

**PLANNING BOARD - MAY 20, 2025
COUNCIL CHAMBERS - 6:00 PM**

**Joe Terranova
Greg Caulder
Angela Jones
Jeffery McLean
Mitchell Prevatte**

**Walter Smith
Lisa Douglas
Lee-Pam Odom
Randy Hammonds
Ray Britt**

AGENDA

I. Call to Order

II. Minutes Approval

- A. Planning Board - Regular Meeting - April 15, 2025 - ArTriel Kirchner, Planning & Neighborhood Services

III. Agenda Items

- A. Eric Chavis Rezoning Request 1322 Alamac Road-ETJ - ArTriel Kirchner, Planning & Neighborhood Services
- B. Gods Chosen Generation (SUP) Cemetery 44 Zach Drive- ETJ - ArTriel Kirchner, Planning & Neighborhood Services
- C. The City of Lumberton/Tubbs Rezoning Emery Road - County - ArTriel Kirchner, Planning & Neighborhood Services
- D. The City of Lumberton Rezoning Emery Road - County - ArTriel Kirchner, Planning & Neighborhood Services
- E. Justin Patterson Rezoning 35 State St.-P7 - ArTriel Kirchner, Planning & Neighborhood Services

IV. Adjournment

MEMBERS - IF YOU ARE UNABLE TO ATTEND THE MEETING PLEASE CALL THE PLANNING DEPARTMENT AT 671-3838 BY 4 P.M.

Lumberton Planning Board

Item: II.A.

Lumberton, North Carolina



Request for Action

Meeting Date: May 20, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 05/12/2025

Subject: Planning Board - Regular Meeting - April 15, 2025

Summary/Background of Subject Matter:

Planning Board Minutes - Regular Meeting - April 15, 2025

Staff Recommendation:

Approve the Planning Board Meeting Minutes for April 15, 2025

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. PBM April 15, 2025



CITY OF LUMBERTON

PLANNING BOARD

MINUTES • APRIL 15, 2025

Council Chambers	Joe Terranova	Walter Smith	6:00 PM
	Greg Caulder	Lisa Douglas	
	Angela Jones	Lee-Pam Odom	
	Jeffery McLean	Randy Hammonds	
	Mitchell Prevatte	Ray Britt	

I. Call to Order

Chairman Terranova called the meeting to order at 6:00 PM.

Members Absent: Walter Smith - P5 and Randy Hammonds - P8

II. Minutes Approval

- A. Planning Board - Regular Meeting - March 18, 2025

III. Agenda Items

- A. Ryan Locklear Special Use Permit 328 E. 24th. St. - P3 - ArTriel Kirchner,
Planning & Neighborhood Services

Deputy Planning Director, Mr. Brian Nolley, gave a brief overview of the request.

The Applicant, Ryan Locklear, presented the request.

Chairman Joe Terranova opened the public meeting.

After questions and discussion from the board, Chairman Terranova called for a motion.

Mr. Mitchell Prevatte (P-4) made a motion to approve the request with the following conditions: -Extend the operating hours to 1:00 am; no one over the age of 18 years permitted after 8:00 pm; must provide security until 1:00 am; and must provide a partition wall between the alcohol sales and the game center (previous condition).

Mrs. Angela Jones (P-2) seconded the motion; the motion carried 6 to 2, with Mr. Ray Britt (County) and Mrs. Lisa Douglas (P-6) in opposition.

- B. Habbeb Najjar Special Use Permit 2105 W.5th St.-P7 - ArTriel Kirchner,
Planning & Neighborhood Services

Deputy Planning Director, Mr. Brian Nolley, gave a brief overview of the request.

The Applicant, Habbeb Najjar, presented the request.

Chairman Joe Terranova opened the public meeting.

After questions and discussion from the board, Chairman Terranova called for a motion.

Mrs. Lee-Pam Odom (P-7) made a motion to deny the request, citing that the application does not meet the four criteria for approval and the use will not comply with Section 35-166.5 of the City of Lumberton Code of Ordinances.

Mr. Jeffery McLean (P-3) seconded the motion; the motion carried unanimously.

C. Dannie Stewart SUP 328 Hood Rd.-ETJ- ArTriel Kirchner, Planning & Neighborhood Services

Deputy Planning Director, Mr. Brian Nolley, gave a brief overview of the request.

The Applicant, Dannie Stewart, presented his request.

Chairman Joe Terranova opened the public meeting.

After questions and discussion from the board, Chairman Terranova called for a motion.

Mrs. Angela Jones (P-2) made a motion to approve the request,

The motion was seconded by Mrs. Lisa Douglas (P-6); the motion carried 6 to 2, with Mr. Greg Caulder (P-1) and Mr. Ray Britt (County) in opposition.

D. Justin Patterson Rezoning 35 State St.-P7- ArTriel Kirchner, Planning & Neighborhood Services

Deputy Planning Director, Mr. Brian Nolley, requested that the application be tabled due to the applicant not being present.

Mr. Greg Caulder (P-1) made a motion to table the request until their next board meeting.

The motion was seconded by Mr. Mitchell Prevatte (P-4); the motion carried unanimously.

IV. Adjournment

The meeting was adjourned at 7:08 pm.

Lumberton Planning Board

Item: III.A.

Lumberton, North Carolina



Request for Action

Meeting Date: May 20, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 05/06/2025

Subject: Eric Chavis Rezoning Request 1322 Alamac Road-ETJ

Summary/Background of Subject Matter:

Eric Chavis is requesting to rezone property located at 1322 Alamac Road from R-6 to B-4.

Staff Recommendation:

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Chavis Application

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:

Full Legal Name: Eric Chavis

Physical Home Address: 2960 Bragg St.

Lumberton, NC 28358

Mailing Address: 2960 Bragg St

Lumberton, NC 28358

Telephone: 910-740-3277

Owner:

Full Legal Name: Same

Physical Home Address:

Mailing Address:

Telephone:

Legal Name of Business:

EMAIL: ericchavis63@icloud.com

2. Description of Property:

1322 Alamac Rd

(Address)

1934

(Deed Book)

221

(Page)

17

(Map Book)

108

(Page)

55 feet

(Frontage)

7,569.65 sq.ft.

(Area)

3. Tax Map Identification Number (parcel number): 1017-02-009

4. Existing Zoning District Designation of Property: R-6

5. Requested Zoning District Designation of Property: B-4

6. Applicant's Interest In Property (check one): ☒ Owner ☐ Owner's Agent ☐ Lease-to-Own

☐ Tenant ☐ Family member ☐ Other (explain) _____

7. Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. Site Map: Attach a map of the property in question.

9. Application Fee: Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

- 10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):**

Use as a garage/service center.

[illegible]

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

Applicant: Eric Chavis 2960 Bragg St.; Lumberton, NC 28358
Full Legal Name (type or print) Home Address

STATE OF NORTH CAROLINA COUNTY OF ROBESON

I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: Eric Chavis
Signature

WITNESS my hand and official seal, this the 25th day of April, 2025.



Laney Mitchell-McIntosh
Official Signature of Notary

Laney Mitchell-McIntosh Notary Public
Notary's printed or typed name

My Commission Expires: 10/19/2025

Owner: Eric Chavis 2960 Bragg St.; Lumberton, NC 28358
Full Legal Name (type or print) Home Address

STATE OF NORTH CAROLINA COUNTY OF ROBESON

I, Laney Mitchell-McIntosh, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: Eric Chavis
Signature

WITNESS my hand and official seal, this the 25th day of April, 2025.



Laney Mitchell-McIntosh
Official Signature of Notary

Laney Mitchell-McIntosh Notary Public
Notary's printed or typed name

My Commission Expires: 10/19/2025

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____
2/6/2014
Updated 4/5/2012

City of *Lumberton*

Planning & Neighborhood Services

Request for Rezoning **1322 ALAMAC RD**

PETITIONER(S): ERIC CHAVIS 1322 ALAMAC RD LUMBERTON, NC 28358	OWNER(S): ERIC CHAVIS 1322 ALAMAC RD LUMBERTON, NC 28358
Rezoning: Eric Chavis is requesting to rezone property located at 1322 Alamac Road from R-6 to B-4.	

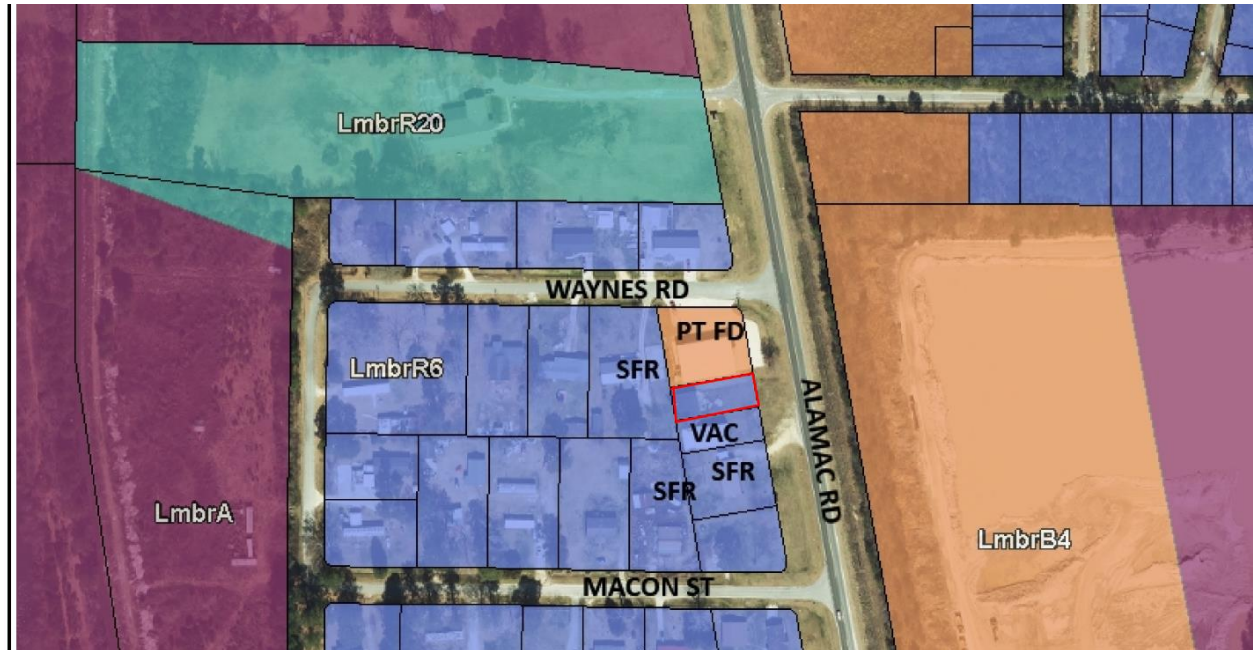
LOCATION:



City of *Lumberton*

Planning & Neighborhood Services

ZONING:



*Planning & Neighborhood Services*

PARCEL INFORMATION					
Owner	Parcel #(s)	Address	Zoning	Area	Limits of Construction
ERIC CHAVIS	1017-02-009	1322 ALAMAC RD.	R-6 PROPOSED REZONING TO B-4	~0.173 acres	~0.173 acres

ADJACENT PROPERTY SITE DATA				
	Land Use/	Building Height	Zoning	USE
Subject Property	Proposed vehicle maintenance facility	N/A	R-6 PROPOSED REZONING TO B-4	(Existing) Residential (Class 'A' mobile home) (Proposed) Business general commercial
North	Pine Terrace Volunteer Fire Department	N/A	B-4	Business general commercial
South	Vacant Business	N/A	R-6	Residential (Class 'A' mobile home)
East	Alamac Rd	N/A	N/A	Business general commercial
West	Single Family Residential	N/A	R-6	Residential (Class 'A' mobile home)

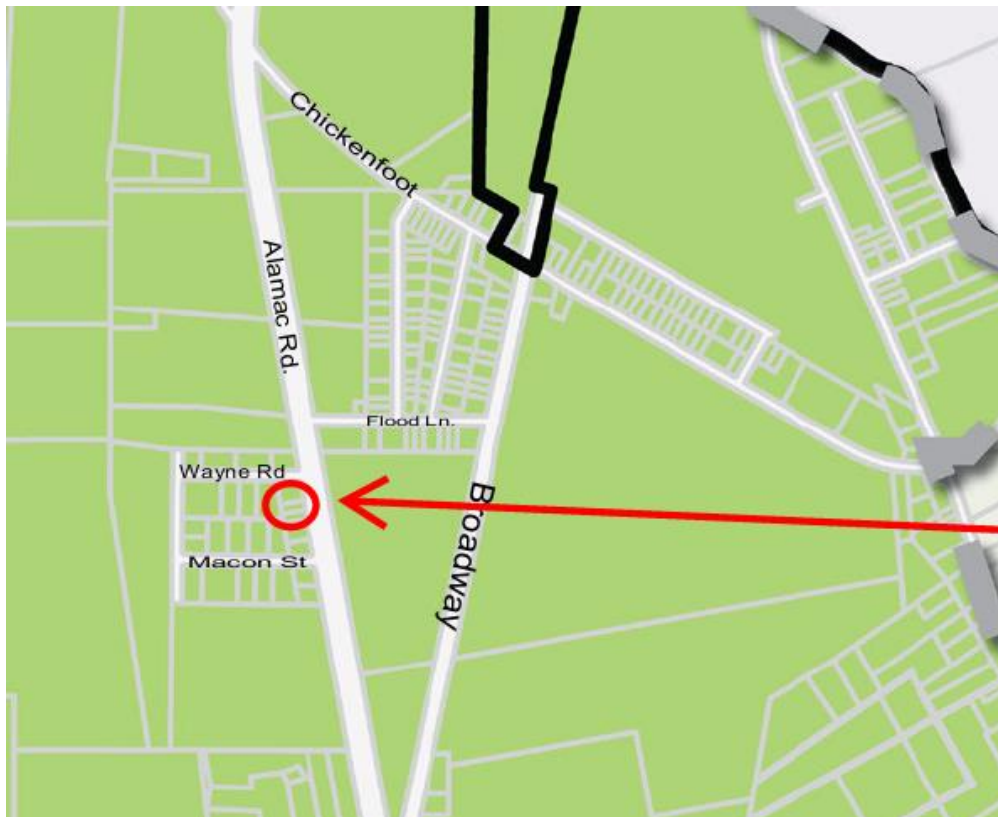
STAFF ANALYSIS**PROJECT OVERVIEW****Analysis:**

Rezoning Request: Eric Chavis is requesting to rezone property located at 1322 Alamac Road (parcel #1017-02-009). The proposed use of the property is an automobile service center. The property is currently zoned R-6 and the request is to rezone the property from R-6, residential single family to B-4, business general commercial.

The B-4 zoning district minimum lot width is 100 feet. Mr. Chavis was granted a variance to reduce the minimum lot width to 50 feet at this location, if the rezoning to B-4 is granted. A decrease/variance of 50 feet (50%).

PLANNING & ZONING

Land Use Plan: This property is zoned R-6 (proposed rezoning to B-4). The Land Use Plan designates the future use of this parcel as rural, furthermore, this property is located within the ETJ.



RURAL

The Rural land use category is applied to those areas which are situated outside of areas deemed to have the most growth potential. Where development does occur in these areas, it is expected to be at less than 1 dwelling unit per acre and to not be served by the city's wastewater system. While generally agricultural and low density residential in character, certain nonresidential land uses that serve the surrounding rural community are appropriate when sited in locations that do not negatively impact the character, such as small convenience retail uses at rural crossroads or larger scale commercial uses that are intended to directly support the rural agricultural economy.

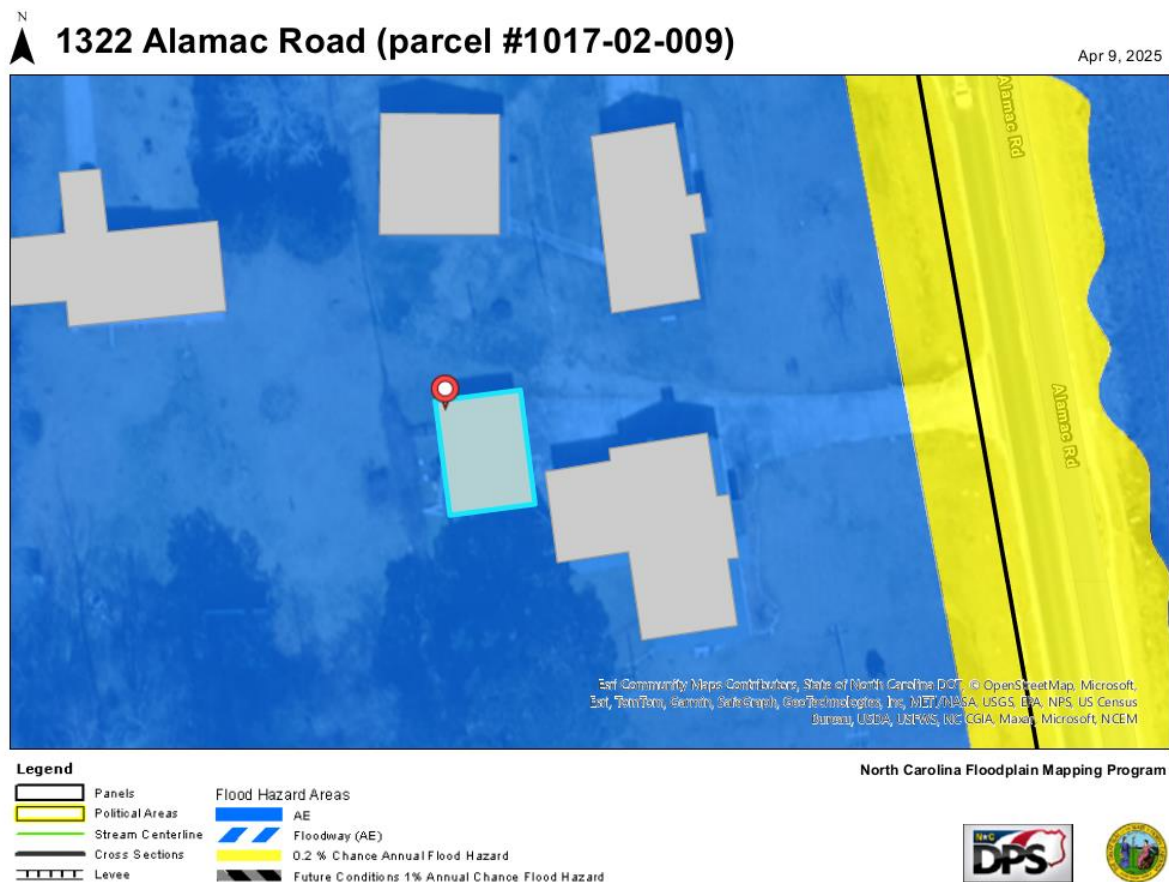
City of*Lumberton**Planning & Neighborhood Services***Setback, Lot Size and Building Height:**

Zoning District	Min. Lot Size	Min. Road Frontage	Maximum Height	Min. Front Setback (right of way)	Min. Side Setback	Min. Rear Setback
R-6	7,000 sq.ft.	70'	35'	20 feet Building 10 feet Sign	8 feet (unless its bordered by a right of way. Then right of way min setbacks are observed)	8 feet (unless its bordered by a right of way. Then right of way min setbacks are observed)
PROPOSED REZONING TO B-4	N/A	100 feet	35 feet	40 feet Building 20 feet Sign	10 feet (unless its bordered by a right of way. Then right of way min setbacks are observed)	10 feet (unless its bordered by a right of way. Then right of way min setbacks are observed)

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone AE 100-YEAR FLOOD: Special Flood Hazard Area inundated by the 100-year flood; base flood elevations are determined.

Map Number: 3710939000K Panel Effective Date: 12/6/2019



DEVELOPMENT UPON APPROVAL

If this rezoning is granted, the applicant must submit site development plans to the City of Lumberton, and other Federal and State Departments, if applicable, for review and approval prior to development.

PLANNING STAFF RECOMMENDATION TO COUNCIL

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

HOLD: CITY OF LUMBERTON



2025003491

ROBESON CO, NC FEE \$26.00

PRESENTED & RECORDED:

04-28-2025 04:23:37 PM

VICKI L LOCKLEAR

REGISTER OF DEEDS

BY: KARINA ORTIZ

DEPUTY

BK: D 2514

PG: 174-175

NORTH CAROLINA

VARIANCE

ROBESON COUNTY

PROPERTY OWNER: ERIC CHAVIS

Tax Parcel #: 101702009

DEED REFERENCE: Deed Book: 1934 Page: 0221

VARIANCE FROM PROVISION OF SECTION 35-183 OF THE CODE OF THE CITY OF LUMBERTON, NORTH CAROLINA, FOR THE PURPOSE OF:

Reducing the minimum lot width for B-4 by 50 feet (from 100 feet to 50 feet).

MEETING DATE: April 15, 2025

On the date listed above, the Board of Adjustment of the City of Lumberton met to consider an application to issue a Variance from the aforelisted section of the Code of the City of Lumberton, North Carolina, at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Board finds that:

- (1) Unnecessary hardship would result from the strict application of the ordinance;
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. (Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.);
- (3) The hardship did not result from actions taken by the applicant or the property owner;
- (4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Based upon the aforementioned findings, the Board concludes that strict enforcement of the Ordinance would result in practical difficulties or unnecessary hardships and that the spirit of the Ordinance will be observed, public safety and welfare secured and substantial justice done and that, therefore, the application for the Variance from the aforelisted section of the Code of the City of Lumberton, North Carolina, for the aforelisted purpose is hereby approved, subject to the following conditions:

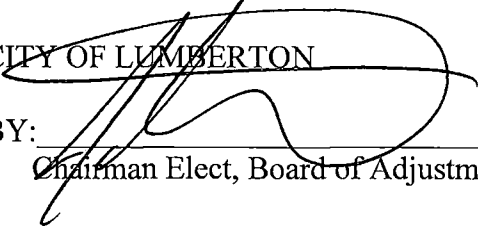
- (1) Prior to commencing any development on reliance of this variance, the owner shall secure the necessary zoning, special use, or conditional use permits from the City of Lumberton.
- (2) The owner shall complete the development in accordance with the plans and representations as reflected in the records of the hearing on this matter, a copy of which is filed in the Planning & Neighborhood Services Department of the City of Lumberton, North Carolina.

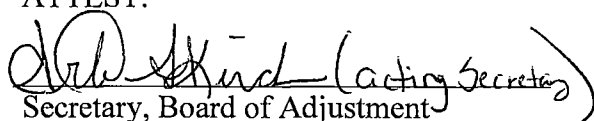
(3) In issuing the Variance, the Board has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein: NONE NOTED.

(4) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this Variance shall be void and of no effect.

Nothing authorized by the Variance may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this Variance so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, the City of Lumberton has caused this Variance to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Variance, together with all its conditions, as binding on them and their successors in interest.

CITY OF LUMBERTON
BY: 
Chairman Elect, Board of Adjustment

ATTEST:

Secretary, Board of Adjustment

Owner(s) of the above identified property, do hereby acknowledge receipt of this Variance. The undersigned owners do further acknowledge that no work may be done pursuant to this Variance except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Eric Chavis (SEAL) _____ (SEAL)
Owner Owner
____ (SEAL) _____ (SEAL)
Owner Owner

STATE OF North Carolina COUNTY OF Robeson

I, Laney Mitchell McIntosh, a Notary Public in and for said County and State, do hereby certify that Eric Chavis and

Personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 25th day of April, 2025.



Laney Mitchell McIntosh
Notary Signature
My Commission Expires: 12/19/2025

The R-6 district is designed to accommodate single-family and two-family dwelling units as well as some types of mobile homes used as single-family residences.

I. R-6 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.121 Mobile homes Class A

1.210 Duplex

1.220 Two-family conversion

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

28.200 Minor Subdivisions

II. R-6 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.330 Multifamily conversion

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The B-4 (general commercial) district is designed to accommodate the widest range of commercial activities.

I. B-4 Zoning District Permitted Uses

1.530 Hotels, motels, and similar businesses or institutions providing overnight accommodations

1.600 Temporary emergency, construction, and repair residences

2.111 Miscellaneous Sales and Rental of Goods, Merchandise and Equipment

2.113 Convenience stores

2.120 Low- volume traffic generation sales

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales, Storage and display of goods outside fully enclosed building allowed

3.110 Offices - Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, realtors, other professions, insurance and stock brokers, travel agents, etc.

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.130 Office or clinics of physicians or dentists

3.210 Operations designed to attract and serve customers or clients on the premises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.320 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within any permissible structure

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.140 Adult establishments

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

7.100 Hospitals or other medical (including mental health) treatment facilities

7.200 Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Child Care Institutions

8.100 Restaurants No substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed structure

8.200 Restaurants No substantial carry-out or delivery service, no drive-in service, service or consumption outside fully enclosed structure

8.300 Carry-out and delivery service, consumption outside fully enclosed structure allowed

8.400 Carry-out and delivery service, drive-in service, service or consumption outside fully enclosed structure allowed

9.100 Motor vehicle sales or rentals, excluding manufactured home sales

9.200 Sales with installation of motor vehicle parts or accessories (e.g. tires, mufflers, etc.)

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

9.810 Manufactured home sales office without, display units.

10.100 Automobile parking garages or parking lots not located on a lot on which there is another principal use to which the parking is related

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

12.100 Veterinarian

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

16.000 Dry Cleaner, Laundromat

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

19.000 Open-Air Markets and Horticultural Sales

20.000 Funeral Homes

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. B-4 Zoning District Requires a Special Use Permit

2.112 ABC stores

3.140 Government Office Buildings

3.230 Banks with drive-in windows

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.160 Electronic Gaming Operations

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.260 Drive-in movie theatres

6.270 Recreational vehicle parks and/or campgrounds

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

8.150 Restaurant without carry-out/delivery/drive-in; without outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.250 Restaurant without carry-out/delivery/drive-in; with outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.350 Restaurant with carry-out/delivery/outdoor dining; without drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.450 Restaurant with carry-out/delivery/outdoor dining; with drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.500 Bars, nightclubs

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

15.100 Post office

17.100 Neighborhood Utility Facilities

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

Lumberton Planning Board

Item: III.B.

Lumberton, North Carolina



Request for Action

Meeting Date: May 20, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 05/06/2025

Subject: Gods Chosen Generation (SUP) Cemetery 44 Zach Drive- ETJ

Summary/Background of Subject Matter:

Pastor Randy Cummings with Gods Chosen Generation is requesting a Special Use Permit (SUP) for a church cemetery to be located at 44 Zach Drive– ETJ.

Staff Recommendation:

The planning staff recommends that the Planning Board hold tonight’s public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Gods Chosen Generation Application et al CPC

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT

CEMETERY

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. **Applicant:**

Legal Name: Dods Chosen Denervation

Physical Address: 44 Zach Drive
Lumberton N.C.

Mailing Address: 2100 Norman T Rd
Lumberton N.C. 28360

Telephone: 910-225-9388

Owner:

Legal Name: Pastor Randy Cummings

Physical Address: 44 Zach Drive
Lumberton N.C.

Mailing Address: 2100 Norman T Rd
Lumberton N.C. 28360

Telephone: 910-225-9388

Name of Business:

Business Address:

EMAIL:

Description of Property:

2. <u>44 Zach Drive</u>	<u>1653</u>	<u>762</u>
(Address)	(Deed Book)	(Page)
<u>NA</u>	<u>47.55</u>	<u>5.0</u>
(Map Book)	(Page)	(Area)

3. Tax Map Identification (parcel number): 24010100601

4. Proposed Use of Property: Cemetery

5. Zoning District Designation of Property: Agriculture (A)

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- That it will not materially endanger the public health or safety; and
- That it will not substantially injure the value of adjoining or abutting property; and
- That it will be in harmony with the area in which it is to be located; and
- That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

We are Planning on putting a Cemetery Beside
of our Church. And it will be at the back
of property. Where it will not even be seen.
Hardley. And if we have to we will be glad
to put up A Fence. Where its not in public
view

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Dods Chasen Deneration 44 Zach Drive Lumberton N.C.
Name Physical Address

Applicant: [Signature]
Signature

STATE OF NORTH Carolina COUNTY OF Robeson

I, Randy Cummings, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 11th day of April, 20 25

[Signature]
Notary Public Signature

My Commission Expires: 12/9/29

Owner: Randy Cummings 44 Zach Drive
Name Physical Address

Owner: [Signature]
Signature

STATE OF North Carolina COUNTY OF Robeson

I, Amanda Hammonds, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 11th day of April, 20 25

[Signature]
Notary Public Signature

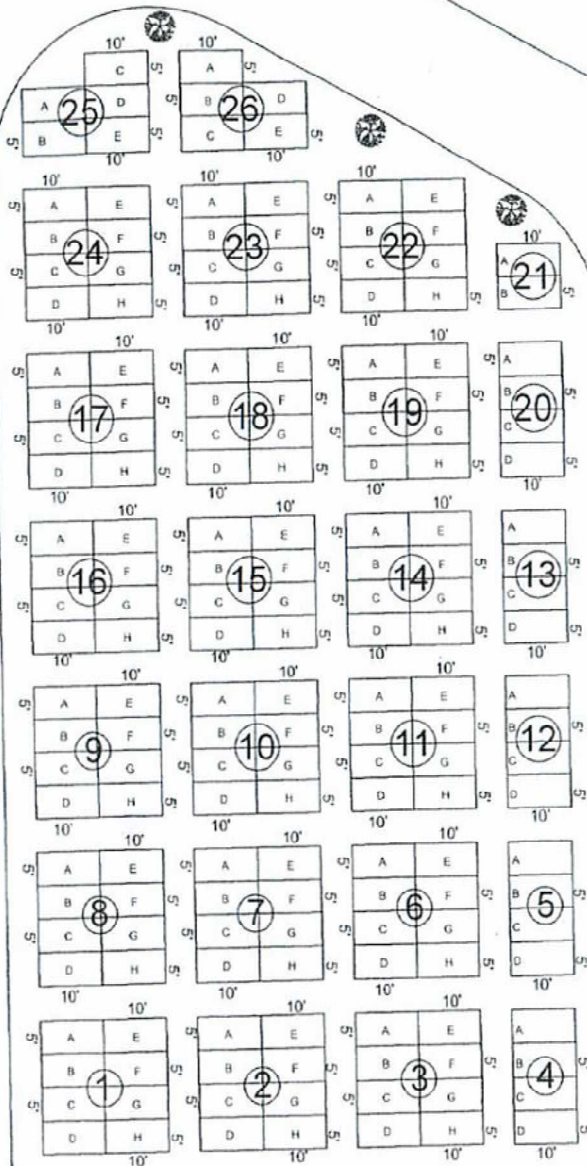
My Commission Expires: 12/9/29

File # 7.194

2 of 2

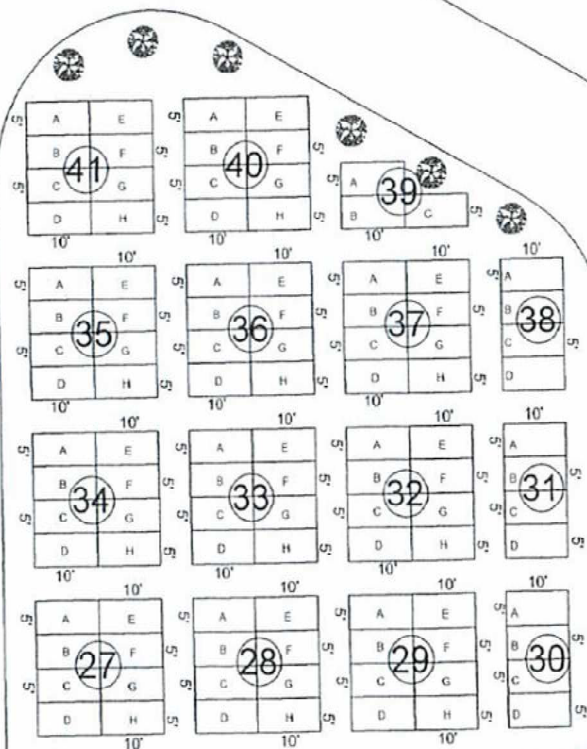
5/28/21

20' ROAD



20' ROAD

20' ROAD



20' ROAD

City of



Lumberton

Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: 7.194

Property address: 44 Zach Drive Parcel #: 2401-01-006.01

I, Randy Ray Cummings (property owner), give Dr./Mr./Ms. John the authority to appear before City

Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name):

Signature: (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF North Carolina COUNTY OF Robeson

I, Amanda Hammonds, a Notary Public in and for said County and

State, do hereby certify that Randy Cummings personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 10th day of April, 2025.

My Commission Expires: 12/9/29 Notary Public

City of *Lumberton*

Planning & Neighborhood Services

Request for Special Use Permit Gods Chosen Generation– 44 Zach Drive

File# 7.194

PETITIONER(S):	OWNER(S):
Gods Chosen Generation Pastor Randy Cummings 44 Zach Drive Mailing 2100 Norment Road Lumberton, NC 38460 (910) 225-9388	Gods Chosen Generation Pastor Randy Cummings 44 Zach Drive Mailing 2100 Norment Road Lumberton, NC 38460 (910) 225-9388

Special Use Permit Request: Gods Chosen Generation Special Use Permit (SUP) for a church cemetery - 44 Zach Drive– ETJ

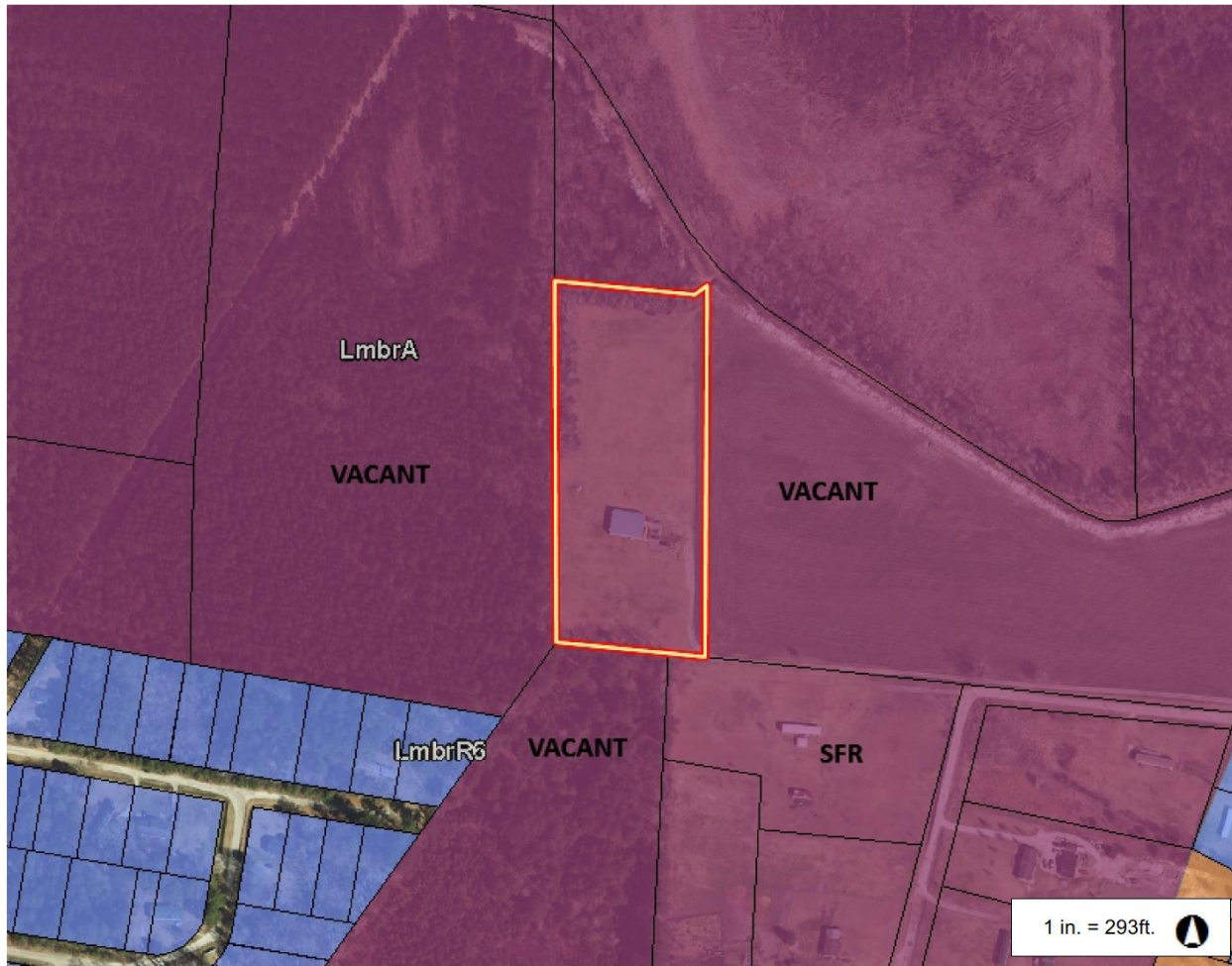
LOCATION:



City of *Lumberton*

Planning & Neighborhood Services

ZONING:



PROJECT OVERVIEW

Analysis: Pastor Randy Cummings with Gods Chosen Generation is requesting a Special Use Permit (SUP) for a church cemetery to be located at 44 Zach Drive– ETJ.



Planning & Neighborhood Services

PLANNING & ZONING

Owner	Parcel #(s)	Zoning	Square Footage/ Area	PROPOSED USE#
Gods Chosen Generation	24010100601	A, Agriculture	PARCEL – 217,800 SQ.FT./~5 acres	21.100 Cemetery (accessory use to the existing church) Existing Use 5.200 Church

MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS

Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback (right of way)	Min. Side Setback	Min. Rear Setback	Max. Height
A	40,000 sq. ft.	100 feet	50 feet From all right of ways.	20 feet From all sides with no right of way	20 feet From all sides with no right of way	35 feet

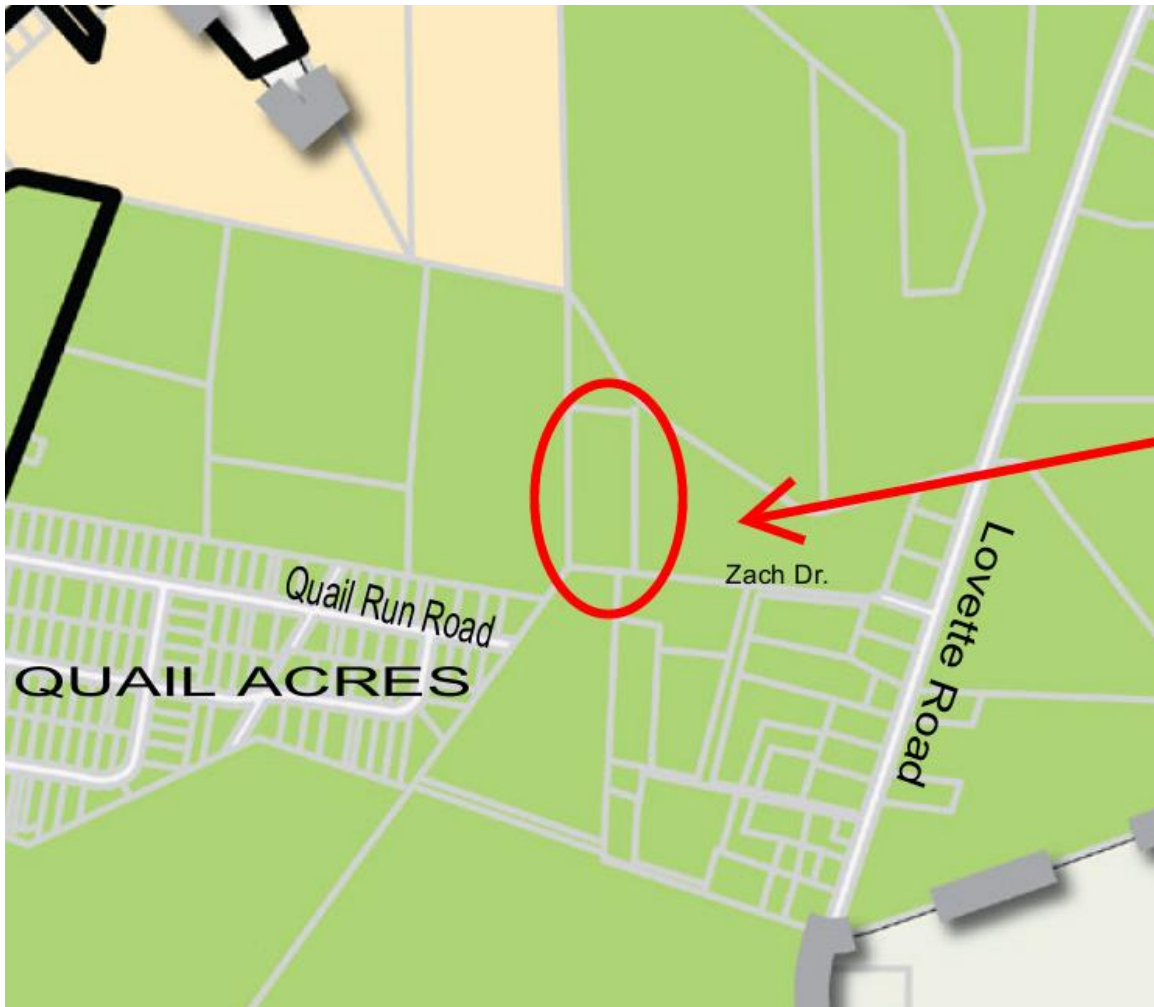
ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
Subject Property	A (Agriculture)	Proposed Use 21.100 Cemetery (accessory use to the existing church) Existing Use 5.200 Church
North	A (Agriculture)	Vacant
South	A (Agriculture)	Single Family Residential
East	A (Agriculture)	Vacant
West	A (Agriculture)	Vacant

City of *Lumberton*

Planning & Neighborhood Services

EXISTING LOT INFORMATION: Current use of property – Church
Land Use Plan Designation: Rural. Precinct ETJ



RURAL

The Rural land use category is applied to those areas which are situated outside of areas deemed to have the most growth potential. Where development does occur in these areas, it is expected to be at less than 1 dwelling unit per acre and to not be served by the city's wastewater system. While generally agricultural and low density residential in character, certain nonresidential land uses that serve the surrounding rural community are appropriate when sited in locations that do not negatively impact the character, such as small convenience retail uses at rural crossroads or larger scale commercial uses that are intended to directly support the rural agricultural economy.



DEVELOPMENT UPON APPROVAL

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit and/or Certificate of Occupancy.

PLANNING STAFF RECOMMENDATION TO COUNCIL

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Lumberton Planning Board

Item: III.C.

Lumberton, North Carolina



Request for Action

Meeting Date: May 20, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 05/06/2025

Subject: The City of Lumberton/Tubbs Rezoning Emery Road - County

Summary/Background of Subject Matter:

The City of Lumberton submitted a rezoning application for property located on Emery Road parcel #02070201501. The property is zoned County H-1; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

Staff Recommendation:

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Tubbs Rezoning Application et al



DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:

Owner:

Full Legal Name: City of Lumberton (Wayne Horne, MGR)

Full Legal Name: Mary Price Tubbs

Physical Home Address: 500 N. Cedar St.
Lumberton, NC 28358

Physical Home Address: PO Box 967
Lumberton, NC 28359

Mailing Address: PO Box 1388
Lumberton, NC 28359

Mailing Address: SAME

Telephone: 910-671-3800

Telephone:

Legal Name of Business:

EMAIL: whorne@ci.lumberton.nc.us

2. Description of Property:

Emery Road		00403	0201
(Address)		(Deed Book)	(Page)
64	128	~1,210 feet	~52.4 acres
(Map Book)	(Page)	(Frontage)	(Area)

3. Tax Map Identification Number (parcel number): 02070201501

4. Existing Zoning District Designation of Property: County H-1

5. Requested Zoning District Designation of Property: M-2, Heavy Manufacturing

6. Applicant's Interest In Property (check one): ☐ Owner ☐ Owner's Agent ☐ Lease-to-Own

☐ Tenant ☐ Family member ☒ Other (explain) Purchase Option Agreement

7. Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. Site Map: Attach a map of the property in question.

9. Application Fee: Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

- 10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):**

Rezone the property to a City zoning district following the annexation.

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

2

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

Applicant: _____
Full Legal Name (type or print) Home Address

STATE OF _____ COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: _____
Signature

WITNESS my hand and official seal, this the _____ day of _____, 20____.

(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My Commission Expires: _____

Owner: _____
Full Legal Name (type or print) Home Address

STATE OF _____ COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: _____
Signature

WITNESS my hand and official seal, this the _____ day of _____, 20____.

(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My Commission Expires: _____

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

3

City of



Lumberton

Planning & Neighborhood Services

Request for Annexation & Rezoning
5.135 & 6.233 Tubbs

PETITIONER(S):	OWNER(S):
Name of Petitioner: City of Lumberton	Name of Owner: Mary Price Tubbs
Address: PO Box 1388	Address: PO Box 967
City/State/Zip: Lumberton, NC 28359	City/State/Zip: Lumberton, NC 28359

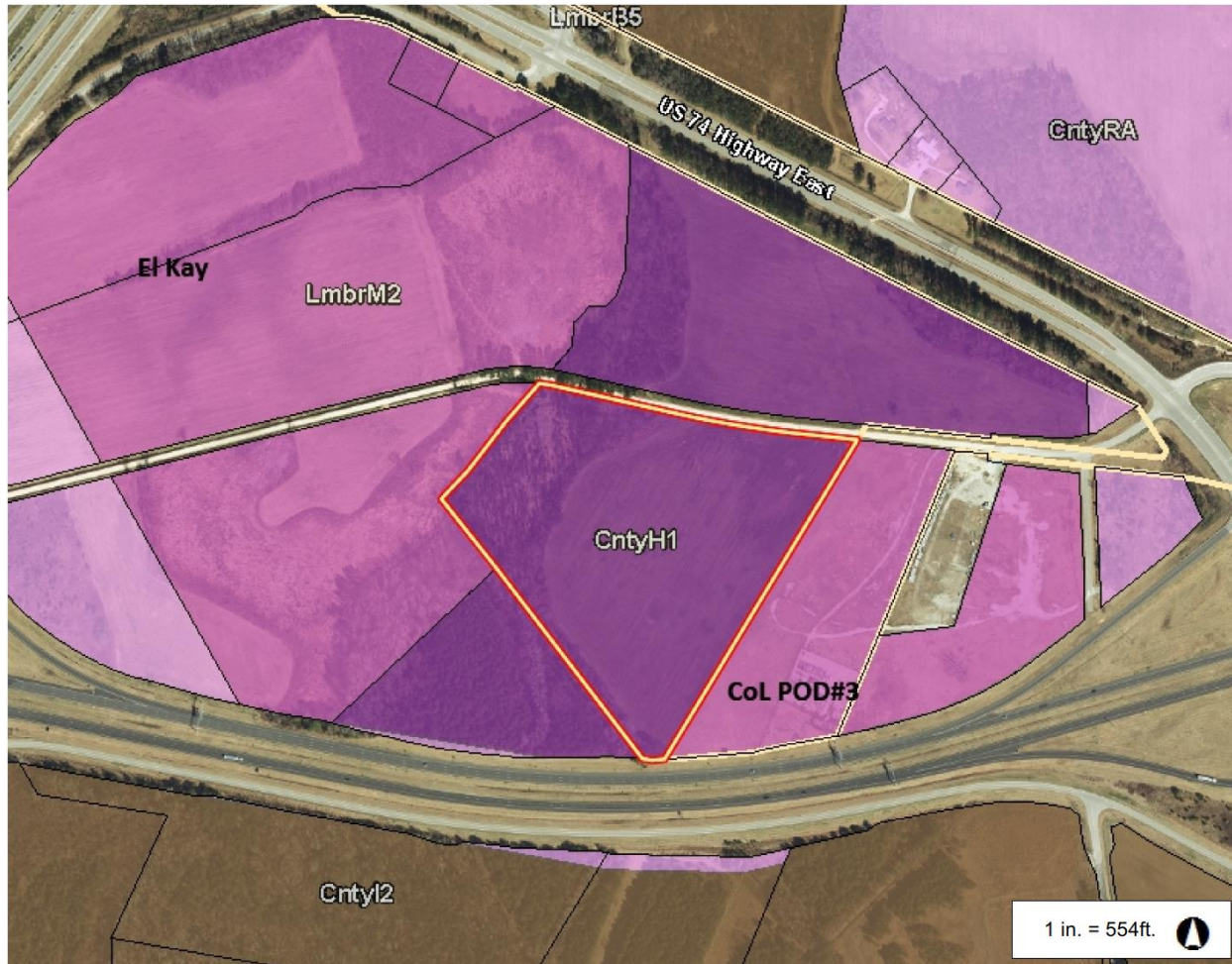
LOCATION: Emery Rd. Parcel # 02070201501



City of *Lumberton*

Planning & Neighborhood Services

Zoning: County H1



City of



Lumberton

Planning & Neighborhood Services

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
Mary Tubbs	02070201501	County H-1	~ 27 Acres

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
North	County H-1 City M-2	Vacant Elkay
South	County I-2	Vacant
East	City M-2	City of Lumberton POD #3
West	County H-1 City M-2	Vacant

STAFF ANALYSIS

PROJECT OVERVIEW

Rezoning: The City of Lumberton is requesting to rezone property located on Emery Road parcel #02070201501, Deed Bk. 00403, Pg. #0201/Map Book: 64 Page: 128.

Analysis: The City of Lumberton submitted a rezoning application for property located on Emery Road parcel #02070201501. The property is zoned County H-1; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

City of

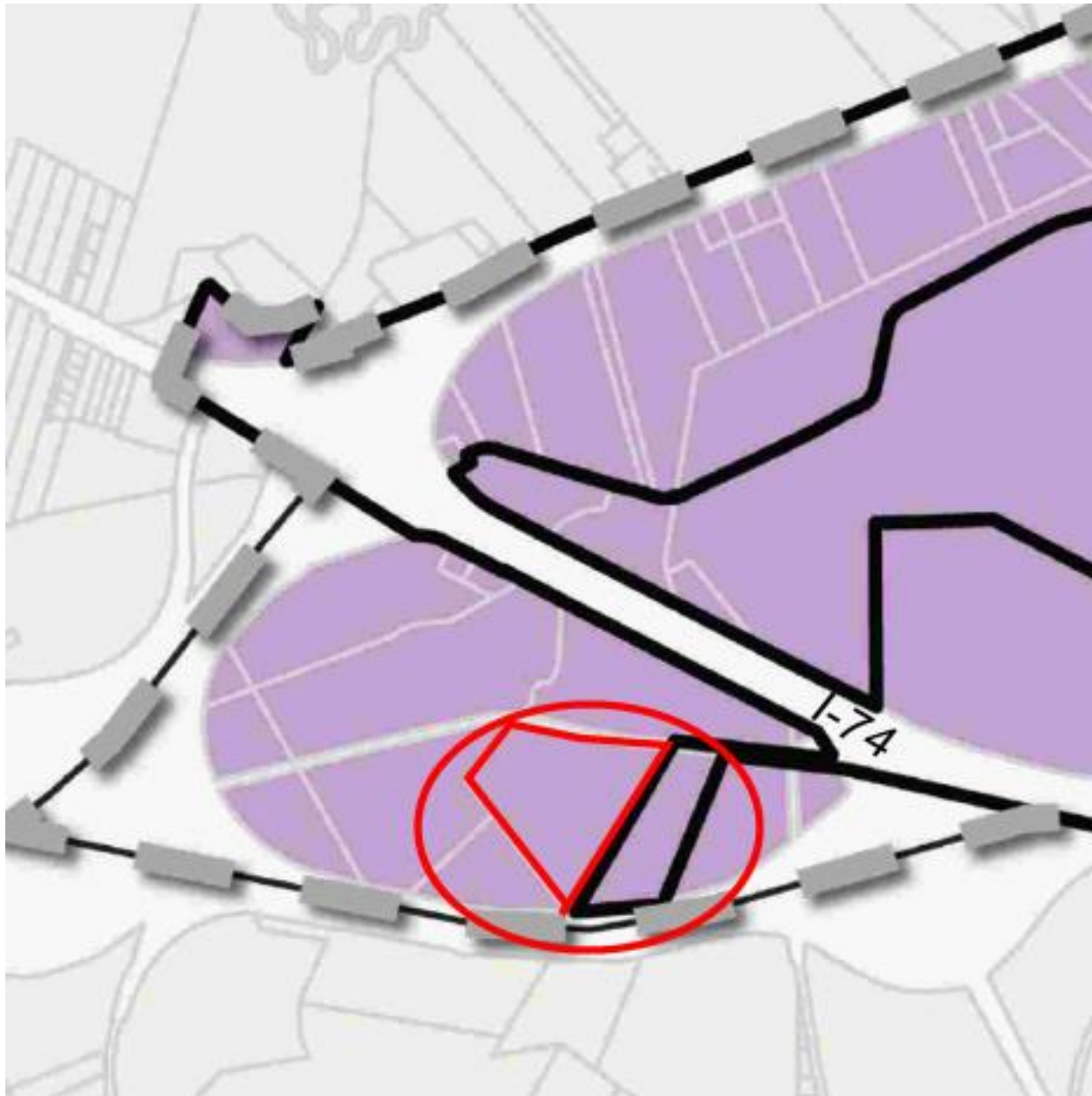


Lumberton

Planning & Neighborhood Services

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as industrial and is located in Robeson County's jurisdiction.



City of Lumberton

Planning & Neighborhood Services

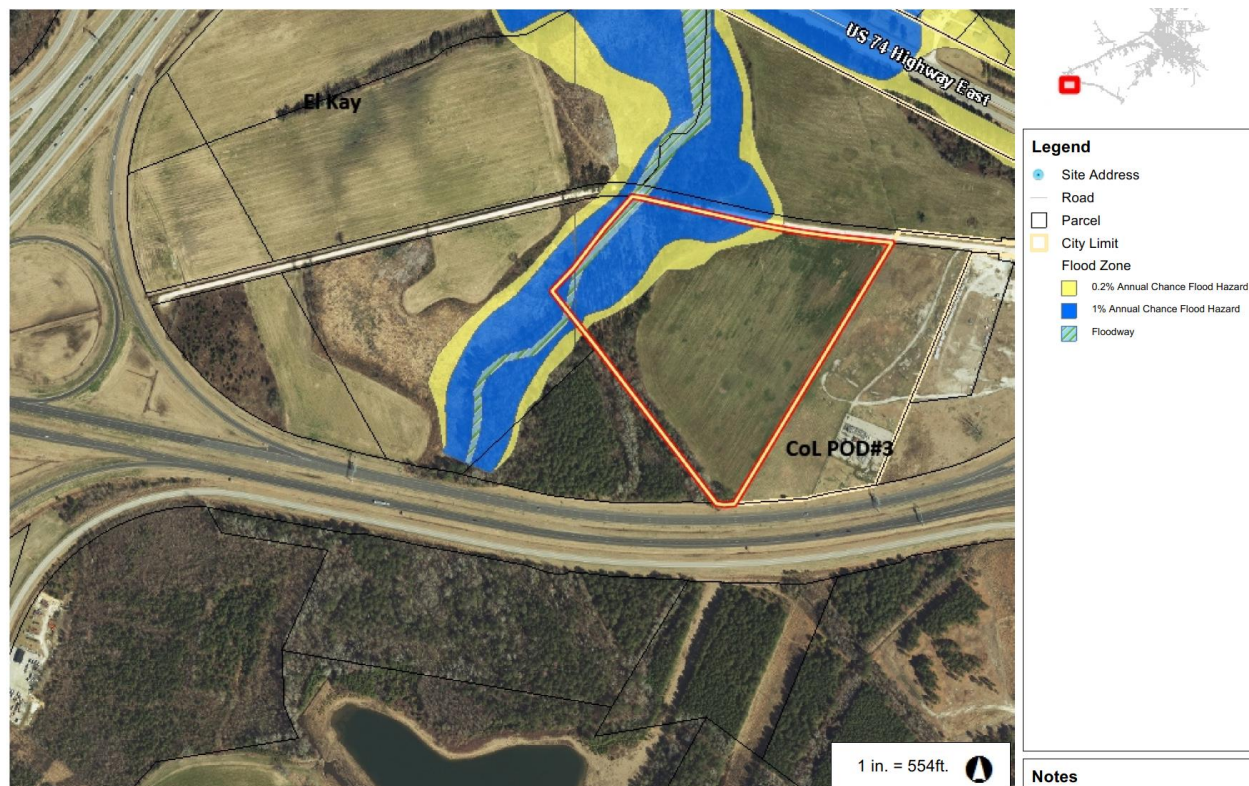
Flood Zone 'X' Not in 100-YR Floodplain: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Flood Zone Shaded 'X' in 500-YR Floodplain: 0.2 Percent Annual Chance Flood: The flood that has a 0.2% chance of being equaled or exceeded in any given year. Also known as the 500-year floodplain.

Flood Zone AE in 100-YR Floodplain: Zones AE and A1-A30 are the flood insurance rate zones used for the 1-percent-annual-chance floodplains that are determined for the FIS by detailed methods of analysis. In most instances, BFEs derived from the detailed hydraulic analyses are shown at selected intervals in this zone. Mandatory flood insurance purchase requirements apply.

Flood Zone AE Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Map Number: 3710937000K Panel Effective Date: 12/6/2019





PLANNING STAFF RECOMMENDATION TO COUNCIL

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Section 35-141.3 - The I-95 / I-74 Industrial Park Overlay District

1. DEFINITION OF AN OVERLAY PLAN

An overlay plan is generally a plan which is applied over a previously established area(s), establishing additional, stricter standards and criteria for a predetermined area(s). In this case, in order to accomplish the goals described below, some conditions applicable to this overlay district may simply be different (as opposed to necessarily more restrictive only) than those which would ordinarily apply with the underlying zoning.

These standards are in addition to any established ordinances, plans, federal and state regulations, unless otherwise stated.

2. BOUNDARIES OF THE PROJECT AREA

The boundaries of the proposed I-95 / I-74 Industrial Park Overlay Plan (Map #1), "Project Boundary Map" are described in Exhibit "A", attached. *This Plan is the ultimate goal for the City, but the Ordinance may not be applied all at once. For instance, it cannot be applied prior to annexation into the City of any contemplated property.*

3. OBJECTIVE

The Overlay District was created to insure the orderly development of a planned industrial park, strategically located at the critical intersection of Interstates 95 and 74, approximately 85 miles from the port of Wilmington and 25 miles from the inland port at Dillon, SC. The District was also designed (1) to discourage incompatible uses within the industrial park, (2) to provide general appearance guidelines for the construction of buildings within the park, (3) to create conditions which would facilitate and increase the likelihood of any economic incentives which may be available from the state of North Carolina, Robeson County and the City of Lumberton, and (4) to provide a basis for consistent decisions concerning the industrial park.

The objective is to establish a harmonious land use pattern, with adequate planned development of new commercial structures, as well as, create an environment conducive to the development and improvement of properties within the defined I-95 / I-74 Industrial Park. It is intended that these actions will be implemented over time and be coordinated with the needs of new businesses who locate within the industrial park.

4. OVERLAY DISTRICT MAP, PROVISIONS AND REQUIREMENTS

The provisions, restrictions, and requirements, within the district identified on the Project Boundary Map to which the overlay is applied, are as follows:

- (a) The permitted uses and special uses shall remain the same as allowed under the M-2 (Heavy Industrial) zoning district with the exception of the following list of uses which shall be prohibited within the overlay district boundary:
 - i. Body Shops, Auto Repair Shops, Automobile Graveyards, Junkyards, and Automobile Salvage yards.
 - ii. Coal and Wood Yards and Pole Treating Plants
 - iii. Concrete and Asphalt Product Plants

- iv. Contractors Offices and Storage Yards (except those temporarily associated with the construction of a primary facility otherwise allowed)
- v. Farm Machinery Sales and Repairs
- vi. Fertilizer Manufacturing and Sales
- vii. Foundries Producing Iron, Steel Copper, Brass, and Aluminum Products
- viii. Hospitals, Doctor Offices, Medical Clinics and other facilities associated with the medical treatment of patients
- ix. Livestock Sale Barns
- x. Meatpacking and Poultry Processing Plants
- xi. Mining or Quarrying Operations
- xii. Public Elementary and Secondary Schools, and their customary related uses
- xiii. Sawmills, Planing Mills, and Pallet, and Basket Factories
- xiv. Slaughter Houses or Meat Processing Plants
- xv. Off-Premises Advertising Displays and Billboards

(b) Setbacks

In the Overlay District building setbacks shall be a minimum of 50 feet from all property boundary lines for buildings with a maximum height equal to or less than 20 feet. An additional 1 foot of setback distance must be added for every 1 foot of building height above 20 feet. Maximum required building setback shall be 100 feet regardless of building height.

(c) Subdivisions - Lot Sizes

Subdivisions shall be allowed in the Overlay District subject to City ordinances. However, the minimum lot size in the Overlay District shall be 10 acres.

(d) Building Heights

Maximum allowable building height shall be 80 feet measured to the top of roof or parapet wall, whichever is higher. Except that a taller building height may be allowed with the issuance of a Special Use Permit.

(e) Signs – Freestanding, Building Mounted, Directional, and Entrance

(I) Developments shall be limited to one freestanding sign for each property boundary facing a public right-of-way.

- i. A single side of a freestanding sign shall not exceed five-tenths (0.5) square feet in surface area for every linear foot of street frontage along which the sign is primarily oriented and shall not exceed a maximum of 200 square feet.
- ii. Freestanding signs shall not exceed a maximum height of 50 feet.
- iii. Signs may not contain elements which move or are animated, or contain intermittent or flashing lights.
- iv. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- v. Maximum size of directional signs shall be eight (8) square feet and a maximum overall height of six (6) feet and bear no

advertising matter. With the absence of a freestanding sign, directional signs at the entrance may contain identification information (i.e. logo, business name). However, there shall be no more than one such directional sign at each entrance of the facility.

(II) Wall mounted or building signage shall be limited to one sign for each building face.

- i. The maximum building sign area shall not exceed five percent (5%) of the total surface area of the building wall on which the sign is located.
- ii. Building signs shall not be mounted to the roof of a building, nor shall they extend above the parapet, or be mounted in such a way that they extend over a traveled portion of any public area.

(III) One high-rise, interstate sign shall be allowed for properties within 200' of an Interstate right-of-way.

- i. The high-rise, interstate sign shall have a height no greater than one hundred feet (100') measured from the adjacent ground level and shall have a sign area no greater than six square feet (6 ft²) for every foot in vertical height of the sign.
- ii. For developments which utilize a high-rise, interstate sign; this sign shall not reduce the number of freestanding signs allowed under subsection (e)(1).
- iii. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- iv. Notwithstanding any other provisions of this section, a high-rise sign having a height greater than fifty and one-tenth (50.1) feet may be located zero (0) feet from the right-of-way line of an interstate highway only if all portions of the structure of the sign located below fifty (50) feet are located no closer than ten (10) feet from the right-of-way line of an interstate highway.
- v. Changeable copy signs are prohibited.

(IV) Maximum size of entrance signs for subdivisions shall be 64 square feet to allow for multi-tenant signs. Signs must be encased with brick or comparable and approved by the Planning and Neighborhood Services Department.

- i. Changeable copy signs are prohibited.

(i) Parking

Each development shall be required to provide employee and guest parking at a rate of 1.1 spaces for each employee on the maximum shift. Parking stalls shall be a minimum of 9 feet wide by 19 feet long measured from the face of curb to the end of the marked space. Required accessible spaces to meet Federal/State/Local codes shall be included in the stated calculation when determining the total parking count for the development. Driveways and drive aisles shall be a minimum of 24' wide for two-way traffic. All required parking areas and drive aisles shall be surfaced with asphalt, concrete or other

approved hard-surface material that resists potholes and the creation and transfer of undesirable dirt, dust and mud to the public right-of-way.

(j) Storm Water Management

All developments shall be constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such developments. More specifically:

- i. No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties; and
- ii. No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties.

(k) Without limiting the generality of subsection (a) any development covering 5,000 or more square feet of land with an impervious surface shall be required to install a system of storage and controlled release of storm water such that, after development of the site, the calculated peak rate of storm water runoff resulting from a ten-year frequency storm having a duration of one hour shall be no greater than that which would result from a ten-year frequency storm on the same site prior to development.

(l) A reasonable effort must be made by each property developer to consolidate storm water management systems when possible and to allow for such “joint-use” when necessary to assure proper placement and management of said systems. Property developers may negotiate maintenance agreements with adjoining property owners, as well as the local unit(s) of government, to insure perpetual maintenance of the storm water systems for each site.

(m) Uniformity of structures within the overlay district.

- i. Materials for building facades are encouraged to be limited in number to three, one of which will be the predominant material. Preferred major exterior materials include brick or concrete masonry, natural stone masonry, and/or architectural precast panels. Preformed steel and aluminum panel systems shall be permitted but must be complimented by another “accent” material choice. All materials used will reflect a high degree of quality, durability and craftsmanship. Exterior stucco system may be used as trim and accent features in walls.
- ii. Liberal use of glass is encouraged. Glass used shall be tinted or reflective glass with an outdoor reflectance of no more than 20%.
- iii. Exterior building materials will not include painted or stained wood, aluminum or vinyl siding, simulated materials such as adhesive applied brick, etc.
- iv. Building coloration will consist predominantly of a neutral overall color that compliments the building’s surroundings. Accent colors are encouraged and must compliment the overall building color scheme.

- v. Roof and roof appurtenances: All fans, vents, cooling towers, skylights and any equipment located on the roof of any improvement shall be located in a manner to minimize their distraction from the architectural attractiveness of the building. It is suggested that sloping roofs will be screened by flat parapets and sloped to appropriate drains. Pitched roofs with a minimum slope of 6 in 12 will be permitted. Permissible materials for pitched roofs will be limited to standing seam or flat seam configuration metals. Non-weathering metals (i.e., galvanized steel) shall be appropriately painted. A reasonable effort must be made to screen roof appurtenances projecting above the roof, such as exhaust fans, heating and air conditioning units, condensers, electrical equipment, plumbing vents and stacks. Such screening may be achieved by extending exterior walls above the roof to form a parapet or through the use of other opaque walls to be constructed of materials compatible in texture, color and quality with exterior walls of the building.

5. GENERAL REGULATIONS AND CONTROLS

In addition to the regulations of the I-95 / I-74 Industrial Park Overlay District, development must follow the general regulations and controls of the City of Lumberton's Code of Ordinances, the City's Land Use Plan, federal and state regulations. The overlay requirements shall prevail over other inconsistent provisions, to include the following requirements:

- (a) All developments shall be appropriately landscaped and well maintained
- (b) Outside storage shall be properly screened from public view by either an opaque wall, fence or planted vegetation
- (c) No on-street parking shall be allowed for truck staging and/or commercial and passenger vehicles

- (d) No temporary structures shall be allowed on site except during that time of construction
- (e) There shall be no unlawful, unpermitted, or unapproved discharges to air/water
- (f) Site lighting is to be adequate enough for support of normal business operations but shall be “non-polluting” to adjoining properties

6. EXCEPTIONS TO APPLICABILITY, CONFLICTS OF LAW

- (a) Nothing contained herein shall repeal, modify, or amend any federal or state law or regulation, or any ordinance or regulation pertaining thereto except any ordinance which these regulations specifically replace; however, the adoption of this section shall and does amend any and all ordinances, resolutions, and regulations in effect in the City of Lumberton at the time of the adoption of this section that may be construed to impair or reduce the effectiveness of this section or to conflict with any of its provisions.
- (b) It is not intended that these regulations interfere with any legally enforceable easement, covenants or other agreements. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

7. PROJECT BOUNDARY DESCRIPTION

A written property description shall be completed once the ordinance is approved and a map shall be included here as well.

- 8. Any provision in this Code section (the overlay ordinance) which would legally be considered a ‘building design element’ under NCGS 160D-702 shall be considered a guideline, and not an outright legal requirement, and shall be discussed with City staff in an effort to ensure as much consistency with the intent of the overlay district as possible.

The following districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment: M-1 , M-2 and M-3. The M-3 (planned industrial) district is intended to encourage the development of a well-planned industrial park.

I. M-2 Zoning District Permitted Uses

1.600 Temporary emergency, construction, and repair residences

2.113 Convenience stores

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.210 Operations designed to attract and serve customers or clients on the remises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.400 Motor vehicle painting and body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored All storage within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

15.400 Military reserve, national guard centers

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. M-2 Zoning District Requires a Special Use Permit

4.300 Operations involving decomposition or transformation of material by heat Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.250 Automobile and motorcycle racing tracks

6.260 Drive-in movie theatres

7.300 Institutions (other than halfway houses) where mentally ill persons are confined, intensive residential treatment facilities (Level IV)

7.400 Penal and Correctional Facilities

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.300 Mining or quarrying operations, including on-site sales of products

14.400 Reclamation landfill

15.200 Airport

15.300 Sanitary landfill

17.100 Neighborhood Utility Facilities

17.200 Community or regional Utility Facilities

18.300 towers and antennas more than fifty feet in height

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

Lumberton Planning Board

Item: III.D.

Lumberton, North Carolina



Request for Action

Meeting Date: May 20, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 05/06/2025

Subject: The City of Lumberton Rezoning Emery Road - County

Summary/Background of Subject Matter:

The City of Lumberton is requesting to rezone property located on Emery Road parcel #02080101402, Deed Bk. 2334, Pg. #0612. The property is zoned County I-2; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

Staff Recommendation:

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. CoL staff report cpcRezoning etal



DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:

Owner:

Full Legal Name: City of Lumberton (Wayne Horne, MGR)

Full Legal Name: City of Lumberton (Wayne Horne, MGR)

Physical Home Address: 500 N. Cedar St.
Lumberton, NC 28358

Physical Home Address: 500 N. Cedar St.
Lumberton, NC 28358

Mailing Address: PO Box 1388
Lumberton, NC 28359

Mailing Address: PO Box 1388
Lumberton, NC 28359

Telephone: 910-671-3800

Telephone: 910-671-3800

Legal Name of Business:

EMAIL: whorne@ci.lumberton.nc.us

2. Description of Property:

S/S OF EMERY RD SR# 2416

(Address)

2334

(Deed Book)

0612

(Page)

N/A

(Map Book)

N/A

(Page)

~215 feet

(Frontage)

~3.70 acres

(Area)

3. Tax Map Identification Number (parcel number): **02080101402**

4. Existing Zoning District Designation of Property: County I-2

5. Requested Zoning District Designation of Property: M-2, Heavy Manufacturing

6. Applicant's Interest In Property (check one): ☒ Owner ☐ Owner's Agent ☐ Lease-to-Own

☐ Tenant ☐ Family member ☐ Other (explain) _____

7. Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. Site Map: Attach a map of the property in question.

9. Application Fee: Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

- 10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):**

Rezone the property to a City zoning district following the annexation.

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

2

City of



Lumberton

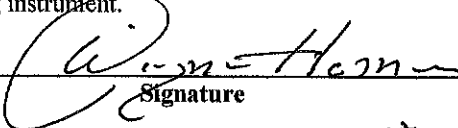
DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

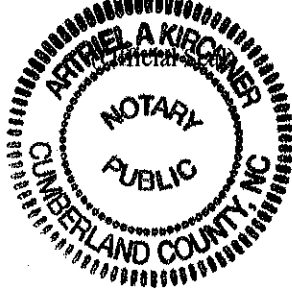
Applicant: Wayne Horne (CM) PO Box 1388; Lumberton NC 28359
Full Legal Name (type or print) Home Address

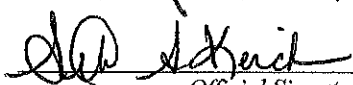
STATE OF North Carolina COUNTY OF Robeson

I, Artriel A. Kirchner, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: 
Signature

WITNESS my hand and official seal, this the 1st day of May, 2025




Official Signature of Notary

Artriel A. Kirchner, Notary Public
Notary's printed or typed name

My Commission Expires: October 4, 2025

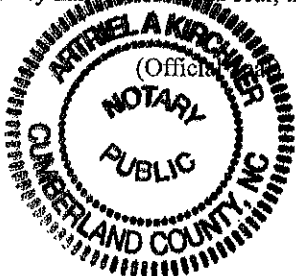
Owner: Wayne Horne (CM) PO Box 1388; Lumberton NC 28359
Full Legal Name (type or print) Home Address

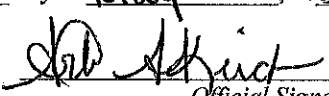
STATE OF North Carolina COUNTY OF Robeson

I, Artriel A. Kirchner, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: 
Signature

WITNESS my hand and official seal, this the 1st day of May, 2025




Official Signature of Notary

Artriel A. Kirchner, Notary Public
Notary's printed or typed name

My Commission Expires: October 4, 2025

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____
2/6/2014
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of *Lumberton*

Planning & Neighborhood Services

Request for Rezoning
6.232 City of Lumberton

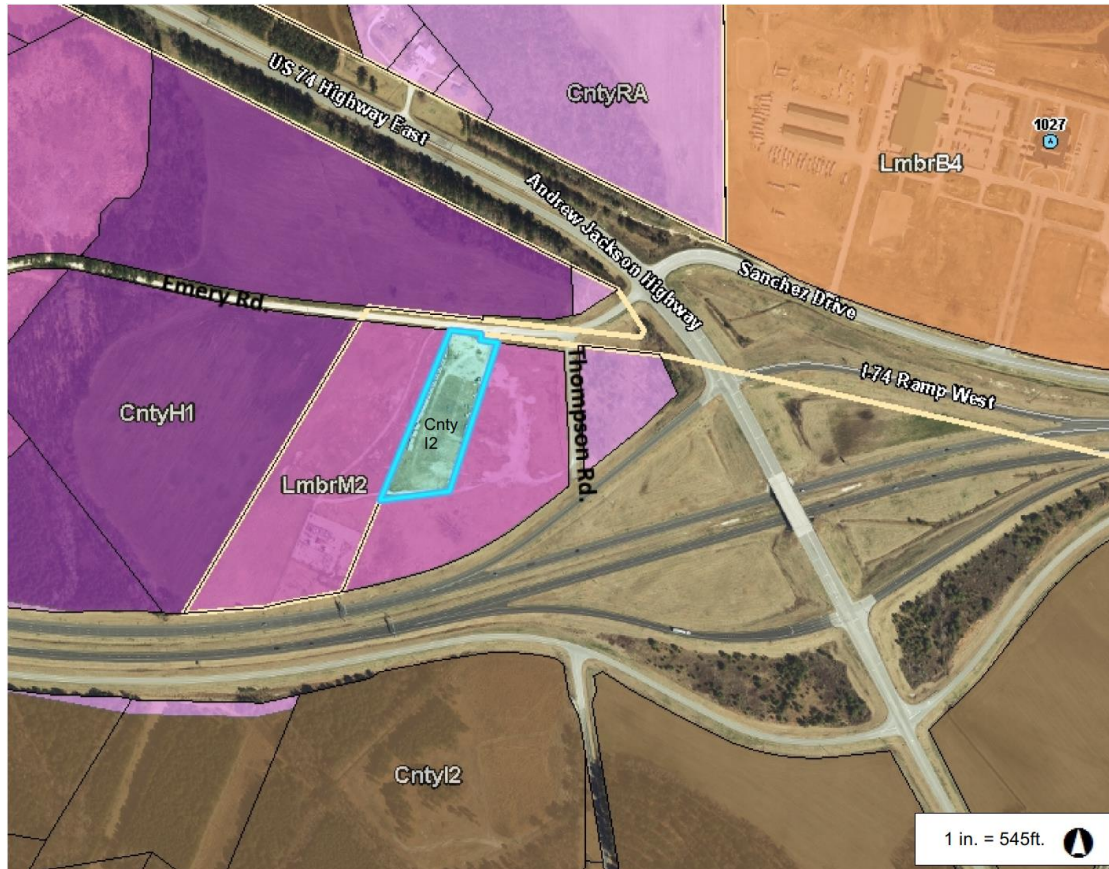
PETITIONER(S):	OWNER(S):
Name of Petitioner: City of Lumberton	Name of Owner: City of Lumberton
Address: PO Box 1388	Address: PO Box 1388
City/State/Zip: Lumberton, NC 28359	City/State/Zip: Lumberton, NC 28359

LOCATION: Emery Rd. Parcel # 02080101402



City of *Lumberton* *Planning & Neighborhood Services*

Zoning: County I2



STAFF ANALYSIS

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
City of Lumberton	02080101402	County I-2	~ 3.70 Acres

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
North	County H-1	Vacant
South	City M-2	Vacant
East	City M-2	Vacant
West	City M-2	City of Lumberton POD #3

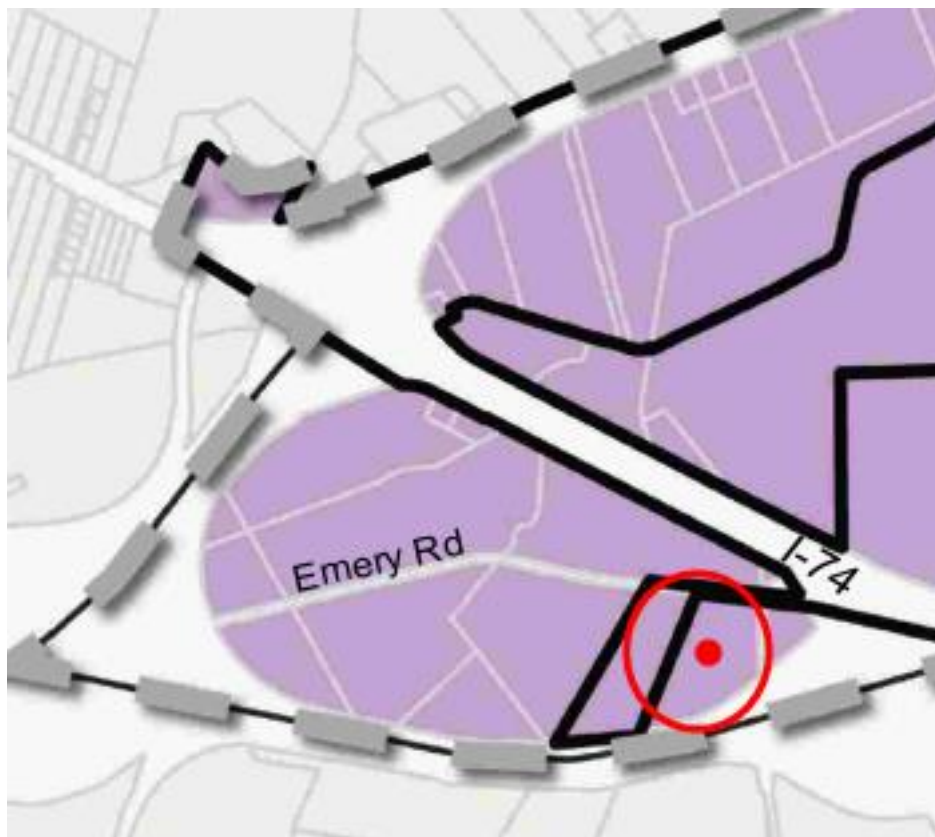
Planning & Neighborhood Services

PROJECT OVERVIEW

Rezoning: The City of Lumberton is requesting to rezone property located on Emery Road parcel #02080101402, Deed Bk. 2334, Pg. #0612. The property is zoned County I-2; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as industrial and is located in Robeson County's jurisdiction.



INDUSTRIAL

The Industrial land use category is intended to promote economic development by providing significant freedom in land use for the purposes of manufacturing, assembly, processing, fabrication, transportation, warehousing and logistics at a variety of intensities and scales. While not exclusively industrial in nature, commercial or other nonresidential uses which do not directly support the function of the industrial base within these areas should be discouraged in order to promote the compatible use of land and to preserve this land resource for industries that will promote stable employment growth in the region.

City of



Lumberton

Planning & Neighborhood Services

Flood Zone 'X' Not in 100-YR Floodplain: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Map Number: 3710937000K Panel Number: 9370 Panel Effective Date: 12/6/2019

City of Lumberton Annexation/Zoning

Apr 29, 2025



Legend	
Panels	Flood Hazard Areas
Political Areas	Floodway (AE)
Stream Centerline	0.2 % Chance Annual Flood Hazard
Cross Sections	Future Conditions 1% Annual Chance Flood Hazard
Levee	

North Carolina Floodplain Mapping Program





Planning & Neighborhood Services

PLANNING STAFF RECOMMENDATION TO COUNCIL

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Section 35-141.3 - The I-95 / I-74 Industrial Park Overlay District

1. DEFINITION OF AN OVERLAY PLAN

An overlay plan is generally a plan which is applied over a previously established area(s), establishing additional, stricter standards and criteria for a predetermined area(s). In this case, in order to accomplish the goals described below, some conditions applicable to this overlay district may simply be different (as opposed to necessarily more restrictive only) than those which would ordinarily apply with the underlying zoning.

These standards are in addition to any established ordinances, plans, federal and state regulations, unless otherwise stated.

2. BOUNDARIES OF THE PROJECT AREA

The boundaries of the proposed I-95 / I-74 Industrial Park Overlay Plan (Map #1), "Project Boundary Map" are described in Exhibit "A", attached. *This Plan is the ultimate goal for the City, but the Ordinance may not be applied all at once. For instance, it cannot be applied prior to annexation into the City of any contemplated property.*

3. OBJECTIVE

The Overlay District was created to insure the orderly development of a planned industrial park, strategically located at the critical intersection of Interstates 95 and 74, approximately 85 miles from the port of Wilmington and 25 miles from the inland port at Dillon, SC. The District was also designed (1) to discourage incompatible uses within the industrial park, (2) to provide general appearance guidelines for the construction of buildings within the park, (3) to create conditions which would facilitate and increase the likelihood of any economic incentives which may be available from the state of North Carolina, Robeson County and the City of Lumberton, and (4) to provide a basis for consistent decisions concerning the industrial park.

The objective is to establish a harmonious land use pattern, with adequate planned development of new commercial structures, as well as, create an environment conducive to the development and improvement of properties within the defined I-95 / I-74 Industrial Park. It is intended that these actions will be implemented over time and be coordinated with the needs of new businesses who locate within the industrial park.

4. OVERLAY DISTRICT MAP, PROVISIONS AND REQUIREMENTS

The provisions, restrictions, and requirements, within the district identified on the Project Boundary Map to which the overlay is applied, are as follows:

- (a) The permitted uses and special uses shall remain the same as allowed under the M-2 (Heavy Industrial) zoning district with the exception of the following list of uses which shall be prohibited within the overlay district boundary:
 - i. Body Shops, Auto Repair Shops, Automobile Graveyards, Junkyards, and Automobile Salvage yards.
 - ii. Coal and Wood Yards and Pole Treating Plants
 - iii. Concrete and Asphalt Product Plants

- iv. Contractors Offices and Storage Yards (except those temporarily associated with the construction of a primary facility otherwise allowed)
- v. Farm Machinery Sales and Repairs
- vi. Fertilizer Manufacturing and Sales
- vii. Foundries Producing Iron, Steel Copper, Brass, and Aluminum Products
- viii. Hospitals, Doctor Offices, Medical Clinics and other facilities associated with the medical treatment of patients
- ix. Livestock Sale Barns
- x. Meatpacking and Poultry Processing Plants
- xi. Mining or Quarrying Operations
- xii. Public Elementary and Secondary Schools, and their customary related uses
- xiii. Sawmills, Planing Mills, and Pallet, and Basket Factories
- xiv. Slaughter Houses or Meat Processing Plants
- xv. Off-Premises Advertising Displays and Billboards

(b) Setbacks

In the Overlay District building setbacks shall be a minimum of 50 feet from all property boundary lines for buildings with a maximum height equal to or less than 20 feet. An additional 1 foot of setback distance must be added for every 1 foot of building height above 20 feet. Maximum required building setback shall be 100 feet regardless of building height.

(c) Subdivisions - Lot Sizes

Subdivisions shall be allowed in the Overlay District subject to City ordinances. However, the minimum lot size in the Overlay District shall be 10 acres.

(d) Building Heights

Maximum allowable building height shall be 80 feet measured to the top of roof or parapet wall, whichever is higher. Except that a taller building height may be allowed with the issuance of a Special Use Permit.

(e) Signs – Freestanding, Building Mounted, Directional, and Entrance

(I) Developments shall be limited to one freestanding sign for each property boundary facing a public right-of-way.

- i. A single side of a freestanding sign shall not exceed five-tenths (0.5) square feet in surface area for every linear foot of street frontage along which the sign is primarily oriented and shall not exceed a maximum of 200 square feet.
- ii. Freestanding signs shall not exceed a maximum height of 50 feet.
- iii. Signs may not contain elements which move or are animated, or contain intermittent or flashing lights.
- iv. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- v. Maximum size of directional signs shall be eight (8) square feet and a maximum overall height of six (6) feet and bear no

advertising matter. With the absence of a freestanding sign, directional signs at the entrance may contain identification information (i.e. logo, business name). However, there shall be no more than one such directional sign at each entrance of the facility.

(II) Wall mounted or building signage shall be limited to one sign for each building face.

- i. The maximum building sign area shall not exceed five percent (5%) of the total surface area of the building wall on which the sign is located.
- ii. Building signs shall not be mounted to the roof of a building, nor shall they extend above the parapet, or be mounted in such a way that they extend over a traveled portion of any public area.

(III) One high-rise, interstate sign shall be allowed for properties within 200' of an Interstate right-of-way.

- i. The high-rise, interstate sign shall have a height no greater than one hundred feet (100') measured from the adjacent ground level and shall have a sign area no greater than six square feet (6 ft²) for every foot in vertical height of the sign.
- ii. For developments which utilize a high-rise, interstate sign; this sign shall not reduce the number of freestanding signs allowed under subsection (e)(1).
- iii. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- iv. Notwithstanding any other provisions of this section, a high-rise sign having a height greater than fifty and one-tenth (50.1) feet may be located zero (0) feet from the right-of-way line of an interstate highway only if all portions of the structure of the sign located below fifty (50) feet are located no closer than ten (10) feet from the right-of-way line of an interstate highway.
- v. Changeable copy signs are prohibited.

(IV) Maximum size of entrance signs for subdivisions shall be 64 square feet to allow for multi-tenant signs. Signs must be encased with brick or comparable and approved by the Planning and Neighborhood Services Department.

- i. Changeable copy signs are prohibited.

(i) Parking

Each development shall be required to provide employee and guest parking at a rate of 1.1 spaces for each employee on the maximum shift. Parking stalls shall be a minimum of 9 feet wide by 19 feet long measured from the face of curb to the end of the marked space. Required accessible spaces to meet Federal/State/Local codes shall be included in the stated calculation when determining the total parking count for the development. Driveways and drive aisles shall be a minimum of 24' wide for two-way traffic. All required parking areas and drive aisles shall be surfaced with asphalt, concrete or other

approved hard-surface material that resists potholes and the creation and transfer of undesirable dirt, dust and mud to the public right-of-way.

(j) Storm Water Management

All developments shall be constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such developments. More specifically:

- i. No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties; and
- ii. No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties.

(k) Without limiting the generality of subsection (a) any development covering 5,000 or more square feet of land with an impervious surface shall be required to install a system of storage and controlled release of storm water such that, after development of the site, the calculated peak rate of storm water runoff resulting from a ten-year frequency storm having a duration of one hour shall be no greater than that which would result from a ten-year frequency storm on the same site prior to development.

(l) A reasonable effort must be made by each property developer to consolidate storm water management systems when possible and to allow for such “joint-use” when necessary to assure proper placement and management of said systems. Property developers may negotiate maintenance agreements with adjoining property owners, as well as the local unit(s) of government, to insure perpetual maintenance of the storm water systems for each site.

(m) Uniformity of structures within the overlay district.

- i. Materials for building facades are encouraged to be limited in number to three, one of which will be the predominant material. Preferred major exterior materials include brick or concrete masonry, natural stone masonry, and/or architectural precast panels. Preformed steel and aluminum panel systems shall be permitted but must be complimented by another “accent” material choice. All materials used will reflect a high degree of quality, durability and craftsmanship. Exterior stucco system may be used as trim and accent features in walls.
- ii. Liberal use of glass is encouraged. Glass used shall be tinted or reflective glass with an outdoor reflectance of no more than 20%.
- iii. Exterior building materials will not include painted or stained wood, aluminum or vinyl siding, simulated materials such as adhesive applied brick, etc.
- iv. Building coloration will consist predominantly of a neutral overall color that compliments the building’s surroundings. Accent colors are encouraged and must compliment the overall building color scheme.

- v. Roof and roof appurtenances: All fans, vents, cooling towers, skylights and any equipment located on the roof of any improvement shall be located in a manner to minimize their distraction from the architectural attractiveness of the building. It is suggested that sloping roofs will be screened by flat parapets and sloped to appropriate drains. Pitched roofs with a minimum slope of 6 in 12 will be permitted. Permissible materials for pitched roofs will be limited to standing seam or flat seam configuration metals. Non-weathering metals (i.e., galvanized steel) shall be appropriately painted. A reasonable effort must be made to screen roof appurtenances projecting above the roof, such as exhaust fans, heating and air conditioning units, condensers, electrical equipment, plumbing vents and stacks. Such screening may be achieved by extending exterior walls above the roof to form a parapet or through the use of other opaque walls to be constructed of materials compatible in texture, color and quality with exterior walls of the building.

5. GENERAL REGULATIONS AND CONTROLS

In addition to the regulations of the I-95 / I-74 Industrial Park Overlay District, development must follow the general regulations and controls of the City of Lumberton's Code of Ordinances, the City's Land Use Plan, federal and state regulations. The overlay requirements shall prevail over other inconsistent provisions, to include the following requirements:

- (a) All developments shall be appropriately landscaped and well maintained
- (b) Outside storage shall be properly screened from public view by either an opaque wall, fence or planted vegetation
- (c) No on-street parking shall be allowed for truck staging and/or commercial and passenger vehicles

- (d) No temporary structures shall be allowed on site except during that time of construction
- (e) There shall be no unlawful, unpermitted, or unapproved discharges to air/water
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2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.210 Operations designed to attract and serve customers or clients on the remises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.400 Motor vehicle painting and body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored All storage within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

15.400 Military reserve, national guard centers

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. M-2 Zoning District Requires a Special Use Permit

4.300 Operations involving decomposition or transformation of material by heat Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.250 Automobile and motorcycle racing tracks

6.260 Drive-in movie theatres

7.300 Institutions (other than halfway houses) where mentally ill persons are confined, intensive residential treatment facilities (Level IV)

7.400 Penal and Correctional Facilities

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.300 Mining or quarrying operations, including on-site sales of products

14.400 Reclamation landfill

15.200 Airport

15.300 Sanitary landfill

17.100 Neighborhood Utility Facilities

17.200 Community or regional Utility Facilities

18.300 towers and antennas more than fifty feet in height

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

Lumberton Planning Board

Item: III.E.

Lumberton, North Carolina



Request for Action

Meeting Date: May 20, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 05/06/2025

Subject: Justin Patterson Rezoning 35 State St.-P7

Summary/Background of Subject Matter:

Justin Patterson is requesting to rezone parcel #322202006 at 35 State Street (deed book 2066, pg. 118) from R-20, residential single family to R-7, residential single family/duplex.

Staff Recommendation:

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Patterson Rezoning 35 State St Application and attachments

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. **Applicant:**

Full Legal Name: Justin Patterson

Physical Home Address: 35 State St,
Lumberton, NC 28358

Mailing Address: 4240 Portsmouth Blvd, Ste 221
Chesapeake VA 23321

Telephone:

Owner:

Full Legal Name: Justin Patterson

Physical Home Address: 35 State St,
Lumberton, NC 28358

Mailing Address: 4240 Portsmouth Blvd, Ste 221
Chesapeake, VA 23321

Telephone:

Legal Name of Business:

EMAIL: 12Seventeenllc@gmail.com

2. **Description of Property:**

35 State St, Lumberton NC 28358
(Address)

02066 / 0118
(Deed Book) (Page)

(Map Book)

(Page)

(Frontage)

0.33
(Area)

3. **Tax Map Identification Number (parcel number):** 322202006

4. **Existing Zoning District Designation of Property:** R20

5. **Requested Zoning District Designation of Property:** R7

6. **Applicant's Interest In Property (check one):** ☒ Owner ☐ Owner's Agent ☐ Lease-to-Own

☐ Tenant ☒ Family member ☐ Other (explain) _____

7. **Legal Description of Property:** Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. **Site Map:** Attach a map of the property in question.

9. **Application Fee:** Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # 6-230
2/6/2014
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):

I would like to change the zoning of this particular property to R7. This will allow me to
build a duplex on this property and or subdivide the property

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # 6.230

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

4240 Portsmouth Blvd, Ste 221
Chesapeake, VA 23321

Applicant: Justin Patterson

Full Legal Name (type or print)

Home Address

STATE OF North Carolina

COUNTY OF Robeson County

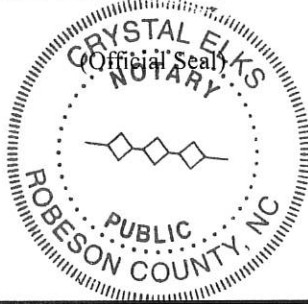
I, Jacqueline Patterson, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant:

Justin Patterson Jacqueline Patterson
Signature

WITNESS my hand and official seal, this the

31 day of March, 2025



Crystal Elks
Official Signature of Notary

Crystal Elks, Notary Public
Notary's printed or typed name

My Commission Expires: 10/22/2029

Owner: Justin Patterson

Full Legal Name (type or print)

35 State St, Lumberton NC 28358

Home Address

STATE OF North Carolina

COUNTY OF Robeson County

I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner:

Justin Patterson
Signature

WITNESS my hand and official seal, this the _____ day of _____, 20__.

(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My Commission Expires: _____

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

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City of *Lumberton*

Planning & Neighborhood Services

Rezoning Request

35 State Street

PETITIONER(S):	OWNER(S):
PATTERSON JUSTIN 4240 PORTSMOUTH SUITE 221 CHESAPEAKE , VA 23321	PATTERSON JUSTIN 4240 PORTSMOUTH SUITE 221 CHESAPEAKE , VA 23321

Rezoning Request: Justin Patterson is requesting to rezone parcel #322202006 at 35 State Street (deed book 2066, pg. 118) from R-20, residential single family to R-7, residential single family/duplex.

LOCATION:



Planning & Neighborhood Services

Rezoning Request
Justin Patterson Rezoning 35 State St.-P7

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LOCATION:



City of *Lumberton*

Planning & Neighborhood Services

ZONING:



City of Lumberton
Planning & Neighborhood Services

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area	Limits of Construction
JUSTIN PATTERSON	3222-02-006	R-20, residential single-family Request: R-7, residential single-family/duplex	0.33 ac ~14,374.8 sq.ft.	0.33 ac ~14,374.8 sq.ft.

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
Subject Property	R-20, residential single-family Request: R-7, residential single-family/duplex	Proposed single family or duplex
North	R-20, Residential single-family	Luther Britt Park
South	R-7, residential single-family/duplex	Residential single-family/duplex
East	R-20, Residential single-family R-7, residential single-family/duplex	Luther Britt Park Residential single-family/duplex
West	R-20, Residential single-family M-1, light manufacturing	Freight transportation Former Total Fitness Gym



Planning & Neighborhood Services

PROJECT OVERVIEW

Analysis: Justin Patterson is requesting to rezone parcel #322202006 at 35 State Street (deed book 2066, pg. 118) from R-20, residential single family to R-7, residential single family/duplex. This request is to allow for the development of a duplex or subdivide the lot for two single-family residences.

Setback and Lot Size:

Existing Zoning District	Min. Lot Size	Min. Lot Width	Min. Front Setback (right of way)	Min. Side & Rear Setbacks	Maximum Height
R-20	20,000 sq.ft	100'	30'	10'(unless its bordered by a right of way. Then right of way min setbacks are observed)	35'

Requested Zoning District	Min. Lot Size	Min. Lot Width	Min. Front Setback (right of way)	Min. Side & Rear Setbacks	Maximum Height
R-7, residential single-family/duplex	7,000 sq.ft. for single-family 11,000 sq. ft. for duplex	70' for single-family 100' for duplex	20'	8'(unless its bordered by a right of way. Then right of way min setbacks are observed)	35'

Land Use Plan: The Land Use Plan designates the future use of this parcel as Medium Intensity. Furthermore, this property is located within Precinct 7.



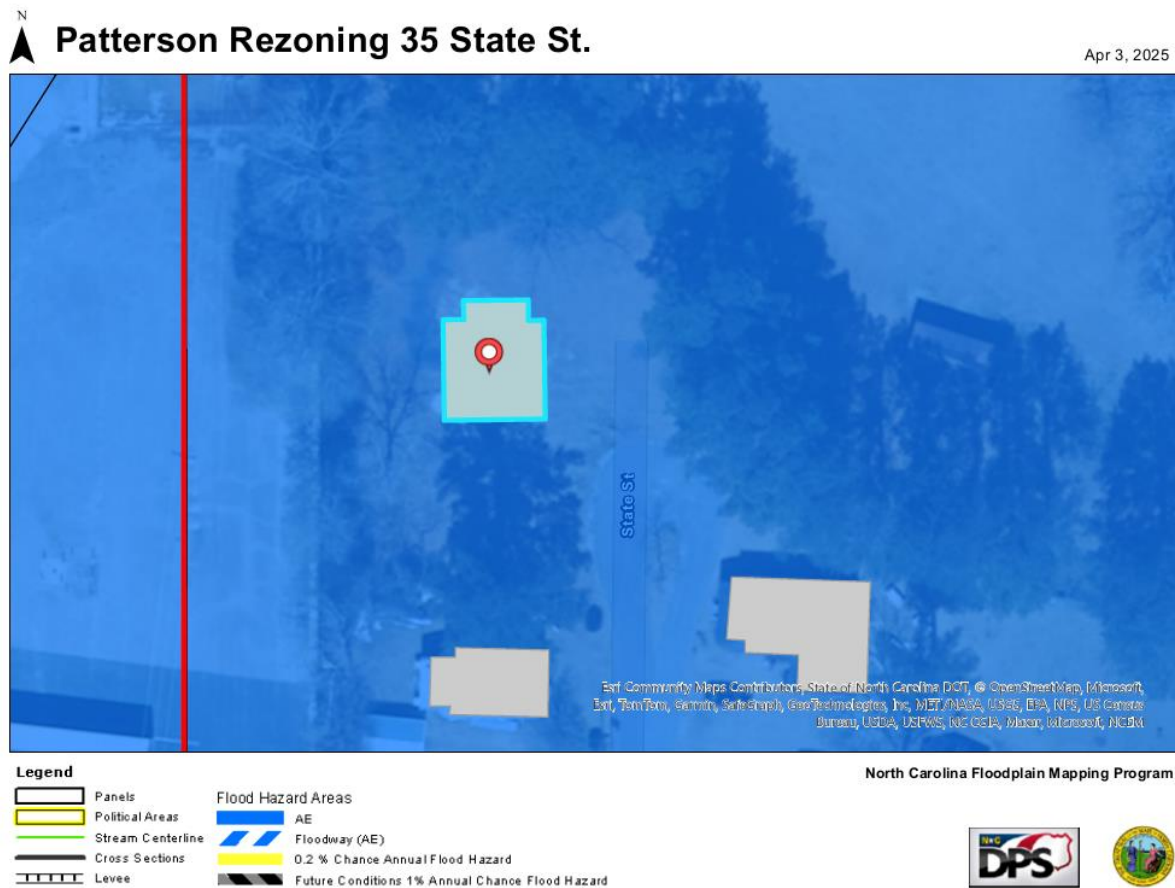
MEDIUM INTENSITY

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone AE 100-YEAR FLOOD: Special Flood Hazard Area inundated by the 100-year flood; base flood elevations are determined.

Map Number: 3710939100K Panel Effective Date: 12/6/2019



DEVELOPMENT UPON APPROVAL

If this rezoning is granted, the applicant must submit site development plans to the City of Lumberton and other Federal and State Departments, if applicable, for review and approval prior to development.

PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the April 15, 2025 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

PLANNING STAFF RECOMMENDATION TO PLANNING BOARD

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City of *Lumberton*

Planning & Neighborhood Services

ZONING:



City of Lumberton
Planning & Neighborhood Services

PARCEL INFORMATION

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Planning & Neighborhood Services

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City of *Lumberton*

Planning & Neighborhood Services

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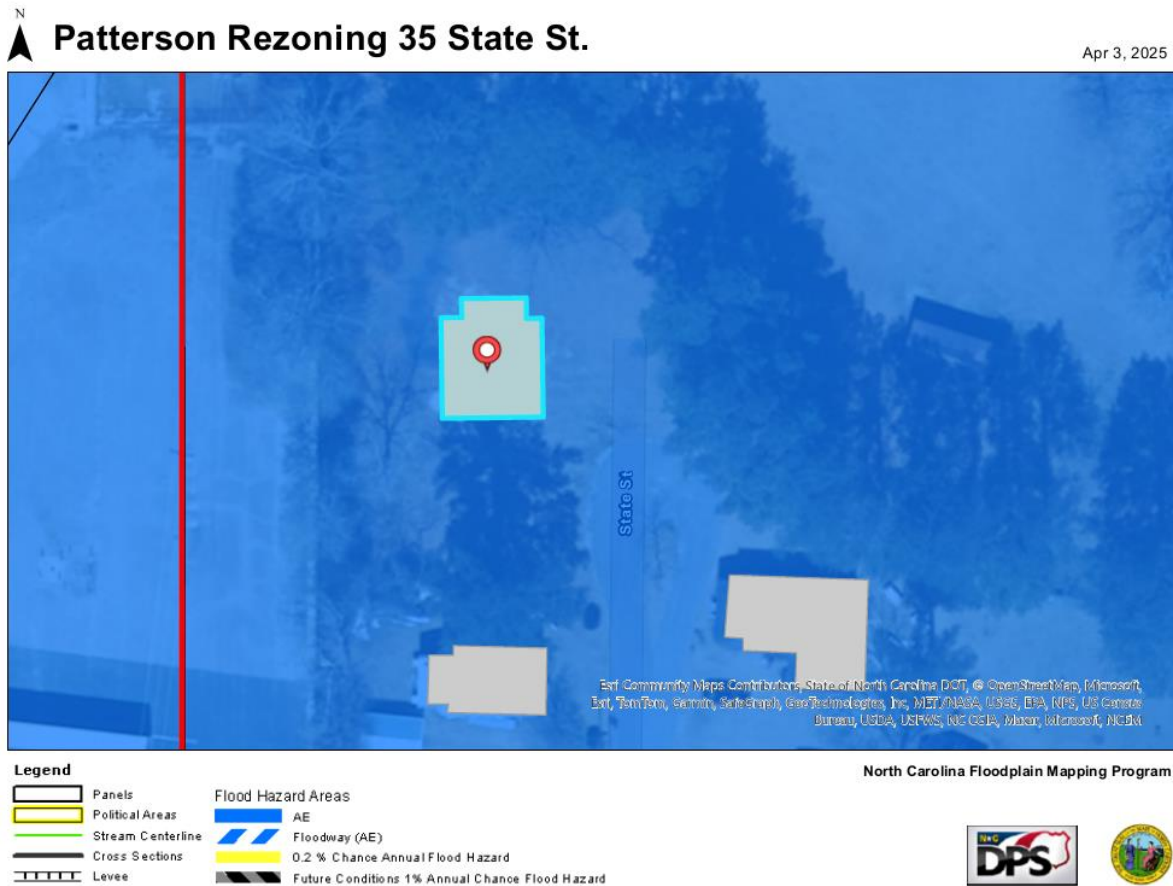
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PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the April 15, 2025 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

The R-7 district is designed to accommodate single-family and two-family dwelling units.

I. R-7 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.210 Duplex

1.220 Two-family conversion

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

28.200 Minor Subdivisions

II. R-7 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.330 Multifamily conversion

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The R-20 , R-15 and R-11 districts differ primarily in the density allowed as determined by the minimum lot size requirements set forth in section 35-181. In addition, some types of mobile homes are allowed to be used for single-family residential purposes in the R-20 zone.

I. R-20 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

26.000

28.200 Minor Subdivisions

II. R-20 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.320 Mobile home parks

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

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13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

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14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access