

LEE COUNTY PLANNING BOARD

REGULAR MEETING

MONDAY, JULY 20, 2020, 6:00 PM

Dennis A. Wicker Civic and Conference Center, 1801 Nash Street, Sanford, NC 27330

Change of venue due to the safety precautions / social distancing requirements implemented in response to the COVID-19 (Coronavirus) pandemic.

CALL TO ORDER – 6:00 PM (or after all of the public hearings have been held with the Lee County Commissioners)

Introduction by Chairman: The Lee County Planning Board is an advisory council on matters relating to land development and long-range planning and provides recommendations to the Lee County Board of Commissioners. All information relevant to each case should have been presented during the public hearing. The Planning Board may ask for clarification of information received during the public hearing, but may not receive new information. Recommendations made this evening will be presented to the Lee County Board of Commissioners for consideration on August 17, 2020 and action may or may not be taken at that time per the discretion of the Commissioners.

Please be aware that the rezoning application for land off of Rocky Fork Church Road was withdrawn and will therefore not be discussed this evening.

A. APPROVAL OF AGENDA

B. APPROVAL OF MINUTES – February 17th and March 16th, 2020

D. DISCLOSURE OF CONFLICT OF INTEREST

E. ELECTION OF A CHAIR & VICE-CHAIR

F. OLD BUSINESS - None

G. NEW BUSINESS

PUBLIC HEARING WITH THE LEE COUNTY BOARD OF COMMISSIONERS TO CONSIDER THE FOLLOWING ITEMS:

1. REZONING APPLICATION

Application by Charles Ray Riddle to rezone one vacant 1.92 ± acre tract of land with frontage on Riddle Road, adjoining 141 Riddle Road to the east and opposite 272 and 332/340 Riddle Road, **from Highway Commercial Conditional Use (HC-CU) to Residential to Agricultural (RA)**. The subject property is identified as Tax Parcel 9654-21-2766-00 as depicted on Lee County Tax Map 9654.03.

2. REZONING APPLICATION

Application by Sandhills Partnership to rezone two adjoining tracts of land totaling 4.86 +/- acres developed with a house addressed as 6400 Old Jefferson Davis Hwy and a mobile home park addressed as 15, 25, 35, 45, and 65 Azalea Lane, formerly known as the Wilbur R. Stephens Mobile Home Park, **from Residential Agricultural (RA) to Azalea Lane Conditional Zoning District, with the intent being to expand an existing mobile home park via a site plan specific conditional zoning district**. The subject property identified as 9528-93-8685-00 and 9528-93-6769-00 as depicted on Lee County Tax Map 9538 and 9528.

3. MAJOR SUBDIVISION PRELIMINARY PLAT (No public hearing required)

Review of the Moncure Hills Subdivision preliminary plat, a 50-lot residential subdivision off of Lower Moncure Road. The subject property is two tracts of land totaling 62.44 acres identified as Lee County tax parcels 9653-33-8524-00 and 9653-43-4100-00 as depicted on Lee County Tax Map 9643.14 and 9653.04. Most of the subject property is located within the City of Sanford's ETJ (Extraterritorial Jurisdiction), with approximately 6 acres in the northeastern corner being within the jurisdiction of Lee County.

H. OTHER BUSINESS - None, unless added by the board.

I. ADJOURNMENT



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

- Applicant Name: Charles Ray Riddle
- Applicant Address: 3068 Valley Rd. Sanford NC 27330
- Applicant Telephone: 919-343-8509
- Name and Address of Property Owner(s) if different than applicant:

- Location of Subject Property: Riddle Rd
Lee Co. P.I.N. 9654-21-2766-00
- Total Area included in Rezoning Request: 1.9 Acres
- Zoning Classification: Current: HC-CU Requested: Residential
- Existing Land Use(s): Vacant
- Reason(s) for Requesting a Zoning Map Amendment (Rezoning): HC - CU has limited the ability to sell the property It is now under contract for a residential home
- Signature(s) of Applicant (and Property Owners if different from Applicant).

I hereby acknowledge that the information contained herein is true. It is further understood that this application will be reviewed for completeness and accuracy and that it shall not be scheduled for official consideration until all required contents are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.

<i>Charles Ray Riddle</i>	dotloop verified 02/23/20 10:02 AM EST GTT1-GOYF-EDLH-RHQ		
Signature of Property Owner(s) (Sign & Print)		Date	

Required Attachments/Submittals

- A completed rezoning application (incomplete applications/submittals will not be accepted or processed).
- A copy of a current Lee County Tax Map illustrating the location of the area to be rezoned. If the exterior boundary of the area to be rezoned does not follow along existing property boundaries, then the applicant shall be required to submit a metes and bounds (legal) description describing the area requested for rezoning.
- A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
- A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
- *If the requested rezoning is for a Conditional Zoning District, a Supplemental Application for Conditional Zoning District must also be included, along with an additional \$250.00 fee (\$750 total fee for Conditional Zoning).
- Typically, the submission deadline is the first day of each month at 12:00pm/noon for the rezoning to be heard the following month. Specific dates provided upon request.

STAFF USE ONLY

Date Received: Prior to April 2020 deadline. Fee Paid: \$500.00 Application No.: _____

Staff Signature: _____ Energov Case No.: ZMA-0016862020

LEE COUNTY BOARD OF COMMISSIONERS AND PLANNING BOARD
PUBLIC HEARING INFORMATION
July 20, 2020

APPLICATION# 2020-0701 TO AMEND THE SANFORD ZONING MAP

Applicant & Owner: Charles Ray Riddle
Request: Rezone from Highway Commercial-Conditional Use (HC-CU) to Residential Agricultural (RA)
Location: (Vacant) Riddle Road, Sanford, NC 27330
Township: East Sanford
Tax Parcel: 9654-21-2766-00
Adjacent Zoning: North: Residential Agricultural (RA)
South: Residential Agricultural (RA)
East: Residential Agricultural (RA)
West: Residential Agricultural (RA)

Introduction: Planning staff has received a rezoning application from Mr. Ray Riddle to rezone his property back to Residential Agricultural (RA) to allow for the subject property be used in a residential manner. Specifically, someone is interested in purchasing the property to develop with a single-family dwelling, which the current Highway Commercial-Conditional Use (HC-CU) does not allow. The property was rezoned from RA to HC-CU in 1992 at the request of Mr. Riddle to allow the development of a welding shop. The project did not move forward and the tract of land remains vacant. Mr. Riddle no longer plans to pursue the development of a welding shop at this location; therefore, he has submitted a rezoning request asking that the land be rezoned back to RA to allow a residential use that would be in harmony with the surrounding zoning and land uses in the area.

Site and Area Description: The subject property is a 1.92 ± acre vacant tract of land with no assigned address and identified as Lee County Tax Parcel 9654-21-2766-00. It is located in northeastern Lee County, on the north side of Riddle Road, approximately 1,250ft from the intersection of Colon Road between Colon Road and Judy Ann Lane.

Surrounding Land Uses: North and west of the site is a 10.3 acre tract of land zoned RA that is developed with a house addressed as 141 Riddle Road. East of the site is 211 acre vacant wooded tract of land zoned RA. South of the site, opposite Riddle Road, is a 1.5 acre tract of land zoned RA that is developed with a house addressed as 272 Riddle Road and a 2.5 acre tract of land zoned RA that is developed with a house addressed as 332 Riddle Road.

Zoning District Information

Existing Zoning: The subject property is currently zoned Highway Commercial-Conditional Use (HC-CU), which was approved in 1992 to allow Mr. Riddle to construct a welding shop on site. The application and meeting minutes from 1992 state that there was an existing house on site that would be removed and a welding shop for Riddle Welding Company would be constructed on site. Mr. Riddle indicated that the existing business had two employees and was currently located on land on the opposite side of the road. He wanted his business to be on land that he owned and that it would not adversely

affect the neighborhood. The rezoning was approved with no additional conditions per the information on file.

Proposed Zoning: The proposed zoning of Residential Agricultural (RA) zoning district, which is established to provide areas for low density single family uses, low intensity agricultural operations as well as agri-business and supportive industrial and commercial uses. Industrial operations are not permitted unless they clearly support an agricultural use. RA zoning protects and preserves valuable agricultural areas, implements agricultural protection zoning, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, sets maximum permissible densities or new zoning districts, defines specific areas for rural commercial uses, and identifies areas appropriate for agricultural preservation. The dimensional requirements include a minimum lot width of 100 feet, a minimum lot depth of 150 feet, a minimum lot size of 40,000 square feet, with principal building setbacks of 30 feet from the front property line, 30 feet from the rear property line, and 15 feet from the side property lines, with a maximum building height of 40 feet.

Examples of uses permitted by right within the RA zoning district include single-family detached homes (site-built, modular, and manufactured/mobile homes), religious complexes churches, schools, animal and crop production, forestry, stables and riding academies, and in-home daycares for children & adults. There is a list of permitted uses for this zoning district included within your agenda for your reference.

Overlay Districts & Area Plans

Long Range Plan: The *Plan SanLee* land use plan identifies the future land use place type for this tract of land as “Suburban Neighborhood”, which has the following characteristics:

- Residential areas on the outskirts of a core urbanized area
- Facilitates large scale development of single-family residential
- Walkable, with high degree of transportation connectivity between neighborhoods
- Local example: Westlake Valley neighborhood in Sanford

Land use designations include forests, undeveloped open space, schools, churches, neighborhood parks, as well as detached and attached single-family dwellings. Forms of transportation include automobiles (vehicular connectivity is encouraged in new development) that share the roads with pedestrian uses like sidewalks, off-street trails, transit and commercial area connections. Also included in transportation is on-street bike lanes and off trail bicycle systems, and public transit. The current zoning districts are residential single-family (R-20, R-14, R-12SF, and R-12). The maximum development density is four to seven units per acre with moderate building setbacks and a 35ft height limit. Utility infrastructure is public water and public wastewater. The preferred character is interconnected curvilinear streets, 600ft block lengths, curb & gutter with sidewalks, and street trees.

Local Overlay District Notes: Per GIS, the subject property is located within the Watershed Conservation Overlay District, specifically the Cape Fear Lee County Watershed Protected Area. A watershed is a basin-like landform delineated by ridgelines that descend into lower elevations that carries rain water from the land into soils, ground waters, creeks, and streams, eventually making its way to larger rivers and the ocean. Development within this area is allowed, but there are maximum density and built upon area requirements designed to ensure the health of the watershed. All proposed development must comply with the UDO watershed regulations. The construction of a house with associated improvements on an existing lot of record would be allowed and staff has reviewed a proposed site plan for the development of this lot that does comply.

The subject property is not located within an established Flood Hazard Area / floodplain.

The following is a general note included with all rezoning requests: Sanford, Lee County, and Broadway do not have local grading permits and rely on the NC Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program via mail 1612 Mail Service Center, Raleigh, NC 27699-1612, via phone at 877-623-6748 or visit the NCDEQ website at <http://deq.nc.gov>. The physical address of the office is 217 W. Jones Street, Raleigh, NC 27603.

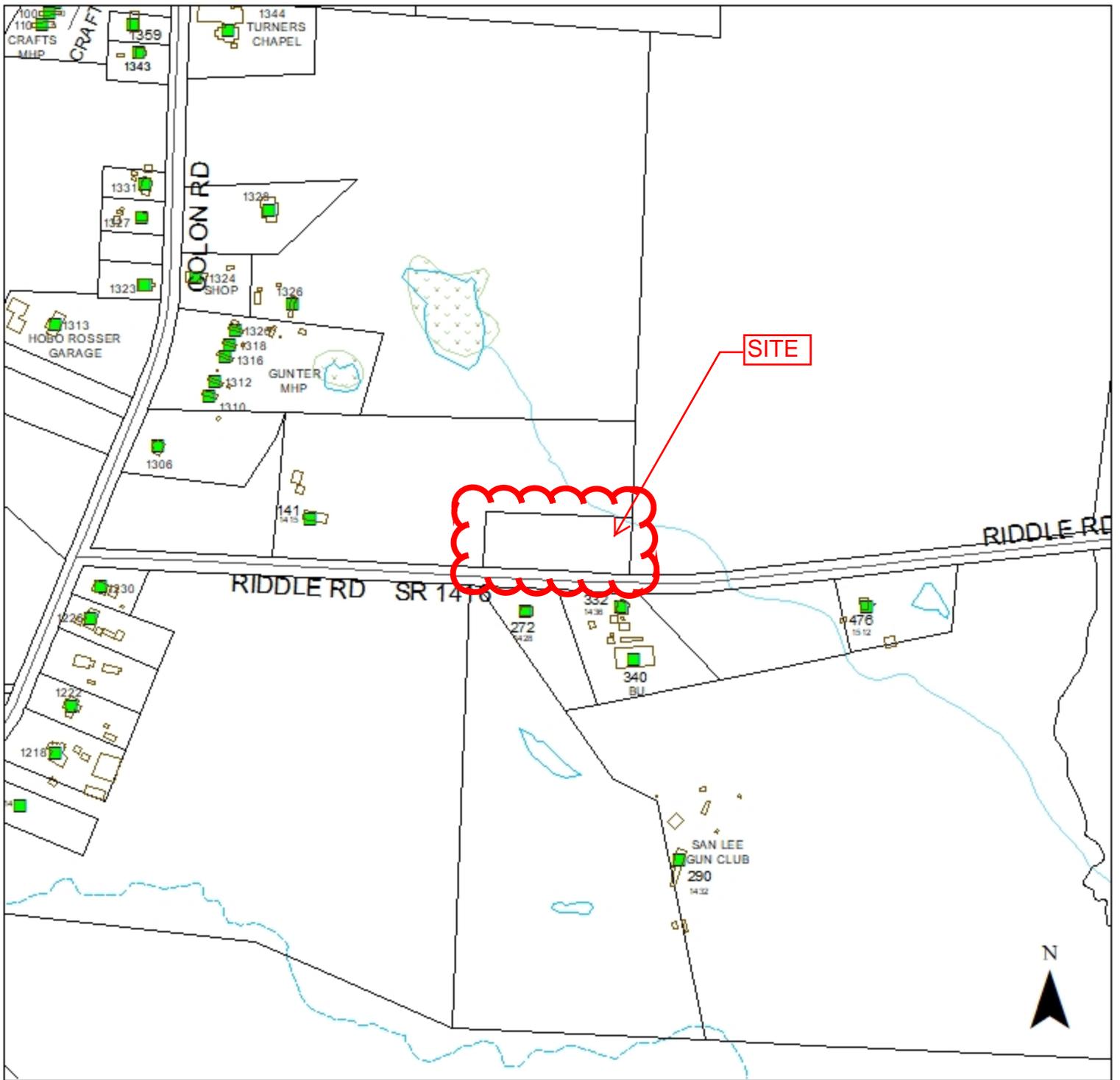
Utilities: The subject property does not appear to have access to public water or public sewer and would utilize a private well as the water source and a private septic system for wastewater disposal when/if the site is developed. If the rezoning is approved, all new development would be reviewed by the Lee County Environmental Health Department to verify compliance with all applicable regulations.

Transportation: The subject property has approximately 460ft of road frontage along Riddle Road (SR1416), which is a NCDOT maintained paved public street with a 60ft right-of-way. There is a no NCDOT traffic count information for Riddle Road.

Development Standards: If rezoned, all of the uses permitted in the Residential Agricultural (RA) zoning district would be allowed and any future redevelopment of the subject property will be required to meet the current development standards of the UDO.

Staff Information Regarding a Recommendation from the Planning Board: The recommendation from the Planning Board should include language describing whether the action is consistent with an adopted comprehensive plan (Plan SanLee) and any other officially adopted plan that is applicable and other matters as deemed appropriate by the board. The board may also include language briefly explaining why it considers the recommendation to be reasonable and in the public interest.

Staff Recommendation: Staff recommends that the Boards support this request. In making this recommendation, staff finds that the rezoning proposal from Highway Commercial-Conditional Use (HC-CU) to Residential Agricultural (RA) appears to be in keeping with the future land use place type for this site per the *Plan SanLee* land use plan with regarding to allowing residential land uses as opposed to commercial land uses. Also, this request appears to be reasonable and in the public interest based the surrounding zoning (all RA) and the surrounding land uses (residential single-family); therefore, it is in harmony with the area.



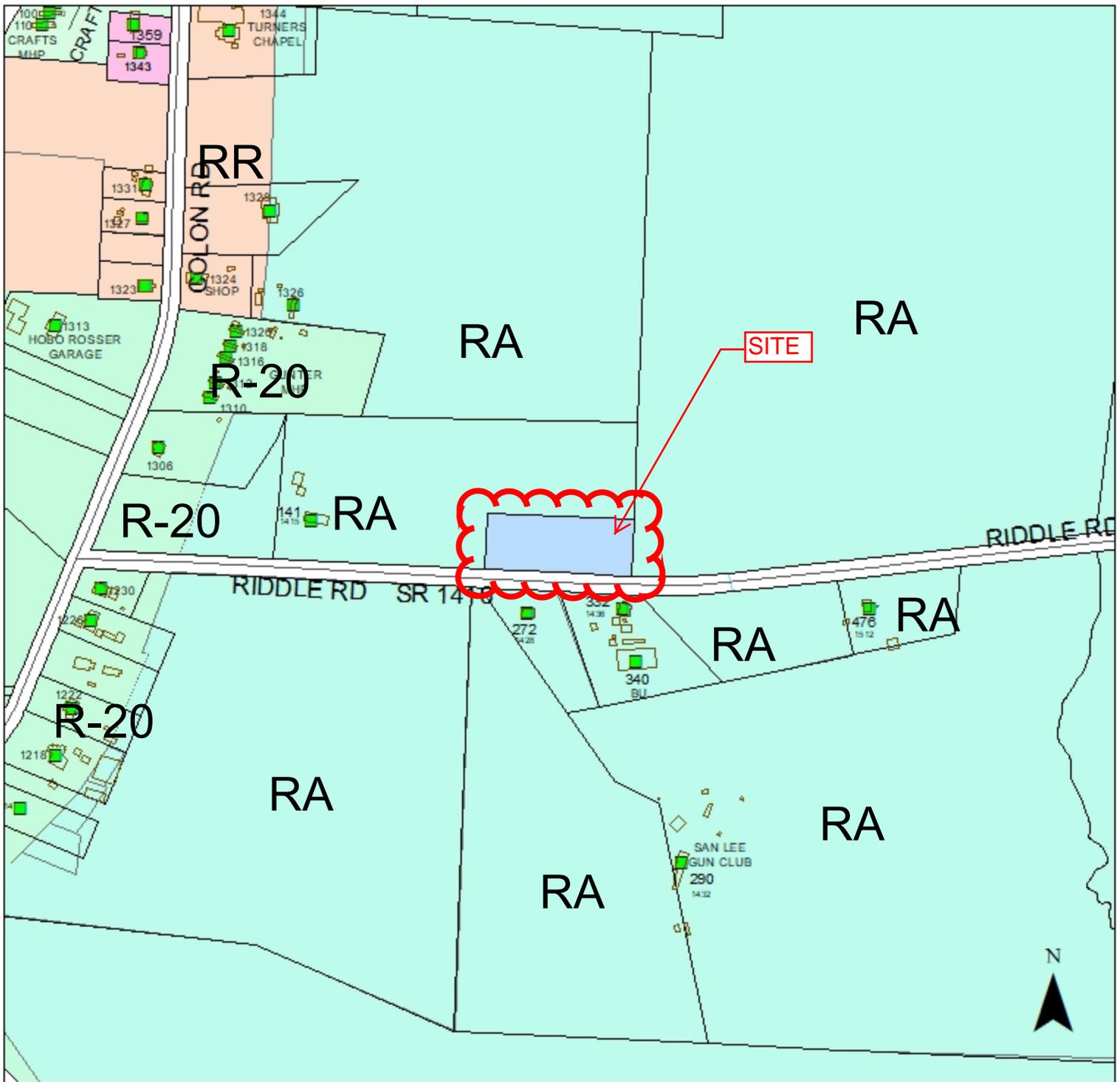
REZONING APPLICATION
Application by Charles Ray Riddle
to rezone one 1.92 +/- acre vacant tract of land with frontage on Riddle Road
from the current zoning of HC-CU to RA.

This is a graphic illustration and not a legal document.



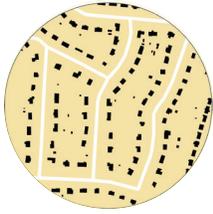
REZONING APPLICATION
Application by Charles Ray Riddle
to rezone one 1.92 +/- acre vacant tract of land with frontage on Riddle Road
from the current zoning of HC-CU to RA.

This is a graphic illustration and not a legal document.



REZONING APPLICATION
 Application by Charles Ray Riddle
 to rezone one 1.92 +/- acre vacant tract of land with frontage on Riddle Road
 from the current zoning of HC-CU to RA.

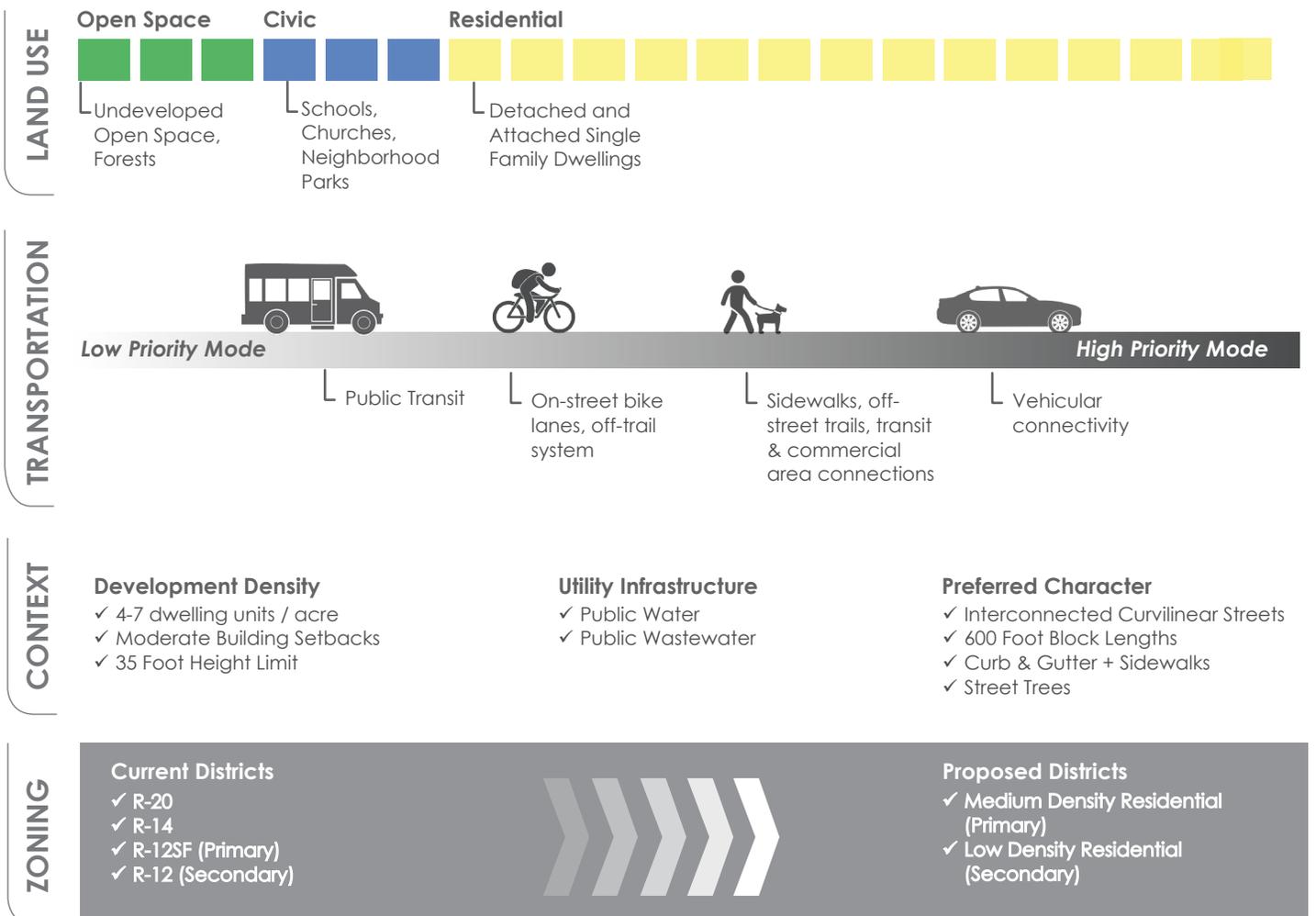
This is a graphic illustration and not a legal document.



SUBURBAN NEIGHBORHOOD

- ✓ Residential areas on the outskirts of a core urbanized area
- ✓ Facilitates large scale development of single family residential
- ✓ Walkable, with high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares

Local Example - Westlake Valley Neighborhood in Sanford



**USES PERMITTED IN
RA RESIDENTIAL AGRICULTURAL**

Accessory Uses (See 5.1)
<u>Residential Uses</u>
Accessory Dwellings (See 10.4)
Dwelling, duplex (two-family dwelling)
Dwelling modular home
Dwelling single family detached
<u>General Sales or Service</u>
Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district
<u>Industrial & Manufacturing Uses</u>
Pottery manufacturing & sales
<u>Arts, Recreation & Entertainment</u>
Botanical garden & arboreta
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<u>Education, Public Administration, Health Care and Institutional</u>
Religious complex (less than 350 seats), new site
Religious complex (any size), addition to existing complex/site
Schools, Pre-K –Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
<u>Transportation, Communication, and Utilities</u>
Utility lines (including electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal production and support services (unincorporated Lee County)
Crop production and support functions, (unincorporated Lee County)
Crop production and support functions (Sanford and Broadway)
Forestry and logging and support services, (Unincorporated Lee County)
Livestock sales and markets

PERMITTED USES WITH DEVELOPMENT REGULATIONS

The uses listed below are permitted as of right and are also subject to the requirements of Supplemental Development Regulations.

<u>Residential Uses</u>
Dwelling, manufactured home, class A Unincorporated Lee County and Town of Broadway only (See 10.5)
Dwelling manufactured home, Class A City of Sanford only (See 10.5)
Home occupations (See 5.16)
Manufactured home for hardship Unincorporated Lee County only (See 10.6)
<u>Accommodations and Group Living</u>
Bed & Breakfast inn (See 5.4)

Family Care homes (See NCGS 168-21) (See 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See 5.19)
<u>Art, Recreation & Entertainment</u>
Stables/riding academies
Stable, accessory to dwelling
<u>Education, Public, Administration, Health Care, and Institutional</u>
Cemeteries, public, and private (does not include individual family plots (See 5.6)
Day Care facility, Home Child Care Center (See 5.10)

PERMITTED AS A SPECIAL USES

Special uses are subject to all other applicable standards of this ordinance and those requirements that may reasonably be imposed by the County of Lee consistent with the criteria set forth in 3.5 of this ordinance any Development Regulations which apply to said use.

<u>Accommodations and Group Living</u>
Dormitories for the students of colleges commercial schools, staff of hospitals
Nursing, supervision, adult care homes, group care facilities and other rehabilitative services
<u>General Services</u>
Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) (with indoor storage only)
Farm, landscape, and garden supply sales (feed seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) (with out door storage)
<u>Arts, Recreation & Entertainment</u>
Amphitheater
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Hunting trapping, game retreats, game and fishing preserves
Outdoor stage, bandstand, or similar structure (maximum 3,000 sq. ft.)
Performance theaters (outdoor)
Performance theaters or auditoria (indoor)
Recreation activities, commercial indoor, not otherwise listed
Sports, stadiums or arenas
Studios for artists, designers, musicians, photographers, sculptors, woodworking (not as home occupation)
Zoos
<u>Education, public Administration, Health Care, and Institutional</u>
Civic, social and fraternal organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation

Day care facility, adult
Fire, sheriff and emergency services
Governmental functions, not otherwise listed
Libraries
Religious complex (more than 350 seats), new site
Schools, continuing education (alternative, adult colleges and universities, and technical, trade and other specialty schools)
Schools, pre-k – secondary (nursery and preschool, grade schools, elementary, middle and high school) new site
Transportation, Communication, and Utilities
Airports, heliports, and support establishments
Gas or electric generation distribution facilities, compressor stations, or substations
Sewage treatment and water treatment plants
Agriculture
Animal production and support services (Sanford and Broadway)
Forestry and logging and support services, (Sanford and Broadway)

PERMITTED AS SPECIAL USE WITH DEVELOPMENT REGULATIONS

The uses below are permitted as a special use, but will also be subject to the requirements of Supplement Development Regulations.

<u>Residential Uses</u>
Dwelling, manufactured home, Class A City of Sanford only (See 10.5)
Dwelling, manufactured home, Class B City of Sanford and Town of Broadway only (See 10.5)
Dwelling, manufactured home, Class C Unincorporated Lee County only (See 10.5)
Rural family occupations commercial/industrial Unincorporated Lee County only (See 5.30)
<u>General Services</u>
Animal hospitals, veterinary services, animal shelters, kennels/animal pet services (See 5.3)
Nurseries and greenhouses, commercial (See 5.25)
Rural family occupation – commercial, industrial Unincorporated Lee County only (See 5.30)
<u>Industrial & Manufacturing Uses</u>
Landfills C&D or LCID (greater than 2 acres in size) (See 5.20)
Mining and quarries
<u>Arts, Recreation & Entertainment</u>
Campgrounds
Raceways, drag strips (motorized vehicles)
Recreation activities, commercial outdoor (defined in article 5) not otherwise listed 5.61
Travel trailer parks (See 5.36)
<u>Education, Public Administration, Health Care, and Institutional</u>
Day care facility, home child care center (See 5.10)
<u>Transportation, Communication, and Utilities</u>
Telecommunication towers (See 5.33)

L:UDO/Permitted Use/RA Residential Agriculture

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Charles Ray Riddle
REQUEST: Rezone one 1.92 acre vacant tract of land from HC-CU to RA
LOCATION: (Vacant) Riddle Road, Sanford, NC 27330
PIN: 9654-21-2766-00
DATE: 2020-03-17

No.	PIN	PROP ADDR	OWNER 1	OWNER2	M #	MAIL ST	MAILCITY	ST	ZIP
01	9654-43-1235-00	0 RIDDLE RD	RWD PROPERTIES LIMITED PARTNERSHIP	-	1125	DALRYMPLE FARM RD	SANFORD	NC	27330
02	9654-11-8904-00	141 RIDDLE RD	WICKER, PEGGY W	-	141	RIDDLE RD	SANFORD	NC	27330
03	9654-10-3917-00	0 COLON RD	MIDTOWN VILLAGE LLC	-	4712	SHADOW RIDGE CT	HOLLY SPRINGS	NC	27540
04	9654-20-2667-00	0 RIDDLE RD	LASALVIA, GENEROSO	-	1867	RIDDLE RD	SANFORD	NC	27330
05	9654-21-2419-00	272 RIDDLE RD	RIDDLE, CHARLES RAY	-	272	RIDDLE RD	SANFORD	NC	27330
06	9654-21-4472-00	332 RIDDLE RD	GUNTER, PEGGY RIDDLE	GUNTER, BOBBY C	332	RIDDLE RD	SANFORD	NC	27330
07	9654-21-8487-00	0 RIDDLE RD	RIDDLE, CHARLES RAY	-	3068	VALLEY RD	SANFORD	NC	27330
08	APPLICANT & PROPERTY OWNER:	0 Riddle Road	Charles Ray Riddle		3068	Valley Road	SANFORD	NC	27330
09	PROJECT CONTACT:		Mary Lemons, Realtor	marylemons58@ gmail.com					

(0) = Vacant, no addressed structures on the parcel.



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

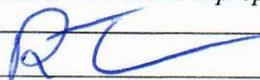
Lee County

Town of Broadway

1. Applicant Name: Sandhills Partnership
2. Applicant Address: PO Box 1, Sanford, NC 27331
3. Applicant Telephone: 919-775-3828
4. Name and Address of Property Owner(s) if different than applicant:
same as applicant
5. Location of Subject Property: 65 Azalea Lane, Sanford, NC
Lee Co. P.I.N. 9528-93-8685-00, 9528-93-6769-00
6. Total Area included in Rezoning Request: 4.86 Acres
7. Zoning Classification: Current: RA Requested: Azalea Lane Conditional Zoning District
8. Existing Land Use(s): Residential
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): To develop the existing property as a manufactured home park.

10. Signature(s) of Applicant (and Property Owners if different from Applicant).

I hereby acknowledge that the information contained herein is true. It is further understood that this application will be reviewed for completeness and accuracy and that it shall not be scheduled for official consideration until all required contents are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.


Ronnie Turner
Signature of Property Owner(s) (Sign & Print)

2/24/20
Date

Required Attachments/Submittals

- A. A completed rezoning application (incomplete applications/submittals will not be accepted or processed).
- B. A copy of a current Lee County Tax Map illustrating the location of the area to be rezoned. If the exterior boundary of the area to be rezoned does not follow along existing property boundaries, then the applicant shall be required to submit a metes and bounds (legal) description describing the area requested for rezoning.
- C. A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
- D. A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
- E. *If the requested rezoning is for a Conditional Zoning District, a Supplemental Application for Conditional Zoning District must also be included, along with an additional \$250.00 fee (\$750 total fee for Conditional Zoning).
- F. Typically, the submission deadline is the first day of each month at 12:00pm/noon for the rezoning to be heard the following month. Specific dates provided upon request.

STAFF USE ONLY

Date Received: _____ Fee Paid: _____ Application No.: _____

Staff Signature: _____ Energov Case No.: _____

\$750 FEE

*(\$750 Total Conditional Rezoning Fee,
No Standard Rezoning Fee Included with this Request.)*

Supplemental Application for Conditional Zoning District
(To be submitted with an Application for Zoning Amendment)

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Type of Conditional Zoning District (Type 1 or Type 2) Type 1
2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): manufactured homes
3. Describe in detail any additional conditions of development proposed as part of the Conditional Zoning District. Such conditions should include (as applicable):
- The location on the property of the proposed use(s);
 - The number of dwelling units;
 - The location and extent of supporting facilities such as parking lots, driveways, and access streets;
 - The location and extent of all landscaping areas, buffer areas and other special purpose areas
 - The timing of development;
 - The location and extent of rights-of-way and other areas to be dedicated for public purposes;
 - Details on architectural features and scale of proposed structures; and
 - The location and extent of any pedestrian elements (sidewalks, trails, etc.).

Conditions may be listed on additional, separate sheets if necessary. Additionally, a scaled site plan shall be submitted illustrating all conditions as described in the text.

to be in harmony with the existing property.

4. Signature(s) of Applicant (and Property Owners if different from Applicant).

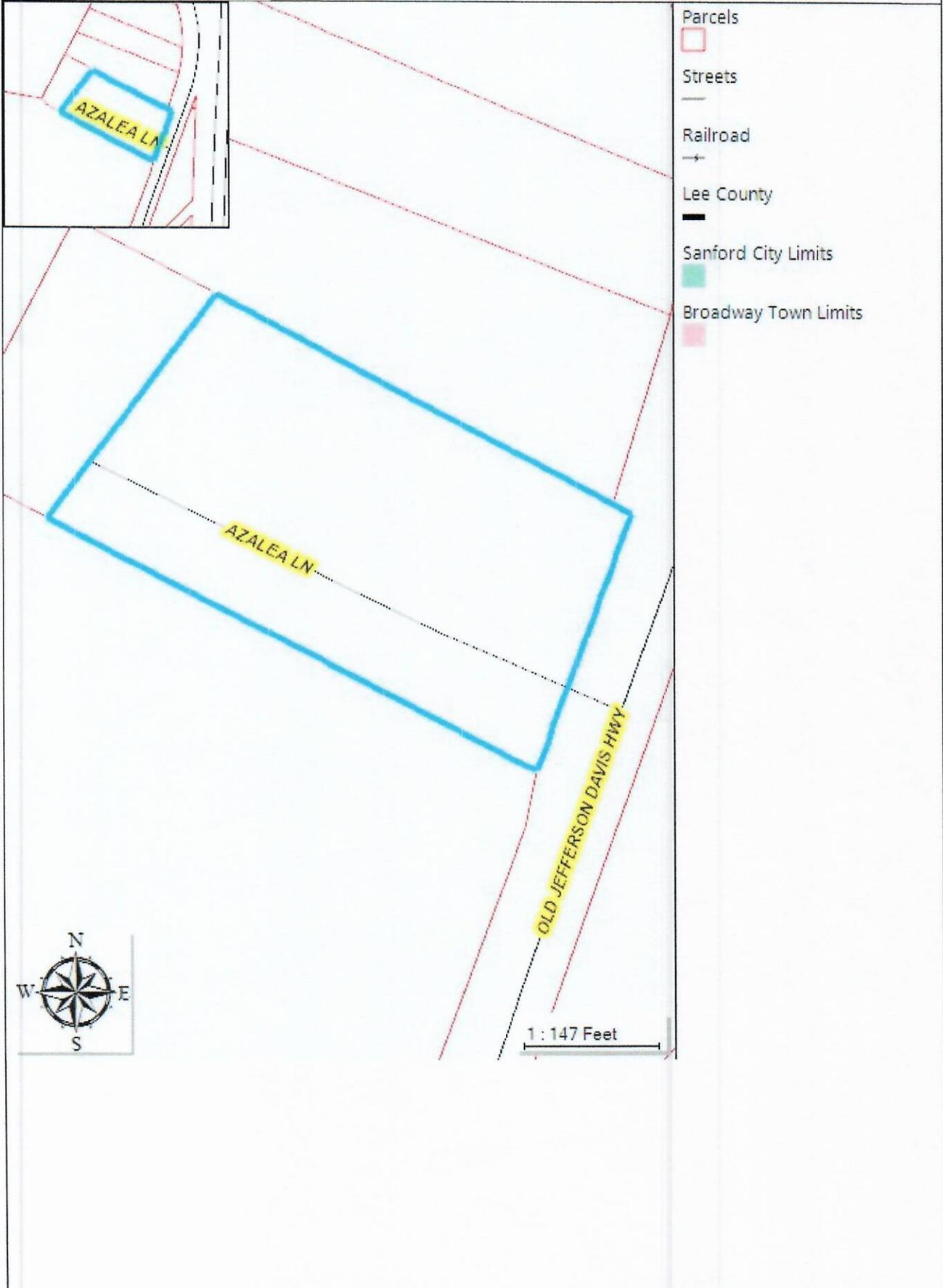
I hereby acknowledge that by submitting this Conditional Zoning application, I am voluntarily requesting that restrictions on the use of land and/or zoning conditions of development be placed upon the subject property as included in this petition. An application fee in the amount of \$750.00 (see Fee Schedule), payable to The City of Sanford is required before processing the application. The application submission deadline is the second Friday of the month. The petition will be heard the following month at the scheduled public hearing.

RC Ronnie Turner

2/26/2020

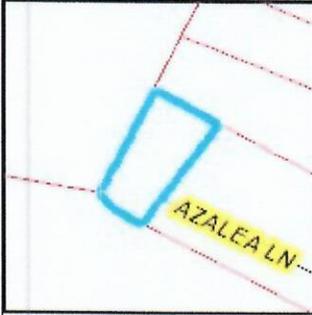
Signature (Sign & Print)

Date

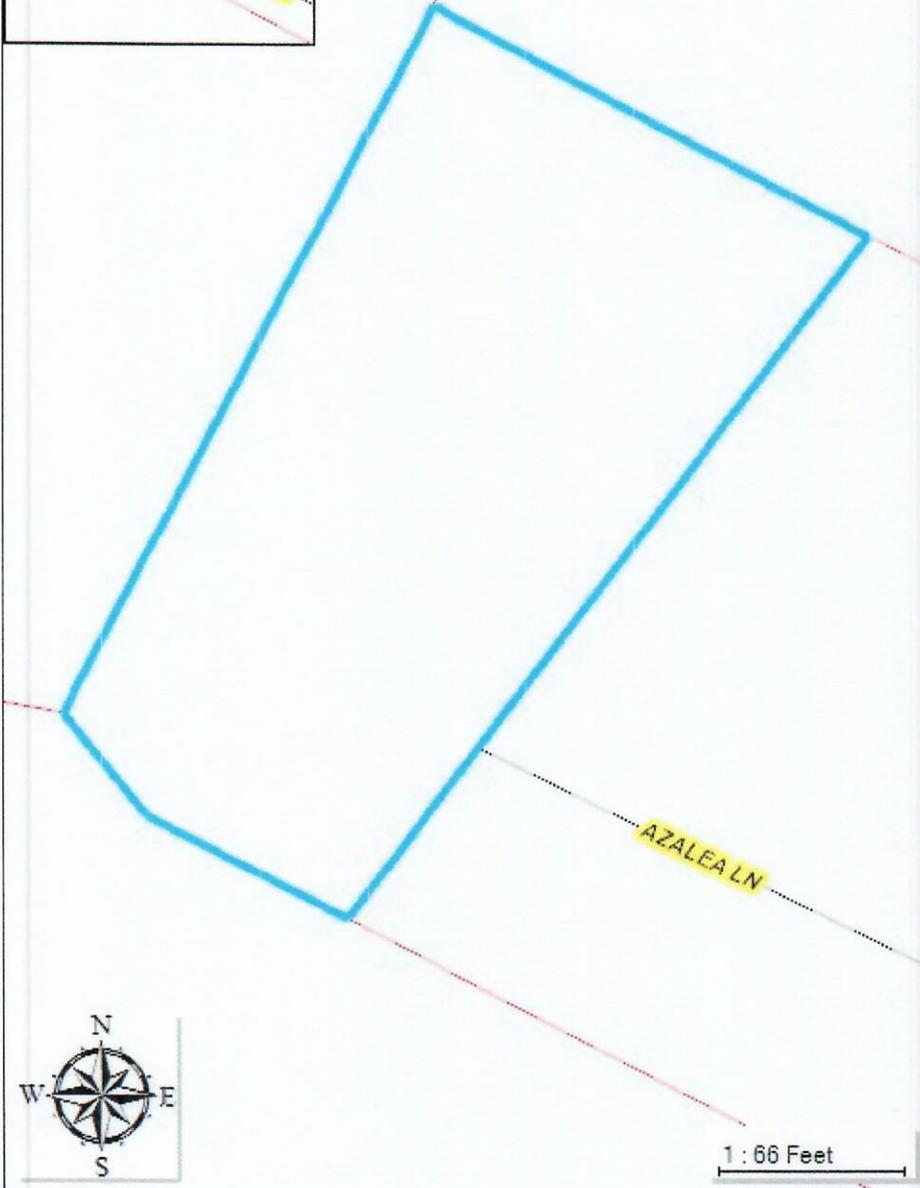


<u>PIN</u> 9528-93-8685-00	<u>Acres</u> 3.83512507	<u>Parcel Address</u> 6400 JEFFERSON DAVIS HWY
<u>PARID</u> 952893868500	<u>Appraised Land</u> 29400	<u>Appraised Building</u> 135300
<u>Book</u> 1502	<u>Page</u> 610	<u>Tax District</u> FLS
<u>Subdivision</u> HOPKINS	<u>Legal 1</u> LOT 9-20	<u>Legal 2</u>
<u>Legal 3</u> 52/44	<u>Owner</u> SANDHILLS PARTNERSHIP	<u>Owner2</u>
<u>Mail Address</u>	<u>Mail Suffix</u>	<u>Mail Street Dir</u>
<u>Mail Street</u> PO BOX 2003	<u>MailADRSUF</u>	<u>Mail City</u> SANFORD
<u>Mail State</u> NC	<u>Mail Zip</u> 27331	<u>Out BLDG Description</u> UTILITY SHED MTL NO FOUNDATION
<u>Out BLDG YRBLT</u> 1970	<u>Sale Date</u> 1/20/1949 12:00:00 AM	<u>Dwelling Style</u> R
<u>Dwelling DESCR</u> RANCH	<u>Dwelling YRBLT</u> 1955	<u>Shape Length</u> 1719.3503841586
<u>Appraised Total</u> 164700	<u>Out BLDG Area</u> 60	<u>Dwelling SFLA</u> 2004
<u>OBJECTID_1</u> 22445	<u>TaxCard</u> http://taxaccess.leecountync.gov/PT/Datalets/Datalet.aspx?mode=&UseSearch=no&pin=952893868500&jur=000&taxyr=2020	

This site is prepared for the inventory of real property found within this jurisdiction and is compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this site. The County of Lee and Dude Solutions, Inc. assume no legal responsibility for the information contained on this site. Please be advised that you must contact the Lee County Tax Office for accurate tax values. Please contact the Lee County Appraisal Department if any building information is incorrect. The map, layer, data and website (collectively known as "the layer") are for graphical and illustration purposes only. The Lee County Strategic Services Department (hereinafter "the Department") provides the layer and the information contained within to the general public and has not customized the information for any specific or general purpose. Such information was generated from data maintained by different sources and agencies and as such, some limitations may apply based upon restrictions imposed by other sources or agencies supplying data to Lee County (hereinafter "the County"). While the Department strives to make the information on the GIS website as timely, reliable and accurate as possible, neither the Department nor the County local governments make any claims, promises, or guarantees about the accuracy, completeness or adequacy of the contents of the layer. Areas depicted are approximate and are not necessarily accurate to mapping, surveying or engineering standards. The County expressly disclaims liability for errors and omissions in the contents of this site and layer. No warranty of any type, implied, expressed, statutory, UCC or otherwise, including, but not limited to, the warranties of non-infringement of third party rights, title, accuracy of data, merchantability, or fitness for a particular purpose, is given with respect to the substantive content of this layer or its use in private or commercial financial transactions. The fact of distribution of the layer does not constitute any warranty, express, implied or otherwise. The user assumes the entire risk related to the use of this data. If the user intends to make any legal or financial decision based on this data, the user should independently verify the accuracy of the same. The Strategic Services Department and the Lee County local governments are providing this data "as is." In no event will any of the foregoing local governments or their officers and employees be liable to you or to any third party for any direct, indirect, incidental, consequential, special or exemplary damages or lost profit resulting from any use or misuse of this data. Unless otherwise noted on an individual document, files, documents, and information contained in this layer may be copied and distributed for non-commercial use, provided they are copied and distributed without alteration.



- Parcels 
- Streets 
- Railroad 
- Lee County 
- Sanford City Limits 
- Broadway Town Limits 

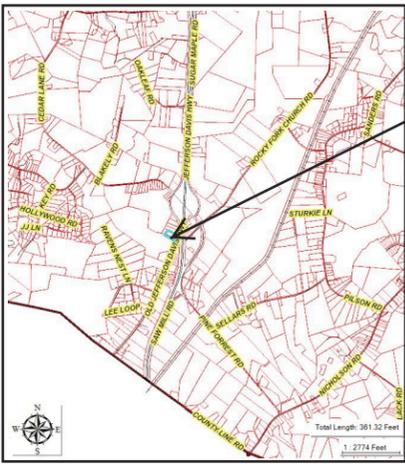


<u>PIN</u> 9528-93-6769-00	<u>Acres</u> 1.0250513	<u>Parcel Address</u> 65 AZALEA LN
<u>PARID</u> 952893676900	<u>Appraised Land</u> 3100	<u>Appraised Building</u> 7200
<u>Book</u> 1502	<u>Page</u> 610	<u>Tax District</u> FLS
<u>Subdivision</u> HOPKINS	<u>Legal 1</u> LOT 9*-21*	<u>Legal 2</u>
<u>Legal 3</u> 255/660	<u>Owner</u> SANDHILLS PARTNERSHIP	<u>Owner2</u>
<u>Mail Address</u>	<u>Mail Suffix</u>	<u>Mail Street Dir</u>
<u>Mail Street</u> PO BOX 2003	<u>MailADRSUF</u>	<u>Mail City</u> SANFORD
<u>Mail State</u> NC	<u>Mail Zip</u> 27331	<u>Out BLDG Description</u> M.H. SPACES (NO PARK) HOMESITE
<u>Out BLDG YRBLT</u> 1995	<u>Sale Date</u> 11/13/1974 12:00:00 AM	<u>Dwelling Style</u>
<u>Dwelling DESCR</u>	<u>Dwelling YRBLT</u> 0	<u>Shape Length</u> 892.15692594017
<u>Appraised Total</u> 10300	<u>Out BLDG Area</u> 1	<u>Dwelling SFLA</u> 0
<u>OBJECTID_1</u> 22543	<u>TaxCard</u> http://taxaccess.leecountync.gov/PT/Datalets/Datalet.aspx?mode=&UseSearch=no&pin=952893676900&jur=000&taxyr=2020	

This site is prepared for the inventory of real property found within this jurisdiction and is compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this site. The County of Lee and Dude Solutions, Inc. assume no legal responsibility for the information contained on this site. Please be advised that you must contact the Lee County Tax Office for accurate tax values. Please contact the Lee County Appraisal Department if any building information is incorrect. The map, layer, data and website (collectively known as "the layer") are for graphical and illustration purposes only. The Lee County Strategic Services Department (hereinafter "the Department") provides the layer and the information contained within to the general public and has not customized the information for any specific or general purpose. Such information was generated from data maintained by different sources and agencies and as such, some limitations may apply based upon restrictions imposed by other sources or agencies supplying data to Lee County (hereinafter "the County"). While the Department strives to make the information on the GIS website as timely, reliable and accurate as possible, neither the Department nor the County local governments make any claims, promises, or guarantees about the accuracy, completeness or adequacy of the contents of the layer. Areas depicted are approximate and are not necessarily accurate to mapping, surveying or engineering standards. The County expressly disclaims liability for errors and omissions in the contents of this site and layer. No warranty of any type, implied, expressed, statutory, UCC or otherwise, including, but not limited to, the warranties of non-infringement of third party rights, title, accuracy of data, merchantability, or fitness for a particular purpose, is given with respect to the substantive content of this layer or its use in private or commercial financial transactions. The fact of distribution of the layer does not constitute any warranty, express, implied or otherwise. The user assumes the entire risk related to the use of this data. If the user intends to make any legal or financial decision based on this data, the user should independently verify the accuracy of the same. The Strategic Services Department and the Lee County local governments are providing this data "as is." In no event will any of the foregoing local governments or their officers and employees be liable to you or to any third party for any direct, indirect, incidental, consequential, special or exemplary damages or lost profit resulting from any use or misuse of this data. Unless otherwise noted on an individual document, files, documents, and information contained in this layer may be copied and distributed for non-commercial use, provided they are copied and distributed without alteration.

AZALEA LANE MASTER PLAN

LEE COUNTY, NC



VICINITY MAP (NTS)

PROJECT LOCATION

TWO (2)-9'X18' OFF-STREET PARKING SPACES PROVIDED FOR EACH MH (TYP.)

CLEAR AND GRUB AS NECESSARY

EXTEND EXISTING GRAVEL ROAD AS NECESSARY

APPROX. 200'X75' AREA FOR EACH NEW MH SPACE (TYP.)

MIN. 25' FROM ADJACENT PROPERTY LINE (TYP. OF ALL)



1 : 254 Feet

Parcels



Streets



- Owner: Sandhills Partnership
PO Box 1, Sanford, NC 27331
(919) 775-3828
- Property Address: 65 Azalea Lane, Sanford, NC
- PIN(S): 9528-93-8685-00
9528-93-6769-00
- Property Area: 4.86 acres
- Ex. Zoning: RA
- Requesting Re-zoning To: Azalea Lane Conditional Zoning District
- Proposed Manufactured Homes: 6

Building Footprints



Residence



Proposed Manufactured Home



Zoning



Approx. Property Line Length

000' +/-

Ex. 8' Wide Type 'A' Buffer Yard



CAPE FEAR SOIL CONSULTANTS

Jerry W. Yarborough, LSS

6778 Avents Ferry Rd. t Sanford, NC 27330

Mobile (919) 777-8690 t Home Phone (919) 777-9460 t Email jwy35@windstream.net

August 21, 2019

Mr. Ronnie Turner
Sandhills Contractors, Inc.
P.O. Box 1
Sanford, NC 27331

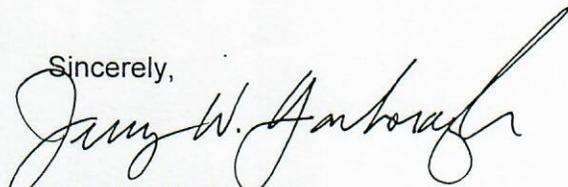
Dear Mr. Turner:

On August 17, 2019 a preliminary soils evaluation was conducted on two parcels of land that totaled approximately 4.87 acres. These parcels were located on Old Jefferson Davis Highway at Azalea Lane in Lee Co. The Parcel ID # for the 3.84 acre tract of land is 9528-93-8685-000, and the Parcel ID # for the 1.03 acre tract of land is 9528-93-6769-000. The purpose of this preliminary soils evaluation was to determine the site suitability for on-site subsurface sewage disposal for expansion of the current mobile home park. These parcels had not been surveyed recently.

Areas of potentially useable soils were identified on both parcels. Soil depths were greater than 36" and soil textures ranged from sandy clay loam to sandy loam, with all but one of the auger borings being sandy loam. These soils should support conventional on-site subsurface sewage disposal systems, and repair areas. The mobile home park is served by the City of Sanford public water supply. Auger borings were marked with orange flagging.

These two parcels of land were evaluated under rules .1901-.1968 of title 15A subchapter 18A of the NC Administrative Code. Due to variations in citing specific uses and a potential for changes in regulation or soil conditions, issuance of an improvement permit for sewage disposal by Lee County Environmental Health is not guaranteed.

Sincerely,



Jerry W. Yarborough
Licensed Soil Scientist # 1127

LEE COUNTY BOARD OF COMMISSIONERS AND PLANNING BOARD
PUBLIC HEARING INFORMATION
July 20, 2020

APPLICATION# 2020-0702 TO AMEND THE SANFORD ZONING MAP

Applicant & Owner: Sandhills Partnership | Mr. Ronnie Turner
Request: Rezone from Residential Agricultural (RA) to Azalea Lane Conditional Zoning District
Location: 6400 Old Jefferson Davis Hwy and a mobile home park addressed as 15, 25, 35, 45, and 65 Azalea Lane, Sanford, NC 27332
Township: Greenwood
Tax Parcels: 9528-93-8685-00 and 9528-93-6769-00
Adjacent Zoning: North: Residential Agricultural (RA)
 South: Light Industrial-Conditional Use (Goodwin Trucking Company)
 East: Highway Commercial, opposite Old Jefferson Davis Hwy
 West: Residential Restricted (RR)

Introduction: Planning staff has received a rezoning application from Mr. Ronnie Turner of Sandhills Partnership to rezone and existing mobile home park (formerly known as the Wilbur R. Stephens Mobile Home Park) and a vacant adjoining tract of land to Azalea Lane Conditional Zoning District, with the intent being to expand the existing mobile home park using the design standards already established by rezoning to a site plan specific conditional zoning district. Mr. Turner would like to extend the existing gravel drive and add 6 mobile homes, while maintaining the existing landscape buffer of mature trees (mostly pines) around the perimeter of the property. The rationale being that the continuation of the existing design would be in harmony with the existing mobile home park community and the area and is more reasonable than requiring the existing older mobile home park to come up to the current UDO design standards. Therefore, Mr. Turner has submitted a rezoning request for your consideration.

Site and Area Description: The subject property is comprised of two tracts of land totaling 4.86 acres. Tract one is developed with a house addressed as 6400 Old Jefferson Davis Hwy and five mobile homes addressed as 15, 25, 35, 45, and 65 Azalea Lane, comprising one mobile home park. Tract two is vacant and wooded. The site is located in southwest Lee County, on the western side of Old Jefferson Davis Hwy, between the intersection of Cedar Lane Road & Old Jefferson Davis Hwy and the Moore County line.

Surrounding Land Uses:

- North: A house addressed as 6358 Old Jefferson Davis Hwy
- South: Goodwin Trucking Company at 6608 Old Jefferson Davis Hwy
- East: Opposite Old Jefferson Davis Hwy is a vacant 2.0 acre tract of land
- West: A vacant 59 acre tract of land

Zoning District Information

Existing Zoning: The subject property is currently zoned Residential Agricultural (RA) zoning district, which is established to provide areas for low density single family uses, low intensity agricultural operations as well as agri-business and supportive industrial and commercial uses. Industrial operations are not permitted unless they clearly support an agricultural use. RA zoning protects and preserves valuable agricultural areas, implements agricultural protection zoning, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, sets maximum permissible densities or new zoning districts, defines specific areas for rural commercial uses, and identifies areas appropriate for agricultural preservation. The dimensional requirements include a minimum lot width of 100 feet, a minimum lot depth of 150 feet, a minimum lot size of 40,000 square feet, with principal building setbacks of 30 feet from the front property line, 30 feet from the rear property line, and 15 feet from the side property lines, with a maximum building height of 40 feet.

Examples of uses permitted by right within the RA zoning district include single-family detached homes (site-built, modular), religious complexes churches, schools, animal and crop production, forestry, stables and riding academies, and in-home daycares for children & adults. There is a list of permitted uses for this zoning district included within your agenda for your reference. (Manufactured or mobile homes are permitted within the RA district, with certain developmental regulations.)

Mobile home parks (or manufactured home parks) are not permitted in the RA zoning district without a Manufactured Home Overlay District also being assigned to the land; therefore, the existing mobile home park is existing legal nonconforming or “grandfathered”.

Proposed Zoning: A conditional zoning district allows a property owner to place additional conditions upon an existing, equivalent conventional, general use zoning district. A Conditional Zoning District Type 2 would be the preferred zoning approach if a petitioner desired to (a) to reduce or narrow the number of permitted uses and/or (b) impose higher level design standards than that which exists within an equivalent general use zoning district. Conditional Zoning District Type 2 would also be practical in situations where a petitioner desires to install or construct additional buffers or other physical features that would serve to increase the protection afforded neighboring properties and/or the appearance of the proposed development.

Only the property owner(s) of a proposed Conditional Zoning District Type 2 shall be eligible to apply for rezoning to a Conditional Zoning District. The owner shall specify the use(s) of the property and shall propose additional conditions to ensure compatibility between the development and the surrounding neighborhood. The conditions shall include all of the following (as applicable):

- The location on the property of the proposed use(s);
- The number of dwelling units;
- The location and extent of supporting facilities (parking lots, driveways, and access streets);
- The location and extent of buffer areas and other special purpose areas;
- The timing of development;
- The location and extent of rights-of-way and other areas to be dedicated for public purposes;
- And any other such conditions the applicant may wish to propose.

The application shall include a site plan/subdivision plan and detailed narrative text that specifies the conditions that will govern the development and use of the property. If approved, this information is

legally binding on the land; therefore, the site has to be developed as per the approved plans and conditions even if a property transfer were to take place. Any item not specifically addressed in the rezoning process must comply with the UDO standards.

As reminder, the conditional zoning process is a negotiated zoning process and, as such, the Commissioners and/or Planning Board may request that certain conditions be considered or altered. However, the petitioner must accept such conditions before inclusion in the conditional zoning district. Also, the conceptual plans and conditions that are approved in conjunction with this project must comply with the technical specifications and requirements of all regulatory agencies.

Specific conditions for this mobile home park community include the following:

- A maximum of 6 additional mobile homes would be allowed.
- The mobile homes would be a minimum of 25ft from the closest perimeter property line.
- Each new mobile home space would be approximately 75ft x 100ft = 7,500sf.
- The existing roadway serving the mobile home community would be gravel and extended as needed to access the new mobile home spaces.
- Two parking spaces would be provided for each new mobile home park space.
- The developer would clear and grub the site as necessary to accommodate the additional mobile homes, but would preserve as much of the existing mature landscaping as possible to maintain the existing wooded/rural character and feel of the site.
- The mobile homes would be served by approved septic systems.

In addition to the zoning standards, the mobile home park expansion and the set-up of the additional mobile homes must comply with the State Building Code and Fire Code. Also, the proposed septic systems must be approved by the Lee County Environmental Health Dept. or the appropriate State agency. The existing septic systems may not be adversely affected by the new development.

Overlay Districts & Area Plans

Long Range Plan: The Plan SanLee Land Use Plan identifies the future land use place type for this tract of land as “Countryside”, which has the following characteristics:

- agricultural and undeveloped lands outside the Urban Service Area
- preservation of the country’s agricultural heritage encouraged
- conservation and maintenance of rural lifestyle supported
- limited residential density

Land use designations include schools, churches, single-family detached dwellings, farmland, forests, and conservation land. Forms of transportation include automobiles that share the roads with agricultural activity (with vehicular connectivity encouraged in new development) and pedestrians walking & bicycling on off-street trails. The zoning districts are Residential Agricultural (RA) and Residential Restricted (RR). The maximum development density is one dwelling unit per two acres with deep building setbacks and a 35ft height limit. Utility infrastructure is well water and on-site wastewater disposal. The features character is two-lane rural highways, dispersed development pattern, and agricultural fields & forests.

Watershed Conservation Overlay District: The subject property is located within our Watershed Conservation Overlay District, specifically the Little River/Lee County Watershed Protected Area. A watershed is a basin-like landform delineated by ridgelines that descend into lower elevations that carries

rain water from the land into soils, ground waters, creeks, and streams, eventually making its way to larger rivers and the ocean. Development within this area is allowed, but there are maximum density and built upon area requirements designed to ensure the health of the watershed. Any/all future proposed subdivisions and development must comply with the UDO watershed regulations.

The subject property is not located within an established Flood Hazard Area / floodplain.

The following is a general note included with all rezoning requests: Sanford, Lee County, and Broadway do not have local grading permits and rely on the NC Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program via mail 1612 Mail Service Center, Raleigh, NC 27699-1612, via phone at 877-623-6748 or visit the NCDEQ website at <http://deq.nc.gov>. The physical address of the office is 217 W. Jones Street, Raleigh, NC 27603.

Utilities: The subject property appears to have access to public water via a 6-inch water line along old Jefferson Davis Hwy. Given the location in rural Lee County, the subject property does not have access to public sanitary sewer; therefore, it has been evaluated by a licensed soil scientist in order to determine the site suitability for on-site subsurface sewage disposal for expansion of the mobile home park (i.e. the suitability of soils for individual private septic systems). This preliminary soil evaluation, created by Cape Fear Soil Consultants, indicated that the soils may support the septic systems and repair areas needed for the expansion. Future residential development would be served by individual private septic systems that would need to be approved by the Lee County Environmental Health Department and/or a Soil Scientist licensed to practice in the state of North Carolina at the time that the developer proposed to set-up a mobile home on site.

Transportation: The subject property has approximately 298ft of road frontage along Old Jefferson Davis Hwy, which is a NCDOT maintained paved public street with a 100ft right-of-way. There is a no NCDOT traffic count information in close proximity to this site.

Development Standards: If rezoned, the mobile home park would be allowed to expand by using the existing conditions as the design standards for any/all future development. Any of the uses typically allowed with a mobile home park (accessory building, home occupation, etc.) would be allowed.

There are mobile homes visible on this site on the 1991 GIS aerial images. There is an approved site plan on file for this mobile home park, labeled Stephen Mobile Home Park dated 1989 that illustrates seven mobile home units on site served by wells (the mobile home park has since connected to public water). Therefore, the existing mobile home park is existing legal nonconforming or “grandfathered”.

The UDO design standards for mobile home parks were adopted in 2006 and are included as an attachment to the staff report for your reference (see 4.11 Manufactured Home Overlay District). This existing mobile home park does not comply with the current standards in that it is less than 5 acres (it is 4.86 acres), the driveway(s) are not paved, and there are no sidewalks. There are no streetlights since this is a rural area, but there are individual security lights on poles, the kind provided by the electric company. The 25ft existing landscape buffer exceeds the minimum 8ft wide landscaping buffer required. The width of the mobile home park space is 75ft , which exceeds the 40ft required and the 100ft depth complies.

Staff Information Regarding a Recommendation from the Planning Board: As a reminder, the conditional (re)zoning process is a negotiated process and, as such, the Planning Board and/or City Council may request that certain conditions be considered or altered; however, the petitioner must accept such conditions before inclusion in the conditional zoning district. Also, the recommendation from the Planning Board should include language describing whether the action is consistent with the *Plan SanLee* land use plan, why it considers the recommendation to be reasonable and in the public interest, and other matters as deemed appropriate by the board. Additional information presented at the public hearing should also be considered in the recommendation and the final decision regarding the requested zoning map amendment.

Staff Recommendation: Staff recommends that the Boards support this request. In making this recommendation, staff finds that the rezoning proposal from Residential Agricultural (RA) to the Azalea Lane Conditional Zoning District appears to be reasonable and in the public interest since it would allow the expansion of an existing mobile home park in a rural area, while maintaining the quiet country character and minimizing the impact of the expansion on the adjoining property owners. Maintaining a 25ft landscape buffer of existing mature trees allows the developer to be a good neighbor while also allowing an investment in the property and the additional of, hopefully, additional affordable housing in the area. Also, this request complies with most of the current design standards for mobile home parks and therefore, appears to meet the intent of the ordinance (UDO).



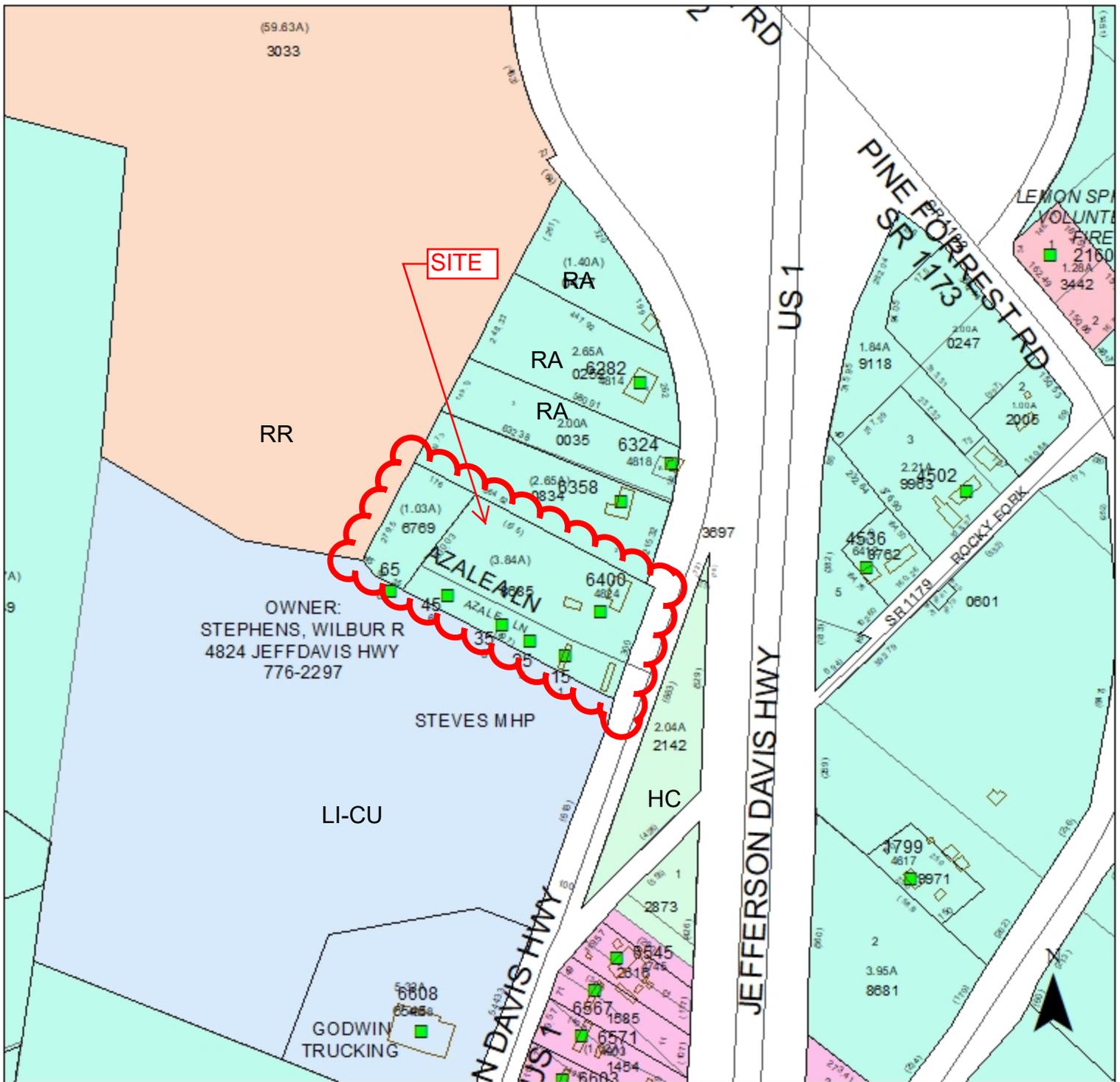
REZONING APPLICATION 2020-0702:

Application by Sandhills Partnership

to rezone 6400 Old Jefferson Davis Hwy and 15-65 Azalea Lane

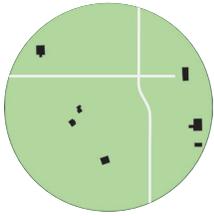
**also identified as Lee County tax parcels 9528-93-8685-00 and 9528-93-6769-00
from Residential Agricultural (RA) to Azalea Lane Conditional Zoning District.**

This is a graphic illustration and not a legal document.



REZONING APPLICATION 2020-0702:
 Application by Sandhills Partnership
 to rezone 6400 Old Jefferson Davis Hwy and 15-65 Azalea Lane
 also identified as Lee County tax parcels 9528-93-8685-00 and 9528-93-6769-00
 from Residential Agricultural (RA) to Azalea Lane Conditional Zoning District.

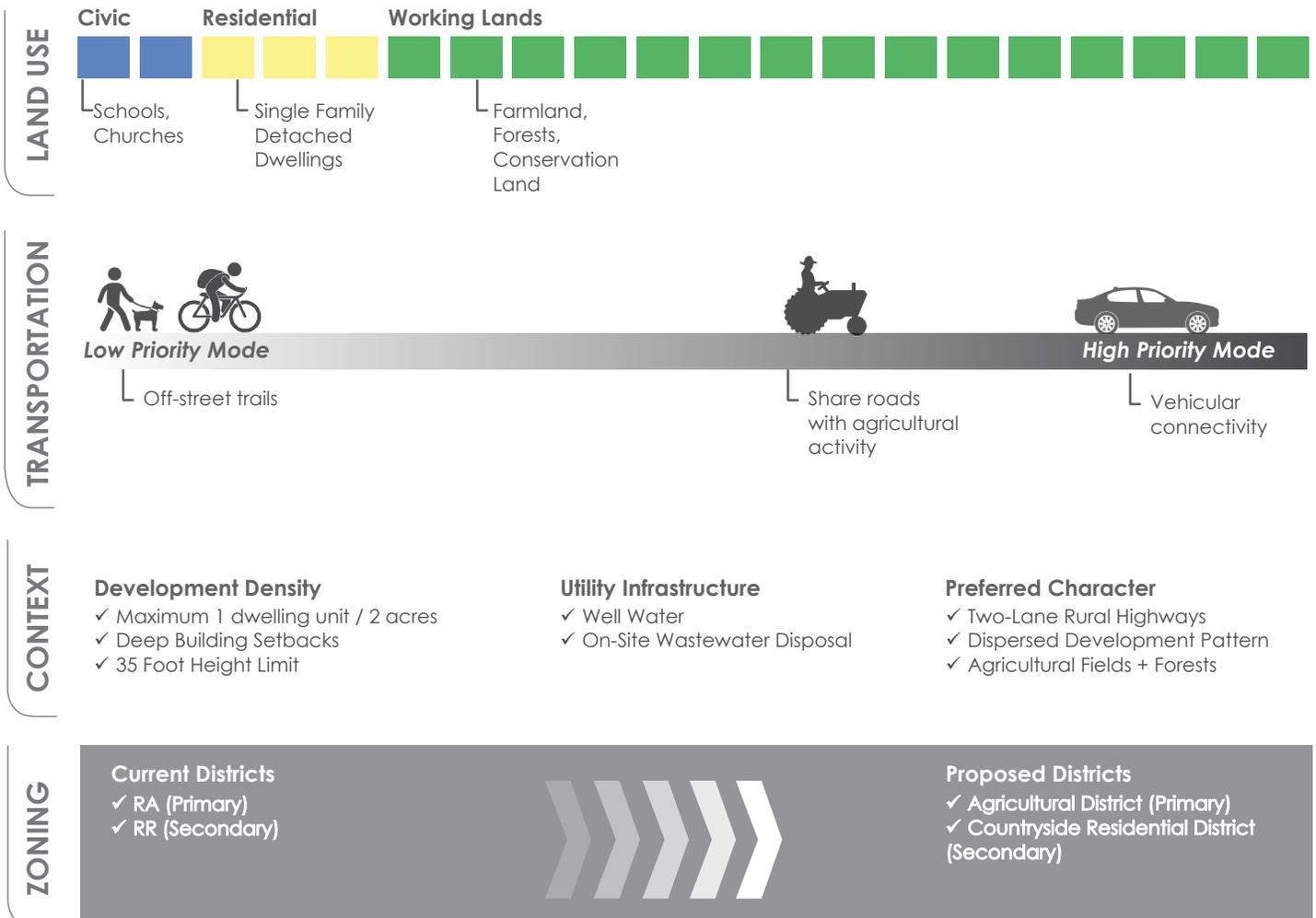
This is a graphic illustration and not a legal document.



COUNTRYSIDE

- ✓ Agricultural and undeveloped lands outside the Urban Service Areas
- ✓ Preservation of county's agricultural heritage encouraged
- ✓ Conservation and maintenance of rural lifestyle supported
- ✓ Limited residential density

Local Example - Avents Ferry Road Corridor in northeast Lee County



4.11 MANUFACTURED HOME OVERLAY (“MH”) DISTRICT.

4.11.1 PURPOSE.

The purpose of this overlay zoning district is to provide sufficient land area for the provision of manufactured housing in order to implement NCGS § 160A-383.1 and to provide affordable housing opportunities for low and moderate-income persons.

4.11.2 APPLICABILITY.

4.11.2.1 The provisions of this § 4.11 shall apply to: (a) a manufactured home park or (b) individual manufactured homes as placed on individuals, including those within a manufactured home subdivision. Section 4.11.3 sets forth the standards and procedures for Manufactured (Mobile) Home Parks., while Section 4.11.4 sets forth the standards and procedures for individual Manufactured Homes on individual lots.

4.11.2.2 A manufactured home park is defined as any area, lot, parcel or tract held in common ownership, and on which individual portions of said area, lot, parcel or tract are leased for the placement of two or more manufactured homes or mobile homes as a primary residence. Manufactured home parks shall only be permitted within an MH overlay district as defined in this Section (see Table 4.6-1 for reference). Any existing manufactured home park that is not within an MH overlay district shall be considered nonconforming and subject to the standards for nonconforming uses as set forth in Article 12 of this Ordinance.

4.11.3 APPLICATION PROCEDURES FOR A MANUFACTURED (MOBILE) HOME PARK.

4.11.3.1 An application for a rezoning to a MH overlay district for a manufactured home park shall be accompanied by a master plan and shall be processed in the same manner as a conditional zoning petition as set forth in Section 3.4 of this Ordinance.

4.11.3.2 The master plan shall show the circulation pattern, manufactured home park spaces, permanent structures and other site design requirements that may be considered essential by the Planning Commission. The plan shall include lot numbers for each lot or rentable space within the manufactured housing park

4.11.3.3 The master plan shall show how all proposed improvements would meet the standards as set forth in Section 4.11.4, below.

4.11.3.4 STANDARDS FOR MANUFACTURED HOMES WITHIN A MANUFACTURED (MOBILE) HOME PARK.

- The minimum land area for the entire site shall be five (5) acres.
- No manufactured home shall be located closer than twenty-five (25) feet from a property line of an adjacent lot or parcel under separate ownership and no closer than thirty (30) feet from a public street right-of-way.
- A Type “A” buffer yard which conforms to the requirements of Article 7 of this Chapter shall be established along any property line adjoining another residential zoning district.
- All driveways within the manufactured home park shall comply with the standards of Article 8 of this Ordinance.
- Streetlights shall be installed and shall conform to any standards prescribed by the respective jurisdiction.
- In lieu of the dimensional and density requirements of § 4.7, Table 4.7-1, spaces for manufactured homes shall comply with the criteria set forth in Tables 4.11-1 and 4.11-2, below. The minimum distance between manufactured homes shall be twenty (20) feet.
- All manufactured home spaces shall abut upon a paved internal street not less than 20 feet in paved width exclusive of parking.
- All manufactured home spaces shall adjoin an all-weather surface sidewalk at least four (4) feet in width. An all-

- weather surface shall include asphalt, gravel or concrete.
- Two off-street parking spaces shall be provided for each manufactured home space. The minimum dimensions of each space shall have minimum dimensions of nine (9) feet in width and eighteen (18) feet in length
 - If the manufactured home park will contain 100 or more dwelling units, open space shall be required and shall conform to the standards as set forth in Section 6.5 of this Ordinance.
 - Manufactured home parks must provide adequate facilities for the storage and disposal of solid waste. Location of proposed refuse collection area(s) shall be shown on the master plan. This requirement is unnecessary if the developer/operator of the park can demonstrate an ability to serve the

park tenants by using individual “rollout” containers.

- The corners of all manufactured home lots or spaces shall be clearly marked on the ground.

4.11.3.5 RESTRICTION ON CLASS “C” MANUFACTURED HOMES

A Class “C” manufactured home, as defined in this Ordinance, shall constitute no more than 25% of the total amount of manufactured homes within a park. Existing parks that exceed this amount will be allowed to retain such units until such time that a unit is to be replaced. A class C will not be allowed as a replacement home until such time that the park conforms to the maximum of 25%.

Table 4.11-1 Manufactured Home Dimensional Standard (for Manufactured Home Parks)

Standard	Manufactured Home Type I (or single-wide mobile home)	Manufactured Home Type II (or Double-wide Mobile Home)
Minimum area for manufactured home (square feet)	See Table 4.11-2, below	
Width of Space (feet)	40	50
Depth of Space (feet)	100	100
Front Yard (in feet, measured from pavement edge of internal street to manufactured home)	20	20
Side Yard (in feet, between manufactured homes or permanent buildings)	20	20

Table 4.11-2 Minimum Area for individual Manufactured Homes (for Manufactured Home Parks)

Utilities (denoted by asterisk [*])				Minimum Area Outside a Watershed District	Minimum Area Inside a Watershed Overlay District
Individual well	Individual septic tank	Public or Community Water	Public or Community Sewer		
*	*			30,000	40,000
	*	*		15,000	40,000
*			*	7,500	12,500
		*	*	7,500	12,500

Example: lots with septic tanks and public water supply require a minimum 15,000 square feet outside of the Watershed Overlay District

LOT LENGTH

See Lot Depth.

LOT THROUGH

A lot having a part of opposite lot lines abutting two (2) streets, and which is not a corner lot. (Also known as a "double frontage lot"). On such lot, both lot lines are front, except that where a non-access easement has been established on such a lot, the front lot line shall be considered as that lot line most distant from the lot line containing the non-access easement.

LOT WIDTH

For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required Minimum front yard line on a line parallel to the street or street chord; and for lots on the inside of the curve of a street, the distance between side lot lines measured 30 feet behind the required minimum front yard line on a line parallel to the street or street chord.

LOWEST FLOOR

When used in reference to a structure, means the lowest enclosed area, including a basement, of the structure. An unfinished or flood resistant enclosed area, other than a basement, that is usable solely for parking vehicles, building access, or storage is not a lowest floor.

MAINTENANCE

The replacing or repairing of a minor part or parts of a building or structure which have degraded by ordinary wear or tear or by the weather.

MAJOR SITE PLAN

See § 3.6 of this Ordinance.

MAJOR SUBDIVISION

All land subdivisions that are not exempted by state statute or previously described under the minor subdivision procedures shall be processed as a major subdivision.

MANSARD

A steeply pitched roof, pitched at such an angle as to resemble a building wall.

MANUFACTURED HOME

A structure, used or intended to be used as a Dwelling Unit, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. For purposes of this Ordinance, there are three types of Manufactured Homes:

- 1) **Manufactured Home, Class A:** A manufactured home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the United States Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the following additional criteria:
 - a. the manufactured home has a length not exceeding four (4) times its width (e.g., a “double-wide” unit);
 - b. the pitch of the manufactured home’s roof has a minimum vertical rise of two and two-tenths feet for each twelve feet of horizontal run (2.2’ in 12’) and the roof is finished with shingles;
 - c. the exterior siding consists predominantly of vinyl or aluminum horizontal lap siding, wood or hardboard;

- d. a continuous, permanent masonry foundation, unpierced except for ventilation and access, is installed under the manufactured home;
- e. the tongue, axles, removable towing apparatus, and transporting lights are removed after final placement on the site.

2) **Manufactured Home, Class B:** A manufactured home constructed after July 1, 1976 that meets or exceeds the standards promulgated by the United States Department of Housing and Urban Development that were in effect at the time of construction, but which does not meet the definition of a Class A manufactured home. (See Article VI, Section 5).

3) **Manufactured Home, Class C:** A manufactured home that does not meet the definition of either a Class A or Class B manufactured home. (see Article VI, Section 5).

MANUFACTURED HOME PARK

See § 4.11.2.1 of this Ordinance.

MANUFACTURED HOME SPACE

The portion of land area allotted and/or designated to be allotted to any one manufactured home. The term "manufactured home space" shall include the term "mobile home space."

MANUFACTURED HOME SUBDIVISION

See § 4.11.2.3 of this Ordinance.

MARQUEE

Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

MARQUEE SIGN

Any sign attached to, in any manner, or made a part of a marquee

MASSAGE

The manipulation of body muscle or tissue by rubbing, stroking, kneading, or tapping, by hand or mechanical device. (Source: NCGS § 14-202.10)

MASSAGE BUSINESS

Any establishment or business wherein massage is practiced, including establishments commonly known as health clubs, physical culture studios, massage studios, or massage parlors. (Source: NCGS § 14-202.10)

MATERIALS RECOVERY FACILITY

Any site used for the separation of recyclable materials from nonhazardous waste streams, or where commingled recyclable materials are sorted into distinct categories. For purposes of this definition, the phrase "recyclable materials" shall be defined as set forth in NCGS § 130A-290, which is incorporated herein by this reference.

MEAN SEA LEVEL

The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this Article, the term is synonymous with the "National Geodetic Vertical Datum (NGVD)."

MEZZANINE

One or more intermediate levels between the floor and ceiling of a story, meeting the requirements of § 503.2.3 of the North Carolina State Building Code. (Source: North Carolina State Building Code, Vol. 1, § 201.3)

RA, RESIDENTIAL AGRICULTURAL ZONING DISTRICT

This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County, and the Town of Broadway in North Carolina.

USES PERMITTED BY RIGHT

The uses listed below are permitted by right, subject to any/all other applicable standards of the Unified Development Ordinance (for example, parking requirements).

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>Residential Uses</u>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<u>General Sales or Service</u>
Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district
<u>Industrial & Manufacturing Uses</u>
Pottery Manufacturing & Sales
<u>Arts, Recreation & Entertainment</u>
Botanical garden & arboreta
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<u>Education, Public Administration, Health Care, and Institutional</u>
Religious Complex (less than 350 seats), new site
Religious Complex (any size), addition to existing complex/site
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
<u>Transportation, Communication, and Utilities</u>
Utility lines (including electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (Unincorporated Lee County)
Livestock sales and markets

USES PERMITTED WITH DEVELOPMENT REGULATIONS

The uses listed below may either be permitted by right or upon approval of a Special Use Permit, but are also subject to the requirements of Article 5 Supplemental Development Regulations of the Unified Development Ordinance (for example, daycares are required to install a fence around outdoor play areas).

<u>Residential Uses</u>
Accessory Dwellings (See Section 10.4)
Dwelling, Manufactured home, Class A Unincorporated Lee County and Town of Broadway only (See Section 10.5)
Dwelling, Manufactured home, Class B Unincorporated Lee County only (See Section 10.5)
Home Occupations (See Section 5.16)
Manufactured Home for Hardship Unincorporated Lee County only (See Section 10.6)
Travel Trailer / Recreational Vehicle / Motor Home / Camper, to be used as a Temporary Residence, Unincorporated Lee County and ETJ areas of Sanford and Town of Broadway (See Section 5.34.2.9)
<u>Accommodations and Group Living</u>
Bed & breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Art, Recreation & Entertainment</u>
Stables/Riding Academies
Stable, Accessory to Dwelling
<u>Education, Public Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots (See Section 5.6)
Day Care facility, Home Child Care (See Section 5.10)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Residential (See Section 5.40)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. Special uses are subject to any/all applicable general design standards, any development regulations that apply to the specific use and those requirements that may reasonably be imposed by the respective board as per the Unified Development Ordinance.

<u>Accommodations and Group Living</u>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services
<u>General Services</u>

Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with indoor storage only)
Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with outdoor storage)
<u>Arts, Recreation & Entertainment</u>
Amphitheater
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Hunting and trapping, game retreats, game and fishing preserves
Outdoor stage, bandstand, or similar structure (maximum 3,000 sq. ft.)
Performance Theaters (outdoor)
Performance Theaters or auditoria (indoor)
Recreation activities, commercial indoor, not otherwise listed
Sports stadiums or arenas
Studios for artists, designers, musicians, photographers, sculptors, woodworking (not as home occupation)
Zoos
<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
Day care facility, Adult
Fire, sheriff and emergency services
Governmental Functions, not otherwise listed
Libraries
Religious Complex (more than 350 seats), new site
Schools, Continuing Education (alternative, adult colleges and universities, and technical, trade, and other specialty schools)
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
<u>Transportation, Communication, and Utilities</u>
Airports, Heliports, and Support Establishments
Gas or electric generation distribution facilities, compressor stations, or substations
Sewage treatment and Water treatment plants
<u>Agriculture</u>
Animal Production and Support Services, (Sanford and Broadway)
Forestry and Logging and Support Services, (Sanford and Broadway)

**USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS**

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. In addition to any/all applicable general design standards and those requirements that may reasonably be imposed by the respective board, these uses have specific standards that must be adhered to as per the Unified Development Ordinance (for example, fencing is required around the base of telecommunication towers, including any structures or guy wires).

<u>Residential Uses</u>
Dwelling, Manufactured home, Class A City of Sanford only (See Section 10.5)
Dwelling, Manufactured home, Class B City of Sanford and Town of Broadway only (See 10.5)
Dwelling, Manufactured home, Class C Unincorporated Lee County only (See Section 10.5)
Rural Family Occupation Commercial/Industrial Unincorporated Lee County only (See Section 5.30)
<u>General Services</u>
Animal Hospitals, Veterinary services, Animal Shelters, Kennels/Animal Pet Services (See Section 5.3)
Nurseries and greenhouses, commercial (See Section 5.25)
Rural family occupation – Commercial/Industrial Unincorporated Lee County only (See Section 5.30)
<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford only (See Section 5.23)
Mining and Quarries, EXCEPT Oil and Gas Extraction Town of Broadway (See Section 5.23)
Mining and Quarries, Oil and Gas Extraction Town of Broadway (See Section 5.41)
<u>Arts, Recreation & Entertainment</u>
Campgrounds (See Section 5.29)
Raceways, drag strips (motorized vehicles) (See Section 5.27)
Recreation activities, commercial outdoor (defined in Article 5), not otherwise listed (See Section 5.28)
Travel Trailer Parks (See Section 5.36)
<u>Education, Public Administration, Health Care, and Institutional</u>
Day Care facility, Child Care Center (See Section 5.10)
Day Care facility, Adult (See Section 5.38)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Sandhills Partnership
 REQUEST: Rezone two adjoining tracts of land totaling 4.86 +/- acres from Residential Agricultural (RA) to Azalea Lane Conditional Zoning District, with the intent being to expand an existing mobile home park via a site plan specific conditional zoning district
 LOCATION: 6400 Old Jefferson Davis Hwy and a mobile home park addressed as 15, 25, 35, 45, and 65 Azalea Lane, Sanford, NC 27332
 PIN: 9528-93-8685-00 and 9528-93-6769-00
 DATE: 2020-07-10

No.	PIN	PROP ADDR	OWNER 1	OWNER2	M #	MAIL ST	MAILCITY	ST	ZIP
01	9538-03-0834-00	6358 OLD JEFFERSON DAVIS HWY	PANDOL, JESSICA M	PANDOL, CALEB M	6358	OLD JEFFERSON DAVIS HWY	SANFORD	NC	27332
02	9538-04-0035-00	6324 OLD JEFFERSON DAVIS HWY	BLUE, CLEO D	BLUE, DIANNA C	761	NICHOLSON ROAD	SANFORD	NC	27332
03	9528-95-3033-00	0 CEDAR LANE RD	MAXWELL, JACK C	MAXWELL, ALICE ANN G	1909	LORD ASHLEY DRIVE	SANFORD	NC	27330
04	9528-83-5939-00	0 JEFFERSON DAVIS HWY	GOODWIN, CHARLES D JR	GOODWIN, MADONNA M	2109	COOL SPRINGS RD	SANFORD	NC	27330
05	9538-03-2142-00	0 JEFFERSON DAVIS HWY	MARLEY MOORE LLC	-	-	PO BOX 781	SOUTHERN PINES	NC	28388
06	Applicant & Property Owner	Sandhills Partnership				PO BOX 1	SANFORD	NC	27331

(0) = Vacant, no addressed structures on the parcel.

ADJACENT PROPERTY OWNERS NOTIFICATION CERTIFICATION

I, Amy J. McNeill, hereby certify that the property owners and adjacent property owners of the following rezoning petitions as indicated on the Lee County Tax Maps were notified by First Class U.S. Mail on Friday, July 10, 2020.

1. REZONING APPLICATION

Application by Charles Ray Riddle to rezone one vacant 1.92 ± acre tract of land off of Riddle Road, adjoining 141 Riddle Road to the east and opposite 272 and 332/340 Riddle Road, from Highway Commercial Conditional Use (HC-CU) to Residential to Agricultural (RA). The subject property is identified as Tax Parcel 9654-21-2766-00 as depicted on Lee County Tax Map 9654.03.

2. REZONING APPLICATION

Application by Sandhills Partnership to rezone two adjoining tracts of land totaling 4.86 +/- acres developed with a house addressed as 6400 Old Jefferson Davis Hwy and a mobile home park addressed as 15, 25, 35, 45, and 65 Azalea Lane, formerly known as the Wilbur R. Stephens Mobile Home Park, from Residential Agricultural (RA) to Azalea Lane Conditional Zoning District, with the intent being to expand an existing mobile home park via a site plan specific conditional zoning district. The subject property identified as 9528-93-8685-00 and 9528-93-6769-00 as depicted on Lee County Tax Map 9538 and 9528.

Signature: Amy J. McNeill Date: 2020.07.10

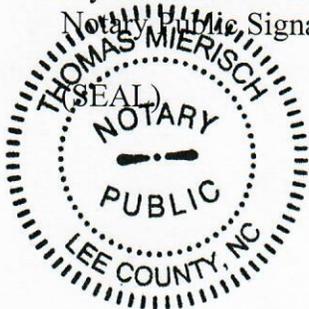
Title: ZONING ADMINISTRATOR

Lee County, North Carolina

I, THOMAS MIERISCH, a Notary Public for Lee County and State of North Carolina do hereby certify that Amy McNeill personally appeared before me on this day and acknowledged the due execution of the foregoing Instrument. Witness my hand and official seal, this the TENTH day of JULY, 2020.

Thomas Mierisch

My Commission expires 9/30/2020
Notary Public Signature



LEE COUNTY PUBLIC HEARING NOTICE

Notice is hereby given that the Lee County Board of Commissioners and Planning Board will hold joint public hearings on Monday, July 20, 2020, at the Dennis A. Wicker Civic and Conference Center, 1801 Nash Street, Sanford, N.C. The Boards will consider two (2) applications to amend the Official Zoning Map of Lee County, NC. The hearings will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Board. The rezoning applications are described below:

1. REZONING APPLICATION

Application by Charles Ray Riddle to rezone one vacant 1.92 ± acre tract of land off of Riddle Road, adjoining 141 Riddle Road to the east and opposite 272 and 332/340 Riddle Road, from Highway Commercial Conditional Use (HC-CU) to Residential to Agricultural (RA). The subject property is identified as Tax Parcel 9654-21-2766-00 as depicted on Lee County Tax Map 9654.03.

2. REZONING APPLICATION

Application by Sandhills Partnership to rezone two adjoining tracts of land totaling 4.86 +/- acres developed with a house addressed as 6400 Old Jefferson Davis Hwy and a mobile home park addressed as 15, 25, 35, 45, and 65 Azalea Lane, formerly known as the Wilbur R. Stephens Mobile Home Park, from Residential Agricultural (RA) to Azalea Lane Conditional Zoning District, with the intent being to expand an existing mobile home park via a site plan specific conditional zoning district. The subject property identified as 9528-93-8685-00 and 9528-93-6769-00 as depicted on Lee County Tax Map 9538 and 9528.

The public is cordially invited to attend. Further information may be obtained from the Sanford/Lee County Zoning & Design Review Department, 115 Chatham Street, Suite 1, Sanford, NC 27330 or by calling (919) 718-4656. Upon request and with 24-hour notice, the County will provide an interpreter for the hearing impaired or any other type of auxiliary aid.

Cualquier ciudadano que tenga preguntas o comentarios de las cosas al referido, puede comunicarse a el departamento de desarrollo para Sanford/Condado de Lee, llame al (919) 718-4656.

By Jennifer Gamble, Clerk
Lee County Board of Commissioners

Consideration of a Preliminary Plat for Moncure Hills Subdivision

Lee County Planning Board Meeting

July 20, 2020

Introduction: Moncure Investments, LLC would like to create a new 50 lot residential single-family home subdivision off of Lower Moncure Road that would be served by new public streets, public water, and individual private septic systems.

Location:	Lower Moncure Road (SR 1002)
Jurisdiction:	City of Sanford's Extraterritorial Jurisdiction (ETJ), majority of site <u>Lee County, small area in the northeastern corner</u>
Property Owner:	Moncure Investments, LLC
Project Developer:	Caviness Land
Project Engineer:	4D Site Solutions
Township:	East Sanford
Council Ward:	N/A, in the City's ETJ
Tax Parcels:	9653-33-8524-00, 9653-43-4100-00, and 9653-44-8449-00
Tax Map:	9653.14 and 9653.04
Zoning:	Residential Single-family (R-20) for the area in the City's ETJ and <u>Residential Restricted (RR) for the portion in Lee County</u>
Acreage:	62.44
Total Lots:	50 residential lots and 4 common area lots
Minimum Lot Size:	20,000sf in R-20 and <u>30,000sf in RR</u>
Smallest Lot Size:	25,000 or 0.57 of an acre (Lots 42, 43, 47 and 48)
Largest Lot Size:	45,179 or 1.04 acres (Lot 5), residential lot
Streets:	Public streets, NCDOT
Water:	Public Water, City of Sanford
Wastewater:	All lots are proposed to be served by individual private septic systems
Phases:	2 phases proposed
Open Space:	None required and four common areas proposed (see drawings)
Fire District:	Northview Fire Dept.
School Districts:	Deep River Elementary / East Lee Middle / Lee Senior High School

Extraterritorial Jurisdiction or ETJ Information: The way an area outside a city is developed can dramatically affect the city. Development can change the character of neighborhoods, increase the demand for city services, change the city's traffic patterns, and affect surrounding property values. In many instances nearby areas will eventually be part of a city. Because of these impacts, in 1959 virtually all North Carolina cities were granted the authority to extend city zoning to the area immediately outside of their city limits. This area adjacent to cities where land development regulations can be applied is called a city's extraterritorial jurisdiction, commonly referred to as the ETJ.

Source: Introduction to Zoning, Third Edition, 2007, by David W. Owens

Area & Site Description: The subject property is comprised of three vacant tracts of land off of Lower Moncure Road, between N. Eleventh Street and the 421 Bypass.

Zoning District Information: The majority of the site is zoned Residential Single-family (R-20) district, which is established to provide areas for low-density single-family uses, with a maximum of two dwelling units per

acre and may provide buffers between the agricultural and the higher density areas of the County of Lee. It includes density and minimum lot size requirements in order to allow for market and design flexibility while preserving the neighborhood character.

Residential Single-family R-20 Zoning – City of Sanford’s ETJ

The minimum lot width is 100ft, with a minimum lot size of 20,000sf, and a max building height of 40ft.

The minimum building setbacks for a principal structure or house is as follows:

Front: 30 feet, as measured from the right-of-way line of the public street

Rear: 30 feet, measured from the rear property line

Side(s): 15 feet, measured from the side property lines

Note: Corner lots have two front yard setbacks, one for each public street

A small portion of the site in the northeastern corner (approximately 5.78 acres in the area of lots 1, 2 and CA-4) is zoned Residential Restricted (RR), which is established to provide areas for low-density single-family uses, with a maximum of one and 1.5 dwelling units per acre. Property zoned RR should include only those tracts which abut or are in close proximity to existing large-lot single family development, making RR an appropriate transition district between rural, agricultural, and suburban uses.

(The “restricted” designation means that site-built and modular homes are permitted in this zoning district, but manufactured/mobile homes are not permitted.)

Residential Restricted (RR) Zoning – Lee County

The minimum lot width is 100ft, with a minimum lot size of 30,000sf, and a max building height of 40ft.

The minimum building setbacks for a principal structure or house is as follows:

Front: 30 feet, as measured from the right-of-way line of the public street

Rear: 30 feet, measured from the rear property line

Side(s): 15 feet, measured from the side property lines

Note: Corner lots have two front yard setbacks, one for each public street

Adjoining Zoning

North: Residential Single-family (R-20), Opposite side of Lower Moncure Road – Sanford ETJ

South: Residential Single-family (R-20) and Residential-Mixed (R-12) – Sanford ETJ

East: Residential Restricted (RR) – Lee County

West: Residential Single-family (R-20), Adjoining & opposite side of Lower Moncure Rd – Sanford ETJ

Area Plans and Overlay Districts

Long Range Plan: The *Plan SanLee* land use plan identifies the future land use place type for this tract of land as “Suburban Neighborhood” (see attached), which has the following characteristics:

- Residential areas on the outskirts of a core urbanized area
- Facilitates large scale development of single-family residential
- Walkable, with high degree of transportation connectivity between neighborhoods
- Local example: Westlake Valley neighborhood in Sanford

Land use designations include forests, undeveloped open space, schools, churches, neighborhood parks, as well as detached and attached single-family dwellings. Forms of transportation include automobiles (vehicular connectivity is encouraged in new development) that share the roads with pedestrian uses like sidewalks, off-street trails, transit and commercial area connections. Also included in transportation is on-street bike lanes and off trail bicycle systems, and public transit. The current zoning districts are residential single-family (R-20, R-14, R-12SF, and R-12). The maximum development density is four to seven units per acre with moderate building setbacks and a 35ft height limit. Utility infrastructure is public water and public wastewater. The preferred character is interconnected curvilinear streets, 600ft block lengths, curb & gutter with sidewalks, and street trees.

Watershed Conservation Overlay District: The subject property is located within our Watershed Conservation Overlay District, specifically the Cape Fear/Lee County Watershed Protected Area. A watershed is a basin-like landform delineated by ridgelines that descend into lower elevations that carries rain water from the land into soils, ground waters, creeks, and streams, eventually making its way to larger rivers and the ocean. Development within this area is allowed, but there are maximum density and built upon area requirements designed to ensure the health of the watershed. Any/all future proposed subdivisions and development must comply with the UDO watershed regulations.

The subject property is not located within an established Flood Hazard Area / floodplain.

Utilities: All lots are proposed to be served by City maintained public water via an existing 24-inch water main line along Lower Moncure Road. If the subdivision is approved, all connections to City maintained public water must be approved by the City of Sanford Public Works Department and the applicable Fire Dept. to verify compliance with all regulations.

Given the location outside of the City limits, the subject property does not have access to public sanitary sewer. Therefore, it has been evaluated by a licensed soil scientist in order to determine the suitability of soils for individual private septic systems and the project designer has utilized this general information when creating the lot configurations. Future residential development on each lot would be served by individual private septic systems that would need to be approved by the Lee County Environmental Health Department and/or a Soil Scientist licensed to practice in the state of North Carolina at the time that the developer or individual lot owner proposes to construct a house.

Transportation: The site has over 1,900LF of road frontage on Lower Moncure Road (SR1002), a NCDOT maintained paved public highway with a 60ft right-of-way. Lots 1-7 will be served via an 18ft asphalt drive with an accompanying easement, even though they have public road frontage as per a requirement from NCDOT. There is not a NCDOT traffic count in the immediate area.

Staff Analysis: No architectural plans are required to be reviewed/approved as part of this subdivision review since the zoning is a standard R-20 and RR district and not a conditional zoning district. Also, no sidewalks or curb & gutter are required since the lots are 20,000sf or greater.

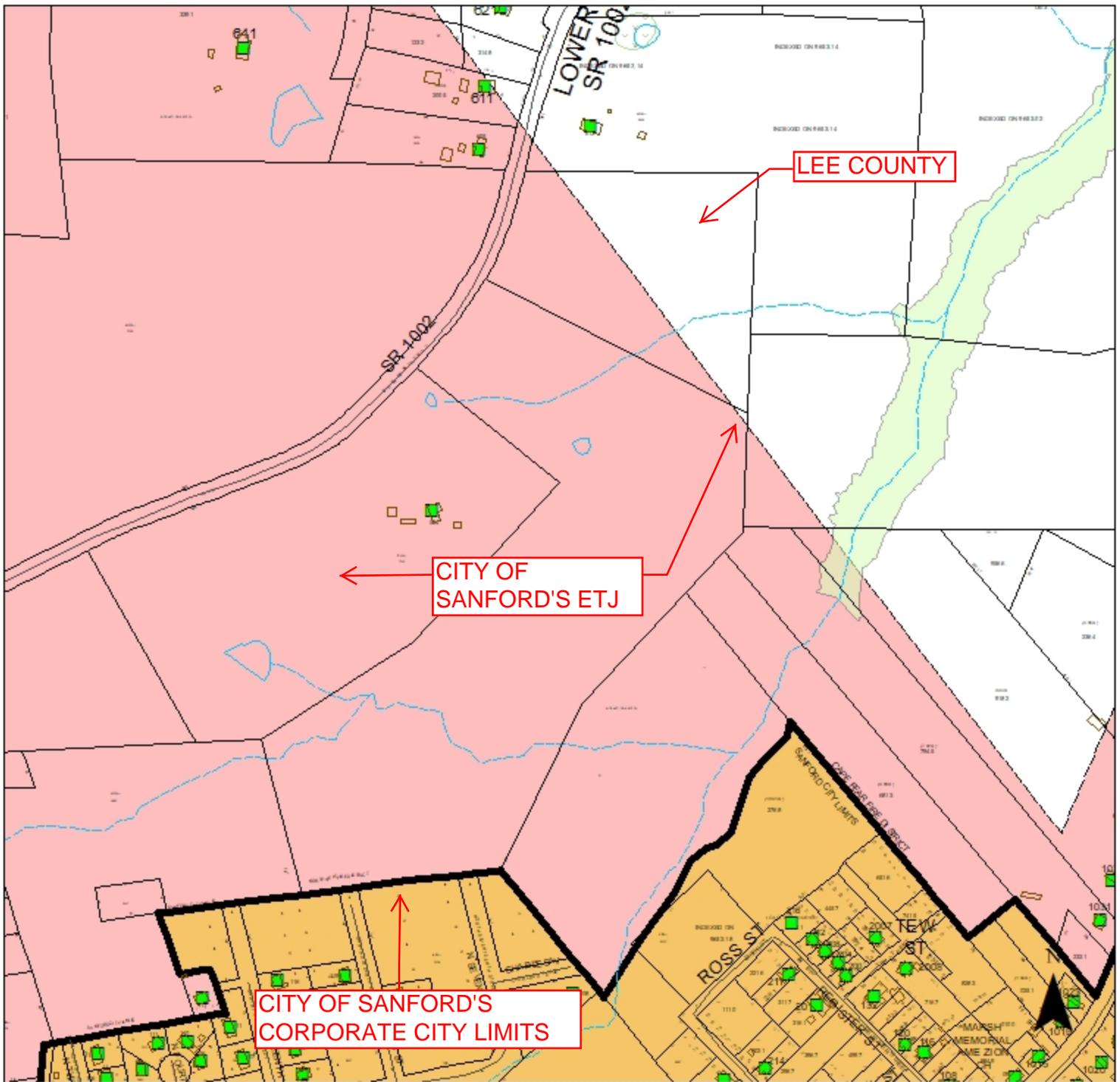
The topography slopes downward from the west (Lower Moncure Road) to the east (southeastern perimeter property line). There are no water features or wetlands illustrated in our GIS mapping system. Lick Creek tributary, an intermittent stream or "wet weather branch" is crosses several areas of the site and is associated with the wetland illustrated on the plans. Sanford/Lee County does not have a local grading permit and relies on the North Carolina Department of Environmental Quality (NCDEQ) to regulate land disturbing activities. A sedimentation and erosion control plan for this project must be approved by NCDEQ and a copy of the approval must be on file with the Planning Department prior to recordation of the final subdivision plat, which legally creates the individual lots.

The following is a general note included with all rezoning requests: Sanford, Lee County, and Broadway do not have local grading permits and rely on the NC Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program via mail 1612 Mail Service Center, Raleigh, NC 27699-1612, via phone at 877-623-6748 or visit the NCDEQ website at <http://deq.nc.gov>. The physical address of the office is 217 W. Jones Street, Raleigh, NC 27603.

City of Sanford Review/Approval Notes: On July 13th, the Sanford Planning Board reviewed this preliminary plat and recommended approval as presented; therefore, this item will be placed on the August 3rd Sanford City Council agenda for consideration and a vote.

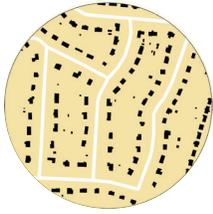
Other Conditions/ Requirements/Notes:

- 1.) All TRC technical revisions must be addressed prior to the final plat being recorded.
- 2.) A copy of the NCDEQ approval will be required prior to recordation of the final plat for each phase.
- 3.) A copy of the NCDOT approval will be required prior to recordation of the final plat for each phase.
- 4.) The preliminary plat shall be valid for two years if approved by the Sanford City Council.



MONCURE HILLS SUBDIVISION
Jurisdiction map for reference by the Lee County Planning Board
and Lee County Board of Commissioners.

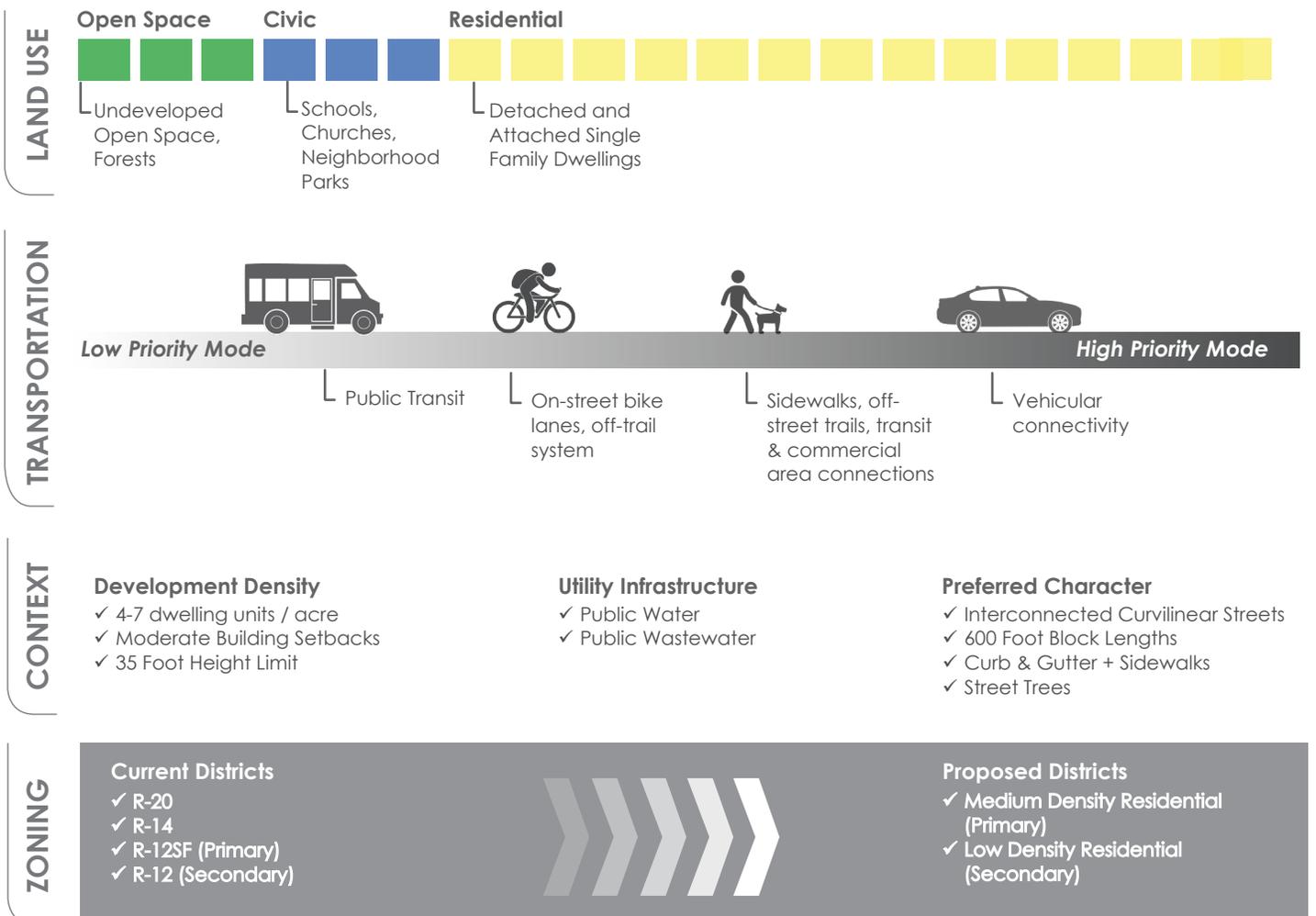
This is a graphic illustration and not a legal document.



SUBURBAN NEIGHBORHOOD

- ✓ Residential areas on the outskirts of a core urbanized area
- ✓ Facilitates large scale development of single family residential
- ✓ Walkable, with high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares

Local Example - Westlake Valley Neighborhood in Sanford



Southeastern Soil & Environmental Associates, Inc.

P.O. Box 9321
Fayetteville, NC 28311
Phone/Fax (910) 822-4540
Email mike@southeasternsoil.com

November 29, 2018

Mrs. PJ Gay
Caviness Land
638 Executive Place, Suite 400
Fayetteville, NC 28305

Re: Preliminary soil evaluation for subsurface waste disposal, Parcel 2, Box Bend, LLC.,
Lower Moncure Road, Lee County, North Carolina

Dear Mrs. Gay,

A preliminary soils investigation has been completed for the above referenced property at your request. The property is located on Lower Moncure Road as illustrated on the accompanying maps. The purpose of the investigation was to determine the extent of soil areas that may have the ability to support subsurface waste disposal systems for a proposed residential subdivision. All ratings and determinations were made in accordance with "Laws and Rules for Sanitary Sewage Collection, Treatment, and Disposal, 15A NCAC 18A .1900".

Southeastern Soil and Environmental Associates, Inc. (SSEA) performed these soil evaluations in September and October 2018. SSEA traversed the property and observed landforms (slope, drainage patterns, etc.) as well as soil conditions through the use of hand auger borings and/or soil probes. From these observations and GPS location (accuracy may vary; **not based on a current survey**) the boundaries between usable and unusable soils has been **estimated** on the accompanying maps (scale as shown).

Two distinct soil patterns were observed in the field evaluations. They are described as follow:

Area "A": This area is dominated by soils that are provisionally suitable for subsurface waste disposal systems (**with the exception of minor drainageways or disturbed areas that are too small to delineate at this scale**). Typically, these soils exhibited 4 or more inches of loamy sand underlain by sandy clay loams and/or sandy clays to depths of 36 or more inches.

Soil wetness, depth, and mineralogy were typically suitable to depths of at least 20 inches. A 3-bedroom home would require approximately 8,000 sq. ft. of this soil area for drainfields and repair areas (exclusive of setbacks from lot lines, houses, drainage features, etc.). A 4-bedroom home would require approximately 10,000 sq. ft. of this soil area. (Note: These square footage recommendations assume appropriate topography for a practical septic system layout on topographical contour. Space requirements could increase with difficult topography, irregular lot lines, etc.) System types in these soil areas would primarily be conventional but could include innovative, low pressure pipe, Low Profile Chamber, pump to conventional, .1957b fill, pretreatment, drip irrigation, etc.

Note: The enclosed map is not based on a current survey [once surveyed, estimations of soil lines may change]. All points were flagged in the field for location by your professional land surveyor. Due to heavy vegetation and/or poor GPS accuracy, estimations of unsuitable soil lines (on maps provided) could vary after further evaluation.

Area "B": Soils in these areas are dominantly unsuitable for subsurface waste disposal due to poor topography, shallow soil depths to unsuitable saprolite or parent material, soil wetness [colors of chroma 2 (or less) and/or redox mottles that are less than 12 inches from the soil surface] and/or expansive clay mineralogy. Some of these areas contain wetlands that are regulated by the US Army Corps of Engineers and/or the NC Division of Water Resources. A wetland delineation should be completed prior to any site disturbances near these areas. A wetland permit will be required if any disturbance is proposed in these areas.

Note: Any site grading, compaction, rutting and/or soil removal in the provisionally suitable soil areas (A) may alter the findings of this report and render sites unusable. Areas for septic disposal must remain undisturbed (no mechanical clearing, stripping, excavation or heavy traffic).

Because individual lots were not surveyed at the time of evaluation, this report does not address lot(s). This report is to be used as a guide for likely subdivision/lot design based on useable soils.

Lee County Planning requires a certification of the septic suitability of each proposed lot prior to recording a subdivision map. Additional soil borings/testing will be required at the time that proposed individual lots are staked on the ground to determine whether each lot contains adequate soils that have the ability to

assimilate waste under current rules and the type system required. Based on these individual lot evaluations, additional requirements for lot density, lot size and/or configuration would be made to meet current regulatory criteria.

This report, of course, does not guarantee, constitute or imply any approval, or issuance of permit, as needed by the client from the local health department. Such approval is dependent on individual lot evaluations made after individual lots are staked in the field by the local health department. This report only represents my opinion as a licensed soil scientist. Because of the extreme variability of these soils, SSEA does not guarantee that permitting agencies will agree with these findings (nor permit the intended use).

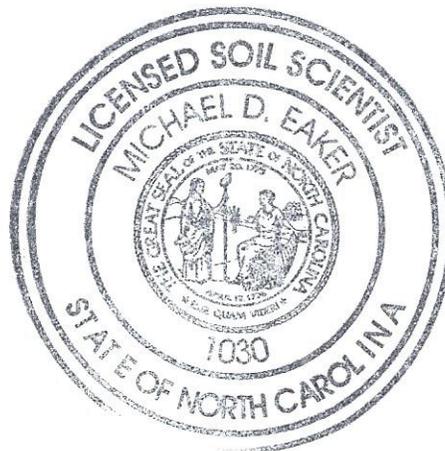
As with any property, a buyer of any proposed lot should obtain an appropriate septic improvement permit from the local County Health Department prior to making or completing financial obligations or commitments. (A permit from this agency is the only "guarantee" of a site's suitability).

Southeastern Soil and Environmental Associates, Inc. is pleased to be of service in this matter. We look forward to assisting in additional site analysis needs you may have in the future. Please feel free to call with any questions.

Sincerely,

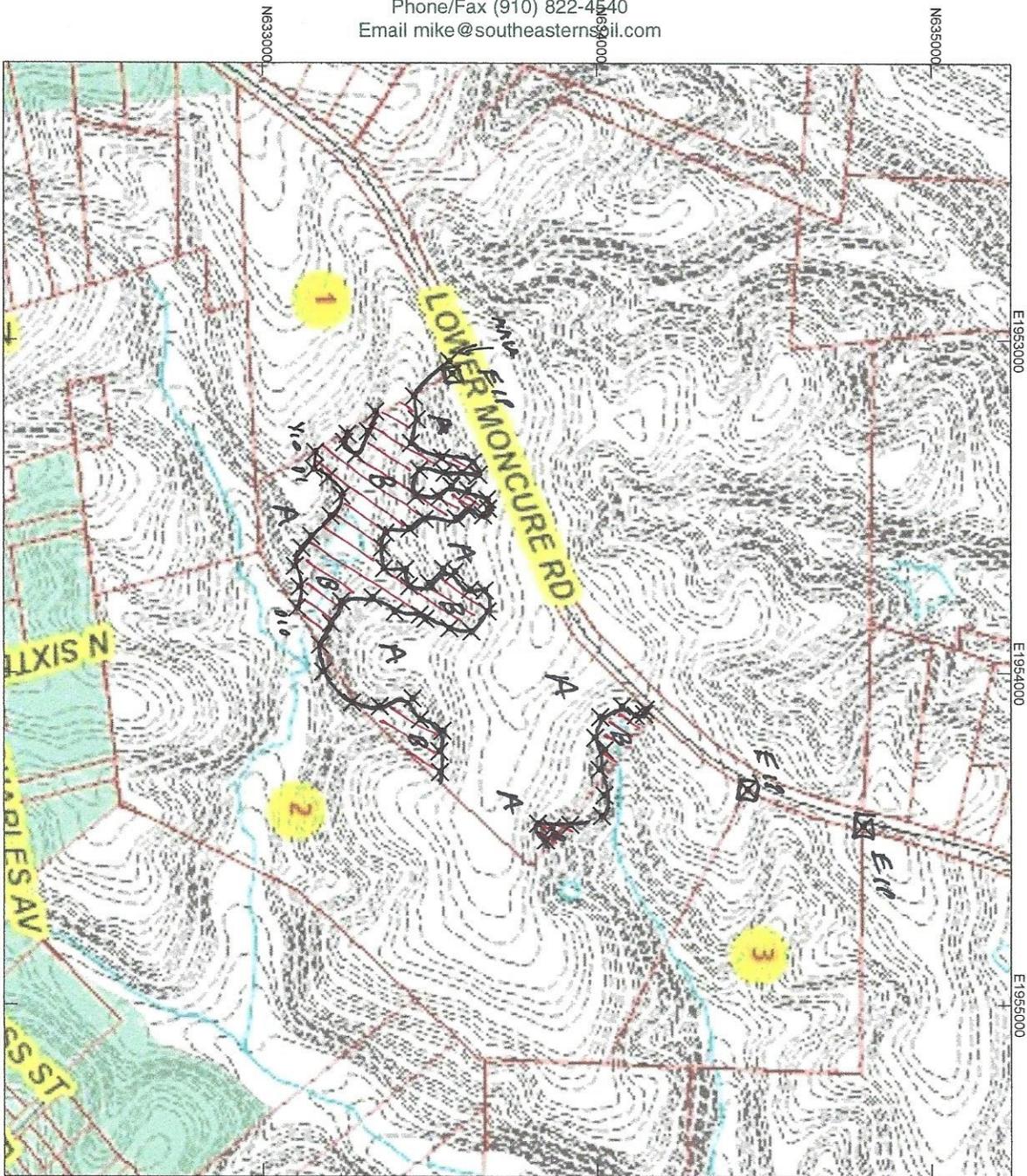


Mike Eaker
President



Southeastern Soil & Environmental Associates, Inc.

P.O. Box 9321
 Fayetteville, NC 28311
 Phone/Fax (910) 822-4540
 Email mike@southeasternsoil.com



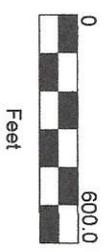
**Soil Delineation
 for Subsurface
 Waste
 Disposal, Box
 Bend, LLC
 Lower Moncure
 Road, Lee
 County, NC**

A = Provisionally Suitable Soil

B = Unsuitable Soil



Scale 1:6,000



US State Plane 1983
 North Carolina 3200
 NAD 1983 (Conus)

CAVINNESS LOWER MONCURE 2.SSF
 11/29/2018

GPS Pathfinder® Office
Trimble™



SITE DATA	
DEVELOPER	CAVINNESS LAND
MAILING ADDRESS	639 EXECUTIVE PLACE, SUITE 400
CITY, STATE	FAYETTEVILLE, NORTH CAROLINA 28305
PIN NUMBER	9653-33-8924-00
	9653-43-4100-00
TOWNSHIP	EAST SANFORD
TOTAL SITE ACREAGE	62.44 AC
ACREAGE TO BE DEVELOPED	62.44 AC
ZONING	R-20 & RR
EXISTING USE	UNDEVELOPED
PROPOSED USE	RESIDENTIAL
DISTURBED/DENIED AREA	11.53 AC
NUMBER OF LOTS	50 (50 RESIDENTIAL & 4 CA LOTS)
SETBACKS REQUIRED:	R-20 RR
FRONT	30 FT 30 FT
SIDE	15 FT 15 FT
REAR	30 FT 30 FT

REVISIONS

- SITE NOTES**
- EXISTING UNDERGROUND UTILITIES ARE SHOWN ONLY WHERE EVIDENCE COULD BE FOUND TO VERIFY LOCATION. PRIOR TO CONSTRUCTION OR EXCAVATION OF THE SITE, THE GENERAL CONTRACTOR SHALL VERIFY ALL UTILITY COMPANIES TO VERIFY THE LOCATION OF THEIR RESPECTIVE UTILITIES. ALL DAMAGE INCURRED TO EXISTING UTILITIES DURING CONSTRUCTION SHALL BE REPAIRED AT THE GENERAL CONTRACTOR'S EXPENSE.
 - ASPHALT AND BASE TYPE SHALL BE PER THE DETAILS.
 - HANDICAP RAMPS, SIGNAGE AND PARKING SPACES SHALL BE PROVIDED BY THE CONTRACTOR AND INSTALLED PER FEDERAL ADA AND LOCAL REQUIREMENTS.
 - ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
 - ALL RADII ARE 3' UNLESS OTHERWISE NOTED.
 - PARKING STALLS MUST BE STRIPED WITH A 4 INCH CONTRASTING STRIPE (YELLOW ON CONCRETE AND YELLOW OR WHITE ON ASPHALT PARKING LOT).
 - HANDICAP PARKING SPACES ARE TO BE DESIGNATED BY BLUE STRIPING AND EITHER A BLUE SYMBOL ON A WHITE BACKGROUND OR A WHITE SYMBOL ON A BLUE BACKGROUND. ALL HANDICAP PARKING STALLS REQUIRE THE INSTALLATION OF THE PROPER SIGNAGE.
 - ALL PARKING SPACES ARE TO BE LAID OUT IN ACCORDANCE WITH THE SITE PLAN DIMENSIONS.
 - ALL WASTE MATERIAL SHALL BE DISPOSED OF OFF-SITE IN ACCORDANCE WITH STATE AND LOCAL LAWS AND REGULATIONS.
 - ALL SITE IMPROVEMENTS SHALL BE INSTALLED PER LEE COUNTY AND STATE REGULATIONS.
 - DRAINAGE EASEMENTS OUTSIDE OF RIGHT-OF-WAY TO BE MAINTAINED BY OWNER OF PROPERTY BURDENED BY THE EASEMENT.

PROJECT NAME
MONCURE HILLS SUBDIVISION

OVERALL SITE PLAN



639 Executive Place, Suite 400
Fayetteville, North Carolina 28305
Phone: (910) 481-0503
Fax: (910) 964-9089

PROJECT INFORMATION

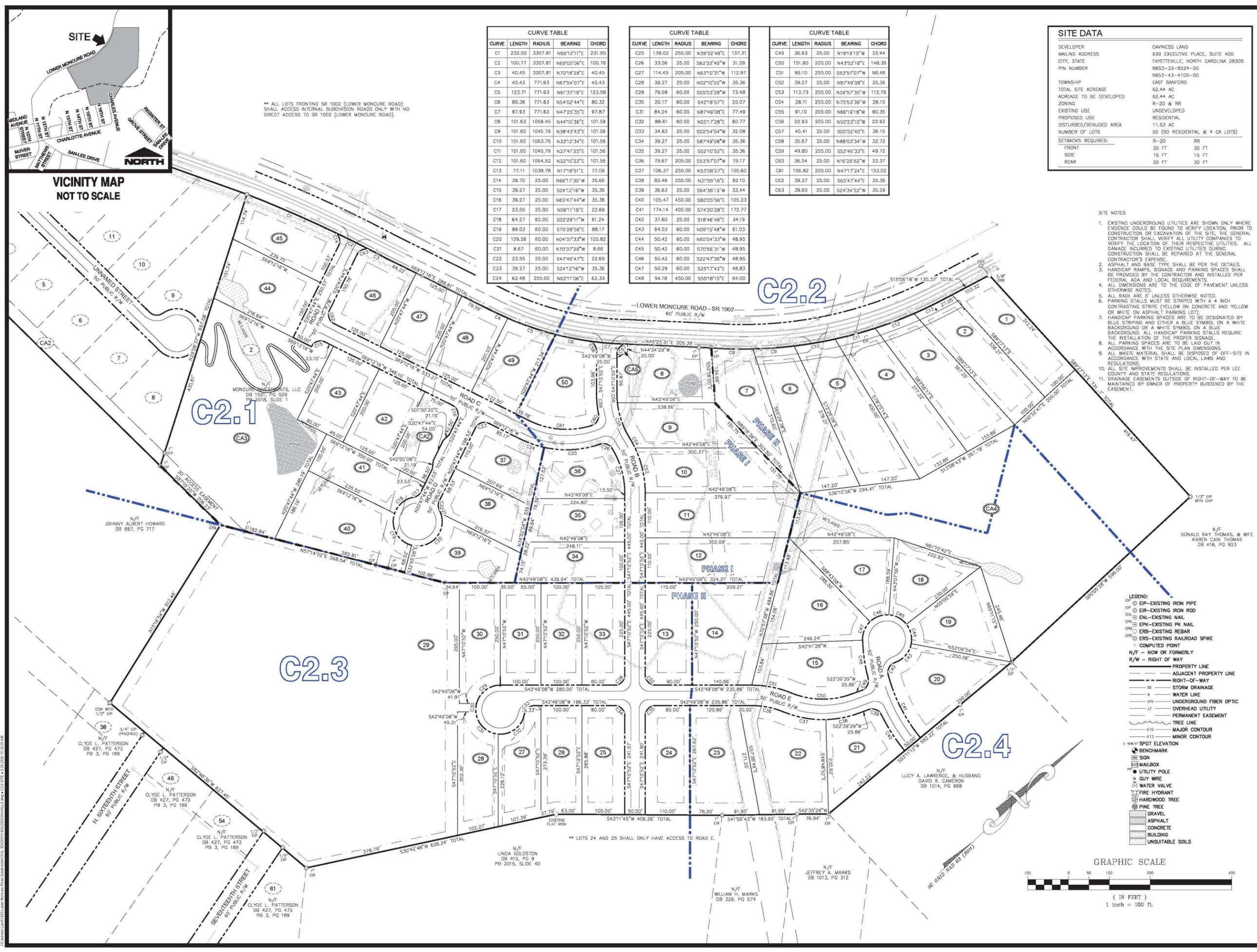
DESIGNED BY:	CALEB
DRAWN BY:	CALEB
CHECKED BY:	SCOTT
PROJECT NUMBER:	1483

DRAWING SCALE
HORIZONTAL: 1"=100'

DATE RELEASED
MAY 26, 2020

SHEET NUMBER

C-2.0



** ALL LOTS FRONTING SR 1002 (LOWER MONCURE ROAD) SHALL ACCESS INTERNAL SUBDIVISION ROADS ONLY WITH NO DIRECT ACCESS TO SR 1002 (LOWER MONCURE ROAD).

** LOTS 24 AND 25 SHALL ONLY HAVE ACCESS TO ROAD E.

C:\Caviness Land\001_Overall Site Plan\Moncure Hills Subdivision\Overall Site Plan.dwg - C-2.0 SITE - 4.26.2020 10:24:03 AM