

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Cumberland County Joint Planning Board

MINUTES

June 21, 2022

Members Present

Mr. Stan Crumpler – Chairman
Mr. Thomas Lloyd – Vice-Chair
Mr. William Walters
Mr. Gary Burton
Mr. James Baker
Ms. Kassandra Herbert
Mrs. Jami McLaughlin

Members Absent

Mr. Jordan Stewart
Mrs. Susan Moody
Mr. Mark Williams

Others Present

Mr. Rawls Howard
Mr. David Moon
Mr. Christopher Portman
Mrs. Laverne Howard
Mr. Rick Moorefield
County Attorney
Mr. Chancer McLaughlin
Hope Mills Planning Director

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. ABSTENTIONS BY BOARD MEMBERS

There were none.

III. ADJUSTMENTS TO / APPROVAL OF AGENDA

Mr. Howard advised the board that Cases ZON-22-0051 and ZON-22-0047 would be moved to Contested Items.

Mr. Baker made a motion, seconded by Mr. Burton to approve the agenda with the changes. Unanimous approval.

IV. PUBLIC MEETING DEFERRAL / WITHDRAWALS

There were none.

V. APPROVAL OF THE MINUTES OF MARCH 15, 2021

Mr. Burton made a motion, seconded by Mr. Baker to approve the minutes as submitted. Unanimous approval.

VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

Chair Crumpler read the welcome and rules of procedures.

VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

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- A. **Case ZNG-006-22:** Rezoning of 14.87+/- acres from R6A Residential to R5A Residential/CZ Conditional Zoning or to a more restrictive zoning district, located west of Elk Park Drive, on the south side of NC 59 (N Main Street), north of Hunting Ridge Road on REID 0414063928000, submitted by Rodney Sherrill on behalf of Elk Park Development LLC (owner). (Hope Mills)

In ZNG-006-22, the Town of Hope Mills Planning staff recommends approval of the rezoning from R6A Residential to R5A Residential/CZ Conditional Zoning and finds: a. The approval is consistent with the adopted Southwest Cumberland Land Use Plan (2013) map for Medium Density Residential and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the proposed number of units capped at 198 will limit any negative impacts of the surrounding area with respect to increased traffic. c. And this rezoning approval is reasonable and in the public interest because the site has access to public utilities, will allow a density in harmony with existing surrounding zoning and will be in line with existing surrounding uses.

In ZNG-006-22, Mr. Baker made a motion, seconded by Mr. Lloyd to recommend approval of the rezoning from R6A Residential to R5A Residential/CZ Conditional Zoning and finds: a. The approval is consistent with the adopted Southwest Cumberland Land Use Plan (2013) map for Medium Density Residential and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the proposed number of units capped at 198 will limit any negative impacts of the surrounding area with respect to increased traffic. c. And this rezoning approval is reasonable and in the public interest because the site has access to public utilities, will allow a density in harmony with existing surrounding zoning and will be in line with existing surrounding uses. Unanimous approval.

- B. **Case ZNG-008-22:** Rezoning of 7.36+/- acres from C(P) Planned Commercial & O&I(P) Office and Institutional to C(P) Planned Commercial/CZ Conditional Zoning & O&I(P) Office and Institutional/CZ Conditional Zoning or to a more restrictive zoning district, located at the northeastern intersection of S. Main Street and E. Patterson Street, south side of Lakeview Road on REID 0414646657000, submitted by Town of Hope Mills (agent) on behalf of Town of Hope Mills (owner). (Hope Mills)

In ZNG-008-22, the Town of Hope Mills Planning staff recommends approval of the rezoning request from the C(P) Planned Commercial & O&I(P) Office & Institutional to the C(P) Planned Commercial/CZ Conditional Zoning & O&I(P) Office and Institutional/CZ Conditional Zoning districts and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Open Space" and "Mixed Use" as park development is recommended in this area. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning.

In ZNG-008-22, Mr. Baker made a motion, seconded by Mr. Lloyd to recommend approval of the rezoning request from the C(P) Planned Commercial & O&I(P) Office & Institutional to the C(P) Planned Commercial/CZ Conditional Zoning & O&I(P) Office and Institutional/CZ Conditional Zoning districts and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Open Space" and "Mixed Use" as park

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development is recommended in this area. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning. Unanimous approval.

- C. **Case ZNG-009-22:** Rezoning of 10.08+/- acres from RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific requested allowed uses to RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific requested allowed uses or to a more restrictive zoning district; located at 4221 Black Bridge Road on REIDs 0403872458000; submitted by Charlotte and Thurston Robinson (agent) on behalf of Charlotte and Thurston Robinson (owner). (Hope Mills)

In ZNG-009-22, the Town of Hope Mills Planning staff recommends approval of the rezoning request from the RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific requested allowed uses to RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific requested allowed uses and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Medium Density Residential" and "Suburban Residential" as recreational development is recommended in this area. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning.

In ZNG-009-22, Mr. Baker made a motion, seconded by Mr. Lloyd to recommend approval of the rezoning request from the RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific requested allowed uses to RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific requested allowed uses and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Medium Density Residential" and "Suburban Residential" as recreational development is recommended in this area. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning. Unanimous approval.

- D. **Case ZNG-010-22:** Initial zoning of 82.50+/- acres to R5 Single Family and C2(P) Planned Service and Retail or to a more restrictive zoning district, located 655 feet east of the intersection of Rockfish Road and Waldos Beach Road and 560 feet west of the intersection of Camden Road and Wipperwill Drive on REIDs 9494961873000, 9494863275000, 9494765995000, & 9494951997000, submitted by Trae Livick (agent) on behalf of Barbara M Johnson Heirs (owner). (Hope Mills)

In ZNG-010-22, the Town of Hope Mills Planning staff recommends approval of the initial zoning request to the R5 Single Family and the C2(P) Planned Service and Retail districts and finds that although the request is not consistent with the Southwest Cumberland Land Use Plan (2013) designation the economic and regional impact of the proposed development fits within the vision and long term outlook of the area. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning.

In ZNG-010-22, Mr. Baker made a motion, seconded by Mr. Lloyd to recommend approval of the initial zoning request to the R5 Single Family and the C2(P) Planned Service and Retail districts and finds that although the request is not consistent with the Southwest Cumberland Land Use Plan (2013) designation the economic and regional impact of the

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proposed development fits within the vision and long-term outlook of the area. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning. Unanimous approval.

- E. **ZON-22-0046:** Rezoning from A1 Agricultural District to R20 Residential District or to a more restrictive zoning district on 1.40 +/- acres; located at 654/658 Magnolia Church Road, submitted by Todlen Enterprises I LLC (owner/applicant).

In Case ZON-22-0046, the Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to R20 Residential District. Staff finds the request is consistent with the Stedman Land Use Plan which calls for "Suburban Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-22-0046, Mr. Baker made a motion, seconded by Mr. Lloyd to recommend approval of the rezoning request from A1 Agricultural District to R20 Residential District. Staff finds the request is consistent with the Stedman Land Use Plan which calls for "Suburban Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

- F. **ZON-22-0049:** Rezoning from RR Rural Residential District, A1 Agricultural District, and M1(P) Planned Light Industrial District to A1 Agricultural District or to a more restrictive zoning district on 32.88 +/- acres; located at 480 N. Plymouth Street; submitted by Roman & Cynthia Price (owners/applicant).

In Case ZON-22-0049, the Planning and Inspections staff recommends approval of the rezoning request from RR Rural Residential District, A1Agricultural District and M1(P) Planned Light Industrial District to A1 Agricultural District. Staff finds the request is not consistent with the Eastover Area Land Use Plan which calls for Suburban Density Residential at this location. However, staff further finds that: A. Approval is an amendment to the adopted, current Eastover Area Land Use Plan; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request, B. The request would promote larger lots sizes than what the plan calls for, and C. The request is reasonable and in the public interest because the uses allowed in the A1 Agricultural District would be compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-22-0049, Mr. Baker made a motion, seconded by Mr. Lloyd to recommend approval of the rezoning request from RR Rural Residential District, A1Agricultural District and M1(P) Planned Light Industrial District to A1 Agricultural District. Staff finds the request is not consistent with the Eastover Area Land Use Plan which calls for Suburban Density Residential at this location. However, staff further finds that: A. Approval is an amendment to the adopted, current Eastover Area Land Use Plan; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request, B. The request would promote larger lots sizes than what the plan calls for, and C. The request is reasonable and in the public interest because the uses allowed in the A1 Agricultural District would be compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

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VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

- G. **Case ZNG-007-22:** Rezoning of 0.34+/- acres from C1(P) Planned Local Business to C(P) Planned Commercial or to a more restrictive zoning district; located at 3419 N. Main Street on REIDs 0414368779000; submitted by Charlie Gardner (agent) on behalf of Gardner Assets, LLC (owner). (Hope Mills)

Mr. Chancer McLaughlin, Hope Mills Planning Director, presented the case information and photos.

In Case ZNG-007-22, the Town of Hope Mills Planning staff recommends denial of the rezoning from C1(P) Planned Local Business to the C(P) Planned Commercial District although the staff finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial" as the C(P) district allows for retail and commercial businesses. Denial of the request is reasonable and in the public interest as the proposed use would not be in harmony with the overall surrounding area and does not comply with the locational criteria for the C(P) district that indicates that uses under this district should not be located in an area that is predominately light commercial or office & institutional.

Mr. McLaughlin stated that to constitute a harmonious and convenient retail shopping area, the applicant proposes to develop the site as a car dealership. The Southwest Land Use Plan calls for heavy commercial at this location and this request is in compliance with that land use recommendation. The immediate properties to the immediate east, west and south are zoned under C1(P) district, you have some residential zoned areas to the north. The area that you see to the south, west is zoned R 10, which is R 75. You have some O/I and some C(P) in the area as well. There are no hydric soils or hydric inclusive soils on the subject property. The Southwest plan designates this under the heavy commercial district, the request is in compliance with this. Mr. McLaughlin reminded the Board that the staff was recommending denial for this request.

Mr. Crumpler asked what the primary reason for denial was.

Mr. McLaughlin stated that there is already commercial use on it, but the proposed use of a car dealership is just not something that the Town felt is conducive to this particular area of Hope Mills, it's a pretty busy intersection and we just feel that this particular use wouldn't be something that we feel would be in harmony with what we're looking for in the area.

Mr. Lloyd asked if there was enough room there for a car dealership.

Mr. McLaughlin said if you look back at the site, the building is pushed towards the back corner, that's probably where you will see the cars displayed. I'm not sure if that's the best location for it. He has had extensive conversations with the applicant and let them know that it's probably going to be an uphill battle for it, but this particular use is just something that just a little bit tough of a sell for that particular use at that location.

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Mr. McLaughlin went on to say that car dealerships are not allowed under the existing zoning, which is why they're pushing forward with that. So, because this is an area that's in transition, from commercial to a neighborhood in the back, we feel that the current, structure and something utilizing that building as a business is more suitable because if you're going to CP, you're looking for shopping center type developments under that requested zoning. That doesn't mean that that's what we are asking for. That typically would be only allowed another requested zoning, not under the current zone.

Mr. Howard advised that there was one person signed up to speak in favor.

Public meeting opened.

Mr. Charles Gardner spoke in favor. He stated that since acquiring this property, it's been leased to two different tenants. Both of which have run a salon, actually the same salon. One just took over for the other. They purchased a former church, the Highland Baptist church by the lake on main street and were successful in getting a church rezoned to a zoning classification that would allow them to conduct their business and they moved their salon operation there. Since they have left the property's been vacant. He's received countless phone calls from prospective tenants. And out of all the calls, the vast majority of them were for uses that would require rezoning from C1(P) to CP. Mr. McLaughlin spoke about what they're typically looking for in a C(P) zoning district being a strip mall of sorts. A lot of the calls I received were from trade contractors, plumbing, plumbers, HVSE repair carpenters, electricians. You don't typically see them in a shopping center or a strip mall. However, that's a zoning designation required for those businesses to be a CP. That's when I started thinking about getting this rezoned.

Mr. Gardner went on to say that he feels it would be in harmony with the surrounding area. Where the car dealership will directly next door to an insurance agency. Two doors down from a car wash in less than 800 feet from a car wash and a DMV license plate agency, it would be incredibly harmonious with a surrounding area, and have zero negative impact on the surrounding residents and businesses.

Mr. Gardner asked the board to consider the request for approval.

Public meeting closed.

Mr. Lloyd asked Mr. McLaughlin if there were some uses that Hope Mills wants to list and if car dealerships were one of the uses.

Mr. McLaughlin stated that was correct, we are in the process of exploring the creation of overlay districts and Hope Mills, because over the last year we've seen a trend of a saturation of, of certain uses like, oil loop establishments, vape shops, tobacco stores, and one of the uses that the board had expressed an interest in limitations in new and used car dealerships. The Board has set a public hearing for the 18th of July to move forward with a full moratorium that would put a period of six months in place where five to six particular uses will no longer allow while we work on the legislation for overlays. And one of those uses is a car dealership. This would not apply to Mr. Gardner because he filed his case prior to that happening.

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Mr. Gardner spoke in rebuttal and said that he appreciated Mr. McLaughlin pointing out that, his case would not be considered under those guidelines because it was applied for before that public hearing is even to take place. Mr. Gardner pointed out where there were a few car dealerships and disagreed that the area was saturated with them.

In Case ZNG-007-22, Mr. Crumpler made a motion, seconded by Mr. Baker to recommend denial of the rezoning from C1(P) Planned Local Business to the C(P) Planned Commercial District although the Board finds the request is consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial" as the C(P) district allows for retail and commercial businesses. Denial of the request is reasonable and in the public interest as the proposed uses would not be in harmony with the overall surrounding area and does not comply with the locational criteria for the C(P) district that indicates that uses under this district should not be located in an area that is predominately light commercial or office & institutional. Unanimous approval.

- H. **ZON-22-0050:** Rezoning from R6 Residential District to C(P) Planned Commercial District or to a more restrictive zoning district on 0.22 +/- acres; located at 809 Katie Street; submitted by Rudy McMillian (applicant) on behalf of Majestic Mobility, LLC (owner).

Mr. Christopher Portman presented the case information and photos.

In Case ZON-22-0050, the Planning and Inspections staff recommends denial of the rezoning request from R6 Residential District to C(P) Planned Commercial District. Staff finds the request is not consistent with the Southwest Cumberland Area Land Use Plan which calls for "Mixed Use Development" at this location. Staff also finds that the request is not reasonable and not in the public interest as it is not compatible to and in harmony with the surrounding land use activities and zoning.

Mr. Howard stated that staff's recommendation was based on the intensity of uses allowed in the C(P) district given the surrounding development patterns and street network. Mr. Howard stated that staff would not have a problem with an alternative recommendation to O&I Office and Institutional District to mitigate staff's concerns. He went on to explain that the applicant sent an email stating that he was okay with the request being changed to the O&I zoning district since it does allow for office uses. If the Board deemed O&I as an acceptable alternative recommendation and since it is a more restrictive district, staff could support this direction.

There was one person present to speak in favor.

Public meeting opened.

Mr. Rudy McMillan spoke in favor. Mr. McMillan stated that he owned a family business and believes in preserving areas. He wants to make the building an office building and rent it out as investment property. He also stated he did not have a problem with the alternative recommendation to O&I.

In Case ZON-22-0050, Mr. Lloyd made a motion seconded by Mrs. McLaughlin to recommend denial of the rezoning request from R6 Residential District to C(P) Planned Commercial District. The Board finds the request is not consistent with the Southwest Cumberland Area

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Land Use Plan which calls for “Mixed Use Development” at this location. The Board also finds that the request is not reasonable and not in the public interest as it is not compatible to and in harmony with the surrounding land use activities and zoning. However, the Board does recommend approval for rezoning to the O&I Office and Institutional District. Unanimous approval.

- I. **ZON-22-0052:** Rezoning from RR/CZ Rural Residential Conditional Zoning District to R6A Residential District or to a more restrictive zoning district on 7.50 +/- combined acres; located at 106 Buckner Street; submitted by Gary Futch (applicant) on behalf of Carolyn, Steven, and Larry Strawbridge, Tracey Roberts, and Wesley Carroll (owners).

Mr. Moon presented the case information and photos.

In Case ZON-22-0052, the Planning and Inspections staff recommends denial of the rezoning request from RR Rural Residential Conditional Zoning District to R6A Residential District. Staff finds the request is not consistent with the Vander Area Land Use Plan which calls for “Suburban Density Residential” at this location. Staff also finds that the request is not reasonable and in the public interest as it is not compatible to and in harmony with the surrounding land use activities.

Mr. Crumpler said that they changed the zoning so they could do the RV park in there, and now they want to go back to a mobile home park.

Mr. Howard stated that staff was “on the fence” with their recommendation. The primary reason for leaning to a denial recommendation was that the land use plan process and input received during its draft contemplated not adding or expanding more manufactured home uses in the area.

Mr. Lloyd said that staff was on the fence because you could easily argue that there is R6 all around it, and the way staff was looking at it, it was about plan compliancy and there is water and sewer out there.

Public meeting opened.

Mr. Gary Futch spoke in favor. They would like to have a mobile home park which is what it was before it was rezoned as an RV Park, they are trying to get a buyer who will provide low-income housing and they will need to meet all of the current guidelines such as paving the roads.

Public meeting closed.

Mr. Crumpler asked Mr. Futch how much they were going to do in there to get this to be a neighborhood.

Mr. Futch said he really wasn’t sure about how many homes they were going to try and do. But he does know that every home they put in will be a brand-new modular home and will provide affordable housing for the area.

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In Case ZON-22-0052, Mr. Lloyd made a motion, seconded by Ms. Herbert to recommend approval of the rezoning request from RR Rural Residential Conditional Zoning District to R6A Residential District. The Board finds the request is consistent with the Vander Area Land Use Plan which calls for "Suburban Density Residential" at this location. The Board also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities. Unanimous approval.

- J. **ZON-22-0047:** Rezoning from A1 Agricultural District to R40 Residential District or to a more restrictive zoning district for 35.83 +/- acres; located adjacent to Wade Stedman Road and Royal Williams Road; submitted by M.A.P.S. surveying LLC Michael Adams (applicant) on behalf of Wayne T. Younts Realty & Construction Inc (owner).

Mr. Christopher Portman presented the case information and photos.

In Case ZON-22-0047, the Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to R40 Residential District. Staff finds the request is consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Public meeting opened.

There were people signed up to speak in favor and in opposition.

Mr. Michael Adams spoke in favor. Mr. Adams stated that phase one has been built and they are working on the engineering plan of phase two, he is building a DOT road. They are requesting the rezoning to get five more lots to offset the cost of building the road.

Mr. Burton said that the land looks flat and asked Mr. Adams what they planned on doing with the water.

Mr. Adams pointed out a pond that the water would drain and then it would go to a creek and drain to the southwest.

Mr. Baker said that he lived in that area and if there is a significant rain, Bonita Farms area is under several inches of water and the water extends out over Wade Stedman Road. Mr. Baker said he had concerns about the one pond being sufficient to protect the road.

Mr. Lloyd said the County is flat everywhere, especially east of the river. If there's a problem with storm water in these developments, when you have good soil, then the county shouldn't have turned the storm water review over to the state. I'm not arguing that there's not a problem, but everywhere east of there is flat. So, if we continue to hear storm water is an issue. Every time we have an occurrence, then the issue to me, isn't the county. The issues are with the engineering and who's reviewing these plans, that's where the issue should be. And if we continue to turn down cases that are consistent with an area plan that's been adopted, then the bigger issue is we should start asking the county or get somebody from the state in here to explain to us why there's so many issues in some divisions that they are approving.

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Mr. Baker said that this is vacant farmland. It has been vacant. The applicant slash developer is also already the owner. No owner can be forced to use farmland as farmland. I think we all understand that. Our concern is simply that his preferred use of the land does not impact everybody else in the area, outside his property.

Mr. Lloyd said that he understood that, but there are many farmers that will say that their land is their retirement. Mr. Lloyd said that his point was that the storm water issue was thrown out there as a blanket way for us to deny, when we don't have enough data to say, there's going to be, we have the data. The data's available as to whether this soil is good to develop on.

Mr. Baker said he would like to see the applicant present a detailed plan for water retention or diversion.

Mr. Crumpler said that he knows this particular piece of property and it is sandy, and it can be graded to where you can get rid of what water is there.

After further discussion the board wanted to hear from the opposition.

Ms. Ellen Starling spoke in opposition. Ms. Starling stated that she lived right behind the field, she said that she is on the back end of the flooding and it's not as flat as you think, the water goes directly down the road and then it puddles off and does not go towards that pond at all. She said it goes directly into her land, then it will trickle down to her father's land, and this is with regular rain. Ms. Starling thinks that adding an additional five houses will cause a lot more issues.

Ms. Robin Bridges spoke in opposition and presented pictures of Bonita Farms when it floods. Ms. Bridges said that if the rezoning is approved it would have considerable impact on traffic, infrastructure, and all sorts of things like that. Ms. Bridges pointed out items in the Land Use Plan that the rezoning does not meet and wants uses that are compliant with the area.

Mr. Baker asked if they could require the applicant to come back later to address some of the concerns expressed here tonight.

Mr. Howard pointed out that the applicant can bring a plan, but there's nothing binding on it because this is a conventional zoning request. If this was a conditional zoning request, you can have the authority to tie the request to your approvals, and of course he can bring something in and he can let you see it, but just know that if it is zoned as a conventional district, there's nothing that ties the applicant into anything they submit to you at this stage.

Mr. Lloyd said that he agrees that there are problems in all of these areas and wishes that they knew how to address it.

Public meeting closed.

Mr. Lloyd asked Mr. Adams if there was a way to grade the land to alleviate some of the problems.

Mr. Adams said he would assume so.

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In Case ZON-22-0047, Mr. Lloyd made a motion, seconded by Mrs. McLaughlin to recommend approval of the rezoning request from A1 Agricultural District to R40 Residential District. The Board finds the request is consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. The Board also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. The motion to approve passed with Mr. Burton, Mr. Walters, and Mr. Baker voting in opposition.

- K. **ZON-22-0051:** Rezoning from A1 Agricultural District to RR Rural Residential District or to a more restrictive zoning district on 0.55 +/- acres; located at 5855 State Road; submitted by Robert McLean (applicant) on behalf of Marcus McLean (owner).

Mr. Moon presented the case information and photos.

In Case ZON-22-0051, the Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to RR Rural Residential District. Staff finds the request is not consistent with the South-Central Area Land Use Plan which calls for "Low Density Residential" at this location. However, staff also finds that: A. Approval is an amendment to the adopted, current South-Central Area Land Use Plan; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request, B. The request would promote larger lots sizes than what the plan calls for, and C. The request is reasonable and in the public interest because the uses allowed in the RR Rural Residential District would be compatible to and in harmony with the surrounding land use activities and zoning.

There were three people signed up to speak in opposition.

Public meeting opened.

Ms. Deitra Hoggard spoke in opposition. Ms. Hoggard stated that she wants the property to remain zoned Agricultural. Everyone in that area are all the original homeowners who are a tight knit group. Their homes are their most valued assets and to rezone the lot as residential and furthermore allow a manufactured home to be built would naturally undermine the current values of their homes and land.

Mr. Lloyd advised Ms. Hoggard that with the current zoning the applicant could put a mobile home on the property.

Ms. Hoggard said she found that out before signing up to speak. She said that she had not seen anywhere else where manufactured homes would be set beside a custom stick-built home. Ms. Hoggard said that she didn't think it was allowed because the depreciation of the value would prevent that from happening.

Ms. Angela Griffin spoke in opposition. Ms. Griffin stated that she and her sisters want any homes that are placed there to be compatible with the homes that are currently there.

Ms. Anne Ferguson spoke in opposition. Ms. Ferguson stated she owned the property next door to the subject property. Ms. Ferguson said she was opposed to the rezoning because this has always been a gardening spot and is hoping that they don't move a manufactured home in. Ms. Ferguson

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feels that a manufactured home will bring the value of her property down as well as the others on her street.

Public meeting closed.

In Case ZON-22-0051, Mr. Lloyd made a motion, seconded by Mr. Baker to recommend approval of the rezoning request from A1 Agricultural District to RR Rural Residential District. The Board finds the request is not consistent with the South-Central Area Land Use Plan which calls for "Low Density Residential" at this location. However, the Board also finds that: A. Approval is an amendment to the adopted, current South-Central Area Land Use Plan; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request, B. The request would promote larger lots sizes than what the plan calls for, and C. The request is reasonable and in the public interest because the uses allowed in the RR Rural Residential District would be compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

IX. OTHER ITEM

- L. **ZON-22-0034:** Text Amendment to the Cumberland County Zoning Ordinance, Article 13 and a series of related Sections to update and revise sign regulations, standards, and definitions and to establish a new Article 18, Enforcement, pertaining to violations of the Zoning Ordinance; submitted by Cumberland County Planning & Inspections Dept. (applicant).

In Case ZON-22-0034, the Planning & Inspections staff recommends approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the County's sign or enforcement regulations, a current ordinance that is in compliance with Federal and State law allows the department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the County. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards, review processes, and enforcement procedures for the public.

Mr. Howard advised the Board they sent out letters to seven or eight of the top sign companies, within the city of Fayetteville area that do the most business here. There was a small, but very vocal turnout at the subcommittee meeting and as a result, we did make a couple of modifications to the sign ordinance.

Mr. Howard briefly went over the project background and the modifications that were made after the meeting with the sign companies.

In Case ZON-22-0034, Mr. Crumpler made a motion, seconded by Mr. Lloyd to recommend approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the County's sign or enforcement regulations, a current ordinance that is in compliance with Federal and State law allows the department to continue to provide efficient

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Cumberland County Joint Planning Board

and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the County. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards, review processes, and enforcement procedures for the public. Unanimous approval.

X. DISCUSSION

- **INTRODUCTION ON NEW STAFF**

Mr. Howard introduced new Senior Planner Frank Hall.

- **SUBDIVISION ORDINANCE UPDATE – ZERO LOT LINE**

Mr. Howard advised the Board that the Land Use Codes Committee will be working on this with a consultant and include the stakeholders that want to be a part of the process to provide input.

- **NOMINATIONS COMMITTEE**

Mr. Howard said it was time for the committee to meet to elect new officers. The committee will meet before the July Planning Board meeting.

There being no further business, the meeting adjourned at 8:24 p.m.