

**LEE COUNTY PLANNING BOARD
SPECIAL CALLED MEETING**

Tuesday January 21, 2020, 6:00 PM

(Our meeting date was moved to Tuesday the 21st due to the MLK Day holiday.)

Lee Co. Government Center, 106 Hillcrest Drive – Gordon Wicker Conference Room

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

Introduction by Chairman: The Lee Co. Planning Board is an advisory council on matters relating to land development and long-range planning and provides recommendations to the Lee Co. Commissioners. All information relevant to each case should have been presented during the public hearing. The Planning Board may ask for clarification of information received during the public hearing, but may not receive new information. Recommendations made this evening will be presented to the Commissioners for consideration on February 3, 2020 and action may or may not be taken at that time per the discretion of the Commissioners.

- A. APPROVAL OF AGENDA**
- B. APPROVAL OF MINUTES** – *October 21 and November 18, 2019*
- C. DISCLOSURE OF CONFLICT OF INTEREST**
- D. OLD BUSINESS** *(None)*
- E. NEW BUSINESS**

PUBLIC HEARING WITH THE LEE CO. COMMISSIONERS FOR THE FOLLOWING ITEM:

1. REZONING APPLICATION

Application by SACR Development, LLC to rezone two vacant tracts of land totaling 26.21 ± acres with frontage on St. Andrews Church Road (between 2013 and 2207 St. Andrews Church Road) **from Residential Agricultural (RA) to Residential Single-family (R-20)**. The subject property is identified as Tax Parcels 9650-59-9227-00 and 9650-58-5534-00 as depicted on Lee County Tax Map 9650.02.

- F. OTHER BUSINESS** *(None, unless added by the board.)*
- G. ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE
LEE COUNTY PLANNING BOARD
SANFORD, NORTH CAROLINA**

The Lee County Planning Board met in regular session at the Gordon Wicker Conference Room, on Monday, October 21, 2019. The meeting was called to order at 6:00 PM.

ROLL CALL

Members Present: Kay Coles, Chair
Herman Morris, Vice-Chair
Walter Ferguson
Frank Gilliam
Dave Turner
Charles Baker
Oscar Roberto

Staff Present: Clerk to the Board Angela Baker; Amy McNeill, Zoning Administrator; and Marshall Downey, Director of Planning.

MEETING CALLED TO ORDER

Having noted the presence of a quorum, Chair Coles called the meeting to order.

APPROVAL/DISAPPROVAL OF AGENDA

Moved by Board member Gilliam seconded by Board member Ferguson and carried unanimously.

DISCLOSURE OF CONFLICTS OF INTEREST

There were none.

OLD BUSINESS

UDO TEXT AMENDMENT / REZONING

- A. Consideration of a text amendment to the jointly adopted City of Sanford / Lee County / Town of Broadway Unified Development Ordinance (UDO). Article 4.13, which would create a new Airport Density Overlay District. The new Airport Density Overlay District would set a density limit of one unit per five acres for those properties located within this new boundary. Currently, the majority of the area in this boundary is currently zoned RA which is intended for agricultural and single-family residential and allows a density of approximately one unit per 0.92 acre (40,000 square feet). The new rules would, therefore, lower the maximum density from the current 1 unit per acre to 1 unit per five (5) acres. The new rules do include an exception for a minor subdivision. Under this exception, a property owner can

create (a) up to six (6) lots if he / she has frontage on a existing public road or (b) up to three (3) lots of on a private easement that connects to a public road. These minor subdivision lots would be allowed at the current RA zoning density of one unit per 0.92 acre (40,000 square feet).

B. Consideration of zoning amendment to the Official Zoning Map to apply the new Airport Density Overlay District as described above as item 1A

DISCUSSION

Walter Ferguson stated that during the workshop (also held on October 21st with both the Commissioners and Planning Board to discuss the proposed Airport Overlay District) the Commissioners requested that staff gather more information, including additional maps.

Board member Dave Turner stated that he had a lot of questions and concerns to be addressed. Reference Attachment A.

DECISION

After a lengthy discussion of Board member Turner's concerns, Board member Turner made a motion for the Lee County Planning Board to make the following two-part recommendation to the Lee County Board of Commissioners regarding the proposed text amendment to the UDO and the application of a new Residential Encroachment Density Overlay Zone:

Recommendation First, that the following sections: 4.13.1, Purpose; 4.13.2 (a), Location; 4.13.3, Airport Overlay Definitions; and 4.13.4, Height Zone Regulations; be conditionally approved, subject to a properly edited revision, as the Planning Board considers the petition to be acceptable as follows:

1. The petition is inconsistent with the comprehensive plan
2. The regulations and zones are consistent with State and federal regulations.
3. No opposition to the height zone regulations was presented at the public hearing.

Recommendation Second, that the proposed additions and deletions to sections 4.13.2 (b), Location; 4.13.5, Residential Encroachment Density Limitations; 4.13.6, Permitted Uses; 4.13.7 Dimensional Regulations; and 4.13.8, Noise Compatibility; be denied and rejected as the Planning Board considers the petition to be unacceptable as follows:

1. The petition is inconsistent with the comprehensive plan;
2. There are no federal or state laws or regulations that impose, or require local authorities to impose, maximum limitations on residential development in areas neighboring airports.
3. No interested party has made a showing that residential density or population intensity within the Residential Encroachment Density Overlay Zone poses a hazard to airport operations now or in the future.
4. FAA policy and guidance recommend residential density and land use intensity levels that vastly exceed the limitations contained in these sections of the proposed text amendment.

5. Federal programs that provide funding for Airport Noise Compatibility Programs have not been pursued.
6. As contemplated by North Carolina General Statutes, the provisions of this proposed text amendment may not be effective due to constitutional limitations;
7. North Carolina General Statutes provide that the acquisition of land and aviation easements are activities eligible for State financial aid;
8. This proposed text amendment may abridge existing private property development rights affecting approximately 3,000 acres of land owned by approximately 120 people;
9. The nature, timing, and extent of the financial impact to be borne by affected property owners is unknown.
10. This proposed text amendment does not contain any provisions whereby affected property owners may be justly compensated for the diminution of existing property development rights;
11. Densely developed residential neighborhoods and general aviation airports successfully coexist throughout North Carolina and the USA.

The motion was seconded by Board member Roberto.

Board member Ferguson made a motion to table the UDO Text Amendment based upon the Commissioners requesting information and Board member Turner's concerns, seconded by Board member Turner, the motion carried unanimously.

ADJOURNMENT

With no further business to come before the Board, upon Motion of Vice Chair Morris, seconded by Board member Ferguson, the meeting was adjourned at 7:30 P.M.

Adopted this _____ day of _____, 2019.

BY: _____
Kay Coles, Chair

ATTEST:

Angela M. Baker, Clerk

**MINUTES OF THE REGULAR MEETING OF THE
LEE COUNTY PLANNING BOARD
SANFORD, NORTH CAROLINA**

The Lee County Planning Board met in regular session at the Gordon Wicker Conference Room, on Monday, November 18, 2019. The meeting was called to order at 6:00 PM.

ROLL CALL

Members Present: Kay Coles, Chair
Herman Morris, Vice-Chair
Walter Ferguson
Frank Gilliam
Dave Turner
Charles Baker
Oscar Roberto

Staff Present: Clerk to the Board Angela Baker; Amy McNeill, Zoning Administrator; and Marshall Downey, Director of Planning.

MEETING CALLED TO ORDER

Having noted the presence of a quorum, Chair Coles called the meeting to order.

APPROVAL/DISAPPROVAL OF AGENDA

Moved by Board member Gilliam seconded by Board member Roberto and carried unanimously.

APPROVAL OF MINUTES

Moved by Board member Morris seconded by Board member Gilliam and carried unanimously.

DISCLOSURE OF CONFLICTS OF INTEREST

There were none.

NEW BUSINESS

1. REZONING APPLICATION

Application by Harrington Properties of NC, LLC, for property owned by Donna L. Thomas, to rezone one vacant 43+/- acre tract of land with frontage on Cox Maddox Road (between 812/814 and 828 Cox Maddox Road) and frontage on Wilmer Road (opposite 299 Wilmer Road) from Residential Agricultural (RA) to Residential Restricted (RR0). The subject property is identified as Tax Parcel 9661-04.

DISCUSSION

Board member Roberto asked if the lots would be served by individual septic tanks. Applicant Brandon Harrington said yes.

Vice-Chair Morris asked if the area was located in a floodplain or watershed area. Staff McNeill said no.

Board member Baker asked if Wilmer Road, an existing dirt road, would be state-maintained. Staff McNeill stated that yes, the road would be maintained by NCDOT to the current standard and would not be improved.

DECISION

Board member Gilliam made a motion to recommend that the County Commissioners approve the rezoning. Seconded by Board member Turner. The motion carried unanimously.

ADJOURNMENT

With no further business to come before the Board, upon, seconded by Board member Ferguson, the meeting was adjourned at 7:00 P.M.

Adopted this _____ day of _____, 2019.

BY: _____
Kay Coles, Chair

ATTEST:

Angela M. Baker, Clerk

\$500 FEE



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: SACR Development, LLC
 2. Applicant Address: POB 427 Mamers, NC 27552
 3. Applicant Telephone: 919-606-4696
 4. Name and Address of Property Owner(s) if different than applicant:
Margie C Byerly
POB 1244 Sanford, NC 27331
 5. Location of Subject Property: TBD St. Andrews Church Road Sanford
Lee Co. P.I.N. 9560-59-9227-00 / 9560-58-5534-00
 6. Total Area included in Rezoning Request: 26.21 Acres
 7. Zoning Classification: Current: R40 Requested: R20
 8. Existing Land Use(s): Agricultural
 9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Residential Development
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

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

Margie C. Byerly
MARGIE C. BYERLY
Signature of Property Owner(s) (Sign & Print)

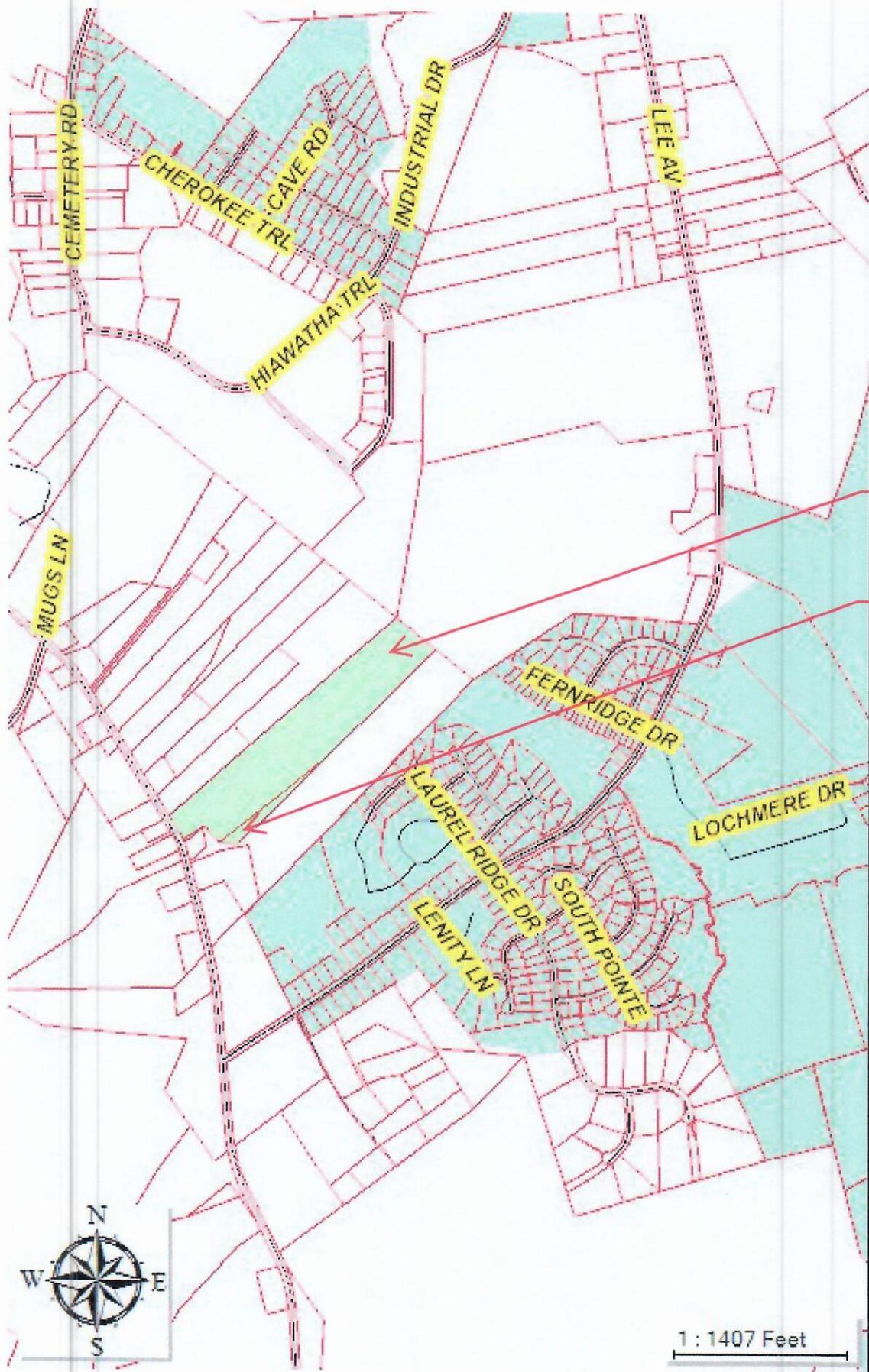
10-23-19
10-23-19
Date

Required Attachments/Submittals

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

STAFF USE ONLY

Date Received: 2019.10.28 Fee Paid: \$500 Application No.: 2019.1201
 Staff Signature: AMY JO MENEILL Energy Case No.: ZMA-001550-2019
L.A. Forms & Certifications/Rezoning App (Updated 2018-07-02 by AJMc)



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

PIN:
9650-59-9227-00

PIN:
9650-58-5534-00

**PROPERTIES
REQUESTED TO BE
RE-ZONED TO R20**

**LEE COUNTY
BOARD OF COMMISSIONERS AND PLANNING BOARD
PUBLIC HEARING INFORMATION
JANUARY 21,2020**

APPLICATION# 2020-0101 TO AMEND THE LEE COUNTY ZONING MAP

Applicant: SACR Development, LLC
Owner: Margie C. Byerly
Request: Rezone from Residential Agricultural (RA) to Residential Single-family (R-20)
Location: Off of St. Andrews Church Rd., between 2013 and 2207 St. Andrews Church Rd.
Township: Jonesboro
Tax Parcels: 9650-59-9227-00 and 9650-58-5534-00
Adjacent Zoning: North (in Sanford ETJ): Residential Single-family (R-20)
 South: Residential Agricultural (RA)
 East: Residential Agricultural (RA)
 West: Residential Agricultural (RA), opposite St. Andrews Church Rd.

Introduction: Planning staff has received a rezoning application from SACR Development, LLC as the first step in the proposed development of a residential single-family home subdivision on this site; therefore, they have submitting this rezoning request for your consideration.

Site and Area Description: The site is located in southwestern Lee County off of St. Andrews Church Road in an area that is between Cox Road (SR 1148) and Lee Avenue (SR 1133). The area surrounding the site is either developed with single-family homes, is farmland, or wooded.

Surrounding Land Uses: The surrounding land uses to the north, south, east, and west are single-family homes and farmland.

Zoning District Information

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

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

uses for this zoning district included within your agenda for your reference. (Manufactured or mobile homes are permitted within the RA district, with certain developmental regulations.)

Proposed Zoning: The proposed zoning of Residential Single-family (R-20) district is established to provide areas for low-density single-family uses, with a maximum of two dwelling units per acre, which may provide buffers between the agricultural classifications and the higher density areas of the County of Lee. It includes density and minimum lot size requirements in order to allow for market and design flexibility while preserving the neighborhood character. The dimensional requirements include a minimum lot width of 100 feet, a minimum lot depth of 125 feet, a minimum lot size of 20,000 square feet, with principal building setbacks of 30 feet from the front property line, 30 feet from the rear property line and 15 feet from the side property lines with a maximum building height of 40 feet.

Examples of uses permitted by right within the R-20 zoning district include single-family detached homes (site-built and modular), churches, animal and crop production, forestry, and in-home daycares. There is a list of permitted uses for this zoning district included within the agenda for your reference. (Manufactured or mobile homes are not permitted within the R-20 district.)

Area Plans and Overlay Districts

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

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

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

Local Overlay District Notes: Per GIS, the subject property is not located within an area with a small area plan, a historic district or a Watershed Conservation Overlay District. There is Flood Hazard Area/Floodplain along the rear property line which would need to be taken into consideration when/if the site is developed.

Sanford, Lee County and Broadway do not have local grading permits and rely on the NC Department of Environmental Quality to regulate land-disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program at 1612 Mail Service Center, Raleigh, NC 27699-1612 or call 919-707-9220 or visit the NCDEQ website at <http://deq.nc.gov>.

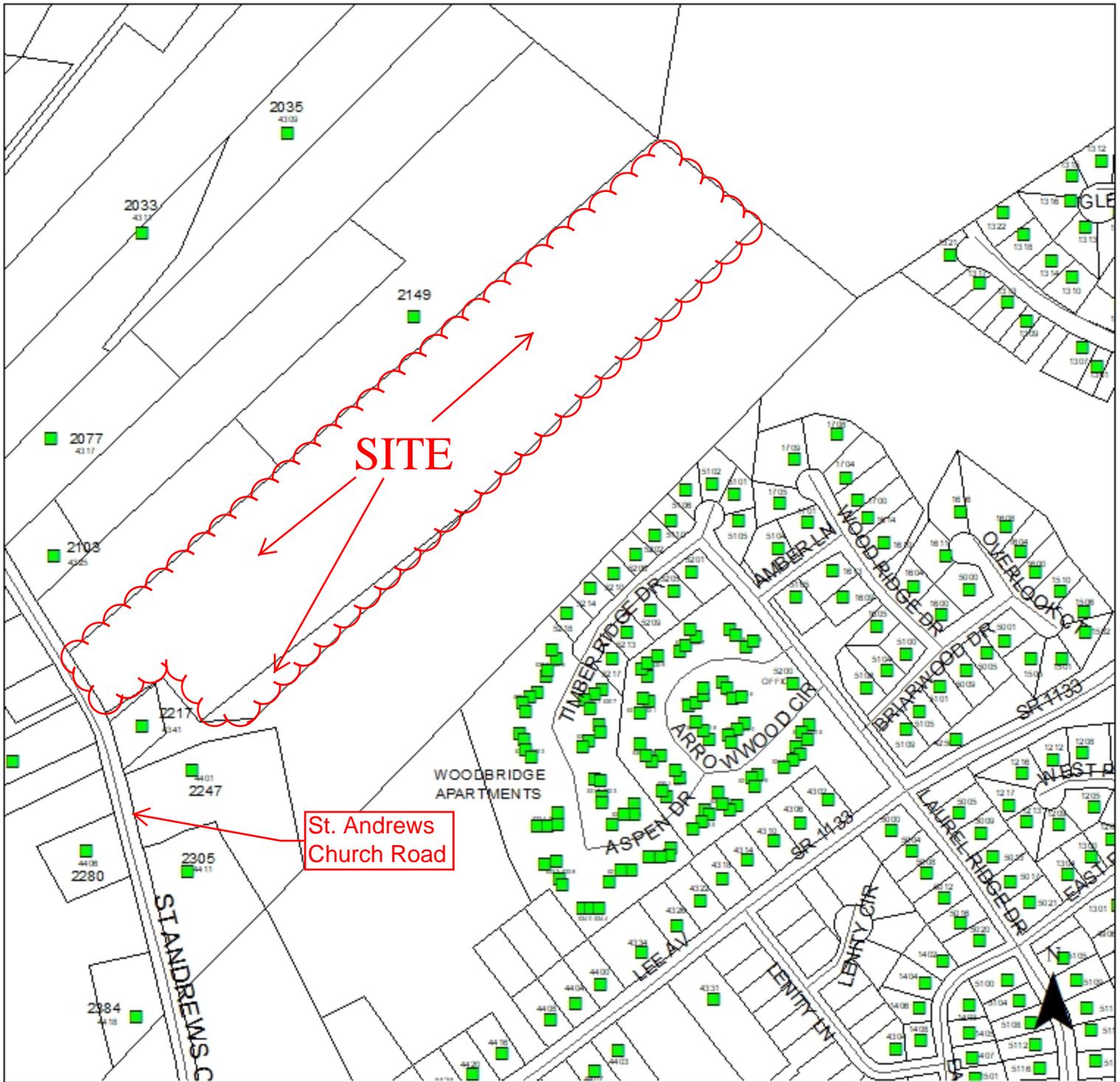
Utilities: The subject property appears to have access to public water via a public water main that runs parallel to St. Andrews Church Rd. Given the location in rural Lee County, the subject property does not have access to public sanitary sewer; therefore any/all future development must be served by private septic systems and approved by the Lee County Environmental Health Department and/or a Soil Scientist licensed to practice in North Carolina and must comply with all applicable regulations.

Transportation: The site has 220ft \pm of road frontage on St. Andrews Church Rd (SR1146), a NCDOT maintained paved public highway with a 60ft right-of-way. The closest traffic count in the area is a 2012 traffic count of 1,900 vehicles per day on St. Andrews Church Rd, approximately 950ft south of the Cox Maddox intersection, near a house addressed as 2384 St. Andrews Church Rd.

Development Standards: If rezoned, all of the uses permitted in the Residential Single-family (R-20) zoning district would be allowed and any future redevelopment of the subject property will be required to meet the current development standards of the UDO.

Staff Information Regarding a Recommendation from the Planning Board: The recommendation from the Planning Board should include language describing whether or not the action is consistent with adopted plans and other matters as deemed appropriate by the board. The board may also include language briefly explaining why it considers the recommendation to be reasonable and in the public interest.

Staff Recommendation: Staff recommends that the Boards support this request. In making this recommendation, staff finds that the rezoning proposal from Residential Agricultural (RA) to Residential Single-family (R-20) appears to be in keeping with the land uses described in long range plan by allowing detached single-family dwellings (site built or modular), being in a residential area on the outskirts of a core urbanized area and would facilitate large scale development of single-family residential density by requiring a minimum lot size of 20,000sf, with proposed utility infrastructure of public water and on-site wastewater disposal, and the site being currently accessed via a two-lane public highway.

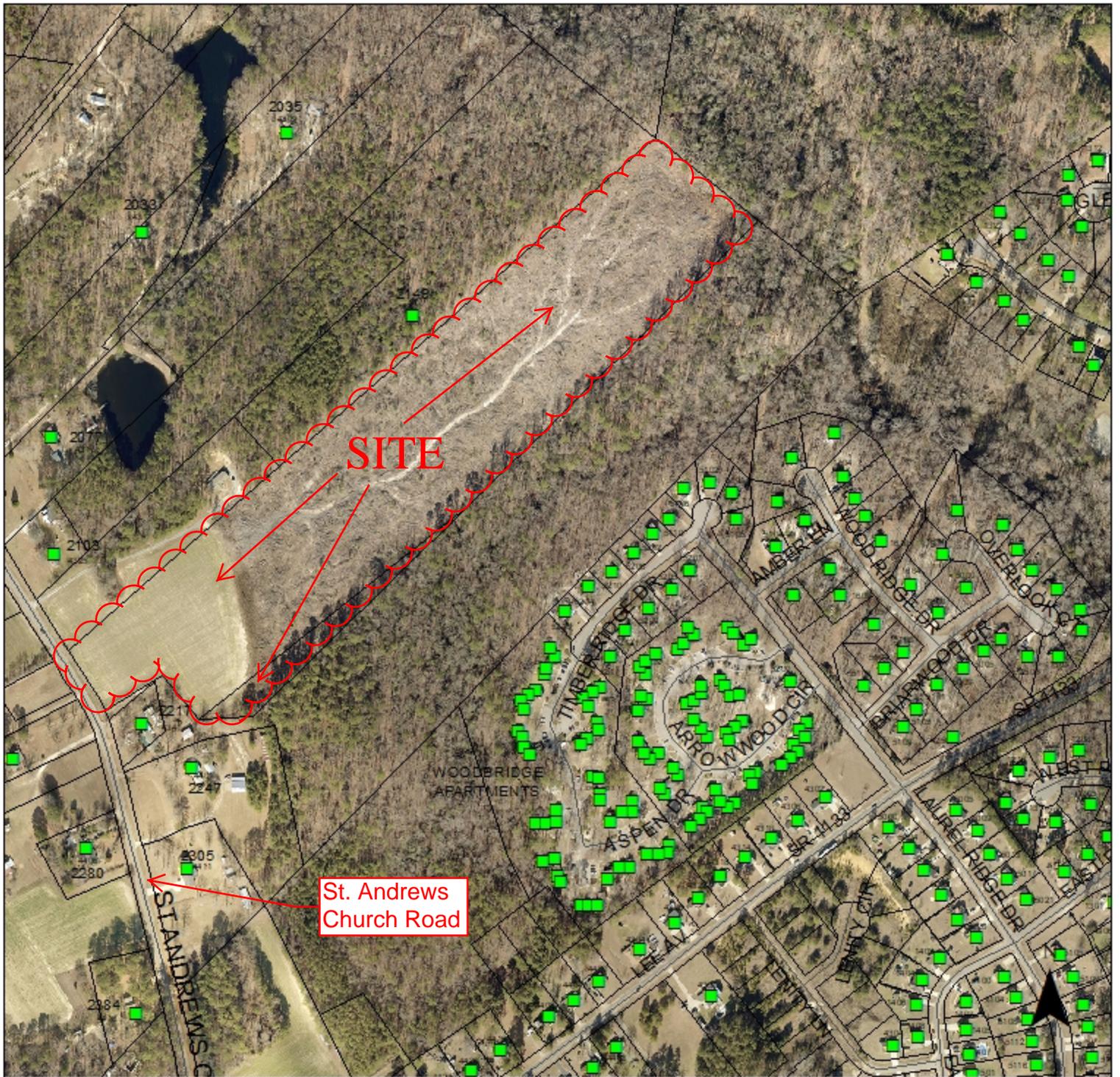


REZONING APPLICATION

2020-01-01

Application by SACR Development, LLC to rezone 26+/- acres identified as Lee County tax parcels 9650-59-9227-00 and 9650-58-5334-00 from Residential Agricultural (RA) to Residential Single-family (R-20).

This is a graphic illustration and not a legal document.

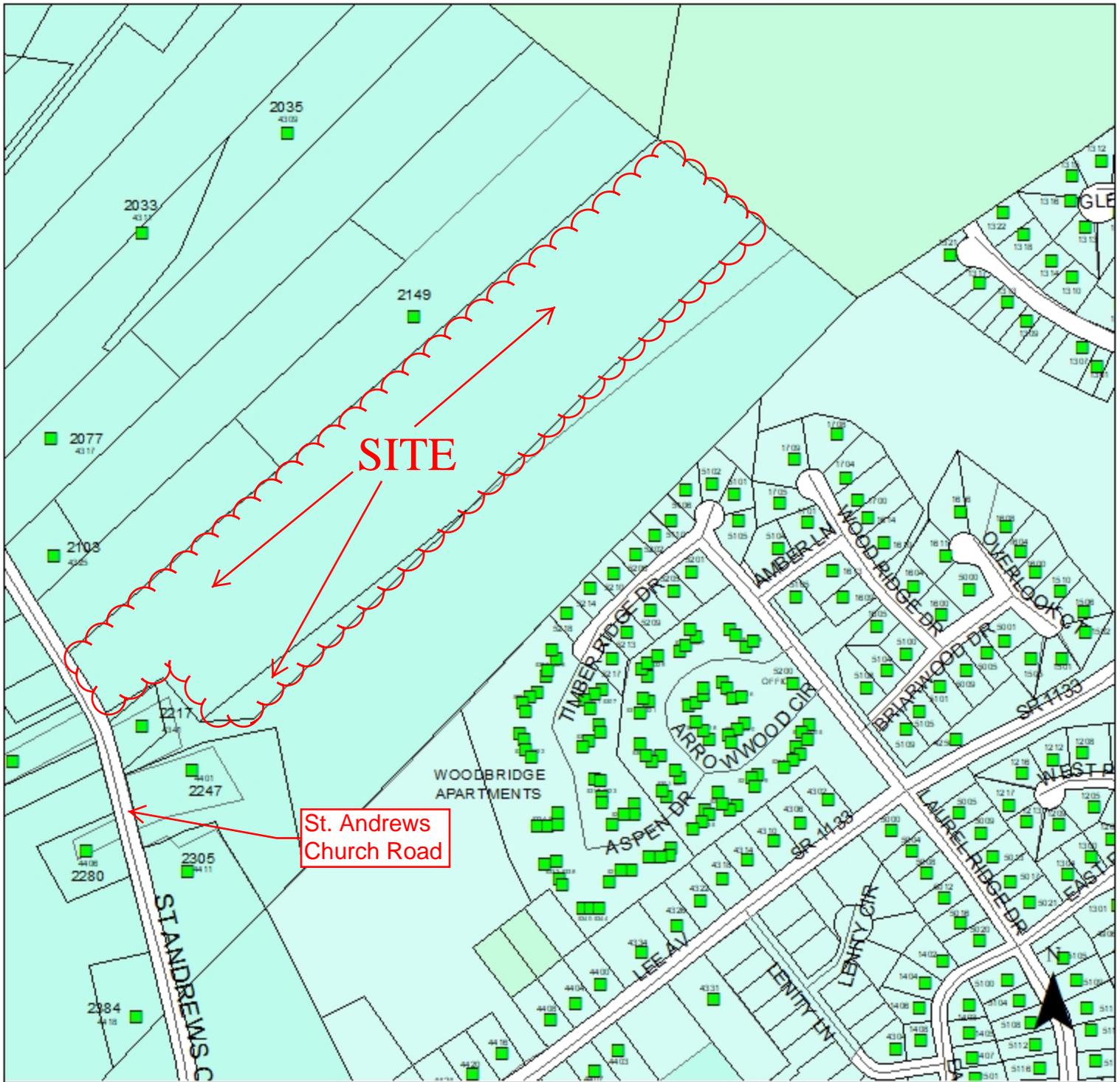


REZONING APPLICATION

2020-0101

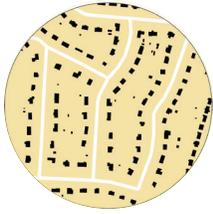
Application by SACR Development, LLC to rezone 26+/- acres identified as Lee County tax parcels 9650-59-9227-00 and 9650-58-5334-00 from Residential Agricultural (RA) to Residential Single-family (R-20).

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REZONING APPLICATION 2020-0101
Application by SACR Development, LLC to rezone 26+/- acres
identified as Lee County tax parcels 9650-59-9227-00 and 9650-58-5334-00
from Residential Agricultural (RA) to Residential Single-family (R-20).

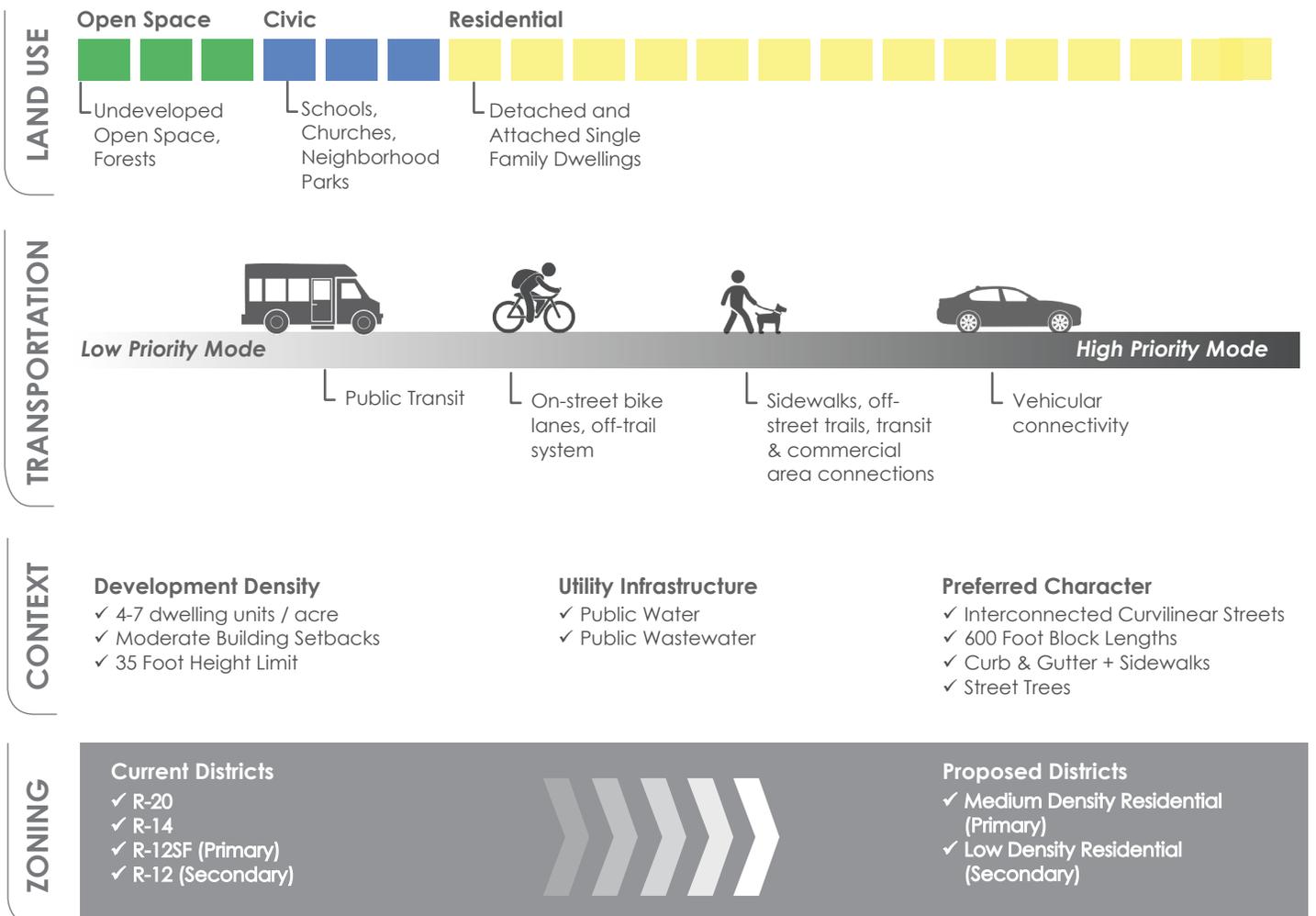
This is a graphic illustration and not a legal document.



SUBURBAN NEIGHBORHOOD

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

Local Example - Westlake Valley Neighborhood in Sanford



RA, RESIDENTIAL AGRICULTURAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

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

R-20, RESIDENTIAL SINGLE-FAMILY ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

<u>Accessory Uses</u>
Accessory uses (See 5.1)
<u>Residential Uses</u>
Dwelling, Modular home
Dwelling, Single-family detached
<u>Arts, Recreation & Entertainment</u>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<u>Education, Public Administration, Health Care and Institutional</u>
Religious Complex (less than 350 seats), new site
Religious Complex (any size), addition to existing complex/site
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
<u>Transportation, Communication, and Utilities</u>
Utility lines (including electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Forestry and Logging and Support Services, (unincorporated Lee County)

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

<u>Residential Uses</u>
Home Occupations (See Section 5.16)
Travel Trailer / Recreational Vehicle / Motor Home / Camper, to be used as a Temporary Residence (Unincorporated Lee County and ETJ areas of Sanford and Broadway)

See Section 5.34.2.9
<u>Accommodations and Group Living</u>
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Art, Recreation & Entertainment</u>
Stable, Accessory to Dwelling
<u>Education, Public, Administration, Health Care, and Institutional</u>
Day Care facility, Home Child Care (See Section 5.10)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

<u>Accommodations and Group Living</u>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Nursing, Supervision, Adult Care Homes, Group Care Facilities, and other rehabilitative services
<u>Arts, Recreation & Entertainment</u>
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Sports stadiums or arenas
<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
Fire, sheriff, and emergency services
Governmental Functions, not otherwise listed
Libraries
Religious Complex (more than 350 seats), new site
Schools, Continuing Education (alternative, adult colleges and universities, and technical, trade, and other specialty schools)
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
<u>Transportation, Communication, and Utilities</u>
Sewage treatment and water treatment plants
<u>Agriculture</u>
Crop Production and Support Services, (Sanford and Broadway)

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

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

<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford only (See Section 5.23)
<u>Education, Public Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots) (See Section 5.6)
Day Care Facility, Child Care Center (See Section 5.10)
Day Care Facility, Adult (See Section 5.38)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

ADJOINING PROPERTY OWNERS LIST

PETITION BY: SACR Development, LLC

REQUEST: Rezone 2 vacant tracts of land from RA to R-20

LOCATION: Off of St. Andrews Church Road, between 2013 & 2207 St. Andrews Church Rd

PIN: 9650-59-9227-00 and 9650-58-5534-00

DATE: 2019-12-05, Updated 2019-12-16

No.	PIN	PROP ADDR	OWNER 1	OWNER2	M #	MAIL ST	MAILCITY	ST	ZIP
01	9650-58-0983-00	2149 ST. ANDREWS CHURCH RD	WHITNEY BEAL	MICHAEL BEAL	2247	ST ANDREWS CHURCH ROAD	SANFORD	NC	27332
02	9650-69-0817-00	0 ST ANDREWS CHURCH RD	JAMES M. COX JR.	-	2217	ST ANDREWS CHURCH RD	SANFORD	NC	27332
03	9651-60-5937-00	1406 CHEROKEE TRAIL	JONATHAN SHOCKEY	JOY SHOCKEY	1406	CHEROKEE TRAIL	SANFORD	NC	27332
04	9651-70-9967-00	3800 LEE AVENUE	SAMUEL E. THOMAS		3900	LEE AVENUE	SANFORD	NC	27332
05	9650-68-2941-00	0 ST. ANDREWS CHURCH ROAD	JAMES M. COX JR.	-	2217	ST. ANDREWS CHURCH ROAD	SANFORD	NC	27332
06	9650-58-0370-00	2217 ST. ANDREWS CHURCH RD	MARGARET M. COX (LIFE ESTATE)	-	2217	ST. ANDREWS CHURCH ROAD	SANFORD	NC	27332
07*	9650-48-5522-00	0 ST. ANDREWS CHURCH RD	JUDITH C. ELKINS	-	93	COX ROAD	SANFORD	NC	27332
08	9650-48-6492-00	0 ST. ANDREWS CHURCH ROAD	MARY S. MORETZ	-	2212	ST. ANDREWS CHURCH ROAD	SANFORD	NC	27332
09	9650-47-0947-00	0 ST. ANDREWS CHURCH RD	MARY S. MORETZ	-	2212	ST. ANDREWS CHURCH ROAD	SANFORD	NC	27332
10	9650-48-6295-00	2212 ST. ANDREWS CHURCH RD	MARY S. MORETZ	-	2212	ST. ANDREWS CHURCH ROAD	SANFORD	NC	27332
11	9650-47-8961-00	2280 ST ANDREWS CHURCH RD	JEAN H. GUNTER (2019-12-16: Added per phone request from daughter Carla Barnes.)	-	2280	ST ANDREWS CHURCH RD	SANFORD	NC	27332
12	APPLICANT	SACR DEVELOPMENT, LLC	CHARLES BLACKWELL	-	350	WAGONER DRIVE	FAYETTEVILLE	NC	28303
13									
14	PROPERTY OWNER:	0 ST. ANDREWS CHURCH RD	MARGIE C. BYERLY	-	-	PO BOX 1244	SANFORD	NC	27331

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

January 8, 2020

Dear Adjacent Property Owner:

The Zoning Ordinance of Lee County, North Carolina requires that adjacent property owners be notified when a request for a change in zoning classification has been scheduled for a public hearing before the Lee County Planning Board and Board of Commissioners.

LEE COUNTY PUBLIC HEARING NOTICE

Notice is hereby given that the Lee County Board of Commissioners and Planning Board will hold a joint public hearing on **Tuesday, January 21, 2020** in the Commissioner's Board Room at the Lee County Government Center, 116 Hillcrest Drive, Sanford, N.C. This will be a Special Called Meeting due to the regular meeting date falling on the Martin Luther King, Jr. Day Holiday. The Boards will consider one (1) application to amend the Official Zoning Map of Lee County, NC. The hearing will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Board. The proposed rezoning application is described below:

1. Application by SACR Development, LLC to rezone two vacant tracts of land totaling 26.21 ± acres with frontage on St. Andrews Church Road (between 2013 and 2207 St. Andrews Church Road) from Residential Agricultural (RA) to Residential Single-family (R-20). The subject property is identified as Tax Parcels 9650-59-9227-00 and 9650-58-5534-00 as depicted on Lee County Tax Map 9650.02.

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

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

Please note that staff has been instructed to provide the following general information to adjacent property owners for future reference if/when the site associated with this rezoning request is developed. The City of Sanford, Lee County and the Town of Broadway do not have local grading permits and rely on the North Carolina Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, please contact the North Carolina Division of Energy, Mineral, and Land Resources Sediment Program at 1612 Mail Service Center, Raleigh, NC 27699-1612 or call 919-707-9220 or visit the NCDEQ website at <http://deq.nc.gov>.

Attachment: GIS Property Map and Aerial Map

ADJACENT PROPERTY OWNERS NOTIFICATION CERTIFICATION

I, Amy J. McNeill, hereby certify that the property owners and adjacent property owners of the following rezoning petitions as indicated on the Lee County Tax Maps were notified by First Class U.S. Mail on Wednesday, January 8, 2020.

1. REZONING APPLICATION 2020-0101

Application by SACR Development, LLC to rezone two vacant tracts of land totaling 26.21 ± acres with frontage on St. Andrews Church Road (between 2013 and 2207 St. Andrews Church Road) from Residential Agricultural (RA) to Residential Single-family (R-20). The subject property is identified as Tax Parcels 9650-59-9227-00 and 9650-58-5534-00 as depicted on Lee County Tax Map 9650.02.

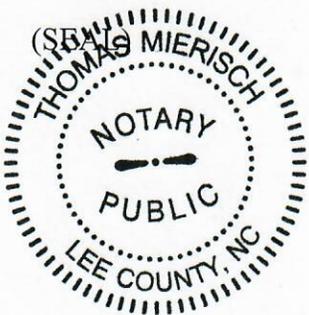
Signature: AMY JO McNEILL Date: 2020.01.07

Title: ZONING ADMINISTRATOR

Lee County, North Carolina

I, THOMAS MIERISCH, a Notary Public for Lee County and State of North Carolina do hereby certify that AMY JO McNEILL personally appeared before me on this day and acknowledged the due execution of the foregoing Instrument. Witness my hand and official seal, this the 7TH day of JANUARY, 2020.

Thomas Mierisch My Commission expires 9/30/2020
Notary Public Signature



LEE COUNTY PUBLIC HEARING NOTICE

Notice is hereby given that the Lee County Board of Commissioners and Planning Board will hold a joint public hearing on Tuesday, January 21, 2020 in the Commissioner's Board Room at the Lee County Government Center, 116 Hillcrest Drive, Sanford, N.C. The Boards will consider one (1) application to amend the Official Zoning Map of Lee County, NC. The hearing will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Board. The proposed rezoning application is described below:

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

By Jennifer Gamble, Clerk
Lee County Board of Commissioners

Please publish in the Legal Notices Section of the Sanford Herald on Friday, January 10, 2020 and on Friday, January 17, 2020. If you have any questions regarding this notice, please call Amy McNeill at 718-4656, ext. 5397. Please reference this account number (30031885) on the invoice and refer to as Lee County Planning Board Public Hearing Notice.

Please send publisher's affidavit to the Community Development Office, P.O. Box 3729, Sanford, NC, and attention: Angela Baker.

Thank you.