



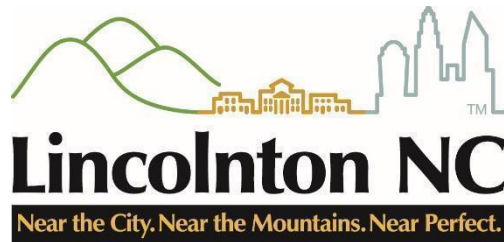
LINCOLNTON PLANNING BOARD

AGENDA

March 18, 2025

4:00 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes**
 - 3a February 18, 2025 meeting minutes**
- 4. Public Hearing**
 - 4a CZ-2-2025- Application from Lorrie V. Jones requesting a Conditional District Rezoning of 0.36 acres of land from Residential-10 (R-10) District to the Neighborhood Business Conditional District (NB-CD) for the purpose of using a portion of the existing church for a Hair Salon. The subject property is located at 416 Louise Avenue (Parcel ID 01233)**
 - 4b ZMA-2-2025-Application from Danny B. Dellinger Jr. requesting the rezoning of approximately 21.56 acres of land from General Manufacturing and Commercial (GMC) District to the Residential-25 (R-25) District. The subject property is located to the south of Carolina Mill Circle (Parcel ID 53616)**
- 5. Adjournment**



CITY OF LINCOLNTON PLANNING BOARD MINUTES

PO DRAWER 617, LINCOLNTON, NC 28093

www.lincolntonnc.org

BOARD MEMBERS: Trent Mason, Chair, trentonbmason@gmail.com; Kristin Radebaugh, Vice Chair, kradebaugh6r6@gmail.com; John Waters, jh2osk@aol.com; Monte Tyson, monte@cbdeastmain.com; Steve Lackey, stevelackey88@gmail.com; Jerry Hoffman, jlskhoffman@charter.net; Lee Huss lee@gillelandrealty.com

Tuesday, February 18, 2025

Present: Kristin Radebaugh, Monte Tyson, Jerry Hoffman, John Waters, Steve Lackey and Lee Huss

Call to Order

Vice Chair Kristin Radebaugh called the meeting to order. Chair Trent Mason was absent.

Approval of Minutes

Vice Chair Kristin Radebaugh asked the Board if there were any additions or corrections to the minutes of the January 21, 2025 meeting.

*Motion: John Waters made a motion to approve the minutes as corrected.
Members voted 6-0 in favor of the motion.*

Public Hearings

ZTA-1-2025 Zoning Text Amendments to Chapter 153 Unified Development Ordinance

Jean Derby presented the staff report in the agenda packet to the Board regarding ZTA-1-2025.

After some discussion, Planning Board recommended changing the expiration date to 2 years and deleting section F in § 153.277 Variances and allowing reconstruction within 2 years, and if the two years expires, the applicant would need to appeal to the Board of Adjustment for an extension in § 153.137 Nonconforming Structures.

Vice Chair Kristin Radebaugh asked if there was a motion. The motion is as follows:

*Motion: Monte Tyson made a motion to approve with recommendations from the Board.
Members voted 6-0 in favor of the motion.*

ZMA-1-2025 Application from the City of Lincolnton Planning Staff requesting the rezoning of approximately 1.35 acres of land from the Residential-Office (R-O) District to the Central Business (CB) District. - **WITHDRAWN**

Jean Derby stated that ZMA-1-2025 had been withdrawn.

Vice Chair Kristin Radebaugh asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

*Motion: John Waters made a motion to adjourn.
Members voted 6-0 in favor of the motion.*

Kayla Reep



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Public Hearing Staff Analysis

CZ-2-2025

416 Louise Avenue

Parcel 01233

Zoning:

Existing: R-10

Proposed: Neighborhood
Business (NB-CD)

Current Use:

Church

Proposed Use:

Church with an accessory use
of a Hair Salon.

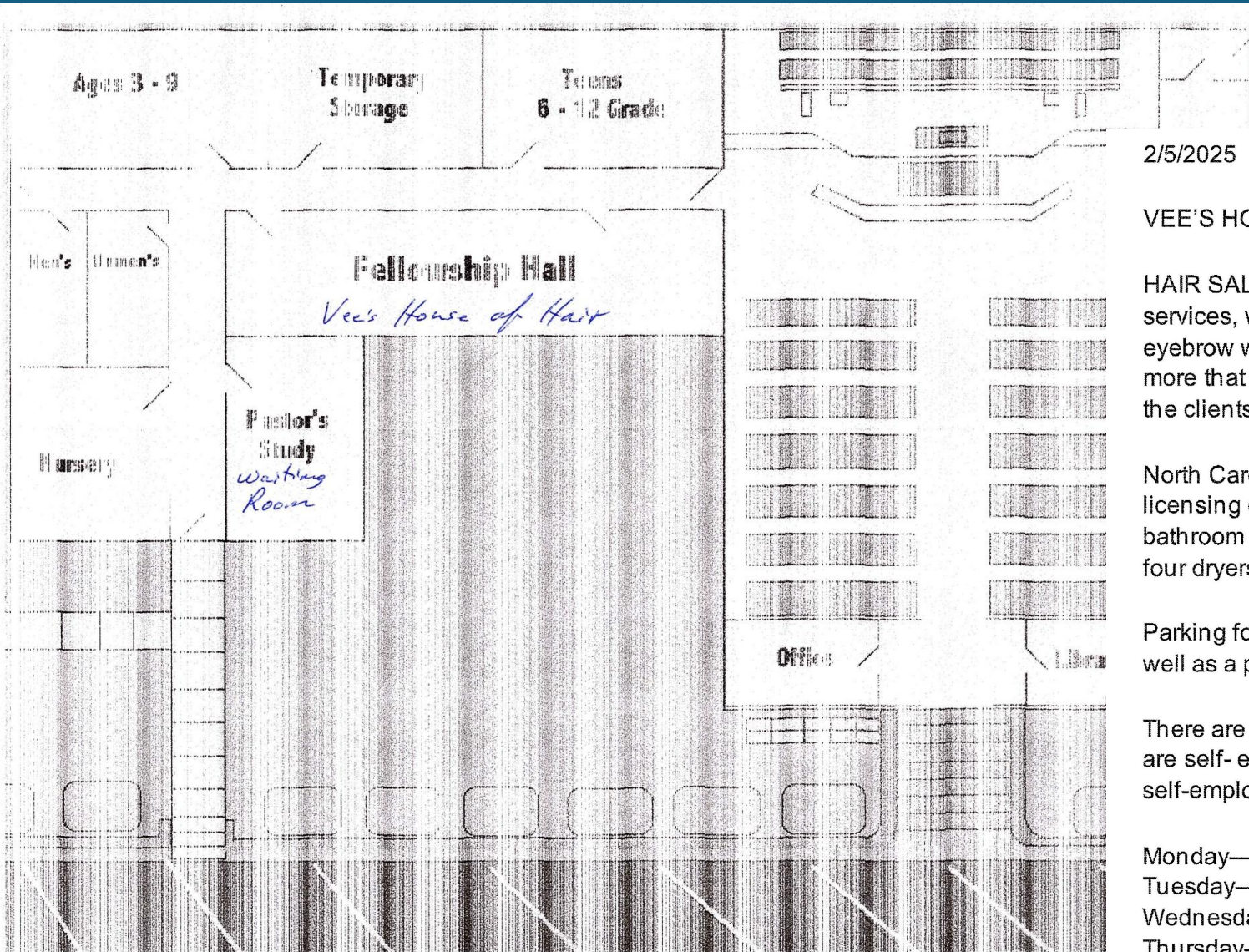
Background:

The church was built in 1955,
prior to zoning, and has either
been a church or been for sale
as a church since then. The
church is a nonconforming use
that is allowed to continue.









2/5/2025

VEE'S HOUSE OF HAIR

HAIR SALON- We are licensed and trained Cosmetologists who perform a range of client services, which includes cutting, coloring and chemically treating hair, eyebrow waxing, relaxing, permanent waves, braiding and so much more. There is more that we can do but we do not offer. These are the services that we do render to the clients we serve.

North Carolina's Cosmetic of Arts, requires inspections to take place annually for licensing of individual stylists and salon inspection. There's a waiting room area and bathroom accommodations for both male and female. There are two shampoo bowls, four dryers with four dryer chairs and three styling chairs and a storage closet.

Parking for the clients is not a problem. There's parking at the front of the building as well as a parking lot availability to accommodate the clients.

There are three licensed Hair Stylists occupying the three styling chairs, two of which are self-employed, booth renters. The days and hours of operation vary because of self-employment, and they schedule their own schedules.

Monday—Closed

Tuesday—9:00-7:00 pm (1) stylist// 4:00pm-9:30pm (1)stylist

Wednesday—8:00-4:00pm (1)stylist

Thursday—8:00-7:00pm (2)stylist// 8:00-10:00pm/ maybe (1)stylist

Friday—8:00-3:00pm (2)stylist// 8:00-7:00pm (1)

Saturday—9:00-3:00pm(1) not always

Respectfully,
Lorrie V. Jones

PERTINENT ORDINANCE INFORMATION:

§ 153.107 R-10 SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT.

(A) Permitted uses. The following uses are permitted by right. The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ 153.255 through 153.256.

- (1) Single-family dwellings;
- (2) Day care centers, small group;
- (3) Customary home occupations in accordance with § 153.045 of this chapter;
- (4) Family care homes;
- (5) Essential services, Class I and II;
- (6) Accessory structures in accordance with § 153.057 of this chapter;
- (7) Signs in accordance with §§ 153.160 through 153.172 of this chapter;
- (8) Off-street parking in accordance with §§ 153.185 through 153.188 of this chapter;
- (9) Publicly owned and operated outdoor recreation facility one acre or less in size and not containing a swimming pool.

§ 153.136 NONCONFORMING USES OTHER THAN MANUFACTURED HOME PARKS, SIGNS AND JUNK YARDS.

(A) **Nonconforming uses of land or structures, and nonconforming structures that contain nonconforming uses, may continue only in accordance with the provisions of this subchapter.**

(B) Normal structural repair and maintenance may be performed to allow the continuation of a nonconforming use (except as required in division (E) below of this section).

(C) **A nonconforming use shall not be expanded**, nor shall a nonconforming use be enlarged by additions to the structure in which the nonconforming use is located (either attached or detached) except pursuant to § 153.279(B) of this chapter. Any occupation of additional lands beyond the boundaries of the lot on which the nonconforming use is located is prohibited.

§ 153.045 CUSTOMARY HOME OCCUPATIONS.

Customary home occupations may be established in any dwelling unit. The following requirements shall apply in addition to all other applicable requirements of this chapter for the district in which the uses are located.

(J) Home occupations may only be conducted between the hours of **7:00 a.m. and 9:00 p.m.**

§ 153.112 N-B NEIGHBORHOOD BUSINESS DISTRICT.

(A) Permitted uses. The following uses are permitted by right.

(2) Services.

- (a) Art and photography studio (excluding adult establishments);
- (b) Automobile parking lot;
- (c) Automobile wash establishment (self-service);
- (d) Banks;
- (e) Barber shop;
- (f) Beauty shop;
- (g) Bed and breakfast inn;
- (h) Branch library;
- (l) Churches;

This district is designed primarily for local business centers for retailing of merchandise such as groceries, drugs, and household items and for furnishing certain personal, business, and professional services. Unlike some of the other commercial zones, this district is established to serve local neighborhoods and other relatively small trading areas. The standards established for these business areas are designed to promote sound, permanent business development and also to protect abutting or surrounding residential areas from undesirable aspects of nearby business developments. These districts are located at accessible places with respect to traffic circulation in order to conveniently serve the trading population and to promote the grouping of several places of business at locations so designated. Since this district is established to provide for small neighborhood-oriented businesses, limitations on gross floor areas are established for certain uses.

LAND USE PLAN COMPLIANCE

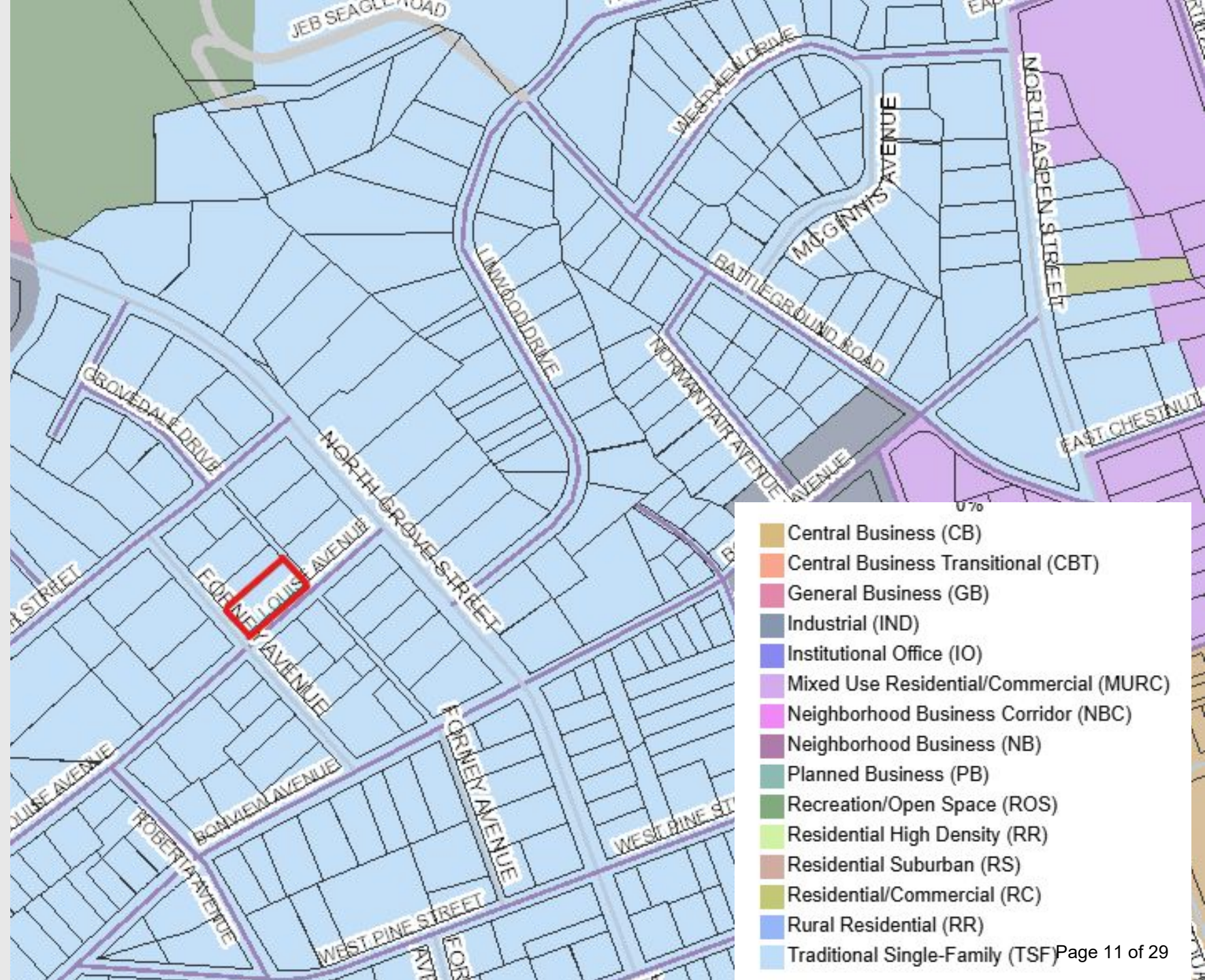
The land use plan shows the property in the **Traditional Single-Family Planning Area**.

Traditional Single Family These planning areas will consist of single-family uses on smaller to medium-sized lots in older, established portions of the community. As these areas are primarily residential in character, they should be protected from encroachment of incompatible business and industrial development.

Staff feels that this project is NOT consistent with the Land Use Plan.

If this rezoning were approved, the Future Land Use Map would need to be amended.

The most appropriate designation would be the **Neighborhood Business Planning area**. These planning areas are for small business clusters that cater to the needs of a relatively small trading area. Accordingly, they are appropriate for smaller-sized stores and establishments. Such areas are not designed to be Citywide commercial destination spots. Neighborhood business planning areas are designed to be compact in nature (as opposed to elongated strips along a thoroughfare) and located at key road intersections.



Conditions of Approval

City Planning:

1. Hours of operation should not go past 9:00 and **all customers would leave the premises by 9:00 PM.**
2. Any plumbing or electrical work would need to be permitted through Lincoln County Inspections.
3. If rezoning is approved, you need to apply for zoning permit with the City of Lincolnton and Change of Occupancy permit with Lincoln County for the business and for any new signs
4. Signage could only be a wall sign not to exceed 8 square feet
5. Would need to meet all building and fire code requirements
6. Screening either natural plantings or a privacy fence between the parking lot and 608 Forney Avenue as shown in diagram:



7. Any other conditions recommended by Planning Board

NOTE: The conditional zoning has an expiration date of 5 years from the date of approval. Any adjustments to the conditions of approval that do not affect the overall layout of the site plan and that are technical in nature, can be approved by the department making the comment/condition.

Staff's Proposed Statement of Consistency and Reasonableness for **APPROVAL** of Application

Case No. CZ-2-2025

Applicant: Lorrie Jones

Parcel ID#: 01233

Location: 416 Louise

Request: Rezone from R10 and NB(CD)

Proposed Consistency and Reasonableness Statement:

The Lincoln Land Use Plan designates this property as part of the Traditional Single Family Planning Area. The proposed rezoning request **is not consistent** however is consistent and reasonable with the Lincoln Land Use Plan in the following ways.

CONSISTENCY:

- STRATEGY R-G1: Encourage mixed-use development (in a more urban manner) in areas other than Downtown.

REASONABLENESS:

- While this location is in a residential district, integrating a small-scale commercial use such as a beauty salon within a church aligns with the spirit of mixed-use development by promoting accessibility to services without altering the fundamental residential character of the neighborhood.

Staff's Proposed Statement of Consistency and Reasonableness for **DENIAL** of Application

Case No. CZ-2-2025

Applicant: Lorrie Jones

Parcel ID#: 01233

Location: 416 Louise

Request: Rezone from R10 and NB(CD)

Proposed Consistency and Reasonableness Statement:

The Lincoln Land Use Plan designates this property as part of the Traditional Single Family Planning Area. The proposed rezoning request **is not consistent** with the Lincoln Land Use Plan in the following ways:
CONSISTENCY:

- As these areas are primarily residential in character, they should be protected from encroachment of incompatible business and industrial development.
- Protect the integrity and viability of the City's established residential neighborhoods.

REASONABLENESS:

- The requested rezoning is **not reasonable** because it introduces a commercial use that does not align with the established zoning protections for residential areas. It is **not consistent** with the city's adopted land use plan, which explicitly seeks to protect residential neighborhoods from business encroachment. Allowing this rezoning could lead to further commercial pressures in other residential areas, jeopardizing neighborhood integrity.

For a Motion to Approve, staff recommends the following:

1. Approval of rezoning of the property from R-10 to NB(CD)
2. Approval of the statement of consistency for approval of the rezoning request
3. Zoning be effective upon receipt of signed conditions of approval
4. Amend the Land Use Plan to show the property in the Neighborhood Business Planning Area

For a Motion to Deny, staff recommends the following:

1. Denial of rezoning of the property from R-10 to NB(CD)
2. Approval of the statement of consistency for denial of the rezoning request



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**Public Hearing Staff Analysis
ZMA-2-2025
Carolina Mill Circle, PID 53616**



Zoning

Existing: GMC
Proposed: Residential 25 (R-25)

Current Use

Vacant lot

Site Information

This is a 21.586-acre lot located on Carolina Mill Circle. Adjacent properties are a mix of GMC, R-8 and R-25.

§ 153.315 AMENDMENTS TO TEXT AND MAP.

Except for conditional rezonings, neither the Planning Board nor the City Council shall evaluate a rezoning petition based on any specific proposal for the use or development of the property. The petitioner shall refrain from using any graphic materials or descriptions before either body except for those that would apply to any use permitted in the requested zoning district.







Carolina







§ 153.117 GMC GENERAL MANUFACTURING AND COMMERCIAL DISTRICT (Current District)

(A) Permitted uses. The following uses are permitted by right.

- (1) Manufacturing, refining, processing or assembly of goods or products;
- (2) Agriculture equipment, sales and service;
- (3) Assembly halls, coliseums and ballrooms;
- (4) Auction houses, indoors, excluding livestock;
- (5) Automobile parking lots;
- (6) Automobile painting, upholstering, repairs, reconditioning and body work;
- (7) Automobile sales;
- (8) Automobile service stations;
- (9) Automobile wash establishments;
- (10) Bail bond service;
- (11) Bookbinding shops;
- (12) Building materials and lumber sales;
- (13) Cabinet, woodworking and upholstery shops;
- (14) Commercial schools and schools providing training in any of the arts, sciences, trades and professions;
- (15) Contractors storage and equipment yards;
- (16) Convenience stores;
- (17) Domestic violence shelter;
- (18) Dry cleaning and laundry plants;
- (19) Electric, plumbing, heating ventilating and air conditioning and construction supply houses;
- (20) Essential services, Class I and II;
- (21) Farm equipment sales and service;
- (22) Financial institution;
- (23) Florist, wholesale;
- (24) Food catering service and food vending supply;
- (25) Freezer lockers;
- (26) Government facilities not otherwise listed (excluding jails, prisons and similar penal institutions);
- (27) Greenhouses and horticultural nurseries;
- (28) Ice plants;
- (29) Laboratories: dental, medical, optical and research;
- (30) Machinery repair;
- (31) Manufactured home and recreational vehicle sales and service;
- (32) Moving and storage facilities (including mini-warehouses);
- (33) Office-business, medical, optical and professional;
- (34) Passenger bus terminal;
- (35) Photo processing laboratories;
- (36) Postal and parcel service processing facility;
- (37) Post office;
- (38) Product distribution plants;
- (39) Public safety stations;
- (40) Railroad terminals and yards;
- (41) Recycling terminals and yards;
- (42) Recycling sorting facility;
- (43) Restaurants, including fast-food restaurants;
- (44) Retail: all uses permitted in § 153.113(A);
- (45) Roofing manufacturing, repair and installation facilities;
- (46) Sign painting and manufacturing shops;
- (47) Slaughterhouse/abattoir;
- (48) Tin and sheet metal shops;
- (49) Tire recapping shops;
- (50) Towers and antennas 50 feet or less in height;
- (51) Truck sales and repair;
- (52) Trucking terminals;
- (53) Union halls, fraternal and civic organization meeting facility;
- (54) Vehicular and equipment outdoor storage (as a principal use) not for retail sales where:
 - (a) The items are owned and/or operated by the owner of the lot upon which they are located; and
 - (b) The items are in operating condition or intended to be operated.
- (55) Warehouses, including mini-warehouses;
- (56) Wholesaler, jobbers, bulk warehouses;
- (57) Accessory outlet store, provided that parking for the store shall be computed separately from the principal use and reserved for those purpose

§ 153.105 R-25 RURAL RESIDENTIAL DISTRICT (Proposed District)

(A) Permitted uses. The following uses are permitted by right. The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ 153.255 through 153.256.

- (1) Single-family dwellings;
- (2) Two-family dwellings;
- (3) Manufactured homes, Class A;
- (4) Agriculture uses;
- (5) Family care homes;
- (6) Day care centers, small group;
- (7) Customary home occupations in accordance with § 153.045 of this chapter;
- (8) Essential services, Class I;
- (9) Churches with a maximum sanctuary seating capacity of not greater than 500 seats. Customary accessory uses shall also be permitted. Church owned and maintained cemeteries as an accessory use are permitted;
- (10) Publicly owned and operated outdoor recreation facilities which are one acre or less in area. No facility shall contain a swimming pool or indoor community center or meeting facility;
- (11) Private recreation facilities constructed pursuant to a permit authorizing the construction of some residential development and intended primarily for the use and enjoyment of the residents thereof;
- (12) Public and private elementary and secondary schools and private schools district administrative offices where located on the same parcel as a school;
- (13) Stands for the in-season sale of produce out of a home garden located on the premises where the produce is being sold;
- (14) Accessory structures in accordance with § 153.057 of this chapter;
- (15) Signs in accordance with §§ 153.160 through 153.172 of this chapter;
- (16) Off-street parking in accordance with §§ 153.185 through 153.188 of this chapter; and
- (17) Private residential quarters provided there is sufficient off-street parking to accommodate the private residential quarters in addition to the spaces required for the principal dwelling.

(B) Uses subject to prescribed standards.

- (1) Cemeteries as a principal use (setbacks apply to both buildings and graves) provided primary vehicular access is not provided by a local residential road;
- (2) Customary home occupations which meet all the criteria in § 153.045 provided however, if an accessory or outside storage building is used in connection with a home occupation it shall not exceed 800 SF and not more than one building shall be used and the building is located in the rear yard and not less than 50 feet from any property line.
- (3) Auto hobbyist provided the use is screened from any abutting property located in a residential district in accordance with § 153.046;
- (4) Churches having a sanctuary seating capacity in excess of 500 seats provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property located in a residential district
- (5) Country clubs and privately-owned outdoor recreation facilities provided that go-cart tracks and outdoor vehicular racing facilities shall not be permitted provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property
- (6) Publicly owned and operated outdoor recreation facilities in excess of one acre in area and/or containing a swimming pool, or indoor community center or meeting facility provided that primary vehicular access is not provided by a local residential road
- (7) Bed and breakfast inns provided the use is screened from any abutting property located in a residential district
- (8) Public safety stations provided that the use is screened
- (9) Rest homes, nursing care facilities and continuing care communities provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property located in a residential district in accordance with § 153.046;
- (10) Public schools administrative offices (freestanding) provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property located in a residential district in accordance with § 153.046; on towers subject standards.

Examples of Technical Review Committee comments from past potential commercial projects:

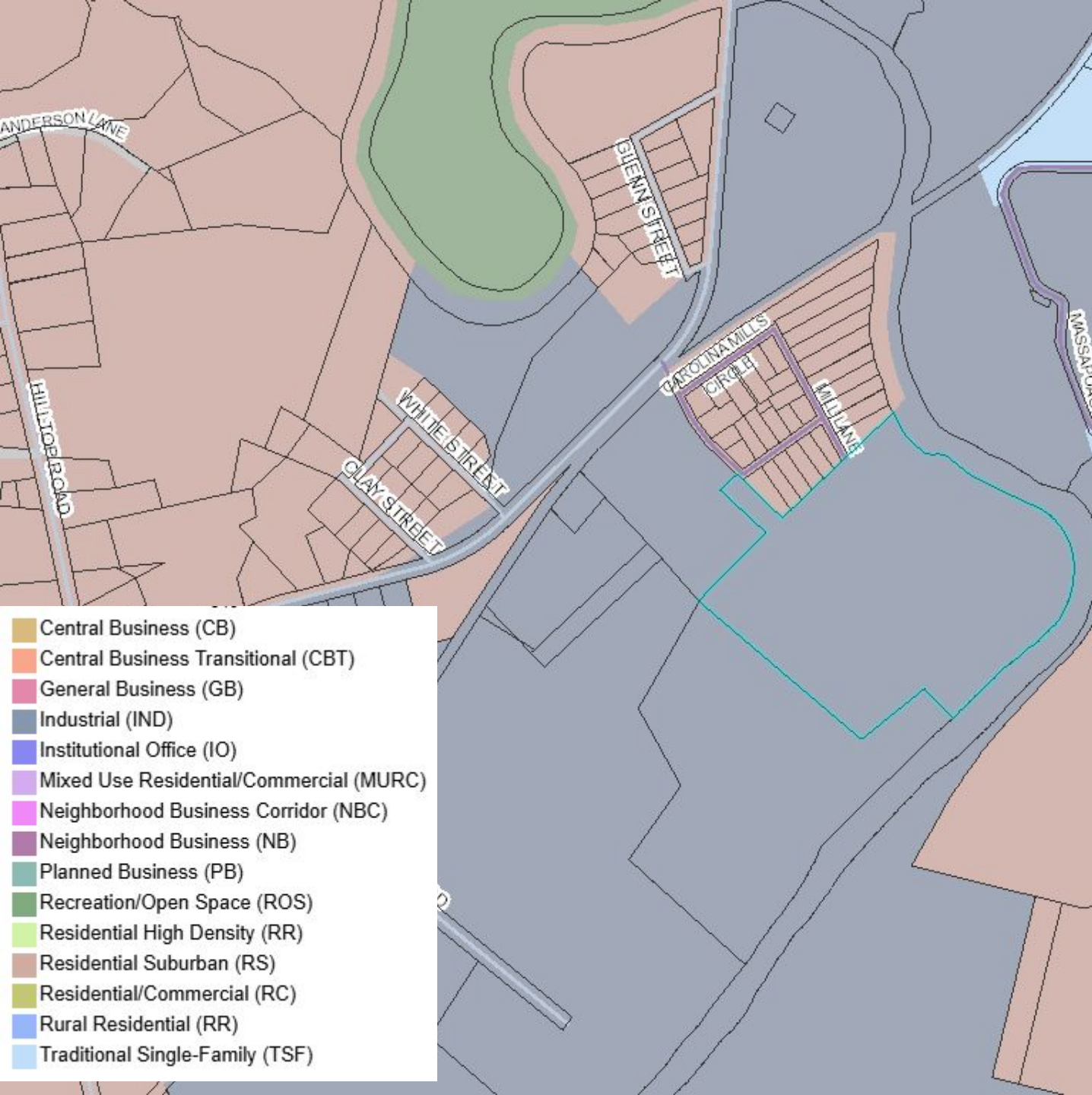
- The access road must be 26 ft wide and hold up to 40k lbs.
- Water line on S Grove St; Sewer line on Carolina Mill Cr
- Will likely need a pump for the sewer. Could do City water/septic tank
- Questionable soil
- Assess the flooding risk
- Maximize the 30ft entrance, possibly requiring neighboring properties permission

LAND USE PLAN COMPLIANCE

The land use plan shows the property in the **Industrial Planning Area**. These are areas in use or designated for future industrial/manufacturing use. As industrial uses play a vital role in the local economy, any such planning areas designated on the Future Land Use Map should be reserved for industrial uses and should be protected from encroachment from other uses. Industrial park development is encouraged. Industrial developments located along or in close proximity to the City's major thoroughfares should be developed so as to protect and enhance the viewsheds from these thoroughfares. Adaptive reuse of older manufacturing buildings (for both manufacturing and other compatible non-industrial uses) is also encouraged.

Staff views this rezoning as inconsistent with the Land Use Plan.
If this rezoning were approved

If the rezoning were to be approved the map would need to be amended to show this parcel in the **Residential Suburban Planning Area**. These planning areas are primarily single-family in character and where the primary development pattern should continue to be single-family dwellings. Such areas currently have public water and sewer, or are likely to have such facilities within the next twenty years. Most new single-family residential development within Lincolnton is likely to occur in such areas. Thus, proactive planning is strongly encouraged. This includes ensuring that developments be connected to existing and proposed greenways, and that sites be set aside for new school facilities and other essential services (i.e., police and fire stations) as needed. Pedestrian accessibility to existing and planned schools is a high priority for such areas. As a means of promoting mixed-use development, larger subdivisions that border major or minor thoroughfares are encouraged to contain neighborhood retail uses.



**Staff’s Proposed Statement of Consistency
and Reasonableness
for **APPROVAL** of Application**

Case No. ZMA-2-2025
Applicant: Danny Boyd Dellinger Jr.
Parcel ID#: 53616
Location: Carolina Mill Circle
Request: GMC to R25

The Lincolnton Land Use Plan designates this property as part of the Industrial Planning Area. The proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan however it is reasonable and consistent with goals and strategies from the plan in the following ways:

CONSISTENCY:

- While the rezoning does not match the future land use map, the current road infrastructure does not adequately support high-intensity commercial or industrial operations. Limited road capacity and access constraints could create challenges for large-scale truck traffic, logistics, and business operations, making industrial or commercial uses less practical.

REASONABLENESS:

- Low-density residential zoning would be a more compatible use for the existing infrastructure and would help prevent potential traffic congestion and safety concerns associated with industrial activities.

**Staff’s Proposed Statement of Consistency
and Reasonableness
for **DENIAL** of Application**

Case No. ZMA-2-2025
Applicant: Danny Boyd Dellinger Jr.
Parcel ID#: 53616
Location: Carolina Mill Circle
Request: GMC to R25

The Lincolnton Land Use Plan designates this property as part of the Industrial Planning Area. The proposed rezoning request is not **consistent** with the Land Use Plan in the following ways:

CONSISTENCY:

- The adopted land use plan prioritizes **preserving and revitalizing older industrial areas** by improving infrastructure and preventing business relocation to other areas. Rezoning this site to residential use would contradict this objective by reducing the amount of land available for industrial and commercial activities.

REASONABLENESS:

- The proposed rezoning is **not reasonable** because it conflicts with the city’s goal of revitalizing industrial areas and preserving employment opportunities. The land use plan seeks to improve infrastructure and support economic growth in older industrial districts. Allowing this rezoning would undermine long-term economic sustainability and reduce the city’s ability to retain and attract businesses.

For a Motion to Approve, staff recommends the following:

1. Approval of rezoning of the property from General Manufacturing and Commercial to Residential 25 District
2. Approve the statement of consistency for approval of the rezoning request
3. Amend the Future Land Use Map to show this area in the Residential Suburban Planning Area

For a Motion to Deny, staff recommends the following:

1. Denial of rezoning of the property from General Manufacturing and Commercial to Residential 25 District
2. Approval of the statement of consistency for denial of the rezoning request