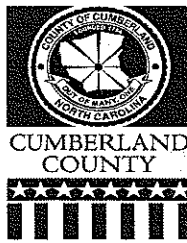


Donovan McLaurin,  
Chair  
Wade, Falcon & Godwin

Lori Epler,  
Vice-Chair  
Cumberland County

Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman  
Patricia Hall,  
Town of Hope Mills  
Charles C. Morris,  
Town of Linden



## COUNTY of CUMBERLAND

### *Planning & Inspections Department*

May 28, 2009

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Walter Clark,  
Roy Turner,  
Sara E. Piland,  
Cumberland County

Benny Pearce,  
Town of Eastover

### MEMORANDUM

**TO:** Cumberland County Joint Planning Board

**FROM:** Roy Turner, Moderator, Land Use Codes Committee

**SUBJECT:** **P09-20.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, AMENDING ARTICLE II, INTERPRETATIONS, CALCULATIONS AND DEFINITIONS, SECTION 203, DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY: RELIGIOUS WORSHIP ACTIVITY; AMENDING ARTICLE XI, LOT AND YARD REGULATIONS, SECTION 1102, YARD REGULATIONS, SUB-SECTION G, BUFFER REQUIREMENTS; AND AMENDING THE TABLE OF CONTENTS AS APPROPRIATE.

The Land Use Codes Committee met on two occasions and discussed the above proposed amendment regarding buffers, specifically the application of the buffer standards to pre-existing uses.

The committee members present at the meeting voted unanimously to forward the attached amendment to you for your consideration of a favorable recommendation for the County Board of Commissioners' final decision.

Attachment

cc: Tom Lloyd, Director  
Cecil Combs, Deputy Director

**P09-20**  
**County Zoning Ordinance Text Amendment**

REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, AMENDING ARTICLE II, INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203, DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY: RELIGIOUS WORSHIP ACTIVITY; AMENDING ARTICLE XI, LOT AND YARD REGULATIONS, SECTION 1102, YARD REGULATIONS, SUB-SECTION G. BUFFER REQUIREMENTS; AND AMENDING THE TABLE OF CONTENTS AS APPROPRIATE.

**AMEND County Zoning Ordinance, Article II Interpretations, Calculations, and Definitions, Section 203, Definitions of Specific Terms and Words, specifically: *Religious Worship Activity*, as indicated below:**

**Religious Worship Activity:** Any premises, the principal purpose of which is religious worship and in which the principal structure is the principal place of worship. Accessory uses may include without charge religious education classrooms, assembly rooms, kitchen, library room or reading room, recreation hall and a one-family dwelling unit (parsonage) but excluding day care facilities, food sales, second hand shops, festivals, bazaars and facilities for residence or training of religious order, unless otherwise authorized by this Ordinance.

*(Amd. 02-19-08)*

**AMEND County Zoning Ordinance, Article XI Lot and Yard Regulations, Section 1102 Yard Regulations, sub-section G. Buffer Requirements, as indicated below:**

G. Buffer Requirements.

1. A solid buffer shall be installed:
  - a. When a non-residential use abuts a residentially- ~~or agricultural~~ zoned property along the side and/or rear property lines;
  - b. When any commercial off-street parking or loading space abuts a residential ~~or agricultural~~ district along the side or rear property lines;
  - c. When any use permitted in a residential or agricultural district other than a single- or multi-family dwelling abuts a residential ~~or agricultural~~ district along the side or rear property lines;
  - d. When any multi-family development of more than three residential units abuts a residential district or an existing single-family dwelling along the side or rear property lines; and

e. When any outside storage of materials, equipment or products is visible and/or abutting any residential district and/or public street.  
(Amd. 02-19-08)

2. "Governmental uses" as defined herein and including public and private elementary, junior high/middle, and high schools, accredited by the State of North Carolina, and "religious worship activity" as defined herein shall be exempt from the buffer requirements of this Ordinance.  
(Amd. 11-20-06)

3. For all All uses classified under sub-section "e" above and regardless whether or not the use was existing at the time of the adoption of this Ordinance, the property owner and classified under "a — e" above shall provide and maintain a solid buffer completely surrounding the development within two calendar years of said use being subject to this Ordinance in accordance with the standards of this sub-section and the County Subdivision Ordinance.  
(Amd. 02-19-08)

4. When required by this Ordinance and/or the County Subdivision Ordinance, the following standards shall apply:

a. A vegetative buffer shall be a minimum of three feet in height at time of planting to reach a height of six feet within three calendar years;

b. Solid non-vegetative fencing shall have a minimum height of six feet;

c. Buffer vegetation shall be located between any fence and the common property line.

d. Chain link fencing shall not be permitted as a screening alternative, regardless of type of modifications made to the chain link fence.  
(Amd. 11-20-06; Amd. 02-19-08)