

HARNETT COUNTY PLANNING BOARD

Monday November 4, 2024

6:00 p.m.

Harnett County Development Services
420 McKinney Parkway, Lillington, NC 27546

PUBLIC HEARING

1. Call to order and welcome – Chairman Kathy Wood
2. Invocation & Pledge of Allegiance
3. Approval of Minutes

Old Business-Tabled from the October 7, 2024 Meeting

4. **Proposed Zoning Change: Case #PLAN2409-0001**
Landowner / Applicant: Weeks Farms, Inc. / Seth Thompson; 43.2 +/- acres (out of 98.4 acre tract); Pin # 0558-89-7024.000; From Industrial to RA-20R Zoning District; Lillington Township; US Hwy 401 S.

New Business

5. **Proposed Zoning Change: Case #PLAN2410-0001**
Landowner / Applicant: Weeks Farms, Inc. / Seth Thompson; 78 +/- acres; Pin #'s 0558-99-8986.000 & 0558-97-3688.000; From Industrial to RA-20R Zoning District; Lillington Township; US Hwy 401 S.
6. **Proposed Zoning Change: Case #PLAN2410-0002**
Landowner / Applicant: Andrew Ruhland-Ruhl Inc.; 6.41 +/- acres; Pin #'s 0524-17-6242.000 & 0524-17-6389.000; From RA-20M to Commercial Zoning District; Anderson Creek Township; NC Hwy 210 S (on Mockingbird Lane).
7. **Proposed Text Amendment: Case # PLAN2408-0001**
Applicant: William Dan Andrews; Harnett County Unified Development Ordinance; Article V; "Use Regulations" Section 1.2. "Table of Use" ADD: Outdoor Entertainment Venue & 7.5 "Recreational Facility and Uses" ADD: Outdoor Entertainment Venue.
8. Other Business
9. Adjourn



REZONING STAFF REPORT

Case: PLAN2409-0001

Sarah Arbour, Long Range Planner

sarbour@harnett.org

Phone: (910) 814-6414 Fax: (910) 814-8278

Planning Board: October 7, 2024

County Commissioners: November 18, 2024

Rezoning Request : Industrial to RA-20R

Applicant Information

Owner of Record:

Name: Weeks Farms, Inc.

Address: PO Box 787

City/State/Zip: Dunn, NC 28335

Applicant:

Name: Seth Thompson

Address: 510 N. Powell Avenue

City/State/Zip: Dunn, NC 28334

Property Description

PIN(s): 0558-89-7024.000

Acreage: +/- 38.8

Address/SR No.: 2561 US 401 S. Lillington, NC

Township:

- (01) Anderson Creek
- (02) Averagesboro
- (03) Barbecue
- (04) Black River

- (05) Buckhorn
- (06) Duke
- (07) Grove
- (08) Hectors Creek

- (09) Johnsonville
- (10) Lillington
- (11) Neill's Creek
- (12) Stewart's Creek
- (13) Upper Little River

Vicinity Map



Site Description: The property is a 98-acre tract of land currently used for agricultural activities and a solar energy facility. It has direct access to US HWY 401, and a 100-foot railway right-of-way bounds the property on the eastern side.

Background: The property is currently split zoned with a +/- 19-acre portion of the property located in the RA-20R zoning district, and a +/- 79 acre portion of the property zoned Industrial. This zoning request will include the areas of the property outside of the solar energy facility, which will remain zoned Industrial.

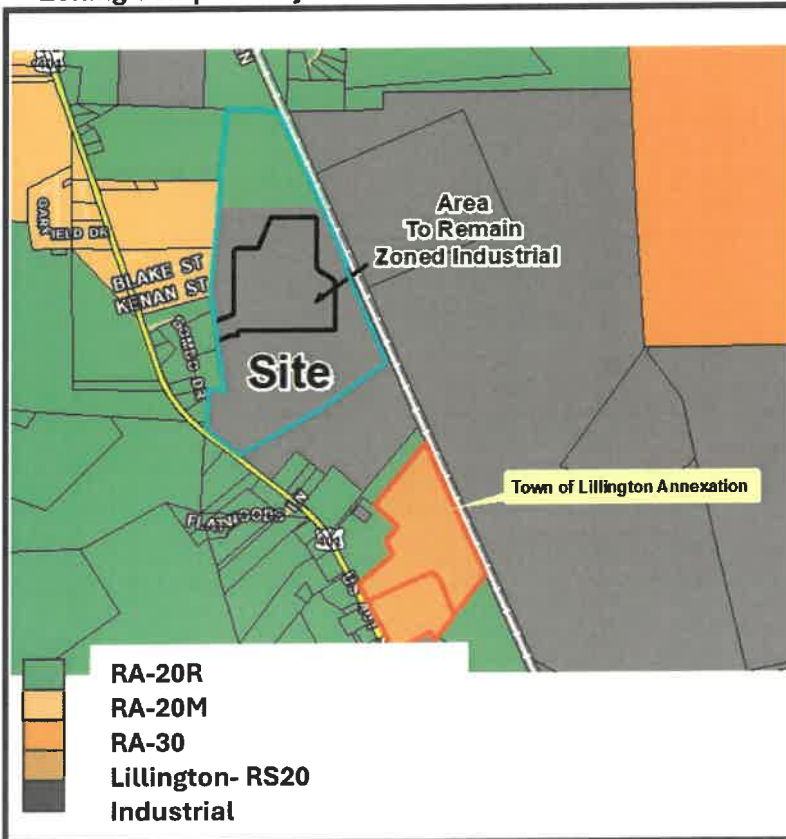
The property is one of three contiguous properties that the applicant has petitioned Planning Services to rezone from Industrial to RA-20R. The applicant’s two other properties involved in the rezoning petition are on a separate application.

This area is beginning to change from industrial to a mixed-use environment that is becoming increasingly residential, particularly with the recent annexation and rezoning of a property by the town of Lillington from Harnett County Industrial to residential.

Surrounding Land Uses: Surrounding land uses consist of single-family residences, a manufactured home park, agricultural activities, vacant land, and forest land.

Services Available		
Water:	Sewer:	Transportation:
<input checked="" type="checkbox"/> Public (Harnett County)	<input checked="" type="checkbox"/> Public (Harnett County)	Annual Average Daily Counts: 6,000
<input type="checkbox"/> Private (Well)	<input type="checkbox"/> Private (Septic Tank)	Site Distances: Fair
<input type="checkbox"/> Other: Unverified	<input type="checkbox"/> Other: unverified	

Zoning Compatibility



	Current Industrial	Requested RA-20R
Parks & Rec	X	X
Natural Preserves	X	X
Bona Fide Farms	X	X
Single Family		X
Manufactured Homes, (with design criteria)		X
Multi-Family		X Special Use
Institutional	X	X
Commercial Services	X	Special Use
Retail		
Wholesale	X	
Industrial	X	
Manufacturing	X	

The following is a summary list of potential uses. For all applicable uses for each Zoning district please refer to the UDO’s Table of Uses.

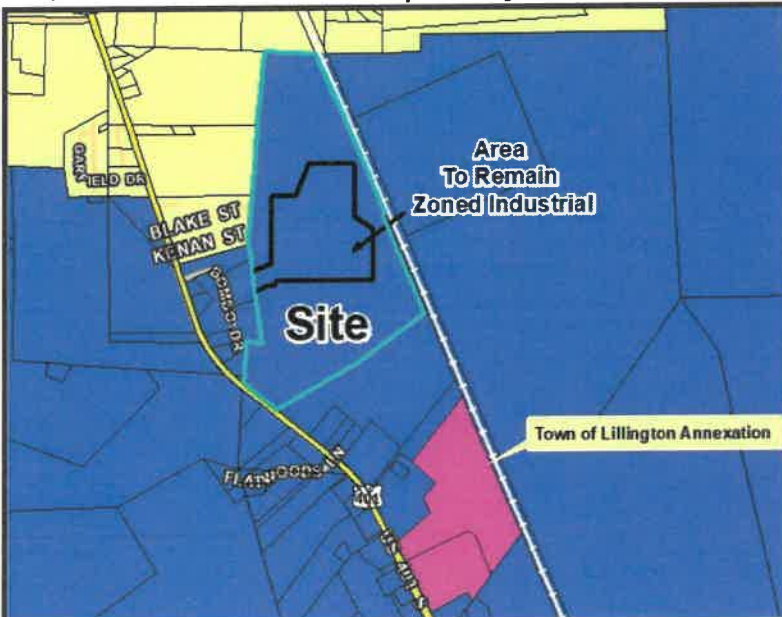
RA-20R:

The RA-20R Residential/Agricultural District (RA-20R) is established primarily to support agricultural and residential development. Inclusive in such higher density residential developments may consist of single-family dwellings, multifamily dwellings, and duplexes.

Industrial:

The purpose of this district, Industrial (IND), is to promote and protect both existing industrial activities and potential sites which are considered suitable for industrial use, to prohibit uses of land which would substantially interfere with the continuation of uses permitted in the district, and to promote the operation of well-planned and maintained industrial facilities.

Land Use Classification Compatibility



	ZONING	Land Use
	Commercial	Low Density Residential
Parks & Rec	X	X
Natural Preserves	X	X
Bona Fide Farms	X	X
Single Family		X
Manufactured Homes, Design Regulated		X
Manufactured Homes		X
Multi-Family		Special Use
Institutional	X	X
Commercial Service	X	Special Use
Retail	X	
Wholesale	Special Use	
Industrial		
Manufacturing		

The above is a summary list of potential uses. For all applicable uses for each Zoning district, please refer to the UDO's Table of Uses.

Agricultural/Rural Residential:

Primarily agricultural and forestry uses with some rural residential areas. These areas are located outside of existing and future sewer service areas and rely on septic systems for wastewater treatment. They have a limited road network and in some cases lie within High Quality Watershed or Water Supply Watershed areas. The lack of utility and transportation infrastructure, the established low density development pattern and ongoing agricultural activities in these areas contribute to their rural character. This character can be enhanced by encouraging only low intensity uses, single family residential up to one unit per acre and context sensitive rural design.

Site







Road View





Across Road



Evaluation

- Yes No **A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.**

The subject property is a split zoned property, and approximately 19 acres of the property is zoned RA-20R, the requested zoning designation. The property is also contiguous to properties zoned RA-20R. The request would not require an evaluation for reasonableness as a small-scale rezoning.

- Yes No **B. There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.**

There is a convincing demonstration that all uses permitted under the proposed district would be in the interest of the public and not merely in the interest of the individual group. A zoning change to the RA-20R zoning district would allow for residential uses of the property, which is more compatible with the surrounding land uses than the uses permitted in the current zoning district.

- Yes No **C. There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)**

There is a convincing demonstration that all uses permitted in the proposed district classification would be appropriate in the area included in the proposed change. The uses permitted in the RA-20R zoning district are more appropriate than the more intense uses permitted in the current zoning designation.

- Yes No **D. There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.**

There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by the uses permitted in the requested zoning district. Use of the property for residential purposes is more compatible with the surrounding land uses and poses a smaller risk of materially or adversely affecting the neighborhood than the uses permitted in the current zoning designation.

- Yes No **E. The proposed change is in accordance with the comprehensive plan and sound planning practices.**

The request to change the zoning from the Industrial zoning designation to the RA-20R is in accordance with the comprehensive land use and sound planning practices. The underlying land use of the property is Agricultural/Rural Residential, a land use designation which primarily supports agriculture, forestry, and low-density residential uses.

Suggested Statement-of-Consistency (Staff concludes that...)

As stated in the evaluation, the requested rezoning to **RA-20R** is reasonable. The requested zoning is more compatible with the surrounding land uses and the future land use designation. It is recommended that this rezoning request be **APPROVED**.

Standards of Review and Worksheet

TYPICAL REVIEW STANDARDS

The Planning Board shall consider and make recommendations to the County Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- Yes No A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- Yes No B. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- Yes No C. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- Yes No D. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- Yes No E. The proposed change is in accordance with the comprehensive plan and sound planning practices.

GRANTING THE REZONING REQUEST

Motion to grant the rezoning upon finding that the rezoning is reasonable based on **All** of the above findings of fact A-E being found in the affirmative and that the rezoning advances the public interest.

DENYING THE REZONING REQUEST

Motion to deny the rezoning upon finding that the proposed rezoning does not advance the public interest and is unreasonable due to the following:

- The proposal will not place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- There is not convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- There is not convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- There is not convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- The proposed change is not in accordance with the comprehensive plan and sound planning practices.
- The proposed change was not found to be reasonable for a small scale rezoning



REZONING STAFF REPORT

Case: PLAN2410-0001

Sarah Arbour, Long Range Planner

sarbour@harnett.org

Phone: (910) 814-6414 Fax: (910) 814-8278

Planning Board: November 4, 2024

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Applicant:

Name: Seth Thompson

Address: 510 N. Powell Avenue

City/State/Zip: Dunn, NC 28334

Property Description

PIN(s): 0558-99-8986.000 & 0558-97-3688.000

Acreage: +/-50 & +/-28.11

Address/SR No.: US 401 S. Lillington, NC

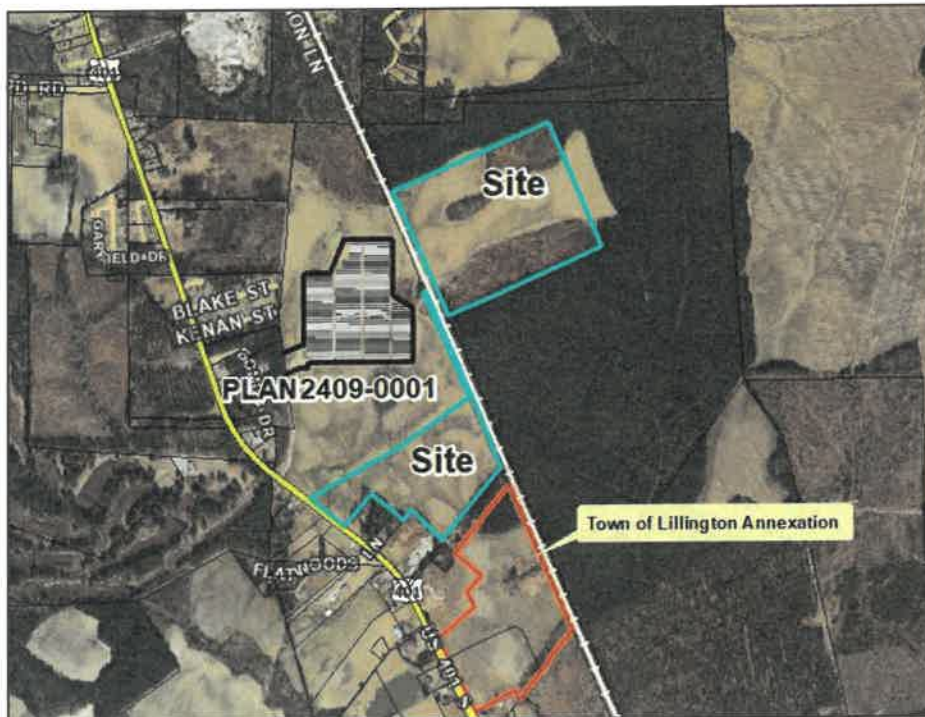
Township:

- (01) Anderson Creek
- (02) Averagesboro
- (03) Barbecue
- (04) Black River

- (05) Buckhorn
- (06) Duke
- (07) Grove
- (08) Hectors Creek

- (09) Johnsonville
- (10) Lillington
- (11) Neill's Creek
- (12) Stewart's Creek
- (13) Upper Little River

Vicinity Map



Site Description: The rezoning request is for two properties described below:

Property PIN# 0558-99-8986.000 is a +/-50 acre property used for agricultural purposes. The property is landlocked and accessed by a small farm road from the property to the west. The property is bound by the railway tract on the western property line.

Property PIN# 0558-97-3688.000 is a +/-28.11 acre property used for agricultural purposes. The property's eastern property line is bound by the railway tract.

Background: The properties represent two of three properties that the applicant has petitioned Planning Services to rezone from Industrial to RA-20R. The third property involved in the rezoning petition (shown below) is on a separate application due to the applicant's error. Additionally, due to the condition of the farm road, staff was unable to access the property east of the railway for site photos.

Separate Rezoning Petition



Farm Road



Surrounding Land Uses: Surrounding land uses consist of single-family residences, a manufactured home park, agricultural activities, and forestland.

Services Available

Water:

- Public (Harnett County)
- Private (Well)
- Other: Unverified

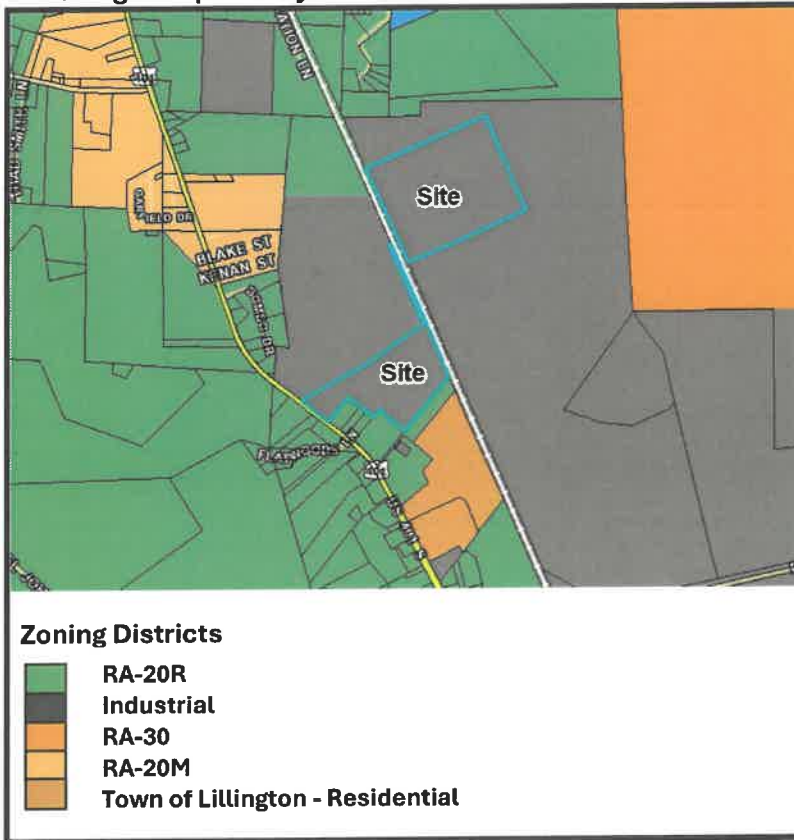
Sewer:

- Public (Harnett County)
- Private (Septic Tank)
- Other: unverified

Transportation:

Annual Average Daily Counts: **6,000**
Site Distances: **Fair**

Zoning Compatibility



	Current Industrial	Requested RA-20R
Parks & Rec	X	X
Natural Preserves	X	X
Bona Fide Farms	X	X
Single Family		X
Manufactured Homes, (with design criteria)		X
Multi-Family		X Special Use
Institutional	X	X
Commercial Services	X	Special Use
Retail	X	
Wholesale	X	
Industrial	X	
Manufacturing	X	

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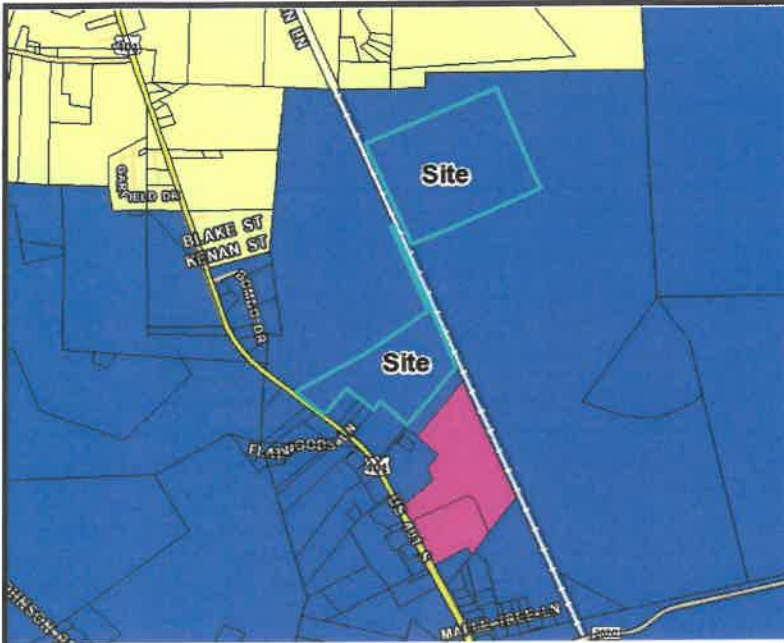
RA-20R:

The RA-20R Residential/Agricultural District (RA-20R) is established primarily to support agricultural and residential development. Inclusive in such higher density residential developments may consist of single-family dwellings, multifamily dwellings, and duplexes.

Industrial:

The purpose of this district, Industrial (IND), is to promote and protect both existing industrial activities and potential sites which are considered suitable for industrial use, to prohibit uses of land which would substantially interfere with the continuation of uses permitted in the district, and to promote the operation of well-planned and maintained industrial facilities.

Land Use Classification Compatibility



	ZONING	Land Use
	RA-20R	Agricultural/ Rural Residential
Parks & Rec	X	X
Natural Preserves	X	X
Bona Fide Farms	X	X
Single Family	X	X
Manufactured Homes, Design Regulated	X	X
Manufactured Homes	X	X
Multi-Family	Special Use	Special Use
Institutional	X	X
Commercial Service	Special Use	Special Use
Retail		
Wholesale		
Industrial		
Manufacturing		

The above is a summary list of potential uses. For all applicable uses for each Zoning district, please refer to the UDO's Table of Uses.

Agricultural/Rural Residential:

Primarily agricultural and forestry uses with some rural residential areas. These areas are located outside of existing and future sewer service areas and rely on septic systems for wastewater treatment. They have a limited road network and in some cases lie within High Quality Watershed or Water Supply Watershed areas. The lack of utility and transportation infrastructure, the established low density development pattern and ongoing agricultural activities in these areas contribute to their rural character. This character can be enhanced by encouraging only low intensity uses, single family residential up to one unit per acre and context sensitive rural design.

Site



Across Road



Road View



Evaluation Property PIN 0558-99-8986.000



Yes No **A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.**

The proposal will not place all property similarly situated in the area in the same category, or in appropriate complementary categories. The railway serves as a physical division between existing and planned residential development along US 401 and an area designated for industrial development. A pocket of residential development would be intrusive within the otherwise Industrial zoned area and may inhibit future industrial development.

Yes No **B. There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.**

There is not a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the

individual or small group.

The proposed rezoning of the parcel east of the railway to RA-20R could introduce residential uses in an area that the county has designated for industrial development. The intensity of the uses permitted in the surrounding Industrial district is incompatible with residential land uses. It is not in the public's interest to allow for residential uses to occur within this area designated for industrial development or with the access issues posed by the railway.

- Yes No **C. There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)**

There is not a convincing demonstration that all uses permitted in the proposed district classification would be appropriate in the area included in the proposed change. Residential uses on the property located east of the railway would not be appropriate due the surrounding Industrial zoning district and access issues posed by the railway.

- Yes No **D. There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.**

There is not a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by the uses permitted in the requested zoning district. Use of the property for residential purposes would be incompatible with the uses permitted in the surrounding Industrial zoning district. Further, a change of zoning to the RA-20R would adversely affect the character of the neighborhood by reducing the potential for industrial development and economic growth.

- Yes No **E. The proposed change is in accordance with the comprehensive plan and sound planning practices.**

While the proposed zoning change to RA-20R is compatible with the underlying land use, the proposed zoning change would result in loss of finite land designated for industrial use, which is essential for supporting economic development and job creation. A reduction of available industrial land conflicts with the following Land Use and Economic Development policy outlined in the comprehensive land use plan:

Policy LU-1.2 Identify prime locations for industrial and distribution operations and protect these locations from incompatible development.

Suggested Statement-of-Consistency (Staff concludes that...)

As stated in the evaluation, the requested rezoning to **RA-20R** is unreasonable. The requested zoning is incompatible with the uses permitted in the surrounding zoning district and conflicts with Policy LU-1.2 from the comprehensive land use plan. It is recommended that this rezoning request be **DENIED**.

Evaluation Property PIN 0558-97-3688.000



- Yes No **A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.**

The subject property is contiguous to properties zoned RA-20R. The request would not require an evaluation for reasonableness as a small-scale rezoning.

- Yes No **B. There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.**

There is a convincing demonstration that all uses permitted under the proposed district would be in the interest of the public and not merely in the interest of the individual group. A zoning change to the RA-20R zoning district would allow for residential use of the property, which is more compatible with the surrounding land uses than the uses permitted in the current zoning district.

- Yes No **C. There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)**

There is a convincing demonstration that all uses permitted in the proposed district classification would be appropriate in the area included in the proposed change. The uses permitted in the RA-20R zoning district are more appropriate than the more intensive uses permitted in the current zoning designation.

- Yes No **D. There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.**

There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by the uses permitted in the requested zoning district.

Use of the property for residential purposes is more compatible with the surrounding land uses and poses a smaller risk of materially or adversely affecting the neighborhood than the uses permitted in the current zoning designation.

- Yes No **E. The proposed change is in accordance with the comprehensive plan and sound planning practices.**

The request to change the zoning from the Industrial zoning designation to the RA-20R is in accordance with the comprehensive land use and sound planning practices. The underlying land use of the property is Agricultural/Rural Residential, a land use designation which primarily supports agriculture, forestry, and low-density residential uses.

Suggested Statement-of-Consistency (Staff concludes that...)

As stated in the evaluation, the requested rezoning to **RA-20R** is reasonable. The requested zoning is more compatible with the surrounding land uses and the underlying future land use, Agricultural/Rural Residential. It is recommended that this rezoning request be **APPROVED**.

Standards of Review and Worksheet

TYPICAL REVIEW STANDARDS

The Planning Board shall consider and make recommendations to the County Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- Yes No A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- Yes No B. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- Yes No C. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- Yes No D. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- Yes No E. The proposed change is in accordance with the comprehensive plan and sound planning practices.

GRANTING THE REZONING REQUEST

Motion to grant the rezoning upon finding that the rezoning is reasonable based on **All** of the above findings of fact A-E being found in the affirmative and that the rezoning advances the public interest.

DENYING THE REZONING REQUEST

Motion to deny the rezoning upon finding that the proposed rezoning does not advance the public interest and is unreasonable due to the following:

- The proposal will not place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- There is not convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.

- There is not convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- There is not convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- The proposed change is not in accordance with the comprehensive plan and sound planning practices.
- The proposed change was not found to be reasonable for a small scale rezoning



APPLICATION FOR ZONING CHANGE

Planning Department
420 McKinney Pkwy
P.O. Box 65, Lillington, NC 27546
Phone: (910) 893-7525 Opt. 2 Fax: (910) 893-2793

Total Fee: \$ 2000.00
Receipt: _____
Permit: Plan 2410-001
Hearing Date: Nov. 4, 2024

Applicant Information

Owner of Record:

Name: Weeks Farms, Inc
Address: PO Box 787
City/State/Zip: Dunn, NC 28335
E-mail: wheatbread75@gmail.com
Phone: 919-820-0746
Fax: _____

Applicant:

Name: Seth Thompson
Address: 510 N. Powell Avenue
City/State/Zip: Dunn, NC 28334
E-mail: setht@wellonsconstruction.com
Phone: 919-868-1733
Fax: _____

Property Description

PIN(s): 0558-99-8986.000 & 0558-97-3688.000 Acreage: 78 Acres
Address/SR No.: US 401 S
Directions from Lillington: Take US 401S out of Lillington for 2.1 miles. Property will be on left side

Deed Book: 3195 Page: 28
Plat Book: _____ Page: _____

Existing Zoning:

- Conservation
- RA-20M
- RA-20R
- RA-30
- RA-40
- Commercial
- Light Industrial
- Industrial
- Office & Inst'l

Requested Zoning:

- Conservation
- RA-20M
- RA-20R
- RA-30
- RA-40
- Commercial
- Light Industrial
- Industrial
- Office & Inst'l

Township:

- (01) Anderson Creek
- (02) Averasboro
- (03) Barbecue
- (04) Black River
- (05) Buckhorn
- (06) Duke
- (07) Grove
- (08) Hectors Creek
- (09) Johnsonville
- (10) Lillington *JB*
- (11) Neill's Creek
- (12) Stewart's Creek
- (13) Upper Little River

Attachments

- Written description of property from recorded deed
- Recorded map of property at scale of not less than one (1) inch = 200 feet
- Explanation of why the zoning change is requested, addressing applicable portions of Article XII of the Zoning Ordinance

Signatures

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate:

Chris Weeks 10-1-24 _____
Property Owner Signature Date Authorized Agent Signature Date

Requirements for Consideration

The Planning Board shall consider and make recommendations to the County Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- 2.1 The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- 2.2 There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- 2.3 There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- 2.4 There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- 2.5 The proposed change is in accordance with the comprehensive plan and sound planning practices.

EXPLANATION FOR ZONING REQUEST

This property is currently zoned Industrial. There are 3 tracts that are included in the deed. One of the tracts has been requested for rezoning. The owner is requesting to rezone the remaining two tracts to RA-20R.

- 2.1 The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories. **The request will rezone the subject property the same as the adjoining properties to the south and northwest. The rezoning request will be in harmony with the existing community.**
- 2.2 There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group. **The request will allow the property to be developed as a single family residential development. The property is served by public sewer and public water to allow for residential development. No industrial uses beyond the existing solar farm are planned for the property. The rezoning request will allow for the construction of single family homes to fill the continuing need for this area.**
- 2.3 There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.) **The request is to rezone specifically from Industrial to RA-20R. Only residential uses are allowed. The rezoning request would be to allow single family development similar to the adjacent properties.**
- 2.4 There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change. **The rezoning request will allow the subject property to be developed as a residential neighborhood. The surrounding properties are zoned RA-20R. The character of the neighborhood should not be impacted by the rezoning request.**
- 2.5 The proposed change is in accordance with the comprehensive plan and sound planning practices. **The proposed request is in harmony with the surrounding neighborhood. This is not spot zoning.**



Map navigation controls: Home, Search, and a search bar.

Info Window

11 of 11 | [Close](#)

Parcels



[Click for Parcel Report 5](#)

Property

PIN - 0558-99-3986.000
 PID - 100558 0135

[TAX BILL SEARCH](#)
[PROPERTY CARD](#)

Account Number
[LINK TO ALL TAXPAYERS](#)

Owner :

Mailing Address :

Physical Address - US 401 OFF S NC

Description - 50 ACRES KENNEDY HWY 401

Surveyed or Deded Acreage - 50.00
 Calculated Acreage - 50.35

Deed Date -
 Deed Book and Page -
 Deed Instrument Number -

[LINK TO DEED](#)
[LINK TO DEED INSTRUMENT NUMBERS](#)
[LINK TO DEED HISTORY](#)

Plot Book and Page -
 Plat Instrument Number -

[LINK TO SURVEY](#)
[LINK TO SURVEY INSTRUMENT NUMBERS](#)

(Order Parcels must be independently searched via PID) by typing parcelIDDEF - SOD search!
*(*Deed and Survey are subject to availability)*

Sales

Last Sold -
 Sale Price - \$
 Qualified Code - Q - Qualified Sale
 Vacant or Improved -
 Transfer or Split -

Structure

Actual Year Built -
 Total Actual Finished Area - SqFt



Info Window

11 of 13

Close

Parcels



[CLICK FOR PARCEL REPORTS](#)

Property

PN - 0558-07-3888 000

PID - 100558 0095

[TAX BILL SEARCH](#)

[ORANGE COUNTY SALES + FORMS](#)

[PROPERTY CARD](#)

[Account Number](#)

[LINK TO ALL TAXPAYERS](#)

[Owner](#)

[Mailing Address](#)

Physical Address - 2605 US 401 STILLINGTON, NC 27546

Description - 28.11 ACRES BY DEED NC JOINT LAND

Surveyed or Deeded Acreage - 28.11

Calculated Acreage - 27.48

[Deed Date](#)

[Deed Book and Page](#)

[Deed Instrument Number](#)

[LINK TO DEED](#)

[LINK TO DEED INSTRUMENT NUMBERS](#)

[LINK TO DEED HISTORY](#)

[Plat Book and Page](#)

[Plat Instrument Number](#)

[LINK TO SURVEY](#)

[LINK TO SURVEY / INSTRUMENT NUMBERS](#)

[ORDER Plat Calendars](#)

[via RCD by going pcrABCDEF - RCD search!](#)

[\(Deed and Survey are subject to a 30% fee\)](#)

[Last Sold](#)

[Sale Price](#)

[Qualified Code](#)

[Vacant or Improved](#)

[Transfer or Split](#)

[Annual View Data](#)

[Structure](#)

[Sales](#)



REZONING STAFF REPORT

Case: PLAN2410-0002

Sarah Arbour, Long Range Planner

sarbour@harnett.org

Phone: (910) 814-6414 Fax: (910) 814-8278

Planning Board: November 4, 2024

County Commissioners: November 18, 2024

Rezoning Request : RA-20M to Commercial

455 McKinney Pkwy., Lillington
2nd Floor | Resource Center and Library

Applicant Information

Owner of Record:

Name: Andrew Ruhland
Address: 26 Mockingbird Ln.
City/State/Zip: Spring Lake, NC 28390

Applicant:

Name: Andrew Ruhland
Address: 155 Mockingbird Ln.
City/State/Zip: Spring Lake, NC 28390

Property Description

PIN(s): 0524-17-6242.000 & 0524-17-6389.000 Acreage: +/- 6.41
Address/SR No.: 26 Mockingbird Ln. Spring Lake, NC 28390

Township:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> (01) Anderson Creek | <input type="checkbox"/> (05) Buckhorn | <input type="checkbox"/> (09) Johnsonville |
| <input type="checkbox"/> (02) Averagesboro | <input type="checkbox"/> (06) Duke | <input type="checkbox"/> (10) Lillington |
| <input type="checkbox"/> (03) Barbecue | <input type="checkbox"/> (07) Grove | <input type="checkbox"/> (11) Neill's Creek |
| <input type="checkbox"/> (04) Black River | <input type="checkbox"/> (08) Hectors Creek | <input type="checkbox"/> (12) Stewart's Creek |
| | | <input type="checkbox"/> (13) Upper Little River |

Vicinity Map



Site Description: The proposed rezoning is comprised of two parcels. The southern parcel, 26 Mockingbird Lane, is used as a multi-tenant commercial service establishment. The northern parcel is wooded and unimproved.

Background: The property obtained a conditional use permit to operate at a machine shop in 2004, and the property has been used for non-residential purposes since.

Surrounding Land Uses: Surrounding land uses consist of single-family residences, an automotive repair facility, a hardware store, and unimproved land.

Services Available

Water:

- Public (Harnett County)
- Private (Well)
- Other: Unverified

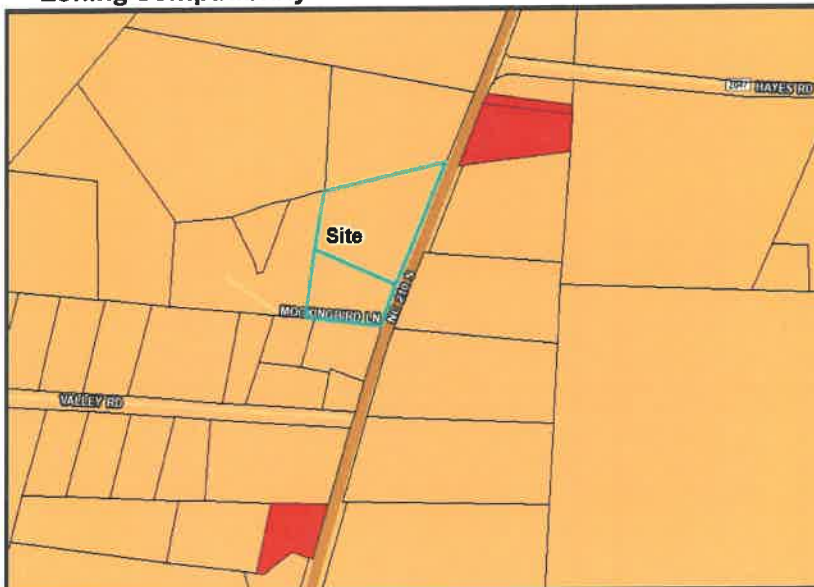
Sewer:

- Public (Harnett County)
- Private (Septic Tank)
- Other: unverified

Transportation:

Annual Average Daily Counts: **9,500**
 Site Distances: Good to fair

Zoning Compatibility



Zoning Districts

- Commercial**
- RA-20M**

	Current RA-20M	Requested Commercial
Parks & Rec	X	X
Natural Preserves	X	X
Bona Fide Farms	X	X
Single Family	X	
Manufactured Homes	X	
Multi-Family	X (Special Use)	
Institutional	X	X
Commercial Services	Special Use	X
Retail		X
Wholesale		Special Use
Industrial		
Manufacturing		

The following is a summary list of potential uses. For all applicable uses for each Zoning district please refer to the UDO's Table of Uses.

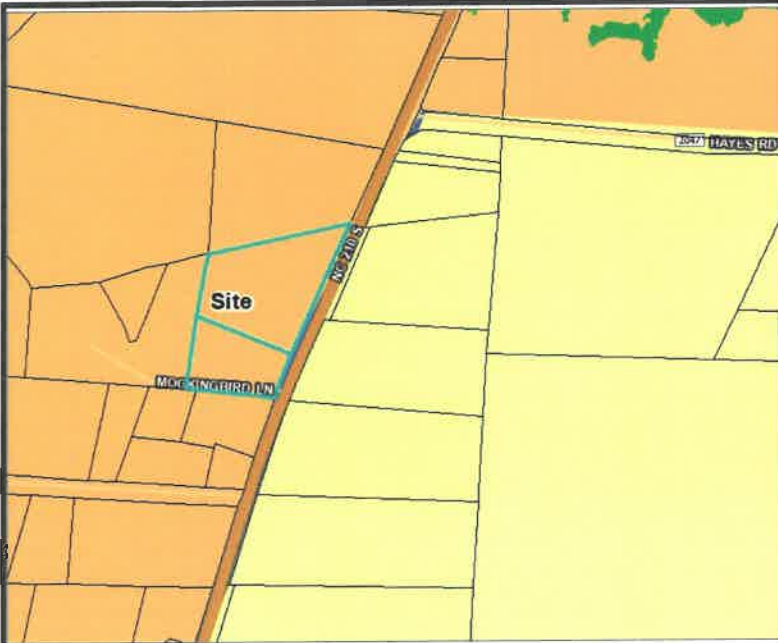
RA-20M:

The RA-20M Residential/Agricultural District (RA-20M) is established primarily to support agricultural and residential development. Inclusive in such higher density residential developments may consist of single-family dwellings, multifamily dwellings, duplexes, and manufactured home parks.

Commercial:

It is the purpose of the Commercial/Business District (COMM) to accommodate the widest variety of commercial, wholesale, and retail businesses in areas that are best located and suited for such uses.

Land Use Classification Compatibility



Future Land Use

- Medium Density Residential**
- Low Density Residential**
- Environmentally Sensitive Areas**

	ZONING	Land Use
	Commercial	Low Density Residential
Parks & Rec	X	X
Natural Preserves	X	X
Bona Fide Farms	X	X
Single Family		X
Manufactured Homes, Design Regulated		X
Manufactured Homes		X
Multi-Family		Special Use
Institutional	X	X
Commercial Service	X	Special Use
Retail	X	
Wholesale	Special Use	
Industrial		
Manufacturing		

The above is a summary list of potential uses. For all applicable uses for each Zoning district, please refer to the UDO's Table of Uses.

Medium Density Residential:

Medium density residential with a mix of housing types including single family detached homes with average lot sizes, small-lot homes and patio homes. Gross densities of 2-5 dwelling units per acre. Located in areas served by current or planned utilities or in areas near the extra-territorial jurisdiction (ETJ) of towns. Additional housing types (including townhomes and apartments) and higher densities may be appropriate as part of planned developments or near Development Nodes.

Site



Across Road



Road View



Evaluation

- Yes No **A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.**

The subject properties are contiguous to a property zoned Commercial. The proposed rezoning will not require an evaluation for reasonableness.

- Yes No **B. There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.**

There is a convincing demonstration that all uses permitted under the proposed district would be in the interest of the public and not merely in the interest of the individual group. A zoning change from the RA-20M to the Commercial zoning district creates the potential for commercial development of the northern parcel, which could bring needed services to the community and present new economic development opportunities.

- Yes No **C. There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)**

There is a convincing demonstration that all uses permitted in the proposed district classification would be appropriate in the area included in the proposed change. The uses permitted in the Commercial zoning district are compatible with the nearby non-residential land uses.

- Yes No **D. There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.**

There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by the uses permitted in the requested zoning district. The uses permitted in the Commercial zoning district are compatible with the nearby non-residential land uses. Further, the neighborhood may experience benefits from future commercial development such as an increase in employment opportunities and local investment.

- Yes No **E. The proposed change is in accordance with the comprehensive plan and sound planning practices.**

The requested zoning district is not compatible with the Medium Density Residential land use classification; however, Planning Services is currently updating the comprehensive land use plan and is recommending a change to the future land use classification that will support the current non-residential activity in the area and encourage further commercial development.

Suggested Statement-of-Consistency (Staff concludes that...)

As stated in the evaluation, the requested rezoning to **Commercial** is reasonable. The requested zoning is compatible with the surrounding land uses. It is recommended that this rezoning request be **APPROVED**.

Standards of Review and Worksheet

TYPICAL REVIEW STANDARDS

The Planning Board shall consider and make recommendations to the County Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- Yes No A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- Yes No B. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- Yes No C. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- Yes No D. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- Yes No E. The proposed change is in accordance with the comprehensive plan and sound planning practices.

GRANTING THE REZONING REQUEST

Motion to grant the rezoning upon finding that the rezoning is reasonable based on **All** of the above findings of fact A-E being found in the affirmative and that the rezoning advances the public interest.

DENYING THE REZONING REQUEST

Motion to deny the rezoning upon finding that the proposed rezoning does not advance the public interest and is unreasonable due to the following:

- The proposal will not place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- There is not convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- There is not convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- There is not convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- The proposed change is not in accordance with the comprehensive plan and sound planning practices.
- The proposed change was not found to be reasonable for a small scale rezoning



APPLICATION FOR ZONING CHANGE

Planning Department
420 McKinney Pkwy P.O. Box 65, Lillington, NC 27546
Phone: (910) 893-7525 Opt. 2 Fax: (910) 893-2793

Total Fee: \$250
Receipt: _____
Permit: Plan 2410-0002
Hearing Date: 11-4-2024

Applicant Information

Owner of Record:

Name: Andrew Ruhland Ruhl Inc
Address: 26 Mockingbird Ln
City/State/Zip: Spring Lake, NC 28390
E-mail: andy@ruhltech.com
Phone: 406-580-8128
Fax: _____

Applicant:

Name: Andrew Ruhland
Address: 155 Mockingbird Ln
City/State/Zip: Spring Lake, NC 28390
E-mail: andy@ruhltech.com
Phone: 406-580-8128
Fax: _____

Property Description

PIN(s): 0524-17-6242.000, 0524-17-6389.000 Acreage: 6.41 Acres 2.10/4.31

Address/SR No.: 26 Mockingbird Ln Spring Lake NC 28390

Directions from Lillington: Leaving county follow Hwy 210 South through Lillington and turn right at stop light (Burger King) and follow Hwy 210 South for approximately 10 Miles, turn right off Hwy 210 South onto Mockingbird Ln. Ruhl Inc will be on the right side.

Deed Page: 1739 : 0420
Book: 1739 : 0420 Page: 2005 : 275
Plat Book:
2005 : 275

Utilities Available:
Water:
 Public (Harnett County)
 Private (Well)
 Other (Unverified)

Sewer:
 Public (Harnett County)
 Private (Well)
 Other (Unverified)

Existing Zoning:
 Conservation
 RA-20M
 RA-20R
 RA-30
 RA-40
 Commercial
 Light Industrial
 Industrial
 Office & Inst'l

Requested Zoning:
 Conservation
 RA-20M
 RA-20R
 RA-30
 RA-40
 Commercial
 Light Industrial
 Industrial
 Office & Inst'l

Township:
 (01) Anderson
Creek
 (02) Averagesboro
 (03) Barbecue
 (04) Black River
 (05) Buckhorn
 (06) Duke

(07) Grove
 (08) Hectors Creek
 (09) Johnsonville
 (10) Lillington
 (11) Neill's Creek
 (12) Stewart's Creek
 (13) Upper Little River

Attachments

- Written description of property from recorded deed
- Recorded map of property at scale of not less than one (1) inch = 200 feet

- Explanation of why the zoning change is requested, addressing applicable portions of Article XII of the Zoning Ordinance

Signatures

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate:



Property Owner Signature

7 OCT 2024

Date



Authorized Agent Signature

7 OCT 2024

Date

Requirements for Consideration

The Planning Board shall consider and make recommendations to the County Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- 2.1 The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- 2.2 There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- 2.3 There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- 2.4 There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- 2.5 The proposed change is in accordance with the comprehensive plan and sound planning practices.

In 2002 I was approved by the Harnett County Board of Adjustment for a Conditional use permit for the said property. (acres). After twenty-one years of doing business, id like to change my zoning to Commercial. Reason for the requested change is I am wanting to expand my company to grow also to allow for future commercial related endeavors. My current zoning is RA-20 and my property was sub-divided so that I only had to use what was needed for my business 2.21 acre, and the reaming 4.31 acre was left zoned as it is currently zoned RA-20. The surrounding area has current property adjacent to me and down Hwy 210 that was changed to commercial within a 1000 feet and miles. To the benefit of the county it will increase taxes not just for property but for said expansion.



TEXT AMENDMENT REQUEST

Development Services
 420 McKinney Pkwy. Lillington, NC 27546
 P.O. Box 65, Lillington, NC 27546
 Phone: (910) 893-7525 Fax: (910) 893-2793
 Case: PLAN2408-0001
 Staff Contact: Sarah Arbour, Long Range Planner
Sarahbour@Harnett.org or (910) 814-6414

Planning Board: November 4, 2024 County Commissioners: November 18, 2024

Applicant Information

Applicant:

Name: William Dan Andrews
 Address: 3146 Chalybeate Springs Rd
 City/State/Zip: Fuquay Varina, NC 27526
 Phone: _____

Type of Change

New Addition Revision

Unified Development

Ordinance: Ordinance Articles: V., XIV Sections: V., 1.2. 7.5
XIV., 2.2

Proposed Text

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDING CODE CLASS
Outdoor Entertainment Venue			S*	S*			S*	S*	S*	1 per 2 seats and/or 1 per 30 sq. feet of audience area	3	A

7.5. Recreational Facilities & Uses

7.5.6 Outdoor Entertainment Venue

- A. A minimum property size of twenty (20) acres shall be required for all Outdoor Entertainment Venues.
- B. If the property does not have direct access to a state-maintained road, a private easement may be utilized for property access, subject to the following street construction standards:
 1. The road surface shall be gravel, asphalt, or concrete. Gravel roads shall be constructed with six (6) inches of compacted aggregate base course gravel.
 2. The road shall be a minimum of 20 feet in width.
 3. The road shall be graded to encourage adequate drainage, including a crown in the road and ditches to convey water.

- C. No outdoor entertainment activities shall occur between 10 p.m. and 10 a.m. The Board of Adjustment may amend these hours.
- D. Any sale of alcohol shall be for on-site consumption and comply with all applicable state and local regulations.
- E. Designated display, presentation, and/or performance areas and audience areas shall be identified on the required site plan.
- F. The venue shall provide traffic control personnel to ensure adequate ingress and egress for all events
- G. Adequate restroom facilities shall be provided and identified on the required site plan. If no permanent restroom facilities are required by the North Carolina Building Code, sufficient temporary restroom facilities shall be provided on-site. An area for temporary restroom facilities shall be designated on the required site plan. Temporary restroom facilities shall be provided at a rate of 1 per 420 square feet of audience area.
- H. The use of fireworks and pyrotechnics shall comply with all local and state regulations.
- I. Adequate parking shall be provided so as not to interfere with the surrounding properties.
 - 1. This shall hereby prohibit the use of public right(s)-of-way for overflow parking.
 - 2. All parking areas shall be designated on the required site plan, and unpaved areas may be utilized for required parking. Unpaved parking areas shall be properly maintained to ensure the safety of pedestrians and motorists.
 - 3. All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjoining properties and right(s)-of-way.
 - 4. No parking signs shall be posted along property line(s) adjacent to the public right(s)-of-way in accordance with NCDOT standards and shall be shown on the required site plan.
 - 5. Adequate directional signage shall be installed to direct motorists to entrances, exits, and designated parking areas.
 - 6. Parking areas shall be located a minimum of 100 feet from all adjacent properties.
 - 7. Adequate lighting shall be provided for parking areas in accordance with Article VII., Development Design Guidelines, Section 7.0, Lighting Standards, of this ordinance.
 - 8. ADA compliant parking shall be paved and provided in accordance with all applicable ADA regulations.
- J. No outdoor entertainment activities shall be permitted within the required setback or within 300 feet of a residence, unless the residence is owned by the applicant or property owner of the Outdoor Entertainment Venue.

7.5.6-7 Firing Range (Indoor & Outdoor)

ARTICLE XIV. DEFINITIONS & CERTIFICATIONS

Section 2.0 General Definitions & Acronyms

2.2 General Definitions

Outdoor Entertainment Venue: A location with a temporary or permanent open-air amphitheater, theater, stage, or structure where the primary purpose is for the display, presentation, or performance of musicals, concerts, plays, or other amplified entertainment.

Reason for Requested Change:

To amend Harnett County's U.D.O. Outdoor Entertainment Venues as an allowable special use in the following zoning districts: Commercial, Office and Institutional, RA-20M, RA-20R, and RA-30, and to add a definition for the use.



Harnett
COUNTY
 NORTH CAROLINA

APPLICATION FOR TEXT AMENDMENT

Planning Department
 108 E. Front Street
 P.O. Box 65, Lillington, NC 27546
 Phone: (910) 893-7525 Fax: (910) 893-2793

Total Fee: \$250.00
Receipt: _____
Permit: Plan 2408-001
Hearing Date: Sept. 7, 2004 Oct. 7, 2004

Applicant Information

Applicant:

Name: William Dewel Andrews
 Address: 3146 Cholybete Springs Rd
 City/State/Zip: Ferguson - Vacony NC 27526
 E-mail: _____
 Phone: _____
 Fax: _____

Type of Change

New Addition Revision

Ordinance: UDO Article: V Section: 1.0

Current Text: (Attach additional sheets if necessary)

Entertain venue not allowed in RA-30

Proposed Text: (Attach additional sheets if necessary)

Allow outdoor Entertainment venue in RA 30 & RA 20 zoning districts with 20 plus acres in these zones.

Reason for Requested Change: (Attach additional sheets if necessary)

Open Outdoor Entertainment venue opportunity in Harnett County.