

HARNETT COUNTY PLANNING BOARD

Monday, May 6, 2024

6:00 p.m.

**Harnett County Development Services
420 McKinney Parkway, Lillington, NC 27546**

PUBLIC HEARING

1. Call to order and welcome – Chairman Kathy Wood
2. Invocation & Pledge of Allegiance
3. Approval of Minutes

Old Business

4. **Proposed Text Amendment: Case # PLAN2401-0066**
Applicant: Harrington Companies, LLC; Harnett County Unified Development Ordinance; Article V, Section 1.2; 7.6.2 & 7.6.3. Applicant request that Outdoor Flea Markets be added to Article V, Section 1.2 “Table of Use Regulations”. Add, “Outdoor Flea Markets” to 7.6.2 as well as the Letter E and Letter F, which tells what outdoor display, consist of and how long it can be displayed, and the minimum lot size required. Delete 7.6.3 in its entirety.
5. Other Business
6. Adjourn



TEXT AMENDMENT REQUEST FORM

Development Services
 420 McKinney Pkwy. Lillington, NC 27546
 P.O. Box 65, Lillington, NC 27546
 Phone: (910) 893-7525 Fax: (910) 893-2793
 Case: PLAN2401-0066
 Staff Contact: Sarah Arbour, Long Range Planner
Sarahour@Harnett.org or (910) 814-6414

Planning Board: March 4, 2024

County Commissioners: April 15, 2024
 May 14, 2024

Applicant Information

Applicant:

Name: Harrington Companies LLC
 Address: PO Box 234
 City/State/Zip: Wilson, NC 27894
 Phone: (919) 770-7048

Type of Change

New Addition Revision

Unified Development

Ordinance: Ordinance Article: V. Section: 1.2, 7.6.2., & 7.6.3

Current Text:

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDING CODE CLASS
Flea Markets, Rummage, Second Hand Sales & Activities, Indoor			P*				S*	S*	S*	1 per 300 sq. ft.	3	M
Flea Markets, Rummage, Second Hand Sales & Activities, Outdoor			P*							1 per 300 sq. ft.	3	M

7.6.2 Flea Markets, Rummage, Second Hand Sales, & Activities, Indoor

Indoor facilities shall be subject to the following requirements:

- A. Preparation and sale of perishable foods shall be regulated by NCGS 130A-247 and 130A-248, and T15A NCAC 18A.2600.
- B. Sale or trade of exotic, domestic, or farm animals shall be prohibited.

- C. Any outdoor display area shall comply with the regulations of Section “Display Area” of Article VII “Development Design Guidelines” of this Ordinance, as applicable, and in no case shall any items be left outdoors when the facility is not open for business.
- D. Any buildings or structures shall meet the current North Carolina State Building Code for indoor use.

7.6.3 Flea Markets, Rummage, Second Hand Sales, & Activities, Outdoor

Outdoor facilities shall be subject to the following requirements:

- A. All outdoor articles display tables and/or racks, tents, tarps, shelters, coverings of any type, or vehicles used shall be removed from dusk to dawn.
- B. Preparation and sale of perishable foods shall be regulated by NCGS 130A-247 and 130A-248, and T15A NCAC 18A.2600.
- C. Sale or trade of exotic, domestic, or farm animals shall be prohibited.
- D. Any buildings or structures shall meet the current North Carolina State Building Code for indoor use.

Applicant Proposed Text: (Attach additional sheets if necessary)

Outdoor flea market becomes an allowable special use in the RA-20M, RA-20R, and RA-30 zoning districts.

Staff Suggested Text: If approved, staff suggests the following text:

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDING CODE CLASS
Flea Markets, Rummage, Second Hand Sales & Activities, Indoor & Outdoor			P*				S*	S*	S*	1 per 300 sq. ft.	3	M
Flea Markets, Rummage, Second Hand Sales & Activities, Outdoor			P*							1 per 300 sq. ft.	3	M

7.6.2 Flea Markets, Rummage, Second Hand Sales, & Activities, Indoor & Outdoor

Indoor & Outdoor facilities shall be subject to the following requirements:

- A. Preparation and sale of perishable foods shall be regulated by NCGS 130A-247 and 130A-248, and T15A NCAC 18A.2600.
- B. Sale or trade of exotic, domestic, or farm animals shall be prohibited.
- C. Any outdoor display area shall comply with the regulations of Section “Display Area” of Article VII

“Development Design Guidelines” of this Ordinance, as applicable, and in no case shall any items be left outdoors when the facility is not open for business.

D. ~~Any~~ All buildings or structures shall ~~meet the current~~ be installed in accordance with the North Carolina State Building Code ~~for indoor use.~~

E. All temporary articles of outdoor display, including but not limited to, fold-up tables, racks, tents, tarps, shelters, coverings of any type, or vehicles used, shall be removed from dusk to dawn.

F. All outdoor flea markets shall be located on a minimum of ten (10) acres of contiguous land.

~~7.6.3 Flea Markets, Rummage, Second Hand Sales, & Activities, Outdoor~~

Outdoor facilities shall be subject to the following requirements:

~~A. All outdoor articles display tables and/or racks, tents, tarps, shelters, coverings of any type, or vehicles used shall be removed from dusk to dawn.~~

~~B. Preparation and sale of perishable foods shall be regulated by NCGS 130A-247 and 130A-248, and T15A NCAC 18A.2600.~~

~~C. Sale or trade of exotic, domestic, or farm animals shall be prohibited.~~

~~D. Any buildings or structures shall meet the current North Carolina State Building Code for indoor use.~~

Reason for Requested Change:

To amend Harnett County’s U.D.O. to allow outdoor flea markets to be an allowable special use in the RA-20M, RA-20R, and RA-30 zoning districts.

Additional Information:

On April 1, 2024, the Planning Board voted unanimously (3-0) to recommend approval of the proposed text amendment. The Planning Board stated that approval was recommended based on the use regulations set forth in the staff suggested text as well as the requirement for a special use permit to be obtained from the Board of Adjustment.

Suggested Statement-of-Consistencies: (Staff concludes that...)**Approved**

If approved, staff's suggested text is compatible with the economic development strategies set forth in the Harnett County Land Use plan. Therefore, it is recommended that this Text Amendment request be **APPROVED**.

Or,

Denied

The requested Text Amendment is unreasonable based on the potential negative effects the use could have on adjacent property owners and surrounding communities. Therefore, it is recommended that this Text Amendment request be **DENIED**.
