

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA
June 20, 2023
6:00 PM
Hearing Room #3

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. ADJUSTMENTS TO / APPROVAL OF AGENDA
- III. PUBLIC MEETING WITHDRAWALS / DEFERRALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. APPROVAL OF THE MINUTES
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

- A. **Case ZNG-006-23: Initial zoning of 4.01+/- acres to C(P) Planned Commercial District or to a more restrictive zoning district, located at 0 Golfview Rd REID 0414127031000, submitted by the Town of Hope Mills (agent) on behalf of JNM of NC Inc. (owner) (Hope Mills)**
- B. **Case ZON-23-0011: Text Amendment to the Eastover Commercial Core Overlay Ordinances to update and revise standards associated with permissible and prohibited uses located within the Commercial Core; submitted by Town of Eastover (applicant) (Eastover)**

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

- C. **Case ZON-23-0010: Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for 10.04 +/- acres; located South of Tom Burns Road off Cedar Creek Road, submitted by Deborah Pichardo and Robin Tyler Woodard (applicant/owner).**

IX. DISCUSSION

- D. **PRESENTATION OF SUMMARY REPORT ON LAND USE POLICIES PLAN**
- E. **SUBDIVISION ORDINANCE UPDATE**

F. UPCOMING TEXT AMENDMENTS

G. UPDATE ON BOARD APPOINTMENTS AND PROTOCOLS

X. ADJOURNMENT

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829 |
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631
www.cumberlandcountync.gov



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JUNE 20, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING AND INSPECTIONS DEPARTMENT

DATE: 6/20/2023

**SUBJECT: CASE ZNG-006-23: INITIAL ZONING OF 4.01+/- ACRES TO C(P)
PLANNED COMMERCIAL DISTRICT OR TO A MORE RESTRICTIVE
ZONING DISTRICT, LOCATED AT 0 GOLFVIEW RD REID
0414127031000, SUBMITTED BY THE TOWN OF HOPE MILLS (AGENT)
ON BEHALF OF JNM OF NC INC. (OWNER) (HOPE MILLS)**

ATTACHMENTS:

Description
ZNG-006-23

Type
Backup Material



STAFF REPORT

REZONING CASE# ZNG-06-2023

Planning Board Meeting: 6-20-2023

Hope Mills Board Meeting: 7-17-2023

Address: 0 GOLFBVIEW ROAD

ZONING REQUEST: Rezoning to C(P) Planned Commercial District

The Town of Hope Mills staff received an application, requesting rezoning for the front (closest to Golfview Road) 4.01 +/- acres out of the 33.58 +/- acres of land tied to parcel identification number 0414-12-7031. The subject property is adjacent to the Golf Acres subdivision, the Town of Hope Mills property that used to be the golf course as well as across the street from the Eaglewood subdivision. The applicant is looking to rezone the front portion of the site to commercial and plans to subdivide the remaining portions afterwards. Please refer to the attached memorandum from the Hope Mills Plan Review Committee for recommendations from all pertinent engineering and permit based departments. The location of the subject property is illustrated in Exhibit "A".

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

Jacob Joby (agent) on behalf of
JNM of NC, Inc (owner)

ADDRESS/LOCATION: 0 Golfview Road;

REID: 0414127031000

For additional Information on
the site location, refer to Exhibit
"A"

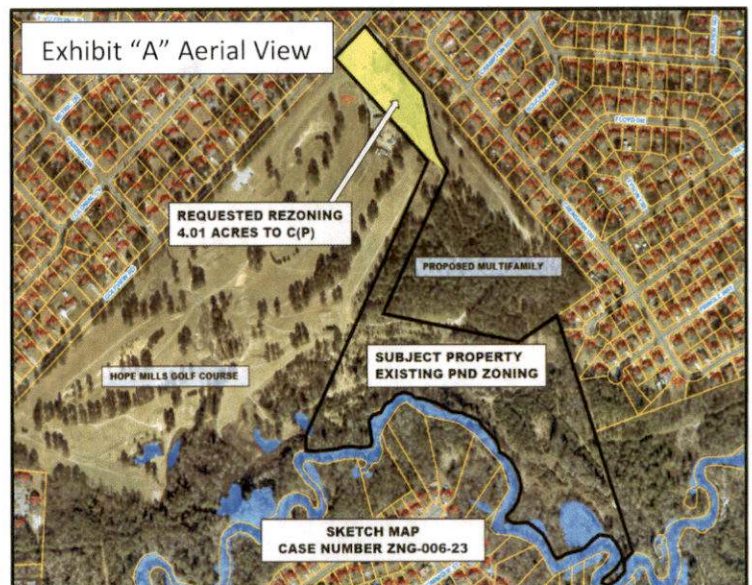
SIZE:

As stated above, the subject property
33.58 acres total but only the 4.01 acres
acres in size with varying lengths of depth is
being looked at today.

EXISTING ZONING: The subject property is
currently zoned under the PND Planned

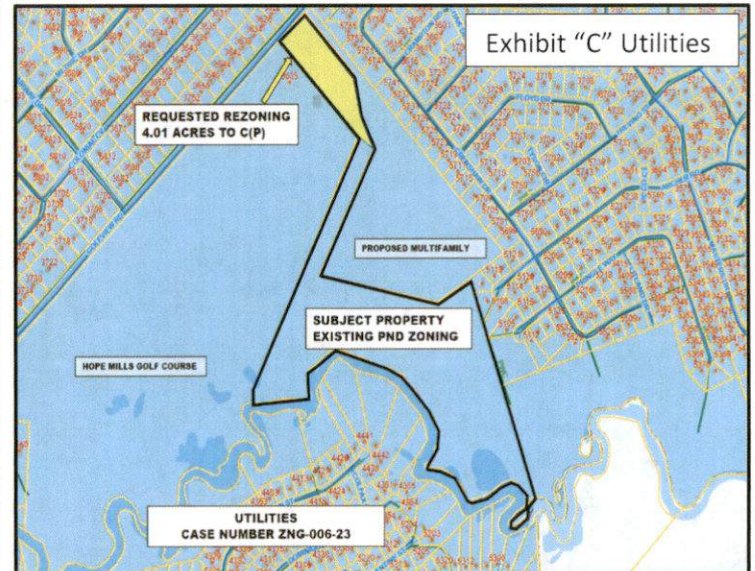
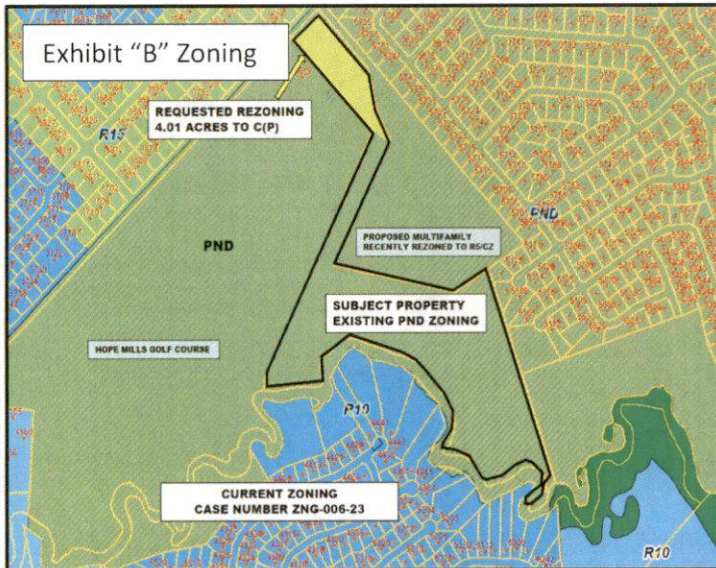
Neighborhood District with the area to the immediate east recently rezoned to the R5 Single Family district for the development of multi-family. The area to the immediate west is the Hope Mills Golf Course which is zoned under the PND district proposed for the development of a park and sports complex. The area to the far northwest and northeast are well established residentially zoned areas under the PND, R15, and R7.5 residential districts.

EXISTING LAND USE: The subject property is currently vacant - the old club house for the golf course was on this property.



SURROUNDING ZONING AND LAND USE: The properties adjacent to the immediate south is PND Planned Neighborhood District and R10 Residential District, also known as the old golf course and Fairway Forest subdivision with the area to the immediate west being zoned R15 Residential, also known as Eaglewood subdivision and mostly PND Planned Residential, also known as Golf Acres subdivision to the east. As mentioned, the area to the immediate east is vacant and slated for the development of multi-family. Refer to Exhibit “B” for zoning and surrounding land uses.

OTHER SITE CHARACTERISTICS: Exhibit “C” provides the location of water and sewer availability.



DEVELOPMENT REVIEW: The development of this property will require a site plan and development review.

COMPREHENSIVE DEVELOPMENT PLANS: This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as “Open Space”. This request is not consistent with the land use plan but is supported by staff as it is located adjacent to what was known as the golf course which was just approved by the Board of Commissioners to pursue researching part of the old golf course to be utilized for baseball and other activities for the Parks and Recreation Department with the intention of bringing more revenue into the Town and making the Town a more notable area. Please refer to Exhibit “D” for additional information.



IMPACTS ON AREA FACILITIES

PUBLIC WORKS: When developed, the driveway permit will have to be obtained through NCDOT, otherwise, the regular Hope Mills Standards and Specifications will apply.

UTILITIES: The property will be served by PWC water and sewer.

STORMWATER: Will require Stormwater Management Permit application, not located in the Airport Overlay District nor in any floodplains.

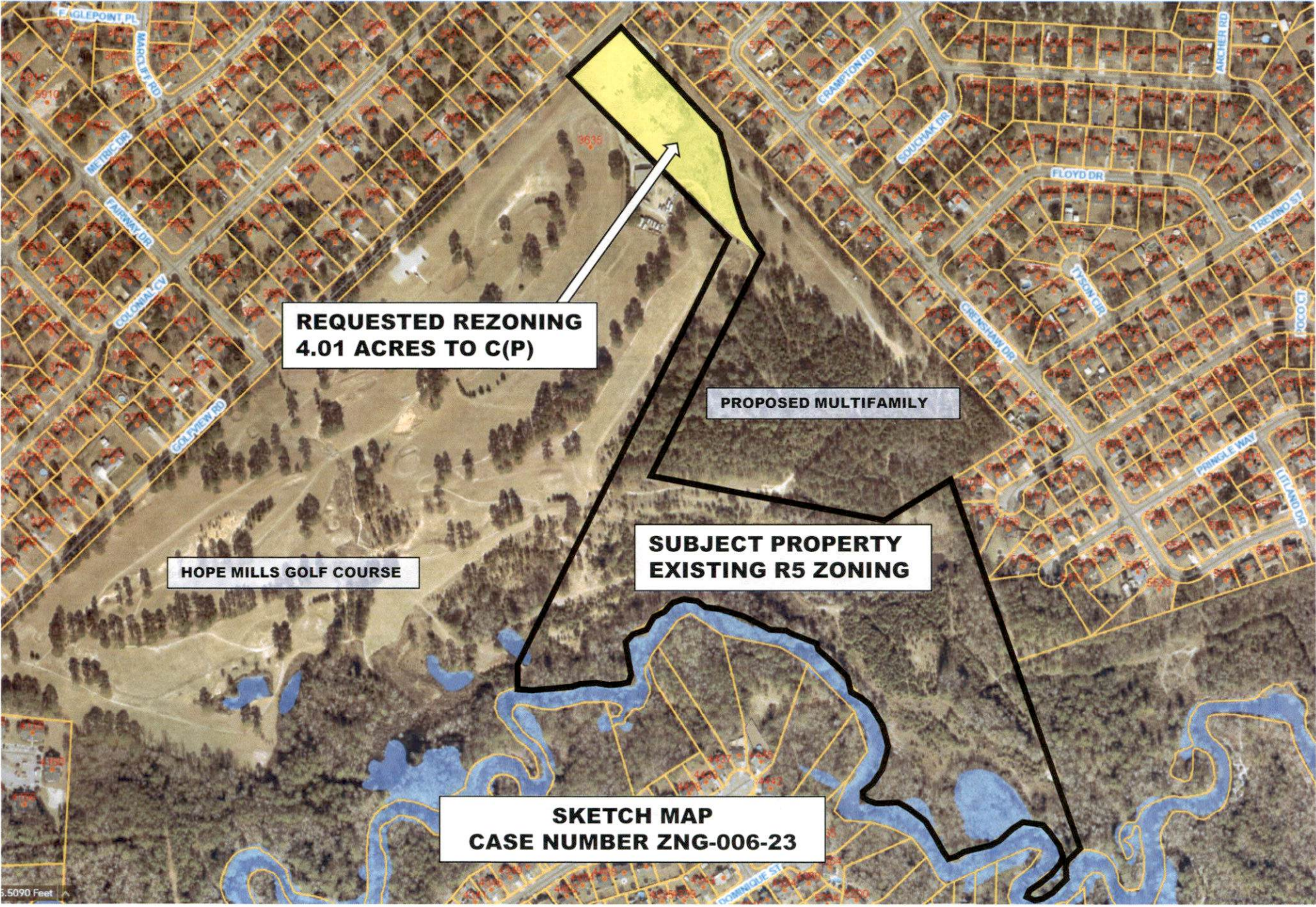
PLAN REVIEW COMMENTS: The Town of Hope Mills Plan Review team has no objections to this request.

SPECIAL OVERLAY DISTRICTS: The subject property is not located within the boundaries of any established overlay district.

CODE DEVIATIONS: None.

STAFF RECOMMENDATION

In ZNG-006-23, the Town of Hope Mills Planning staff **recommends approval** of the rezoning request to the C(P) Planned Commercial district and finds that even though the request is inconsistent with the Southwest Cumberland Land Use Plan (2013) designation, it does complement the future vision of the Town of Hope Mills in regards to the future plans of the adjacent parcels. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area in regards to economic development viability. Approval of the request is reasonable and in the public interest because the district requested is compliments the proposed development of adjacent parcels in the surrounding area.



**REQUESTED REZONING
4.01 ACRES TO C(P)**

PROPOSED MULTIFAMILY

**SUBJECT PROPERTY
EXISTING R5 ZONING**

HOPE MILLS GOLF COURSE

**SKETCH MAP
CASE NUMBER ZNG-006-23**



Town of Hope Mills

Planning Department

CASE NO.: ZNG-006 23

ZONING BOARD
MEETING DATE: 6/20/23

DATE APPLICATION
SUBMITTED: 4/19/23

RECEIPT NO.: R000 22794

RECEIVED BY: E. Weidner

APPLICATION FOR REZONING HOPE MILLS ZONING ORDINANCE

The following items are to be submitted with this completed application:

1. A copy of the *recorded* deed and/or plat;
2. If portion(s) of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered for the rezoning; and
3. A check made payable to "Town of Hope Mills" in the amount of \$ 600.00.
(See attached Fee Schedule).

Rezoning Procedure:

1. Complete application submitted by the applicant.
2. Notification to surrounding property owners.
3. Zoning Board hearing.
4. Re-notification of interested parties and adjacent property owners; public hearing advertisement in the newspaper.
5. Hope Mills Commissioners' public hearing (approximately two to four weeks after Planning Board public hearing)
6. If approved by the Hope Mills Commissioners, rezoning becomes effective immediately.

The Town Planning Staff may advise on zoning options, inform applicants of development requirements and answer questions regarding the application and rezoning process. For questions, call (910)424-4555. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to/on the application may cause the case to be delayed and re-scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundable* once processing of the application has begun.

TO THE ZONING BOARD AND THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS, HOPE MILLS, NORTH CAROLINA:

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

1. Requested Rezoning from R 5 to C(P)

If the area is a portion of an existing parcel, a written metes and bounds description of only that portion to be considered for rezoning, including the exact acreage must accompany this application along with a copy of the recorded deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

2. Address/location of property to be Rezoned: Golfview Drive

3. Parcel Identification Number (PIN #) of property: 0414-12-7031
(also known as Tax ID Number or Property Tax ID)

4. Acreage: 4.01 Frontage: 251 Depth: 800

5. Water Provider: Well: _____ PWC: X

6. Septage Provider: Septic Tank _____ PWC X Other (name) _____

7. Deed Book 9501, Page(s) 417 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).

8. Existing use(s) of property: Vacant former Golf Course

9. Proposed use(s) of the property: Hotel Suites

10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No X

If yes, where? _____

11. Has a violation been issued on this property? Yes _____ No X

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

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

Jacob Joby
Property owner(s)' name (print or type)

3713 Sunchase Dr. Fayetteville NC 28306
Complete mailing address of property owner(s)

910 922 4193
Telephone number

Alternative telephone number

E-mail address

Fax number

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

Complete mailing address of agent, attorney, or applicant

Telephone number

Alternative telephone number

Jobbyjessy@gmail.com
E-mail address

Fax number

Jacob Joby
Owner's signature

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

Owner's signature

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

REZONING PROPOSAL

Beginning at a point in the southern margin of Golfview Drive-SR 1115 60 foot public right of way, said point being the northwest corner of JMN of NC, Inc. as recorded in Deed Book 9501, Page 417 Cumberland County, North Carolina Registry, and runs thence with the southern margin of Golfview Drive North 45 degrees 44 minutes 37 seconds East 250.77 feet to a point, thence South 42 degrees 49 minutes 49 seconds East 505.22 feet to a point, thence South 15 degrees 23 minutes 37 seconds East 113.87 feet to a point, South 11 degrees 38 minutes 31 seconds East 126.01 feet to a point, thence South 21 degrees 08 minutes 39 seconds East 118.00 feet to a point, thence South 30 degrees 28 minutes 15 minutes East 109.96 feet to a point, thence North 63 degrees 55 minutes 23 seconds West 134.07 feet to a point, thence North 44 degrees 05 minutes 22 seconds West 800.00 feet to the beginning. Containing 4.01 Acres and being a portion of JMN of NC, Inc. property as recorded in Deed Book 9501, Page 417 Cumberland County North Carolina Registry.

Requested Zoning Districts	Less Than 1 Acre	1 to 5 acres	Over 5, Up to 10 acres	Over 10 Acres
RR	\$400	\$500	\$600	\$700
R20	\$400	\$500	\$600	\$700
R15	\$400	\$500	\$600	\$700
R7.5	\$400	\$500	\$600	\$700
R6	\$400	\$500	\$600	\$700
R6A	\$400	\$500	\$600	\$700
R5	\$400	\$500	\$600	\$700
R5A	\$400	\$500	\$600	\$700
O&I(P)	\$500	\$600	\$700	\$900
C1(P)	\$500	\$600	\$700	\$900
C2(P)	\$500	\$600	\$700	\$900
C(P)	\$500	\$600	\$700	\$900
M1(P)	\$500	\$600	\$700	\$900
M2(P)	\$500	\$600	\$700	\$900
Pre application meeting required for all applications				

Please Note:

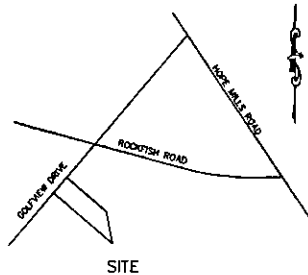
1. If more than one zoning district is request in the same applications, the highest fee for the district requested will apply.
2. If a general rezoning is requested and based on recommendations of the Planning Board of Hope Mills Commissioners, as Conditional Use District and Permit application is to be filed; the original application fee will be credited toward the Conditional Use District and Permit application fee.



Town of Hope Mills
5770 Rockfish Road
Hope Mills, NC 28348

Receipt Number: R00022794
Cashier Name: Mahera Abu-Seif
Terminal Number: 1
Receipt Date: 4/26/2023 5:38:29 AM

Tran. Code: 103651 - Zoning Petitions		Name: ZNG-006-23 / JNM OF NC INC		\$600.00
Zoning Petitions				\$600.00
Payment Method: Check		Payor: ZNG-006-23 / JNM OF NC II Reference: 2062		
		Total Amount Applied:		\$600.00
		Amount:		\$600.00
		Total Payment Received:		\$600.00
		Change:		\$0.00
GL Distribution:	Account Number	Account Name	Amount	
	10-3651	ZONING PETITIONS	600.00	
	Total Distribution Amount:		600.00	



VICINITY MAP N.T.S.

NORTH CAROLINA, CUMBERLAND COUNTY
 I, JEFFREY B. RIDDLE, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION
 FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED AND DESCRIPTION RECORDED
 IN PLAT BOOK 9501, PAGE 417, OR OTHER
 REFERENCE SOURCE DB 9501, PG. 417, THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED
 AS DRAWN FROM INFORMATION IN PLAT BOOK 9501, PAGE 417, OR OTHER REFERENCE SOURCE
 THAT THE RATIO OF PRECISION BEFORE ADJUSTMENTS IS 1:10,800, AND
 THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE OF LAND SURVEYING IN
 NORTH CAROLINA (BY NCAC 06A.1000) THIS 30 DAY OF APRIL, 2023.

PRELIMINARY PLAT NOT FOR RECORDATION,
 CONVEYANCES, OR SALES.

LICENSE NO. PLS-3653

SURVEYOR
 SEAL



NOTES

1. THERE IS NO HORIZONTAL CONTROL WITHIN 2000 FEET.
2. PROPERTY SUBJECT TO ANY EASEMENTS OF RECORD.
3. ACRESAGE BY COORDINATE COMPUTATION.
4. THIS IS NOT AN ACTUAL SURVEY DRAWN FROM MAPS FOR REZONING PURPOSES.

LEGEND

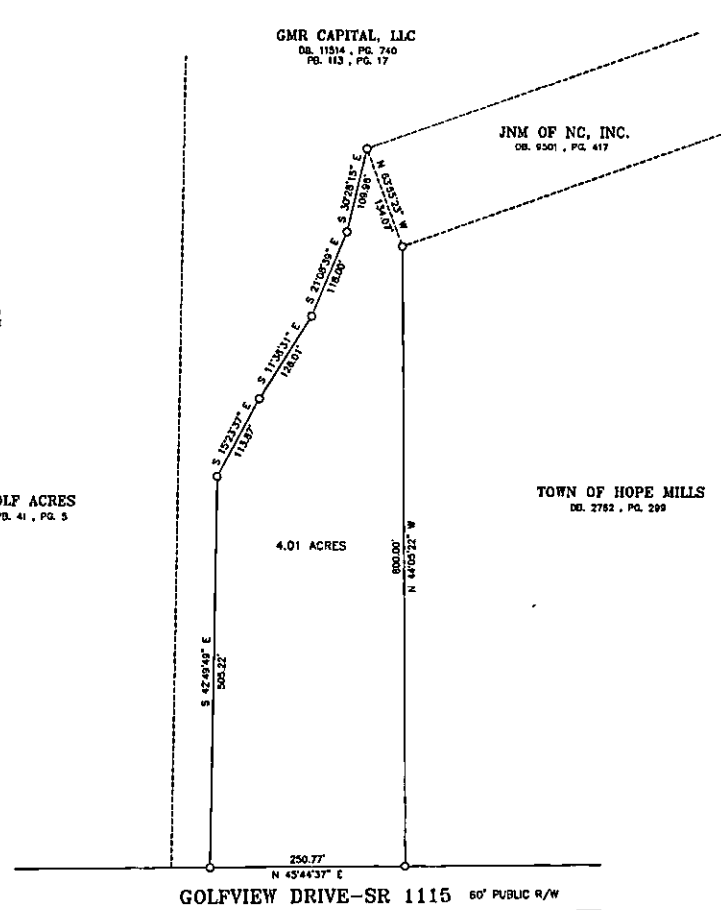
EP = EXISTING IRON PIPE	N = NORTH
ERRR = EXISTING REBAR	S = SOUTH
EDM = EXISTING CONCRETE MONUMENT	E = EAST
SPOR = SET IRON ROD	W = WEST
EIS = EXISTING IRON STAKE	C/L = CENTERLINE
FWO = FLUSH WITH GROUND	
R/W = RIGHT-OF-WAY	
AG = ABOVE GROUND	SURVEYED LINE
BG = BELOW GROUND	DEED OR PLAT LINE
INT = INTERSECTION	EASEMENT LINE
DB = DEED BOOK	RIGHT OF WAY
PLB = PLAT BOOK	POWER LINE
PG = PAGE	

GOLF ACRES
 PG. 41, PG. 5

GMR CAPITAL, LLC
 DB. 11514, PG. 740
 PG. 113, PG. 17

JNM OF NC, INC.
 DB. 6501, PG. 417

TOWN OF HOPE MILLS
 DB. 2782, PG. 299



REFERENCES

0414-12-7031
 DB. 9501, PG. 417

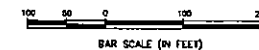
PRELIMINARY PLAT FOR REZONING PURPOSES
 PROPERTY OF

JMN OF NC, INC.

ROCKFISH TOWNSHIP
 HOPE MILLS
 SCALE: 1" = 100'

CUMBERLAND COUNTY
 NORTH CAROLINA
 DATE SURVEYED - N/A

JEFFREY B. RIDDLE PLS-3653
 5965 HALL PARK ROAD FAYETTEVILLE, NC 28306
 1-910-308-9330



DRAWN BY: JR



MEMORANDUM

DATE: May 30, 2023

TO: Chancer F. McLaughlin – Interim Town Manager

FROM: Stephen F. Dollinger – Police Chief
Elisabeth Brown – Stormwater Administrator
Don Sisko – Public Works Director
Chuck Hodges – Fire Chief
Robert Carter – Fire Marshall
Kenny Tatum – Chief Building inspector
Emily Weidner – Town Planner

SUBJECT: CASE NO: ZNG-006-23

REQUEST: Rezoning front portion to C(P) Planned Commercial District

PARCEL#: 0414127031000

SIZE: 33.58+/- acres (only involves front 4.01+/- acres)

LOCATION: Golfview Drive

POLICE DEPARTMENT:

Recommendation: **APPROVAL**
Comments: No objections

PUBLIC WORKS DEPARTMENT:

Recommendation: **APPROVAL**
Comments: No objections

STORMWATER DEPARTMENT:

Recommendation: **APPROVAL**
Comments: Stormwater permit required. Is not located in the Airport Overlay District nor is it located in the floodplain.

PLANNING AND ZONING DEPARTMENT:

Recommendation: **APPROVAL**
Comments: No objections

FIRE DEPARTMENT:

Recommendation: **APPROVAL**
Comments: No objections

INSPECTIONS DEPARTMENT:

Recommendation: **APPROVAL**
Comments: No objections.

Owner	Street	City	State	Zip
JNM of NC, Inc	5604 Shady Pine Court	Hope Mills	NC	28348
GMR Capital, LLC	PO Box 53552	Fayetteville	NC	28305
Paul & Allison Johnson	5109 Archer Road	Hope Mills	NC	28348
Fred & Abigail Felder	5105 Archer Road	Hope Mills	NC	28348
Peter Buchholtz	5108 Archer Road	Hope Mills	NC	28348
Theodore Egusquiza	5105 Pringle Way	Hope Mills	NC	28348
Town of Hope Mills	5770 Rockfish Road	Hope Mills	NC	28348
Cyndi Lee McKinney	3310 South Peak Drive	Fayetteville	NC	28306
Candice Maria Britt Swinson	PO Box 1284	Holly Springs	NC	27540
Michael Joseph Harris	3618 Golfview Road	Hope Mills	NC	28348
Roy & Gwendolyn Chavis	3622 Golfview Road	Hope Mills	NC	28348
James & Teresa Back	3626 Golfview Road	Hope Mills	NC	28348
Anthony & Priscilla Huggins	4437 Bishamon Street	Hope Mills	NC	28348
Jennifer & Janet Dearborn	4441 Bishamon Street	Hope Mills	NC	28348
Ann Ellis	4445 Bishamon St	Hope Mills	NC	28348
James Rupert Holland	4500 Bent Grass Drive	Fayetteville	NC	28348
James Wallace Simmons	4363 Dominique Street	Hope Mills	NC	28348
Ricky & Amber Blackwell	615 Sunpointe Drive	Hope Mills	NC	28348
Ronald Gosciniak	4364 Dominique Street	Hope Mills	NC	28348
Genesis Real Property	4381 N 75th St Ste 201	Scottsdale	AZ	85251
Daniel & Kimberly Strahan	5203 Ballentine Street	Hope Mills	NC	28348
Raphael Okojie	5312 Old Railroad Way	Hope Mills	NC	28348
Abraham Delossantos	5308 Old Railroad Way	Hope Mills	NC	28348
Sarah Walls	5304 Old Railroad Way	Hope Mills	NC	28348
Jerry David Gouveia	5300 Old Railroad Way	Hope Mills	NC	28348
Douglas & Brenda Delong	5250 Old Railroad Way	Hope Mills	NC	28348
Kristen Harmon	5246 Old Railroad Way	Hope Mills	NC	28348



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JUNE 20, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING AND INSPECTIONS DEPARTMENT

DATE: 6/20/2023

**SUBJECT: CASE ZON-23-0011: TEXT AMENDMENT TO THE EASTOVER
COMMERCIAL CORE OVERLAY ORDINANCES TO UPDATE AND
REVISE STANDARDS ASSOCIATED WITH PERMISSIBLE AND
PROHIBITED USES LOCATED WITHIN THE COMMERCIAL CORE;
SUBMITTED BY TOWN OF EASTOVER (APPLICANT) (EASTOVER)**

ATTACHMENTS:

Description

ZON-23-0011

Type

Backup Material



PLANNING & INSPECTIONS

PLANNING STAFF REPORT

ZONING REGULATIONS: CASE # ZON-23-0011

Planning Board Meeting: June 20, 2023

Jurisdiction: Eastover

EXPLANATION OF THE REQUEST

This request is a town-driven comprehensive text amendment to the Eastover Commercial Core Overlay District, Section 801 to update and clarify the permitted and prohibited land uses located within the overlay. As part of the update, staff worked closely with the Town of Eastover to develop the standards. The proposed changes support the Town's intent to preserve and enhance the small-scale commercial character of the area while providing for low-impact business opportunities and allowing for consistency of development within the overlay area as it continues to be developed or redeveloped.

STAFF RECOMMENDATION

In Case ZON-23-0011, Planning & Inspections staff **recommends approval** of the text amendment and finds the request consistent with the Eastover Area Land Use Plan which encourages promotion and enhancement of the small-scale commercial character of the overlay area. Approval of this text amendment is also reasonable and in the public interest as it meets the purpose and intent of the Commercial Core Overlay District.

Attachments:

ZON-23-0011 Text Amendment

ARTICLE VIII.I OVERLAY DISTRICTS

SECTION 801. COMMERCIAL CORE OVERLAY DISTRICT (CCO)

A. Purpose and intent. The purpose of this overlay district is to preserve and enhance the small-scale commercial character of an area within the town while providing for low -impact business opportunities and allowing for consistency of development within the overlay area as it continues to be developed or redeveloped. The district is intended to accommodate small-scale; low-intensity and convenience retail and service uses that provide goods and services to the town's residents and their guests. This overlay district is established to prevent unsightly conditions as a result of development which may destroy or detract from the small-town character and to exercise such reasonable control over land within the district as may be necessary to accomplish the objective.

B. Commercial Core Overlay District area defined, generally. The area within the corporate limits of the town subject to the provisions of this article are properties located approximately within 300 feet along each side of Dunn Road (SR 1830/US HWY 301) between Reese Creek (also known as Reedy Creek/Reedy Branch) and 170 feet north of Beard Road (SR 1722). In addition, the properties along SR 1832 (Murphy Road) from US HWY 301 to a point approximately 2,000 feet east of the northbound I-95 onramp, extending 500 feet on each side of SR 1832 (Murphy Road) and within the corporate limits of the town; and all properties fronting on School Street and Church Street (SR 2996) between Dunn Road (SR 1838) and Middle Road (SR 1728) are included within this overlay district. A map of the district is shown on Exhibit A of this ordinance for general reference purposes. The official Commercial Core Overlay district is included on the zoning map referenced in Section 3-310.

C. Land Uses. Small-scale, mixed-use development/~~conditional zoning~~, or mixed-use buildings are encouraged, so long as all residential development is located on the second floor or to the rear of the structure or lot. ~~All new uses of property and any change in an existing use shall first require approval of a conditional zoning application prior to commencement of the proposed or change in use.~~ All uses are subject to the zoning regulatory requirements for the underlying zoning district, unless expressly stated below. Mixed use buildings are allowed only if approved as a conditional zoning. Residential uses in mixed-use developments or mixed-use buildings are prohibited on the first floor unless located to the rear of the building or development. Should a proposed new use or expansion in an existing use be inconsistent with the underlying zoning district, a conditional rezoning application shall be filed and approved by the Town of Eastover prior to the commencement of the proposed new use or expansion in an existing use.

To ensure the primary objective of the district is attained, land uses within the district are limited to the following:

- a. Any residential use, except manufactured homes and manufactured home parks.
- b. Uses as allowed in the C1(P) Planned Local Business District and, ~~O&I(P) Planned Office and Institutional District., and C2(P) Planned Service and Retail District, or the O&I(P) Planned Office and Institutional District.~~
- c. ~~Allowed uses from the C2(P) Planned Service and Retail are allowed.~~
- c. ~~The C(P) Planned Commercial districts uses are as follows:~~ Only the following uses found in the Use Matrix are allowed in the C(P) Planned Commercial District:
 1. Bakery
 2. Building Supply
 3. Bed and Breakfast;

- 4.Dwelling (second floor and above);
- 5.Farm Supplies merchandising and machinery sales/servicing (in accordance with Section 916);
- 6.Farmer's Market, open air;
- 7.Food Production with premises retail sales of product,

8. Grocery Stores

- 9.Home Furnishing and Appliance sales;
- 10.Janitorial Service;
- 11.Locksmith/ Gunsmith/Gun Store/Indoor Shooting Range
- 12.Milling & Grinding Grain
- 13.Motor Vehicle Repair and/or Body Work Motor vehicle rentals
- 14.Motor vehicle sales, new and used, including motor vehicle auctions
- 15.Nursery ops/Plant husbandry/Greenhouses
- 16.Office Supplies and Equipment Sales and Service, Mailbox Service;
- 17.Pet Sales (excluding kennel activities or outside storage of animals)
- 18.Photography
- 19.Postal Delivery (UPS, Fedex, Etc.)
- 20.Recreation or Amusement Indoor (conducted inside building for profit, not otherwise listed and not regulated by Section 924)
- 21.Restaurants
- 22.Retail Clothing men, women, shoes
- 23.Retail Framing, Art, Photography, Crafts
- 24.Trade Contractor

d. The following uses are prohibited from the Commercial Core Overlay regardless of permitted use classification in the use matrix:

- 1.Massage and body therapy uses will require certification and/or licensure per Cumberland County Zoning Ordinance.
- ~~24.2.~~ Mini warehousing,
- 3.Self-storage,
- 4.Truck terminal activities,
- 5.Bars, night clubs, adult entertainment,
- 6.Pawn shops,
- 7.Massage parlors (not licensed), ~~are not permitted uses regardless of matrix classification.~~
- 8.Vape shop

D. Development standards. The provisions below shall apply to all new construction; renovation and/or remodeling of the exterior areas of any structure or property shall comply with the below provisions to the extent practicable.

1. Lot dimensions and setbacks.

- (a) The Minimum lot area shall be 10,000 square feet;
- (b) The minimum street frontage for any new lot created shall be 75 feet;
- (c) Front Corner side setbacks shall be as required by this ordinance from the ultimate right-of-way provided that the improvements and amenities required by the following sub-sections are provided.

[Note: Provisions exist in the ordinance for allowing the same or average setback of non-residential buildings within the same block in addition to the standard dimensional provisions.]

(d) When not connected to an adjacent structure, side yard setbacks shall be a minimum of 20 feet and a maximum of 40 feet;

(e) Where adjacent to a service alley or another non-residential zoning district, the rear yard shall be a minimum of three feet, and when adjacent to residential zoning, the rear yard shall be a minimum of 20 feet.

2. Structural dimension and site layout specifications.

(a) The base building area shall be no larger than 50% of the total land area or 50,000 square feet, whichever is less; and

(b) The maximum building height shall be a maximum of two stories.

(c) Developers of properties located on corner lots at all street intersections shall locate motor vehicle oriented uses or facilities, including but not limited to gas pumps, drive-throughs, pick-up windows, or other accessory uses intended for access while inside a vehicle to the side or rear of the principal building. In no instance shall a motor vehicle oriented feature or accessory use be located between a principal building and the street it fronts.

3. Pedestrian pathways/sidewalks and amenities. (Note: See attached Exhibit 1 for example.)

(a) All pedestrian pathways shall be established in order to connect internal and external development and all proposed pathways shall be included on the site plan. Types of sidewalks may include: public, private with public access easement, or private (internal pathways from parking to building entrances or building to building);

(b) A grassed area, minimum five feet in width, shall be located between the curb and a required five foot wide sidewalk that has been constructed in compliance with American with Disabilities Act (ADA) provisions. Adjacent to the sidewalk opposite from the curbside, a minimum six foot grass, tree and landscaping area shall be provided with the number and types of trees and landscaping meeting or exceeding the standards of this ordinance. If desired, the developer may provide off-street parking and turnaround between the landscaping and storefront area – see sub-section 5 below. A minimum 10 foot wide storefront and clear walkway area shall be constructed along the entire building front. This storefront/walkway area shall be designed in such manner that it affords safe pedestrian passage, can accommodate amenities such as benches, potted flowers or plants and may be partially covered by awnings or porticos; and

(c) Pedestrian walkways should be delineated from parking area by separate paved routes using a variation in paved texture and/or color, and protected from adjacent vehicle circulation areas.

4. Landscaping.

(a) Street trees of a type listed in the NC Department of Transportation's Guidelines for Planting within Highway Right-of-Way (undated) as being hardy plants for landscaping purposes shall be provided in an amount equivalent to at least one tree for every 30 feet of road frontage and shall be located within the amenity area required in sub-section 3(b) above including along any side street. In the event one or more of the listed types of trees are not available or conducive to the proposed development, specific approval from the Town Council for the alternative tree specimens to be planted is mandatory. All street trees shall be a minimum of two inch caliper at time of planting. Additional plantings in pots or boxes are strongly encouraged; and

(b) Developments within this overlay district shall be exempt from the street tree requirements of Section 1102.N. Landscaping for the yard space and off-street parking areas shall be the same as required by Section 1102.N for any proposed development.

5. Off-street parking and driveways.

(a) Off street parking shall be provided as required by Article XII, and the preferred design being that the individual spaces are parallel, with internal drives perpendicular, to the right-of-way. Furthermore, the developer is encouraged to align off-street parking spaces in a manner consistent with adjacent developed non-residential properties and engage in shared parking or using remote parking as allowed by Article XII;

(b) Off-street parking areas shall be separated from buildings and public sidewalks with decorative amenities, landscaping or grassed open areas or other appropriate means to afford pedestrian safety;

(c) For corner lots along Dunn Road, driveway access shall be restricted to the side street; and

(d) In order to facilitate traffic flow on Dunn Road, driveways shall be restricted whenever an existing driveway is located within 300 feet with interconnectivity to the affected property; and

(e) Regardless of any provision or requirement of this section, all improvements of properties adjacent to the right-of-way shall be located so that parking, stopping, storage, and maneuvering of vehicles on the right-of-way will not be necessary in order for the vehicles or patrons to be properly served, and shall not restrict the sight distance of adjacent drives.

6. Interconnectivity.

(a) Pedestrian or motor vehicle connections shall be required for new construction and where appropriate for any re-development of properties within the overlay district; and

(b) Rear alleys for service, utilities and employees access are strongly encouraged and will be mandatory when a proposed development is adjacent to a developed property having an existing alley.

7. Signage. All freestanding signs for new construction shall be ground signs and comply with the standards of Article XIII, specifically for the C1(P) district as regulated by Section 1306.B.2 except that the maximum sign area shall be 44 square feet for sites with five occupants or less, and sites with more than five occupants may have an additional six square feet of area for each occupant over five, with a maximum freestanding ground sign area not to exceed 80 square feet. The maximum height of the sign including all portions of the support structure, measured from the grade to the top of the sign/support structure, shall be five feet. Attached signage as allowed in the C1(P) district shall be permitted.

Consideration shall be given to freestanding signs proposed for new development within close proximity to the I-95 interchange, provided that the developer specifically requests relief from the height and/or sign size at the time of the application for conditional zoning.

Two Copies of the signage plan shall be submitted with the conditional zoning application. The signage plan must address the following:

(a) Location. Identification of sign locations on buildings and the building lot;

(b) Materials and illumination. A description of the proposed sign structure, sign face materials, and type of illumination, if any. The materials and general sign design must be the same as or at a minimum complement the design of the principal structure on the lot;

(c) Size. Itemization of sign size and band areas at identified locations. Allocation of sign area for multi-tenant structures may favor one tenant or series of tenants over another, provided the property owner identifies the available sign area per tenant;

(d) Letter style. Description of dominant letter style and letter height proposed to be used on the sign(s);

8. Lighting. All pedestrian areas, including off-street parking areas are to be lighted with shielded, controlled lighting, and shall complement the proposed development in color and style while being consistent with existing lighting of adjacent or nearby developed non-residential properties. The provisions of Section 1102.M shall apply in this district.

9. Open space. Where [possible, property owners are encouraged to preserve and provide open space areas. If preserved open space or developed parks are offered to and accepted by the town, the property owner will receive a density bonus for the equivalent land area outside the commercial core overlay district. The density bonus shall be calculated at the R40 density rate.

10. Conflict with other ordinance or regulatory provisions. Wherever there is conflict or inconsistency between the Commercial Core Overlay district provisions and other regulations with any local, state or federal law, the most restrictive standard shall apply. When the provisions of this district conflict with other provisions of this ordinance, the overlay district provisions shall prevail.



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JUNE 20, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING AND INSPECTIONS DEPARTMENT

DATE: 6/20/2023

SUBJECT: CASE ZON-23-0010: REZONING FROM A1 AGRICULTURAL DISTRICT TO R40A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 10.04 +/- ACRES; LOCATED SOUTH OF TOM BURNS ROAD OFF CEDAR CREEK ROAD, SUBMITTED BY DEBORAH PICHARDO AND ROBIN TYLER WOODARD (APPLICANT/OWNER).

ATTACHMENTS:

Description

ZON-23-0010

Type

Backup Material

Location: South of Tom Burns Road off
Cedar Creek Road
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to R40A

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for one parcel of approximately 10.04 +/- acres located approximately one mile south of Tom Burns Road, off the west side of Cedar Creek Road, as shown in Exhibit "A". The intent of the property owner is to create residential lots with a minimum area of 40,000 sq. ft. to accommodate family members and to have mobile homes.

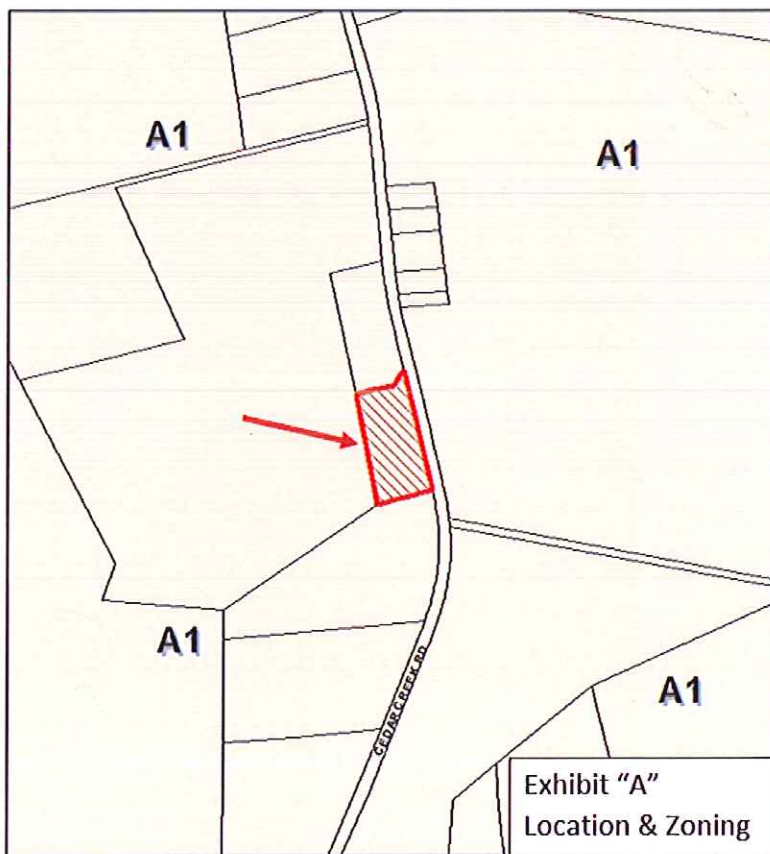
PROPERTY INFORMATION

OWNER/APPLICANT: Deborah Pichardo and Robin Tyler Woodard (Owner)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0480048455000

SIZE: 10.04 +/- acres within one parcel. The road frontage along Cedar Creek Road is 1067 +/- feet. The property has a varying depth but is approximately 485 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. Minimum lot size for this district is two acres. This district is intended to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural uses to exist free from most private urban development except for large lot, single-family development. Some public and/or semi-public uses as well as a limited list of convenient commercial uses are permitted to ensure essential services for the residents.



EXISTING LAND USE: The parcel is currently vacant, wooded land. Exhibit "B" shows the existing use of the subject property.

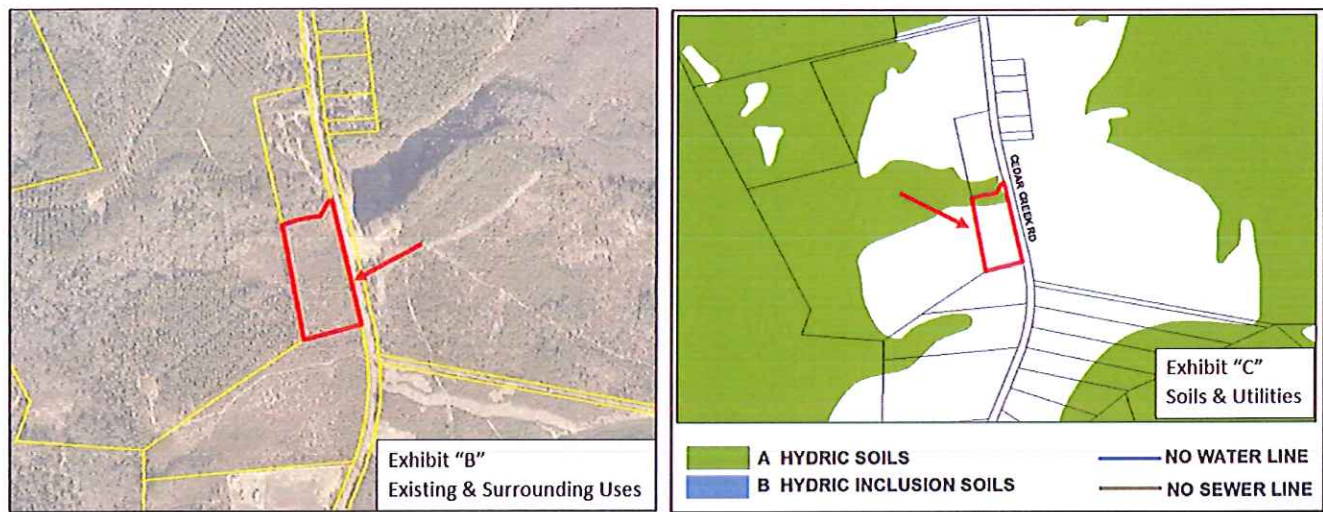
SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North:** Vacant wooded land
- **East:** Suggs Mill Pond Game Land/Wildlife Area (NC Wildlife Resource Com.); vacant wooded lots
- **West:** Vacant wooded land
- **South:** Vacant wooded land and single-family homes

OTHER SITE CHARACTERISTICS: The site is not located within a Watershed and not within a Floodplain Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric soils at the northern portion of the property.

This site is also located directly adjacent to or within close proximity to established nature preserves, identified natural heritage areas, and wildlife protection lands that could pose a conflict with increased residential density in the immediate area.

DEVELOPMENT REVIEW: Subdivision review by County Planning & Inspections will be required before any development.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40A (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet (one story) 25 feet (two story)	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 sq. ft.
Lot Width	100'	100'

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R40A)
5 dwelling units	11 dwelling units

- Lot count may be rounded-up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS: This property is located within the Southeast Cumberland Land Use Plan (2016).

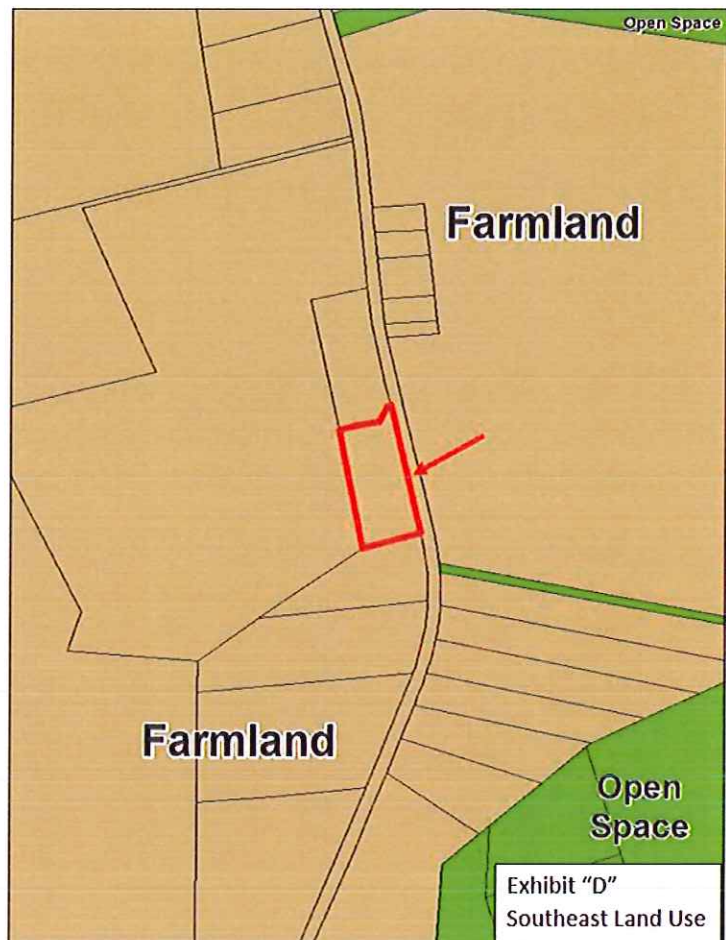
The future land use classification of the property is "Farmland" (Exhibit D).

Associated zoning districts for this classification are A1 and A1A.

The proposed rezoning request is not consistent with the adopted Land Use Plan.

APPLICABLE PLAN GOALS/POLICIES:

- Promote the concentration of new residential development in the northwestern section of the Study Area. (One-acre lot minimum in this NW area only).
- Support the preservation and protection of the Special Flood Hazard Area, farmland, Significant Natural Heritage Areas, Managed Areas, Dedicated Nature Preserves, historic features, and scenic sites.
- Protect Carolina Bays and Other Natural Areas. The Study Area has many Carolina Bays and other natural areas that need to be protected. These bays and natural areas help protect the water supplies, replenish soils, clean the air, nourish wildlife, and provide habitats. The Cape Fear River is a viable resource to the economy of the Study Area, County and Region for its use as recreation, scenic beauty, drinking water and wildlife habitats. Many of the Carolina Bays are protected but it is imperative that all of the bays and natural areas are protected from encroachment of development or other activities.
- Support the use of Density Developments-Conditional Zoning or similar development techniques to preserve significant blocks of open space, timberland, cropland, wildlife habitats, and the rural character of the Area.



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property. Utilities for water and sewer are shown on Exhibit "C". Well and septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both.

TRAFFIC: The subject property, south of Tom Burns Road and on the west side Cedar Creek Road, is located outside of the FAMPO boundaries. No comments were received from Mid-Carolina Regional Planning Organization.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Seabrook Elementary	267	270
Mac Williams Middle	1164	1166
Cape Fear High	1476	1590

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no objection to the proposal.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and stated to ensure all applicable fire department access requirements are met in accordance with Section 503 of the 2018 NC Fire Code.

SPECIAL DISTRICTS: The property is not located within the Fayetteville Regional Airport Overlay District or within five miles of Fort Liberty Military Base.

CONDITIONS OF APPROVAL: This is a conventional zoning and there are no conditions at this time.

STAFF RECOMMENDATION

In Case ZON-23-0010, Planning and Inspections staff **recommends denial** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds the request is not consistent with the Southeast Cumberland Land Use Plan which calls for "Farmland" at this location. Staff also finds that the request is not reasonable or in the public interest as it would not be compatible to or in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

WSSTRICKLAND LLC
1801 PANHANDLE RD
FAISON, NC 28341

MEEKINS, LEROY W JR;MEEKINS, SANDRA M
8954 CEDAR CREEK ROAD
FAYETTEVILLE, NC 28312

SANTIAGO, JOSEPH DEJESUS JR
1111 LEGEND CREEK DR
HOPE MILLS, NC 28348

STATE OF NC
116 W JONES ST
RALEIGH, NC 27603

NICHOLS, WYMAN A JR;NICHOLS, SARAH O
6719 TURNBULL RD
FAYETTEVILLE, NC 28312

PYLES, DANNY RAY JR;PYLES, CHRISTINA MARIE
9155 CEDAR CREEK ROAD
FAYETTEVILLE, NC 28312

PICHARDO, DEBORAH;WOODARD, ROBIN TYLER
1113 MOUNTAIN ST
KANNAPOLIS, NC 28081

HORNE, MICHAEL B JR
14925 W NC 53 HWY
WHITE OAK, NC 28399

PERSON, SARAH SMITH;PERSON, EDDIE P
7220 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

NORRIS, JAMES;NORRIS, DEBORAH LYNN
9276 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

FREEMAN, WALTER H;FREEMAN, JACQUELINE L
182 MERITA DR
RAEFORD, NC 28376

ATTACHMENT: APPLICATION



County of Cumberland
—◆—
Planning & Inspections Department

CASE #: ZON-23-0010

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: 5/12/23

RECEIPT #: _____

RECEIVED BY: CP

**APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE**

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$ 350.00.
(See attached Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7603 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

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

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

1. Requested Rezoning from A1 to R46A
2. Address of Property to be Rezoned: 04180 048455
3. Location of Property: Across from Jassup Pond
on Cedar Creek Rd Fayetteville, NC
4. Parcel Identification Number (PIN #) of subject property: 0480048455
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 10.0[±] Frontage: 1066 Ft. Depth: 530 Ft.
6. Water Provider: Well: ☒ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 11722, Page(s) 0369, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: land - none
10. Proposed use(s) of the property: put mobile homes / stick built homes
Residential use
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No ☒ If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No ☒

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

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

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.

Deborah Pichardo / Robin Tyler Woodard
NAME OF OWNER(S) (PRINT OR TYPE)

438 Millsaps Rd., Statesville, NC 28625 1113 Mountain St., Kannapolis
ADDRESS OF OWNER(S) NC 28081
954-401-8712 (kepichardo@yahoo.com)

704-224-0324
HOME TELEPHONE #

704-224-0324
WORK TELEPHONE #

Robin Tyler Woodard
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

Same as above
ADDRESS OF AGENT, ATTORNEY, APPLICANT

DLK SHW@yahoo.com
E-MAIL

704-224-0324
HOME TELEPHONE #

704-224-0324
WORK TELEPHONE #

Robin Tyler Woodard
SIGNATURE OF OWNER(S)

Robin Tyler Woodard
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Deborah Pichardo
SIGNATURE OF OWNER(S)

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

Clarence G. Grier
County Manager

Sally Shutt
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Cumberland County Joint Planning Board

MEMORANDUM

DATE: June 20, 2023

TO: Cumberland County Joint Planning Board

FROM: Rufus D. Smith III, Comprehensive Planning Manager

THROUGH: Rawls Howard, Director of Planning and Inspections

SUBJECT: Land Use Policies Plan Update

Mr. Jackson Van Ness, an ECU Planning student graduating this year reviewed the Land Use Policies Plan and made recommendations to update the plan as part of his required Senior project.

The Land Use Policies Plan was adopted in 2009 to compliment the County's 2030 Growth Vision Plan and provide guidance for the Planning Board and County Commissioners when making land use decisions.

If you have any questions, please feel free to contact the Comprehensive Planning Section at 678-7629.



Cumberland County Land Use Policies Plan Update Recommendations Report



Jackson C. Van Ness

May 2, 2023

Executive Summary

Cumberland County is one of North Carolina's most populous counties, and is growing rapidly. Since the 1970s, the county has effectively planned its future land use through documents such as its *Growth Vision Plans* and its *Land Use Policies Plans*. The most recent *Land Use Policies Plan*, adopted in 2008, is due for an update. This project seeks to provide recommendations for that update to help the county use the document more effectively and better reach its development goals.

In the past, Cumberland County was predominantly an agricultural county, but that is changing as the county seat, Fayetteville, grows into one of the largest cities in the state. The city's growth has led to development taking over the countryside at a rapid pace, threatening the county's remaining farmland. Despite this, county leaders wish to retain Cumberland County's rural character and preserve the large amount of farmland which remains in use in the county's unincorporated areas. Current land use policies are not conducive to preserving farmland, however, and do little to prevent development from encroaching upon the county's rural areas. However, the county has laid out an excellent framework for coordinating growth and concentrating it in specific, manageable areas through its *2030 Growth Vision Plan* and *2030 Growth Strategy Map*. What needs to now be done is more effectively use the designated areas for growth laid out in those documents, and this can only be done by updating the criteria for the different classifications of land use laid out in the *Land Use Policies Plan*.

This project, undertaken at the request of Planning Manager Rufus "Trey" Smith, III, and the county's Comprehensive Plan Committee, seeks to provide recommendations that will improve the *Land Use Policies Plan* document itself, making it easier to use, and provide recommendations for policies that will help the county reach its goal of preserving its rural character.

Introduction and Background

Cumberland County, North Carolina

Cumberland County, North Carolina, is located in the southeastern portion of the state, not far from the South Carolina border and the Atlantic Ocean. The fifth-largest county in the state in terms of population, Cumberland County was home to 342,082 people in 2021, according to the North Carolina Office of State Budget and Management. The county seat is Fayetteville, one of the largest cities in the state and home to over 200,000 residents. Other communities in the county include the towns of Hope Mills, Eastover, Spring Lake, Stedman, Wade, Falcon, Godwin, and Linden. The county is also home to the world's largest permanent military installation, the United States Army's Fort Bragg, which houses approximately 54,000 military personnel and is home to the famous 82nd Airborne Division. Cumberland County is gradually urbanizing as Fayetteville grows; while it still is a largely rural county, new development is increasingly reducing the amount of rural land remaining. The county has long been a conduit for transportation; historically, along

the Cape Fear River, which the county lies astride, and today via Interstate highway 95 and CSX Transportation's north-south railroad line, linking the county with markets up and down the entire eastern seaboard.

Cumberland County's land was originally settled by immigrants from the Scottish Highlands beginning in the 1720s. Initially a part of Bladen County, Cumberland County became its own jurisdiction in 1754 and was named after William Augustus, the commander of the English Army and the Duke of Cumberland. Fayetteville, which had originally been named Campbellton, was renamed in 1783 to honor French General Marquis de Lafayette's contribution to American independence. By the early 19th Century, Fayetteville had become an important city of commerce as the most inland port in the state, and by the 1820s grew to become the second most populous city in North Carolina. Cumberland County found itself in the path of infamous General William T. Sherman's march across the Carolinas in early 1865, and the state arsenal, which was located in Fayetteville, was destroyed by the U.S. Army during their occupation in March of that year, along with a great deal of civilian property. While Sherman's occupation set the county back for decades, positive change came in the wake of World War I with the establishment of Camp Bragg (later renamed Fort Bragg), named after Confederate General Braxton Bragg. The establishment of the base and its growth once again made Cumberland County and Fayetteville some of the most populated and important jurisdictions in the state.

Cumberland County has seen continuous growth over the past several decades. The 2000 Decennial Census estimated that the county's population was 302,963 that year. In 2010, the state Office of State Budget and Management (OSBM) estimated that the county's population was 327,275, and by 2021, that number had grown to 342,082, an increase of 4.52 percent. Population projections drawn up by the Office of State Budget and Management predict an additional 2.15 percent increase by 2030 to a total county population of 349,450. The OSBM projects that population growth will plateau between 2030 and 2040, with a net population increase of only 567 people during that decade. In 2021, the American Community Survey estimated that Cumberland County was 42.2 percent white, 37.29 percent African-American, 1.34 percent American Indian or Alaska Native, 2.31 percent Asian, 0.37 percent Native Hawaiian or Other Pacific Islander, and 5.38 percent "Some Other Race." Furthermore, 11.1 percent of the population was mixed-race, and the 2020 Decennial Census estimated that 11.8 percent of the population was of Hispanic or Latino origin.

As the county has grown, it has changed in character. Once a predominantly agricultural county, Cumberland County is today dominated by the Fayetteville metropolitan area. Nearly half of the county's land area is urbanized, and if current development patterns continue, the county will continue to lose farmland to new development.

Project Background and Purpose

Cumberland County completed its current *Land Use Policies Plan* in 2008, and the document officially came into effect in January, 2009. It was designed to complement the new Comprehensive Plan, the *2030 Growth Vision Plan* (and its accompanying *2030 Growth Strategy Map*), which was adopted around the same time. The purpose of the *Land Use Policies Plan* is to “provide some guidance for local governing bodies in determining parcel land use decisions” (*Land Use Policies Plan*, 1). It establishes categories for different types of residential, commercial, mixed-use, office and institutional, industrial, and agricultural uses and development, and provides location criteria for new development as well as broad objectives for the purpose of each category. The categories established in the document have been used in the county’s several Future Land Use Maps, each of which cover a particular section of the county, to classify different types of future development. Thus, the *Land Use Policies Plan* has been quite influential in how Cumberland County has developed over the past fifteen years.

Much has changed since the *Land Use Policies Plan* was adopted, and the county strongly feels that the document is overdue for an update to reflect the changing conditions the county faces. As mentioned above, the county has seen significant losses of farmland to new residential development, primarily around Fayetteville. County officials strongly wish to preserve the county’s rural character and protect the remaining agricultural land in the county from encroaching development. Additionally, the county has faced issues with stormwater runoff and flooding over the past few years, and desires solutions to help mitigate the flooding of homes and businesses. Finally, there are several issues with the *Land Use Policies Plan* document itself that county officials feel hinder effective use, and the county seeks to resolve these issues and make the document more concise and easier to understand. This project seeks to provide recommendations on these three subjects for the county to consider when the document is rewritten.

This project is undertaken at the request of Mr. Rufus “Trey” Smith, III, Cumberland County’s Planning Manager, as well as Cumberland County’s Comprehensive Plan Committee. The project was begun in February of 2023, and the final product will be delivered in early May. This report is the primary deliverable, but an example page of what the updated document should look like will also be included.

Issues

Document Design Problems

When adopted in 2008, Cumberland County’s *Land Use Policies Plan* was designed with the intent of being used as a guide for local policymakers to help them determine whether requested land use actions, such as rezoning cases and special use permits, were appropriate for the county and consistent with the county’s growth and land use goals. Designed to complement the *2030*

Growth Vision Plan, the *2030 Growth Strategy Map*, and several future land use maps dedicated to specific portions of the county, the *Land Use Policies Plan* “provides objectives and location criteria” for uses of land in the part of the county outside of Fayetteville’s city limits (*Land Use Policies Plan*, 1).

However, since its adoption, county decisionmakers have found some challenges in using the document in the way it was intended. The location criteria do not go into tremendous detail, leaving some county officials unclear as to what the designations of certain development types are intended to mean. The most notable examples of this in the document are the designations of residential development types. The document establishes five separate classifications for residential development: Rural Density Residential, Suburban Density Residential, Low Density Residential, Medium Density Residential, and High Density Residential. The classifications establish specific densities which are to be included within each district, but these do not necessarily line up with what one might think when hearing the name of each classification. While the name Rural Density Residential does not lead to much confusion, with only development of one unit per acre or less being included within the classification, the other classification names can lead to confusion. Low Density Residential is not the lowest density classification, and includes densities from 2.2 to six units per acre. High Density Residential only includes development with 15 or more units per acre. These names simply do not clearly convey what they are intended to; different people may think different things when they hear each name, which is problematic for a document intended to help guide elected officials who may not be able to spend the time to become well acquainted with the policies contained in the document.

According to a member of the Comprehensive Plan Committee, this is compounded by the fact that most members of the public and most elected officials do not have a clear picture of what an acre looks like. This individual recommended that any updated version of the document include a good visual to help people understand what different densities really look like to prevent decisionmakers and others from approving development which is different than what they intended. This individual explained that he often uses the fact that a football field is roughly one acre in size to help people visualize what, for example, “six units per acre” really looks like.

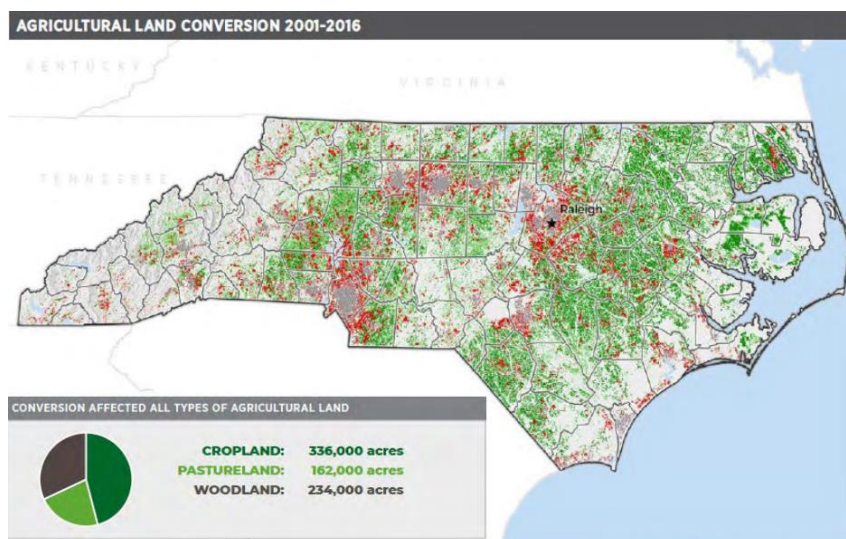
Additionally, the document contains a considerable amount of redundancy. This is especially true with regards to commercial development; the document divides commercial development and “shopping center development” into several distinct categories which are unnecessary. Had the document been intended for use in the city of Fayetteville as well as the county itself, such distinct classifications could be understood, but as the document only covers areas outside of Fayetteville city limits, and as the majority of commercial development is located within Fayetteville, they are unnecessary.

Urban-Rural Divide

Cumberland County's 2008 Comprehensive Plan, the *2030 Growth Vision Plan*, clearly states the goal of protecting the county's rural character and concentrating new growth in designated areas to prevent unnecessary losses of productive farmland. "... Cumberland County has worked effectively with area municipalities, other service providers, and the school board to place urban infrastructure within or adjoining existing urban areas, and away from rural areas and open spaces. Urban services, such as centralized water and sewer, roads, schools and parks, have been strategically placed to facilitate compact, contiguous growth, rather than promoting leapfrog developments in the midst of productive farmland. New development has been encouraged to occur in the form of full service, mixed use communities, rather than a series of unrelated, single use, sprawling, suburban-style subdivisions" (Cumberland County *2030 Growth Vision Plan*, 26). Guidance for future land use has aided the county in moving towards this goal, but some growth has occurred in ways not conducive to preserving the county's rural character. More work must be done to ensure that future growth occurs in a way that better fits the county's goals.

While it is clear that Cumberland County has grown significantly in recent years, information on how that growth has occurred is difficult to find. Available information on the county website appears to indicate that in the past year, there has not been tremendous encroachment of development on farmland. There were several rezoning cases during the past year which increased the allowed density of residential development on the subject parcels, as well as a few which allowed new commercial development. Additionally, at least one rezoning case which would have led to conversion of farmland to low-density residential development was denied by the Board of Commissioners. While this information would indicate that at the current time, there is little ongoing residential development resulting in the loss of farmland, the threat of losing farmland to make way for new homes necessitated by the county's future population growth remains.

In 2017, according to the U.S. Department of Agriculture's Census of Agriculture, Cumberland County contained 336 farms on 65,995 acres of farmland. The U.S.D.A. data showed a significant – and, to those who wish to see Cumberland County remain rural, disturbing – decline in acres in agricultural use since the



Map illustrating farmland losses in North Carolina between 2001 and 2016. The red areas indicate farmland converted to non-farm uses. (American Farmland Trust).

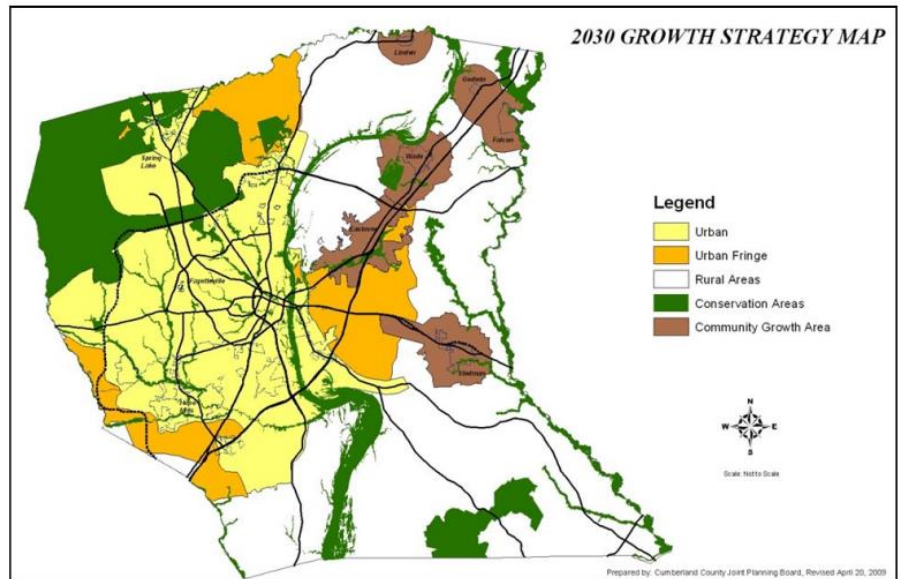
previous Census of Agriculture in 2012. In fact, a 20 percent decline was measured; 16,499 acres of farmland were lost during that five-year period. Unfortunately, at the time of this writing, the most recent U.S.D.A. data on the subject, from 2022, is still not available, and as a result, trends since 2017 are not able to be taken into account for this report. However, should the trend between 2012 and 2017 continue into the future, Cumberland County could lose up to 23,098 additional acres of farmland by 2030. This would be a significant detriment to the county's agricultural economy, and Cumberland County would no longer be a predominantly rural county.

By 2040, Cumberland County is expected to see a net population increase of 7,935 people, and of course, these people will need homes. According to the U.S. Census Bureau's 2021 American Community Survey, the average number of persons living in each residential unit in the county is 2.47. It further states that 52.2 percent of the county's residents live in owner-occupied homes, while 47.8 percent live in rental housing. The average number of residents in each owner-occupied home is 2.58, while rental units average 2.34 residents. While it is impossible to know for certain whether these percentages will remain the same in the coming decades, it is unlikely that any tremendous change will occur. As a result, Cumberland County should expect its 7,935 new residents to need approximately 1,621 new rental units and approximately 1,605 new owner-occupied homes. The majority of new rental housing will likely occur within the city limits of Fayetteville, but some will also likely be constructed within the Urban Fringe Area. In all likelihood, the vast majority of new owner-occupied homes will be built on greenfield sites outside the limits of Fayetteville and the county's other municipalities. This will inevitably lead to a loss of farmland and green space, but the amount of farmland and green space lost will depend on how the county directs and guides new development going into the future.

Should the majority of the approximately 1,600 new homes be constructed in more compact neighborhoods with an average lot size of 20,000 square feet, only about 800 acres of farmland will be lost to residential parcels, along with a couple hundred additional acres of land for related infrastructure such as neighborhood streets. However, if a significant portion of these homes are constructed on large lots, especially if they are in stand-alone configuration rather than in organized subdivision developments, the county could lose over 10,000 additional acres of farmland. These farmland losses will be further exacerbated if new development is not concentrated within the Designated Growth Areas and "leapfrogs" across farmland and undeveloped land. While quantifying numbers such as these is difficult, and is not possible in this report's timeframe, general trends can give an idea of what can be expected in such a scenario.

While the county's *2030 Growth Strategy Map* indicates designated growth areas and designated areas which should remain less developed, the *Land Use Policies Plan* does not explicitly reference this. The county's comprehensive plan, the *2030 Growth Vision Plan*, identifies five defined "areas" of the county for future land use purposes. These are listed on the following page.

“An URBAN AREA shall be identified and mapped where urban level development and redevelopment (averaging 4 units or more per acre) is to be especially encouraged and where a full range of urban



services, including centralized water and sewer, as well as stormwater management services, are already available or can be provided in a timely, cost effective manner.

“An URBAN FRINGE AREA shall be identified and mapped where urban level development and redevelopment (averaging 3 units or more per acre) is to be accommodated and where a full range of urban services, including centralized water and sewer, as well as stormwater management services, can be provided within the next 10 to 15 years.

“A RURAL AREA shall be identified and mapped where development at a non-urban density (2.2 units per acre allowed but much lower densities preferred) is to be encouraged and where on-site sewer services (i.e. septic tanks) are most appropriate.

“COMMUNITY AREAS shall be identified and mapped to include small towns where a mixture of community level land uses is to be encouraged to help meet the housing, shopping and employment needs of area residents.

“CONSERVATION AREAS shall be identified and mapped to include 100-year floodplains, riparian buffers along streams, Natural Heritage Areas, critical wildlife habitat, public parks, and other significant, limited or irreplaceable natural areas. Development, if any, should be limited and attentive to the protection of environmental features.”

For the purpose of easier reading, “Urban Fringe Areas” and “Community Areas” will be called “Designated Growth Areas” throughout the remainder of this report.

According to aerial imagery, much land within these Designated Growth Areas remains undeveloped at the current time. The county’s Future Land Use GIS map indicates that while for much of these Designated Growth Areas, the residential density classifications are on par with what the *Growth Vision Plan* describes each area as being, significant swaths are not. For example,

within the Urban Fringe Area between Fayetteville and Eastover, significant swaths are designated as Suburban Density Residential. This is despite the fact that the maximum allowable density within the Suburban Density Residential classification is 2.2 units per acre, while the minimum density which is supposed to be within Urban Fringe Areas is three units per acre. One reason for this is because sections of the Urban Fringe Area are located outside of the sewer service area. Since 20,000 square foot lots are considered to be the smallest lots which can reasonably accommodate septic systems, 2.2 units per acre is the maximum density which can be allowed in areas where sewer access is not available. Of course, in areas classed as Suburban Density Residential, 2.2 units per acre is the maximum density allowed, not the minimum, and that opens the door to allowing densities as low as one unit per acre in the Urban Fringe Area, which is inconsistent with the intended purpose of such Designated Growth Areas.

Cumberland County is also at risk of having an influx of large-lot residential subdivisions, consisting of ten acre or larger tracts, displace valuable farmland. This type of development is increasingly seen on the outskirts of metropolitan areas across the nation, especially those that are growing. In most cases, the lots in new subdivisions such as these contain only a single, often very large home, surrounded by a large, empty lawn, or in some cases, a wooded area. These types of lots are aptly described by Harnett County's *Working Lands Protection Plan* as being "too small to farm and too big to mow" (36). These housing developments are, in most cases, primarily marketed towards upper-middle class households whose members work in the metropolitan area but who seek to escape from living amidst traditional suburban development and its associated downsides (e.g., traffic congestion, lack of open/green space, etc.).

Large-lot subdivisions such as these pose a great many problems for the counties which contain them. First, they are an inefficient land use. Not only do they eliminate land used for agricultural production, they do not house many people. As a result, such developments exacerbate housing unaffordability in areas which in most cases already grapple with this issue. Their high home values may help increase property tax revenue for their jurisdictions, but the fact that they restrict the amount of people who can live in a given area hinders revenue growth from other sources, such as sales taxes and other taxes on businesses, which would be increased to a greater amount with a higher population. Furthermore, the elimination of agricultural activity also can reduce revenue from such sources. Second, the elimination of farmland eliminates valuable economic activity. Agricultural operations contribute to the job market in many ways, not only through providing employment for farmers themselves and for hired farm workers, but also for others whose jobs contribute to the continued operation of an agricultural economy, such as equipment, feed, and seed suppliers; pesticide and fertilizer applicators; grain elevator operators; truck drivers; and those working in other professions related to distributing agricultural products. When farms are replaced with housing developments catering to those who do not work within the county in which they live, the result can be a net loss in jobs. Even the jobs which are created by new housing developments are generally of lower quality than the agricultural sector jobs they replace. Third, they are detrimental to the environment, eliminating open space and in many cases

untouched natural space. And finally, they destroy the rural character of counties whose residents usually desire to preserve it.

Cumberland County is not located directly adjacent to the Raleigh-Durham-Triangle metropolitan area, but it is close enough to it that planners, elected officials, and concerned citizens should be cognizant of the potential for encroachment of this type of development into the county. Neighboring Harnett County to the north, which lies directly adjacent to rapidly growing Wake County, has been hit by an influx of these types of large-lot subdivisions in recent years as Raleigh's population and job market has grown exponentially. The lack of affordable housing in close proximity to Raleigh has made Harnett County, with its lower land values, an attractive target for both commercial developers and for individuals working in Raleigh seeking to construct their own homes. As Raleigh continues to grow, and as Fayetteville grows into a larger metropolitan area in its own right, Cumberland County should seek policies to restrict such development in order to protect its rural character and its agricultural economy.

The Designated Growth Areas laid out in the *Growth Vision Plan* are an excellent framework for organizing development in an orderly fashion and preventing uncontrolled sprawl into the county's rural areas. However, the county's Future Land Use and zoning policies need to better coordinate with these growth areas to make them more effective and help the county meet its conservation and rural character preservation goals while accommodating its growing population.

Water, Sewer, Stormwater Issues

As Cumberland County continues to grow, a number of issues relating to water have cropped up. First, flooding from storms has been a major issue and will continue to be an issue as the county grows. Cumberland County is crossed by the Cape Fear River, and the river often floods after major storm events. In two of the most recent hurricanes, Hurricane Matthew in 2016 and Hurricane Florence in 2018, approximately 2,900 residences were damaged by flooding, and approximately 200 commercial structures were also damaged, according to Floodplain Administrator Wayne Dudley. Unfortunately, the county currently lacks a department overseeing stormwater management, and as a result, data on flooding from non-hurricane-level storms does not exist. However, despite the incompleteness of available data, the data from the recent hurricanes demonstrates the magnitude of flooding-related issues in the county. More needs to be done to prevent further development within the 100-year floodplain (Special Flood Hazard Area).

Second, the capacity of the county's municipal water and sewer systems may not be adequate to support the residential developments which will be necessary to incorporate the county's projected population growth over the next two decades. As a result, a significant portion of new homes may have to have septic systems, necessitating lot sizes of at least half an acre and thus decreasing the amount of density possible for developments in the unincorporated areas of

the county. Balancing the need for adequate space for septic systems on residential parcels with the need for increased residential density in new developments will require some changes to the *Land Use Policies Plan*.

Finally, in recent years the county has had numerous incidents where parcels adjacent to new development have been flooded by stormwater runoff from the new development. Unfortunately, due to lacking a stormwater department, the county has no one in charge of ensuring that new construction does not incorporate features which lead to runoff encroaching on adjacent properties, and those who are victims of this carelessness have no one to which they can report these instances of flooding to. Cumberland County must find a solution to prevent more of its residents from unnecessarily having their properties flooded by new development designed without taking into account adjacent property owners.

Research

Best Practices for Buffering Urbanizing and Rural Areas

There are many different strategies which counties can use to reach the goal of preventing the loss of farmland and preserving rural character. Counties across the nation which are facing farmland losses, including Cumberland County and some of its neighbors, have created policies to protect farmland, preserve the rural “feel” of small towns and farm villages, and preserve open space. These policies take the form of land use regulations and controls, as well as other means, such as Conservation Easements. Not all of these policies have widely been implemented, but all of them hold promise for helping counties which wish to remain rural in nature to reach that goal. Examples of these policies from Cumberland County and neighboring North Carolina counties, along with professional guidance from organizations such as the American Planning Association and the U.S. Environmental Protection Agency, are described in this section.

First, let’s take a look at policies that hinder the goal of conserving farmland. The first of these is encouraging less dense residential development, including large-lot subdivisions, in the belief that this will prevent suburban-type subdivisions from being constructed on farmland. According to an Environmental Protection Agency document titled *Essential Smart Growth Fixes for Rural Planning, Zoning, and Development Codes*, many counties and communities which seek to prevent their jurisdictions from urbanizing and losing farmland “encourage low-density development in the belief that it will maintain the rural character. However, low-density developments are usually more suburban than rural in nature and frequently use suburban standards for streets, landscaping, setbacks, and lot sizes. For communities trying to preserve rural character, development of 2- to 10-acre lots is particularly challenging. Lots of this size pose a host of problems that often undermine rural character and make it difficult to protect natural and fiscal resources” (27). Low density development in rural areas not only encourages suburbanization, but also leads to a variety of adverse impacts on farmers as their land becomes

surrounded by incompatible land uses. According to the American Planning Association, “[s]cattered development in farming areas removes agricultural land from production both directly and indirectly. Development directly removes farmland’s agricultural productivity. Indirectly, development may force nearby farmers out of production by non-farm residents’ complaints about dust, odors, sprays, and noise; by causing a general rise in land values leading to higher property taxes; and by fragmenting and decimating the “critical mass” of working farmland needed to maintain an economically viable agricultural sector” (APA KnowledgeBase Collection: Farmland Protection). Policies intended to prevent an area’s conversion from rural to urban land uses often lead to urbanization because of poor planning and a failure to recognize unintended consequences such as those described above.

Cumberland County has recognized how low-density residential development poses a threat to its rural character and leads to unsustainable development patterns. The county’s *2030 Growth Vision Plan* states that “[a]ll forms of housing development should be discouraged from ‘LEAPFROGGING’ into the countryside, thereby destroying the rural character of the county, breaking up large farmland areas, and making the provision of urban services more costly to taxpayers” (29-30). The county has a number of programs which restrict development on individual parcels, as well as policies seeking to organize and concentrate development in designated areas. Up to this point, these have been relatively effective at preventing massive losses in farmland, but they will need to be added to and pursued more aggressively to ensure that the county’s projected population growth does not lead to urbanization.

Research for this project found many policies which are effective at preventing farmland loss and preserving the rural nature of communities. Many of these policies focus on restricting development of land in agricultural use, while others seek to prevent development pressure on farmland by encouraging denser or more concentrated development in particular areas. Several examples of these are described below.

Conservation easements have been used in counties facing development pressure across the country for several decades. There are many such counties in North Carolina, and Cumberland County is one of them. Cumberland County does not have a large amount of land under conservation easements, but many other counties across the nation have effectively used conservation easement programs to prevent massive losses of farmland. Fauquier County, Virginia, located in the state’s Piedmont region to the west of Washington, D.C., is one such county. For decades, it has effectively used conservation easements, along with other conservation initiatives, to prevent the county from becoming yet another suburban extension of the Washington, D.C. metropolitan area. In the 1960s, population projections stated that Fauquier County would see its population jump to 235,000 residents by the year 2000. Yet in 2020, the U.S. Census Bureau found that the county’s population stood just shy of 73,000. The county’s long-running conservation easement program, which allows landowners to forfeit their development rights and transfer them to the county, has been a major factor in preserving the county’s rural character and agricultural economy. Landowners who place their land in conservation easements

are prohibited from using their land for purposes other than defined “Conservation Purposes” such as farming, forestry, or open/natural space. Landowners usually retain the right to construct one additional dwelling besides any dwellings already on the property. Easement agreements run with the property even when ownership is transferred, and range from 100 years to in perpetuity. With development pressure likely to increase going into the future, Cumberland County may do well to consider expanding its conservation easement program and encouraging county farmers to place their land into conservation easements.

Lease of Development Rights programs are another strategy for preserving undeveloped land, and have been used by Cumberland County as well. Cumberland County has primarily entered into leases of development rights in areas of special concern, such as land close to Fort Bragg and Pope Army Airfield which are best left undeveloped to avoid interfering with military operations. The county’s program is used to help balance the need for keeping land undeveloped with the landowners’ rights to use their land how they wish. Landowners receive an agreed-upon settlement in compensation for giving up their right to develop their land for a period of time of at least ten years. Uses of the land under the agreement are restricted to those relating to “agriculture generally,” including raising livestock, growing crops, growing trees for timber, and any other land use directly associated with such activities, including related commercial uses such as agricultural supply stores or selling nursery products. Any subdivision of the property is prohibited except for subdividing it into parcels of five acres or more. In addition, the agreement remains in place even if ownership of the land is transferred. When the lease expires, nothing “alter[s] the zoning classification of the [p]roperty at the end of the term.”

Voluntary Agricultural Districts are one of the most widely used tools to promote preservation of farmland and protect farmers from threats to their operations in North Carolina. Cumberland County has a Voluntary Agricultural District (VAD) program, with 44 farms enrolled in the program as of 2021. Voluntary Agricultural Districts prevent farmers from being the subject of nuisance suits filed by nearby residents who “do not understand or appreciate that living next door to a farm may include such issues as noise, odor, dusts, insects or early morning/late night schedules [for] farmers” (Cumberland County Voluntary Agricultural District Brochure). All residents within a one-mile radius of any farms designated as VADs are notified that they may be subject to the “issues” listed above. VADs also prevent farms enrolled in the program from being condemned without a public hearing and without proof that the condemning agency has exhausted all options except taking the farm. Farmers may voluntarily enroll their farms for a period of ten years or more; however, farmers may also withdraw their farms from the program at any time. VADs play a significant role in preserving farmland across North Carolina, and Cumberland County should continue to encourage farmers to enroll their land in the program.

In addition to policies which establish protections on farmland or restrictions on developing particular parcels, there are many policies which can serve to organize development in a better way so as to reduce the amount of greenfield land needed and thus reduce development pressure on farmland. An overarching theme of these policies is that for farmland to remain undeveloped,

areas which are developed instead must have greater density. This is common sense; our population continues to grow, and if growth is restricted in one place, it must be concentrated in another. As such, concentrating the new development which inevitably must occur to accommodate population growth is the only way to ensure that open, undeveloped land will continue to exist going into the future, especially in populated eastern states such as North Carolina. For many people, however, the thought of increasing density is unsettling. In their minds, the word density translates to ugly high-rise apartment buildings, townhomes jammed together with no lawns, or unattractive suburban subdivisions lacking in adequate green space. For most Americans, such development is not appealing and is not an environment where they want to live, and so the word density becomes a scare word.

However, this type of development is not the only type which can be described as “dense.” Dense development can include features such as detached individual homes and lawns which Americans desire; incorporating these features does not require land to be wasted in sprawling subdivisions. Moreover, prior to the Second World War, most new housing in the United States was constructed in a dense fashion without sacrificing detached houses and the like. Dense single-family neighborhoods were the norm in small towns, suburbs, and the outer edges of cities for over a century. As put the E.P.A.’s guide *Essential Smart Growth Fixes for Rural Planning, Zoning, and Development Codes*, “[historic rural] villages had many of the characteristics that even today are important attributes of attractive, healthy places. Homes were within walking distance of stores and workplaces; land was used efficiently by clustering village-related uses in the village and keeping farms and other working lands as large swathes of land with little or no development to interfere with the economic uses” (1). This fact holds great promise for encouraging denser development which balances preservation needs with the preferences and desires of American homebuyers. Of course, the messaging needs to change. Due to the negative connotations it induces, the word “dense” should be replaced with words that focus on either the way such development contributes to conservation of undeveloped land (Cumberland County has done this by renamed its “Density Development” zoning district to “Conservation Development”) or on how denser development can foster a more tight-knit community feel. Most people desire both of these things in their communities, and focusing those aspects will help make higher-density residential development more palatable.

Cluster development, also known as conservation development, is a



Artist’s illustration of “Conservation Subdivision” compared to a traditional suburban residential subdivision. (N.C. State University *Conservation Subdivision Handbook*).

strategy for increasing density and preserving open space simultaneously. Cluster subdivisions are required to have a certain percentage of the parcel being subdivided be preserved as open space, either in agricultural, woodland, or wetland use. The remaining parcels created by the subdivision are smaller than what would typically be allowed in the zoning district the subdivision is located in. For example, a 50-acre parcel located in a zoning district which allows only one-acre lots may be subdivided so as to have one large parcel, containing 50 percent of the previous parcel's land, dedicated to open space, and have 50 half-acre lots containing homes. The number of residential lots remains the same, but they are clustered closer together to allow open space to coexist.

Cumberland County has a zoning district which allows this, called the "Density Development – Conditional Zoning District." In these developments, 40 percent of the parcel being subdivided must remain as open space, and no more than 20 percent of the parcel should be taken up by a body of water. There are only a few areas in the county zoned for this type of development, and so it has had little impact on farmland preservation in the county. This type of development is worth considering for the peripheries of Designated Growth Areas and for areas in close proximity to natural land which the county seeks to preserve.

Finally, another avenue for limiting the loss of farmland is simply implementing arbitrary density requirements for all new residential development. These requirements can be implemented across the breadth of an entire jurisdiction or can be limited to specific areas. In Cumberland County's case, implementing density requirements for new residential development within the Designated Growth Areas would likely be successful in reducing development pressure on farmland in designated Rural Areas.

Another important factor in preserving rural character is ensuring that newly-built structures do not clash with the architectural design patterns of existing buildings. Appropriate architectural design standards should be established for new structures built in rural areas to ensure that they aesthetically match the character of the areas they are located in. The Comprehensive Plan Committee specifically requested that this subject be looked into, especially with regard to commercial development, as Cumberland County has seen an increase in new convenience stores (e.g., Dollar General stores) at rural crossroads throughout the county in recent years. As the county continues to grow, the Comprehensive Plan Committee wants to ensure that new commercial development in rural areas does not detract from the character of these areas. Architectural design standards for new residences located in rural areas, especially those which are in dedicated subdivisions adjacent to small towns and villages, are also important for ensuring that rural areas retain a rural "feel." In this vein, several examples of new structures which incorporate rural- and historic-district compatible design features are included in this report. While what gives structures a rural "feel" is rather subjective, certain features tend to be common; these include peaked roofs, front (and sometimes rear) porches, wide horizontal siding, and a lack of unnecessary and decorative features such as having a plethora of dormers and multiple gabled roof sections that are often seen on newly-built homes today. Commercial structures with a rural "feel" oftentimes have brick facades, but sometimes have siding; in all cases, they should avoid the

cookie-cutter, sterile, single-color and single-material facades seen on so many convenience stores built today. In all cases, any architectural design being submitted by a developer should be subject to review by the Planning Board and the Board of Commissioners to ensure that it adequately satisfies the requirements for being considered rural in character prior to approval and the beginning of construction. Several images depicting newly-built residential and commercial structures which are rural in character are included in this report's appendix to provide inspiration.

Recommendations

Document User-Friendliness

Several changes ought to be made to the *Land Use Policies Plan* document itself to make it more effective and easier to use. Recommendations for these changes are described below.

The current names of the five residential development classifications described in the *Land Use Policies Plan* have caused confusion due to the fact that they are somewhat vague. These names should be changed to provide a clearer picture of the types of development they are supposed to consist of. This will aid the county's elected officials in making sure that all new residential development is consistent with the county's goals.

The current "High Density Residential" classification should be renamed "Urban Core Density Residential," reflecting its intended purpose of greater than 15 multifamily units per acre, a density found only in urban areas (in Cumberland County's case, strictly in the very center of Fayetteville). "Medium Density Residential" should be renamed "Urban Density Residential," reflecting its intended purpose of both single-family and multifamily residential with six to 15 units per acre, a density which will only be found surrounding the center of urban core/downtown areas. "Low Density Residential" should be renamed "Neighborhood Density Residential," as the single-family, two to six unit per acre development it describes gives a traditional neighborhood feel appropriate not only for urban areas such as Fayetteville but also for the smaller towns and villages in the county. "Suburban Density Residential" should be renamed "Fringe Density Residential;" while the densities described in this classification are strictly suburban in nature, this new name will better reflect the goals shown in the *2030 Growth Vision Map* (i.e., channeling new development towards the designated "Urban Fringe" and "Community" areas; more on the subject is written below). Finally, the "Rural Density Residential" designation should remain the same, as the development described by the classification is only appropriate for the county's rural, outlying areas.

High Density Residential	→	Urban Core Density Residential
Medium Density Residential	→	Urban Density Residential
Low Density Residential	→	Neighborhood Density Residential
Suburban Density Residential	→	Fringe Density Residential
Rural Density Residential	→	Rural Density Residential

Hereafter within this report, any references to residential density classifications will refer to them with their proposed names rather than their current names when recommendations for the future are being discussed. The current names will be used when current conditions are being discussed.

In addition to changing the names of these classifications, several other alterations ought to be made. First, the Neighborhood Density Residential classification should be altered to include the R20 zoning district, rather than only R7.5 and R15. Since one of the goals of the classification is to allow densities as low as 2.2 units per acre, or having each home on a 20,000 square foot lot, adding this zoning district to the classification is appropriate. The primary reason this is necessary is to allow neighborhood-style compact development in areas outside of the Sewer Service Area. As 20,000 square foot lots are needed for adequate septic drainfields, the R20 zoning district is the highest density district able to be allowed for residential development where sewer service is not available. Under the current guidelines, the R20 zoning district is only allowed in Suburban Density Residential areas; there, it is the high end of allowed density. Since some of the county's Designated Growth Areas are located outside of the Sewer Service Area, the current guidelines necessitate allowing Suburban Density Residential areas within them. While this may have been appropriate up to this point, it will conflict with the county's goal of farmland preservation going forward, as it allows densities that are too low to be within areas of designated growth. Thus, the county should amend the document to allow the R20 district within Neighborhood Density Residential areas (which, as discussed in further detail later in this report, should be the only residential type allowing within designated Community Growth and Urban Fringe Areas). Allowing the R20 district will make 20,000 square foot lots the lowest density allowed in Designated Growth Areas, rather than the highest in certain parts of them.

Second, the *Land Use Policies Plan* document itself should include more information about the goals of each classification and what specific types of development are appropriate within each of them. Rather than simply giving the definition of each classification and the location criteria for each, more detailed information on the purpose of each classification should be included to help better guide decisionmakers. For example, the section on the Neighborhood Density Residential classification should tell readers that its purpose is to create compact residential neighborhoods located in the Urban Fringe Area or in Community Growth Areas, rather than simply listing the density parameters, zoning districts, and location criteria for the classification.

Third, redundancy in the document should be removed. As mentioned previously, there are an unnecessary number of commercial development classifications within the document. Most notably, there are five different commercial development classifications described as “shopping centers.” All of these classifications describe very similar developments; they are all auto-oriented commercial developments with large surface parking lots, and they differ only in the number of “anchor” stores and the amount of leasable square footage. The five “shopping center” classifications are: (a) Activity Nodes, focused on commercial activity oriented towards highway travelers and located only at major highway interchanges; (b) Regional Shopping Centers, large shopping centers with two large “anchor” department stores (at the time of the *Land Use Policies Plan*’s adoption, there were no shopping centers in this category in existence in county); (c) Community Shopping Centers, centered around a single “anchor” and fronting two arterial streets; (d) Neighborhood Shopping Centers, centered around a single “anchor” and fronting only one arterial street; and (e) Area Centers, which are primarily located at rural crossroads and centered around a single small convenience or grocery store. The county should consolidate the Regional Shopping Center, Community Shopping Center, and Neighborhood Shopping Center classifications into a single classification, and retain the Activity Node and Area Center classifications as-is.

Finally, information to better help decisionmakers understand and visualize density should be incorporated. In the document’s section on residential development, where density is most important to consider, the section’s introduction should include the aforementioned analogy of an acre being almost exactly equivalent to a football field. Additionally, the appendix of the document should include a section which displays the lot sizes and densities allowed in each zoning district. This will make it easier for decisionmakers to decide whether proposed development fits what is called for in each development classification and whether it is consistent with the county’s goals.

Addressing the Urban-Rural Divide

In order for Cumberland County to preserve its rural character and its agricultural operations, a scenario of “business-as-usual” cannot continue. At the present time, nearly half of the county’s land area is already urbanized, and if large-lot residential development is allowed to encroach into rural areas, most of the county’s farmland will be eaten up. There is space for projected growth to be accommodated while coexisting with agricultural land uses and natural/open space areas, but to effectively do so, there must be intentionality in ensuring that the majority of rural land remains in agricultural use. In keeping with that goal, higher housing densities should be required for almost all new residential developments within the county. If implemented with design standards that ensure that new buildings have a rural aesthetic and “feel” (e.g., front porches on houses), relatively dense residential development can greatly contribute to the preservation of rural areas, not only by allowing jurisdictions to meet their housing needs without eating up vast tracts of land, but also by creating neighborhoods in rural small towns and

villages which beget a tight-knit atmosphere. In this vein, Cumberland County should consider several policies to encourage density for new residential developments and discourage wasteful uses of land such as large-lot subdivisions.

The most impactful strategy which the county should pursue for preventing farmland loss would be to more effectively use the Designated Growth Areas laid out in the *2030 Growth Strategy Map*. All new development should be concentrated within the Urban Fringe Area and the Community Growth Areas, and should be denser than what is currently planned. 20,000 square foot lots should be the maximum lot size within these areas to accommodate as many homes as possible inside them, and any areas currently designated as Suburban Density Residential or Rural Density Residential should be redesignated Neighborhood Density Residential areas. As much of the Designated Growth Areas are outside of the Sewer Service Area, 20,000 square foot lots will be necessary to accommodate drainfields for septic systems. This raises an issue due to the fact that at the current time, for 20,000 square foot lots to be accommodated within the Designated Growth Areas, Suburban Density/Fringe Density Residential must be allowed, as the Low Density/Neighborhood Density Residential classification only allows the R7.5 and R15 zoning districts, and thus cannot accommodate 20,000 square foot lots, which are only allowed in the R20 zoning district. As a result, since the Suburban Density Residential classification allows lots up to one acre (approximately 43,000 square feet) in size, 20,000 square foot lots cannot be accommodated while simultaneously being the largest-size lot allowed. As such, when the *Land Use Policies Plan* document is updated, the redesignated Neighborhood Density Residential classification should be altered to include the R20 zoning district to allow areas outside of the Sewer Service Area to be classified as such and thus prevent lots larger than 20,000 square feet from being allowed within Designated Growth Areas.

Additionally, no land outside of Designated Growth Areas should be rezoned to allow greater residential density. (An exception should be made for several areas classified as Rural Density Residential which already exist outside of Designated Growth Areas, however.) No land not already designated as either Rural Density Residential or Fringe Density Residential, either within or outside of Designated Growth Areas, should be designated as such; these classifications should strictly be used to define existing development. Rezoning any rural or agricultural land for residential use outside of either Designated Growth Areas or existing Rural Density Residential areas should be strictly prohibited.

If development as dense as 2.2 homes per acre (what 20,000 square foot lots roughly equals) is to be allowed in such close proximity to farmland and existing rural towns and villages, the design of these new developments needs to be compatible with these adjacent land uses and have a rural “feel.” Design standards which create a rural “feel” should be required for new residential and commercial developments within Community Growth Areas. These should include not only architectural design standards which are aesthetically pleasing and are designed to mesh with and replicate historic styles of construction, but should also include elements such as street layout and inclusion of sidewalks. Rather than having new homes be laid out along winding streets

ending in culs-de-sac, new residential subdivisions should have streets laid out in a “grid” pattern, replicating traditional small town neighborhoods. Commercial structures in the rural parts of the county should be designed to be aesthetically pleasing and not clash with existing, often historic structures nearby. Furthermore, visual buffering measures, such as treelines along property lines, should be required to help visually separate residential and commercial uses from agricultural uses and to make new development more aesthetically pleasing.

If the county finds the idea of reclassifying all residential areas within Designated Growth Areas to Neighborhood Density Residential undesirable, the county should consider adding open space requirements to new residential subdivisions in the rural parts of the county. Current county ordinances for what the county calls “Conservation Development” (officially “Density Development – Conditional Zoning District” (DD/CZ)) already mandate that 40 percent of the parcel being subdivided remain as open space, with no more than 20 percent of the parcel being a water body. However, there are few areas in the county currently designated as DD/CZ districts. Effectively using this zoning district to preserve farmland will require most new residential development in Rural Areas or Community Growth Areas to be rezoned as DD/CZ rather than any other zoning district. While expanding open space requirements for land being subdivided for residential development will certainly preserve open space and farmland, it will not have the effect of preserving entire farms intact, and thus is the less desirable option for reaching the county’s farmland preservation goal.

Outcome goals for updated policies:

1. Minimize development of existing farmland and other natural, undeveloped land in the county.
2. Provide adequate housing to accommodate projected growth.
3. Replace traditional suburban-style residential development with more compact and rural area/small town compatible neighborhoods for new development.
4. Ensure that new housing and new businesses in close proximity to farmland and to rural communities are built with compatible design standards.
5. Ensure that sewer systems are not overwhelmed and that densities of new housing are appropriate to allow septic systems where necessary.

Recommendations for Update:

1. Location criteria should be updated to prohibit residential development other than Rural Density Residential and commercial development other than Light Commercial classifications outside of designated Urban Fringe and Community Growth areas as defined by the *2030 Growth Vision Map*.
2. The Neighborhood Density Residential classification should be defined as the predominant residential density intended to be within designated Urban Fringe and Community Growth

areas. The Fringe Density Residential and Rural Development Residential classifications should be defined as primarily in existence to define existing development; new development falling within these two classifications should be discouraged throughout the county.

3. Require Neighborhood Density Residential developments to incorporate rural-compatible architectural design standards if located within Community Growth areas. Streets within new Neighborhood Density Residential developments should also be required to roughly follow a grid pattern; winding streets and culs-de-sac should be prohibited.
4. Amend Neighborhood Density Residential classification to allow the R20 zoning district; within this classification, 20,000 square feet will both the minimum and maximum allowable lot size for any R20-zoned land. The purpose of this is to increase density in areas outside of the Sewer Service Area, especially within Community Growth Areas, without requiring sewer service. This will strike a happy medium between preventing strain on the municipal sewer and water system and preventing less-dense development in areas that ought to have at least 2.2 units per acre.
5. Require new residential developments of greater density than Rural Density Residential and new commercial developments adjacent to agricultural land to incorporate visual buffering into their designs to aid transition between residential and agricultural uses.
6. Require new commercial structures in designated Rural Areas (within the Light Commercial classification) to include rural-compatible architectural design standards.

Recommendations for other actions:

1. Update local Future Land Use Maps to include areas of Neighborhood Density Residential within Community Growth Areas. Replace all Fringe Density Residential (current Suburban Density Residential) located within both Urban Fringe and Community Growth Areas with Neighborhood Density Residential.
2. Prevent classification of any further land outside of Urban Fringe and Community Growth Areas as Rural Density Residential, or any other residential classification.
3. Amend subdivision ordinance to prohibit residential lots larger than one acre from being created.

Water, Sewer, Runoff, and Flooding Policies

Several actions should be considered for helping the county mitigate flooding from both stormwater runoff and stream flooding events. First, further restrictions beyond the existing requirements for a Floodplain Development Permit and constructing any structure at 2 feet of freeboard above the base flood elevation in the Special Flood Hazard Area should be considered. This could take the form of outright prohibiting any new structures from being built in the 100-year floodplain, or it could take the form of requiring an additional fee for constructing in the floodplain or preventing rezonings within the floodplain. In any case, the location criteria for all

development, especially residential development, should include the term “discouraged from being located within the Special Flood Hazard Area,” a criterion which is noticeably lacking for all residential development.

With regards to stormwater runoff issues, the county should reinstate the Stormwater Quality program which it participated in through the city of Fayetteville prior to 2008 to cover the unincorporated parts of the county, and should hire an engineer to oversee all stormwater runoff issues. This could be done through the same arrangement as in years prior to 2008, where Fayetteville handled all calls for the entirety of the county, or the county could establish its own stormwater department. As the county grows, this may end up being a necessity, as the State mandates that any counties with over 100,000 residents in their unincorporated area must have a Stormwater Quality program. Furthermore, all site plans should be better scrutinized to avoid design issues which lead to adjacent parcels being flooded.

Finally, with regards to sewer capacity issues, new development on the edges of the sewer service area should be of a low enough density to allow efficient sewer service and avoid overtaxing the system. Furthermore, location criteria for all development outside of the Sewer Service Area, including Neighborhood Density Residential, Fringe Density Residential, and Rural Density Residential, should include requirements for adequate lot sizes to accommodate drainfields (20,000 square feet is generally accepted to be the minimum lot size which will accommodate a drainfield), and should be prohibited from being located on soils not conducive to septic systems, such as hydric soils. These criteria are already implicit in the requirements for most of these types of development (for example, 1 acre lots are the minimum allowable lot size in the Rural Density Residential classification, and so having adequate space for a drainfield is not an issue), but should be explicitly stated. Explicitly stating these requirements will help avoid fruitless rezonings of land unsuitable for residential use.

Recommendations for Update:

1. Further restrict – and consider outright prohibiting – further development within the Special Flood Hazard Area.
2. In location criteria for each development classification, ensure that development outside of the Sewer Service Area meets requirements for allowing septic systems to be installed. This includes ensuring adequate parcel sizes to accommodate drainfields (minimum 20,000 square feet for residential, for example) and prohibiting development on land with soils not conducive to septic systems, such as hydric (saturated) soils or clay-heavy soils. Furthermore, residential development towards the edges of the Sewer Service Area but still within it should be designed to avoid taxing the capacity of the sewer system.

Recommendations for other actions:

1. The county should hire an engineer to oversee site development to ensure that development of new sites does not lead to stormwater runoff entering adjacent parcels.
2. Require developers to account for how stormwater runoff from the property being developed will affect neighboring properties, and require appropriate mitigation measures to be taken to prevent adjacent properties from suffering adverse impacts such as flooding from stormwater runoff originating on the newly-developed property.

Appendix

Tables

Residential Development Types

Name	Zoning Districts Allowed	Purpose	Notes
Urban Core Density Residential	R5	Defined as having a density of 15 or more units per acre. This classification should be oriented towards multifamily development and should have an urban/downtown feel. Should be located within close proximity/walking distance of commercial development.	Strictly for within downtown Fayetteville.
Urban Density Residential	R5A; R6; R6A	Defined as having a density of between six and 15 units per acre. Intended for both multifamily and single-family development, and can consist of mixed use development.	Strictly to be found within Fayetteville city limits.
Neighborhood Density Residential	R7.5; R15; R20	Intended primarily for Designated Growth Areas. Intended for single-family homes with a density of 2.2 to 6 units per acre, designed with traditional neighborhood/small town feel. Sewer access preferred, but septic systems allowed outside of Sewer Service Area. Septic systems require minimum 20,000 ft ² lot size.	Future Land Use Maps should be altered to replace any remaining Fringe Residential or Rural Residential areas within Designated Growth Areas with Neighborhood Residential.

Fringe Density Residential	RR; R20; R20A; R30; R30A	Single-family homes with a density of 1 to 2.2 units per acre. Septic systems allowed, but sewer not prohibited.	Used to describe existing development; new development of this type prohibited.
Rural Density Residential	R40; R40A; A1; A1A	Single-family homes of one unit or less per acre. Septic systems and individual wells required.	Used to describe existing development; new development of this type prohibited.

Commercial Development Types

Name	Zoning Districts Allowed	Purpose	Notes
Light Commercial	C1; C1(P); C2(P)	Uses that provide convenience goods and services for immediate neighborhood. Should be compatible with nearby development, including residential uses, and should serve as a transition between heavy commercial, office & institutional, and residential development.	Rural stores, especially “Mom & Pop” country stores, fall into this category.
Heavy Commercial	C3; C(P); CBD	Uses that provide a wide variety of retail, wholesale and commercial businesses. Must not be adjacent to incompatible uses such as residential or office & institutional development.	
Activity Node	MP; CP; M2	Concentration of non-residential or mixed-use development at interchange of two major thoroughfares/highways. Can include any commercial use; light and heavy industrial/manufacturing uses; large mixed-use developments.	Uses within this classification should primarily be focused on serving highway traffic.
Shopping Center		Auto-oriented commercial center focused around supermarket or department store. Adequate parking to accommodate customers ranging from five minutes’ to one hour’s drive from shopping center,	

		depending upon individual development, must be accommodated in design.	
Area Center		Small shopping center, usually auto-oriented, built around small grocery store or convenience store providing convenience goods for daily living needs.	These should be located in areas where access by automobile is the most practical, such as rural areas and the Urban Fringe area. “Mom & Pop” country stores may be included in this category.

Illustrations: Example New Structures with Rural Character



Newly-constructed home in Warrenton, Virginia's Haiti Street neighborhood, built by Habitat for Humanity. Note the traditional rural design elements such as the large front porch, simple gables, tin roof, and window design. (Photo by Jackson C. Van Ness, March, 2023).

Dollar General store in rural Sumerduck, Virginia, along U.S. Highway 17. Note the rural-compatible architectural elements such as the gabled roof and faux windows, as well as the board fence and landscaping. (Photo by Jackson C. Van Ness, April, 2023).



Dollar General in Panama City, Florida, constructed in 2021. Note the rural-compatible design features including the gabled roof, faux support timbers, vertical siding, and faux window shutters. (Photo by Ebonee Burrell, Panama City News Herald, October, 2021).

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RESIDENTIAL DEVELOPMENT

URBAN CORE DENSITY RESIDENTIAL

Purpose

Urban Core Density Residential is defined as having a density of 15 or more units per acre. This classification should be oriented towards multifamily development and should have an urban/downtown feel, and should be located within close proximity/walking distance of commercial development. Development of this type should be located only within downtown Fayetteville.

Zoning Districts

R5

“A district designed primarily for multifamily dwelling units with a maximum density of 29 units per acre.”

Location Criteria

Requirements:

- Public water and sewer
- Direct access to collector street
- Outside critical areas defined by *Fort Bragg Small Area Study* and *Fayetteville Regional Airport Plan*
- Cannot develop if hydric soils present
- Outside of Special Flood Hazard Area (100-year Flood Area)

Desirable:

- Within walking distance (½ mile) of commercial development
- Within ¼ mile of major or minor thoroughfare
- Within 2 miles of a public recreation area
- May be adjacent to office and institutional or light commercial uses, or within vertical mixed use development
- May be a transition between non-residential and lower density residential areas

RESIDENTIAL DEVELOPMENT

URBAN DENSITY RESIDENTIAL

Purpose

Urban Density Residential is defined as having a density of between six and 15 units per acre. This classification is intended for both multifamily and single family development, and can consist of mixed use development. Development of this type is intended for areas within municipal city limits, especially Fayetteville.

Zoning Districts

R5A, R6, R6A

These districts include a mix of single family and multifamily dwellings. The R5A district is strictly for multifamily, with up to 13½ units/acre; the R6A district allows manufactured homes.

Location Criteria

Requirements:

- Public water and sewer
- Direct access to collector street
- Outside critical areas defined by *Fort Bragg Small Area Study* and *Fayetteville Regional Airport Plan*
- Cannot develop if hydric soils present
- Outside of Special Flood Hazard Area (100-year Flood Area)

Desirable:

- Within walking distance (½ mile) of commercial development
- Within 2 miles of major or minor thoroughfare
- Within 2 miles of a public recreation area
- May be located within vertical mixed use development
- May be a transition between non-residential and lower density residential areas

RESIDENTIAL DEVELOPMENT

NEIGHBORHOOD DENSITY RESIDENTIAL

Purpose

Neighborhood Density Residential is primarily intended for designated Urban Fringe and Community Growth Areas as defined by the *2030 Growth Vision Plan*. This classification is defined as single family homes with a density of 2.2 to 6 units per acre, designed with a traditional neighborhood/small town feel compatible with nearby rural/agricultural uses. As some areas intended for this type of development are outside of the Sewer Service Area, septic systems are allowed when necessary.

Zoning Districts

R7.5, R15, R20

These districts are designed strictly for single family homes, with lot sizes ranging from 7,500 to 20,000 square feet. While the R20 district typically allows lots in excess of 20,000 square feet, R20-zoned parcels within Neighborhood Density Residential areas should not exceed 20,000 square feet so as to fit with the classification's purpose of compact, tight-knit neighborhoods.

Location Criteria

Requirements:

- Direct access to a public street
- Outside critical areas defined by *Fort Bragg Small Area Study*
- Cannot develop if hydric soils present
- Outside of Special Flood Hazard Area (100-year Flood Area)

Desirable:

- Public water and sewer preferred, but septic systems allowed on 20,000 square foot lots
- May be located within mixed use development
- Within 3 miles of a recreation area or facility

RESIDENTIAL DEVELOPMENT

FRINGE DENSITY RESIDENTIAL

Purpose

Fringe Density Residential is defined as consisting of single family homes with a density of 1 to 2.2 units per acre. Septic systems are allowed within this classification, but sewer access is not prohibited. New development of this classification is discouraged.

Zoning Districts

RR, R20, R20A, R30, R30A

These districts are designed for single family homes on lots ranging from 20,000 to 30,000 square feet in size. Class A manufactured homes are allowed in the R20A and R30A districts.

Location Criteria

Requirements:

- Direct access to a public street
- Outside critical areas defined by *Fort Bragg Small Area Study*
- Outside of Special Flood Hazard Area (100-year Flood Area)

Desirable:

- Septic systems are allowed based on soil type and distance from public sewer

RESIDENTIAL DEVELOPMENT

RURAL DENSITY RESIDENTIAL

Purpose

Rural Density Residential is defined as development consisting of single family homes of one unit or less per acre. Septic systems and individual wells are required within this classification. New development of this classification is discouraged except in areas already so designated.

Zoning Districts

R40, R40A, A1, A1A

The R40 and R40A districts are designed for single family homes on 40,000 square foot or larger lots. The A1 and A1A districts are “designed to promote and protect agricultural lands,” with all agricultural uses and compatible commercial and large-lot residential uses allowed. Class A manufactured homes are allowed in the R40A and A1A districts.

Location Criteria

Requirements:

- Individual well and septic system
- Outside of Special Flood Hazard Area (100-year Flood Area)
- Limited to 1 unit per acre maximum in areas with hydric and severe septic tank limitations soils

Desirable:

- Not located in areas that are prime industrial sites
- Allowed within critical areas defined by *Fort Bragg Small Area Study*