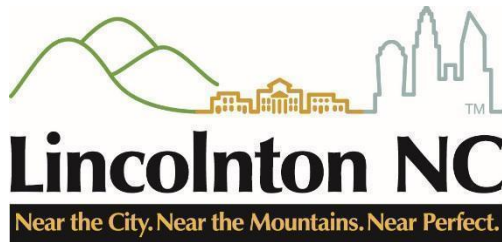




**LINCOLNTON PLANNING BOARD  
AGENDA  
November 18, 2025  
4:00 PM**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes**
  - 3a October 21, 2025 meeting minutes**
- 4. Public Hearing**
  - 4a ZTA-5-2025 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance**
- 5. Adjournment**



**CITY OF LINCOLNTON  
PLANNING BOARD  
MINUTES**

PO DRAWER 617, LINCOLNTON, NC 28093

[www.lincolntonnc.org](http://www.lincolntonnc.org)

**BOARD MEMBERS:** Trent Mason, Chair, [trentonbmason@gmail.com](mailto:trentonbmason@gmail.com); Kristin Radebaugh, Vice Chair, [kradebaugh6r6@gmail.com](mailto:kradebaugh6r6@gmail.com); John Waters, [h2os.john@gmail.com](mailto:h2os.john@gmail.com); Monte Tyson, [monte@cbdeastmain.com](mailto:monte@cbdeastmain.com); Steve Lackey, [stevelackey88@gmail.com](mailto:stevelackey88@gmail.com); Jerry Hoffman, [jlskhoffman@charter.net](mailto:jlskhoffman@charter.net); Lee Huss [lee@gillelandrealty.com](mailto:lee@gillelandrealty.com)

**Tuesday, October 21, 2025**

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

**Call to Order**

Chair Trent Mason called the meeting to order and recognized that all members were present.

**Approval of Minutes**

Chair Trent Mason asked the Board if there were any additions or corrections to the minutes of the September 16, 2025, meeting.

*Motion: Kristin Radebaugh made a motion to approve the minutes.  
Members voted 7-0 in favor of the motion.*

**Public Hearings**

**CZ-5-2025-** Application from Shawna Moore requesting a conditional district rezoning from General Business (GB) District to Planned Business-Conditional District (PB-CD) for the purpose of operating a Tattoo Studio in an existing building. The subject property is 1.096 acres in size and located at 1271 Rocky Hill Lane (Parcel ID 00567).

Planning Board member Lee Huss recused himself from this case.

Jean Derby presented the staff report in the agenda packet to the Board regarding CZ-5-2025.

After some discussion, Chair Trent Mason asked if there was a motion. The motion is as follows:

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

**CZ-6-2025-** Application from Jared Webb requesting a conditional district rezoning from Central Business (CB) District to Residential-Office Conditional District (RO-CD) for the purpose of upfitting an existing building for a Church and Church Offices. The subject property is 0.1 acres in size and located at 125 West Water Street (Parcel ID 00510).

Jean Derby presented the staff report in the agenda packet to the Board regarding CZ-6-2025.

After some discussion, Chair Trent Mason asked if there was a motion. The motion is as follows:

*Motion: Jerry Hoffman made a motion to approve with recommendations from staff as written.  
Members voted 6-1 in favor of the motion.*

Chair Trent Mason asked the Board if there was any other business to be addressed, to which there was none.

### **Adjournment**

*Motion: Lee Huss made a motion to adjourn.  
Members voted 7-0 in favor of the motion.*

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Jean Derby

**MEMO TO:** Planning Board  
**FROM:** Planning Staff  
**SUBJECT:** ZTA-5-2025 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance  
**DATE:** November 18, 2025

**Background**

Occasionally, minor errors in the text or changes in circumstances necessitate amendments to the Unified Development Ordinance (UDO). To enhance the UDO's enforceability and effectiveness, it is essential to modify, update, or add specific sections of the ordinance.

**Please note: The text amendment is now presented in a new, easier-to-read format. We are providing a current version and a proposed version, replacing the previous redline-and-highlight system.**

**Proposed Amendments from Applicant:**

**1. Amend 153.031 Definitions**

***Hemp/Cannabis Dispensary.*** A retail business that exclusively sells hemp or cannabis products for ingestion as authorized by the state. Such establishments shall not sell Kratom, Kava, Tobacco, Nicotine, or any paraphernalia.

**2. Amend 153.130 Interpretation of Terms and Words**

Adding a new subsection: ***Hemp/Cannabis Dispensary***, No Hemp/Cannabis Dispensary shall be located within 2500 Feet of another Hemp/Cannabis Dispensary. The distance shall be measured from the front property line of one dispensary to the front property line of another.

**3. Amend 153.113 Central Business District**

Adding the following language to subsection (A)(1) (Retail Uses) as a new item after the existing list: Hemp/Cannabis Dispensary

**Items 2 & 3 - Staff recommends that instead of amending 153.130 Interpretation of Terms and Words and 153.113 Central Business District (A)(1) *Retail uses*, the following should be placed under 153.113 (B) *Uses subject to prescribed standards* as follows:**

***Hemp/Cannabis Dispensary.*** No Hemp/Cannabis Dispensary shall be located within

1200 feet of another Hemp/Cannabis Dispensary. The distance shall be measured from the closest edge of the property line of one dispensary to the closest edge of the property line of another.

#### 4. Amend 153.031 Smoke Shop

Edit wording to say “Smoke Shop does not include Hemp/Cannabis Dispensary”

If approving the addition of a Hemp/Cannabis Dispensary to the CB District, staff recommends the following additional actions:

1. Amend 153.115 General Business District to
  - a. Remove (jjj) Smoke Shops from (A) *Permitted uses*
  - b. Add Smoke Shops to (B) *Uses with prescribed standards*
  - c. Add Hemp/Cannabis Dispensary to (B) *Uses with prescribed standards*
    - Same prescribed standards as Smoke Shops.

#### 2. Amend § 153.114 CBT Central Business Transitional District.

- a. Add an exclusion of Hemp/Cannabis Dispensary in (B) *Uses with prescribed standards*.

Note: If this is not added, Hemp/Cannabis Dispensary would also be a permitted use in the Central Business Transitional District.

**CURRENT Ordinance language for Smoke Shop for reference:**

**§ 153.031 DEFINITIONS OF SPECIFIC TERMS AND WORDS.**

**SMOKE SHOP.** A commercial establishment, operated as a principal use, engaged in the retail sale of tobacco, nicotine, hemp-derived compounds, including CBD, for the purpose of human ingestion as authorized for sale by the state, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, or any other preparation of tobacco, tobacco-related paraphernalia of any type, electronic cigarettes, any electronically-actuated device or inhaler meant to simulate cigarette smoking that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation. For the purpose of this definition, **SMOKE SHOP** does not include stores that exclusively sell hemp-derived compounds, including CBD, for the purpose of human ingestion as authorized for sale by the state.

**Current ordinance language:**

**§ 153.115 G-B GENERAL BUSINESS DISTRICT.**

(jjj) Smoke shop with the following prescribed standards:

1. Shall not be located within 500 feet of any K-12 public school or licensed childcare facility;
2. Shall not be located within 1,000 feet of any other smoke shop;
3. Separation is required to prevent overconcentration, which is defined as three or more of these uses existing within a 1,000-foot radius of the business. Required separation distance shall be measured as a radius from the front door of one business to the front door of the surrounding business located within or outside the city's corporate limits; and
4. Must meet all sign regulations in the UDO, including but not limited to: (a) flashing signs or any signs with flashing or intermittent light or lights or reflective devices of changing degree of intensity or color are prohibited; or (b) a maximum of 10% of the wall area of any wall on the building.

Proposed **NEW** ordinance language:

**§ 153.031 DEFINITIONS OF SPECIFIC TERMS AND WORDS.**

**HEMP/CANNABIS DISPENSARY.** A retail business that exclusively sells hemp or cannabis products for ingestion as authorized by the state. Such establishments shall not sell Kratom, Kava, Tobacco, Nicotine, or any paraphernalia.

**SMOKE SHOP.** A commercial establishment, operated as a principal use, engaged in the retail sale of tobacco, nicotine, hemp-derived compounds, including CBD, for the purpose of human ingestion as authorized for sale by the state, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, or any other preparation of tobacco, tobacco-related paraphernalia of any type, electronic cigarettes, any electronically-actuated device or inhaler meant to simulate cigarette smoking that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation.

**§ 153.113 C-B CENTRAL BUSINESS DISTRICT.**

(B) *Uses subject to prescribed standards.* The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ [153.255](#) through [153.259](#) of this chapter and subject to the associated prescribed standards below.

- (1) Hemp/Cannabis Dispensary provided that no Hemp/Cannabis Dispensary shall be located within 1200 feet of another Hemp/Cannabis Dispensary. The distance shall be measured from the closest edge of the front property line of one dispensary to the closest edge of the front property line of another.

**§ 153.114 CBT Central Business Transitional District.**

- (A) Permitted uses. The following uses are permitted by right: All uses permitted in § 153.113(A) of this chapter.
- (B) Uses subject to prescribed standards. The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ 153.255 through 153.259 of this chapter and subject to the associated below prescribed standards.
  - (1) All uses subject to prescribed standards permitted in § 153.113(B) of the chapter, with the exclusion of Hemp/Cannabis Dispensary.

**§ 153.115 G-B GENERAL BUSINESS DISTRICT**

(B) *Uses subject to prescribed standards.* The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ [153.255](#) through [153.259](#) of this chapter and subject to the associated prescribed standards below.

(1) *Retail uses.*

(b) Hemp/Cannabis Dispensary and Smoke Shops provided:

1. Shall not be located within 500 feet of any K-12 public school or licensed childcare facility property;
2. Shall not be located within 1,000 feet of any other smoke shop or dispensary;
3. Required distance shall be measured from the closest edge of the property line of one smoke shop or dispensary to the closest edge of the property line of another.
4. Must meet all sign regulations in the UDO, including but not limited to:
  - (a) flashing signs or any signs with flashing or intermittent light or lights or reflective devices of changing degree of intensity or color are prohibited; or
  - (b) a maximum of 10% of the wall area of any wall on the building.

**Zoning Amendment**  
**Staff's Proposed Statement of Consistency for**  
**APPROVAL of Application**

Case No. ZTA-5-2025

Applicant: City of Lincoln Planning Department

Request: ZTA-5-2025 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance

Proposed Consistency Statement:

The proposed amendment aligns with the Lincoln Land Use Plan because it does not conflict with the Plan's goals and objectives. The amendment is consistent because one of the goals of the Downtown area is to promote Downtown Lincoln as the County's foremost and unique retail, service, cultural, governmental, and mixed-use residential hub. This text amendment supports the goal by allowing a unique retail space that is trending upward in popularity and demand.

**Zoning Amendment**  
**Staff's Proposed Statement of Consistency for**  
**DENIAL of Application**

Case No. ZTA-5-2025

Applicant: City of Lincoln Planning Department

Request: ZTA-5-2025 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance

Proposed Consistency Statement:

The proposed amendment is **consistent** with the adopted Lincoln Land Use Plan in that it is not contrary to the goals and objectives outlined by the Plan; however, it is not a desired permitted use in the Central Business District, and **denial of the amendment is reasonable and in the public interest.**

**Actions:**

Approve ZTA-5-2025 as written by Applicant.

Approve ZTA-5-2025 with Staff Recommended Changes

Deny ZTA-5-2025

**Motions:**

Motion to approve the amendment as submitted and the Statement of Consistency for Approval

Or

Motion to approve the amendment with Staff recommendations and the Statement of Consistency for Approval

Or

Motion to deny the amendment and adopt the Statement of Consistency for Denial