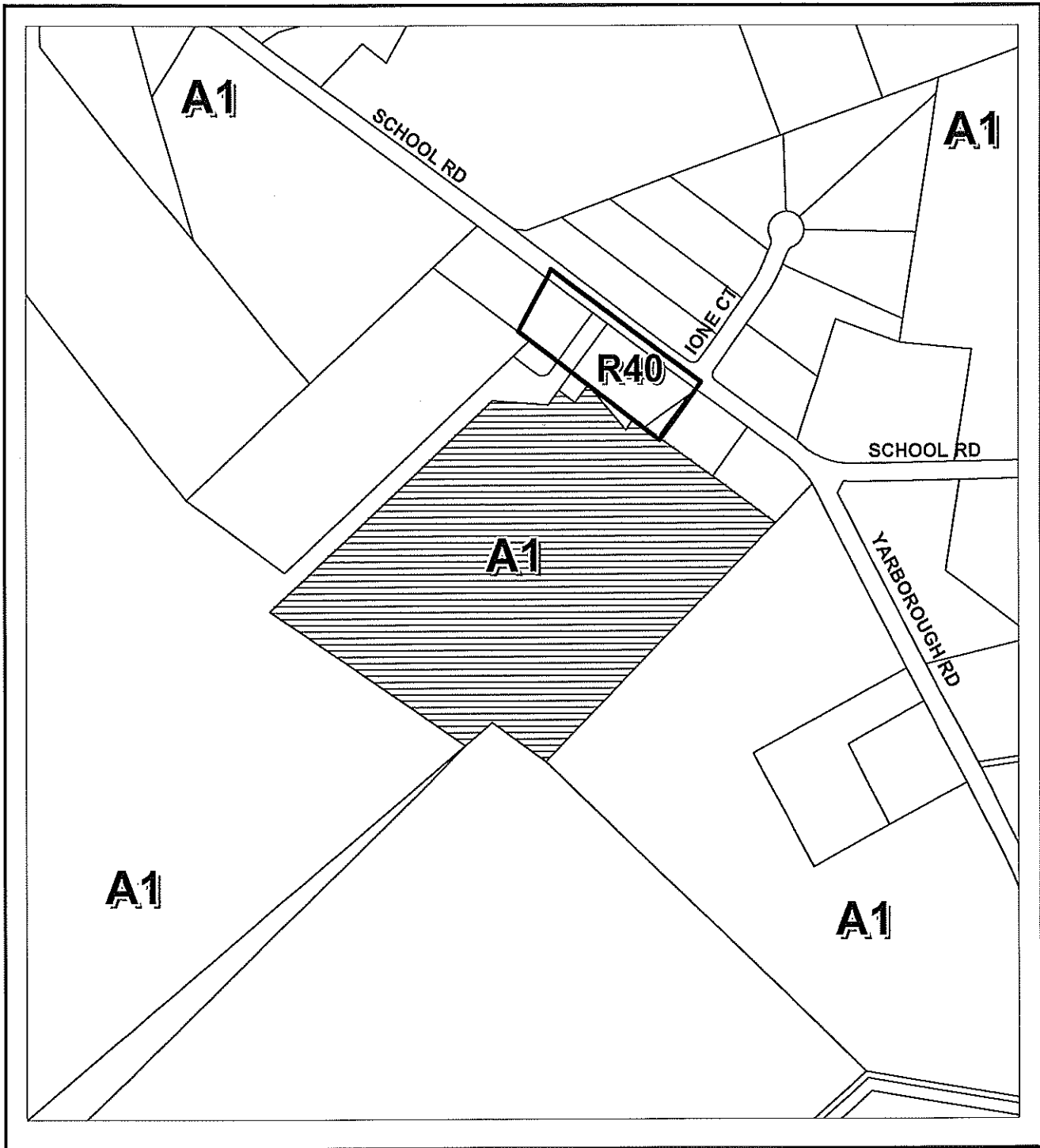
**Average Daily Traffic Count (2014):** 800 on SR 2233 (School Road)

**Highway Plan:** School Rd is a local thoroughfare. There are no road improvements/construction specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Plan.

**Notes:**

1. Density  
A1 – 12 lots/units  
R40 – 26 lots/units
  
2. Minimum Yard Setbacks:

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



## REQUESTED REZONING A1 TO R40

<b>ACREAGE: 25.96 AC.+/-</b>		<b>HEARING NO: P16-02</b>	
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>	
<b>STAFF RECOMMENDATION</b>			
<b>PLANNING BOARD</b>			
<b>GOVERNING BOARD</b>			



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NORTH CAROLINA

*Planning & Inspections Department*

April 12, 2016

**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the April 19, 2016 Board Meeting

**P16-15.** REZONING OF 3.06+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2245 (THROWER ROAD), WEST OF NC HWY 87 S; SUBMITTED BY JAMES SMITH, JR. (OWNER) AND TIM EVANS (AGENT).

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

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P16-15 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “rural” at this location because the district requested will allow for single family dwelling units on relatively large lots in a rural area. Although the request is not entirely consistent with the South Central Land Use Plan which calls for “farmland”, the requested district follows the Plan’s recommendation “to allow rezoning to one acre lots on tracts ten acres or less in the farmland area.”

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; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations; desirable to not be located in an area that is a prime industrial site and may be outside the Sewer Service Area.*

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

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-15 for the R40 Residential based on the following:

- The R40 Residential district will allow for land uses and lot sizes that exist in the general area.

There are no other districts suitable for this request at this location.

Attachments: 1 – Site Profile 2 – Sketch Map

**P16-15**  
**SITE PROFILE**

**P16-15.** REZONING OF 3.06+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2245 (THROWER ROAD), WEST OF NC HWY 87 S; SUBMITTED BY JAMES SMITH, JR. (OWNER) AND TIM EVANS (AGENT).

**Site Information:**

**Frontage & Location:** 412'+/- on SR 2245 (Thrower Rd)

**Depth:** 334'+/-

**Jurisdiction:** County

**Adjacent Property:** Yes

**Current Use:** Vacant

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

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North: C1(P), A1, R40, RR & R20; South: A1, R40 & RR East: A1, R30 & RR; West: A1 & R40

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

**2030 Growth Strategy Map:** Rural area

**South Central Land Use Plan:** Farmland

**Special Flood Hazard Area (SFHA):** None

**Water/Sewer Availability:** Well/Septic

**Soil Limitations:** None

**Subdivision/Site Plan:** Review may be required prior to development

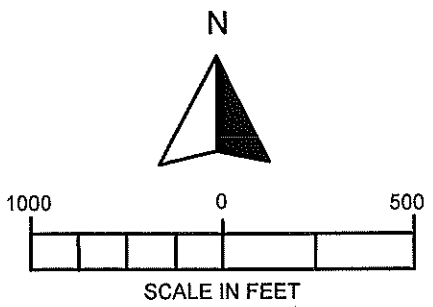
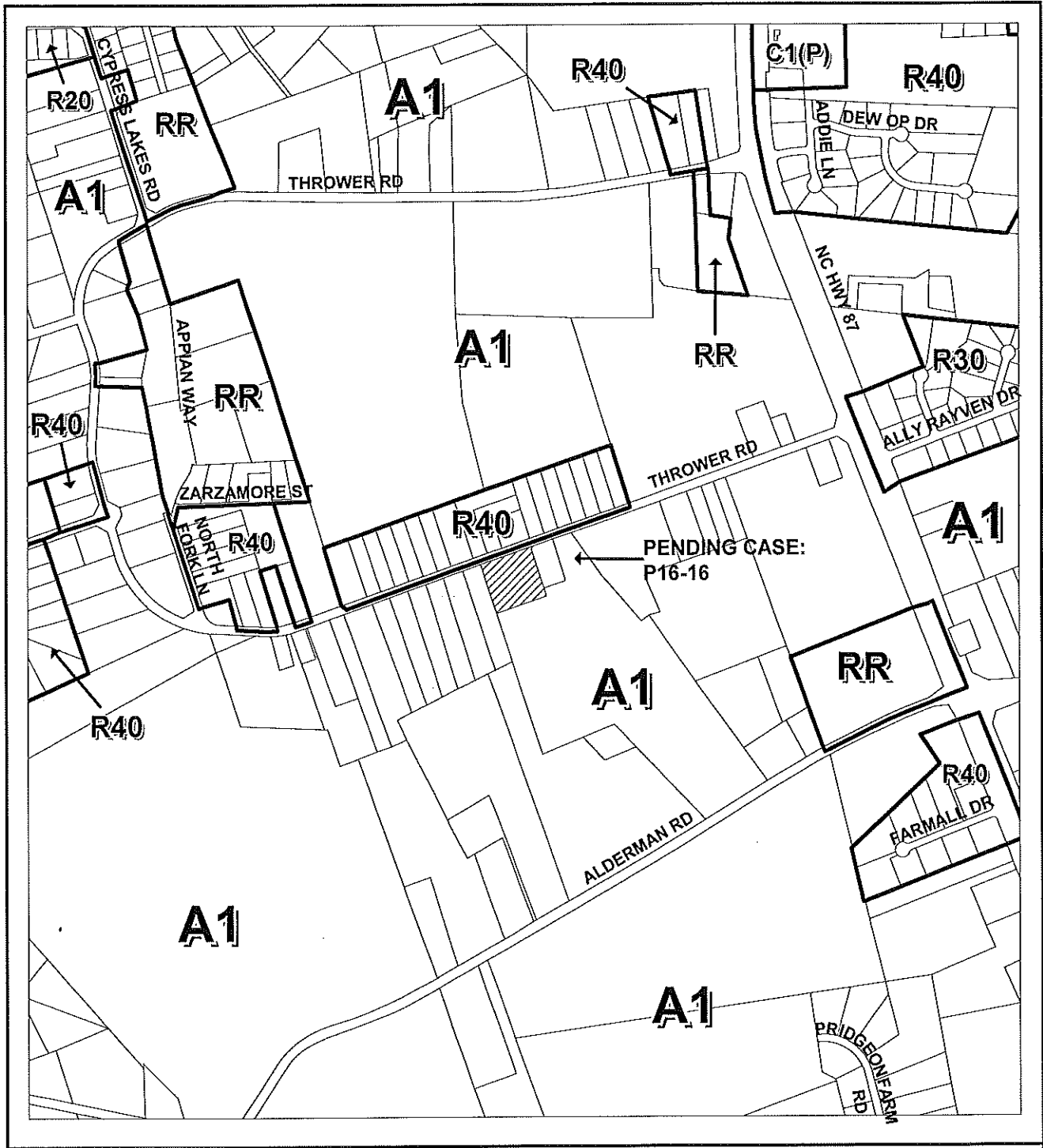
**Average Daily Traffic Count (2014):** 240 on SR 2245 (Thrower Rd)

**Highway Plan:** Thrower Rd is a local thoroughfare. There are no road improvements/construction specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Plan.

**Notes:**

1. Density  
A1 – 1 lot/ 2 units  
R40 – 3 lots/ 3 units
  
2. Minimum Yard Setbacks:

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



## REQUESTED REZONING A1 TO R40

<b>ACREAGE: 3.06 AC.+/-</b>		<b>HEARING NO: P16-15</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PORT. OF PIN: 0441-18-8740



Patricia Hall,  
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April 12, 2016

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Cumberland County

Benny Pearce,  
Town of Eastover

**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the April 19, 2016 Board Meeting

**P16-16.** REZONING OF 1.13+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2245 (THROWER ROAD), WEST OF NC HWY 87 S; SUBMITTED BY JAMES SMITH, JR. (OWNER) AND TIM EVANS (AGENT).

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

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P16-16 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “rural” at this location because the district requested will allow for single family dwelling units on relatively large lots in a rural area. Although the request is not entirely consistent with the South Central Land Use Plan which calls for “farmland”, the requested district follows the Plan’s recommendation “to allow rezoning to one acre lots on tracts ten acres or less in the farmland area.”

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; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations; desirable to not be located in an area that is a prime industrial site and may be outside the Sewer Service Area.*

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

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-16 for the R40 Residential based on the following:

- The R40 Residential district will allow for land uses and lot sizes that exist in the general area.

There are no other districts suitable for this request at this location.

Attachments: 1 – Site Profile 2 – Sketch Map

**P16-16**  
**SITE PROFILE**

**P16-16.** REZONING OF 1.13+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2245 (THROWER ROAD), WEST OF NC HWY 87 S; SUBMITTED BY JAMES SMITH, JR. (OWNER) AND TIM EVANS (AGENT).

**Site Information:**

**Frontage & Location:** 135'+/- on SR 2245 (Thrower Rd)

**Depth:** 294'+/-

**Jurisdiction:** County

**Adjacent Property:** Yes

**Current Use:** Vacant

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

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North: C1(P), A1, R40, RR & R20; South: A1, R40 & RR East: A1, R30 & RR; West: A1 & R40

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

**2030 Growth Strategy Map:** Rural area

**South Central Land Use Plan:** Farmland

**Special Flood Hazard Area (SFHA):** None

**Water/Sewer Availability:** Well/Septic

**Soil Limitations:** None

**Subdivision/Site Plan:** Review may be required prior to development

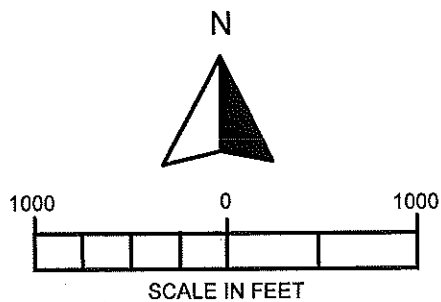
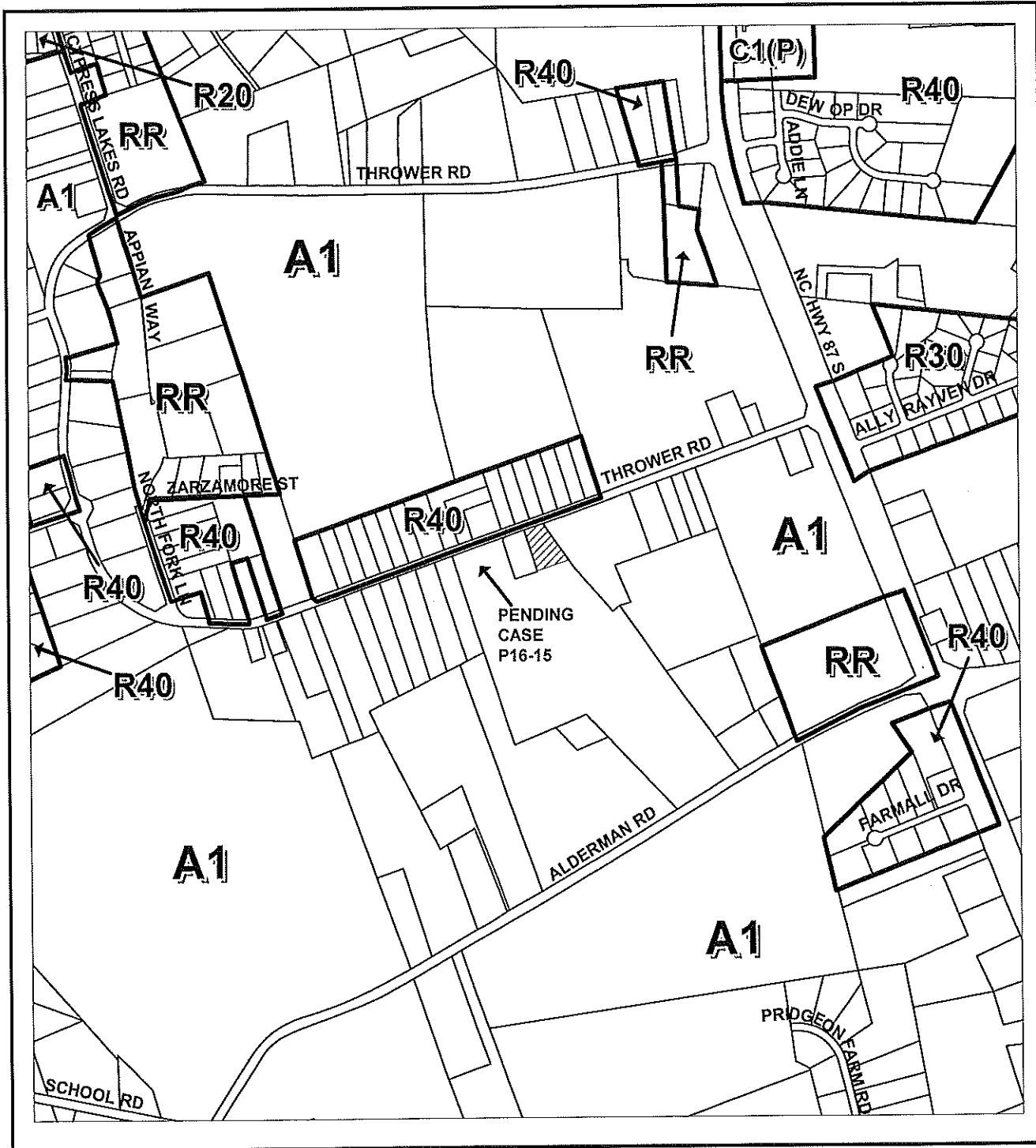
**Average Daily Traffic Count (2014):** 240 on SR 2245 (Thrower Rd)

**Highway Plan:** Thrower Rd is a local thoroughfare. There are no road improvements/construction specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Plan.

**Notes:**

1. Density  
A1 – 0 lots/units  
R40 – 1 lot/unit
  
2. Minimum Yard Setbacks:

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



## REQUESTED REZONING A1 TO R40

<b>ACREAGE: 1.13 AC.+/-</b>	<b>HEARING NO: P16-16</b>	
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>STAFF RECOMMENDATION</b>		
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PORT. OF PIN: 0441-18-8740

JM  
03-28-16

Patricia Hall,  
Chair  
Town of Hope Mills

Charles C. Morris,  
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Town of Linden

Jami McLaughlin,  
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Town of Eastover

**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the April 19, 2016 Board Meeting

**P16-17.** REZONING OF 20.00+/- ACRES FROM RR RESIDENTIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE EAST SIDE OF SR 1121 (MCDONALD ROAD), SOUTH SIDE OF SR 1118 (PARKTON ROAD); SUBMITTED BY CHARLES & JOHN CALHOUN(OWNERS) AND VIPER SOLAR, LLC (AGENT).

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

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P16-17 is not entirely consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban fringe” at this location and the district would typically be more appropriate in the “Farmland” area, but is consistent with the Southwest Cumberland Land Use Plan, which calls for “Farmland” uses at this location.

The staff also recommends the board further find that approval of this rezoning is reasonable and in the public interest because 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 allowed; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations; desirable to not be located in an area that is a prime industrial site and may be outside the Sewer Service Area.*

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

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-17 for the A1 Agricultural based on the following:

- The A1 Agricultural district will allow for land uses and lot sizes that are generally consistent with the surrounding area.

The R40 and R30 Residential districts would also be suitable for this request at this location.

Attachments: 1 – Site Profile 2 – Sketch Map

**P16-17**  
**SITE PROFILE**

**P16-17.** REZONING OF 20.00+/- ACRES FROM RR RESIDENTIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE EAST SIDE OF SR 1121 (MCDONALD ROAD), SOUTH SIDE OF SR 1118 (PARKTON ROAD); SUBMITTED BY CHARLES & JOHN CALHOUN(OWNERS) AND VIPER SOLAR, LLC (AGENT).

**Site Information:**

**Frontage & Location:** 603'+/- on SR 1118 (Parkton Rd), 880'+/- on SR 1121 (McDonald Rd)

**Depth:** 980'+/-

**Jurisdiction:** County

**Adjacent Property:** Yes

**Current Use:** Vacant, seasonal agriculture

**Initial Zoning:** RR – February 3, 1977 (area 7)

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North: C(P), RR & R10; South, East & West: RR

**Surrounding Land Use:** Residential, farmland & woodlands

**2030 Growth Strategy Map:** Urban fringe area

**Southwest Cumberland Land Use Plan:** Farmland

**Special Flood Hazard Area (SFHA):** None

**Municipal Influence Area:** Hope Mills

**Water/Sewer Availability:** Well/Septic

**Soil Limitations:** Yes, hydric – Ra Rains sandy loam and hydric inclusion – St Stallings loamy sand

**Subdivision/Site Plan:** Case no. 16-040, site plan conditionally approved for a solar farm

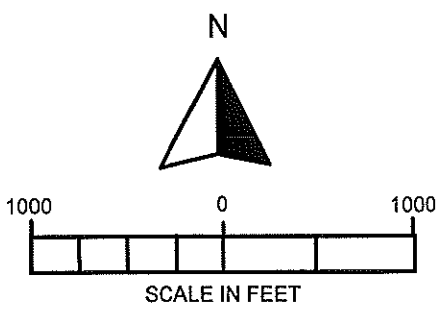
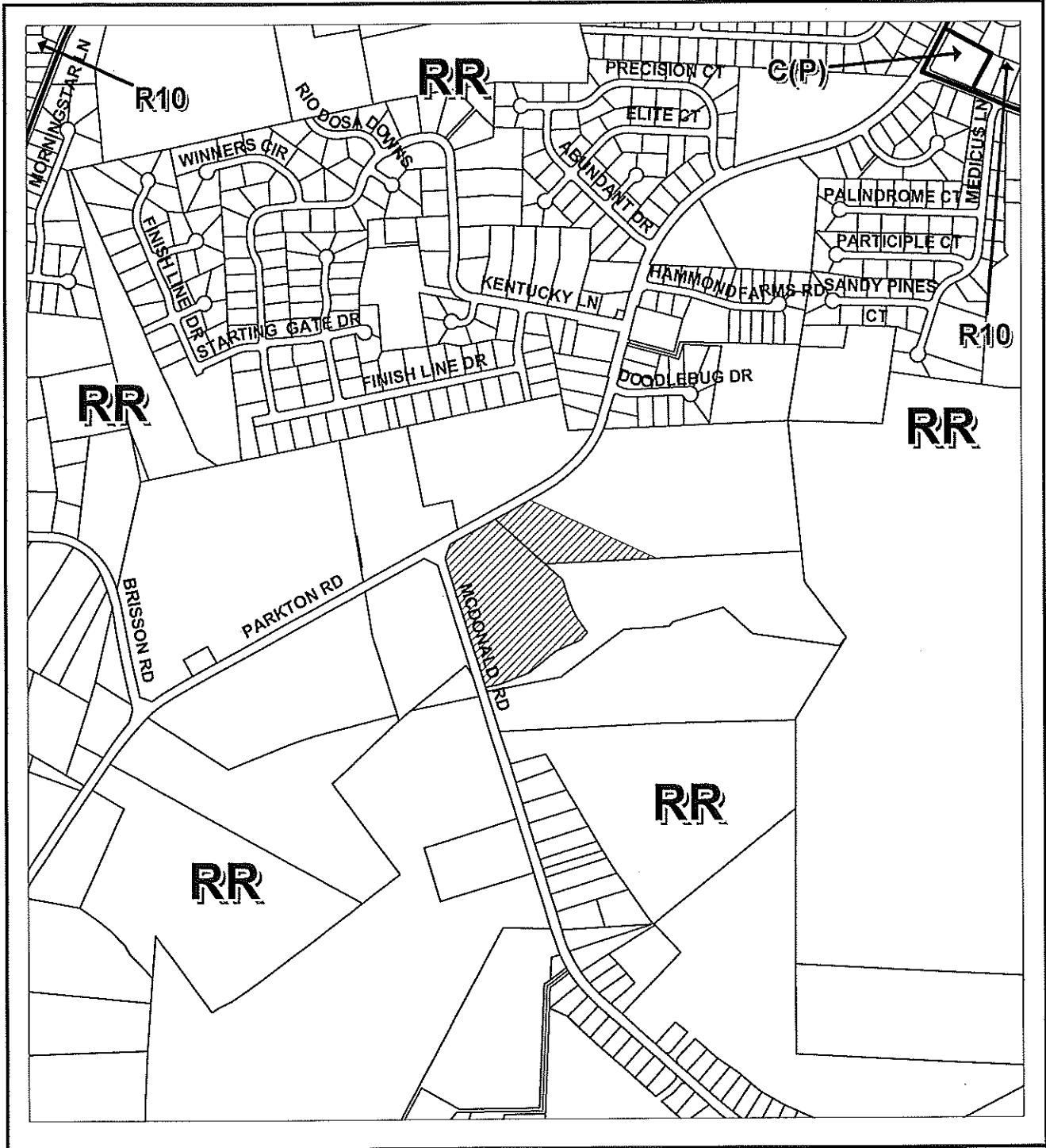
**Average Daily Traffic Count (2014):** 2100 on SR 1118 (Parkton Rd)

**Highway Plan:** Parkton Rd is identified as a local thoroughfare needs improvement. It will be a feeder to the future I-295 meaning it will probably need widened to a four lane divided.

**Notes:**

1. Density  
A1 – 10 lots/ 10 units  
R40 – 21 lots/ 22 units  
R30 – 29 lots/units  
RR/R20 – 43 lots/ 44 units
  
2. Minimum Yard Setbacks:

<u>A1</u>	<u>R40/R30/RR/R20</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'



## REQUESTED REZONING RR TO A1

<b>ACREAGE: 20.00 AC.+/-</b>		<b>HEARING NO: P16-17</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0413-11-5028  
 PORT. OF PIN: 0413-11-0987

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**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the April 19, 2016 Board Meeting

**P16-18.** REZONING OF 66.13+/- ACRES FROM R30 RESIDENTIAL/DD DENSITY DEVELOPMENT/CZ CONDITIONAL ZONING FOR A 66 LOT RESIDENTIAL SUBDIVISION TO R30 RESIDENTIAL & A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 2243 (ROSLIN ROAD), NORTH OF RUNNING FOX ROAD; SUBMITTED BY CHARLES GARDNER (OWNER) AND JIMMY KIZER, MOORMAN, KIZER & REITZEL, INC. (AGENT).

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

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P16-18 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban fringe” at this location because the districts requested will allow for single family dwelling units on relatively large lots in a suburban area as well as a limited list of convenient commercial uses to ensure essential services for the area residents. The request is consistent with the Southwest Cumberland Land Use Plan, which calls for “suburban density residential” uses at this location.

The staff also recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *septic system allowed*, public sewer is not available; *must have direct access to a public street*, Roslin Farm Road is a public street; *must not be located in any defined critical area as defined by the Fort Bragg Small Area Study*.

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

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-18 for the A1 Agricultural and R30 Residential districts based on the following:

- The A1 Agricultural and R30 Residential districts will allow for land uses and lot sizes that exist in the general area.

The R40 Residential district could also be found suitable at this location.

Attachments: 1 – Site Profile 2 – Sketch Map

**P16-18**  
**SITE PROFILE**

**P16-18.** REZONING OF 66.13+/- ACRES FROM R30 RESIDENTIAL/DD DENSITY DEVELOPMENT/CZ CONDITIONAL ZONING FOR A 66 LOT RESIDENTIAL SUBDIVISION TO R30 RESIDENTIAL & A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 2243 (ROSLIN ROAD), NORTH OF RUNNING FOX ROAD; SUBMITTED BY CHARLES GARDNER (OWNER) AND JIMMY KIZER, MOORMAN, KIZER & REITZEL, INC. (AGENT).

**Site Information:**

**Frontage & Location:** 660'+/- on SR 2243 (Roslin Farm Rd)

**Depth:** 1400'+/-

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Vacant

**Initial Zoning:** A1 – June 25, 1980 (Area 13); zoned R30/DD/CZ December 15, 2014 (66 lot residential subdivision)

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North: C1(P), A1 & R40A; South: A1 & RR/DD/CZ East: A1, A1/CU (allow second dwelling) & R40A; West: A1, RR & CD

**Surrounding Land Use:** Residential (including manufactured homes), farmland, woodlands, solar farm, (2) utility substations

**2030 Growth Strategy Map:** Urban fringe area

**South Central Land Use Plan:** Suburban Density Residential

**Special Flood Hazard Area (SFHA):** None

**Water/Sewer Availability:** Well/Septic

**Soil Limitations:** Yes, hydric – Ra Rains sandy loam & Pa Pactolus loamy sand

**Subdivision/Site Plan:** Review required prior to development

**Average Daily Traffic Count (2014):** 2400 on SR 2243 (Roslin Farm Rd)

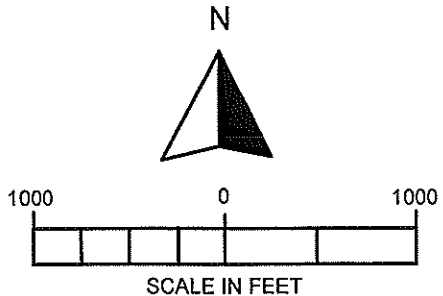
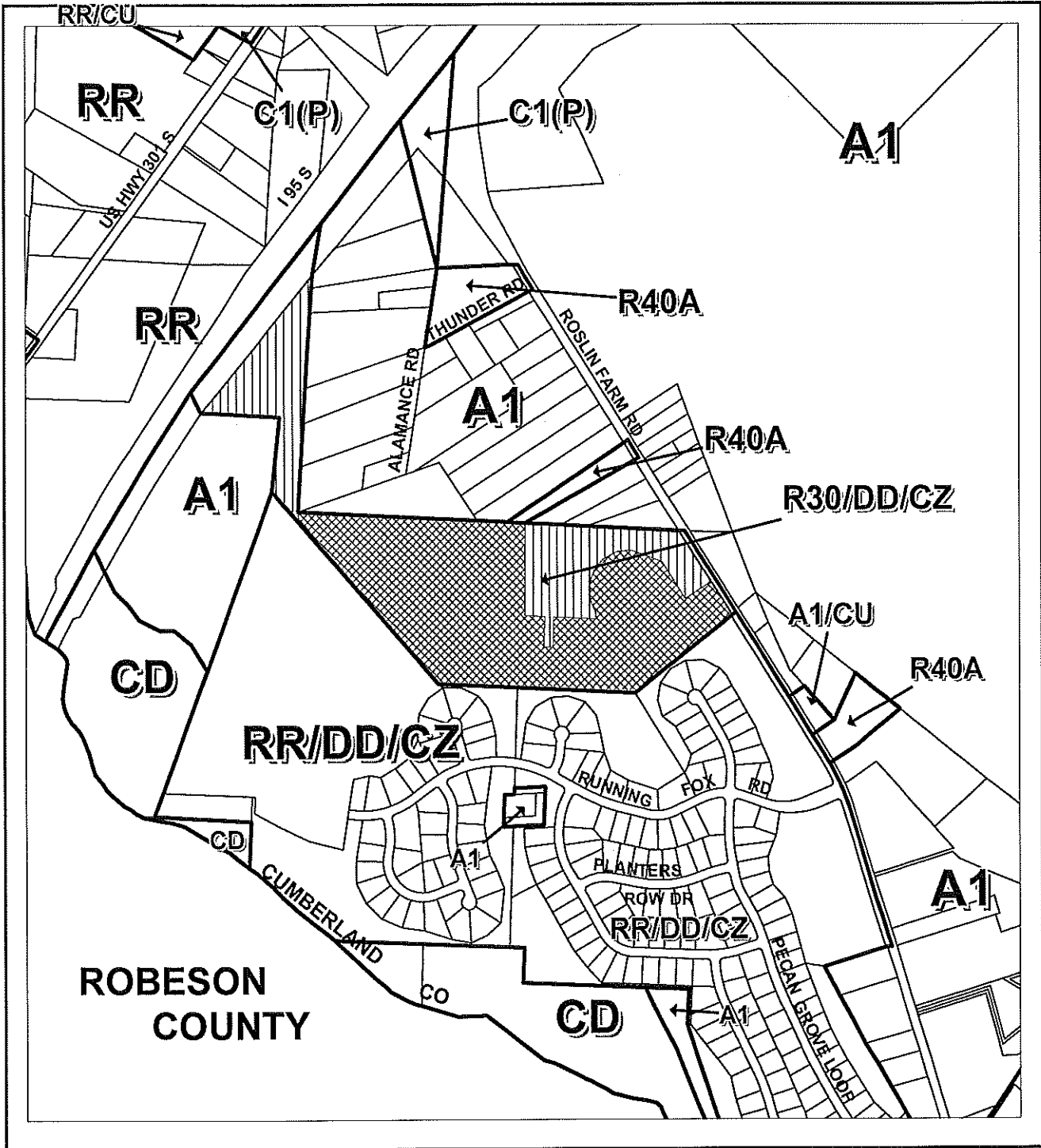
**Highway Plan:** Roslin Farm Rd is a local thoroughfare. There are no road improvements/construction specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Plan.

**Notes:**

1. Density  
A1 – 10 lots/units  
R40 – 49 lots/ 50 units  
R30 – 66 lots/units
  
2. Minimum Yard Setbacks:

<u>A1</u>	<u>R40 &amp; R30</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

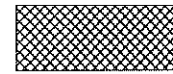




### REQUESTED REZONING



R30/DD/CZ  
TO A1  
20.43 AC +/-



R30/DD/CZ  
TO R30  
45.70 AC +/-

<b>ACREAGE: 66.13 AC.+/-</b>		<b>HEARING NO: P16-18</b>	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0412-54-3178

AM

Patricia Hall,  
Chair  
Town of Hope Mills

Charles C. 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*

April 12, 2016

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 April 19, 2016 Board Meeting

**P16-19.** REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CODE OF ORDINANCES, CHAPTER 42 ZONING BY AMENDING ARTICLE III. PERMITTED PRINCIPAL USES AND STRUCTURES, IN ITS ENTIRETY; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

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

The Planning and Inspections Staff recommends approval of Case No. P16-19 for a text amendment revising Chapter 42 Article III. Permitted Principal Uses and Structures based on the following:

1. If approved, the proposed amendment would ensure the uses permitted within town limits align with the Spring Lake Area Detailed Land Use Plan.
2. The amendment was requested by the Town of Spring Lake.

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

The Planning and Inspections Staff recommends the board find that approval of the text amendment in Case No. P16-19 is consistent with the Spring Lake Area Detailed Land Use Plan as it will afford the town board the opportunity to ensure the character of the town is retained, a stated primary goal of the plan.

The Planning and Inspections Staff further recommends the board find that the approval of the text amendment in Case No. P16-19 is reasonable as it is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan* and is an effort to ensure that the Town of Spring Lake's zoning ordinance is updated and revised to be more consistent with county standards, which is important for annexation purposes.

Attachment:  
P16-19 Spring Lake Zoning Ordinance Text Amendment

**P16-19**  
**Town of Spring Lake**  
**Zoning Chapter Text Amendment**  
(Use Matrix)

**AMEND Town of Spring Lake Code of Ordinances, Chapter 42, Zoning, Article III. Permitted Principal Uses and Structures in its entirety as indicated below:**

**ARTICLE III. PERMITTED, CONDITIONAL, AND SPECIAL ~~PRINCIPAL USES AND STRUCTURES~~**

**Sec. 42-63.1. General ~~District use regulations.~~**

- (a) Within the various zoning district, as established in section 42-35, and subject to the requirements of this chapter, no land, building, or structure shall be used and no building or structure shall be erected which is intended or designed to be used in whole or in part for any use other than the uses allowed ~~permitted~~ by the various districts ~~as~~ established herein. The use regulations for the various districts are intended to be permissive in nature ~~and none other than those specifically listed shall be construed as being an allowable use.~~ Some land uses may be allowed through conditional use district and permit or by issuance of a special use ~~and permits~~ only upon findings that certain conditions exist or should be applied, and is requested and agreed to by the property owner. The establishment of these uses shall be allowed only after review through appropriate measures and approval of plans.
- (b) Permitted uses in the various districts are indicated in the appropriate column of the following matrix. Special uses, with board of adjustment approval and issuance of the permit, and some conditional use districts, after board of aldermen approval and issuance of the permit, are also indicated in the matrix. All proposed non-residential uses, including changes in an existing use, require site plan review and approval by the board of aldermen and shall be in compliance with the standards of this ordinance and the town's subdivision regulations.

**Sec. 42-63.2. Uses by right.**

All uses of property are allowed as a use by right except where this chapter specifies otherwise or where this chapter specifically prohibits the use. In the event, a use of property is proposed that is not addressed by the terms of this chapter, the minimum ordinance standards for the use addressed by this chapter that is most closely related to the land use impacts of the proposed use shall apply. In addition, the town manager may initiate a text amendment addressing such proposed use, provided that the drafting and adoption of said amendment will not cause delay in the permitting of the proposed use.

**Sec. 42-63.3. Use matrix.**

The matrix on the following pages indicates permitted and special uses as well as some uses allowed only in a conditional use district.

(Matrix ~~Table~~ begins on the next page.)

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Sec. 42-63.3 Use Matrix. Table of Permitted and Conditional Uses

Spring Lake Zoning  
P = Permitted use (Site plan approval by Board of Aldermen – non-public hearing)  
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<u>Land Permitted-Uses</u>	<u>Zoning Classification</u>											
	<i>CD</i>	<i>RR</i>	<i>R-15 R-10 R-6</i>	<i>R-5 R-5A</i>	<i>R-6A</i>	<i>O &amp; I</i>	<i>C-1</i>	<i>CB</i>	<i>HS(P)</i>	<i>C(P) C-3</i>	<i>M-1</i>	<i>M(P) M-2</i>
<u>Accessory uses incidental to any permitted use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Addressing service</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agricultural or rural farm use</u>	<u>P</u>	<u>P</u>										
<u>Airport operations (minor)</u>											<u>S</u>	<u>S</u>
Alcohol sales								<u>P</u> X <sup>2</sup>	<u>P</u> X	<u>P</u> X		
Amphitheatre								<u>P</u> X		<u>P</u> X		
<u>Apparel and accessory sales</u>								<u>P</u>	<u>P</u>	<u>P</u>		
<u>Assemblies (including assembly hall, armory, stadium, coliseum, community center, fairground activities)</u>		<u>S</u>				<u>S</u>	<u>S</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<del>Automobile washing</del> – [See Motor vehicle washing]										X		X
<del>Automobile wrecking yards and junkyards</del> [See Motor vehicle wrecking yards and junkyards]										€		€
Bakery production and wholesale sales									<u>P</u>	<u>P</u> X	<u>P</u> X	<u>P</u> X
Baking on-premises and retail only							<u>P</u> X	<u>P</u> X	<u>P</u>	<u>P</u> X		
Bank, savings and loan company and other financial activities						<u>P</u> X	<u>P</u> X	<u>P</u> X	<u>P</u>	<u>P</u> X		

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Barber <u>and/or</u> beauty college instruction								<u>P</u> ✗	<u>P</u>	<u>P</u> ✗		
Barbering, <del>and</del> hairdressing & <u>salon</u> services							<u>P</u>	<u>P</u> ✗	<u>P</u>	<u>P</u>		
Bars & nightclubs								<u>P</u> ✗	<u>P</u>	<u>P</u> ✗		
Bed and breakfast		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Bicycle sales and repairing										<u>P</u>		
<u>Billboard</u>										<u>S</u>		<u>P</u>
Bingo									<u>P</u>	<u>P</u> ✗		
Blacksmith/ <u>locksmith</u> services		<u>P</u> ✗							<u>P</u>	<u>P</u>		
<del>Boarding house operations</del> – [See Group Quarters]			€	€	€	€						
Boats and accessories, retail sales and service										<u>P</u> ✗		
<u>Books &amp; printed matter sales, not regulated by Sec. 42-91(d)</u> <del>Bookbinding</del>								<u>P</u> ✗	<u>P</u>	<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗
Books <u>&amp; and</u> printed matter, distribution						✗	✗	✗		<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗
<u>Borrow source operations</u>												<u>S</u>
Bottled gas distributing, bulk storage												<u>P</u> ✗
Bottling											<u>P</u> ✗	<u>P</u> ✗
<u>Building Builders' supply (no outside storage)</u>									<u>P</u> ✗	<u>P</u> ✗	<u>P</u> €	<u>P</u> ✗✗
<del>Builders' supply (with outside storage)</del>											✗	✗
Bus repair and storage terminal activities										<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗
Bus station activities										<u>P</u> ✗		
Bus station activities, local service only								<u>P</u> ✗	<u>P</u>	<u>P</u>		
Cabinet making <u>&amp; other woodworking</u>											<u>P</u> ✗	<u>P</u> ✗
<u>Call center</u>											<u>P</u>	<u>P</u>

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Candy or confectionary making, on premises <del>and</del> retail only								<u>P</u> <del>X</del>	<u>P</u> <del>X</del>		<u>P</u> <del>X</del>	<u>P</u> <del>X</del>	
Carpet <del>and</del> rug cleaning											<u>P</u> <del>X</del>	<u>P</u> <del>X</del>	<u>P</u> <del>X</del>
<del>Catalogue sales</del>									<del>X</del>		<del>X</del>		
Cemetery, <u>public</u>		<u>S</u> <del>E</del>	<u>S</u> <del>E</del>	<u>S</u> <del>E</del>	<u>S</u> <del>E</del>			<u>P</u>		<u>P</u>	<u>P</u>		
<i>Permitted Uses</i>	<i>CD</i>	<i>RR</i>	<i>R-15</i> <i>R-10</i> <i>R-6</i>	<i>R-5</i> <i>R-5A</i>	<i>R-6A</i>	<i>O &amp; I</i>	<i>C-1</i>	<i>C</i> <i>B</i>		<i>HS(P)</i>	<i>C(P)</i> <i>C-3</i>	<i>M-1</i>	<i>M(P)</i> <i>M-2</i>
<del>Clinic services, medical and dental</del> [See Office use, medical]						<del>X</del>	<del>X</del>	<del>X</del>			<del>X</del>		
Club or lodge, <u>not regulated by Sec. 42-91(d)</u>		<u>S</u> <del>E</del>	<u>S</u> <del>E</del>	<u>S</u> <del>E</del>	<u>S</u> <del>E</del>	<u>P</u> <del>X</del>	<u>P</u> <del>X</del>	<u>P</u>		<u>P</u>	<u>P</u> <del>X</del>		
<del>Coal sales and storage</del>													<del>X</del>
<del>Construction storage (outside)</del>													<del>X</del>
<del>Convalescent home</del> [See Nursing home]		<del>E</del>	<del>E</del>	<del>E</del>	<del>E</del>	<del>X</del>							
<u>Convenience container &amp; recycling facility</u>		<u>S</u>										<u>P</u>	<u>P</u>
<u>Convenience retail w/ gasoline sales, including incidental motor vehicle washing</u>													
<del>Curio and souvenir sales</del> [See Variety, gift and hobby supply sales]								<del>X</del>	<del>X</del>	<del>X</del>			
<del>Dairy products sales and processing</del>												<del>X</del>	<del>X</del>
<del>Dairy products sales on premises, retail sales only</del>							<del>X</del>	<del>X</del>			<del>X</del>		
Day care facility	S	S	S	S	<u>P</u> <del>X</del>	<u>P</u> <del>X</del>	<u>P</u> <del>X</del>	C		<u>P</u> <del>X</del>	<u>P</u> <del>X</del>	<u>P</u> <del>X</del> <sub>43</sub>	<u>P</u> <del>X</del> <sub>43</sub>
Delicatessen operations (including catering)						<u>P</u> <del>X</del>	<u>P</u> <del>X</del>	<u>P</u> <del>X</del>		<u>P</u> <del>X</del>	<u>P</u> <del>X</del>		

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Dry cleaning <u>&amp; laundry</u> , commercial										<u>P</u>	<u>P</u> ✗	<u>P</u> ✗
<u>Dry cleaning &amp; laundry, self service</u>							<u>P</u>	<u>P</u>		<u>P</u>		
Dry cleaning <u>&amp; and</u> laundry collection (no cleaning on premises <u>except in conjunction with service counter, provided not more than 2,500 square feet is devoted to these processes</u> )							<u>P</u> ✗	<u>P</u> ✗		<u>P</u> ✗		
Dwelling, <u>single &amp; multiple-family</u>		<u>P</u>	<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗	<u>P</u> <sup>4</sup> <u>S</u> <sup>±</sup>	<u>P</u> <sup>4</sup> <u>S</u> <sup>±</sup>	<u>P</u> <sup>4</sup> <u>S</u> <sup>±</sup>	<u>P</u> <sup>4</sup> <u>S</u> <sup>±</sup>	<u>P</u> <sup>4</sup> <u>S</u> <sup>±</sup>		
<del>Dwelling, single-family</del>		✗	✗	✗	✗	<u>S</u> <sup>±</sup>	<u>S</u> <sup>±</sup>			<u>S</u> <sup>±</sup>		
<del>Employee's service (not designed for or available to public customers)</del>										✗	✗	✗
<u>Equestrian facilities</u>		<u>S</u>										
Exterminating service										<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗
<del>Fairground activities (including carnivals and circuses)</del>		€									€	
Farm <u>supplies merchandising &amp; machinery sales and servicing</u>										<u>P</u> €	<u>P</u> ✗	<u>P</u> ✗
Farmer's market, open-air		<u>S</u> €				<u>S</u>	<u>S</u> €			<u>P</u> €		
<del>Farm supplies merchandise (excluding farm machinery)</del>								✗		✗	✗	✗
<i>Permitted Uses</i>		<i>RR</i>	<i>R-15 R-10 R-6</i>	<i>R-5 R-5A</i>	<i>R-6A</i>	<i>O &amp; I</i>	<i>C-1</i>	<i>C B</i>	<i>HS(P)</i>	<i>C(P) C-3</i>	<i>M-1</i>	<i>M(P) M-2</i>
Fire station operations/ <u>emergency services</u>		<u>P</u> €	<u>P</u> €	<u>P</u> €	<u>P</u> €	<u>P</u> ✗	<u>P</u> ✗	<u>P</u>	<u>P</u>	<u>P</u> ✗	<u>P</u>	<u>P</u> ✗
<u>Flex office</u>											<u>P</u>	
<u>Florist</u> <del>Flower shop</del>							<u>P</u> ✗	<u>P</u> ✗	<u>P</u>	<u>P</u> ✗		



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Food <u>processing freezer operations</u>													X	<u>P</u> X	<u>P</u> X
Food production, with on premises retail sales of product													<u>P</u>		
Food production, wholesale sales														<u>P</u>	<u>P</u>
Food sales </= 12,000 sq ft in area)												<u>P</u> X	<u>P</u> X	<u>P</u>	<u>P</u> X
Food sales (>12,000 sq ft in area)												<u>P</u> X		<u>P</u> X	<u>P</u> X
Funeral home							<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>			
Funeral home, including incidental crematorium							X				<u>P</u>	<u>P</u> X			
<u>Fur sales, including cold storage</u>														X	X
Golf courses		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Greenhouse operations, commercial</u> [See Nursery operations/plants]														X	X X
Group homes, six or less clients		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>										
Group quarters		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>									
Gunsmith												<u>P</u>	<u>P</u> X	<u>P</u>	
Hardware, paint, and garden supply sales												<u>P</u> X	<u>P</u> X	<u>P</u> X	
Hatchery operations	<u>P</u>	<u>P</u>												<u>P</u>	<u>P</u> X
Hazardous Waste storage/disposal facility															<u>Z</u>
<u>Home care unit</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>										
<u>Home for the aged</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	X									
Home furnishing & appliance sales												<u>P</u> X	<u>P</u>	<u>P</u> X	
Home occupation, incidental	<u>P</u>	<u>P</u> X	<u>P</u> X	<u>P</u>	<u>P</u>	<u>P</u> <sup>4</sup>	<u>P</u> <sup>4</sup>	<u>P</u> <sup>4</sup>	<u>P</u> <sup>4</sup>	<u>P</u> <sup>4</sup>	<u>P</u> <sup>4</sup>	<u>P</u> <sup>4</sup>	<u>P</u> <sup>4</sup>		

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				✗	✗								
<u>Hospital or sanitarium</u> [See Nursing home, convalescent and also Sanitarium]		C	C	C		✗							
<u>Hotel</u>								<u>P</u>	<u>P</u>	<u>P</u>			
<del>Ice manufacturing</del>											✗	✗	
Industrial operations not otherwise prohibited													<u>P</u> ✗
Industrial sales of equipment or repair service												<u>P</u>	<u>P</u> ✗
<del>Industry, pilot operation</del>												✗	✗
Janitorial service								<u>P</u>	<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗	<u>P</u>	
Laboratory operations, medical or dental						✗		<u>P</u>	<u>P</u> ✗	<u>P</u>			
Laboratory, research						✗				<u>P</u> ✗	<u>P</u>	<u>P</u>	
<del>Laundering, commercial</del>										✗	✗		
<del>Laundering or dry-cleaning customer self-service</del>										✗			
<u>Landfill, demolition/inert debris</u>													<u>Z</u>
Library		<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗	<u>P</u> ✗	<u>P</u>	<u>P</u> ✗	<u>P</u>	<u>P</u> ✗			
Livestock sales and auctioning		C											<u>P</u> ✗
<del>Locksmith</del>								✗		✗			
<u>Kennel operations</u>		<u>S</u>							<u>P</u>	<u>P</u>			
Machine tool manufacturing or welding													<u>P</u> ✗

		RR	R-15 R-10	R-5 R-5A	R-6A	O & I	C-1	CB	HS(P)	C(P) C-3	M-1	M(P) M-2
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Sec. 42-63.3 Use Matrix. Table of Permitted and Conditional Uses

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<i>Permitted Uses</i>			R-6									
<u>Manufactured home, Class A &amp;/or Class B, for residential occupancy</u>		<u>P</u>	<del>X</del>			<u>P</u>						
<u>Manufactured home, Class C</u>						<u>P<sup>5</sup></u>						
<u>Manufactured home park, including Class C manufactured homes approved under Sec. [number to be entered at a later date], but excluding any manufactured homes sales</u>						<u>Z</u>						
<u>Manufactured home sales</u>										<u>P</u>		
<del>Manufacturing (See Industries)</del>												
<del>Mobile home (individual) for exhibition</del>		<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>
<del>Mobile home park, but excluding any mobile home sales</del>						<del>X</del>						
<del>Mobile home sales but excluding any residential occupancy</del>										<del>X</del>		
<u>Massage &amp; bodyworks therapy</u>								<u>P</u>		<u>P</u>		
<u>Mini-warehousing (self storage facility) (no outside commercial storage of motor vehicles)</u>		<u>S</u>		<u>S</u>	<u>S</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Monument sales										<u>P</u> <del>X</del>	<u>P</u> <del>X</del>	<u>P</u> <del>X</del>
Monument works											<u>P</u>	<u>P</u> <del>X</del>
<u>Motel</u>									<u>P</u>	<u>P</u>		
<u>Motor vehicle parking lot, commercial</u>						<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Motor vehicle parts &amp; accessories sales, contained within a building &amp; with no outside storage</u>							<u>P</u>		<u>P</u>	<u>P</u>		

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<u>Motor vehicle repair &amp;/or body work, excluding commercial wrecking/dismantling/storage of junked vehicles</u>											<u>P</u>	<u>P</u>	<u>P</u>
<u>Motor vehicle rentals</u>									<u>P</u>	<u>P</u>	<u>P</u>		
<u>Motor vehicle sales, new &amp; used, including motor vehicle auctions</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motor vehicle service station operations</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motor vehicle storage yard</u>											<u>P</u>	<u>P</u>	
<u>Motor vehicle washing</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motor vehicle wrecking yards &amp; junkyards, including sales of parts</u>													<u>S</u>
<u>Municipal operations &amp; activities</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<del>Newspaper publishing</del>											<del>X</del>	<del>X</del>	<del>X</del>
<del>Newsstand sales</del>						<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>			
<u>Nursery operations/plant husbandry/greenhouses</u> <del>(plants) retail and production</del>	<u>S</u>	<del>S-C</del>							<u>P</u>	<u>P</u>	<del>P X</del>	<del>P X</del>	
<u>Nursing home/convalescent home/hospital/retirement home</u>		<del>S-C</del>	<del>S-C</del>	<del>S-C</del>	<del>S-C</del>	<del>P X</del>	<u>P</u>		<u>P</u>	<u>P</u>			
<u>Office supplies and equipment, sales and service, including mailbox service</u>		<u>P</u>				<u>P</u>	<del>P X</del>		<u>P</u>	<del>P X</del>			
<u>Office use of a doctor, dentist, osteopath, chiro- practor, optometrist, physiotherapist, or other medically oriented profession, medical clinic</u>		<u>P</u>				<del>P X</del>	<del>P X</del>	<del>P X</del>	<del>P X</del>	<del>P X</del>			
<u>Office use, with only incidental on-premises stock of goods for sale to the general public and the operations and service</u>						<del>P X</del>	<del>P X</del>	<del>P X</del>	<del>P X</del>	<del>P X</del>			

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of which are customarily conducted and concluded by means of written, verbal or mechanically reproduced communications material														
<del>Optician services</del>								*		*		*		
Pawn shop <u>&amp; and</u> swap shop sales											<u>P</u> *	<u>P</u> *		*
Pet sales, excluding kennel activities or outside storage of animals										<u>P</u> *	<u>P</u> *	<u>P</u> *		
Pharmaceutical sales, <u>includes drug stores</u>									<u>P</u> *	<u>P</u> *	<u>P</u>	<u>P</u> *		
			R-15 R-10 R-6	R-5 R-5A	R-6A	O & I	C-1	C B	HS(P)		C(P) C-3	M-1		M(P) M-2
<i>Permitted Uses</i>		RR												
Photography <u>studio, commercial</u>							<u>P</u>	<u>P</u> *	<u>P</u> *		<u>P</u> *			
<del>Plant husbandry, including sale of produce raised on premises</del>											*	*		*
<del>Post office</del>						*	*	*			*			
Printing <u>&amp; and</u> reproduction, <u>small scale (&lt;4,000 sf)</u>						<u>P</u> *	<u>P</u> *	<u>P</u> *	<u>P</u> *		<u>P</u> *			*
<u>Printing &amp; reproduction, large scale (=&gt; 4,000 sf)</u>										<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>
<del>Private recreation or swimming club, nonprofit</del>		€	€	€	€	*	*		*					
<del>Public recreation (such as neighborhood center buildings, parks, museums,</del>		€	€	€	€	€	€	*	€		€			

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<del>playgrounds), on a nonprofit basis and similar facilities operated</del>													
Public <del>and</del> community utility stations <del>or</del> sub-stations	<u>P</u>	<u>P-C</u>	<u>P-C</u>	<u>P-C</u>	<u>P</u>	<u>P-C</u>	<u>P-C</u>	<u>P</u>	<u>P-C</u>	<u>P-C</u>	<u>P</u>	<u>P</u>	<u>P</u> X
Public utility works, shops or storage yards												<u>P</u> X	<u>P</u> X
<u>Publishing</u>												<u>P</u>	<u>P</u>
Quarry operations	<u>C</u>												C
Radio or television studio activities only						<u>P</u> X	<u>P</u>	<u>P</u> X	<u>P</u>	<u>P</u> X			
<del>Radio or television transmitting and receiving stations and towers (studios not included)</del>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>				<u>C</u>			X
Railroad station <u>yard</u> operations											X	<u>P</u>	<u>P</u> X
<del>Railroad yard operations</del>													X
<del>Reducing salon care</del>						X	X	X		X			
Recreation or amusement enterprise <u>indoor</u> (conducted inside a building <del>&amp; and</del> for profit, <del>and</del> not otherwise listed <del>&amp; not regulated</del> ) <del>herein</del>		<u>P</u>						<u>P</u> X	<u>P</u> X	<u>P</u> X			
Recreation or amusement enterprise <u>outdoor</u> (conducted outside a building <del>&amp; and</del> for profit, <del>and</del> not otherwise listed <del>&amp; not regulated</del> ) <del>herein</del>	<u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u> X	<u>P</u> X	
<u>Recreation/amusement public/private (not operated as a business for profit including but not limited to playgrounds, neighborhood center buildings, parks, museums, swimming pools &amp; not otherwise listed)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>			<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

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Recreational vehicle park/campground	P	P											
Religious worship activities		<u>P</u> ✘	<u>P</u> ✘	<u>P</u> ✘	<u>P</u> ✘	<u>P</u> ✘	<u>P</u> ✘	<u>P</u> ✘	<u>P</u>	<u>P</u> ✘	<u>P</u>	<u>P</u>	
<i>Permitted Uses</i>	<i>CD</i>	<i>RR</i>	<i>R-15</i> <i>R-10</i> <i>R-6</i>	<i>R-5</i> <i>R-5A</i>	<i>R-6A</i>	<i>O &amp; I</i>	<i>C-1</i>	<i>C</i> <i>B</i>	<i>HS(P)</i>	<i>C(P)</i> <i>C-3</i>	<i>M-1</i>	<i>M(P)</i> <i>M-2</i>	
Repair, rental, and/or servicing of any product the retail sale of which is a use-by-right in the same district							<u>P</u> ✘	<u>P</u> ✘	<u>P</u>	<u>P</u> ✘	<u>P</u>	<u>P</u> ✘	
Residential habilitation support facilities		<u>S</u>				<u>S</u>							
Restaurant							<u>P</u> ✘		<u>P</u> ✘	<u>P</u> ✘			
Retailing or servicing with operations conducted and merchandise stored entirely within a building and not otherwise listed herein								<u>P</u> ✘	<u>P</u>	<u>P</u> ✘			
<del>Riding academy activity</del>		✘											
<del>Rooming house operation</del>			€	€		€							
<u>Sanitarium</u>						<u>S</u>							
Sawmill or planing activities	<u>S</u>										<u>P</u>	<u>P</u> ✘	
<u>School: art, music, dance, drama, or other fine arts</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
School, business and commercial								<u>P</u> ✘	<u>P</u>	<u>P</u> ✘			

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School for nurses or other medically oriented profession		<u>SC</u>	C	C	C	<u>P</u> X		<u>P</u> X	<u>P</u>	<u>P</u> X		
<u>School, private (not otherwise listed)</u>						<u>S</u>	<u>S</u>	<u>C</u>	<u>P</u>	<u>P</u>		
School, <u>public or private</u> ; elementary or secondary		<u>SC</u>	C	C	C	<u>SC</u>	<u>S</u>					
School, public		<u>SC</u>	<u>SC</u>	<u>SC</u>		<u>SC</u>						
School, trade or vocational								<u>P</u> X	<u>P</u> X	<u>P</u> X	<u>P</u> X	
Second hand sales								X	<u>P</u>	<u>P</u> X		
<u>Sexually oriented businesses</u>												<u>S</u>
Sheet metal fabrication												<u>P</u> X
Sign (See article XI of this chapter)												
Solid waste disposal facilities		C										<u>SC</u>
Special information sign, <del>insert</del>	<u>S</u>	<u>SC</u>	<u>SC</u>	<u>S</u> C	<u>SC</u>	<u>SC</u>	<u>SC</u>	X	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>
Storage; flammable, <u>open, and/or warehouse</u>												<u>P</u> X
<del>Storage, open</del>												X
<del>Storage warehouse</del>												X
<u>Swimming pools, incidental to a principal use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Tailoring ( <del>dressmaking</del> )							<u>P</u> X	<u>P</u> X	<u>P</u>	<u>P</u> X		
Taxicab stand operations								<u>P</u> X	<u>P</u>	<u>P</u> X		
<del>Teaching of art, music, dance, dramatics, or other</del>						X	X	X		X		



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<del>fine-arts</del>												
<i>Permitted Uses</i>	<i>RR</i>	<i>R-15 R-10 R-6</i>	<i>R-5 R-5A</i>	<i>R-6A</i>	<i>O &amp; I</i>	<i>C-1</i>	<i>CB</i>	<i>HS(P)</i>	<i>C(P) C-3</i>	<i>M-1</i>	<i>M(P) M-2</i>	
<del>Telephone exchange operations</del>	C	C	C	C	X	X	X		X		X	
<del>Temporary construction building (including mobile structures, see section 42-64)</del>	X	X	X	X	X	X	X	X	X		X	
Theater productions, indoor, <u>which show only films previously submitted to &amp; rated by the Motion Picture Association of America &amp; not including theaters regulated by Sec. 42-91(d)</u>							<u>P</u> X	<u>P</u> X	<u>P</u> X			
Theater productions, outdoor, <u>which show only films previously submitted to &amp; rated by the Motion Picture Association of America &amp; not including theaters regulated by Sec. 42-91(d)</u>	<u>S</u> C							<u>S</u>	<u>P</u> C			
Tire recapping											<u>P</u> X	
Tobacco, retail sales									<u>P</u> X			
<del>Tobacco processing</del>											X	
Tobacco <u>processing &amp;</u> sales warehouse											<u>P</u> X	
<u>Tower</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Trades contractor activities excluding outside storage of equipment or supplies								<u>P</u>	<u>P</u> X	<u>P</u>	<u>P</u> X	
Trades contractor activities with outside storage of equipment or supplies									<u>P</u>	<u>P</u>	<u>P</u> X	
<del>Trading stamp redemption</del>							X		X		X	
Trailer rentals, <u>including terminal activities,</u>									<u>P</u> X		<u>P</u> X	

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<u>hauling and/or storage, incidental to same, but excluding mini-warehousing as defined herein</u>													
<del>Transient lodgings</del>								X	X	X			X
Truck terminal activities repair and hauling and/or storage										<u>P</u> X			<u>P</u> X
Upholstering or furniture refinishing									<u>P</u> X	<u>P</u> X	<u>P</u> X		<u>P</u> X
Variety, gift and hobby supply sales							<u>P</u> X	<u>P</u> X	<u>P</u>	<u>P</u> X			
<del>Vehicle (commercial, government) repair or storage</del>											X		X
<u>Vending machine, ice</u>										<u>P</u>			
<u>Vending machine outdoor</u>							<u>P</u>		<u>P</u>	<u>P</u>			
Permitted Uses		RR	R-15 R-10 R-6	R-5 R-5A	R-6A	O & I	C-1	CB	HS(P)	C(P) C-3	M-1		M(P) M-2
Vending machine rental										<u>P</u>	<u>P</u>		<u>P</u>
Warehouse <u>distribution center</u> <del>(See Storage warehouse)</del>													<u>P</u>
Wholesale sales with operations conducted and merchandise stored entirely within a building and not otherwise listed herein											<u>P</u>		<u>P</u>
<u>Wireless communications &amp; accessory sales</u>							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			

<sup>1</sup> Special use permit required for mixed use building, see section 42-91(f), except for CB district – see Sec. 42-35.

<sup>2</sup> In conjunction with a restaurant or bar/nightclub only.

<sup>3</sup> Only as incidental to an approved use in an approved industrial park.

<sup>4</sup> Mixed use building only, see Sec. [number to be added at a later date]

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<sup>5</sup>See Section \_\_\_\_ [to be inserted at a later date]

(Code 1978, § 12.88; Code 1995, § 156.035; Ord. of 1-10-1972; Ord. of 7-2-1973; Ord. of 9-26-1983; Ord. of 10-10-1994; Ord. of 11-11-1995; Ord. of 4-23-2001, § 156-035; Ord. of 3-13-2006, § 156.035; Ord. No. 2007-2, § 156.035, 11-26-2007; Ord. No. 2007-5, 156.035, 11-26-2007; Ord. No. 2009-11, § 3, 5-26-2009; Ord. No. 2009-19, § 156.032, 12-14-2009)