

REZONING STAFF REPORT

Case: PLAN2409-0001

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Planning Board: October 7, 2024

County Commissioners: October 21, 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:

- | | | |
|--|---|---|
| <input 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 checked="" 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 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.

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:

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

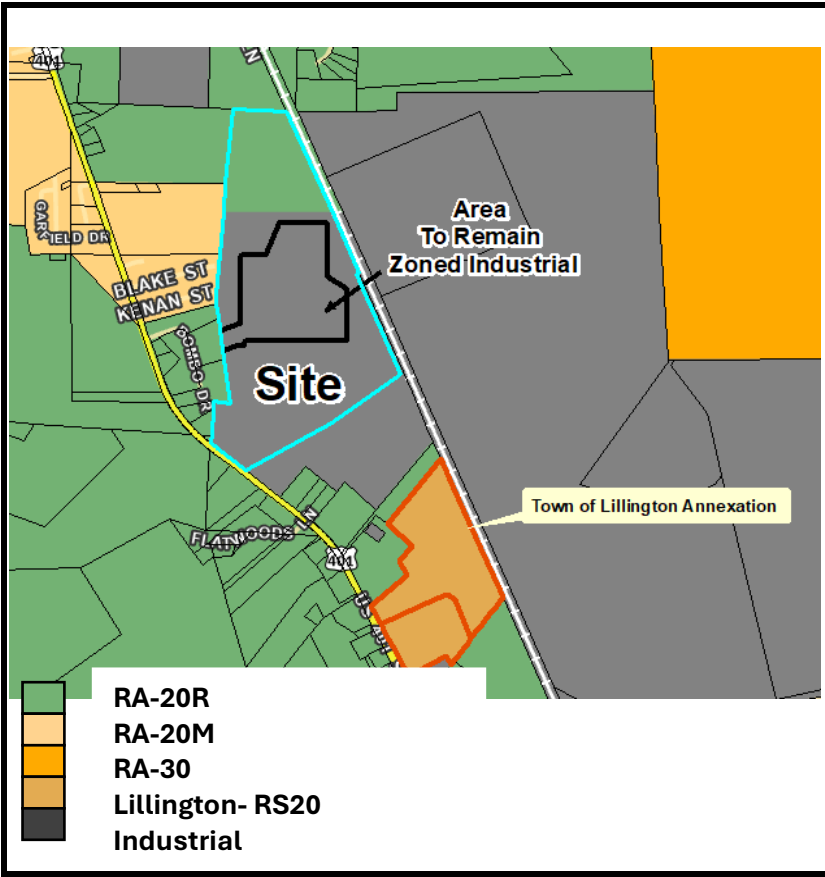
Sewer:

- 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		
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.

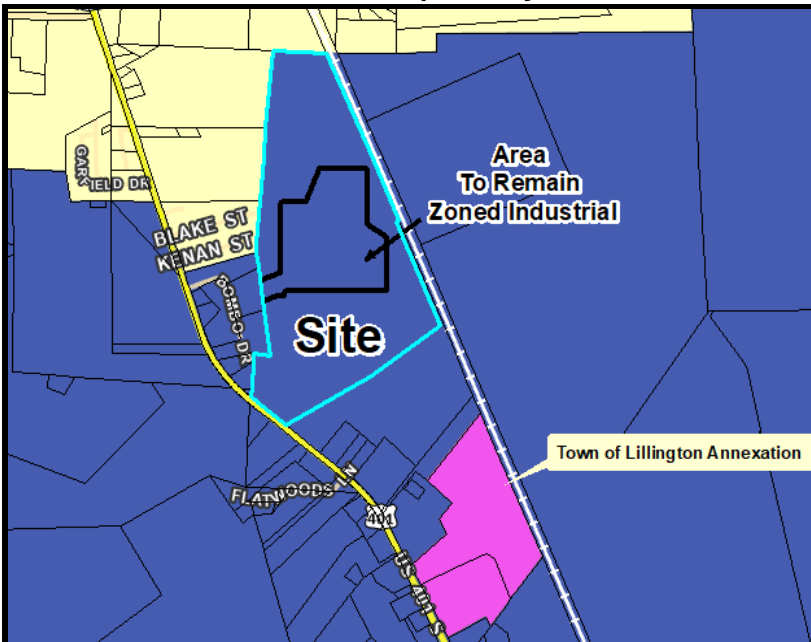
RA-20R:

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

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