



AGENDA

Thursday, October 19, 2023: 6:00 PM

Planning Board

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. APPROVAL OF MINUTES

a. September 21, 2023 Regular Meeting

3. PUBLIC HEARING

a. PD-04-23 West Southern Pines Center Conceptual Development Plan

Sandra Dales, Executive Director of the Southern Pines Land and Housing Trust, has applied on behalf of the Southern Pines Land and Housing Trust for a Planned Development Conceptual Development Plan (CDP) in association with the West Southern Pines Center for African American History, Cultural Arts, and Business. The properties are currently zoned Residential Single-Family (RS-1) and Facilities, Resources, and Recreation. This application proposes a rezoning to Planned Development district with four separate sub-districts on +/- 17.13 acres, including a Single-Family district; Neighborhood Business district; Open Space district; and Recreation district.

b. OA-05-23: Amendments to traffic study content and review requirements.

Amendments proposed by the Town Engineer to UDO §4.12 regarding the applicability of, and requirements for, the preparation and review of a Traffic Impact Analysis (TIA) or Traffic Design Analysis during the development review process.

4. UNFINISHED BUSINESS

a. Continuation of Planning Board Training to Discuss Open Meetings Laws and Meeting Conduct

5. NEW BUSINESS

a. Discuss 2040 Comprehensive Plan implementation priorities

The goals and policies found in Chapters 5 and 6 of the recently adopted Comprehensive Plan list a lot of projects and initiatives to implement the plan. Planning staff would like to discuss plan implementation with the Planning Board and get feedback on priorities for the coming year.

6. PUBLIC COMMENTS

7. ADJOURNMENT

MINUTES
Planning Board Regular Meeting
E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue
Thursday, September 21, 2023, at 6:00 PM

Chair Westbrook called the meeting to order at 6:00 PM.

Members Diane Westbrook, Andy Bleggi, John Earp and Jennifer Garner were present.

Andy Bleggi made a motion, which was seconded by John Earp, to approve the Minutes of the August 24, 2023 regular meeting. The motion carried.

PUBLIC HEARING:

OA-04-23 Amendments to the Unified Development Ordinance

The Town of Southern Pines Planning Department proposes to delete an incomplete sentence at the end of UDO §3.5.13(C), amend and reorganize portions of UDO §8.18 and §8.19 regarding the code enforcement process and amend the Major Subdivision Final Plat Application Checklist and the Minor Subdivision Application Checklist in UDO Appendix A.

John Earp made a motion, which was seconded by Andy Bleggi, to open the public hearing. The motion carried.

Senior Planner Alaina Mallette provided an overview of the proposed text amendments.

There were no questions or comments from the Board or members of the public.

Jennifer Garner made a motion, which was seconded by Andy Bleggi, to close the public hearing. The motion carried by a 4-0 vote.

John Earp made a motion, which was seconded by Andy Bleggi, that after reviewing the proposed test amendments to the UDO and considering the criteria for approval of text amendments to the UDO found in UDO §2.17.10, the proposed amendments are consistent with the Comprehensive Plan for the reasons set forth in Attachment A of staff report OA-04-23; and further that the following other matters were considered by the Planning Board and therefore to recommend approval of OA-04-23 to the Town Council. The motion carried by a 4-0 vote.

PRELIMINARY FORUM:

SU-01-23 Special Use Permit to Expand Authorized Land Uses in the Mill Creek Mixed-Use Development

Bob Koontz of Koontz Jones Design, on behalf of Mill Creek Partners, LLC, submitted a Special Use Permit application to expand the authorized land uses in the General Business Conditional Zoning District (GBCD) portion of Mill Creek.

John Earp made a motion, which was seconded by Andy Bleggi, to open the preliminary forum. The motion carried.

Senior Planner Alaina Mallette stated that the purpose of the Special Use Permit application was to amend the GBCD zoned portion of the Mill Creek master plan approved in 1998 with Conditional Use Permit CU-02-98. The applicant is proposing to change the areas designated as Office Condominium and Shopping to General Business to clarify what uses are permitted in those two areas. The applicant's list of proposed uses increases the number from 14 to 121 uses.

Ms. Mallette stated that the Town Engineer Michel stressed that the applicant should be required to provide additional projections for pedestrian and multimodal trips and that the TIA needs to look at the surrounding greenway/sidewalk networks and analyze if connections can be made between the adjacent areas and the General Business site. Mr. Michel also commented that the TIA was based on general assumptions of a shopping plaza and the trip generation for that use, but the list of proposed land uses includes some uses that are not typically found in a shopping plaza so he has requested that the consultant include some additional information regarding the individual uses and how they may impact trip generation.

Planning staff comments included the following:

1. Mini- or self- storage included despite not being a by-right use in the GB district and therefore the use should not be included in applicant's Exhibit A.
2. No analysis has been completed regarding the potential impact of the expanded permitted uses on property values within the neighborhood; other potential positive or negative impacts to orderly development (such as trip generation, sewer and water demand, noise generation, parking, etc.); or whether the public interests outweigh the adverse impacts on individual interests.
3. The applicant has not responded adequately to the Town Engineer's TIA comments.
4. The formatting of applicant's Exhibit A should be improved to provide clarity.
5. Natural or other recreation areas were excluded from the applicant's Exhibit A.

Bob Klug, representing Mill Creek, stated that they wanted to get the property owned by Mill Creek Partners II next to the fuel center changed from Condominium Office in order to expand

the permitted uses. The applicant wants to develop three 1.5 acre lots instead of the Condominium Office space that was originally planned.

Paul Saathoff, present on behalf of the applicant, stated that the purpose of the application was to clarify the uses that are allowed in the GBCD area. Some of the current uses in Mill Creek are not included in the original list of authorized uses, i.e. grocery, fuel station, hair salon/barber, nail salon and dry cleaner. The application proposes to remove the original list of uses and include a list of uses that are permitted in the GB zoning district, including restaurants, bars, retail sales, personal services, offices and recreational establishments. Storage facilities will be removed from this list as that use is no longer permitted in GB. Approximately 70 uses that are permitted in the GB district but that do not fit the character of area or are less desirable have been excluded from the list. The goal of the application is to remove the vagueness from the original document and align the uses with the current UDO. The original 1998 approval included 210,556 SF of condominium office space to be developed, 66,200 SF of which has been developed, plus 4.5 acres of outparcels.

Jennifer Garner asked if the applicant was proposing to rezone any of the existing open space and Mr. Saathoff responded that the open space that was required with the original approval will not change.

Andy Bleggi inquired about plans for the area near the fuel station and Mr. Saathoff responded that they have received a few inquiries from potential businesses but nothing specific has been confirmed.

Mr. Bleggi asked if the existing retention pond is for the entire site or if it would have to be expanded and Jack Kramer responded that each lot will be required to have its own stormwater retention area.

Chair Westbrook inquired about the reason for the exclusion of natural or other recreational areas.

Mr. Saathoff responded that recreational uses, such as a skating rink, bowling, private facilities, fitness recreational sports gym, athletic club, which includes archery and shooting ranges, are all included in the proposed list of uses attached as Exhibit A to the application.

Chair Westbrook questioned shooting ranges and Mr. Saathoff responded that shooting ranges are part of a fitness/recreational sports gym but they were going to tidy up that use to eliminate confusion. The recreational uses that they have included are public facilities, private facilities, bowling, billiards, pool, skating rink and roller skating but they can add natural recreation areas.

Ms. Garner stated that she thought the Town's concern was that it was not consistent with the overall plan to link greenways and leave open space and maybe add a gazebo.

Mr. Earp asked if what the Board decides as permitted uses does not necessarily preclude those issues being addressed at some point down the road because they do not necessarily conform to the Comprehensive Plan.

Ms. Mallette responded that if the application is approved as is, that gives the applicant and the property owners will be entitled to go straight to site plan review and architectural review for any of the uses that are approved. Nothing would come back before the Board unless it was another amendment.

Andy Bleggi made a motion, which was seconded by John Earp, to close the preliminary forum. The motion carried.

Jennifer Garner made a motion, which was seconded by Andy Bleggi, to adopt the following for transmission to the Town Council as a result of the September 21, 2023 Preliminary Forum on application SU-01-23:

The information presented at the forum indicated that the following issues be considered in applying the criteria for a Special Use Permit to application SU-01-23:

1. Commercial property related mini- or self-storage included as a proposed authorized use is not a by-right use in the conventional General Business district per text amendment file OA-03-23; Ordinance #2096 approved on August 8, 2023 and therefore should not be included in the applicant's Appendix A.
2. The applicant has not responded to the Town Engineer's TIA comments and should address the Town Engineer's concerns adequately and timely to allow for the Town Engineer's response prior to the Town Council's evidentiary hearing.

In addition, the following concern was raised during the forum but the Planning Board believed that it does not apply in determining whether the SUP criteria are satisfied:

1. The applicant should reformat Exhibit A to address potential land use interpretation issues addressed in the staff report.

The motion carried by a 4-0 vote.

UNFINISHED BUSINESS:

Chair Westbrook asked Ms. Mallette to share the handouts that were distributed at the September agenda meeting.

NEW BUSINESS:

Board discussion occurred regarding the benefits of holding monthly agenda meetings.

Jennifer Garner made a motion, which was seconded by Andy Bleggi, to adjourn the meeting. The motion carried.

The meeting adjourned at 7:28 PM.

An audio recording of the meeting and PowerPoint presentations are available upon request.

Respectfully submitted:

Cindy Williams
Secretary to the Planning Board

Agenda Item

To: Planning Board

From: Alaina Mallette, Senior Planner

Subject: PD-04-23: A Planned Development District - Conceptual Development Plan for the West Southern Pines Center and Residential Development; Applicant: Southern Pines Land and Housing Trust

Date: October 19, 2023

I. SUMMARY OF APPLICATION REQUEST

Sandra Dales, Executive Director of the Southern Pines Land and Housing Trust, has applied on behalf of the Southern Pines Land and Housing Trust for a Planned Development Conceptual Development Plan (CDP) in association with the West Southern Pines Center for African American History, Cultural Arts, and Business. The properties are currently zoned Residential Single-Family (RS-1) and Facilities, Resources, and Recreation (FRR). This application proposes a rezoning to Planned Development district with four separate sub-districts on +/- 17.13 acres, including a Single-Family district; Neighborhood Business district; Open Space district; and Recreation district. This CDP intends to preserve the history and culture of the properties while also permitting commercial, recreational, and housing-related uses in the historic buildings on the site as well as newly constructed affordable housing units and open space.

The CDP narrative proposes four phases of project development: (1) restoration of outdoor recreation areas, (2) rehabilitation of indoor recreation spaces, (3) rehabilitation of proposed office and retail structures and parking areas, and (4) proposed residential district's infrastructure improvements and housing construction.

II. PROJECT INFORMATION

A. Property Owners and Applicant

PIN 857100681141 (PARID 98000749)
Southern Pines Land and Housing Trust, Inc.
1250 W New York Avenue
Southern Pines, NC 28387

Figure 1: Drone image taken March 25, 2023, looking west towards the West Southern Pines Center

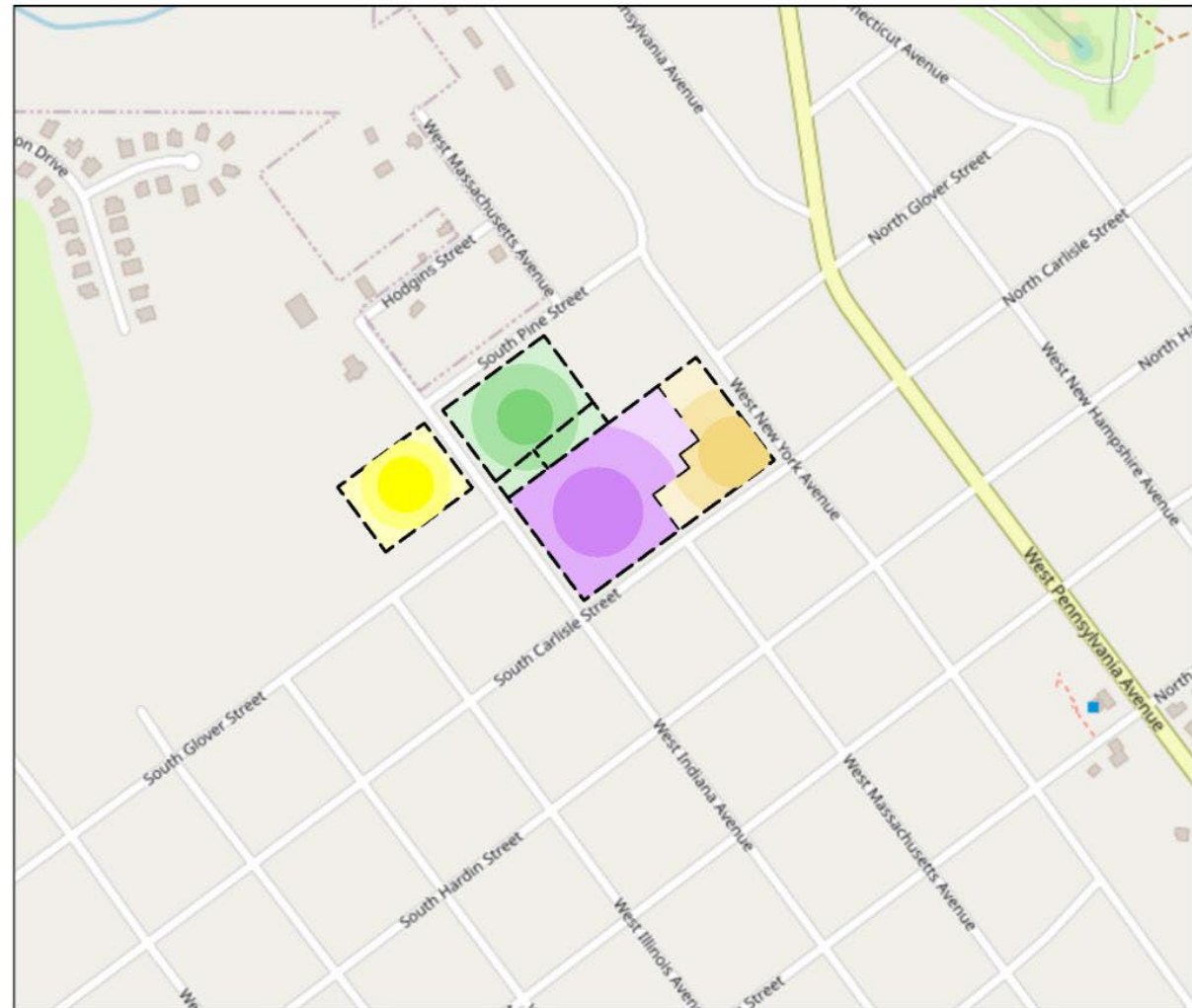


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Figure 3: PD-04-23 Proposed District Map.

Landtrust Conceptual
Development Plan District
Map

-  Residential
-  Neighborhood
Business District
-  Open Space
-  Recreation



III. STAFF REVIEW

(A) Review Process

Applications for a Planned Development District (PD) are reviewed in accordance with UDO §2.18. Creating a Planned Development District is a three-step process including Conceptual Development Plan (CDP), Preliminary Development Plan (PDP) and Final Development Plan (FDP). The first step, CDP, is when the unique zoning standards to which the entire project will be subject in the future are established via a rezoning process. This application is for a CDP.

(B) Summary of Procedural Requirements

- The Applicant has involved the public in their planning process since at least 2020, holding at least six community meetings as well as tours of the site for residents and stakeholder groups. The required Neighborhood Meetings for this Conceptual Development Plan was held on **August 29, 2023**, in compliance with UDO §2.18.3(D). A description of their public participation, including meeting materials are in Attachment 3.
- CDP Application Submitted: **September 11, 2023**
- Application Deemed Complete: **September 18, 2023**
- Consultation with the Technical Review Committee: via email on **September 19, 2023** and in person on **October 3, 2023**
- Notice of October 19, 2023, Planning Board Public Hearing:
 - Posted On-site: **October 3, 2023**
 - Mailed: **September 29, 2023**
 - Publication Dates: Emailed to The Pilot on September 29, 2023, for publication on **October 11 and October 18, 2023**
- Planning Board Regular Meeting: **October 19, 2023**

(C) Applicable Criteria for Review

The criteria for review and approval of a Conceptual Development Plan (CDP) are found in UDO §2.18.4(H) and are listed in this section. Additionally, because an approved CDP proposal results in a new zoning designation for the subject property(ies), an application for approval of a Conceptual Development Plan (CDP) follows the *procedures* outlined in the UDO for a zoning map amendment and must address UDO *criteria* for a zoning map amendment as well as those of a CDP. The applicant has addressed the proposal's consistency with the zoning map amendment criteria in Section VI of the submitted CDP narrative.

Conceptual Development Plan Criteria [UDO §2.18.4(H)]

1. *The proposed PDD satisfies the criteria for a zoning map amendment established in this chapter;*
2. *The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town;*
3. *The proposed Development is appropriate for the area of the Town in which it is located; and*

4. *The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.*

Rezoning Criteria (UDO §2.17.9)

1. *(A) Consistency. Rezoning shall be consistent with the adopted Comprehensive Plan.*
2. *(B) Adverse Impacts on Neighboring Lands. The Hearing Body shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Town finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings may promote mixed uses subject to a high degree of design control.*
3. *(C) Suitability as Presently Zoned. The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the Neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.*
4. *(D) Health, Safety, and Welfare. The amending ordinance must bear a substantial relationship to the public health, safety or general welfare, or protect and preserve historical and cultural places and areas. The rezoning may be justified, however, if a substantial public need or purpose exists, even if the private owner of the Tract will also benefit.*
5. *(E) Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic Development, mixed-use Development, or sustainable environmental features, which are consistent with Neighborhood, area, or specific plans.*
6. *(F) Size of Tract. The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.*
7. *(G) Other Factors. The Hearing Body may consider any other factors relevant to a rezoning application under state law.*
8. *(H) Applicant Representations. Except for rezoning requests submitted in accordance with the provisions herein for Conditional Zoning districts, the Hearing Body shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.*

(D) Town Staff Review and Comments

1. Consistency with Goals and Policies of the 2040 Comprehensive Plan, Public Policies, and Suitability as Presently Zoned

The applicant prepared the CDP documents while the 2040 Comprehensive Plan was being adopted, so their narrative reflects the previous Comprehensive Long-Range Plan (2016). Planning staff have reviewed the application against the current adopted Comprehensive Plan to check for consistency.

Table 1: Comprehensive Plan Consistency Analysis

	Proposed Residential Single-Family district	Proposed Recreation, Open Space, and NB districts
General Framework Map	Area to Enhance	Area to Strengthen in a Neighborhood Activity Center
Conservation and Development Map	Neighborhood	Mixed-Use Area in a Neighborhood Activity Center
Character District Map	West Southern Pines	West Southern Pines
CONSISTENCY DETERMINATION	CONSISTENT	CONSISTENT

No inconsistencies with the 2040 Comprehensive Plan have been identified; in fact, the proposed CDP directly implements the vision of the Comprehensive Plan, including further activating a Neighborhood Activity Center using a mix of land uses, mixing home types and housing income (i.e., affordable single-family detached housing on small lots with accessory dwelling units), and expanding an existing network of open space. The proposed housing component is consistent with the 2040 Comprehensive Plan Policy 7.5 Explore Opportunities to Promote More Local Workforce (Affordable) Housing in the Tri-Cities Area. Additionally, the proposed CDP effectively addresses the goal of protecting historic resources and expanding public art to enhance community character and several of its associated policies (e.g., Policy 10.1 Protect and Maintain Historic Structures and Policy 10.3 Honor Town History Using Signage, Monuments, or Plaques).

The CDP also addresses the goal of expanding local businesses and employment opportunities, especially in promoting micro-retail businesses in the West Southern Pines character district. In fact, the current FRR zoning has been a barrier to development of the site as several interested businesses' proposed land uses were deemed unauthorized in the FRR district by the Planning Department. Therefore, the Planning Department believes that the proposed District Map is more suitable zoning than the present zoning.

2. **Consistency with other Criteria for a Zoning Map Amendment and Conceptual Development Plans**

Regarding adverse impacts on neighboring lands, the applicant stated the participants in their engagement activities were concerned about the density of housing. The applicant's proposed site plan illustrates the intention to create a cluster subdivision with usable open space (e.g., a shared pocket park), which is permitted under current RS-1 zoning. Furthermore, the minimum lot size in the residential district is 5,000 square feet (or .11 acres), which is consistent with the size of many parcels in the West Southern Pines neighborhood. Therefore, Planning staff do not see a higher density of housing than what is currently permitted and existing in the surrounding neighborhood.

The proposed land uses, however, will change the nature of traffic in the area and no traffic impact analysis was completed as part of the application as it is not required until Preliminary Development Plan (PDP). Regarding traffic, the applicant states, "These new uses... are not expected to create significantly more traffic than the previous educational use." Furthermore, the application includes in CDP Section V information about car and pedestrian access to the sites. In this section, they propose traffic calming along South Carlisle Street such as a planted median as well as measures to protect pedestrians using a planting strip along sidewalks.

However, the feasibility of these design treatments have yet to be confirmed with the Town Engineer, detailed regulations regarding this design standard is not included in the CDP regulatory text, and it is unclear what entity will be paying for those improvements. New sidewalks are also being proposed along West Indiana and West New York Avenues. Therefore, Planning staff finds the proposed CDP to be a multi-modal development that will reduce the parking demand—compared to a development that lacks multi-modal features—by creating opportunities for walking and biking access. Parking is being proposed on-site, through shared parking, and on-street angled and parallel parking (see applicant's Proposed Site Plan in Attachment 3).

Planning staff did not identify any threats to the health, safety, and welfare of the general public. Rather, the CDP proposes protecting the historical buildings on the site and promoting the history of the area. The size of tract and the range of land uses all are appropriate for the location where they are proposed. Regarding efficient extensions and expansions of public facilities, utilities, and services, the applicant will have to bear the burden of extending water and sewer around the residential district (see Figure 4 below), paving the proposed extension of West Illinois Avenue, and other roadway improvements like the proposed planted medians. The applicant's proposed site plan does envision paving the existing dirt road to allow for access to the residential sub-district.

Figure 4: Extension of Water (Thick Blue Lines) and Sewer (Thick Red Lines) Required to Serve the Residential District



3. The Planning Department recommends approval of PD-04-23 with the conditions:

- **That sewer and water extensions be made as shown in Figure 4 or as approved by the Town Engineer during the Preliminary Development Plan for this sub-district, and language to this effect be included in the CDP regulatory document;**
- **That the extension of West Illinois Avenue be built to town standards for a local road, and language to this effect be included in the CDP regulatory document; and**
- **That the proposed street improvements, such as planted medians and planting strips along South Carlisle Street, mentioned in the narrative be included in the CDP regulatory document, as well.**

IV. Cooperating Agency and Technical Review Committee Review and Comments

Planning staff consulted with the Technical Review Committee via email on September 19, 2023 and in person on October 3, 2023. There were no significant concerns noted. The Town Engineer said that water and sewer extensions will be needed around the residential single-family portion of the site and that a new road (i.e., an extension to W. Illinois Avenue) will need to be constructed adjacent to the residential single-family district to local road standards. This information was communicated to the applicant by Planning staff.

A request for comments from agencies was emailed to representatives of the Town of Southern Pines Engineering, Public Works, Streets, Utilities, Fire, and Parks & Recreation Departments as well as representatives of the North Carolina Department of Transportation, Moore County Airport Authority, U.S. Fish and Wildlife Service, and the Regional Land Use Advisory Commission on September 29, 2023. The only response

received was from the Town Utilities Superintendent, Ron Istre, who responded on September 29, 2023 stating that he had no comments.

V. ATTACHMENTS:

The following materials are provided as attachments to this staff memorandum:

1. CDP Application
2. CDP Regulatory Zoning Text and District Map
3. CDP Narrative, Conceptual Transportation Plan, and Nature of Services
4. Additional Neighborhood Meeting Information

VI. PLANNING BOARD ACTION:

A request for approval of a Conceptual Development Plan is a request for a rezoning. Per North Carolina General Statute 160D-604(d), prior to consideration by the Town Council of the proposed Planned Development District - Conceptual Development Plan (CDP), the Planning Board shall advise and comment on whether the proposed CDP is consistent with the Comprehensive Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendments by the Town Council.

To assist the Planning Board in performing this task, town staff have prepared the following draft motions for the Planning Board's consideration, possible modification as necessary, and adoption:

I move that after reviewing the proposed Conceptual Development Plan and considering the criteria for approval of a Planned Development District found in UDO §2.18.4(H) and UDO §:

1. The requested Conceptual Development Plan is consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment A of staff report PD-04-23;
2. The requested Conceptual Development Plan is consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment A of staff report PD-04-23 as revised by the Planning Board;
3. The requested Conceptual Development Plan is inconsistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment A of staff report PD-04-23 as revised by the Planning Board;

I further move that the following other matters were considered by the Planning Board and shall be added to Attachment A by town staff as part of the Planning Board's written recommendation to the Town Council:

- 1.

- 2.
- 3.

And, therefore, I move to:

1. Recommend approval of PD-04-23 to the Town Council;
2. Recommend approval of PD-04-23 to the Town Council with conditions;
or
3. Recommend denial of PD-04-23 to the Town Council.



ATTACHMENT A

PLANNING BOARD

RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION PD-04-23

WHEREAS, Section 160D-604(d) of the North Carolina General Statutes specifies that the Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but that a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

WHEREAS, pursuant to Section 160D-701 of the North Carolina General Statutes, zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare.

WHEREAS, the Planning Board conducted a public hearing on October 19, 2023 for consideration of a Planned Development - Conceptual Development Plan for the West Southern Pines Center for African American History, Cultural Arts, and Business and Residential Planned Development;

THEREFORE, BE IT RESOLVED that the Planning Board finds that the Conceptual Development Plan application PD-04-23 is **consistent** with the Town of Southern Pines 2040 Comprehensive Plan (“Comprehensive Plan”) considering that it complies with the General Framework Map, the Conservation and Development Map, and the Character District Map. The proposed Conceptual Development Plan has the potential to activate an envisioned Neighborhood Activity Center using a mix of land uses, mixing home types and housing income, and expanding an existing network of open space. The proposed housing component is consistent with the 2040 Comprehensive Plan Policy 7.5 Explore Opportunities to Promote More Local Workforce (Affordable) Housing in the Tri-Cities Area. Additionally, the proposed CDP effectively addresses the goal of protecting historic resources and expanding public art to enhance community character and several of its associated policies (e.g., Policy 10.1 Protect and Maintain Historic Structures and Policy 10.3 Honor Town History Using Signage, Monuments, or Plaques). The Conceptual Development Plan also addresses the goal of expanding local businesses and employment opportunities, especially in promoting micro-retail businesses in the West Southern Pines character district.

AND, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board finds—based on information presented by staff, the applicant, and other interested parties—that PD-04-23

satisfies the UDO criteria for a zoning map amendment. The current FRR zoning has been a barrier to development and activation of the site as a Neighborhood Activity Center. Therefore, the Planning Board believes that the proposed District Map is more suitable zoning than the present zoning. Regarding adverse impacts on neighboring lands, the applicant stated the participants in their engagement activities were concerned about the density of housing. The applicant's proposed site plan illustrates the intention to create a cluster subdivision with usable open space (e.g., a shared pocket park), which is permitted under current RS-1 zoning. Furthermore, the minimum lot size in the residential district is 5,000 square feet (or .11 acres), which is consistent with the size of many parcels in the West Southern Pines neighborhood. Therefore, the Planning Board does not see a higher density of housing than what is currently permitted and existing in the surrounding neighborhood.

The proposed land uses will change the nature of traffic in the area. Regarding traffic, the applicant includes information about car and pedestrian access to the sites in Section V of the Conceptual Development Plan narrative. In this section, they propose traffic calming along South Carlisle Street such as a planted median as well as measures to protect pedestrians using a planting strip along sidewalks. New sidewalks are also being proposed along West Indiana and West New York Avenues. Therefore, the Planning Board finds that design elements included in the proposed Conceptual Development Plan may reduce the parking demand by creating opportunities for multimodal access throughout the Planned Development.

The Planning Board did not identify any threats to the health, safety, and welfare of the general public. The Conceptual Development Plan proposes protecting the historical buildings on the site and promoting the history of the area. The size of tract and the range of land uses all are appropriate for the location where they are proposed. The sites have access to public facilities, utilities, and services, and will have to extend a water line, a sewer line, and West Illinois Avenue.

AND, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board recommends to the Town Council approval of PD-04-23 with the following conditions:

1. That sewer and water extensions be made as shown in Figure 4 of the staff report—or as approved by the Town Engineer during the Preliminary Development Plan for this sub-district, and language to this effect be included in the CDP regulatory document;
2. That the extension of West Illinois Avenue be built to town standards for a local road, and language to this effect be included in the CDP regulatory document; and
3. That the proposed street improvements, such as planted medians and planting strips along South Carlisle Street, mentioned in the narrative be included in the CDP regulatory document, as well.

ADOPTED this the 19th day of October, 2023.

Diane T. Westbrook, Chairperson

ATTEST:

Cindy Williams
Secretary to the Planning Board

Planned Development District Conceptual Development Plan

REQUIRED APPLICATION MATERIALS:

- ✓ **Application fee** in the amount of \$1,800.00.
- ✓ **Completed Application** for a Planned Development District - Conceptual Development Plan signed by the applicant.
- N/A **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- ✓ **List of Adjacent Property Owners:** Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property **(not counting streets, railroads or other transportation corridors)**. Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- ✓ **Deed** copy to provide proof of ownership and property boundaries.
- ✓ **Written narrative:** It is the responsibility of the applicant to demonstrate compliance with all applicable criteria. Please address **UDO §2.18.4(H) Criteria (1) through (4)**. The list of criteria is attached.
- ✓ **Additional documentation:** Additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.18.4(H) Criteria (1) through (4)**.
- ✓ **Neighborhood meeting materials:** Submit copies of graphics presented at the meeting; a copy of the sign-in sheet showing attendees; representations made by the Applicant regarding the proposed development; and a summary of public comments and responses.
- ✓ **PDD Conceptual Development Plan:** One (1) full-size copy of a scaled drawing (1" to 100') of the entire tract to be subdivided. Please refer to the **UDO Appendices** to obtain plan requirements.
- ✓ **Nature of service:** Planned utility services and providers.
- N/A **Drainage concept plan** if applicable.
- N/A **Conceptual Transportation Plan** if applicable.
- ✓ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

PLEASE SUBMIT ONLY ONE (1) COMPLETE SET OF ALL MATERIALS.

REVIEW AND APPROVAL:

1. **Staff review:** Planning staff will review the application and notify the applicant if additional information or materials are needed.
2. **Public hearings:** The applicant is expected to attend a public hearing on the application before the Planning Board and before the Town Council the following month. (Please refer to the **Application Processing Timeline** to determine the hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as evidence and testimony presented, and approve, conditionally approve or deny the request.
3. **Approval:** Please see **UDO §2.18.4(I) Effect of Approval**.



Planned Development District Conceptual Development Plan Application

Fee: \$1,800.00

Date Received: _____

Case No.: PD-____-____

Project Information:

Project Name: West Southern Pines Center

Physical address: 1250 W. New York Avenue

PIN: 857200821500

Parcel ID: 00033141

Site Size: _____

Zoning: _____

Applicant: Sandra Dales, Ex. Dir. Vincent Gordon, Board Chair

Name(s): Southern Pines Land & Housing Trust

Email: sdales@splandandhousingtrust.org Phone: 910.877.1454

Mailing Address: same as physical

Authorized Agent, if different from Applicant:

Name(s): _____

Email: _____

Phone: _____

Mailing Address: _____

Legal Property Owner(s), if different from Applicant:

Name(s): Same as above

Email: _____

Phone: _____

Mailing Address: _____

1/12/22

TO THE TOWN OF SOUTHERN PINES PLANNING BOARD AND TOWN COUNCIL:

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council for approval of a Planned Development District – Conceptual Development Plan as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

The property which is the subject of this application is located on the front side of Carlisle (St./Ave.), between W. New York (St./Ave.) and Indiana (St./Ave.). The property has a frontage of _____ feet and a depth of _____ feet.

The request is based upon **Section 2.18** of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:

To create a center for
cultural arts, business and economic development

Date: 9/11/23

Sandra S. Dale
Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
801 SE Service Road, Southern Pines, NC 28387
plan@southernpines.net (910) 692-4003 www.southernpines.net

1/12/22

UDO §2.18 Planned Development

§2.18.4(H) Conceptual Development Plan Criteria

- (1) The proposed PDD satisfies the criteria for a zoning map amendment established in this chapter;
- (2) The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town;
- (3) The proposed Development is appropriate for the area of the Town in which it is located; and
- (4) The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.

Southern Pines Land and Housing Trust Conceptual Development Plan

Final Version: October 2023

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Chapter 1. General Provisions

1.1. PURPOSE

The Southern Pines Land and Housing Trust Conceptual Development Plan (“CDP”) is designed to accommodate mixed land uses—such as office, residential, service, commercial, and public or private recreational development—of the campus of the West Southern Pines Center. The regulations in this CDP intend to:

- (A) Provide new and/or renovated residential development that is compatible with that in West Southern Pines;
- (B) Create spaces for economic, cultural, professional and recreational opportunities within the existing spaces without disturbing the historical significance of the exterior of the structures;
- (C) Include publicly accessible recreational uses currently not available in West Southern Pines that are compatible with proposed residential uses;
- (D) Promote creativity and innovation in the campus design that leads to more appropriate relationships between land uses, structures, and community character;
- (E) Align with the West Southern Pines neighborhood’s revitalization goal to increase economic and physical vitality while preserving the neighborhood’s culture and character;
- (F) Preclude large-scale buildings that are inconsistent with the Neighborhood character;
- (G) Encourage new residential development that is compatible with that in the existing Neighborhoods;
- (H) Foster the development of a network of open space to serve a variety of recreational and environmental purposes;

- (I) Encourage common or shared off-street parking;
- (J) Set standards that permit reasonable use of signs and preserve the character of the West Southern Pines community;
- (K) Produce new uplifting, playful, inspiring, colorful, thoughtful, or historical Original Art Murals with a universal appeal to locals and visitors that engage local artists, regional artists, and the West Southern Pines community, especially youth, and create new opportunities for muralists and pedestrians; and,
- (L) Prohibiting the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists.

1.2. APPLICABILITY

1.2.1. Generally

- (A) The use of buildings and land within the PD is subject to all other Town of Southern Pines regulations, General Statutes of North Carolina, and any other applicable regulations, as well as this CDP, whether or not such other provisions are specifically referenced in this CDP.
- (B) Regarding coordination with other regulations, the CDP will follow the same regulations as the Town of Southern Pines Unified Development Ordinance (“Town’s UDO”) §1.8 Coordination with Other Regulations. This CDP provides additional regulations that complement or supersede provisions within the Town’s UDO.

1.2.2. Overlay District

As of the writing of this CDP, the PD is within the West Southern Pines Overlay district. Development shall comply with all current and future overlay district provisions, as amended, within the Town’s UDO.

1.2.3. Fees

Any and all fees related to development shall be subject to payment as established by the Town of Southern Pines.

1.3. AUTHORITY

This planned development is adopted pursuant to the authority contained in Chapter 160D and Chapter 160A Article 8 of the North Carolina General Statutes as well as that in the Town's UDO, as amended. The Town's UDO §3.5.14 PD – Planned Development District describes the purpose, applicability, procedures, land use mix, development patterns, and general provisions and regulations guiding this CDP for the PD. Whenever any provision of this planned development refers to or cites a section of the North Carolina General Statutes or the Town's UDO and that section is later amended or superseded, the planned development shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

1.4. ADMINISTERING THIS PLANNED DEVELOPMENT DISTRICT

This CDP is intended to be administered jointly with the Town of Southern Pines UDO throughout the development review process. The roles of the Town's governing bodies shall be the same for this PD.

Chapter 2. Development Processes

2.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 2. DEVELOPMENT PROCESSES

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 2. Development Processes.

Chapter 3. Districts, Map, and Development Patterns

3.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 3. ZONING

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 3. Zoning, except as provided by the regulations of this Chapter and all of the applicable standards and regulations in other Chapters of this CDP.

3.2. ESTABLISHMENT OF DISTRICTS

- (A) The PD zoning district is declared to be in effect upon all land areas included within the boundaries of the district as shown on the PD District Map (see rules for interpretation of boundaries in section 3.4.2 of the Town's UDO).
- (B) After adoption of the CDP, any amendments to the PD boundaries shall be made by legal description or metes and bounds description, which shall be the best evidence of the boundaries, amended or created, and shall control unless a scrivener's or other error in such plat or description is manifestly contrary to the intent of the amending ordinance.
- (C) PD sub-district boundary lines are approximate on the PD District Map and are intended to be administered with flexibility depending on unique circumstances of development proposals that best achieve the purposes of this CDP.

3.2.1. Non-Residential and Mixed-Use Development Zoning Sub-Districts

- (A) Neighborhood Business District
- (B) Recreation District
- (C) Open Space

3.2.2. Single Family Residential Planned Development Zoning Sub-District

- (A) Residential District, Single Family

3.3. PD DISTRICT MAP

(A) There shall be a map designated as the PD District Map, which shall show the boundaries of each sub-district zone within the District. This PD District Map shall update the existing Town of Southern Pine's Official Zoning Map to "Planned Development", and shall be

stored in both the Town's geographic information systems and printed on durable material with the adoption date and kept in the Planning Department's office.

(B) Any revisions to the PD District Map must follow appropriate Town procedures, pursuant to the Town's UDO §3.4. Zoning Map.

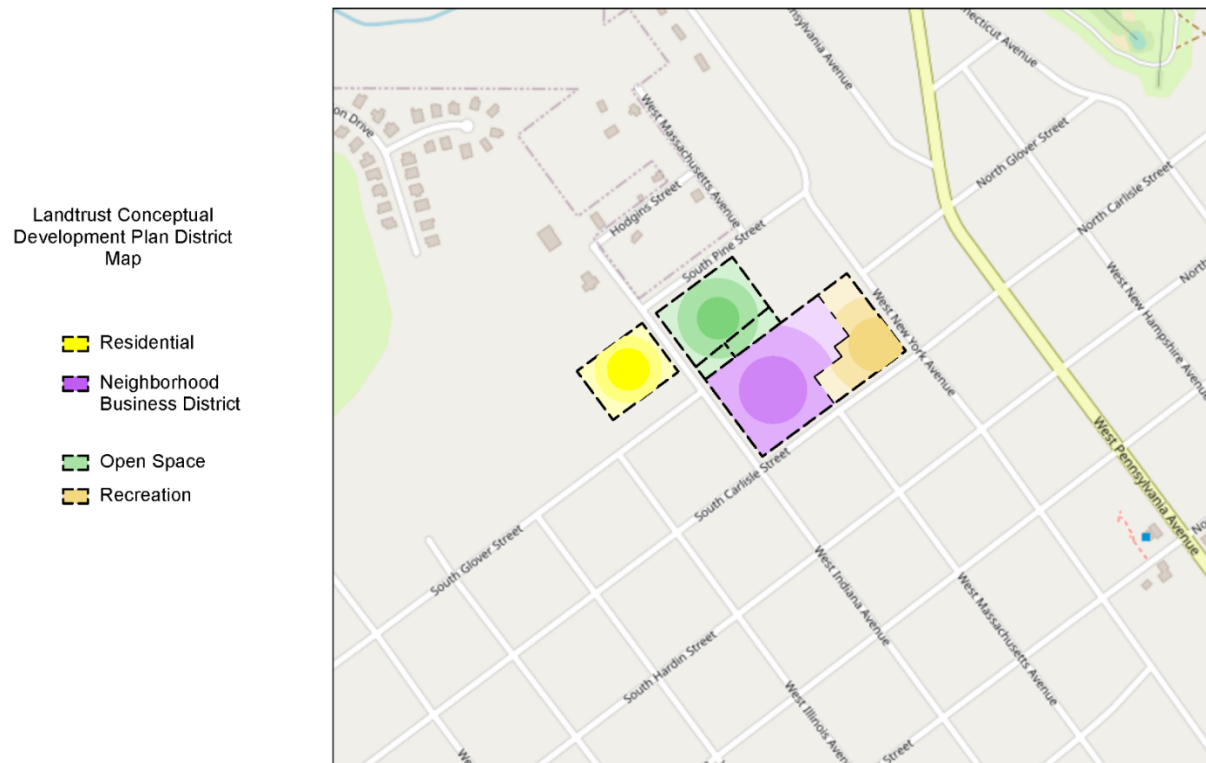


Figure 1: District Map

3.4. NEIGHBORHOOD BUSINESS DISTRICT DEVELOPMENT REQUIREMENTS AND STANDARDS

3.4.1. Intent

The NB district is established as a mixed use district that allows small-scale, limited retail and service land uses that provide goods and services primarily to surrounding residential Neighborhoods, residential Buildings and mixed-use Buildings.

The major objectives of this district are to:

- (1) Encourage the location of convenience retail establishments, professional services and professional offices that are Compatible with surrounding residential uses;
- (2) Preclude large-scale Buildings that are inconsistent with the Neighborhood character;
- (3) Promote safe and convenient pedestrian access from surrounding residences.

3.4.2. Authorized and Prohibited Uses

The uses authorized by section 3.8 of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the procedures established in chapter 2, the zoning district standards of this chapter, and the design standards of chapter 4.

3.4.3. District Use Standards

Standards for specific uses and development patterns authorized in this sub-district are established in Chapters 5 and 6. In addition, the following standards shall apply:

- (1) Outside storage, display and operations are each prohibited.
- (2) Subject to Building code compliance, Buildings may be used for authorized residential or non-residential purposes.
- (3) Drive-through and drive-in uses are prohibited.

3.4.4. District Development Standards

Dimensional and density standards are summarized in Table 2. Section cross-references identify the location of additional dimensional standards. Additional district Development standards are established in chapter 4 of this CDP.

3.5. RECREATION DISTRICT DEVELOPMENT REQUIREMENTS AND STANDARDS

3.5.1. Intent

(A) The Recreation district is intended for open space, public facilities and privately owned and recreation areas. Publicly owned land uses include governmental, recreational, education, natural resource and utility facilities. Privately owned land uses include related facilities, land trusts established to preserve natural resources, schools and recreational facilities that typically include substantial open space. The objectives of the Recreation district are to:

- (1) Provide land for publicly and privately-owned facilities and privately-owned natural and man-made resource and recreation areas; and
- (2) Preclude major residential, retail office, institutional, and industrial uses that typically provide limited open space.

3.5.2. Authorized and Prohibited Uses

The uses authorized by section 3.8 of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the procedures established in chapter 2, the zoning district standards of this chapter, and the design standards of chapter 4.

3.5.3. District Use Standards

Standards for specific uses and development patterns authorized in this sub-district are established in Chapters 5 and 6.

3.5.4. District Development Standards

Building heights and Setbacks shall conform to those of the abutting district. Required buffers shall be based on the use established in the Recreation district and the abutting use or district, whichever requires the greater buffer.

3.6. OPEN SPACE REQUIREMENTS AND STANDARDS

3.6.1. Intent

Open Space is intended for natural areas, trails, Greenways, parks, buffers, and stormwater retention basins.

3.6.2. Authorized and Prohibited Uses

The uses authorized by section 3.8 of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the

procedures established in chapter 2, the zoning district standards of this chapter, and the design standards of chapter 4.

3.6.3. District Use Standards

The Open Space requirements established in the Town's UDO §4.9.1 Usable Open Space Required letters (B) and (C); §3.5.14 (H) Landscaping, Screening, Buffers, and Trees; and §3.5.14(K) Stormwater Control shall apply to all areas within this PD. Unless dedicated to and accepted by the Town or a similar legal entity, the owner is required to provide for the continuing maintenance of Open Space.

3.6.4. District Development Standards

Additional sub-district development standards are established in Chapter 4 of this CDP and the Town's Overlay district design guidelines.

3.7. SINGLE FAMILY RESIDENTIAL DISTRICT ZONE REQUIREMENTS AND STANDARDS

3.7.1. Intent

The Residential district is established as a district in which to allow primarily low density Single-Family residential land uses (approximately 5 Dwelling Units per acre). The regulations of this district are intended to:

- (1) Preserve existing Single-Family residential Neighborhoods that have developed at a medium-density; and
- (2) Encourage new residential Development that is Compatible with that in the existing Neighborhoods.

3.7.2. Authorized and Prohibited Uses

The uses authorized by section 3.8 of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the procedures established in chapter 2, the zoning district standards of this chapter, and the design standards of chapter 4.

3.7.3. District Use Standards

Standards for specific uses and development patterns authorized in this sub-district are established in Chapters 5 and 6.

3.7.4. District Development Standards

Dimensional and density standards are summarized in Table 3. Additional sub-district development standards are established in Chapter 4 of this CDP and the Town's Overlay district design guidelines.

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3.8. AUTHORIZED USES TABLE AND INTERPRETATION

Table 1 (Table of Authorized Land Uses) lists the Principal Uses allowed by right within zoning sub-districts. The listed use is allowed by right within the corresponding PD zoning sub-district or sub-districts subject to the issuance of development approvals within the Town's UDO and compliance with the applicable standards and regulations within this CDP and the Town's UDO. For uses not specifically listed in Table 1 (Table of Authorized Land Uses), then interpretation guidance from the Town's UDO §3.7.2(A) shall apply to proposed uses in relation to the permissible uses set forth in Table 1 (Table of Authorized Land Uses) below.

Table 1. Table of Authorized Land Uses

Land Use	LBCS Code	Description	Neighborhood Business	Recreation	Open Space	Single Family Residential
RESIDENCE OR ACCOMODATION FUNCTIONS (1000)						
Private Dwelling (1100) Housing Services (1200)	Single-family detached	1111	Typical Single-Family Dwelling			
	Single-family attached	1112	Each dwelling unit on a separate lot; firewall may protrude from roof or roofs may be staggered			
	Class A Single-Family Manufactured Home	1113	Modular homes and other structures that comply with the NC Residential Building Code as amended			
	Accessory dwelling unit	S1130	A residential dwelling that is secondary to the Principal Use			
	Two-Family (double or Duplex)	1120				

	Assisted-Living Board and Care, Adult Care Group Homes	1230	Adult care, group homes, board and care (excludes rehab uses in code #6520)				
GENERAL SALES OR SERVICES (2000)							
Retail Sales or Service and Repair (2100)	Bicycle sales and repair	2113b	New or used bicycles sales or repair				
	Clothing, jewelry, luggage, shoes, clocks, sewing	2133	Including shoe repair and tailoring				
	Florist	2141					
	Art dealer, supplies, sales and service	2142	Including frame shops				
	Mail order or direct selling establishment	2144	Retailing other than in stores				
	Antique shop, flea market, thrift store	2145					
	Convenience store, bodega	2152	Excludes those with fuel pumps				

	Specialty food store	2153	Retail specialty food items such as coffee and gourmet foods				
	Fruit and vegetable store	2154					
	Pharmacy or drug store	2161	Primarily retail prescription or nonprescription drugs and excludes stand-alone pharmacies or drug stores				
	Cosmetic and beauty supplies and personal grooming products	2162	Primarily retail cosmetics, perfumes, toiletries				
	Optical and contact lenses	2163	Retail prescription or nonprescription eyeglasses				
	Markets for farm produce or crafts	2199					
Finance and Insurance (2200)	Bank, credit union, or savings institution	2210	Central banking functions				

	Credit and finance establishment	2220	Credit card, sales financing, unsecured consumer lending, real estate credit, international trade financing				
	Investment banking, securities, and brokerages	2230	Securities underwriting, brokering, exchange services, managing portfolios				
	Insurance-related establishment	2240	Insurance underwriting, selling insurance				
	Fund, trust, or other financial establishment	2250	Pool assets on behalf of shareholders or beneficiaries				
Real Estate, and Rental and Leasing (2300)	Real estate services	2310	Lease real estate (except buildings) such as manufactured home sites and vacant lots; includes real estate appraisers				
	Rental housing-related	2322	Lease buildings used as residences				
	Intellectual property rental	2336	Establishments that assign patents, trademarks, brand names, and franchise agreements				

Business, Professional, Scientific, and Technical (2400)	Legal services	2411	Title abstract, lawyers, notaries				
	Accounting, tax, bookkeeping, payroll services	2412					
	Architectural, engineering, surveying, and related services	2413	Architectural, engineering, building inspection, surveying and mapping, and laboratory testing (except medical, veterinary, or auto emission)				
	Graphic, industrial, interior design services	2414	Interior, industrial, and graphic design				
	Consulting services (management, environmental, technical)	2415	Advise and assist businesses on management, scientific, and technological issues				
	Advertising, media, and photography services	2417	Advertising, public relations, media buying agencies, direct mail advertisers, market research, translation providers				

	Office administrative services	2421	Office administration such as billing, record keeping, personnel, organizational planning				
	Facilities support services	2422	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.				
	Employment agency	2423	Provide employee placement, temporary help				
	Copy center, private mail center, other business support services	2424	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, etc.				
	Travel arrangement and reservation services	2430	Promote or sell travel, includes convention and visitors' bureaus				
Food Services (2500)	Full service restaurant	2510	Provide services to patrons who order and are served while seated or in combination with takeout				

	Snack or nonalcoholic bar	2530	Prepare and serve specialty snacks, such as ice cream, frozen yogurt, cookies, coffee, juices for consumption on or near the premises, snowball stand				
	Mobile food services	2550	Prepare and serve meals and snacks for immediate consumption from motorized vehicles				
	Caterer	2560	Provide single event-based food services, including banquet halls with catering for wedding receptions, etc.				
Personal Services (2600)	Hair, nail, and cosmetic skin care	2611	Barber or beauty shop				
	Dieting and weight reducing	2612					
	Tanning salon	2614					
	Electrolysis, ear piercing, and other personal care services	2616					

Pet (2700)	Pet or pet supply store	2710	Retail pets, pet foods, pet supplies				
	Animal services	2721	Grooming and training, excludes sitting, boarding, and veterinary and farming services				
COMMUNICATION AND INFORMATION (4000)							
Communication and Information (4200)	Software publisher	4212	Publish and reproduce computer software				
	Motion picture and video production, publishing, and distribution	4221	Produce or distribute motion pictures, videos, television programs, or commercials				
	Tele-communications and broadcasting towers and antennas 50 feet tall or less	4233a					
	Online information services	4241	Internet access and service providers				
	Library or archive	4242	Provide library or archive services				

ARTS, ENTERTAINMENT, AND RECREATION (5000)							
Arts, Entertainment and Recreation (5000)	Agent for management services	5150	Agents representing artists, athletes, entertainers, etc.				
	Independent artist, writer, or performer	5160	Independent individuals engaged in art, productions				
Museums and Other Special Purpose Recreational Institutions (5200)	Museum	5210	Includes art museums, science museums, and more				
	Historical or archeological institution	5220	Archeological sites, battlefields				
	Zoos, botanical gardens, arboreta	5230					
Amusement, Sports, Rec. (5300)	Games arcade establishment	5320	Operate arcades and parlors, except gambling, billiard and pool				
	Public facilities	5371					

	Private facilities	5372					
	Bowling, billiards, pool	5380					
5500	Natural and other recreational parks	5500	All parks without special economic functions				
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS (6000)							
6200	Legislative and executive functions	6210	Government and public administrative offices				
Public Safety (6400)	Fire and Rescue	6410					
	Police	6420	Includes combined police and fire departments				

	Emergency Response	6430	Provide ground or air transportation for medical relief purposes				
Health and Human Services (6500)	Outpatient clinic and health spas	6511	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and other licensed or certified health care providers				
	Outpatient family planning or outpatient care clinic	6512	Provide outpatient family planning services and outpatient care				
	Health care facility	6540	Maximum of 25 beds for overnight care				
	Child and youth services	6561	Offer services such as adoption, foster care, drug prevention services				
	Child daycare	6562	Provide care for infants and preschool children, offer pre-kindergarten education programs				

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3.9. Prohibited Uses

The following uses are prohibited as principal uses within this planned unit development:

LAND USE
Multi-Family
Multi-Family
Multi-Family Conversion
Multi-Family Condominium
Hotels, Motels, or Other Accommodation Services
Bed and Breakfast Home
Bed and Breakfast Inn
Rooming and boarding
Hotel, motel, Tourist Home or tourist court

GENERAL SALES OR SERVICES
Markets for farm produce or crafts
Tobacco or tobacconist establishment
Beer, wine and liquor store
Business, Professional, Scientific, and Technical
Veterinary Services
TRANSPORTATION, COMMUNICATION, INFORMATION, ETC.
Air transportation
air passenger transportation
air freight transportation
airport and support establishment

aircraft and accessories
other air transportation
Rail transportation
Courier and messenger services
Tele-communications and broadcasting
towers and antennas 50ft tall or less
towers and antennas taller than 50 ft
telephone and other wired tele- communications
Utilities and Utility Services
service distribution lines
electric substations
natural gas service

Water, steam, air conditioning supply
drinking water
water service
Sewer, solid waste, and related services
solid waste collection
waste treatment and disposal
wastewater treatment plants
wastewater service
Golf course
public golf course
private golf course
golf course resort

Horse Riding Stables
Public Administration
Judicial functions (Civilian courts of law and correctional institutions)
AGRICULTURE, FORESTRY, FISHING, AND HUNTING
Crop Production
Outdoor Production
Greenhouse - no on-premises sales
Domestic backyard chickens
bees

Chapter 4. Development and Design Standards

4.1. COORDINATION WITH THE TOWN’S UDO CHAPTER 4. DEVELOPMENT AND DESIGN STANDARDS

The standards in this Chapter are intended to be additional requirements for development of buildings, sites, and infrastructure. All development shall comply with the development processes, requirements, and regulations as stipulated in the Town’s UDO Chapter 4. Development and Design Standards and other relevant sections of the Town’s UDO, except as provided by the regulations of this Chapter and all of the applicable standards and regulations in other Chapters of this CDP.

4.2. LOT DEVELOPMENT STANDARDS

Lot development standards are included in Tables 2 through 7. Guidance for applying these is included in the Town’s UDO Chapter 4.2 Lot Development Standards.

4.2.1. NEIGHBORHOOD BUSINESS DISTRICT DEVELOPMENT AND DESIGN STANDARDS

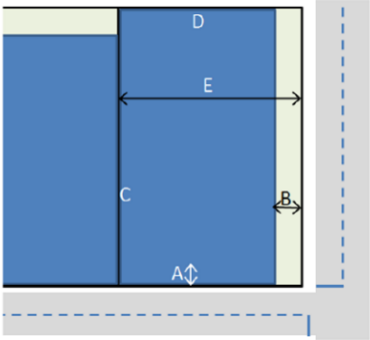


Figure 2. Neighborhood Business District Dimensional Standards Illustration. Letters match dimensions in the design element column of Table 2.

Table 2. Neighborhood Business District Building Height, Setbacks, and Lot Dimensional Standards.

<i>Design Standard</i>	<i>Neighborhood Business District</i>
Max. Height	35'
Min. Front Setback (A)	15'
Min. Exterior Side Setback from ROW (B)	10'
Min. Exterior Side Setback (C)	10'
Min. Rear Setback (D)	No minimum
Min. Lot Width (E)	No minimum
Min. Lot Size	No minimum

Table 3. Neighborhood Business District Additional Design Standards.

<i>Element</i>	<i>Standard</i>	<i>Rationale</i>
----------------	-----------------	------------------

Outdoor storage, displays, and operations	- Outdoor storage is prohibited. - Displays (up to 20 square feet in size and under 4 feet tall) are allowed within the sidewalk frontage zone and (up to a foot into) the furniture zone, but is prohibited in the pedestrian through zone. The displays have to be removed when the business is closed.	Outdoor space should be used for operations, not storage. Outdoor displays are acceptable when properly located to avoid creating safety hazards for pedestrians.
Front Yards, including Frontage, and Pedestrian areas	Front yards are encouraged to have courtyards, parklets, benches, wayfinding signage, and outdoor dining areas, so front setbacks have flexible administration at the discretion of the Planning Director. Landscaping is required to follow the Town's UDO Landscaping Code.	The outdoor space in front of buildings should be utilized to create an interactive and engaging built environment that encourages pedestrian activity. Furthermore, the landscaping, lighting, and street furniture should create a safe and interesting streetscape for pedestrians.
Buildings	- Buildings shall be predominantly (80% or more) brick and other masonry materials can be used as accents. - One customer entry is required to face the primary pedestrian zone or frontage and other entries are also permitted where pedestrians might approach the building from internal areas of the development. - Buildings segments must be taller than wide. - In new construction, windows should cover at least 70% of the first-floor building façade and have to align with adjacent buildings.	Public feedback and the West Southern Pines neighborhood inspired the design standards.

	Awnings are also recommended for spaces that encroach over the pedestrian sidewalks. For existing buildings, the historical character of building facades shall be maintained.	
Off-Street Parking	Maximum of one vehicle parking space for every 400 square feet of retail and office floor area. Minimum of one bicycle parking space per 2,500 square feet of floor area, unless a central bicycle parking hub is provided elsewhere in the planned development.	Avoid overparking/ parking lots that are larger than necessary while preserving pedestrian experience.

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4.2.2. RECREATION DEVELOPMENT AND DESIGN STANDARDS

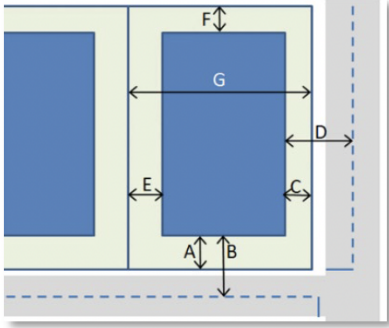


Figure 3. Recreation and Residential Dimensional Standards Illustration. Letters match dimensions in the design element column of Table 3.

Table 4. Recreation Building Height, Setbacks, and Lot Dimensional Standards.

<i>Design Standard</i>	<i>Recreation District</i>
Max. Height	35' (two stories)
Max. Front Setback from ROW (A)	5'
Min. Front Setback from Street Centerline (B)	45'
Min. Exterior Side Setback from ROW (C)	15'
Min. Exterior Side Setback from Street Centerline (D)	45'
Min. Interior Side Setback (E)	20'
Min. Rear Setback (F)	20'
Min. Lot Width (G)* <i>*Not applicable to Townhouse Development</i>	No minimum
Min. Lot Size/Density	Not applicable

Table 5. Recreation District Additional Design Standards.

Element	Standard	Rationale
Outdoor operations	Outdoor operations are limited to playgrounds, programming, events, outdoor courts for sports, skate parks, zoos, botanical gardens, arboreta, and other natural or recreational parks.	Outdoor operations should be strictly recreational according to the allowed uses within the district.
Front Yards (including Frontage, Pedestrian, and Side Yards)	- Playgrounds, outdoor recreational programming, basketball courts, skate parks, and other recreational uses permitted in the sub-district are allowed to occur in front yards and side yards. - Patio space (street-facing or interior lot-facing) is encouraged.	A coherent campus feel, and regular public use of outdoor spaces on campus.
Buildings	- One customer entry is required to face a main pedestrian zone. - Buildings segments must be taller than wide. - For new buildings, no single material can be more than 20% of the exterior finish, and one of the materials shall be brick. Cementitious horizontal lap siding, textured concrete masonry, or wood are encouraged to be used for building accents. - If the building is 2 stories or taller than 20 feet, then the second story has to be primarily constructed with glass (more than any other building material). - At least 40% of the front building elevation must be windows and doors.	The public preferred maintaining existing feel of neighborhood and historical building facades.

	- Reflective glass is permitted as long as there is no glare visible from the right-of-way or adjacent land uses. - Street- and resident-facing building elevations have to have a mansard or false mansard roofs or shingled or standing seam roofs. - For existing buildings, the historical character of building facades shall be maintained.	
Off-Street Parking	- Maximum one parking space for every three persons that the facilities are designed to accommodate when fully utilized. - Minimum space per 3,000 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development.	Avoid parking lots that are larger than necessary while still providing easy access for customers and pedestrians.

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4.2.3. SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND DESIGN STANDARDS

Flexibility is encouraged to maintain the affordability of the proposed dwelling units.

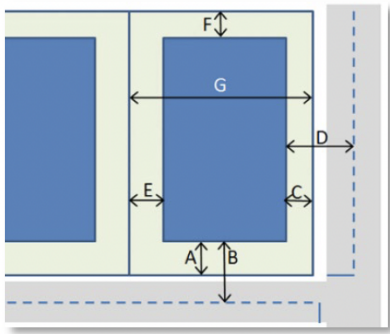


Figure 4. Single Family Residential Dimensional Standards Illustration. Letters match dimensions in the design element column of Table 3.

Table 6. Residential Building Height, Setbacks, and Lot Dimensional Standards.

<i>Design Standard</i>	<i>Single Family Residential District</i>
Max. Height	15'
Max. Front Setback from ROW (A)	35'
Min. Front Setback from Street Centerline (B)	60'
Min. Exterior Side Setback from ROW (C)	15'

Min. Exterior Side Setback from Street Centerline (D)	45'
Min. Interior Side Setback (E)	10'
Min. Rear Setback (F)	30'
Min. Lot Width (G)* *Not applicable to Townhouse Development	45'
Min. Lot Size/Density	5,000 sq. ft.

Table 7. Single Family Residential District Additional Design Standards.

<i>Element</i>	<i>Standard</i>	<i>Rationale</i>
Off-Street Parking	One parking space per dwelling unit.	Provide enough parking for a single-family residence while providing sufficient green space and lower quantities of impervious surfaces
Lighting	Only luminaires with cutoffs less than 90 degrees are permitted in residential districts.	Lighting should not shine into residents' homes, but lighting is important for safety concerns.

4.3. LANDSCAPING

Development shall comply with the Town's UDO Landscaping Code and the provisions in this CDP.

4.3.1. Street Trees and Screening

- (A) A Planting Strip that physically separates any sidewalk, sidepath, shared use path, Parklet, or other seating area from the roadway. A hedgerow may also be considered by the Town's Planning Director.

4.3.2. Buffers

- (A) Required buffers shall comply with the Town's UDO §4.3.4 Buffers and shall be based on the use established in the sub-district and the abutting use or sub-district, whichever requires the greater buffer.

4.4. OFF-STREET PARKING AND LOADING

4.4.1. Purpose and Applicability

All developments in all zones shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question while precluding parking lots that are larger than necessary.

4.4.2. Parking Space Requirements

New development for by-right uses within all PD zoning sub-district shall be required to comply with the minimum and maximum number of off-street parking spaces established in Table 4, provisions in the Town's UDO §4.5.5, and Exhibit 4-7 Parking Space Design Standards in the Town's UDO. When determining the number of parking spaces, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space. All square footage is measured as gross footage.

Table 8. Minimum and Maximum Number of Parking and Bicycle Spaces Required

<i>Zone</i>	<i>Maximum Parking</i>	<i>Minimum Bicycle Parking Requirements</i>
Neighborhood Business areas	1 parking space for every 400 square feet	1 space per 2,500 square feet of floor area unless a

		central bicycle parking hub is provided elsewhere in the planned development
Recreation areas	1 parking space for every three persons that the facilities are designed to accommodate when fully utilized	1 space per 3,000 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development
Open Space	None	1 space per 10,000 square feet of open space
Single Family Residential areas	One parking space per dwelling unit	None

4.5. SIGNS

4.5.1. Purpose and Intent

Signs perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. The intent of this section is to regulate all signs within the PD to ensure that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare.

4.5.2. Applicability

(A) Any sign erected, altered, or maintained after the effective date of this CDP shall conform to the following regulations and the Town's Sign Code, UDO §4.6 Signs, with the following exceptions:

- a. Primary Landmark Signage;
- b. Secondary Landmark Signage;
- c. Pedestrian-Scale Signage; and,
- d. Original Art Murals;
- e. Temporary Signage.

(B) Private signs are prohibited on public property.

(C) External electronic message center and digital signs, including but not limited to video displays, are prohibited.

4.5.3. General Standards

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted and subject to the same regulations.

4.5.4. Primary Landmark Signage

(A) Primary Landmark Signs are allowed along South Carlisle Street and where South Carlisle intersects West Indiana and West New York Avenues.

(B) Design standards.

- a. Up to two Primary Landmark Signs are permitted for the entire Neighborhood Business sub-district.
- b. Primary Landmark Signs shall contain no more than one sign band per tenant.

- c. The Primary Landmark Signs must be consistent with the character of the buildings within the non-residential areas of the development.
- d. The Primary Landmark Sign shall have a low profile and shall not exceed 10 feet in height.
- e. Landscaping will be included around the base of the Primary Landmark Signs.



Figure 5: Example of Primary Landmark Signage

4.5.5. Secondary Landmark Signage

(A) Secondary Landmark Signage is allowed on South Carlisle Street and West Indiana and adjacent to the entrance of off-street parking. The intention for Secondary Landmark Signage is to allow monument signage at the street, smaller than the Primary

Landmark Signage that contains space for changing messaging to advertise events, community gatherings, and exhibits in the event, gathering, and history spaces, within the PD.

(B) Design standards.

- f. Secondary Landmark Signage shall be consistent with the design and character of the Primary Off-Premise Landmark Signage.
- g. Up to two Secondary Landmark Signs are permitted for the entire Planned Development.
- h. Secondary Landmark Signage shall comply with the same design standards as the Primary Off-Premise Landmark Signage, except:
 - i. The Secondary Landmark Sign shall not exceed seven feet in height.



Figure 6: Example of Secondary Landmark Signage

4.5.6. Pedestrian-Scale Signage

(A) Pedestrian-Scale Signage, such as Wayfinding Signs and Historical Signs, are permitted and encouraged throughout the PD.

(B) Pedestrian-Scale Signage is allowed on sidewalks, at the corner of roadways, at the entrances to off-street parking, and on multi use trails and Greenways.

(C) Design standards.

- i. Pedestrian-Scale Signage shall use sans-serif, non-cursive fonts to improve sign legibility and readability.
- j. Vertical Wayfinding Signs shall not exceed seven feet.
- k. Historical Signs shall be between four and five feet, measured from the floor to the baseline of the text and/or braille characters.
- l. Historical Markers are encouraged



Figure 7. Example Historical Marker

m. Wayfinding Signs shall not direct persons to more than eight destinations.

4.5.7. Original Art Murals

- (A) Original Art Murals are allowed on up to 50% of one Building Elevation per building provided that Original Art Murals do not contain any commercial messaging.
- (B) Original Art Murals shall be consistent with the character and history of the PD.

4.5.8. Temporary Signage

- A. Event Banners are allowed on South Carlisle, West Indiana and West New York to highlight upcoming events - commercial use is not allowed.
- B. Support hardware for hanging event banners on existing light poles are allowed and encouraged.

4.6. FURNISHING ZONE AND FRONTAGE ZONE

4.6.1. Furnishing Zone within Frontage

All regulations in the Town's UDO §4.10.5 apply within the PD and new development shall comply with Figure 3. Sidewalk Zone and the following additional standards:

- (A) Sidewalks, sidepaths, and shared use paths must be physically separated from the roadway by Planting Strips—which may include planters—and street trees.

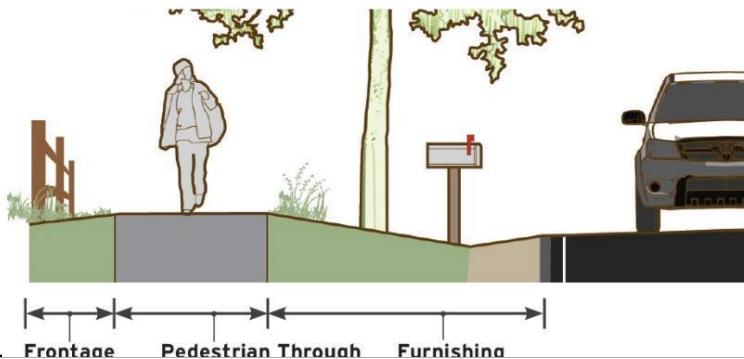


Figure 8. Sidewalk Zone Components and Standards.

<i>VOL UME & USER MIX</i>	<i>FRONT AGE ZONE</i>	<i>PEDEST RIAN THROUGH ZONE</i>	<i>FURNIS HING ZONE</i>	<i>TOTAL WIDTH</i>
PD & UDO Code Minimum	3 ft (0.9 m)	8 ft (2.4 m)	6 ft (1.8 m)	7 ft (5.2 m) ¹

4.6.2. Frontage and Furnishing Zone Requirements in the Neighborhood Business Sub-district

For new development, the Front Setback may be increased to establish courtyards, Parklets, benches, Wayfinding Signs, and dining areas, provided that not more than 25% of the total of any block face shall be set back more than the maximum established in [Table 2](#) and the Planning Director finds that:

- (A) The Sidewalk Zone improves the visual quality and character of the street, promotes pedestrian traffic, Multimodal design, and is ADA compliant;
- (B) The Sidewalk Zone enhances access between outdoor and indoor spaces;
- (C) Flooring and surfaces are constructed of durable, non-slip materials that complement sidewalk paving;
- (D) Changes in colors are used to highlight steps;
- (E) The shape and design, including landscaping, of the space provides visibility of the entire space from the sidewalk;
- (F) The Sidewalk Zone is not enclosed, except for decorative walls—which shall not be taller than 30 inches—and posts with decorative ropes or chains or other

decorative enclosures approved by the Planning Director;

- (G) Other than Street Furniture for dining and Parklet areas, Sidewalk Zone improvements are limited to seating, decorative waste receptacles, fountains, water features, and landscaping.

4.7. LIGHTING

Development shall comply with the Town's UDO Lighting Code and the provisions in this CDP.

4.7.1. Residential District Lighting

Only luminaires with cutoffs less than 90 degrees are permitted in residential districts and in rights-of-way adjacent to residential districts, including the Residential sub-district.

4.8. FENCING

Chain link fencing over 36 inches high is prohibited in the PD. Barbed or razor wire or any other type of wire designed to cut, puncture, etc., are also prohibited in the PD. Chain link fencing must be vinyl with a non-reflective color such as brown, black or dark green.

4.9. Parklets and Patios

- (A) In the Neighborhood Business and Recreation sub-districts, a patio or similar seating area is encouraged off the street-facing building facade or a building façade facing an interior lot line and may be ground level off the first story or on a balcony of the second story of the building. Patios in the Neighborhood Business and Recreation sub-districts shall be at least 40% the width of the building façade where it is located.
- (B) In the Neighborhood Business and Recreation sub-districts, balconies and covered porches may extend up to five feet into the Front Setback, provided that such features do not impede pedestrian circulation or extend more than 25% into the setback.

Chapter 5. Supplementary Conditions for Specific Uses

5.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 5. SUPPLEMENTARY CONDITIONS FOR SPECIFIC USES

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 5. Supplementary Conditions for Specific Uses.

Chapter 6. Non-Conformities

6.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 7. NON-CONFORMITIES

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 7. Non-Conformities.

Chapter 7. Administration

7.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 8. ADMINISTRATION

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 8. Administration, except as provided by the regulations of this Chapter and all of the applicable standards and regulations in other Chapters of this CDP.

7.2. ENACTMENT AND REPEAL OF EXISTING DEVELOPMENT REGULATIONS

The CDP hereby adopted, shall supplement the Town's existing UDO regulations and shall supersede all provisions of the Town's UDO or any other Town ordinances in conflict herewith.

7.3. INTERPRETATION

This CDP shall be interpreted to promote the safety, health, convenience, comfort, prosperity, and general welfare of the public. The Town's UDO shall be liberally interpreted in order to further its underlying purposes. The meaning of any and all words, terms, or phrases in the Town's UDO shall be construed in accordance with [Chapter 9 – Definitions](#). In case of a conflict between the CDP Narrative document with the text of the CDP Code, the CDP Code text shall control.

7.4. SEVERABILITY

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word, this code is declared involved, such involvement shall not affect the validity or enforceability of the remaining portions of the Code.

7.5. RESPONSIBILITIES FOR APPLICATION OF THE CDP

- (A) The Town of Southern Pines staff shall be responsible for approval tasks associated with development approvals and any other roles and responsibilities as outlines in the Town's UDO.
- (B) Maintenance of streets and the Pedestrian and Furnishing Zones within the street rights-of-way shall be determined at the time of development solicitations for preliminary development plans associated with this CDP.

7.6. EFFECTIVE DATE

The provisions in this CDP were adopted and became effective on September 11, 2023, and shall be published and recorded with the Town of Southern Pines.

Chapter 8. Word Usage and Definitions

8.1. COORDINATION WITH THE TOWN'S UDO

CHAPTER 9. DEFINITIONS

All development shall comply with the provisions in the Town's UDO Chapter 9. Definitions, in addition to the provisions of this Chapter.

8.2. WORD USAGE

Except where specifically defined herein, all words used in this planned unit development code shall carry their customary meanings. Words used in the present tense include the future, and the plural included the singular. The word "lot" includes the word "plot;" "Building" includes the word "structure;" and "planned unit development" includes "conceptual development plan." The word "shall" is intended to be mandatory. "Occupied" or "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied." Any definition not explicitly stated in the Definitions sections shall have the meanings assigned to them in the Town's UDO §9.3 Definitions.

8.2.1. Definitions

As used in this CDP, the following terms shall have the meanings as prescribed below in this section.

Building Elevation: The visible vertical plane of the side of a building from ground level to the roof line.

Bulb-out: Curb extensions at intersections that reduce curb-to-curb roadway travel lane widths. Bulb-outs make sidewalks more pedestrian-friendly by reducing vehicle speeds which increases pedestrian safety. The extended area can also accommodate landscaping, outdoor dining, and other features.

Frontage Zone: A zone adjacent to the property line and along the Pedestrian Zone that provides space for people to enter and exit buildings and where business patios and outdoor seating may occur.

Furniture Zone: The zone closest to the street that provides space for signs, street lighting, street trees, and other utilities. Lighting, landscaping, bike racks, waste receptacles and Street Furniture may be approved for use in this area.

Glare: The effect by reflections of light with intensity sufficient as determined in a commercially reasonable manner to cause annoyance, discomfort, or loss in visual performance and visibility in any material respects.

Greenway: A contiguous or linear open space, including multiuse trails, that links parks, nature reserves, cultural features, or historic sites with each other, for recreation and conservation purposes.

Historical Sign: A sign designated by the Town of Southern Pines that highlights an historic or cultural resource or an historical element of an historical landmark.

Hotel, Motel, or Other Accommodation Service: Lodging and short-term accommodation for travelers. This definition shall include bed and breakfast homes, bed and breakfast inns, room and boarding dormitories. Short-term rentals are excluded from this definition.

Multimodal: A transportation design that allows for flexible, environmentally sustainable, and compact streetscape design., which creates multiple modes of connections, mobility, and access for all users and modes of travel.

Parklet: A platform or similar level surface extending into the public right of way Frontage Zone with amenities such as but not limited to tables and/or chairs (including benches), bike parking, and umbrellas, designated as public space, located in or on the public right-of-way or resting on, or projecting into, the sidewalk and parking area, which are not physically or structurally attached to a building.

Patio: An uncovered horizontal structure with a surface height, at any point, no greater than 2 feet above grade, intended for use as an outdoor amenity space.

Pedestrian (Through) Zone: The clear width needed for pedestrian travel activity wide enough for at least two people to walk side-by-side. The Pedestrian Zone is located between the Furniture Zone and the Frontage Zone.

Planting Strip: A portion of any street between two curb lines or between the curb line and the adjacent property line not intended for pedestrian or vehicular traffic.

Sidewalk Zone: The portion of a front yard that includes the Frontage Zone, Pedestrian Zone, and Furnishing Zone.

Street Furniture: Equipment and furnishings such as bike racks and benches, positioned between a street and a principal building for use by the public.

Original Art Mural: A hand-painted, hand-tiled, or digitally printed image on the exterior vertical building wall that does not contain any commercial message. For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold.

Wayfinding Sign: A type of sign that allows users to find their way, using information provided along a pathway, including a sidewalk, a sidepath, a shared use path, and Greenways.

8.2.2. Acronyms

YM	ACRON	FULL NAME
UDO	(Town's)	Town of Southern Pines Unified Development Ordinance
	CDP	Conceptual Development Plan
	CLRP	Town of Southern Pines Comprehensive Long-Range Plan
	HUD	United State Housing and Urban Development
	NC	North Carolina
	PD	Planned Development District
	ROW	Street right-of-way (singular) or rights-of-way (plural)
	TIA	Traffic impact analysis
	WSP	West Southern Pines

Table 9. List of Conceptual Plan Development Acronyms



SOUTHERN PINES LAND AND HOUSING TRUST

Conceptual Development Plan - Narrative

October, 2023

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I. SUMMARY AND PURPOSE

SUMMARY

Seventeen acres are requesting rezoning from Facilities, Resources and Recreation to Planned Development on S. Carlisle and W. New York Avenue. A conceptual Development Plan has been created in collaboration with the West Southern Pines (WSP) community. The mission of the Southern Pines Land and Housing Trust is to improve the quality of life of Southern Pines citizens by providing crucial services and securing key properties within the neighborhood of West Southern Pines to prevent deterioration, displacement, and create new economic opportunities. This CDP intends to ensure the preservation of properties of historic and cultural significance to the residents of the community of West Southern Pines, and putting those properties into uses that will create economic opportunity, recreation, and address current housing needs and desires.

The celebration of history and culture is central to this CDP with placemaking and design language chosen to honor West Southern Pines past and resilience as well as create a place for the neighborhood to dream a future for itself and make that future a reality. Specifically, the CDP will support the creation of spaces for remembrance, performance and play, gathering, business development and growth, crucial services, and new housing. If approved, this conceptual plan will expand business opportunities (Neighborhood Business District), recreation (Recreation District), affordable housing (Residential District), and open space.

The CDP is divided into three primary documents, plus attachments required by Appendix A of the Town of Southern Pines Unified Development Ordinance (Town's UDO). The primary document is the CDP zoning, which mimics the format and zoning language of the Town's UDO. Complementary to the CDP zoning is the Official District Map that will amend the Town's Official Zoning Map. Lastly, this CDP narrative provides context to the CDP zoning, informative visualizations, and descriptions of different aspects of the CDP zoning in layman's terms.

BACKGROUND AND GUIDING PUBLIC INTERESTS

In 2019, Moore County Schools formally voted to declare the Southern Pines Primary School surplus and began the process of decommissioning and selling the property. Beginning even before the official notice, the Southern Pines Land and Housing Trust, representing the West Southern Pines community, had begun conversation on the best use of the property. The board of the Southern Pines Land and Housing Trust includes many long-time residents of West Southern Pines, dedicated to the mission of empowering the neighborhood and providing greater opportunity. What emerged in those conversations, community meetings, and in subsequent input sessions is a preference for celebration of local history and culture including commemoration of the site as the location of one of Moore County's 17 Rosenwald-funded schools, then as a High School that served the African American community of the region prior to integration, economic development and small business opportunity, education and childcare, workforce support, indoor and outdoor recreation, and affordable housing.

Many of these themes were echoed in a separate set of community engagement and listening sessions conducted in West Southern Pines by the UNC School of Government Development Finance Institute. Those sessions recorded community desires for increased economic opportunity, especially for local small businesses, recognition and preservation of the community's history,

including the importance of the former Southern Pines Primary School campus as community asset and potential neighborhood anchor. To bring about these community goals, the Southern Pines Land and Housing Trust has already established the West Southern Pines Center for African American History, Cultural Arts, and Business on the majority of the proposed site that includes the existing structures, with open space, and housing proposed on the remaining acreage.

II. GEOGRAPHY

PROPERTY BOUNDARIES

This project area includes the entirety of the tax parcels—including their legal metes-and-bounds boundary descriptions—listed in Table 1, for a total of 17.13 acres.

No.	Owner	PIN and PARID	Mailing Address	Deed Acreage	Zoning	Future Land Use
1	Southern Pines Land and Housing Trust, Inc.	857220827460 00036869	1250 W New York Avenue Southern Pines, NC 28387	9.6	FRR	Neighborhood Business - Conditional
2	Southern Pines Land and Housing Trust, Inc.	857216824550 00031531	1250 W New York Avenue Southern Pines, NC 28387	0.4	FRR	Residential and Open Space
3	Southern Pines Land and Housing Trust, Inc.	857200821500 00033141	1250 W New York Avenue Southern Pines, NC 28387	6.799	MULTIP	Residential and Open Space
4	Southern Pines Land and Housing Trust, Inc.	857220823309 00031530	1250 W New York Avenue Southern Pines, NC 28387	0.331	FRR	Residential and Open Space

Table 1. Tax Parcels Included in Project Area

PROJECT LOCATION AND MAP

This project is located on the corner of Carlisle Street and West New York Avenue, in the space most recently used as the Southern Pines Primary School, as well as across West Indiana Avenue at South Pine Street.



Figure 1: Aerial view of the property

Landtrust Conceptual
Development Plan District
Map

-  Residential
-  Neighborhood
Business District
-  Open Space
-  Recreation

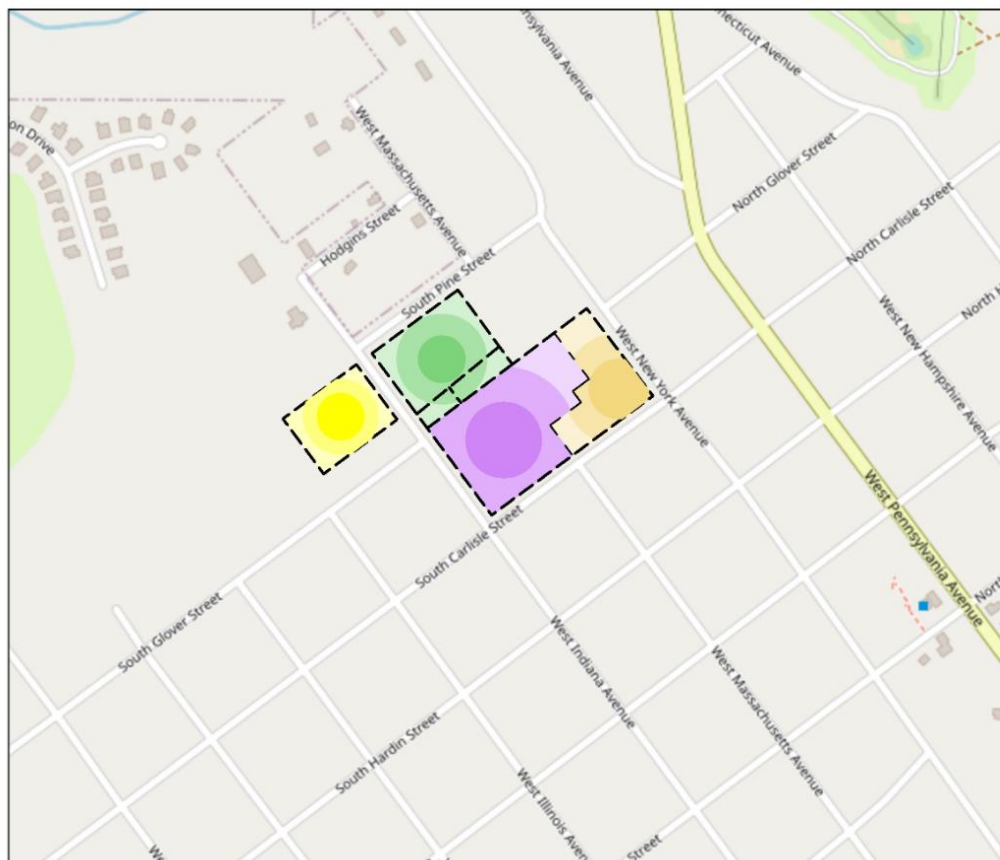


Figure 2: Proposed Conceptual Plan District Map

III. PUBLIC PARTICIPATION PLAN

Public participation has been an intensive and integral component of the Southern Pines Land and Housing Trust's efforts to acquire and repurpose the former Primary School property into the WSP Center for African American History, Cultural Arts, and Business. Prior to acquisition, the WSP community mobilized around the Trust to support the purchase offer to Moore County Schools, including a prayer vigil, a march, attendance at School Board meetings, and a 1,200+ signature petition.

In 2020 and 2021 the Trust hosted two community meetings to give residents a chance to give input on how the property would be utilized if acquired by the Trust and how those might best fit within the existing buildings and the available acreage. An additional community charrette was conducted by an outside facilitator in West Southern Pines. All these instances of public participation, and ongoing, less formal conversations between Southern Pines Land and Housing trust Board members were considered over the course of 2022 and the first half of 2023. The Trust's Board Chair also sent out annual letters to supporters, stakeholders and community members with updates on progress towards finalizing a vision for the elements of the Center that best met the community's desires. All community meetings and events were advertised online, through posted flyers where appropriate, and shared on social media and through local networks, churches, and civic groups. Since acquiring the property in December 2021, the Trust has conducted numerous tours for resident and stakeholders groups, potential tenants, public officials, and potential partners.

As noted in previous sections, also incorporated into the Trust's considerations for the sites' future conceptual plan were three virtual community meetings held by the Development Finance Institute on August 13th, 15th, and 18th in 2021.

On December 21, 2022, a news release was sent to media outlets in the area, which can be read on the town's website: [News Flash • Southern Pines, NC • CivicEngage](#). Planning staff also provided interviews for local newspaper, The Pilot, staff writers that contributed to two featured articles:

- "Community Input Requested: West Southern Pines Development Plan Moves Forward" by Ana Risano on January 3, 2023;
- "Neighbors, Officials Tour West Southern Pines Project Site" by Laura Douglass and Ana Risano on January 5, 2023;

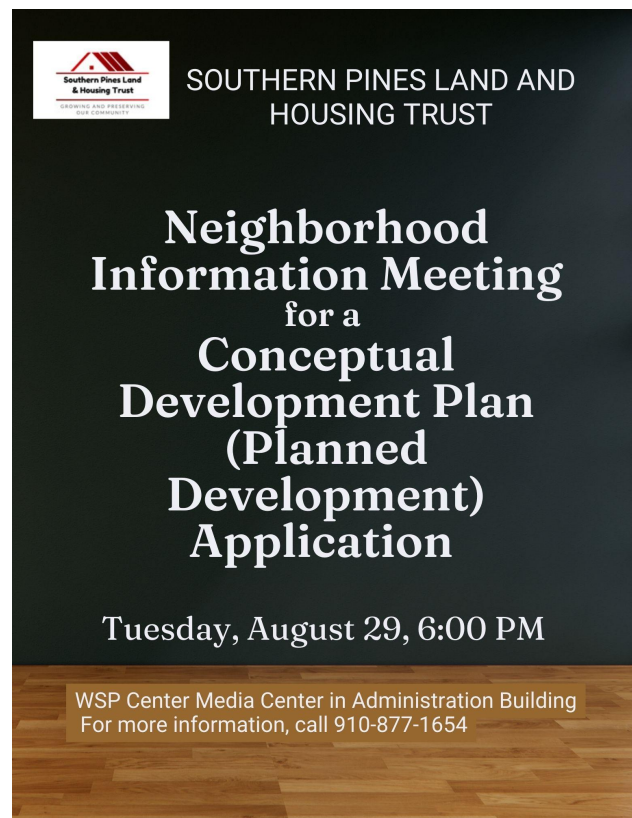


Figure 3. Neighborhood Meeting Flyer

NEIGHBORHOOD MEETING

A final neighborhood input session prior to the submission of the CDP was held on the Center's campus the evening of August 29th, 2023. This session was widely publicized and included the distilled versions of the most emphasized uses from prior sessions, and allowed residents to use dot voting to indicate whether they felt the indicated use was a high, medium, or low, priority. Attendees were also able to submit additional comments in writing, ask questions of Trust board members and staff, and submit any final concerns in writing.

MEETING NOTICE

Prior to the Neighborhood Meeting, the Trust initiated awareness by utilizing a number of different methods to ensure all community members received notification. The Trust hung 11" by 17" public engagement posters at highly visible key gathering points in the neighborhood, including the E.S. Douglass Community Center and Blendz Barber Shop, each located on West Pennsylvania Avenue, as well as the American Legion Post Number 177. A large yard sign was placed in front of the subject property, the West Southern Pines Center, streetside.

In addition, 75, 8'x 10' flyers were created and mailed directly to community residents that reside within 200 feet or slightly further from the subject property. Mailers were sent 10 days prior to the scheduled meeting, postmarked as August 18, 2023.

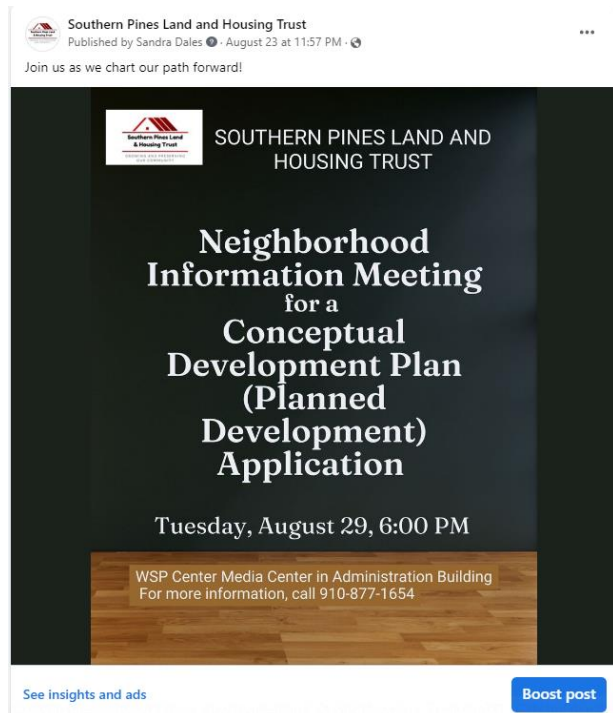


Figure 4. Social Media Post

Notice of the Neighborhood Meeting was also posted to the Trust's social media channels, as shown in figure 4.

VISUAL PREFERENCE SURVEY AT NEIGHBORHOOD MEETING

On August 29, 2023, the community meeting was held at 6pm with 32 participating community residents. All 32 residents signed in, leaving contact information. Participants were able to talk with members of the Trust's Board and the Trust's design professional, ask questions, leave written comments, and provide feedback through a dot-voting visual preference survey.

Four visual preference survey boards were created for the Neighborhood Meeting, one for each major element of the proposed development on which the Trust was seeking feedback: high exposure retail and office space to local entrepreneurs, daycare and office space for local professionals, a location for cultural, educational, and community focused programs (including museum facilities and history programming, and recreational and event facilities), and affordable housing options for Moore County residents. The affordable homes will be built in the residential district, on Southern Pines Land and Housing Trust land, across Indiana Avenue, on the back of

the campus, blending in with the design and style of the established homes in West Southern Pines. A summary of the survey results and participants comments can be found in the Attachments.



Figure 5. Image Captured at the Neighborhood Meeting at the West Southern Pines Center.

IV. CONCEPTUAL PLAN AND DEVIATIONS FROM UDO

The four primary elements of the proposed conceptual plan are approximately 9 acres of neighborhood-scale retail and office space geared towards supporting local and small businesses and creating space for services (Neighborhood Business use), 3 acres of recreation facilities (Recreation use), 2 acres of single family housing (Single Family Residential use), and 3 acres of Open Space. Note that this acreage includes portions of rights -of-way, which is why plan acreage totals and deeded acreage may not completely align. The boundaries of each exact district within the Plan may shift slightly depending on the preliminary development plan process.

The neighborhood business use would include approximately 50,000 square feet within existing single story structures dedicated to office, retail, museum/history space, and food-related facilities. The recreation use will include indoor recreation and community performance space within a 8,347 square foot gymnasium and 7,576 square foot auditorium. Open space will comprise 20% of the gross and area of the planned development per UDO §3.5.14(G). Open space will comprise park space, walking trails, gardening areas, play fields, etc.

Although planned district uses are shown on the map, acreages above are intended to be approximate. The final property and district boundaries and corresponding acreage and square footage will depend on further site design as approved during the preliminary development plan process.

Location and Size of Proposed Development and Common Areas



Figure 6: Proposed Site Plan

PLAN FOR CARLISLE STREET

Where the PD is adjacent to Carlisle Street, the PD plans to introduce a planted center strip to create a zone of traffic calming, allowing for angled parking adjacent to the PD which creates safer pedestrian zones for both the neighborhood business and recreation districts. See figure 7 below for a example cross section of the planned streetscape, and figure 9 for additional renderings of the pedestrian retail oriented areas of the neighborhood business district.



Figure 7: Planned Cross-section of Carlisle Street

LOCATION OF EASEMENTS, RIGHT-OF-WAYS AND NATURE OF PLANNED UTILITY SERVICES AND PROVIDERS

The planned development area includes two previous unopened 80-foot right-of-ways for public street extensions of West Massachusetts Avenue and South Glover Street. The special warranty deed recorded at the last sale of the subject properties includes a note indicating that both of these 80-foot right-of-ways have been relinquished by the Town, approved April 26, 2021. Within the previous West Massachusetts Avenue right-of-way, Town maps indicate a sewer line extended from South Carlisle Street into the property along a mid-block access road between the existing Cafeteria and Gymnasium. At the moment of application submittal, the applicant is unaware of any other easements on the subject properties.



Figure 8: Town of Southern Pines Utilities Map. Water lines are blue and sewer lines are red. Source: Esri Community Maps Contributors, Moore County GIS (NC), State of North Carolina DOT, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, Safegraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA.

As shown in Figure 7 above, existing water lines are available on West New York Avenue, South Carlisle Street, West Indiana Avenue, and South Pine Street. Sewer lines are also readily available on South Mechanic Street, West Lowe Avenue, and South Gaines Street. Stormwater connections are either in place or will require a minimal on-site cost. As mentioned previously, at least 20% of the development area will be left as open space.

Broadband and electricity are all readily available to the site. Some potential current broadband providers include Charter Communications (i.e., Spectrum), T-Mobile home internet, Viasat,

HughesNet, Earthlink, Starlink, and kinetic by windstream. Please note that this may not be a holistic list of what is currently available. Duke Energy provides most of the electricity to the area. P&G may offer gas services to the subject properties.

LANDSCAPING AND FENCING STANDARDS

The conceptual development plan will follow the UDO Landscape Code and UDO §4.7 Fences and Walls.

The following sections will highlight development and design standards for each sub-use area.



Figure 9: Renderings of retail space on WSP Center campus

NEIGHBORHOOD BUSINESS USE STANDARDS

A. Overview

The commercial component of the planned development will include retail and office space. The buildings are all one story. No specific use has been established currently, as that will occur

when The Trust approves potential tenants for the spaces. However, authorized uses are listed in Table 1 of the CDP Code §3.9 Authorized Uses Table and Interpretation, including retail sales and services, business and professional services, and food services. Some communication, information, arts, entertainment, recreation, education, and public uses are authorized uses, as well.

B. Use Development Standards

The development standards for principal structures in the neighborhood business uses of the West Southern Pines Center campus are intended to create a design that is consistent with community character while also promoting economic vitality of the community. The development standards are summarized in Table 2 below and can be found in detail in Figure 2 and Table 2 within the CDP §4.2 Lot Development Standards, as well.

Design Element	Principal Structure Standards	Illustration
Maximum height	35 feet	
Min. Front Setback (A)	15 feet	
Min. Exterior Side Setback from ROW (B)	10 feet	
Min. Exterior Side Setback (C)	10 feet	
Min. Rear Setback (D)	No minimum	
Min. Lot Width (E)	No minimum	
Minimum lot size	No minimum	
Parking maximum	1 parking space for every 400 square feet of floor area	
Bicycle parking minimum	1 space per 2,500 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development	

Table 2. Summary of Neighborhood Business District Development Standards.

C. Use Design Standards

All development is required to have a similar character to the West Southern Pines community. In addition to standards shown in Table 2 above, the standards listed in Table 3 apply to structures serving the neighborhood business use. The rationale for standards is also described in Table 3.

Element	Standard	Rationale
Outdoor storage, displays, and operations	- Outdoor storage is prohibited. - Displays (up to 20 square feet in size and under 4 feet tall) are allowed within the sidewalk frontage zone and (up to a foot into) the furniture zone, but is prohibited in the	Outdoor space should be used for operations, not storage. Outdoor displays are acceptable when properly located

	pedestrian through zone. The displays have to be removed when the business is closed.	to avoid creating safety hazards for pedestrians.
Front Yards, including Frontage, and Pedestrian areas	• Front yards are encouraged to have courtyards, parklets, benches, wayfinding signage, and outdoor dining areas, so front setbacks have flexible administration at the discretion of the Planning Director. Landscaping is required to follow the Town's UDO Landscaping Code.	The outdoor space in front of buildings should be utilized to create an interactive and engaging built environment that encourages pedestrian activity. Furthermore, the landscaping, lighting, and street furniture should create a safe and interesting streetscape for pedestrians.
Buildings	• Buildings shall be predominantly (80% or more) brick and other masonry materials can be used as accents. • One customer entry is required to face the primary pedestrian zone or frontage and other entries are also permitted where pedestrians might approach the building from internal areas of the development. • Buildings segments must be taller than wide. • In new construction, windows should cover at least 70% of the first-floor building façade and have to align with adjacent buildings. • Awnings are also recommended for spaces that encroach over the pedestrian sidewalks. For existing buildings, the historical character of building facades shall be maintained.	Public feedback and the West Southern Pines neighborhood inspired the design standards.
Off-Street Parking	• Maximum of one vehicle parking space for every 400 square feet of retail and office floor area. Minimum of one bicycle parking space per 2,500 square feet of floor area, unless a central bicycle parking hub is provided elsewhere in the planned development.	Avoid overparking/parking lots that are larger than necessary while preserving pedestrian experience.

Table 3. Neighborhood Business District Building Design Standards and Rationale.



Figure 10: Image representative of gymnasium on the campus of The WSP Center

RECREATION USE STANDARDS

A. Overview

The principal building in the Recreation district would be a 8,300 square foot building that houses the gym on the West Southern Pines Center property. Approximately 2 acres will be a playground and event space on the back side of the Center's campus. A more complete list of authorized uses is listed in Table 1 of the CDP Code §3.9 Authorized Uses Table and Interpretation.

B. District Development Standards

The goal of the district is to allow for activities and uses not currently in the West Southern Pines area of town and preserve the existing recreational opportunities on the site. The development standards are summarized in Table 4. The principal structures design standards are summarized in Table 5 below and can be found in detail in Figure 1 and Table 3 within the CDP §4.2 Lot Development Standards, as well.

<i>Design Element</i>	<i>Principal Structure Standards</i>	<i>Illustration</i>
Maximum height	35 feet (two stories)	
Maximum front setback from right-of-way/Build-to line (A)	5 feet	
Minimum Front Setback from Street Centerline (B)	45 feet	

Minimum Exterior Side Setback from Right-of-Way (C)	15 feet		
Minimum Exterior Side Setback from centerline (D)	45 feet		
Minimum Interior Side Setback (E)	20 feet		
Minimum Rear Setback (F)	20 feet		
Minimum Lot Width (G)	No minimum		
Parking maximum	1 parking space for every three persons that the facilities are designed to accommodate when fully utilized		
Bicycle parking minimum	1 space per 3,000 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development		

Table 4. Summary of Recreation District Development Standards.

C. District Design Standards

The design of the recreation district is intended to mirror a similar aesthetic to the rest of the planned development area and West Southern Pines. In addition to standards shown in Table 4, the standards listed in Table 5 apply to development within the retail and office district. The rationale for standards is also described in Table 5.

<i>Element</i>	<i>Standard</i>	<i>Rationale</i>
Outdoor operations	Outdoor operations are limited to playgrounds, programming, events, outdoor courts for sports, skate parks, zoos, botanical gardens, arboreta, and other natural or recreational parks.	Outdoor operations should be strictly recreational according to the allowed uses within the district.
Front Yards (including Frontage, Pedestrian, and Side Yards)	- Playgrounds, outdoor recreational programming, basketball courts, skate parks, and other recreational uses permitted in the sub-district are allowed to occur in front yards and side yards. - Patio space (street-facing or interior lot-facing) is encouraged.	A coherent campus feel, and regular public use of outdoor spaces on campus.
Buildings	- One customer entry is required to face a main pedestrian zone. - Buildings segments must be taller than wide. - For new buildings, no single material can be more than 20% of the exterior finish, and one of the materials shall be brick. Cementitious horizontal	The public preferred maintaining existing feel of neighborhood and historical building facades.

	lap siding, textured concrete masonry, or wood are encouraged to be used for building accents. ● If the building is 2 stories or taller than 20 feet, then the second story has to be primarily constructed with glass (more than any other building material). ● At least 40% of the front building elevation must be windows and doors. ● Reflective glass is permitted as long as there is no glare visible from the right-of-way or adjacent land uses. ● Street- and resident-facing building elevations have to have a mansard or false mansard roofs or shingled or standing seam roofs. ● For existing buildings, the historical character of building facades shall be maintained.	
Off-Street Parking	● Maximum one parking space for every three persons that the facilities are designed to accommodate when fully utilized. ● Minimum space per 3,000 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development.	Avoid parking lots that are larger than necessary while still providing easy access for customers and pedestrians.

Table 5. Recreation Use Building Design Standards and Rationale.

SINGLE FAMILY RESIDENTIAL USE STANDARDS

A. Overview

The Single Family Residential use area will allow The Trust to address the lack of affordable housing in Moore County for its professionals and paraprofessionals. The Trust will build single family homes and accessory dwelling units on a parcel of land across from the campus of the WSP Center. The homes here are envisioned to be affordable housing units with a character similar to homes within the West Southern Pines community. Single-family, single-story homes are preferred for aging in place. However, townhomes and duplexes are also permitted in case the community would prefer a higher density of affordable housing in this sub-district.

B. District Development Standards

The district is designed to be consistent with community preferences stated throughout the public participation process. The development standards are summarized in Table 6 and the design standards for principal structures are summarized in Table 7 below and can be found in detail in Figure 1 and Table 3 within the CDP §4.2 Lot Development Standards, as well.

<i>Design Element</i>	<i>Principal Structure Standards</i>	<i>Illustration</i>
Maximum height	15 feet (one story)	

Maximum front setback from ROW/Build-to line (A)	35 feet	
Minimum front setback from centerline (B)	60 feet	
Minimum exterior side setback from right-of-way (C)	15 feet	
Minimum exterior side setback from centerline (D)	45 feet	
Minimum interior side setback (E)	10 feet	
Minimum rear setback (F)	30 feet	
Minimum lot width (G) *	45 feet	
*Not applicable to Townhouse Development		
Minimum lot size	5,000 square feet	
Parking maximum	One parking space per dwelling unit	

Table 6. Summary of Residential District Development Standards

C. District Design Standards

Flexibility is encouraged to maintain the affordability of the proposed dwelling units.

<i>Element</i>	<i>Standard</i>	<i>Rationale</i>
Off-Street Parking	One parking space per dwelling unit.	Provide enough parking for a single-family residence while providing sufficient green space and lower quantities of impervious surfaces
Lighting	Only luminaires with cutoffs less than 90 degrees are permitted in residential districts.	Lighting should not shine into residents' homes, but lighting is important for safety concerns.

Table 7. Residential District Building Design Standards and Rationale.

PROPOSED PHASE SCHEDULE

At the time of submittal of this conceptual development plan, the Southern Pines Land and Housing Trust foresees the following phasing schedule:

Phase 1: Restoring the outdoor recreation areas to full community use.

Phase 2: Rehabilitating the indoor recreation and event spaces.

Phase 3: Rehabilitating the office and retail structures for potential tenants. This includes upgrades/additions to the existing infrastructure, like parking, in order to support those uses.

Phase 4: Infrastructure development of the single-family housing component followed by construction of individual units.

V. CAR AND PEDESTRIAN ACCESS

INTRODUCTION

Planning for car and pedestrian access to the proposed uses, particularly the non-residential areas of the CDP was informed by design professionals and the West Southern Pines community. The proposed conceptual development plan does not require significant new public streets, street grids, or new transit corridors and so the Land and Housing Trust has focused on design elements that enhance or complement the uses proposed and their integration into the fabric of the neighborhood. The goal of this access section is to create safely walkable access to the site, efficiently accounting for all parking needs while creating a comfortable neighborhood business feel of street fronting uses, slower traffic speeds, with street trees and plantings. All of these goals seek to restore the historical mixed-use feel of West Southern Pines, which was referenced during the plan's public input process.

SIDEWALKS AND PEDESTRIAN ACCESS

Pedestrian access is critical to creating the feel of a neighborhood business areas and community recreation and gathering space on the campus of existing structures where these uses are proposed. Pedestrian access is also proposed to be created from the walking trails in the park area to both the internal pedestrian areas of the business and recreation uses, and to the housing zone of the CDP. All of these new walkways will connect into any existing neighborhood sidewalks.

STREETSCAPE AND TRAFFIC CALMING

The CDP proposes a center island in Carlisle planted with grass and street trees, to create traffic calming along the primarily retail oriented business portion of the redeveloped commercial portion of the CDP. Planting buffers are also proposed along with the installation of new sidewalks along the portions of West Indiana Ave and West New York Ave adjacent to the commercial areas of the CDP. To ensure these design goals, all onsite parking will be accessed off West Indiana Avenue or West New York Avenue.

PARKING

Because of the shift from entirely FRR zoning to a mixed use planned development, additional parking is needed to serve the non-residential portions of the site. Shared parking will be implemented wherever possible to reduce asphalt, impervious surface and runoff, and heat island effects. The CDP also aims to meet the parking needs of future tenants, visitors, and patrons, without encroaching on or reducing the recreational open space zone adjacent to West Indiana Ave and South Pine St. In order to meet these competing goals the CDP makes use of added onsite parking, on-street parallel parking, and angled parking directly off the street on South Carlisle, within the traffic-calming area created by the proposed enter island. See parking requirements within district standards in section IV above for more information.

SIGNAGE

Signage is important for the placemaking of this development plan as it will need to support a variety of uses, adequately advertise small business and events, and direct pedestrians. Therefore,

standards and expectations for five signage types are being proposed as part of the development plan: primary landmark signage, secondary landmark signage, pedestrian-scale signage, original art murals, and temporary signage. On-premise signage is permitted per UDO standards with the exception of the standards proposed in this plan, and digital electronic and video signage are prohibited.

Primary landmark signage will be allowed where South Carlisle intersects West Indiana and West New York Avenues. Secondary landmark signage will be allowed on South Carlisle Street and West Indiana avenue. Wayfinding and historical signage will be allowed throughout the nonresidential areas of the development. Murals are an art form that will be permitted throughout the planned development. Temporary banners advertising events will be allowed and will be encouraged on existing poles and light fixtures. The wayfinding signage should be at pedestrian-scale so that they can be easily read to direct people to different destinations within the non-residential areas of the development.

VI. UDO CRITERIA FOR ZONING MAP AMENDMENT AND CONCEPTUAL DEVELOPMENT PLAN

UDO §2.17.9 Criteria For Zoning Map Amendment

A. Consistency. Rezoning shall be consistent with the adopted Comprehensive Plan.

The CPD is inconsistent with the Future Land Use Map, but consistent with all other goals and objectives of the CLRP and of the West Southern Pines Overlay district. Therefore, on approval of the CDP the applicant requests that the Town of Southern Pines Town Council, per State Statute Chapter §160D 605 (“Governing board statement”) approve a brief statement, including clear indication in the minutes, describing both consistency and inconsistency between the CDP and CLRP. Approval of the CDP would have the effect of also amending the Future Land Use Map in the CLRP without the requirement for additional requests or applications for a plan amendment.

B. Adverse Impacts on Neighboring Lands. The Hearing Body shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Town finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings map promote missed use subject to a high degree of design control.

The CDP promotes mixed uses that are consistent with the uses and design of the neighboring lands, and which have been developed with feedback and input from the surrounding West Southern Pines community. The major concern from adjacent landowners is the density of the proposed housing component. The major concerns from the wider West Southern Pines community are the housing density, the creation of space that supports local business owners, space for historical remembrance, and the community’s ability to access and make use of the

recreation components. The CPD proposes residential development that is consistent with the surrounding housing and adjacent lands, and the re-purposing of former education facilities into commercial and recreational uses consistent with the community's desires. These new uses do not increase density of the existing non-residential spaces, are expected to significantly improve opportunities for social connection within the neighborhood, and are not expected to create significantly more traffic than the previous educational use.

C. Suitability as Presently Zoned. The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the Neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.

Through an iterative and lengthy public input process, the Land and Housing Trust heard several community-identified needs that the CDP is intended to address, including;

- The need for increased economic opportunity within the West Southern Pines neighborhood.
- The desire to see more spaces available for commercial activity and local business development and growth.
- The desire for the restoration of the public recreation amenities and event/gathering space on the former Southern Pines Primary School site.
- The need for more affordable housing options consistent with existing neighborhood development patterns.
- The desire for spaces that preserve and celebrate the history of West Southern Pines.
- The desire to preserve the existing site and school facility for its historical and cultural importance to the neighborhood.

If this CDP is not approved, the majority of the land may stay as Facilities, Resources, and Recreation and will not be able to meet the community's needs and desires around economic opportunity, retail and office space, public recreation and event space, preservation of the property, and celebration of the site and the neighborhood's history.

D. Health, Safety, and Welfare. The amending ordinance must bear a substantial relationship to the public health, safety or general welfare, or protect and preserve historical and cultural places and areas. The rezoning may be justified, however, if a substantial public need or purpose exists, even if the private owner of the Tract will also benefit.

In developing the CDP, the health and general welfare of the residents, business owners, patrons, and visitors were considered and the proposed design and development standards are intended to promote the health, safety, and welfare of stakeholders. The desires and needs of the West Southern Pines community were kept central throughout all planning processes and the CDP is also intended to support the preservation of West Southern Pines history, character and culture.

E. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic Development, mixed-use Development, or sustainable environmental features, which are consistent with Neighborhood, area, or specific plans.

The need for economic development and affordable housing are two catalysts for this CDP. As such, two major elements of this plan are new, affordable single family home development, and the repurposing of former education facilities as affordable office and retail space. Underlying these policy priorities, West Southern Pines is historically a mixed-use community with residential commercial and other uses coexisting throughout the neighborhood. This CDP proposes a planned development district that returns this historic character in accordance with the community's preferences. Community members provided many memories of the number of operating businesses within the neighborhood prior to the community's rezoning as almost entirely residential. As such, this CDP is also consistent with the intention of the UDO §3.6.4, West Southern Pines Overlay district.

F. Size of Tract. The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.

The closing of the former Southern Pines Primary School at this site creates a need to repurpose this nearly 14 acre, 60,000 square foot facility, sitting on 4 separate parcels, into a new use that benefits the community. A vacant property of this size can have detrimental effects on a neighborhood and similarly, the conversion of this much space within a neighborhood to a use not consistent with residents desires and needs can have a detrimental effect as well. The CDP and change in land use is driven by and consistent with the community's desires for the site and the neighborhood.

G. Other Factors. The Hearing Body may consider any other factors relevant to a rezoning application under state law.

H. Applicant Representations. Except for rezoning requests submitted in accordance with the provisions herein for Conditional Zoning districts, the Hearing Body shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.

See the District Map and the CDP Authorized Uses Table, and Prohibited Uses, and compare those to the Town's UDP §3.7 Use Matrix and Interpretation.

UDO §2.18.4(H) CONCEPTUAL DEVELOPMENT PLAN CRITERIA RESPONSES

1. *The proposed PD satisfies the criteria for a Zoning Map amendment established in this chapter.*

See comments in previous section

2. *The Conceptual Development Plan represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town.*

The CDP is consistent with the Town of Southern Pines' visions (1) to protect natural resources (through open space), (2) to provide housing that meets the diverse needs of residents, (3) to diversify economic development and employment opportunities, (4) to provide recreational opportunities that meet with diverse needs of residents, and (5) to support cultural and recreational tourism as an essential element of local character (museum and history spaces dedicated to West Southern Pines history and cultural arts).

The CDP is consistent with CLRP goals G-4, G-6 (cultural landscapes), G-10, G-11, G-14.

The CDP is consistent with CLRP policies P-2, P-3, P-6, P-7, P-9 (shared parking and access management), P-11, P-12, P-14, P-18, P-19, and P-20.

The CDP protects neighborhood integrity and vitality as well as facilitating compatible growth in West Southern Pines. The CDP also supports mixed use activity in the neighborhood.

As noted above in UDO 2.17.9 Criteria (A), the CDP is inconsistent with the Future Land Use Map.

3. *The proposed development is appropriate for the area of the Town in which it is located.*

The CDP does not add density to an existing campus of structures, proposes new development consistent with neighboring parcels and the West Southern Pines neighborhood in general, helps restore the historical mixed-use character of the neighborhood, and overall uses and design have been informed through public input and feedback. As such, the Southern Pines Land and Housing Trust believes the proposed plan to be appropriate for the area in which it is located.

4. *The proposed development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.*

The planned development has utilities readily available on surrounding streets, including W. New York Ave, S. Carlisle St, W. Indiana Ave, and W. Illinois Ave.

VII. ATTACHMENTS

1. Deeds
 - ☐ Deed
2. Analysis of Neighborhood Meeting
3. Conceptual development plan
4. Narrative
 - ☐ Nature of services
5. Conceptual development application and agent authorizations

Attachments

(Insert Deed)

Goal: Provide affordable housing options to Moore County residents

ACTION ITEMS	This action should be considered HIGH PRIORITY	This action should be considered MEDIUM PRIORITY	This action should be considered LOW PRIORITY	
Build affordable housing units on the property across Indiana Street on the back of the campus that would blend with the design/style of established homes in WSP				
Construct two-story townhomes in an effort to get more units in the space				



Offer lease option for housing to professionals and paraprofessionals in Moore County at an affordable rate				
Include duplex-style and triplex-style designs to maximize the number of units within the acreage allotted				



Goal: Provide quality, high-exposure retail space to local entrepreneurs

ACTION ITEMS	This action should be considered HIGH PRIORITY	This action should be considered MEDIUM PRIORITY	This action should be considered LOW PRIORITY	
Lease classroom space to business owners at below market rate				
Offer start-up business assistance to potential business owners desiring to lease space				
Offer a "We-Work" type of space to home-based professionals who may need to short-term lease a conference room or an office				

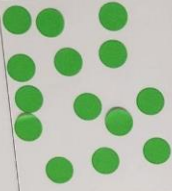
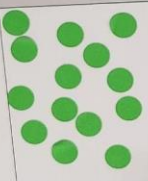

SOUTHERN PIEDMONT LAND & HOUSING TRUST
HOUSING AND ECONOMIC DEVELOPMENT

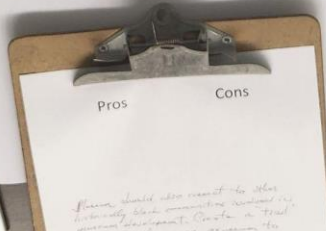


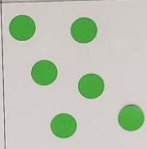
Offer space for a restaurant with various ethnic cuisine				
Offer space for extended trade craft opportunities				
Offer space for various mentoring/life skills services				

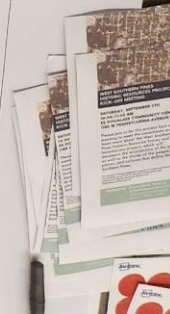
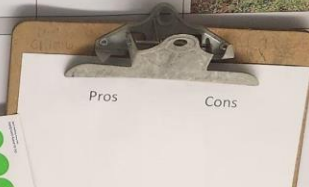

SOUTHERN PIEDMONT LAND & HOUSING TRUST
HOUSING AND ECONOMIC DEVELOPMENT

Goal: Offer a location for cultural and community-focused programs

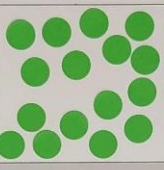
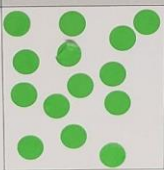
ACTION ITEMS	This action should be considered HIGH PRIORITY	This action should be considered MEDIUM PRIORITY	This action should be considered LOW PRIORITY	
Create a museum to showcase the West Southern Pines story as it relates to Moore County				
Offer educational learning opportunities for secondary schools at the museum				

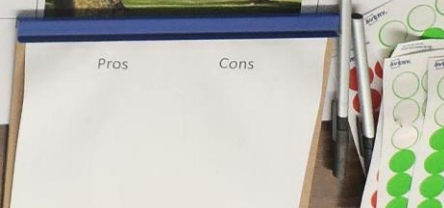


Commission artists to showcase their craft at the museum through lessons, classes, etc.				
Coordinate with Weymouth Center to create a historical trail with The Center				
Make The Center a historical part of Southern Pines				



Goal: Create additional event spaces for Moore County residents

ACTION ITEMS	This action should be considered HIGH PRIORITY	This action should be considered MEDIUM PRIORITY	This action should be considered LOW PRIORITY	
Renovate the interior of the auditorium to attract more events on the WSP campus				
Renovate the gymnasium to serve as both an athletic venue and a reception event space				
Include the playground area as an outdoor event space				



care and office space to local professionals

ACTION ITEMS	This action should be considered HIGH PRIORITY	This action should be considered MEDIUM PRIORITY	This action should be considered LOW PRIORITY	
Offer another option for childcare in Moore County				
Lease office space to local business leaders				



Pros

Location-Location-Location

What about senior day care?

Cons





SOUTHERN PINES LAND AND
HOUSING TRUST

**Neighborhood
Information Meeting
for a
Conceptual
Development Plan
(Planned
Development)
Application**

Tuesday, August 29, 6:00 PM

WSP Center Media Center in Administration Building
For more information, call 910-877-1654







Synopsis of Community Feedback by category and sub-category. The data percentages below represent 32 community resident participants who signed in as meeting attendees.

I. Provide affordable housing options to Moore County residents.

A. Build affordable housing units on the property across Indiana Street on the back of the campus that would blend with the design/style of established homes in West Southern Pines. **53% of community participants indicated this goal as a high-priority need. Less than 1% (0.03%) of community participants found this goal of no use to the community. Zero community participants are opposed to this subcategory.**

B. Construct two-story townhomes to maximize land space. **21% of participants indicated this goal as a high priority. 12% of participants selected medium priority and less than 1% (0.06%) found this goal to be of no use to the community.**

C. Offer lease options for housing to professionals in Moore County at an affordable rate. **46% of community participants selected this goal as a high priority. No indications opposing this sub-category or placing it at a lower priority.**

D. Include duplex-style and triplex-style designs to maximize the number of units within the acreage allotted. **25% of community participants elected this goal as a high-priority need. 12% indicated that this goal would fill a medium level of need for the community. There were zero participants opposed to this subcategory.**

II. Provide quality high-quality exposure retail space to local entrepreneurs.

A. Lease classroom space to business owners at below market rate.: **34% of community members responded with a nod of high priority for this action goal. Less than 1% (0.03%) of community members recognized this goal as a level of medium priority. Less than 1% disagreed that the goal was a need for the community.**

B. Offer start-up business assistance to potential business owners desiring to lease space. **A total of 46% of community participants selected this action goal as a high-priority need for the community. Zero participants noted this goal as low or disagreed with the need.**

C. Offer a “We-Work” type of space to home-based professionals who may need to short-term lease conference rooms or office space. **15% agreed that this provision is a high-priority community need. 25% agreed that there is a need for medium-level concern. Less than 1% (0.09%) agreed that there is no need for this function within the community.**

D. Offer space for a restaurant with various ethnic cuisines: 34% of community members agreed that the goal is a high-priority need. Less than 1% (0.03%) selected the priority of this goal at a medium level of need. Less than 1% (0.06%) agreed that this goal is not a need for the community.

E. Offer space for extended trade/craft opportunities: 43% of community participants agreed that this goal is a high-priority need. Less than 1% (0.03%) of participants agreed on medium priority for this community initiative. Zero community members disagree with this initiative.

F. Offer space for various mentoring/life skills services: 56% of community participants. There was no opposition to this community idea and no signals for low or medium community needs.

III. Offer a location for cultural and community-focused programs.

A. Create a museum to showcase the West Southern Pines story as it relates to Moore County.: 43% of community participants found this action to be a high-priority need. Less than 1% (0.03%) agreed that this goal is a medium level of need. Less than 1% marked that there is no community need for this initiative.

B. Offer educational learning opportunities for secondary schools at the museum.: 43% of community participants agreed that this initiative serves as a high-priority need. There were zero participants who marked this need as medium, low, or non-priority.

C. Commission artists to showcase their craft at the museum through lessons, classes, etc.: 38% of community residents agreed this meets a level of high priority for the community. 13% of residents found this initiative to be of medium priority. Zero community residents indicated this goal is a non-priority.

D. Coordinate with Weymouth Center to create a historical trail with The Center.: 25% of community residents agreed that this measure is a high-priority need. 18% of residents agreed that this need meets a need level of medium priority. Zero residents marked this initiative as low or non-priority.

E. Make The Center a historical part of Southern Pines. 53% of community participants agreed that this initiative meets a need of a level of high priority. Less than 1% (0.03%) of residents agreed that this initiative is of medium priority. Zero community members marked this initiative as a low priority or a non-priority.

IV. Offer space for large-scale daycare and office space to local professionals.

A. Offer another option for childcare in Moore County.: 46% of community residents indicated that this initiative is a high-priority need. Less than 1% (0.06%) of residents agreed that this goal serves a level of medium priority for the community. Zero community members indicated that this initiative satisfies a low or no-priority need.

B. Lease office space to local business leaders.: 56% of community residents agreed that this goal meets high-level priority. Zero community members indicated this initiative as medium, low or non-priority.

List of Neighbors

Michelle Gill
190 S. Carlisle Street
SP, NC 28387

Carlos Alexander
1215 W. New York Avenue
SP, NC 28387

R. Loza
188 South Glover Street
SP, NC 28387

Mabel Bostik
420 Pine Street
SP, NC 28387

Anthony Baldwin
1250 W. Indiana Avenue
SP, NC 28387

Betty Ray
1193 W. Indiana Avenue
SP, NC 28387

Dameon Sutton
1175 W. Indiana Avenue
SP, NC 2838

Gwennelle Clark
1259 Spingbrook Dr.
De Soto

Joyce Wiggins
3114 Sherbon Drive
Durham, NC

William McNeill
% Mary Joy Williams
145 Dusty Trail
Aberdeen, NC

Mary Graham Edward
1365 W New York Avenue
Southern Pines, NC 28387

William Booker
4100-16/f Hutchinson River Pkwy
Bronx, NY

Bortins Construction
303 John McQueen Road
Aberdeen, NC

Maria Husack
2980 Cosley Drive E
Unit E
West Palm Beach, FL

Henry Walker & Sara Williams
1301 Jolson Street
Apt 141
Greensboro, NC

Daryl Hinton
1519 Amberly Drive
Durham, NC

Veronica Lofton
4894 Downing Drive
Columbus, OH

Town of Southern Pines
PO Box 870
Southern Pines, NC 28387

Dressie Medlin
PO Box 4244
Pinehurst, NC 28374

Dominion Dwellings LLC
1204 Village Market Place
Morrisville, NC

DGH Management LLC
335 Fields Drive
Aberdeen, NC

Sholonda Lloyd
5716 Continental Way
Raleigh, NC

Paul Mahon
135 Howle Road
West End, NC

Jon Pellicione
425 S Carlisle Street
Southern Pines, NC 28387

First Missionary Baptist Church
PO Box 1191

Elease France
434 Eastwick Drive
Reading,

James Pugh Jr.
130 Davie Avenue
Winston Salem, NC

Church of our Lord Jesus Christ
PO Box 119
Oxford, NY 13830

Cody Silva
2609 Marquette Drive
Sacramento, CA

Southern Pines Land & Housing Trust
 Neighborhood Meeting for Conceptual Development Plan Application
 Tuesday, August 29, 2023
 6:00 pm – 7:30 pm

Name	Email Address
Asya Walden	waldenworks21@gmail.com
Nora Bowman	nrbowman@aol.com
Tangela Lepchurch	tangelalepchurch@yahoo.com
Vana Barber	vanabarber0529@gmail.com
Matrice McLellan	m.mclellan101@gmail.com
Arthur Mason	arthurmasonsr@yahoo.com
Benita Lutz	lutzbenita@yahoo.com
Carolyn Chavis	1550 W. Penn Ave Southern Pines, NC 28387
Lisa Bailey	serene2575@gmail.com
Vincent Gordon	Qgordon90@gmail.com
Barbara Ross	cbarbarar@yahoo.com
Margaret McKayhan	mmckayhan@yahoo.com
Maria Lee Anderson	DMaria5028@gmail.com
Dot Brower	deb81leenbar@gmail.com
Anthony Baldwin	Emmastirston@gmail.com

6:00 pm – 7:30 pm

[illegible]

6:00 pm – 7:30 pm

[illegible]

Pros

Single story housing
for seniors?

vs.

Cons

multi level
homes -

Not exactly a pro or a con, but an overarching concern — since it doesn't seem to be adequately addressed in the draft, SP CLRP (even though it was raised at every meeting I attended). Is there an effective and strategic way to promote these housing options as a viable alternative to gentrification?

Pros

Artisans?
craft + history
docents / artist in residence?

offer space with commercial kitchen
for caterers and small
business food products

Cons

~~Need~~

Need instrument class

~~Trade Classes (omit)~~

Pros

Cons

Museum should also connect to other historically black communities involved in museum development. Create a "trail" of tourism from one museum to ~~another~~ other communities. Connect to colleges & universities for student projects.

Pros

opportunity
for growth



Cons

Short term
you don't always know
your tenants?

but how would
start-up
assistance work?

50501

partner w/ small
Business center at
Sandhills CC for
assistance to potential
business owners

Agenda Item

To: Planning Board

From: BJ Grieve, Planning Director

Subject: OA-05-23: Traffic Impact Analysis Process and Content Text Amendments to the Unified Development Ordinance (UDO).

Date: October 19, 2023

I. SUMMARY OF AMENDMENT REQUEST:

The Town of Southern Pines Public Works Department is proposing text amendments to Unified Development Ordinance (UDO) §4.12. The proposed amendments are related to the content and review requirements for traffic impact studies that are submitted by developers with development applications. The Planning Department and Public Works Department are requesting Planning Board and Town Council review of the proposed amendments per the review process set forth in UDO §2.17. A copy of UDO §4.12 with proposed additions to text shown underlined and proposed deletions to text shown ~~stricken~~ is attached to this staff report.

II. APPLICATION REVIEW:

A. Review Process:

Applications for text amendments are reviewed pursuant to UDO §2.17.

B. Criteria for Review:

When reviewing an application for amendments to the text of the UDO, the hearing bodies (Planning Board followed by Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.10:

2.17.10. Criteria for UDO Text Amendments

In its review of an application for a UDO text amendment, the Hearing Bodies shall consider the following criteria. No single factor is controlling; instead, each must be weighed in relation to the other standards.

(A) Consistency. *The text amendment shall be consistent with the adopted Comprehensive Plan.*

(B) Health, Safety, and Welfare. *The amending ordinance must bear a substantial relationship to the public health, safety, or general welfare, or protect and preserve historical cultural places and areas.*

(C) Public Policy. *Certain public policies in favor of the text amendment may be considered. Examples include a need for affordable housing, economic*

development, mixed-use development, or sustainable environmental features, which are consistent with the Town, area, neighborhood, or specific plans.

(D) Other Factors. *The Hearing Body may consider any other factors relevant to a text amendment application under state law.*

(E) Impacts. *The Hearing Bodies shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed amendment on the public at large.*

C. Staff Comments:

A narrative explaining the story behind the proposed text amendments has been provided by the Town Engineer Mr. James Michel and is attached to this staff report. Mr. Michel is available during regular business hours prior to the Planning Board public hearing on October 19, 2023 for questions and/or to discuss any of the proposed amendments. The proposed amendments will be presented to the Planning Board and public at the October 19, 2023 Planning Board Regular meeting.

The Planning Board's primary role when reviewing proposed amendments to the UDO is to advise and comment on whether the proposed amendments are consistent with the Comprehensive Plan. In this case, the proposed amendments are to clarify and improve the requirements for studying the impacts to traffic resulting from proposed development. The new 2040 Comprehensive Plan sets forth a goal of improving transportation safety, mobility and travel options (Goal 8). Goal 8 also sets forth policies related to overall efficiency of the transportation system. The purpose of a TIA, as described in §4.12 of the, is not only to study vehicular traffic, but also to study adequate facilities for pedestrians, transit users and bicyclists. Therefore, it is reasonable to conclude that ensuring accurate, unbiased review of traffic studies as well as ensuring appropriate mitigation of development impacts is consistent with Goal 8. More specifically, an argument can be made that the proposed amendments to the UDO will enhance consistency of the UDO with Policies 8.1 and 8.5. Planning staff recommends approval of the proposed amendments to ensure that the appropriate expertise is applied when reviewing a traffic study (TIA or TDA, as applicable) on behalf of the town.

D. Outside Agency Comments:

A request for comment was emailed to representatives from the Regional Land Use Advisory Commission (RLUAC), North Carolina Department of Transportation (NCDOT), U.S. Fish and Wildlife Service, Moore County Airport and representatives of the Town of Southern Pines on September 29, 2023.

As of the completion of the staff report on October 9, 2023 responses have been received from Southern Pines Utility Superintendent Ron Istre and RLUAC stating that both entities have no comment on the proposed amendments. Any additional responses received from other agencies following completion of this staff report but prior to the public hearings will be provided verbally at the hearings.

III. ATTACHMENTS:

1. Draft Planning Board Resolution to Adopt a Written Recommendation
2. Sections of the current UDO with proposed amendments, using ~~strikeout~~ for proposed deletions and underline for proposed additions.
3. Narrative from Town Engineer Mr. James Michel, October 9, 2023.

IV. PLANNING BOARD ACTION:

The Planning Board shall consider the criteria for text amendments found in UDO §2.17.10, including consistency with the Comprehensive. Per North Carolina General Statute 160D-604(d), prior to consideration of the proposed text amendments by the Town Council, the Planning Board shall advise and comment on whether the proposed amendments are consistent with the Comprehensive Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Comprehensive Plan shall not preclude consideration or approval of the proposed amendments by the Town Council.

To assist the Planning Board in performing this task, Town staff has prepared the following draft motions for the Planning Board's consideration, possible modification as necessary, and adoption:

I move that after reviewing the proposed text amendments to the UDO and considering the criteria for approval of text amendments to the UDO found in UDO §2.17.10:

1. The proposed amendments are consistent with the Comprehensive Plan for the reasons set forth in Attachment A of staff report OA-05-23;
2. The proposed amendments are consistent with the Comprehensive Plan for the reasons set forth in Attachment A of staff report OA-05-23 and as revised by the Planning Board as follows;
3. The proposed amendments are inconsistent with the Comprehensive Plan for the reasons set forth in Attachment A of staff report OA-05-23 as revised by the Planning Board as follows;

I further move that the following other matters were considered by the Planning Board and shall be added to Attachment A by Town staff as part of the Planning Board's written recommendation to the Town Council:

- 1.

And, therefore, I move to:

1. Recommend approval of OA-05-23 to the Town Council.
2. Recommend denial of OA-05-23 to the Town Council.



ATTACHMENT A

PLANNING BOARD RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION FOR ORDINANCE AMENDMENT APPLICATION OA-05-23

WHEREAS, Section 160D-701 of the North Carolina General Statutes specifies that zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to protect the public health, safety and general welfare; and

WHEREAS, Section 160D-604 of the North Carolina General Statutes specifies that the Planning Board shall, with any ordinance amendment or zoning map amendment, advise and comment on whether the proposed action is consistent with the adopted Comprehensive Plan and on other matters as deemed appropriate by the Planning Board, and that the Planning Board shall provide this in the form of a written recommendation to the Town Council; and

WHEREAS, the Planning Board conducted a duly-noticed public hearing during a meeting held on October 19, 2023 to listen to public comments, ask questions of the Town's Public Works and Planning staff and to consider ordinance amendment application OA-05-23.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the revisions to the Unified Development Ordinance (UDO) that have been prepared by town staff are reasonable, in the public interest and are generally consistent with the Town of Southern Pines Comprehensive Plan (Comprehensive Plan).

The 2040 Comprehensive Plan identifies improving transportation safety, mobility and travel options as a goal. Development creates impacts to the town's transportation system and traffic studies are required of developers to identify impacts and ensure adequate mitigation of impacts. A Traffic Impact Study/Traffic Design Analysis is a highly technical document prepared by a consulting transportation engineer on behalf of a developer. Requiring third-party review by an expert in transportation engineering on behalf of the citizens of the Town of Southern Pines is a better way to ensure an appropriate scope of study and mitigation of projected impacts. Therefore the proposed amendments to Section 4.12 of the UDO are consistent with Goal 8 and Policies 8.1 and 8.5 of the 2040 Comprehensive Plan.

Therefore, the proposed text amendments are reasonable and in the public interest and consistent with the 2040 Comprehensive Plan.

ADOPTED this the 19th day of October, 2023.

Diane T. Westbrook, Chair

ATTEST:

Cindy Williams
Secretary to the Planning Board

posts that differ from standard Town type materials usually required by and used by the Town.

(F) If approved by the Town, the use of specialty Signs and posts in any Subdivision or any site, that approval is subject to the Town receiving a letter from the owner Developer or homeowners association specifically agreeing to each of the following:

- (1) All Sign faces shall be made of reflective Sign material conforming to the requirements of NCDOT. The Sign face dimensions and the positioning of the Sign and post with respect to the street pavement and/or the intersection must conform to the requirements of the Manual for Uniform Traffic Control Devices. The location of each specialty Sign and post must be approved by the Town of Southern Pines prior to installation of that Sign and post.
- (2) The Developer, the owner, or the homeowners association shall be responsible for all installation costs associated with the specialty Signs and posts.
- (3) The Developer, the owner, or the homeowners association shall be responsible for the perpetual maintenance of specialty Signs and posts for which they requested Town approval.
- (4) If the Developer, the owner, or the homeowners association fails to fulfill its responsibility for maintenance of these specialty Signs and posts, the Town of Southern Pines shall install its standard Sign materials and the Developer, the owner or the homeowners association shall be required to remove the specialty Signs and posts and at no cost to the Town. The cost of materials and installation of the standard street name Signs, standard traffic control Signs and posts needed to replace the specialty street name Signs, specialty traffic control Signs and posts that have not been properly maintained shall be borne by the owner, the Developer or the homeowners association of the Subdivision of the site, whichever is appropriate.

- (5) The Developer, the owner or the Applicant shall inform purchasers of its property of the conditions and responsibilities of the homeowners association pertaining to perpetual maintenance responsibility for the specialty Signs and posts within the Subdivision or on that site.

4.11.23. Pavement Markings and Pavement Materials

All pavement markings and materials in Public Street pavement shall be approved by the Permit Issuing Authority for the Public Street. Pavement markings and material changes to street pavement shall be limited to pedestrian crossings, lane markings, edge of pavement marking and traffic warning or control markings or materials approved by the Town Engineer and should be consistent with the standards of the Manual on Uniform Traffic Control Devices.

4.11.24. Sidewalk Accessibility

If there is an existing or proposed sidewalk adjacent to a proposed or developing piece of property then such Development must extend such a sidewalk to the primary entrance of the Building.

4.12. TRANSPORTATION /TRAFFIC ANALYSES

4.12.1. Purpose.

The intent of this section is to provide the information necessary to allow decision-makers to assess the adequacy of available capacity to meet existing, projected and proposed demand at adopted levels of service. Traffic Impact Analyses (TIA) are intended for Developments having traffic impacts on major streets, multiple streets or multiple intersections. Traffic Design Analyses (TDA) are intended for Developments having more localized impacts. Where there is not sufficient available capacity to meet these demands, the traffic study should identify improvements required to accommodate proposed demand and maintain adopted levels of service. A traffic study will be required for Development applications exceeding specific trip generation thresholds established in this section.

4.12.2. Types of Studies and Applicability

(A) Traffic Impact Analysis (TIA)

- (1) Purposes: The purposes of a TIA will be to:
 - (a) Evaluate traffic operations and impacts at site access points under projected traffic loads;
 - (b) Evaluate the impact of site-generated traffic on affected intersections in the impact area;
 - (c) Evaluate the impact of site-generated traffic on the quality of traffic flow on public streets located in the Impact area;
 - (d) Evaluate the impact of the proposed Development on ~~residential~~ public streets in the impact area;
 - (e) Ensure that site access and other improvements needed to mitigate the traffic impact of the Development meet commonly accepted engineering design standards;
 - (f) Ensure that adequate facilities for pedestrians, transit users and bicyclists have been provided; and
 - (g) Identify transportation infrastructure needs and related costs created by the Development and cost sharing for needed improvements.
- (2) Applicability: A TIA will be required prior to approval of a Preliminary Plat; ~~Preliminary Development Plan; Architectural Compliance Permit~~ Site Plan (when not completed previously in the development review process for the proposed Development), Zoning Map Amendment Conditional Zoning District, or Special Use Permit for Development that exceeds the following thresholds in one or more Development Applications submitted for a Parcel or contiguous Parcels under common ownership at the time of the adoption of this UDO or at the time of the Development application:

(a) The proposed Development will generate more than 1,000 average daily trips or more than one hundred (100) am or pm peak hour trips at full occupancy, according to ~~the~~ most current version of the ITE Trip Generation Informational Report or comparable research data approved by the Town Engineer; ~~or~~

~~(b)~~ The proposed Development will concentrate three hundred (300) or more trips per day or thirty (30) am or pm peak hour trips through a single access point; ~~or~~

~~(b)~~ (3) Third Party Review: If a TIA is required by subsection (2) of this Section then the cost to the Town to engage the services of a qualified traffic engineer to review the TIA and prepare an advisory report to the Town shall be borne by the Applicant,

(Ord. # 1919)

- (B) **Traffic Design Analysis (TDA).** All Development projected to generate two hundred (200) average daily trips or twenty (20) am or pm peak hour trips more than existing conditions that does not require a TIA shall be required to complete a Traffic Design Analysis (TDA). The purposes of a TDA will be to:
 - (1) Ensure that the proposed street layout is consistent with adopted road design standards;
 - (2) Ensure the proper design and spacing of site access points and identify where limitations on access should be established;
 - (3) Ensure that potential safety problems have been properly evaluated and addressed;
 - (4) Ensure that internal circulation patterns will not interfere with traffic flow on existing public streets;
 - (5) Ensure that appropriate facilities for pedestrians, transit users and bicyclists have been provided in plans for the Development; and

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(6) Identify the transportation infrastructure needs and related costs created by the Development.

~~(6)~~(7) Third Party Review: An advisory report shall not be required for a TDA unless deemed necessary for proper analysis by the Town Engineer. The cost to the Town to engage the services of a qualified traffic engineer to review the TDA and prepare an advisory report to the Town shall be borne by the Applicant.

4.12.3. Waiver

The requirements of this section for a TIA or TDA may be waived by the Town Engineer upon determining that such report is not necessary to determine needed road improvements, that adequate capacity exists to serve the proposed Development, and that no unsafe or hazardous conditions will be created by the Development as proposed. The Town Engineer may also waive the requirement under Section 4.12.2(3) for an independent review of a TIA if such review is deemed not necessary for an application that raises no significant issues related to needed road improvements, capacity of existing infrastructure, or safety conditions created by the Development as proposed.

4.12.4. Preparation

The cost of TIA or TDA preparation shall be the responsibility of the Applicant. The Applicant shall retain the services of a qualified traffic engineer approved by the Town Engineer. A TIA shall be sealed by a licensed professional engineer.

4.12.5. Traffic Level of Service Standards

The standards for traffic service that shall be used to evaluate the findings of a TIA or TDA are:

(A) Level of Service. Level of Service (LOS) D ~~(LOS-D)~~ or less congested shall be maintained at all arterial and collector street intersections. LOS C or less congested shall be maintained at all other street intersections. For multi-phase Developments, the applicable levels of service shall be maintained for each phase. No Development shall

result in the following unless specifically approved by the Town Council:

- (1) The total average delay at an intersection increases by 25% or greater, resulting in LOS D or more congested for arterial and collector streets, or resulting in LOS C or more congested for all other streets;
- (2) The intersection LOS degrades by at least one level, resulting in LOS E or more congested for arterial and collector streets, or LOS D or more congested for all other streets;
- (3) The intersection LOS degrades by more than two (2) letters; or
- (4) Any individual approach delay increases by 10% or greater, resulting in LOS E or worse;
- ~~(1) he decline in the level of service of an adjacent street by more than two (2) letters (e.g., a drop from LOS A to LOS D) unless specifically approved by the Town Council.~~

- (B) Number of Access Points. The spacing of access points shall comply with applicable Town, ~~s~~State, and AASHTO standards.
- (C) Internal Circulation. On-site vehicle circulation and parking patterns shall be designed so as not to interfere with the flow of traffic on any public street and shall accommodate all anticipated types of site traffic at projected volumes.
- (D) Safety. Access points shall be designed to provide for adequate sight distance and appropriate facilities to accommodate acceleration and deceleration of site traffic pursuant to section 4.11.5.
- (E) Curb Space Use Plan. Details shall be provided on curb space use on public streets along the edge of the Development site when it is intended that such areas be used for parking, parking space access, delivery and loading zones, passenger zones, bus stops, fire zones and/or other official/emergency zones. This review shall include a description of existing conditions prior to Development, and proposed

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changes resulting from the Development, including a description of any loss or gain in curb space use by the activities intended.

(Ord. #1745)

4.12.6. Traffic Analysis Contents

(A) A TIA shall be based on peak hour traffic and shall contain information addressing the factors listed below.

- (1) Project and Site Description. The analysis shall contain illustrations and narratives that describe the characteristics of the site and adjacent land uses as well as expected Development in the Impact area that will influence future traffic conditions. A description of the proposed Development including access plans, phasing plans and an indication of land use and intensity, shall be provided.
- (2) Study Area. The analysis shall identify the geographic area under study and identify the critical intersections and access points to be analyzed. Unless an alternative is approved the Town Engineer, the study shall include: all intersections and driveways on or within 150 feet of the site; all unsignalized intersections along collector or arterial streets within one-quarter (¼) mile of the site driveways; and all intersections along arterial streets that the proposed Development is projected generate five (5) percent or more of the peak hour traffic; and all signalized intersections along collector or arterial streets within one-half (1/2) mile of the site driveways. Additional intersections may be requested or deleted at the discretion of the Town Engineer.
- (3) Existing Traffic Conditions. The analysis shall contain a summary of the data used in the analysis of existing traffic conditions, including:

(a) Existing Demand, including traffic count and turning movement information, including the source of and date when traffic count information was collected;

(b) Roadway characteristics, including the design configuration of existing roadways, existing traffic control measures (speed limits, traffic signals, etc.) and existing driveways and turning movement conflicts in the Impact area; and

(c) The existing LOS for roadways and intersections without project Development traffic using methods documented in the Special Report 209: Highway Capacity Manual, published by the Transportation Research Board, or comparable accepted methods of evaluation. LOS shall be calculated for the weekday am and pm peak hours and, in the case of uses generating high levels of weekend traffic, the Saturday or Sunday peak hour as determined by the Town Engineer.

~~(4)~~ Projected Traffic Volume. The TIA shall identify projected peak hour traffic volumes for applicable intersections and driveways in the study area. The projected trip generation shall be based on latest data from the ITE Trip Generation Manual or other studies approved in writing by the Town Engineer. The analysis shall be based on buildout projections and a minimum ten (10) year background projections from the current year. The analysis shall compare existing demand plus projected demand plus proposed demand with planned capacity for the applicable projections.

~~(5)~~ Traffic Assignment and Distribution. The TIA shall identify projected peak hour traffic volumes for applicable intersections and driveways in the study area. The Town Engineer analysis shall identify applicable intersections, driveways and traffic distribution assumptions prior to completion of the study. Projected trip generation shall be based on latest data from the ITE or other studies approved in writing by the Town Engineer. This section will document all assumptions affecting the

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direction, volume, and mode split of traffic generated by the project.

(6) The projected LOS for roadways and intersections without project Development traffic, and with the project Development traffic, using methods documented in the Special Report 209: Highway Capacity Manual, published by the Transportation Research Board, or comparable accepted methods of evaluation. LOS shall be calculated for the weekday am and pm peak hours and, in the case of uses generating high levels of weekend traffic, the Saturday or Sunday peak hour as determined by the Town Engineer. LOS of service and delays shall be provided for the intersection and for each approach.

(B) Turn Lane Warrant Analysis. At new site driveways and intersections, a turn-lane warrant analysis shall be performed in accordance with the NCDOT Driveway Manual or other approved industry standards.

~~(4) ———~~

~~(B) Analysis. The analysis shall be based on buildout and ten (10) year projections. The analysis shall compare existing demand plus projected demand plus proposed demand with planned capacity for the applicable projections.~~

(C) Mitigation Alternatives. In situations where the LOS standards are projected to be exceeded ~~for the buildout year for residential and the 10-year projection for commercial and mixed-use Developments~~, the analysis shall evaluate each of the following alternatives for achieving the traffic service standards:

- (1) Identify additional Right-of-Way and street improvements needed to implement mitigation strategies;
- (2) Identify suggested phasing of Development and transportation improvements where needed to maintain compliance with LOS standards;

(3) For Developments impacting constrained facilities, identify access, pedestrian, transit or other improvements required to mitigate the impacts of the proposed Development on the constrained facility.

(4) In the event that the proposed mitigation is not permitted by NCDOT, the Development shall provide the most effective mitigation to improve LOS allowed by NCDOT.

(D) A TDA shall include the information required for a TIA, except as modified by the Town Engineer. The study area for a TDA shall include all street segments, intersections and driveways on or within 150 feet of the site driveway(s).

(Ord. #1745)

4.12.7. Process for the Review and Preparation

The following steps provide an outline of the steps to be included in the preparation and review of a Traffic Impact Analysis:

- (A) The Applicant shall meet or correspond with the Town Engineer to determine whether a TIA needs to be prepared for a proposed Development application, and to identify study issues, assumptions, projections and time periods to be analyzed, analysis procedures, available sources of data, past and related studies, report requirements and other topics relevant to study requirements. NCDOT shall be contacted and coordinated with as appropriate when the TIA includes state or federal highways as points of access for a Development.
- (B) Following initial completion of a TIA, the report shall be submitted to the Planning Director and the Town Engineer and the Applicant shall be responsible for distribution to all jurisdictions involved in the construction and maintenance of public roadways serving the Development. If direct access is being proposed to a State Highway, the Applicant shall also submit the TIA to NCDOT, if not previously submitted.

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- (C) Within five (5) business days, the Town Engineer shall complete an initial review to determine the completeness of the analysis and shall provide a written summary to the Applicant outlining the need for any supplemental study or analysis to adequately address any deficiencies, and issue a determination of whether an independent review and advisory report on the submitted TIA will be required under Section 4.12.2 (3). A meeting to discuss the contents and findings of the report and the need for additional study may be requested by the Applicant. NCDOT approval shall be required for any traffic mitigation involving the state system.
- (D) Within thirty (30) days of submittal of a complete application and the receipt of the independent review and advisory report required by Section 4.12.2 (3), the Town Engineer shall prepare a report outlining recommendations that have been developed to address the findings and conclusions included in the analysis regarding the proposed Development's access needs and impacts on the transportation system. ~~Within thirty (30) days of submittal of a complete application, the Town Engineer shall prepare a report outlining recommendations that have been developed to address the findings and conclusions included in the analysis regarding the proposed Development's access needs and impacts on the transportation system.~~ Depending on the type of application, the recommendations may be presented to the Planning Board and/or Town Council.
- (E) In the case of a TIA or TDA showing deficiencies requiring mitigation within the public Right-of-Way, negotiations based on the conclusions and finding resulting from the TIA or TDA shall be held with appropriate Town staff. The subsequent Development Approval or, at the option of the Applicant, a Subdivision Performance Guarantee or Development Agreement, shall identify the Applicant's and the Town's responsibilities for implementing identified mitigation measures. A Subdivision Performance Guarantee or Development Agreement may be used to assure completion of required mitigation.

(Ord. #1745; Ord. #1919)

4.12.8. Findings

- (A) If the proposed Development, ~~either residential, commercial, or mixed-use,~~ meets the applicable service level standards and the project only affects Town or private streets, the Town Engineer shall recommend acceptance of the traffic analysis and its findings.
- (B) If the proposed Development, ~~either residential, commercial, or mixed-use,~~ meets the applicable service level standards and the project affects any NCDOT street, the Town Engineer shall not make a recommendation to either accept or deny the traffic analysis until the Town Engineer is in receipt of an official comment from NCDOT.
- (C) If the proposed residential Development will not meet applicable service-level LOS standards ~~at the buildout projections or if the proposed commercial or mixed-use Development will not meet applicable service-level standards at the buildout or 10-year projections,~~ the Town Engineer shall recommend denial of the traffic analysis unless the Applicant submits a mitigation plan that, in the opinion of the Town Engineer, addresses the deficiencies through one or more of the following actions:
- (1) Reduce the size, scale, scope or density of the Development to reduce traffic generation;
 - (2) Divide the project into phases and with only one phase at a time being authorized until traffic capacity is adequate for the next phase of Development;
 - (3) Dedicate Right-of-Way for street improvements;
 - (4) Construct new street improvements;
 - (5) Expand the capacity of existing streets and/or intersections;
 - (6) Redesign ingress and egress to the project to reduce traffic conflicts;

- (7) Alter the use and type of Development to reduce peak hour traffic;
- (8) Reduce background traffic;
- (9) Eliminate the potential for additional traffic generation from undeveloped properties in the impact area; or
- (10) Integrate non-vehicular design components (e.g., pedestrian and bicycle paths or transit improvements) to reduce trip generation.

(Ord. #1745)

4.13. FLOOD HAZARD AREAS

4.13.1. Statutory Authorization, Purpose, Objectives

- (A) The Flood Hazard Overlay District (**FHO**), as established in section 3.6.9 is designed for the purpose of protecting people and property from the hazards of flooding in accordance with the authority provided in Part 6, Article 21 of Chapter 143; Article 8 of Chapter 160A; and Articles 7, 9, and 11 of Chapter 160D of the North Carolina General Statutes. This section 4.13 shall be known as the Town of Southern Pines Flood Hazard Area Regulations of Flood Hazard Area Regulations.

(Ord. #1919)

- (B) It is the purpose of the **FHO** district regulations is to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;

- (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging, and all other Development that may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

- (C) The objectives of the **FHO** district regulations are:

- (1) To protect human life and health;
- (2) To minimize Expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business losses and interruptions;
- (5) To minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) To help maintain a stable tax base by providing for the sound use and Development of flood prone areas; and
- (7) To ensure that potential buyers are aware that property is in a Special Flood Hazard Area.



MEMO

To: BJ Grieve, Planning Director
From: James Michel, PE Town Engineer/Assistant Public Works Director
Date: 10-9-2023
Re: UDO Amendment to Section 4.12 Transportation/Traffic Analyses

The Town of Southern Pines Unified Development Ordinance (UDO) presently requires that certain developments perform transportation and traffic analyses (TIA). These analyses are performed by professional engineers who submit to the Town for review and approval. The result of the analyses identifies existing and potential deficiencies in the transportation network near a given development, and improvements that are needed to correct the deficiencies. TIA's are performed utilizing sophisticated modeling software and are based on established engineering principles. Knowledge of the software and the various inputs is critical to correctly setting up the models. The inputs are based on assumptions determined by the preparing engineer. These assumptions/inputs can have an impact on the final results of the modeling exercise. Knowledge and understanding of these factors is critical to execution of the study. Town staff has attended the NCDOT training sessions for reviewing TIA's, but does not have any background or experience utilizing the modeling software.

Town Council has expressed concern with the potential for bias and/or the appearance of a conflict since the preparing engineer is hired by the developer. Council asked staff to look into utilizing the services of a third-party traffic engineer to assist the Town with reviewing TIA's. The proposed text amendments include language that would add the process to implement this type of review. There are some additional amendments to add clarifying language to the UDO that better match with how TIA's are performed and reviewed.