

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

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

Vacant
Wade, Falcon & Godwin



CUMBERLAND
COUNTY
NORTH CAROLINA

Planning & Inspections Department

Joel Strickland,
Acting Director

Vacant,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

TENTATIVE AGENDA

March 19, 2019
7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS / WITHDRAWALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF FEBRUARY 19, 2019
- VII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENT

- A. **P18-40:** REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE AMENDING ARTICLE XIV SIGNS, SECTION 102A-1404. SIGNS PERMITTED IN ANY DISTRICT, SUB-SECTION A. TEMPORARY REAL ESTATE SALES SIGN, SUB-SECTION H. TEMPORARY POLITICAL SIGNS & SUB-SECTION L. SANDWICH BOARD SIGNS; SECTION 102A-1405. GENERAL SITE AND SIGN SPECIFICATIONS, SUB-SECTION C. FREESTANDING SIGN LOCATION – ALL DISTRICTS (EXCLUDING BILLBOARDS), SUB-SECTION D. MAINTENANCE AND APPEARANCE & SUB-SECTION G. UNSAFE AND UNLAWFUL SIGNS; SECTION 102A-1406. SIGNS PERMITTED BY DISTRICT, SUB-SECTION A. RESIDENTIAL AND CONSERVANCY DISTRICTS & SUB-SECTION B. PROFESSIONAL, COMMERCIAL AND INDUSTRIAL DISTRICTS; SECTION 102A-1407. BILLBOARDS (OFF-PREMISES SIGNS), SUB-SECTION A. GENERAL PROVISIONS; AND SECTION 102A-1408. SIGNS PROHIBITED. (HOPE MILLS)

CONDITIONAL ZONING CASES

- B. **P19-02.** REZONING OF .47+/- ACRE FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED NORTH OF NC HWY 24, WEST OF SR 1852 (MARY MCCALL ROAD); SUBMITTED BY KEVIN A. CARROLL (OWNER). **(Applicant has modified request to C(P) Planned Commercial/CZ Conditional Zoning for a billboard)**

- C. **P19-03:** REZONING OF 1.00+/- ACRE FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 8321 CLINTON ROAD, SUBMITTED BY KEVIN A. CARROLL (OWNER). **(Applicant has modified request to C(P) Planned Commercial/CZ Conditional Zoning for a billboard)**
- D. **P19-13.** REZONING OF 1.00+/- ACRE FROM RR RURAL RESIDENTIAL TO A1A AGRICULTURAL/CZ CONDITIONAL ZONING FOR A KENNEL OPERATION OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 6647, 6651 & 6657 PARKTON ROAD; SUBMITTED BY JERRY L. & MARY KING (OWNERS).
- E. **P19-14:** REZONING OF 3.70+/- ACRES FROM R6A RESIDENTIAL & C3 HEAVY COMMERCIAL TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT/CZ CONDITIONAL ZONING FOR TRADES CONTRACTOR ACTIVITIES OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4732 US HWY 301 SOUTH; SUBMITTED BY DORIS H. BULLOCK (OWNER) & TIM EVANS ON BEHALF OF LONGLEAF PROPERTIES, LLC (AGENT)

REZONING CASES

- F. **P19-11:** REZONING OF 0.59+/- ACRE FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON NORTH SIDE OF NC HWY 24 (CLINTON ROAD), EAST OF WINDWOOD DRIVE; SUBMITTED BY CHARLES E. HORNE (OWNER). (STEDMAN)

VIII. PUBLIC HEARING CONTESTED ITEMS

IX. DISCUSSION

X. ADJOURNMENT

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

Jami McLaughlin,
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Patricia Hall,
Town of Hope Mills

March 11, 2019

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Recommendation for the October 16, 2018 Board Meeting

P18-40. REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE AMENDING ARTICLE XIV SIGNS, SECTION 102A-1404. SIGNS PERMITTED IN ANY DISTRICT, SUB-SECTION A. TEMPORARY REAL ESTATE SALES SIGN, SUB-SECTION H. TEMPORARY POLITICAL SIGNS & SUB-SECTION L. SANDWICH BOARD SIGNS; SECTION 102A-1405. GENERAL SITE AND SIGN SPECIFICATIONS, SUB-SECTION C. FREESTANDING SIGN LOCATION – ALL DISTRICTS (EXCLUDING BILLBOARDS), SUB-SECTION D. MAINTENANCE AND APPEARANCE & SUB-SECTION G. UNSAFE AND UNLAWFUL SIGNS; SECTION 102A-1406. SIGNS PERMITTED BY DISTRICT, SUB-SECTION A. RESIDENTIAL AND CONSERVANCY DISTRICTS & SUB-SECTION B. PROFESSIONAL, COMMERCIAL AND INDUSTRIAL DISTRICTS; SECTION 102A-1407. BILLBOARDS (OFF-PREMISES SIGNS), SUB-SECTION A. GENERAL PROVISIONS; AND SECTION 102A-1408. SIGNS PROHIBITED. (HOPE MILLS)

BACKGROUND: Proposed major changes to Hope Mills Zoning Ordinance Article XIV:

1. Pole signs are removed from this section, limiting all new proposed freestanding signs to ground signs;
2. Temporary real estate sales signs will have a maximum of 16 square feet in sign area and temporary banners will be allowed for 90 days;
3. Political signs will be allowed at polling places not designated as “one stop voting” no sooner than 5 p.m. the day before elections and must be removed within 24 hours of the close of the election;
4. Ground sign height and minimum setbacks from right-of-way will not be determined by the number of occupants on the parcel on which the sign will be installed. Maximum allowable sign area is reduced in all districts;
5. Sign maintenance and appearance standards are added to allow the removal of signs in disrepair or blocked from view by overgrown vegetation;
6. Billboards will now only be allowed within 1,500 feet from the right-of-way of freeways;
7. Signs attached to or painted on utility poles, telephone poles, trees, parking meters, bridges and overpasses are now listed under prohibited signs.

RECOMMENDATION: In Case P18-40, the Planning & Inspections staff recommends approval of the text amendment to the Hope Mills Zoning Ordinance finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 9: Compatible Commercial Development & Services* and *Policy Area 10: Attractive Community Appearance & Image*. The proposed amendment is also generally consistent with the Southwest Cumberland Land Use Plan (2014) in that one of the adopted goals and objectives of the plan strives to enhance community appearance and reduce sign clutter along major thoroughfares; and further find that approval of the amendment is reasonable and in the public interest because the amendment if approved, would enable the town to enforce sign regulations that are consistent with the image the town is seeking to project in their commercial areas. Additionally, this amendment was prepared and submitted by the Town of Hope Mills.

This proposed text amendment would not cause any changes to the Southwest Cumberland Land Use Plan map.

Attachment: P18-40 Hope Mills Text Amendment

130 Gillespie Street - Post Office Box 1829 - Fayetteville, North Carolina 28302-1829 - (910) 678-7600 - Fax: (910) 678-7631



ARTICLE XIV SIGNS

Sec. 102A-1401. Purpose.

The purpose of this article is to minimize any detrimental effects of signs on adjacent land uses, and to ensure that permitted signs do not become a public nuisance or hazard. All signs erected, altered, relocated, or maintained shall be in accordance with the provisions of this article. Where there is conflict between the provisions of this article and the provisions for signs elsewhere within the Town's Code of Ordinances, the more restrictive standard shall apply.

Sec. 102A-1402. Sign definitions.

For purposes of interpreting this article, the following words and terms are herein defined:

(a) *Attached sign*: A sign connected to or painted on a wall and including signs connected to or other-wise displayed on or through a façade window. The following are not attached signs: wall identification signs and commemorative plaques not more than two square feet in area, memorial cornerstones or tablets providing information on building erection or commemorating a person or event, or unit identification signs.

(b) *Billboard*: A sign which directs attention to a business, industry, profession, commodity, service, or entertainment not conducted, sold, produced, or offered upon the premises upon which such sign is located.

(c) *Bulletin board*: A sign used to announce meetings, programs, occupants, purposes, operating hours, and other such information on the premises of churches, schools, auditoriums, libraries, recreation areas, and other such non-residential uses permitted in residential districts and on the premises of uses when located within the O&I(P) district.

(d) *Business sign*: A sign that directs attention to a business, industry, profession, commodity, service, or entertainment sold, produced, or offered upon the premises where such sign is located or to which it is attached.

(e) *Flashing sign*: Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this article, any moving, illuminated sign shall be considered a "flashing sign." Such signs shall not be deemed to include time and temperature signs or public message displays using electronic switching, provided the message remains displayed for a minimum of eight seconds.

(f) *Freestanding sign*: Any sign supported wholly or in part by some structure other than the building or buildings housing the business to which the sign pertains. For purposes of this article, this definition shall not include "billboard" which is defined above.

(g) *Governmental sign*: Any sign erected by or on behalf of a governmental body to post a legal notice, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.

(h) *Ground sign*: A freestanding sign suspended or supported by one or more uprights or braces anchored in the ground with no more than 30 inches clearance from the bottom of the sign to the ground below.

(i) *Identification sign*: A sign used to display only the name, address, crest or trademark of the business, individual, family, organization or enterprise occupying the premises; the profession of the occupant, the name of the building on which the sign is displayed, or the name of the owner(s) or developer(s). A directory sign is an identification sign with information on multiple occupants.

(j) *Informational sign*: Any on-premises sign containing no other commercial message, copy, announcement or decoration other than instruction or direction to the public. Such signs include, but are not limited to, the following: identifying restrooms, public telephones, automated teller machines, for lease, for sale, self-service, walkways, entrances and exits, freight entrances, traffic direction and prices.

(k) *Mechanical/Digital sign*: Any sign with changeable copy and the message changes in increments of at least eight seconds shall be allowed as a "sign" under the provisions of this article.

(l) *Obscene matter*: Any item with a context of a sexual nature depicting, describing or related to anatomical areas and sexual activities.

(m) *Pole Sign*: A free standing sign that is mounted on a pole or other support and does not meet the definition of "ground sign" above.

(n) *Portable sign*: Any sign not permanently attached to the ground or to a building or other structure and which, because of its relatively light-weight is meant to be transported from place to place. Such sign may or may not have changeable copy, may or may not be wired for lighting and may or may not have wheels. "Sandwich boards, banners, and flag signs" are considered as portable signs.

(o) *Public information sign*: A sign usually erected on public property or right-of-way and maintained by a public agency that provides the public with information and in no way relates to a commercial activity including, but not limited to, speed limit signs, city limit signs, street name signs and directional signs.

(p) *Roof sign*: A sign displayed on and above the eaves of a building.

(q) *Sandwich Boards*: Temporary business ground signs constructed in a manner as to form a tent like shape used to display menus, daily specials, and similar messages for a business.

(r) *Sign*: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, designs, trade names, or trademarks by which anything is made known, such as the designation of any individual, business, commodity, product, service, or entertainment, which are visible from any public way and used to attract attention. The word sign does not include official notices posted by any public officer in performance of a public duty, or by any person in giving legal notice; nor does it include directional, warning, traffic, or informational structures required by or authorized by law, or by Federal, State or local authority.

(s) *Sign area*: The area of a sign mounted on a board or within a frame or box shall be the area of the board, frame or box. The area of a sign mounted directly on the wall of a building shall be the area within the outline of the actual shape of the sign. For individual letters or logos mounted on the wall of a building, the sum of the areas of each letter, measured from the exterior edges of the letter, will be the sign area. Sign area does not include support structures unless the coloration, lighting, etc. is designed to attract attention.

(t) *Sign height*: The vertical distance measured from the mean curb level to the level of the highest point of the sign, unless defined differently within this ordinance. In the case of a sign not adjoining a street or highway, the "height of a sign" is the vertical distance of the average elevation of the ground immediately adjoining the sign to the level of the highest point of the sign.

(u) *Special information sign*: A device used to give direction, without elaboration or advertising to a business or public use not located on the same premises as such use.

Sec. 102A-1403. Exempt signs.

The following signs are exempt from regulation under this ordinance, except that lighted signs require an electrical permit:

(a) Governmental signs;

(b) Lights and decorations with no commercial message temporarily displayed on traditionally-accepted civic, patriotic or religious holidays;

(c) Signs located on the interior of buildings, courts, lobbies, stadiums or other structures which are not intended to be seen from the exterior of such buildings or structures;

(d) Signs affixed to motor vehicles and trailers used in the normal transport of goods or persons where the sign is incidental and accessory to the primary use of the vehicle or trailer;

(e) Signs affixed to windows of vehicles displaying information on the terms of sale for such vehicles;

(f) Signs not legible from a public or private street;

(g) Flags of the governmental jurisdictions of the United States of America or the State of North Carolina, local governmental jurisdictions, foreign nations having diplomatic relations with the United States, and any other flags adopted or sanctioned by the Town Board of Commissioners, subject to U.S. Congressional protocol; and

(h) Public information signs.

(i) Historical Signs. Signs that provide information on the historical timeline or past use of a particular building or structure. Such signs must be approved by the Town of Hope Mills Historic Preservation Commission and would not count against the allowable maximum square footage for wall signs.

Sec. 102A-1404. Signs permitted in any district.

The following types of signs are permitted in all zoning districts subject to any specific requirement or prohibition provided herein for any particular zoning district.

(a) *Temporary real estate sales sign.* For the purpose of advertising a specific lot, building, or premises for sale, lease, or rent, temporary real estate sale signs, are permitted not exceeding ~~eight~~16 square feet in area and provided only one such sign shall be displayed for each street abutting the lot, building or premise and set back at least five feet from any property line.

(b) *Temporary off-site real estate directional sign.* For the purpose of giving direction to property offered for sale, lease or rent that is located on a dead end street or cul-de-sac, a temporary directional real estate sign not exceeding two square feet in area is permitted after the real estate agent or property owner selling, leasing or renting his property obtains a permit for posting such sign. Only one double-faced directional real estate sign shall be permitted at the nearest intersection of the dead end street or cul-de-sac with a through street and such sign shall be set back at least five feet from the

street right-of-way. The permit shall specify the address of the real estate offered for sale, lease or rent and shall expire 30 days after the date the permit is issued. A permit may be renewed for an additional 30 days at the discretion of the Chief Building Inspector provided that the renewal request is received by the Chief Building Inspector prior to the expiration of the initial permit and that the permit shall be renewed only once. Failure to obtain a permit prior to posting a directional real estate sign or failure to remove such sign as specified on the permit may be grounds for the denial of a permit or future permits under this provision. Signs permitted under this provision shall be subject to all other applicable provisions of this ordinance.

(c) *Temporary signs advertising real estate subdivisions.* For the purpose of advertising real estate subdivisions for which a plat has been officially approved and recorded, one sign is permitted at each main entrance to the development named on the sign, such sign not to exceed 32 square feet in area.

(d) *Temporary signs pertaining to construction.* For the purpose of identifying the firm or company involved in construction taking place on the lot, temporary signs are permitted for the duration of such construction, limited to one sign for each firm, company, or use, not exceeding 20 square feet for each sign and set back at least five feet from any property line.

(e) *Traffic control signs.* Signs which only regulate traffic on private property are permitted.

(f) *Transportation facilities signs.* For the purpose of identifying public transportation facilities, signs are permitted provided that such signs shall not contain advertising or related messages.

(g) *Special information signs.* For the purpose of giving directions and information, on-site signs pertaining to special uses where not otherwise permitted, and off-premises signs may be approved by the Board of Adjustment subject to a special use permit specifying the size, location, lighting, materials to be used, design, and display in accordance with Section 102A-1706. Such signs shall be limited to those which are necessary to inform the public as to location and information concerning facilities, institutions, business districts, fraternal orders and service clubs, or such other activity as the Board of Adjustment may judge to be beneficial to the total community.

(h) *Temporary political signs.* Temporary signs for political campaigns may be permitted in any district subject to the following conditions:

(1) No political campaign sign shall exceed 32 square feet in area and no freestanding sign shall exceed eight feet in height.

(2) Except for municipal campaign signs, no political campaign sign shall be erected for more than 75 days prior to the nomination, election or referendum which they purport

to advertise. No municipal campaign sign shall be erected for more than 30 days prior to these same events.

(3) All political campaign signs shall be removed within seven days after the nomination, election or referendum.

(4) Nothing in this provision shall be construed to authorize the posting of political campaign signs upon trees, utility poles, traffic-control or street name signposts, lights or devices, or in any place or manner prohibited by the provisions of Section 102A-1408 or other provision of this ordinance.

(5) Political campaign signs shall not be erected on Town owned or other public property except as authorized by sub-section (6) below.

(6) Political campaign signs erected on Election Day at officially designated polling places other than those polling places designated as "One Stop Voting" polling places are permitted ~~no sooner than 5pm on the day before the election for a period not to exceed 24 hours~~ provided the signs are located in accordance with regulations of the Board of Elections and must be removed within 24 hours of the closes of the election. Political Campaign signs at designated polling places are permitted to be erected no sooner than 5pm on the day before. For the "One Stop Voting" polling places, campaign signs are permitted during the entire voting period and shall be removed within 24 hours of the close of the election for which the sign purports to advertise.

(7) All political campaign signs shall be located no closer than 15 feet from edge of pavement of any right-of-way.

(i) *Temporary sign; failure to comply.* If the Chief Building Inspector shall find that any temporary sign as authorized by this section, is in violation of this section, the Chief Building Inspector, or the inspector's designee, shall give written notice of such violation to the owner of the sign. If, upon receipt of same notice, the owner of such sign fails to remove or alter the sign so as to comply with the required standards within ten days of said notice, such sign may be removed by the Chief Building Inspector, or the inspector's designee, at the expense of the owner of the sign. The Chief Building Inspector may cause any sign or other advertising structure which creates an immediate risk of peril to persons or property to be promptly removed.

(j) *Special gate signs.* A permanent sign is permitted as an integral part of a gate or entrance structure which identifies a subdivision, group development or other special development approved under the provisions of this ordinance or Chapter 86, estate, farm, or other residential entity, provided there are not more than two signs for each main entrance, with a total sign area for each such entrance not to exceed 32 square feet. Under this provision, if such a special gate sign is utilized no other main entrance identification sign is permitted.

(k) *Temporary banners.* Temporary banners and flag signs may be permitted in any district subject to the following conditions:

(1) Signs are directly tied to the advertising of the grand opening of a new business or development.

(2) Signs are permitted for a period not exceeding ~~one week~~ 90 days.

(l) *Sandwich board signs.* Sandwich board signs are permitted ~~only within the Trade Street Business District~~ subject to the following conditions:

(1) Signs are only permitted in front of business to inform the general public of key information tied to the operation of the business.

(2) Signs are only permitted during business hours.

Sec. 102A-1405. General site and sign specifications.

(a) *Zoning permit required.* No sign requiring a permit shall hereafter be erected or attached to, suspended from or supported on a structure nor shall any existing sign be enlarged, replaced, or relocated until a zoning permit has been issued by the Chief Building Inspector.

(b) *Measurement of sign area.* The measurable area of the sign mounted on a board or within a frame box shall be the area of the board, frame or box. The measurable area of a sign mounted directly on the wall of a building shall be the area within the outline of the actual shape of the sign. For individual letters or logos mounted on the wall of a building, the sum of the areas of each letter, measured from the exterior edges of the letter is the measurable sign area. Signs that employ moving or extending parts shall be measured when moved or extended to form the largest possible silhouette. The total sign area for a double-faced or "V" type sign shall be measured on the largest face of the sign; however, advertising matter may be posted on both sides of such permitted signs, provided that any "V" type sign with a "V" angle of greater than 45 degrees shall be subject to measurement of sign area on both sides. Sign area does not include support structures unless the coloration, lighting, etc. is designed to attract attention.

(c) *Freestanding sign location – all districts (excluding billboards).* Freestanding signs shall be set back from the existing road right-of-way (normally the front property line) or proposed future road right-of-way, whichever is the greater distance, according to the tables below. Freestanding signs shall be set back from all other property lines a minimum distance of five feet. ~~Freestanding signs shall be set back from all other property lines a minimum distance of five feet.~~ In no instance shall a sign between the heights of three and 20 feet ~~between the heights of three and 15 feet~~ be permitted within

20 feet of the right-of-way line at the intersection of two streets. Freestanding signs may be placed on the same or separate support structures.

(1) *Ground signs.* ~~Maximum height is 20 feet~~ ~~Maximum height is 30 feet~~ ~~u~~Unless otherwise allowed in *Section 102A-1407 (billboards)*, ~~For the purposes of this ordinance, ground signs will be regulated by setback and height for stand alone commercial properties and properties with multiple commercial tenants separately.~~ ~~†~~The following table establishes the minimum setback ~~requirements~~ for ground signs provided that all other requirements of this article are complied with:

Sign Height	Minimum Setback from RAW/ Line
0-5 feet	5 feet
Greater than 5 feet and up to 15 feet	10 feet
15 feet to 30 feet	15 feet

Ground/monument signs permitted on stand alone properties with one tenant/occupant: Maximum Height is 10 feet.

<u>Sign Height</u>	<u>Minimum Setback from R/W Line</u>
<u>0-5 feet</u>	<u>5 feet</u>
<u>Greater than 5 feet and up to 10 feet</u>	<u>10 feet</u>

Ground/monument signs permitted on properties with multiple tenants/occupants: Maximum height is 20 feet.

<u>Sign Height</u>	<u>Minimum Setback from R/W Line</u>
<u>0-5 feet</u>	<u>5 feet</u>
<u>Greater than 5 feet and up to 10 feet</u>	<u>10 feet</u>
<u>Greater than 10 feet and up to 15 feet</u>	<u>15 feet</u>
<u>Greater than 15 feet and up to 20 feet</u>	<u>20 feet</u>

~~(2) Pole signs.~~ Pole signs, in addition to all other requirements of this article, shall be setback a minimum of five feet from the existing or proposed right-of-way line provided that no portion of the sign projects any closer than two feet, measured in horizontal distance, from the proposed or existing right-of-way line. Also, pole signs shall maintain a minimum clearance of nine feet over any pedestrian areas and 14 feet over any vehicular paths. Pole signs shall not exceed a maximum sign height of 30 feet.

(d) *Maintenance and appearance.* All signs together with braces, guys, and supports shall at all times be maintained in a safe condition and kept in good repair, free from excessive rust, corrosion, peeling paint, or other surface deterioration. To ensure that

all signs are maintained in an attractive and safe manner, the following requirements are proposed for all signs visible from any public or private street or right-of-way:

(1) A sign shall not stand with bent or broken sign facing, with broken supports or more than 20 gedges vertical for a period not to exceed 30 consecutive days. Once notified through the issuance of a code violation, said sign must be corrected within 6 months.

(2) A sign shall not be obstructed by weeds or vegetation for more than 30 consecutive days (unless such vegetation is incorporated as a landscape element.

(3) Disfigured, ripped, peeling, or cracked signs shall not be permitted for more than 30 consecutive days. Once notified through the issuance of a code violation, said sign must be corrected within 6 months.

(4) All signs shall be constructed by a professional sign company.

(e) *Signs facing residential districts.* Illuminated signs shall be so placed as not to be a nuisance to residents of neighboring residential property.

—(f) *On-site interference.* The location and structural design of freestanding signs shall be such as to not interfere with the safe and efficient use of off-street parking and loading areas including aisle ways and access driveways.

(g) *Unsafe and unlawful signs.* If the Chief Building Inspector shall find that any sign is unsafe or is a menace to the public or has been constructed, erected or is being maintained in violation of this ordinance, the inspector shall give written notice of such violation to the owner of the sign or the owner of the property where the sign is located. If the owner of the sign, or the property owner, fails to remove or alter the structure so as to comply with the required standards within 30 days after such notice, such sign may be removed or altered to comply by the inspector at the expense of the owner of the sign or the property owner. The Chief Building Inspector may cause any sign or other advertising structure which is an immediate peril to persons or property to be promptly removed by the sign owner or the property owner. Once a sign has been removed by Town Staff as a result of the notification of violation of this ordinance, any additional illegal sign erected by the same business entity or person(s) shall be considered a Class 3 misdemeanor and shall be subject to a civil penalty of \$500 as authorized by G.S. 14-4. Each day's continuing violation shall be considered a separate and distinct offense.

(h) *Cessation of purpose and removal.* Any sign now or hereafter existing which no longer advertises any bona fide business conducted, or a product sold, shall be taken down and removed by the owner, agent, or person having the beneficial use of the

building or land or structure upon which such sign may be found. Such sign shall be removed within 30 days after written notification from the Chief Building Inspector except that temporary activities sign posting shall be removed by the permittee within seven days following the date of termination of such events. Upon failure to comply with any notice within the time specified the zoning inspector is authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the sign or the property owner of the land on which the sign is located.

(i) *Signs permitted in conjunction with legal nonconforming uses.* Any legal nonconforming use in any district may maintain such business signs as would be allowed for such use in the most restrictive district in which the use would be permitted, or such signs as are existing at the time the use becomes nonconforming, whichever is the most restrictive with regard to sign size.

Sec. 102A-1406. Signs permitted by district.

In addition to the aforementioned signs the following are also permitted:

(a) *Residential and conservancy districts.*

(1) *Dwelling identification sign.* One identification sign not exceeding two square feet in area is permitted for each residential dwelling unit. For one- and two-family dwelling units identification signs shall be at least five feet from any street or property line. For multi-family dwelling units, identification signs shall be mounted flat to the main wall of the building. Identification signs may be illuminated but non-flashing and motionless.

(2) *Large scale residential development signs.* A permanent sign is permitted as an integral part of an entrance structure which identifies a subdivision, group development or other special development, estate, farm or other residential entity, provided there are not more than two signs for each main entrance, with a total sign area for each such entrance not to exceed 32 square feet in area. Such signs may be lighted, but non-flashing and motionless and located according to the criteria in Section 102A-1405, but not less than five feet from any street right-of-way line.

(3) *Agricultural product signs.* In the zoning districts that allow agriculture or rural farm use, signs advertising agricultural products produced on the premises are permitted, provided there are no more than two such signs, each of which shall not exceed 12 square feet in area. In any instance where the products sold are seasonal or temporary, such signs shall be removed within 30 days of cessation of the activity advertised. This section shall not apply to any property exempt under the bona fide farm provisions of Section 102A-109.

(4) *Institutional, commercial and industrial signs located in residential and conservancy districts.* Any institutional, commercial or industrial use, which is a permitted, special or

Town of Hope Mills

Zoning Ordinance

~~Adopted: October 20, 2008~~

conditional use in a residential or conservancy district, may erect and maintain signs as follows:

a. For stand alone properties with one tenant/occupant, one free standing sign not to exceed 35 square feet in area shall be permitted. For sites with more than one tenant, ~~One~~ freestanding sign not to exceed ~~400-50~~ square feet in area shall be permitted. If more than one principal use is conducted on the same site, or in the same building, each additional principal use shall be permitted one freestanding sign not to exceed ~~50~~ 35 square feet in area.

b. Freestanding signs shall be located in accordance with the criteria found in Section 102A-1405.

c. Attached signs for all principal uses on the site shall not exceed 50 square feet in area. If there is more than one principal use, the property owner will determine the allocation of attached sign area.

(b) *Professional, commercial and industrial districts.*

(1) Signs for uses permitted in the O&I(P) district shall be regulated as follows:

a. For stand alone properties with one tenant/occupant, one free standing sign not to exceed 25 square feet in area shall be permitted. For sites with more than one tenant, ~~One~~ freestanding sign not to exceed ~~50-35~~ square feet in area will be allowed per building. Freestanding signs shall be located in accordance with the criteria found in Section 102A-1405.

b. One attached sign not to exceed 20 square feet in area will be allowed per building. Attached signs may be placed on any side of the building.

(2) *C1(P) planned local business district.* Signs in the C1(P) district shall be regulated as follows:

a. For stand alone properties with one tenant/occupant, one free standing sign not to exceed 50 square feet in area shall be permitted. One freestanding sign not exceeding ~~400-75~~ square feet in area is allowed for sites with more than one occupant but a maximum of five occupants. Sites with more than five occupants may have an additional 10 square feet maximum area for each occupant over five, with a total maximum freestanding sign area not to exceed ~~200-150~~ square feet. Freestanding signs shall be located in accordance with the criteria found in Section 102A-1405.

b. One attached sign per occupant is allowed. Attached signs shall not exceed one square foot in area for each front foot of structure the occupant occupies. Attached signs may be placed on any side of the building.

(3) C2(P) planned retail and service district and C(P) planned commercial district. Except for billboards (off-premises) signs which are regulated by Section 102A-1407, signs in the C2(P) and C(P) districts shall be regulated as follows:

a. For stand alone properties with one tenant/occupant, one free standing sign not to exceed 50 square feet in area shall be permitted. Sites with no more than two occupants may have one freestanding sign. This sign shall have a maximum size of ~~400-75~~ square feet in area. Sites with more than two occupants but less than ten occupants may have two freestanding signs. Each sign shall have a maximum size of ~~400-75~~ square feet in area. Sites with more than ten occupants may have two freestanding signs, each with a maximum size of ~~400-75~~ square feet in area; or one freestanding sign with a maximum size of ~~200-150~~ square feet in area. Sites with more than ten occupants may have an additional ten square feet of freestanding sign area for each occupant over ten, with a total maximum freestanding sign area not to exceed ~~400-250~~ square feet. On corner lots, one additional freestanding sign is allowed on the side street frontage, not to exceed ~~400-75~~ square feet in area. Freestanding signs shall be located in accordance with the criteria found in Section 102A-1405.

b. One attached sign is allowed per occupant, not to exceed two square feet in area for each front foot of structure that the occupant occupies. In the event a strip shopping center is designed in such a manner that the end unit or end units front the right-of-way and the store front faces an internal parking lot, the end unit or end units may place one additional attached sign on the side facing the right-of-way, provided that the overall combined square footage of the attached signs do not exceed two square feet in area for each front foot of the structure that the occupant occupies. On sites where a canopy exceeds the building size, the canopy size may be used to determine the permitted attached sign area. Attached signs may be placed on any side of the building.

~~c. Detached business signs with no height limitation are allowed when located within 1,500 feet of an interstate (I-95) and when said signs are in excess of 100 feet in height these signs shall not be limited in area when located within 1,500 feet of an interstate (I-95) exit ramp, measured at the ramp's outer intersection with a town or state road.~~

(4) M1(P) planned light industrial district. Signs in the M1(P) district shall follow the same dimensional and setback criteria as for signs being located in the C(P) planned commercial district.

(5) M(P) planned industrial district. Except for billboards (off-premises signs) which are regulated by Section 102A-1407, signs in the M(P) district shall be regulated as follows:

a. One freestanding sign is allowed at each main entrance to the site. The total entrance signage shall not exceed a maximum sign area of ~~500-250~~ square feet with each individual entrance sign not exceeding a maximum sign area of ~~300-150~~ square feet. On corner lots, one additional freestanding sign is allowed on the side street frontage, not to exceed ~~400-50~~ square feet in area. Freestanding signs shall be located in accordance with the criteria found in Section 120A-1405.

b. One attached sign is allowed per occupant, not to exceed two square feet in area for each front foot of structure that the occupant occupies. On sites where a canopy exceeds the building size, the canopy size may be used to determine the permitted attached sign area. Attached signs may be placed on any side of the building.

Sec. 102A-1407. Billboards (off-premises signs).

In addition to other applicable standards contained within this article, the following provisions shall apply to all billboards:

a. *General provisions.*

1. Billboards shall be allowed only ~~along rights-of-way with full control or limited control of access, such as freeways and major thoroughfares;~~ within 1,500 feet from the right-of-way of freeways.

2. Billboards shall not face or be oriented toward any adjoining or abutting residentially-zoned or residentially-used property and shall not be located within 200 feet of a residential zoning district boundary line;

3. Billboards shall not exceed a sign height of 35 feet;

4. All billboards are considered as a principal use of property, not accessory, and shall be allowed in the C(P) planned commercial district, upon approval of a special use permit (Section 102A-1706), and M(P) as a permitted use, provided that the dimensional criteria outlined below is complied with.

5. All Federal, State, and other local regulations shall be complied with.

b. *Dimensional criteria by district.*

1. *C(P) planned commercial districts.* Billboards constructed and located in this zoning district shall have a maximum sign area of 500 square feet and shall be located at least 50 feet from a street right-of-way line; five feet from any property line not a right-of-way

line; 50 feet from any other freestanding sign, building or structure on the same lot; and be a minimum of 500 feet from another billboard.

2. *M(P) planned industrial district.* Billboards constructed and located in this zoning district shall have a maximum sign area of 700 square feet and shall be located at least 50 feet from a street right-of-way line; five feet from a property line, not a of-way line; 50 feet from any other freestanding sign, building or structure on the same lot; and be a minimum of 500 feet from another billboard.

Sec. 102A-1408. Signs prohibited.

Erection or maintenance of signs having any of the following characteristics is prohibited:

a. *Signs not to constitute traffic hazards.* No sign or advertising structure shall be erected or maintained at the intersection of any street or road so as to obstruct free and clear vision; or at any location where, by reason of the position, illumination, shape or color, it may impair, obstruct the view or be confused with any authorized traffic sign, signal or device; or that makes use of the words "stop," "look," "drive-in," "danger" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic. In any case, signs shall be prohibited within 20 feet of a street intersection measured to the intersection of the two nearest street lines.

b. *Signs erected on public streets.*

1. No sign shall be erected or maintained within any public street right-of-way nor be allowed to extend into any public street.

2. This section shall not apply to public signs necessary in the performance of a governmental function or required to be posted by law.

3. This section shall not apply to large scale residential signs approved by the Board of Commissioners pursuant to this subsection.

(a) The Board of Commissioners may, but is not required to, approve the location of up to two such signs per subdivision entrance, provided that the Board makes the following findings of fact:

(1) The primary or final plat for the subdivision in which the sign(s) will be located was approved prior to the effective date of this ordinance;

(2) The sign(s) will be located upon a public right-of-way median(s) that is owned, maintained or otherwise controlled by the Town;

- (3) The sign(s) will comply with the requirements of Sec. 102A-1406(a)(2);
- (4) The propose sign location(s) is [are] outside the line of sight for vehicles on the road; and
- (5) The proposed sign location(s) will not otherwise impair the safety of the general travelling public.

(b) Signs approved pursuant to this subsection shall comply, to the extent reasonably possible, with all setback requirements for public rights-of-way and other applicable setbacks.

(c) Unless other arrangements are made by the Board of Commissioners, any sign approved pursuant to this subdivision shall be maintained in good condition by the person, persons, or entity requesting the sign, or their successors or assigns. The town may at any time, with or without notice, remove signs approved pursuant to this subdivision that are not adequately maintained or are allowed to deteriorate.

c. *Object or device attached to items for sale.* Any object or device made of any material that is displayed, affixed, attached, in any manner on items that are intended for sale, including, but not limited to, banners, official or unofficial flags, pennants, balloons, and streamers.

d. *Obstruction of ingress or egress of building.* No sign shall be erected or maintained that obstructs ingress and/or egress to or from any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress to or from any room or building as required by law.

e. *Obscene matter prohibited.* No sign shall be erected or maintained which bears or contains statements, words or pictures of an obscene character.

f. *Signs on private property; consent required.* No sign may be erected by any person on the private property of another person without first obtaining the verbal or written consent of such owner.

g. *Portable signs.* Portable signs as defined in Section 102A-1402. Prohibited unless otherwise allowed in Section 102A-1404.

h. *Flashing signs.* Flashing signs as defined in Section 102A-1402.

[i. Any sign attached to or painted on utility poles, telephone poles, trees, parking meters, bridges, and overpasses are prohibited.](#)

[j. Pole Signs](#)

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REQUEST
A1 to C(P)/CZ for a billboard

ACREAGE: **.47+/-**

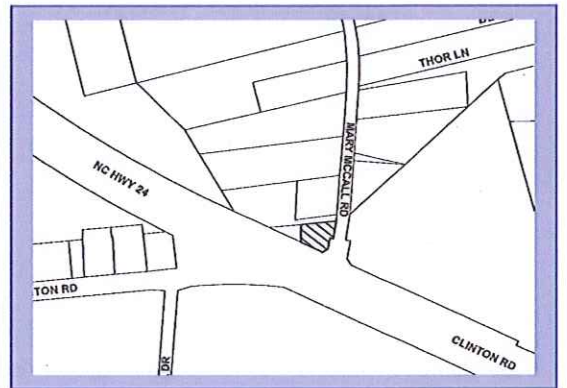
PROPERTY OWNER/APPLICANT
KEVIN A. CARROLL (OWNER)

PROPERTY ADDRESS/LOCATION
North of NC Hwy 24, west of SR 1852 (Mary McCall Road)

Jurisdiction: **County**

PROPERTY INFORMATION

Frontage & Location: 119'+/- on NC Hwy 24; 151' +/- on SR 1852 (Mary McCall Road)
 Depth: 140'+/-
 Adjacent Property: Yes
 Current Use: Vacant
 Initial Zoning: A1 – September 3, 1996 (Area 20)
 Municipal Influence Area: Stedman
 Nonconformities: None
 Zoning Violation(s): None
 School Capacity/Enrolled: Stedman Primary: 200/191; Stedman Elementary: 300/306; Mac Williams Middle: 1270/1156; Cape Fear High: 1425/1466
 Special Flood Hazard Area (SFHA): None
 Water/Sewer Availability: Stedman/Stedman
 Soil Limitations: None
 Subdivision/Site Plan: See Ordinance Related Conditions
 Average Daily Traffic County (2014): 8,500 on NC Hwy 24; 630 on SR 1852 (Mary McCall Road)
 Highway Plan: Mary McCall Road is identified as a local road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. Clinton Road is identified as an existing expressway in the 2040 Metropolitan Transportation Plan and as R-2303, a widening project from SR 1006 (Maxwell Road) to SR 1853 (John Nunnery Road). Right-of-way acquisition is complete.



SURROUNDING LAND USE: Residential, religious worship facility, cemetery, woodland & farmland

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Community Growth Areas
Stedman Land Use Plan (1999): Suburban Residential

Notes:

1. **Minimum Yard Setbacks:**

	<u>A1</u>	<u>C(P)</u>
Front yard:	50'	50'
Side yard:	20'	30'
Rear yard:	50'	30'

2. The property owner has agreed with all ordinance related conditions.

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

In Case P19-02, the Planning and Inspections Staff recommends approval of the rezoning from A1 Agricultural to C(P) Planned Commercial/CZ Conditional Zoning for a billboard subject to the conditions within our packet and find:

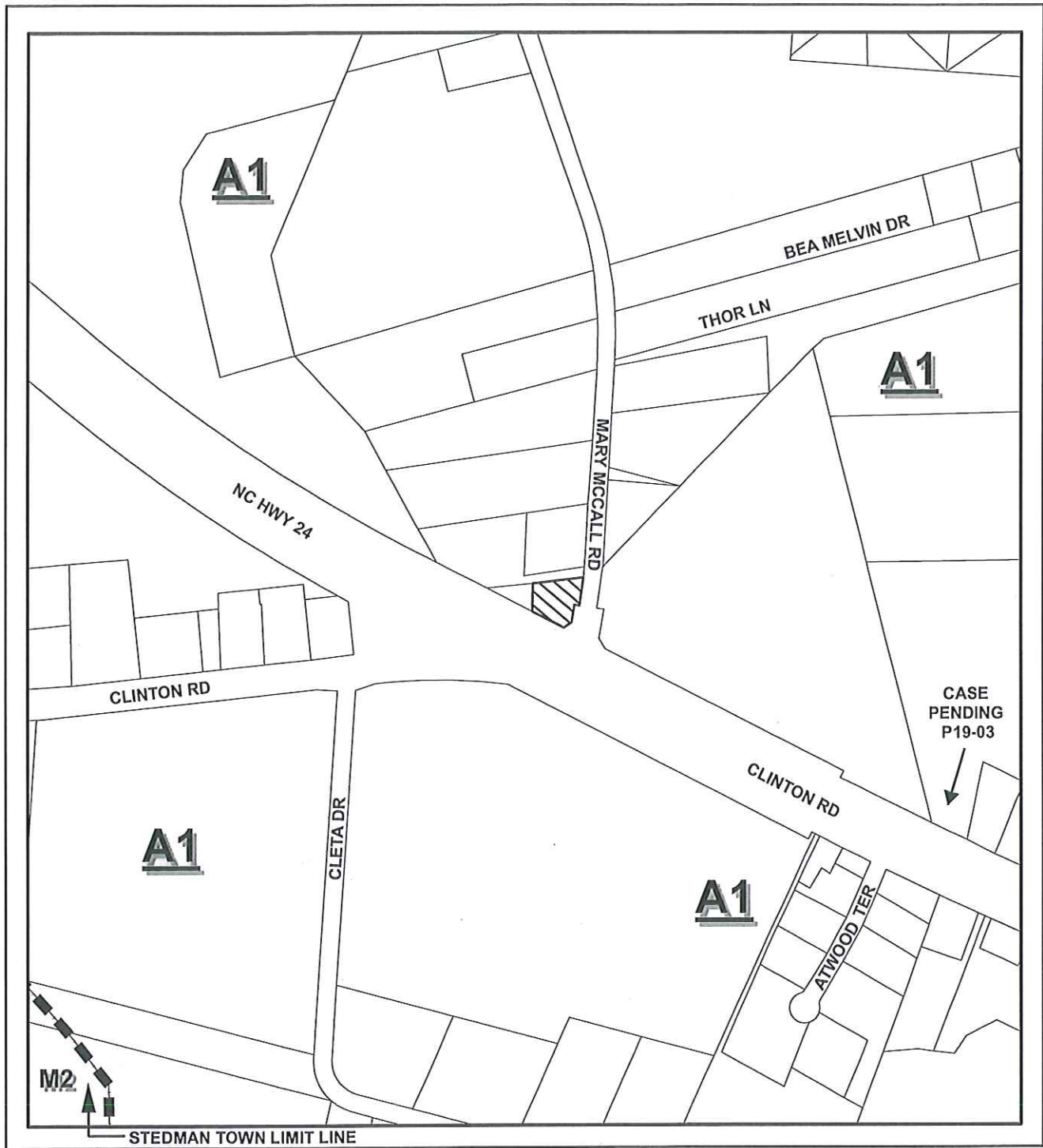
- a. The approval is an amendment to the adopted current Stedman Land Use Plan (1999) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the requested district is consistent with the more recently adopted 2030 Growth Vision Plan (2009) which calls for "community growth areas" at this location and meets the location criteria for "heavy commercial" as defined in the Land Use Policies Plan (2009) particularly because of the recent NC Hwy 24 improvements;
- c. And, this rezoning approval is reasonable and in the public interest because the new NC Hwy 24 has controlled access and the request will have minimal traffic and noise impact to the surrounding area.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS

First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING A1 TO C(P)/CZ

ACREAGE: 0.47 AC. +/-

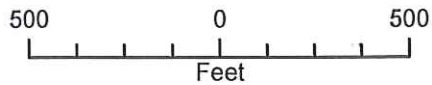
HEARING NO: P19-02

ORDINANCE: COUNTY

STAFF RECOMMENDATION

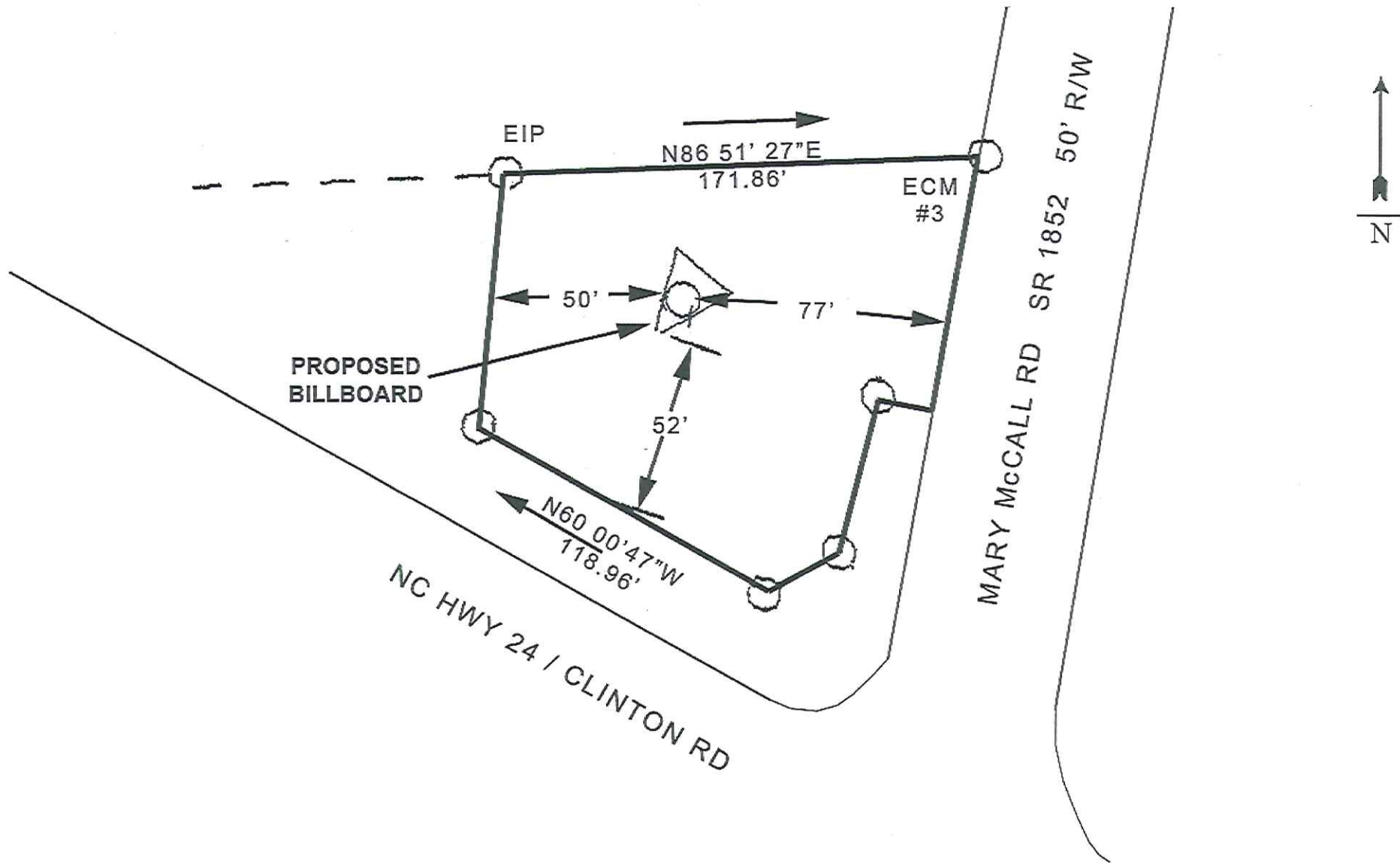
PLANNING BOARD

GOVERNING BOARD



PORT. OF PIN: 0495-78-8972

2/13/19
2/20/19
2/26/19
MB

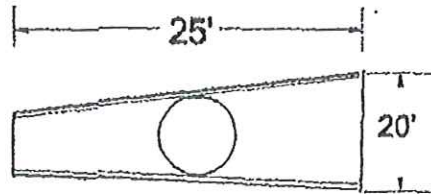


C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING
REQUEST: ALLOW A BILLBOARD
CASE: P19-02 ACREAGE: 0.47 AC+/-
ZONED: A1 SCALE: NTS

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

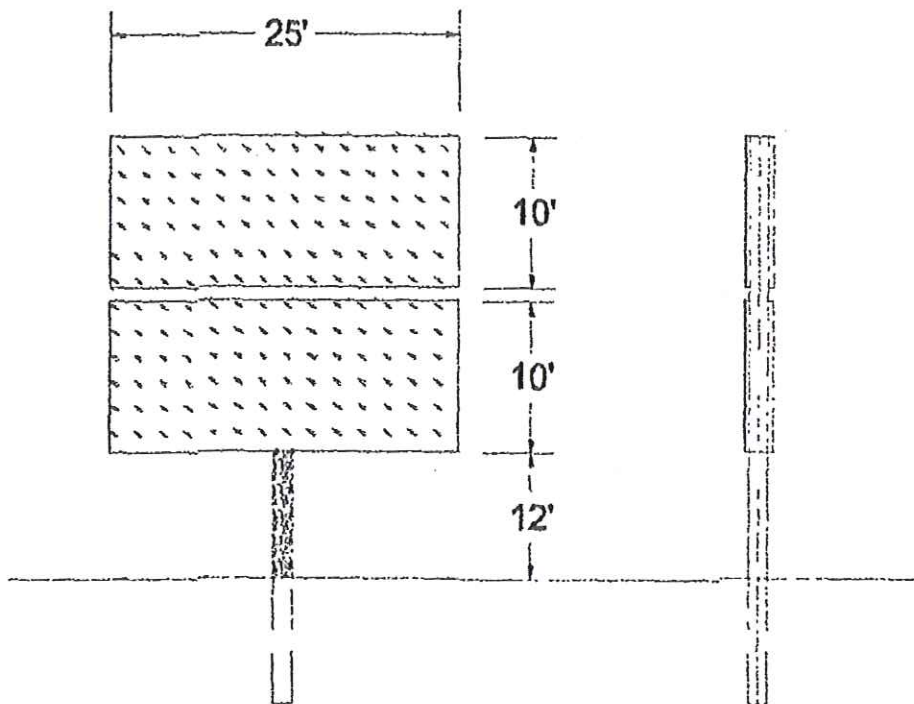
CASE P19-02

PLAN VIEW



FRONT VIEW

SIDE VIEW



PROPOSED BILLBOARD SIGN LAYOUT

NTS

Proposed Double Stacked 10' x 25' Monopole Billboard

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

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

1. Applicant/Agent Hevin Carroll
2. Address: PO Box 528 Stedman NC Zip Code 28391
3. Telephone: (Home) (910) 990-3974 (Work) (910) 990-3974
4. Location of Property: NW Corner of Mary McCall and Hwy 24 Westbound
Corner Lot
5. Parcel Identification Number (PIN #) of subject property: #0495-78-8972 (Partition)
(also known as Tax ID Number or Property Tax ID)
6. Acreage: .47 Frontage: 170ft Depth: 135ft
7. Water Provider: Town of Stedman Septage Provider: PWC
8. Deed Book 10175, Page(s) 0488, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant
10. Proposed use(s) of the property: Billboard

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No _____ 10/acre tract adjoining to the east and remaining parent tract
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: A1

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of C(P)
(Article V)
- _____ Mixed Use District/Conditional Zoning District (Article VI)
- _____ Planned Neighborhood District/Conditional Zoning District (Article VII)
- _____ Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

Billboard

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

— N/A

2. DIMENSIONAL REQUIREMENTS:

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

See Site Plan.

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

N/A

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

See Site Plan

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

N/A

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

N/A

5. MISCELLANEOUS:

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

N/A

6. SITE PLAN REQUIREMENTS:

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

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

✓ Kevin A Carroll

NAME OF OWNER(S) (PRINT OR TYPE)

~~250 Eastfield Ave~~

PO Box 528 Steelman NC 28391

ADDRESS OF OWNER(S)

HOME TELEPHONE #

(910) 990-3974

WORK TELEPHONE #

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

carrollsga@gmail.com

E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

Kevin Carroll

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

*for
Billboard*

Pre- Permit Related:

1. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.

[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
4. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

[§ 136-18(29), NCGS]

5. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state

approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)

6. Prior to application for the Certificate of Occupancy, the developer must provide to Code Enforcement approval from the entity that owns and/or regulates the type of water and sewer serving the proposed development. (Section 2306 A, County Subdivision Ord.; & Secs. 2306.A & 1403.I, County Zoning Ord.)
7. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the C(P) Planned Commercial/CZ Conditional Zoning for a billboard zoning district must be complied with, as applicable.
9. All corner lots and lots fronting more than one street must provide front yard setbacks from each street. (Secs. 1101.G & 1102.B, County Zoning Ord.)
10. "N. C. Highway 24 Clinton Road" must be labeled as "NC HWY 24 (Clinton Road)" on all future plans. (Sec. 2203, County Subdivision Ord.)
11. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.)
12. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
13. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

14. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
15. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing. (Sec. 1403, County Zoning Ord.)
16. The Noise Regulations of the County Code Chpt. 9.5, Art. II are to be complied with.

Advisories:

17. The applicant is advised to consult an expert on wetlands before proceeding with any development.
18. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
19. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

20. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
21. The subject property lies on the corner of Mary McCall Road and Clinton Road. Mary McCall Road is identified as a local road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. Clinton Road is identified as an existing expressway in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. For questions related to this comment, please contact Transportation Planning.

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Page at 910-678-7602 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnaylo@co.cumberland.nc.us
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
Town of Stedman:	Christy Horne (Town Clerk)	323-1892	chorne.tos@ncrrbiz.com
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	wphipps@co.cumberland.nc.us
Street Naming/Signs:	Diane Shelton	678-7665	nameit2@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

REQUEST
A1 to C(P)/CZ for a billboard

ACREAGE: **1.00+/-**

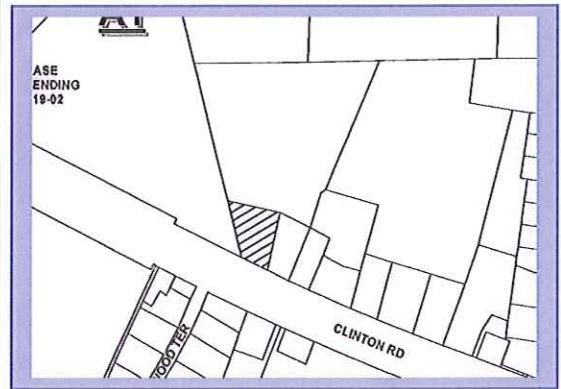
PROPERTY OWNER/APPLICANT
KEVIN A. CARROLL (OWNER)

PROPERTY ADDRESS/LOCATION
8321 Clinton Road

Jurisdiction: **County**

PROPERTY INFORMATION

Frontage & Location: 131'+/- on NC 24 (Clinton Road)
 Depth: 261'+/-
 Adjacent Property: Yes
 Current Use: Vacant
 Initial Zoning: A1 – September 3, 1996 (Area 20)
 Municipal Influence Area: Stedman
 Nonconformities: None
 Zoning Violation(s): None
 School Capacity/Enrolled: Stedman Primary: 200/191; Stedman Elementary: 300/306; Mac Williams Middle: 1270/1156; Cape Fear High: 1425/1466
 Special Flood Hazard Area (SFHA): None
 Water/Sewer Availability: Stedman/Septic (Stedman sewer exists 1200'+/-)
 Soil Limitations: Yes; Hydric: JT (Johnston loam) & TR (Torhunta and Lynn Haven soils), Hydric inclusion: Ly (Lynchburg sandy loam)
 Subdivision/Site Plan: See Ordinance Related Conditions
 Average Daily Traffic County (2014): 8,500 on NC 24 (Clinton Road)
 Highway Plan: Clinton road is identified as an existing expressway in the 2040 Metropolitan Transportation Plan and is identified as R-2303, a widening project from SR 1006 (Maxwell Road) to SR 1853 (John Nunnery Road). Right-of-way acquisition is complete.



SURROUNDING LAND USE: Residential (including manufactured homes), farmland & woodland

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Community Growth Areas
Stedman Land Use Plan (1999): Farmland

Notes:

1. **Density**
A1- 1 lot/unit (non-residential use)
2. **Minimum Yard Setbacks:**

	A1	C(P)
Front yard:	50'	50'
Side yard:	20'	30'
Rear yard:	50'	30'
3. The property owner has agreed to all ordinance related conditions.

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

In Case P19-03, the Planning and Inspections Staff recommends approval of the rezoning from A1 Agricultural to C(P) Planned Commercial/CZ Conditional Zoning for a billboard subject to the conditions within our packet and find:

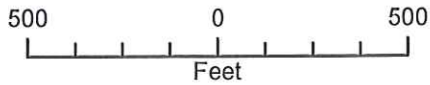
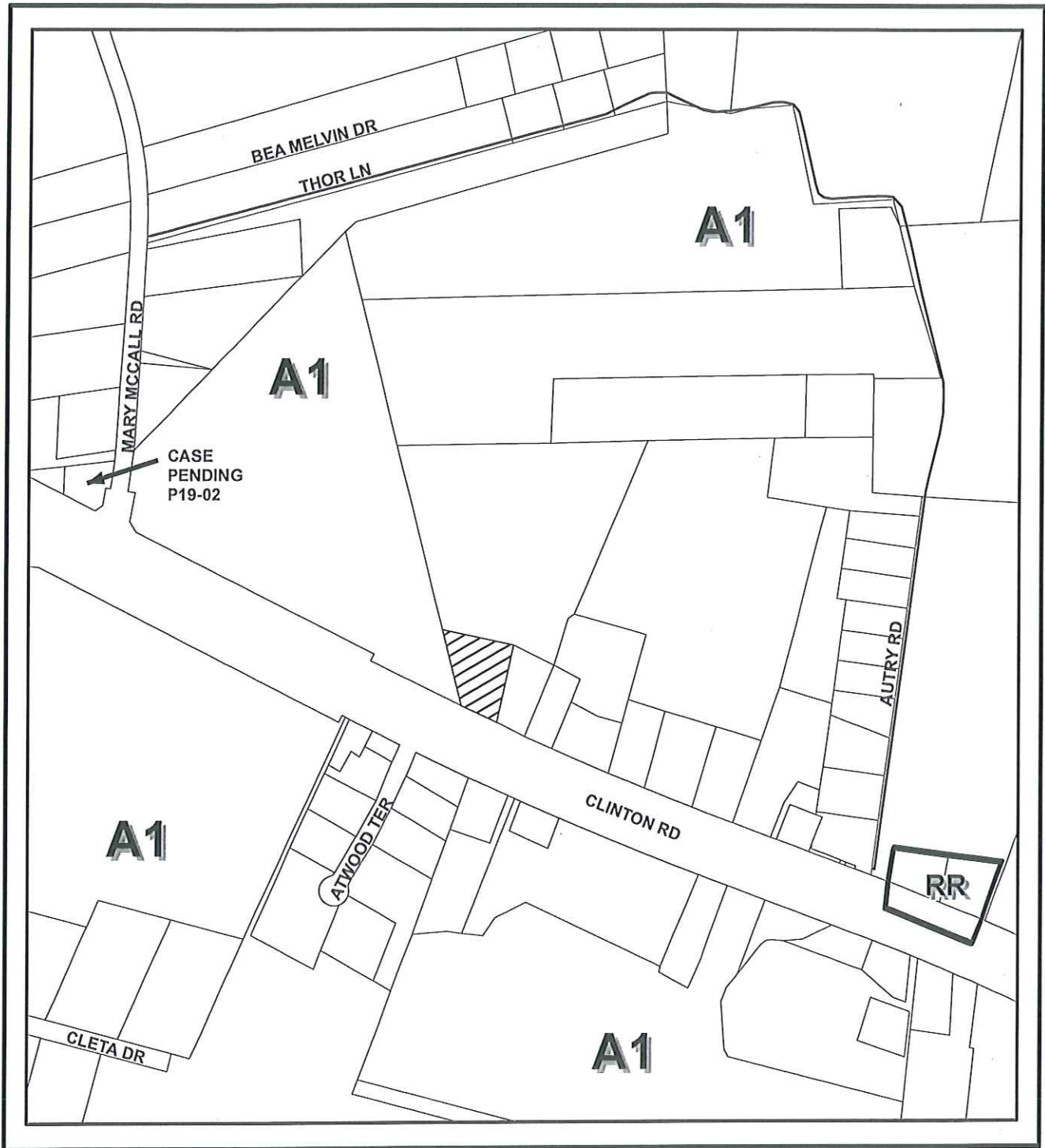
- a. The approval is an amendment to the adopted current Stedman Land Use Plan (1999) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the requested district is consistent with the more recently adopted 2030 Growth Vision Plan (2009) which calls for "community growth areas" at this location and meets most of the location criteria for "heavy commercial" as defined in the Land Use Policies Plan (2009);
- c. And, this rezoning approval is reasonable and in the public interest because the new NC Hwy 24 has controlled access and the request will have minimal traffic and noise impact to the surrounding area.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS

First Class and Record Owners' Mailed Notice Certification

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

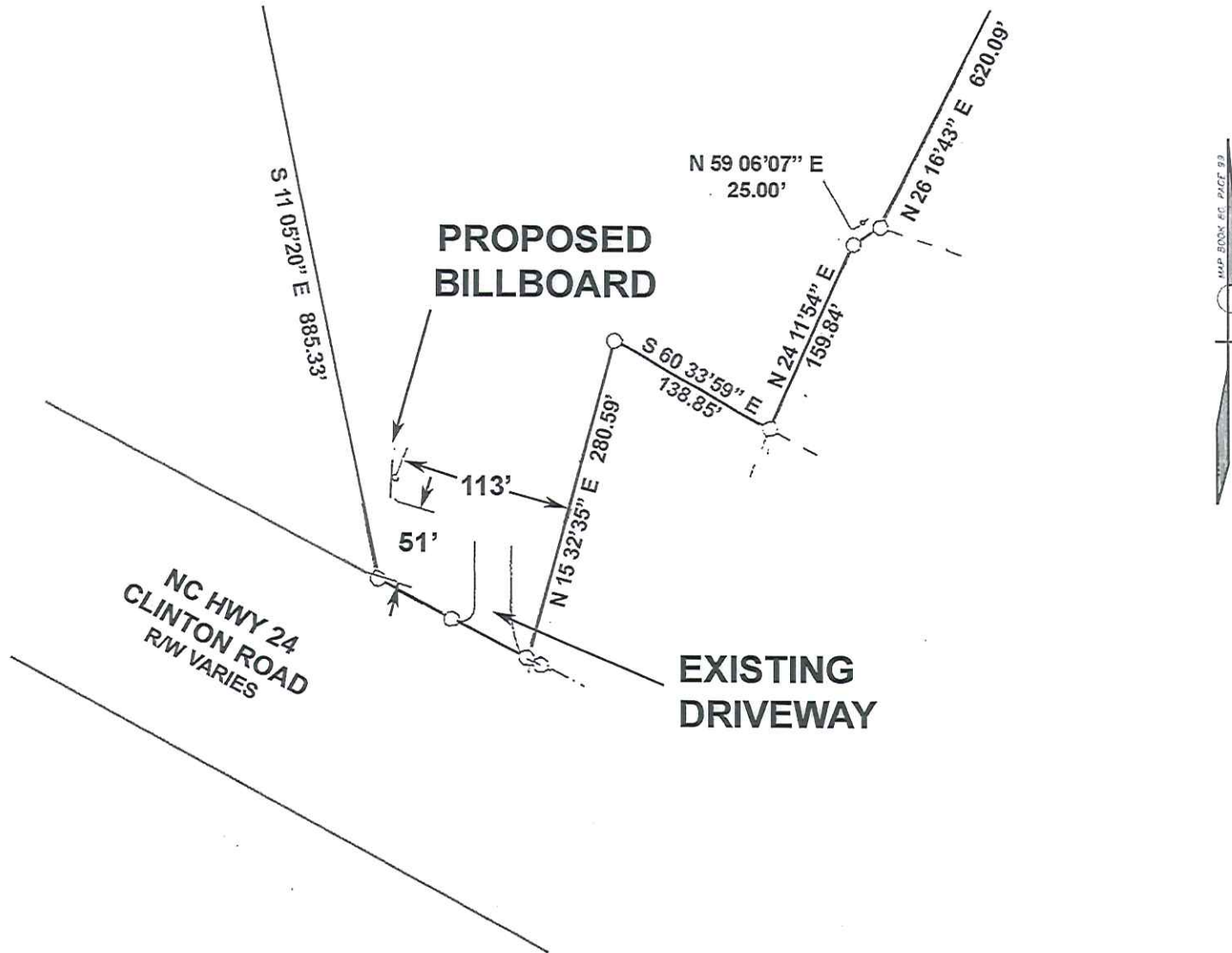


REQUESTED REZONING A1 TO C(P)/CZ

ACREAGE: 1.00 AC. +/-	HEARING NO: P19-03	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PORT. OF PIN: 0495-88-5783

LH
12-17-2018
2-13-2019
2-18-2019



C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING

REQUEST: FOR A BILLBOARD

CASE: P19-03 ACREAGE: 1.00 AC +/-

SCALE: NTS

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

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

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

1. Applicant/Agent Kevin Carroll
2. Address: PO Box 528 Stedman NC Zip Code 28391
3. Telephone: (Home) (910) 990 3974 (Work) (910) 990-3974
4. Location of Property: N of Atwood Terrace and Hwy 24
5. Parcel Identification Number (PIN #) of subject property: # 0495-88-5783
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 1 Frontage: 137 ft Depth: 250 ft
7. Water Provider: Town of Stedman Septage Provider: Septic
8. Deed Book 10134, Page(s) 0500, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant
10. Proposed use(s) of the property: Billboard

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes No 20 acres adjoining to the West and remaining tract
12. Has a violation been issued on this property? Yes No
13. It is requested that the foregoing property be rezoned FROM: A1

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of C(P)
(Article V)
- Mixed Use District/Conditional Zoning District (Article VI)
- Planned Neighborhood District/Conditional Zoning District (Article VII)
- Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

Billboard

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

—

2. DIMENSIONAL REQUIREMENTS:

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

See Site Plan

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

See Site Plan

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

N/A

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

N/A

5. MISCELLANEOUS:

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

N/A

6. SITE PLAN REQUIREMENTS:

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

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

✓ Kevin A Carroll

NAME OF OWNER(S) (PRINT OR TYPE)

~~250 Eastfield Ave~~ PO Box 528

Stedman NC 28391

ADDRESS OF OWNER(S)

HOME TELEPHONE #

(910) 990-3974
WORK TELEPHONE #

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

carrollsga@gmail.com
E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

Kevin Carroll
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

*for
Billboard*

Pre- Permit Related:

1. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.

[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

2. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

Permit-Related:

3. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
4. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
5. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

[§ 136-18(29), NCGS]

6. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
7. Prior to application for the Certificate of Occupancy, the developer must provide to Code Enforcement approval from the entity that owns and/or regulates the type of water serving the proposed development. (Section 2306 A, County Subdivision Ord.; & Secs. 2306.A & 1403.I, County Zoning Ord.)
8. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

9. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the C(P) Planned Commercial/CZ Conditional Zoning for a billboard zoning district must be complied with, as applicable.
10. "N. C. Highway 24 Clinton Road" must be labeled as "NC HWY 24 (Clinton Road)" on all future plans. (Sec. 2203, County Subdivision Ord.)
11. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.)
12. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
13. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

14. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
15. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing. (Sec. 1403, County Zoning Ord.)
16. The Noise Regulations of the County Code Chpt. 9.5, Art. II are to be complied with.

Advisories:

17. The applicant is advised to consult an expert on wetlands before proceeding with any development.
18. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.

19. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
20. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
21. The subject property sits on Clinton Road which is identified as an existing expressway in the 2040 Metropolitan Transportation Plan. Clinton Road is identified as R-2303, a widening project from SR 1006 (Maxwell Road) to SR 1853 (John Nunnery Road). Right-of-way acquisition is already complete. For questions related to this comment, please contact Transportation Planning.

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Page at 910-678-7602 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnyalo@co.cumberland.nc.us
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
Town of Stedman:	Christy Horne (Town Clerk)	323-1892	chorne.tos@ncrbiz.com
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	wphipps@co.cumberland.nc.us
Street Naming/Signs:	Diane Shelton	678-7665	nameit2@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

REQUEST
RR to A1A/CZ for a kennel operation

ACREAGE: **1.00+/-**

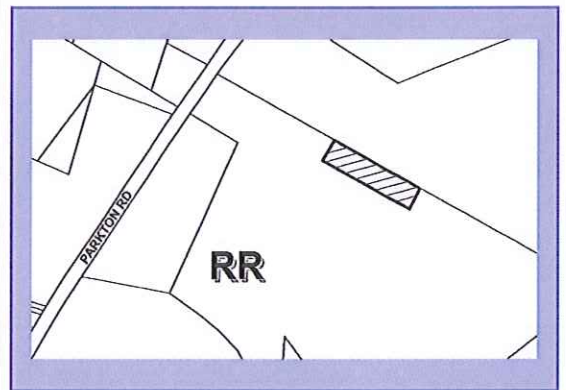
PROPERTY OWNER/APPLICANT
JERRY L. & MARY KING (OWNERS)

PROPERTY ADDRESS/LOCATION
6647, 6651 & 6657 Parkton Road

Jurisdiction: **County**

PROPERTY INFORMATION

Frontage & Location: N/A
Depth: 429'+/-
Adjacent Property: Yes
Current Use: Farmland
Initial Zoning: RR – February 3, 1977 (Area 7)
Municipal Influence Area: Hope Mills (20 year)
Nonconformities: None
Zoning Violation(s): None
School Capacity/Enrolled: Gallberry Farm Elementary: 860/997; Gray's Creek Middle: 1200/1138; Gray's Creek High: 1470/1437
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: Well/Septic
Soil Limitations: Yes; Hydric: Ra (Rains sandy loam)
Subdivision/Site Plan: See Ordinance Related Conditions
Average Daily Traffic County (2016): 1,700 on SR 1118 (Parkton Road)
Highway Plan: Parkton Road is identified as thoroughfare needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.



SURROUNDING LAND USE: Residential (including manufactured homes) & farmland

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Rural Areas
Southwest Cumberland Land Use Plan (2013): Farmland

Notes:

1. **Density**
RR- 2 lots/units
A1A- 1 lot/unit
2. **Minimum Yard Setbacks:**

	RR	A1A
Front yard:	30'	50'
Side yard:	15'	20'
Rear yard:	35'	50'
3. The property owner has agreed to the ordinance related conditions.

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

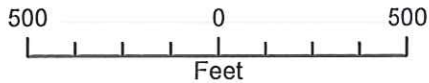
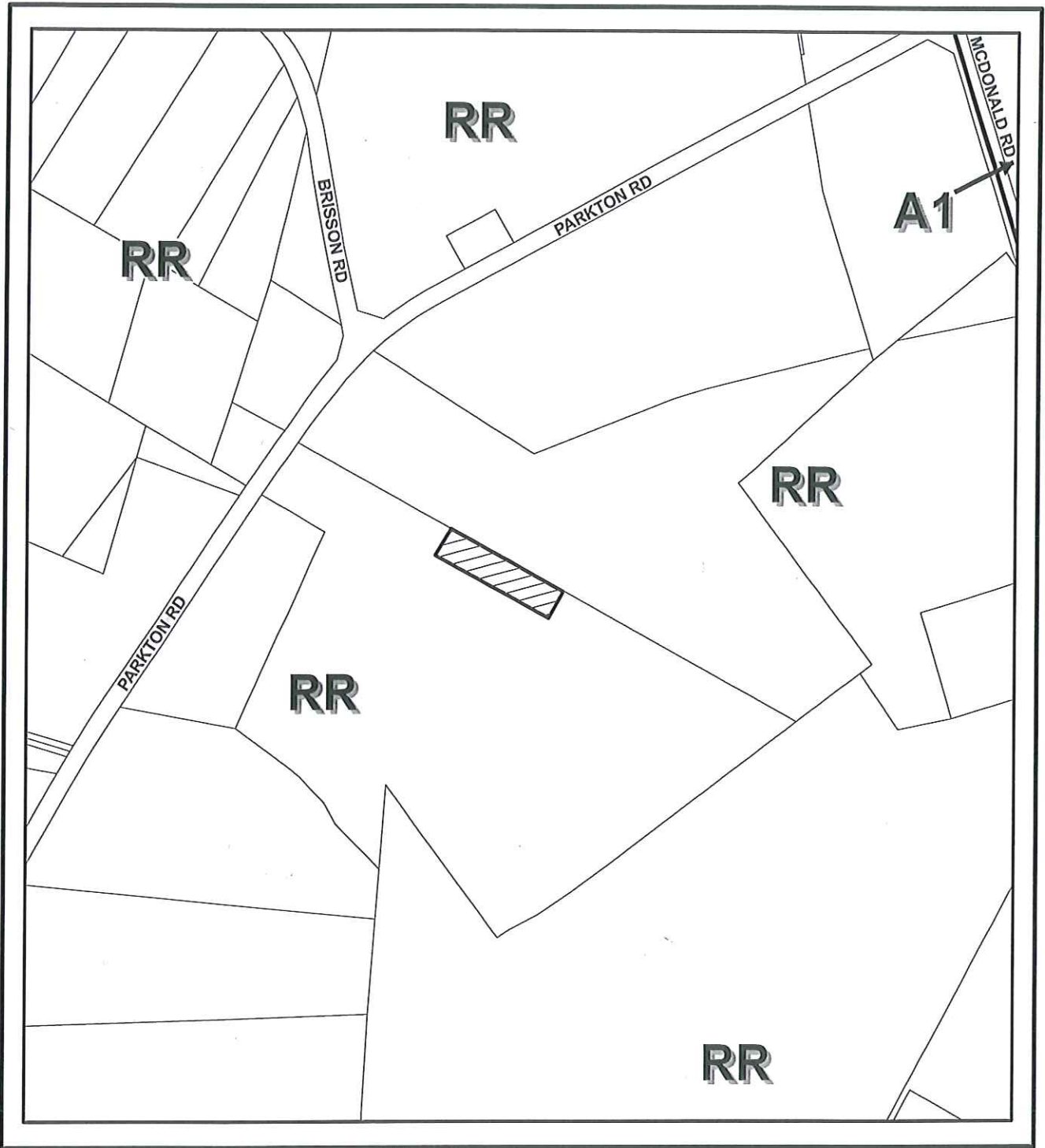
In Case P19-13, the Planning and Inspections Staff recommends approval of the rezoning from RR Rural Residential to A1A Agricultural/CZ Conditional Zoning for a kennel operation subject to the conditions within our packet and find this recommendation to be consistent with the Southwest Cumberland Land Use Plan (2013) which calls for "farmland" at this location, the text of the plan states that A1A Agricultural is an applicable district under the "farmland" designation and further find approval of the request is reasonable and in the public interest because the use will be on a large rural parent tract and utilize buffering that will lessen any impact on the surrounding area and the district requested is in harmony with surrounding zoning and land uses.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS

First Class and Record Owners' Mailed Notice Certification

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

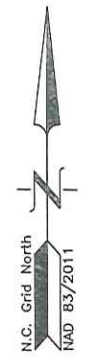
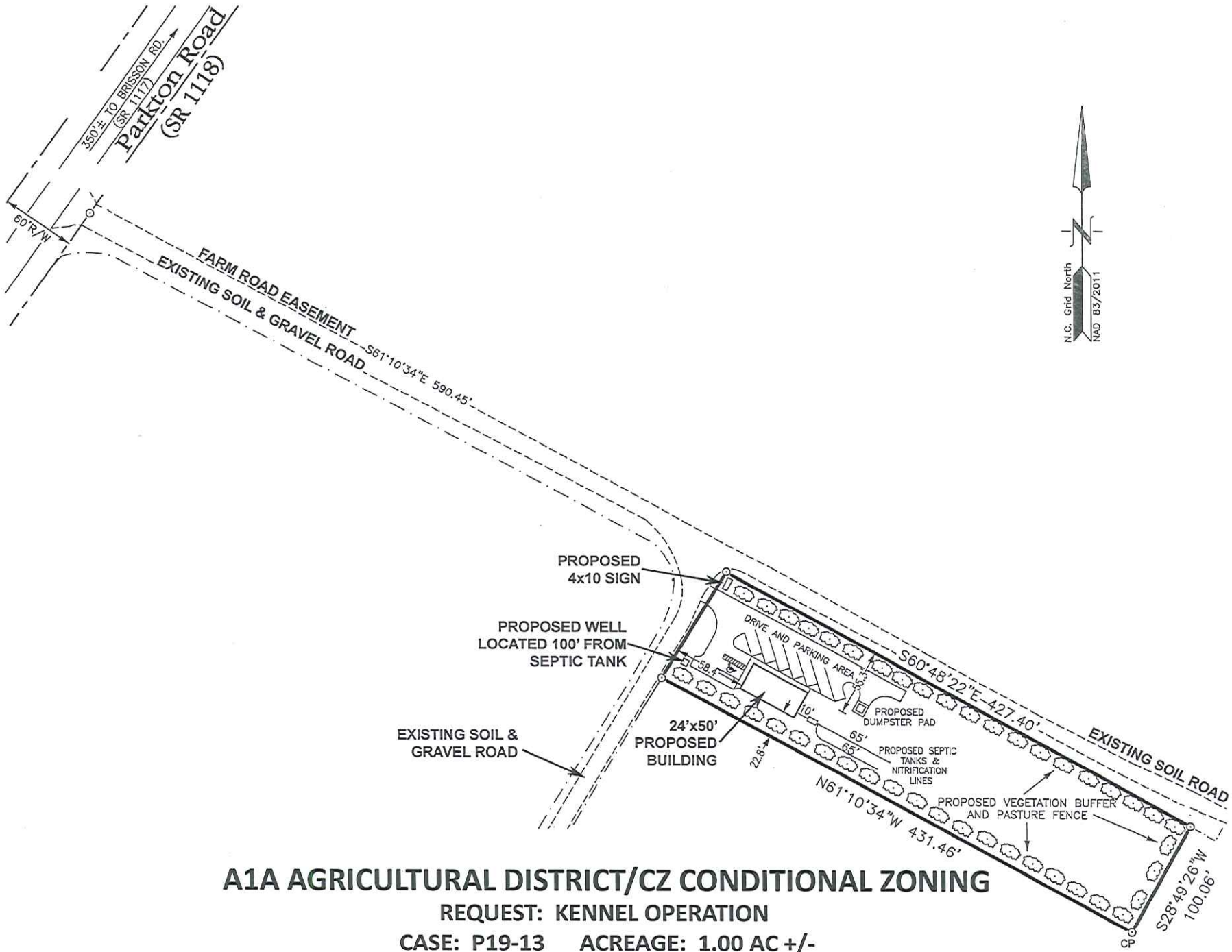


PORT. OF PIN: 0402-99-4221

REQUESTED REZONING RR TO A1A/CZ

ACREAGE: 1.00 AC. +/-		HEARING NO: P19-13
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

LH



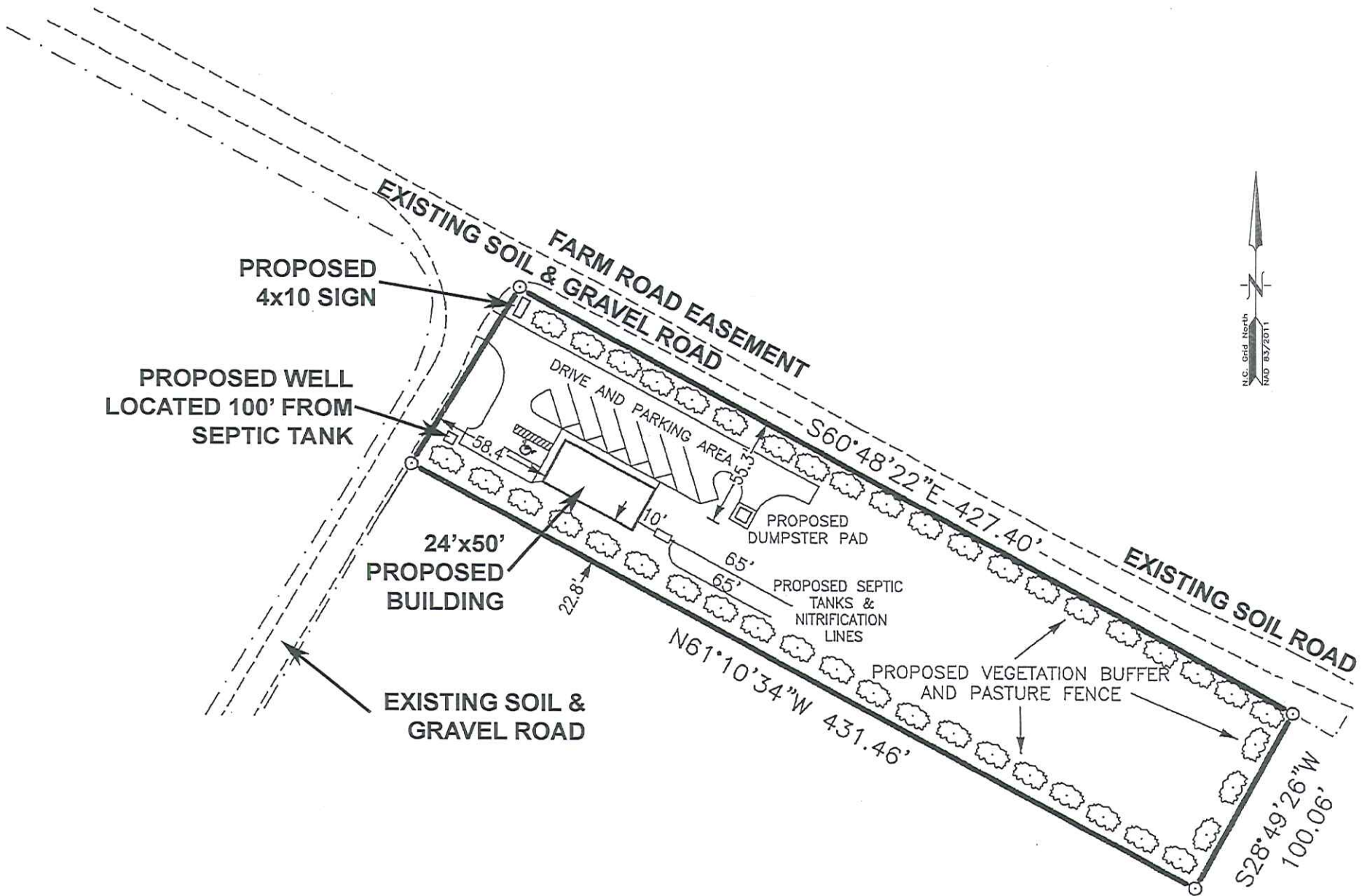
A1A AGRICULTURAL DISTRICT/CZ CONDITIONAL ZONING

REQUEST: KENNEL OPERATION

CASE: P19-13 ACREAGE: 1.00 AC +/-

PARKING: 7 SPACES SCALE: NTS

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



A1A AGRICULTURAL DISTRICT/CZ CONDITIONAL ZONING

REQUEST: KENNEL OPERATION

CASE: P19-13 ACREAGE: 1.00 AC +/-

PARKING: 7 SPACES SCALE: NTS

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

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

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

1. Applicant/Agent Mary A. Terry King.
2. Address: 6651 Parkton RD Zip Code 28371
3. Telephone: (Home) 910 237 4523 (Work) 910 237 4523
4. Location of Property: lot to be rezoned
5. Parcel Identification Number (PIN #) of subject property: 0402994221
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 1 Frontage: N/A Depth: 427
7. Water Provider: well Septage Provider: Septage
8. Deed Book 4620, Page(s) 235-238, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Hay
10. Proposed use(s) of the property: kg kennels no dogs

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes No
12. Has a violation been issued on this property? Yes No
13. It is requested that the foregoing property be rezoned FROM: rr

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of A1A
(Article V)
- Mixed Use District/Conditional Zoning District (Article VI)
- Planned Neighborhood District/Conditional Zoning District (Article VII)
- Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

kg kennel

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

1 ac non residential

2. DIMENSIONAL REQUIREMENTS:

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

See SITE plan.

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

See SITE plan.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

See SITE plan.

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

See Site Plan.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

Vegetation Buffer Seen on Site Plan.

5. MISCELLANEOUS:

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

N/A

6. SITE PLAN REQUIREMENTS:

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

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

✓ Jerry L & Mary E King
NAME OF OWNER(S) (PRINT OR TYPE)

6651 Parkton RD, Parkton NC 28371
ADDRESS OF OWNER(S)

910-237-4523 910-237-4523
HOME TELEPHONE # WORK TELEPHONE #

Mary King
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

6651 Parkton RD, Parkton NC 28371
ADDRESS OF AGENT, ATTORNEY, APPLICANT

cowcutt@kay@yahoo.com
E-MAIL

910-237-4523 910-237-4523
HOME TELEPHONE # WORK TELEPHONE #

[Signature]
SIGNATURE OF OWNER(S)

[Signature]
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

[Signature]
SIGNATURE OF OWNER(S)

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

A1A AGRICULTURAL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

*for
Kennel Operation*

Pre- Permit Related:

1. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.

[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

2. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

Note: This condition includes obtaining the Health Department's approval for the method of removal of dog waste.

Permit-Related:

3. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
4. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
5. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

[§ 136-18(29), NCGS]

6. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
7. The County Health Department must approve water plans. Lots not served by public water system is required to be large enough and of such physical character to comply with the Health Department's minimum standards. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)
8. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

9. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the A1A Agricultural/CZ Conditional Zoning for a kennel operation zoning district must be complied with, as applicable.
10. This conditional approval is not approval of the permit for any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.) (Art. XIII, County Zoning Ord.)
11. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.)
12. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
13. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)
14. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

15. An internal street system will be required by the NC Department of Transportation (NCDOT) to serve any future divisions of the parent tract. [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]
16. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.

17. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts RR Rural Residential in accordance with the provisions of Section 1102 G, County Zoning Ordinance (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
18. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
19. All required off-street parking spaces are required to be a minimum of 9' x 20'. A minimum of four off-street parking spaces is required for this development. (Art. XII, County Zoning Ord.)
20. The Noise Regulations of the County Code Chpt. 9.5, Art. II are to be complied with.
21. The required shelter shall be fully enclosed on three sides, roofed, and have a solid floor.
22. Chain link, farm or any other type of open fencing used for the kennel operation must not be located between the required buffer (vegetative and/or solid fencing) and the common property line with the adjacent property.

Advisories:

23. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands and the permit must be obtained prior to any construction on this site.
24. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
25. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
26. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.
27. The subject property lies on Parkton Road. Parkton Road is identified as a thoroughfare needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. For questions related to this comment, please contact Transportation Planning.
28. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Ward Page at 910-678-7602 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnyalo@co.cumberland.nc.us
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
County Health Department:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
Ground Water Issues:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us

US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	wphipps@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

REQUEST
R6A & C3 to C2(P)/CZ for trade contractor activities

ACREAGE: **3.70+/-**

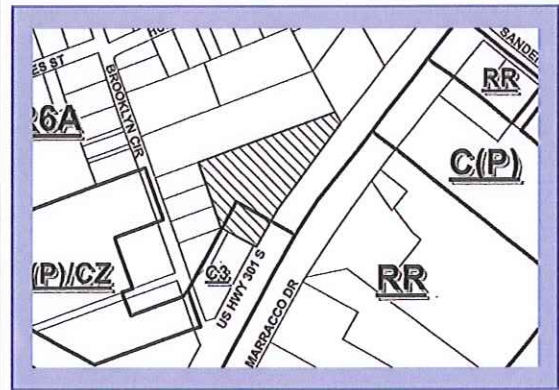
PROPERTY OWNER/APPLICANT
DORIS H. BULLOCK (OWNER) & TIM EVANS ON
BEHALF OF LONGLEAF PROPERTIES, LLC (AGENT)

PROPERTY ADDRESS/LOCATION
4732 US Hwy 301 South

Jurisdiction: **County**

PROPERTY INFORMATION

Frontage & Location: 652'+/- on US Hwy 301 South
Depth: 407'+/-
Adjacent Property: None
Current Use: Residential
Initial Zoning: R6A & C3 – February 3, 1977 (Area 7)
Municipal Influence Area: Hope Mills
Nonconformities: None
Zoning Violation(s): None
School Capacity/Enrolled: Gallberry Farm Elementary: 860/997; South View Middle: 900/665; South View High: 1800/1631
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: PWC/Septic
Soil Limitations: Yes; Hydric: TR (Torhunta and Lynn Haven soils)
Subdivision/Site Plan: See Ordinance Related Conditions
Average Daily Traffic County (2016): 15,000 on I-95 Bus/US Hwy 301 South
Highway Plan: US Hwy 301 South is identified as an expressway needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.



SURROUNDING LAND USE: Residential (including multi-family housing, manufactured homes & manufactured home park), shopping center, motor vehicle repair (3)

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Urban Fringe
Southwest Cumberland Land Use Plan (2013): Medium Density Mixed Housing

Notes:

1. **Density**
R6A- 33 lots/34 units
MHP- 26 units
2. **Minimum Yard Setbacks:**

	R6A	C2(P)	C3[C(P)]
Front yard:	25'	50'	50'
Side yard:	10'	30'	30'
Rear yard:	15'	30'	30'
3. The property owner has agreed to all ordinance related conditions.

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

In Case P19-14, the Planning and Inspections Staff recommends approval of the rezoning from R6A Residential & C3 Heavy Commercial to C2(P) Planned Service and Retail/CZ Conditional Zoning for trade contractor activities subject to the conditions within our packet and find:

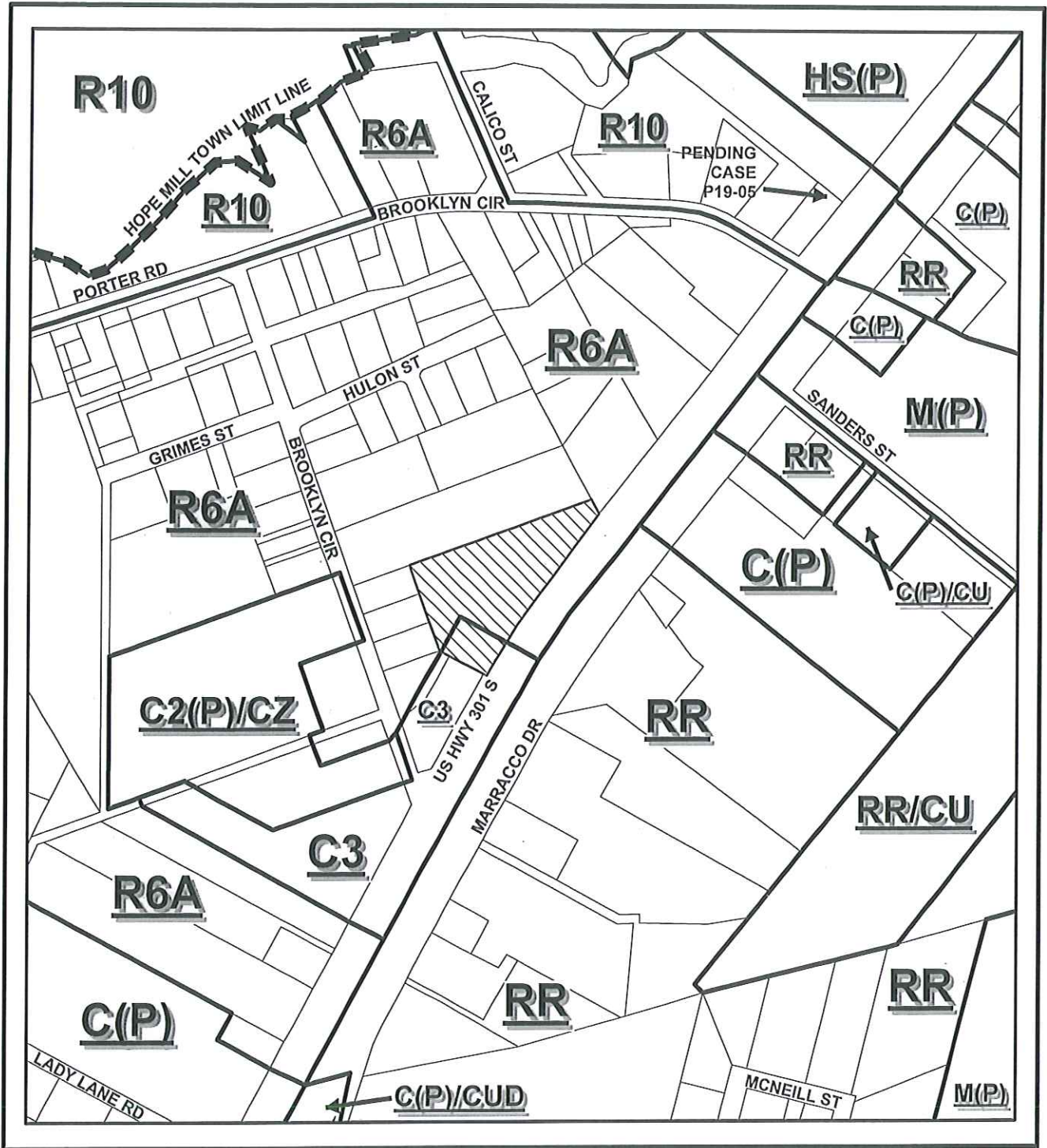
- a. The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2013) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the subject property meets most of the location criteria for "light commercial" as defined in the Land Use Policies Plan (2009), already has some existing heavy commercial zoning on the parcel and would serve as a transition between the existing heavy commercial and established residential areas;
- c. And, this rezoning approval is reasonable and in the public interest because the district requested is in harmony with the surrounding existing land uses and zoning and approval of this request will allow the entire subject property to be zoned the same district.

OTHER SUITABLE DISTRICTS: None

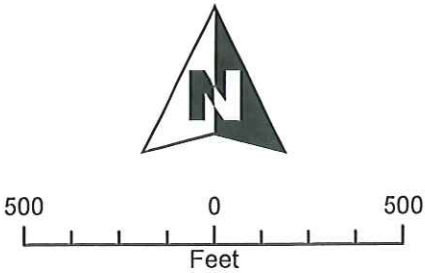
ATTACHMENTS: SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS

First Class and Record Owners' Mailed Notice Certification

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

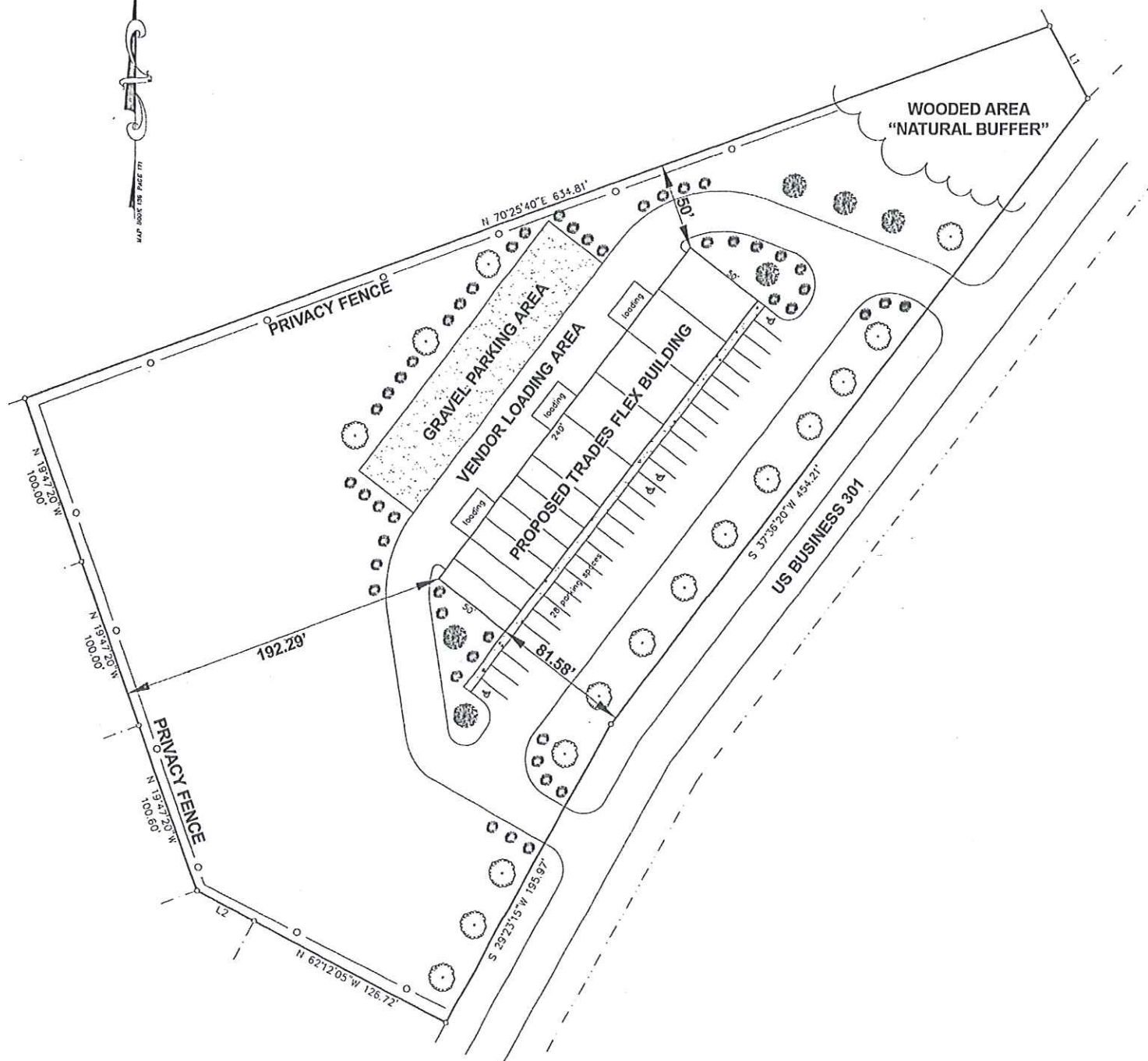


REQUESTED REZONING R6A & C3 TO C2(P)/CZ



PIN: 0423-29-8217

ACREAGE: 3.70 AC. +/-		HEARING NO: P19-14	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			



**C2(P) PLANNED SERVICE AND RETAIL DISTRICT/
CZ CONDITIONAL ZONING**

REQUEST: TRADES CONTRACTOR

CASE: P19-14 ACREAGE: 3.70 AC +/-

PARKING: 28 SPACES SCALE: NTS

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

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

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

1. Applicant/Agent DSI Properties, LLC Tim Sealy
2. Address: 4732 S. US 301 Hwy Zip Code 28348
3. Telephone: (Home) 910-635-7981 (Work) _____
4. Location of Property: Hwy 301 South of Brooklyn, N.C.
5. Parcel Identification Number (PIN #) of subject property: 0423-29-8217
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 3.70 Frontage: 652.50 Depth: 174.00
7. Water Provider: P.W.C. Septage Provider: Septic
8. Deed Book 0320, Page(s) 650, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: none / small house (demo)
10. Proposed use(s) of the property: Trade Contracting

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No
12. Has a violation been issued on this property? Yes _____ No
13. It is requested that the foregoing property be rezoned FROM: R16-A ~~1052P~~

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of (R2P ✓)
(Article V)
- _____ Mixed Use District/Conditional Zoning District (Article VI)
- _____ Planned Neighborhood District/Conditional Zoning District (Article VII)
- _____ Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

C2P - Trade Contracting

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

3.70 (all commercial)

2. DIMENSIONAL REQUIREMENTS:

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

See Site Plan

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

See Site Plan

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

See Site Plan

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

See Site plan

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

See Site plan

5. MISCELLANEOUS:

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

hrs.
M-F 8 to 5
no noise
no odor

16 employ.

6. SITE PLAN REQUIREMENTS:

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

7. STATEMENT OF ACKNOWLEDGMENT:

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

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Doris H. Bullock

NAME OF OWNER(S) (PRINT OR TYPE)

407 W. Court St. Dunn, N.C. 28334

ADDRESS OF OWNER(S)

Sold by Doris @ yahoo.com

E-MAIL

910-491-9310

HOME TELEPHONE

WORK TELEPHONE

Doris H Bullock

SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

Longest Properties / Tim Evans

NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

4239 Cameron Rd. N.C. 28300

ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-273-5016

HOME TELEPHONE

WORK TELEPHONE

tim@longestproperties.com

E-MAIL ADDRESS

FAX NUMBER

[Signature]
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

C2(P) PLANNED SERVICE AND RETAIL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

for

Trades Contractor Activities

Revision Required:

1. Three copies of a revised site plan and a \$25.00 revision fee is required to be submitted to Land Use Codes prior to the further processing of this plat/plan. The following must be addressed on the revised plat/plan:
 - a. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - 1) Thirteen large shade trees or twenty-six small ornamental trees within the front yard setback area along US HWY 301 South; and
 - 2) Five ornamental trees and forty-eight shrubs are required in the building yard area.
 - 3) One large shade trees or three small ornamental trees are required within the parking area.

In addition:

1. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
2. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.

Pre- Permit Related:

2. Prior to use of the land area within the recorded 20' alley shown on Plat Bk. 22, pg. 4, a formal street closing must be processed and approved. **Note: The street closing must be processed by the County Attorney's Office. A new recombination plat as required by Condition #3 will be required to be recorded upon approval of the street closing by the Cumberland County Board of Commissioners.**
3. A recorded plat is required prior to permit application, see Plat-Related conditions below. [Sec. 4-8(b)(7), County Code]
4. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.

[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

5. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

Permit-Related:

6. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
7. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
8. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.
[§ 136-18(29), NCGS]

9. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
10. Prior to application for the Certificate of Occupancy, connection to public water is required, the Public Works Commission (PWC) must approve water plans. A copy of the PWC approval must be provided to Code Enforcement. Contact Sam Powers with PWC for more information. (Section 2306 A, County Subdivision Ord. & Sec. 1403.I, County Zoning Ord.)

Note: Due to an existing agreement between the PWC and the Town of Hope Mills, an annexation petition most likely will be required prior to the PWC's review of any utility plans. Upon submission of the annexation petition the town most likely will require an engineer's sealed certification as to the guarantee of improvements. In addition, the town may require a bond or other financial guarantee as assurance that all required improvements will be properly installed.

11. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

12. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the C2(P) Planned Service and Retail/CZ Conditional Zoning district for trades contractor activities zoning district must be complied with, as applicable.
13. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance

with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.) (Art. XIII, County Zoning Ord.)

14. "(Service Road) I-95 Business/U.S. Hwy 301" must be labeled as "SR (1243) US Hwy 301 S" on all future plans. (Sec. 2203, County Subdivision Ord.)
15. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.)
16. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
17. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)
18. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

19. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
20. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts R6A Residential in accordance with the provisions of Section 1102 G, County Zoning Ordinance (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)

Note: By showing a solid privacy fence within the front setback as shown on the site plan, the property owner is requesting the Commissioners vary the ordinance requirement by allowing a solid fence within the front yard setback.

21. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
22. All required off-street parking spaces are required to be a minimum of 9' x 20'. A minimum of twenty-eight off-street parking spaces is required for this development. (Art. XII, County Zoning Ord.)
23. A minimum of one off-street loading spaces(s) measuring 12' x 25' with 14' overhead clearance must be provided for the commercial area. (Art. XII, County Zoning Ord.)
24. The Noise Regulations of the County Code Chpt. 9.5, Art. II are to be complied with.

Plat-Related:

25. The recombined parcel must be drawn with solid property lines with the bearing & distances, acreage and lot identifier must be reflected on the NAR recombination plat.
26. "(Service Road) I-95 Business/U.S. Hwy 301" must be labeled as "SR 1243 (US Hwy 301 S)" on the recombination plat. (Section 2203.C & D, County Subdivision Ord.)
27. Any/All easements must be reflected on the recombination plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.

28. A 25' right-of-way radius is required at all intersections and must be reflected on the recombination plat. (Section 2304.10.c, Street Design, County Subdivision and Development Ordinance)

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

29. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)
30. The recombination plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
31. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.

Plat-Required Statements:

32. Since this development does not have public sewer, the following disclosure statement is required to be provided on the final plat (Section 2504 C, On-Site Water and/or Sewer Disclosure, County Subdivision and Development Ordinance):

“The individual lots in this development do not have public sewer services available, and no lots have been approved by the Health Department for on-site sewer services at the date of this recording.”

33. All structures shall be shown on the recombination plat or the recombination plat shall reflect the following statement (Section 2504 D, County Subdivision and Development Ordinance):

“Nonconforming structures have not been created by this recombination plat.”

Advisories:

34. The applicant is advised to consult an expert on wetlands before proceeding with any development.
35. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
36. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
37. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.
38. The subject property sits on US Hwy 301 South and is identified as an expressway needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. For questions related to this comment, please contact Transportation Planning.
39. The developer's subsequent application for permits upon receipt of these conditions of approval constitutes the developer's understanding and acceptance of the conditions of approval for this development.
40. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

Other Relevant Conditions:

41. The owner/developer be aware that every deed created for a lot being served by an on-site or sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public sewer services are not available as of the date of the recording of this deed. On-site sewer disposal systems must be approved by the County Health Department.”

Thank you for developing in Cumberland County!

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Page at 910-678-7602 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnyaylo@co.cumberland.nc.us
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
County Health Department:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
Ground Water Issues:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
PWC:	Joe Glass	223-4740	joe.glass@faypwc.com
	Sam Powers	223-4370	sam.powers@faypwc.com
Town of Hope Mills:		424-4555*	
Town Clerk:	Jane Starling		jstarling@townofhopemills.com
Planner – Zoning Permits	Chancer McLaughlin		cmclaughlin@townofhopemills.com
US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	wphipps@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

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

REQUEST
R10 to C3

ACREAGE: **0.59+/-**

PROPERTY OWNER/APPLICANT
CHARLES E. HORNE (OWNER)

PROPERTY ADDRESS/LOCATION

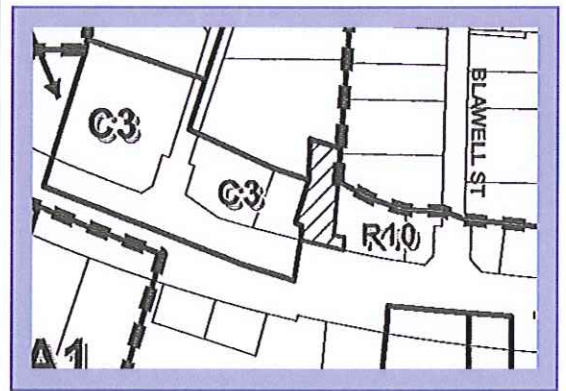
**North side of NC Hwy 24 (Clinton Road),
east of Windwood Drive**

Jurisdiction:

Stedman

PROPERTY INFORMATION

Frontage & Location: 121'+/- on NC Hwy 24 (Clinton Road)
Depth: 272'+/-
Adjacent Property: Yes
Current Use: Vacant
Initial Zoning: R10 – September 3, 1996 (Area 20)
Nonconformities: None
Zoning Violation(s): None
School Capacity/Enrolled: Stedman Primary: 200/191; Stedman Elementary: 300/306; Mac Williams Middle: 1270/1156; Cape Fear High: 1425/1466
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: Stedman/Stedman
Soil Limitations: Yes; Hydric: Ra (Rains sandy loam)
Subdivision/Site Plan: If approved, site plan review required
Average Daily Traffic County (2016): 12,000 on NC Hwy 24 (Clinton Road)
Highway Plan: Clinton Road is identified as an existing expressway in the 2040 Metropolitan Transportation Plan. Clinton Road is also identified as R-2303, a widening project from SR 1006 (Maxwell Road) to SR 1853 (John Nunnery Road). Right-of-way acquisition is already complete.



SURROUNDING LAND USE: Residential, funeral home, indoor recreation, day care facility and woodlands

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Community Growth Areas
Stedman Land Use Plan (1999): Low Density Residential

Notes:

1. **Density**
R10- 3 lots/units
2. **Minimum Yard Setbacks:**

	R10	C3
Front yard:	30'	45'
Side yard:	10'	15'
Rear yard:	35'	20'

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

In Case P19-11, the Planning and Inspections Staff recommends approval of the rezoning from R10 Residential to C3 Heavy Commercial and find:

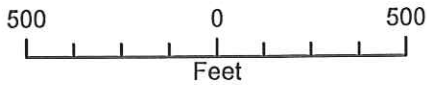
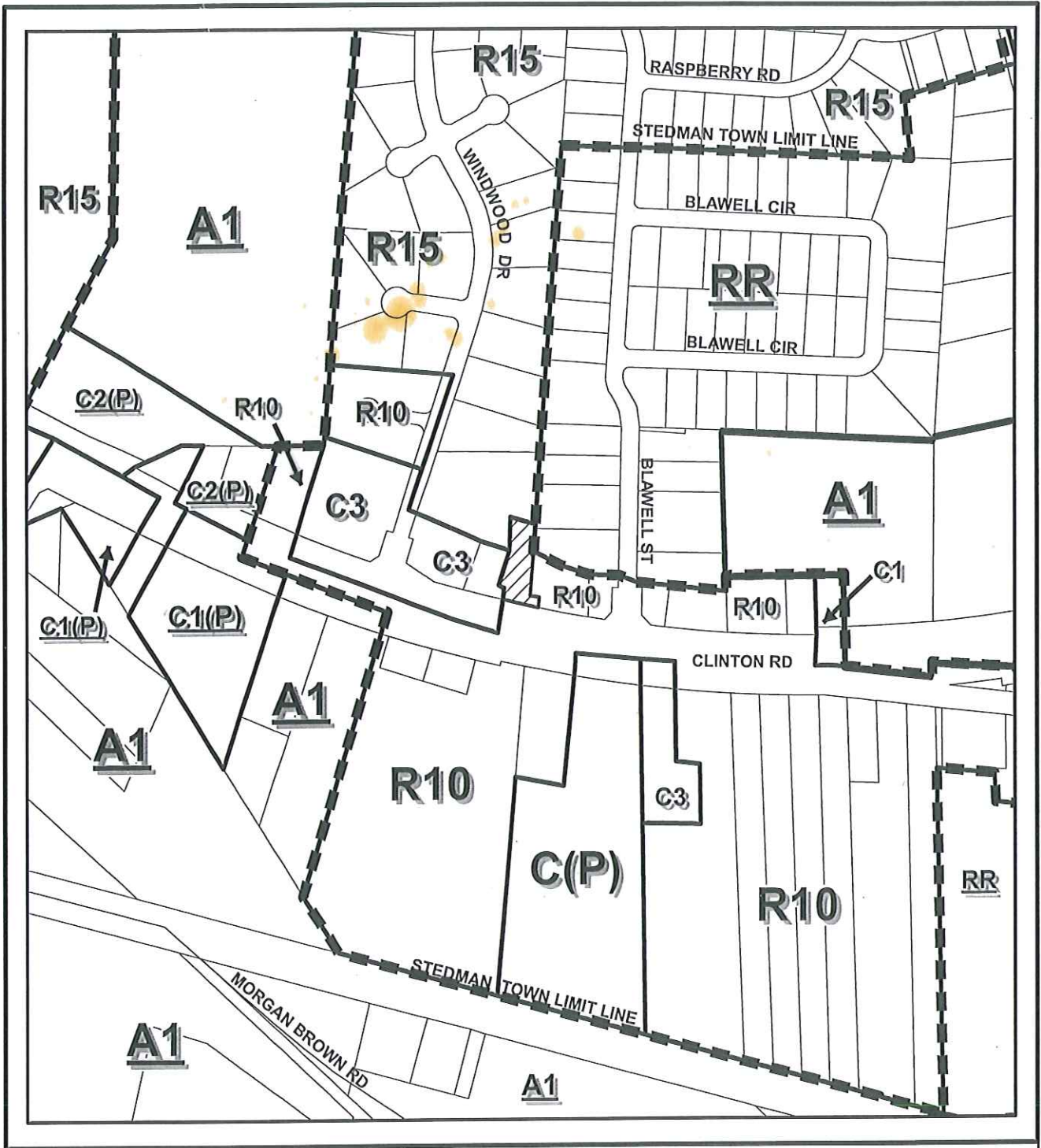
- a. The approval is an amendment to the adopted current Stedman Land Use Plan (1999) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the requested district is consistent with the more recently adopted 2030 Growth Vision Plan (2009) which calls for "community growth areas" at this location and the subject property meets the location criteria for "heavy commercial" as defined in the Land Use Policies Plan (2009);
- c. And, this rezoning approval is reasonable and in the public interest because the district requested is in harmony with the surrounding existing land uses and zoning.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP

First Class and Record Owners' Mailed Notice Certification

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



PIN: 0486-51-5723

REQUESTED REZONING R10 TO C3

ACREAGE: 0.59 AC. +/-	HEARING NO: P19-11	
ORDINANCE: STEDMAN	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

LH
2-27-2019