

**FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
JUNE 22, 2009
7:00 P.M.**

VISION STATEMENT

**The City of Fayetteville
is a GREAT PLACE TO LIVE with
a choice of DESIRABLE NEIGHBORHOODS,
LEISURE OPPORTUNITIES FOR ALL,
and BEAUTY BY DESIGN.**

**Our City has a VIBRANT DOWNTOWN,
the CAPE FEAR RIVER to ENJOY, and
a STRONG LOCAL ECONOMY.**

**Our City is a PARTNERSHIP of CITIZENS
with a DIVERSE CULTURE and RICH HERITAGE,
creating a SUSTAINABLE COMMUNITY.**

**FAYETTEVILLE CITY COUNCIL
AGENDA
JUNE 22, 2009
7:00 P.M.
CITY HALL COUNCIL CHAMBER**

INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS AND ANNOUNCEMENTS

ITEM 1. APPROVAL OF AGENDA

ITEM 2. CONSENT:

A. Approve Minutes:

- 1. City Council Dinner and Discussion Meeting Held on
May 26, 2009
PAGE: 7**

B. Capital Project Ordinance Amendment 2009-25 (Linear Park Project)

This ordinance amendment will appropriate an additional \$144,079 in donations and \$37,972 in investment income to fund further development of the Linear Park project.

PAGE: 8

C. Capital Project Ordinance 2009-26 and Resolution Authorizing the City of Fayetteville to Enter Into an Agreement with the North Carolina Department of Transportation (Replacement of the Transit Transfer Center)

This ordinance will appropriate \$203,422 for the replacement of the Transit Transfer Center. The source of funds for this project is a federal grant (\$162,738), a state grant (\$20,342) and a required General Fund local match (\$20,342). The associated resolution must be adopted to authorize the City Manager to execute the grant agreement with the North Carolina Department of Transportation.

PAGE: 10

The page numbers on this outline refer to the agenda packet of complete information for each item. This complete packet is available to you at the City web page, www.cityoffayetteville.org

D. Capital Project Ordinance 2009-27 (Transit Automatic Vehicle Locator System)

This ordinance will appropriate \$419,012 for the Transit Automatic Vehicle Locator System Project. The source of funds for this project is a state grant (\$377,111) and a required General Fund local match (\$41,901).

PAGE: 13

E. Addition of Streets to the City of Fayetteville's System of Streets

Council is being asked to accept the dedication of the attached list of streets for maintenance and addition to the City of Fayetteville system of streets. This list includes 15 paved streets adding up to a total of 2.54 miles.

PAGE: 16

F. Resolution Accepting State Revolving Loan for Swainey Avenue Drainage Improvement Project

Council is asked to adopt a resolution accepting a State Revolving Loan in the amount of \$600,000 from the North Carolina Department of Environment and Natural Resources for the Swainey Avenue drainage improvement project.

PAGE: 18

G. Resolution to Set Public Hearing to Consider Closing Three Unopened Streets Within the Hope VI Area

A petition was received from the Fayetteville Metropolitan Housing Authority for the closure of a portion of McKethan Street, a portion of Ross Street, and Lafayette Street. These streets are all unopened streets within the Hope VI area.

PAGE: 20

H. Set a Public Hearing and Approve a Preliminary Resolution Requiring the Paving Without Petition of Certain Soil Streets

Council is being asked to set a public hearing for the July 27, 2009 Council meeting and approve a preliminary resolution requiring the paving without petition of: **Drexel Road** from Temple Avenue to Pennsylvania Avenue; **Greensboro Street** from Jasper Street to McLamb Drive; **Wilma Street** from Roosevelt Street 930 feet to a cul-de-sac; **Salisbury Street** from Wilma Street 298 feet to a cul-de-sac; **Quillan Street** from Bragg Boulevard 794 feet to a turn around; **Morgan Lane** from Park Street to Claremont Avenue and from Claremont Avenue 330 feet to a dead end.

PAGE: 28

I. Interlocal Agreement for the Billing and Collection of Stormwater Fees

Council is requested to approve a new interlocal agreement with Cumberland County for the billing and collection of stormwater fees.

PAGE: 31

J. Bid Recommendation – Airport Parking Lot Improvements

Award contract for Airport Parking Lot Improvements to Barnhill Contracting Company, Fayetteville, NC, in the amount of \$745,556.95. Formal bids were received June 2, 2009. The low bidder is recommended.

PAGE: 35

ITEM 3. PUBLIC HEARINGS:

A. Consider an Amendment to the Fayetteville Code of Ordinances, Section 30, Zoning, to add Section 30-520, Airport Overlay District

The purpose of the airport overlay district is to safeguard the operations of the Fayetteville Regional Airport, encourage future development that is compatible with the continued operation of the airport and the economic well being of the city.

PRESENTED BY: Jimmy Teal, Planning Director

RECOMMENDED ACTION: Planning Commission recommends adoption of the ordinance.

PAGE: 36

B. Consider Adoption of the 2030 Growth Vision Plan

The 2030 Growth Vision Plan is a comprehensive plan for all of Cumberland County. The Plan includes seventeen vision statements with policies and actions associated with each vision statement. The Cumberland County Board of Commissioners adopted the 2030 Growth Vision Plan in April of 2009 with some minor revisions. The municipalities in the county are now in the process of adopting the Plan. The City Council may adopt the plan with the revisions adopted by the County Commissioners, adopt the plan as drafted by the 2030 Growth Vision Plan Taskforce or add or delete additional items.

PRESENTED BY: Jimmy Teal, Planning Director

RECOMMENDED ACTION: Planning Commission recommends adoption of the 2030 Growth Vision Plan to include the changes adopted by the County Commissioners

PAGE: 61

C. Public Hearing for Assessment Rolls on Soil Streets That Have Been Paved

Council is scheduled to conduct a public hearing to hear comments concerning the assessment for curb & gutter and paving of the following streets: **Barges Lane** from Grove Street to Lamon Street; **Oscar Street** from Fairview Street to Blackwell Street; **Milan Road** from North Street to Dead End; **Seminole Drive** from Goins Drive to Dead End; **Meeting Street** from N. Cool Spring Street to Dead End; and **Church Street** from the centerline of Lakeland Street southeasterly approximately 215.57 feet. Following the public hearing, Council is asked to take action confirming the assessment rolls.

PRESENTED BY: Jeffrey Brown, Interim Engineering & Infrastructure Director

RECOMMENDED ACTION: Approve Assessment Resolution
PAGE: 125

ITEM 4. Consider adoption of the Fiscal Year 2009-2010 Budget Ordinance, Fee Schedule and Associated Capital Project Ordinances and Amendments

Council provided initial direction to staff for revisions to the Fiscal Year 2009-2010 Recommended Budget on June 1, 2009. The Council is also scheduled to conduct a budget work session on June 17, 2009 to provide additional direction on the recommended budget. The budget ordinance, fee schedule and capital project ordinances and amendments have been prepared to reflect the direction of Council.

PRESENTED BY: Dale E. Iman, City Manager

RECOMMENDED ACTION: Adopt the Fiscal Year 2009-2010 Budget Ordinance, Fee Schedule and Associated Capital Project Ordinances and Amendments

PAGE: 133

INFORMATION ITEMS:

- 1. Statement of Taxes Collected for the Month of May 2009 from the Cumberland County Tax Administrator**
PAGE: 134

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours.

Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 and 7:00 p.m.

**POLICY REGARDING CITY COUNCIL MEETING PROCEDURES
SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM**

Individuals who have not made a written request to speak on a non-public hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

**COUNCIL MEETING WILL BE AIRED
JUNE 22, 2009 - 7:00 PM
COMMUNITY CHANNEL 7**

**COUNCIL MEETING WILL BE RE-AIRED
JUNE 23, 2009 - 10:00 PM
COMMUNITY CHANNEL 7**

Notice Under the Americans with Disabilities Act (ADA): *The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Ron McElrath, Acting ADA Coordinator, at rmcelrath@ci.fay.nc.us, 910-433-1605 or 910-433-1696, or the City Clerk at cityclerk@ci.fay.nc.us or 910-433-1989, as soon as possible but no later than 48 hours before the scheduled event.*

DRAFT

FAYETTEVILLE CITY COUNCIL
DINNER AND DISCUSSION MEETING MINUTES
LAFAYETTE ROOM
MAY 26, 2009
6:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1);
Charles E. Evans (District 2); Robert A. Massey, Jr.
(District 3); Darrell J. Haire (District 4); Bobby Hurst
(District 5); Valencia A. Applewhite (District 7);
Wesley A. Meredith (District 9)

Absent: Council Member William J. L. Crisp (District 6);
Theodore W. Mohn (District 8)

Others Present: Dale E. Iman, City Manager
Karen M. McDonald, City Attorney
Doug Hewett, Assistant City Manager

Mayor Chavonne called the meeting to order.

Closed session to discuss property acquisition and discuss an attorney-client privilege matter.

MOTION: Mayor Chavonne moved to go into closed session to discuss property acquisition related to Multi-Modal Center for properties located on Robeson, Franklin, Russell, and Winslow Streets and being owned by Rankin, Creech, Trumans, and Cintas Corporation and to discuss an attorney-client privileged matter.

SECOND: Council Member Bates

VOTE: UNANIMOUS (8-0)

The regular session recessed at 6:10 p.m. The regular session reconvened at 6:50 p.m.

MOTION: Council Member Bates moved to go into open session.

SECOND: Mayor Pro Tem Meredith

VOTE: UNANIMOUS (8-0)

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

KAREN M. MCDONALD
City Attorney

ANTHONY G. CHAVONNE
Mayor

052609

000007

ITEM 2. A. 1

CITY COUNCIL ACTION MEMO

To: Mayor and City Council

From: Lisa Smith, Chief Financial Officer



Date: June 22, 2009

Re: Finance - Capital Project Ordinance Amendment 2009-25 (Linear Park Project)

THE QUESTION: Capital Project Ordinance Amendment 2009-25 will appropriate an additional \$182,051 for the funding of the Linear Park project.

RELATIONSHIP TO STRATEGIC PLAN:

- ☐ Vision Principle E: Vibrant Downtown – Downtown linked to river and Fayetteville State University.

BACKGROUND:

- ☐ This amendment will appropriate an additional \$182,051. We currently have \$144,079 in donations and \$37,972 in investment income that has not yet been appropriated.
- ☐ If this amendment is approved, the revised budget for the project will be \$1,582,051.

ISSUES:

None

OPTIONS:

- 1) Adopt the Capital Project Ordinance Amendment 2009-25.
- 2) Do not adopt the Capital Project Ordinance Amendment 2009-25.

RECOMMENDATIONS: Adopt the Capital Project Ordinance Amendment 2009-25.

000005

ITEM 2. B.

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2009-25 (CPO 2004-3)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project change authorized is to Capital Project Ordinance 2004-3, adopted November 17, 2003 as amended, for the funding of the Linear Park project.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

| | Listed As | Amendment | Revised |
|-----------------------|---------------------|-------------------|---------------------|
| Donations | \$1,349,285 | \$ 144,079 | \$1,493,364 |
| General Fund Transfer | 50,000 | - | 50,000 |
| Investment Income | 715 | 37,972 | 38,687 |
| | <u>\$ 1,400,000</u> | <u>\$ 182,051</u> | <u>\$ 1,582,051</u> |

Section 4. The following amounts are appropriated for the project:

| | | | |
|----------------------|---------------------|-------------------|---------------------|
| Project Expenditures | <u>\$ 1,400,000</u> | <u>\$ 182,051</u> | <u>\$ 1,582,051</u> |
|----------------------|---------------------|-------------------|---------------------|

Section 5. Copies of this capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 22nd day of June, 2009.

CITY COUNCIL ACTION MEMO

To: Mayor and City Council

From: Lisa Smith, Chief Financial Officer 

Date: June 22, 2009

Re: Capital Project Ordinance 2009-26 and Resolution Authorizing Grant (FY2009 Transit Capital Grant for Replacement of the Existing Transfer Center)

THE QUESTION: Capital Project Ordinance 2009-26 will appropriate the budget for the FY2009 Transit Capital Grant 90-X457 for the Replacement of the existing Transfer Center. The resolution will authorize the City Manager to execute the grant agreement with the NC Department of Transportation.

RELATIONSHIP TO STRATEGIC PLAN:

Principle A: Great Place to Live – Accessible and efficient transit throughout the City.
Value – Stewardship – Looking for ways to leverage city resources and to expand revenues.

BACKGROUND:

- Transit has received a federal grant and a state grant to replace the existing Transfer Center.
 - The Federal Transit Administration will fund 80% of the cost of the replacement, the North Carolina Department of Transportation (NCDOT) will fund 10% of the cost and the City must fund 10%.
- The proposed funding sources for the \$203,422 ordinance are:
 - FTA (\$162,738)
 - NCDOT (\$20,342)
 - Local Match- General Fund Transfer (\$20,342)
- To receive the state grant, the attached resolution must be adopted to authorize the City Manager to execute the grant agreement.

ISSUES: None

OPTIONS:

- 1) Adopt the ordinance and the resolution.
- 2) Do not adopt the ordinance and the resolution.

RECOMMENDATIONS: Adopt the capital project ordinance and adopt the resolution authorizing the grant agreement with the NC Department of Transportation.

000010

ITEM 2. C.

CAPITAL PROJECT ORDINANCE
ORD 2009-26

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The authorized project is for the replacement of the existing Transit Transfer Station.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

| | |
|-------------------------------------|-------------------|
| Federal Transit Administration | \$ 162,738 |
| NCDOT | 20,342 |
| Local Match - General Fund Transfer | 20,342 |
| | <u>\$ 203,422</u> |

Section 4. The following amounts are appropriated for the project:

| | |
|----------------------|-------------------|
| Project Expenditures | <u>\$ 203,422</u> |
|----------------------|-------------------|

Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 22nd day of June, 2009.

RESOLUTION
AUTHORIZING CITY OF FAYETTEVILLE
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____ for adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, the City of Fayetteville has requested the North Carolina Department of Transportation to assist in the funding of the replacement of the existing Transfer Center; and

WHEREAS, the City of Fayetteville will provide 10% of the cost of the above described project;

NOW THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to enter into a contract with the Department of Transportation and execute all agreements and contracts with the North Carolina Department of Transportation, Public Transportation Division.

.....
I, _____ do hereby certify that the above is a true and correct copy of an excerpt for the minutes of a meeting of the City of Fayetteville City Council duly held on the 22nd day of June, 2009.

Signature of Certifying Official

CITY COUNCIL ACTION MEMO

To: Mayor and City Council

From: Lisa Smith, Chief Financial Officer 

Date: June 22, 2009

Re: Capital Project Ordinance 2009-27 (FY2009 Transit Urban Advanced Technology Grant)

THE QUESTION: Capital Project Ordinance 2009-27 will appropriate the budget for the FY2009 Transit Urban Advanced Technology Grant for the purchase of Automatic Vehicle Locator (AVL) systems and related computer hardware and software for fixed route buses.

RELATIONSHIP TO STRATEGIC PLAN:

Principle A: Great Place to Live – Accessible and efficient transit throughout the City
Value – Stewardship – Looking for ways to leverage city resources and to expand revenues

BACKGROUND:

- Transit has received a state grant from the North Carolina Department of Transportation (NCDOT) to purchase automatic vehicle locator systems for fixed route buses.
 - NCDOT will fund 90% of the cost of the AVLs and the City must fund 10%.
- The proposed funding sources for the \$419,012 ordinance are:
 - NCDOT (\$377,111)
 - Local Match - General Fund Transfer (\$41,901)

ISSUES: None

OPTIONS:

- 1) Adopt the ordinance.
- 2) Do not adopt the ordinance.

RECOMMENDATIONS: Adopt Capital Project Ordinance 2009-27.

000013

ITEM 2, D.

CAPITAL PROJECT ORDINANCE
ORD 2009-27

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The authorized project is for the funding of the FY2009 Transit Urban Advanced Technology Grant, which includes funds for the purchase of AVL systems for fixed route buses awarded by the North Carolina Department of Transportation.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

| | |
|---|-------------------|
| North Carolina Department of Transportation | \$ 377,111 |
| Local Match- General Fund Transfer | <u>41,901</u> |
| | <u>\$ 419,012</u> |

Section 4. The following amounts are appropriated for the project:

| | |
|----------------------|-------------------|
| Project Expenditures | <u>\$ 419,012</u> |
|----------------------|-------------------|

Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 22nd day of June, 2009.

RESOLUTION
AUTHORIZING CITY OF FAYETTEVILLE
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____ for adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, the City of Fayetteville has requested the North Carolina Department of Transportation to assist in the funding of the replacement of the existing Transfer Center; and

WHEREAS, the City of Fayetteville will provide 10% of the cost of the above described project;


NOW THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to enter into a contract with the Department of Transportation and execute all agreements and contracts with the North Carolina Department of Transportation, Public Transportation Division.

.....

I, _____ do hereby certify that the above is a true and correct copy of an excerpt for the minutes of a meeting of the City of Fayetteville City Council duly held on the 22nd day of June, 2009.

Signature of Certifying Official

CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council
Thru: Dale Iman, City Manager
From: Jeffery P. Brown, PE, Interim Director of Engineering & Infrastructure 
Date: June 22, 2009
Re: **Addition of Certain Streets to the City of Fayetteville System of Streets**

THE QUESTION:

- Council is being asked to accept the dedication of the attached list of streets for maintenance and addition to the City of Fayetteville system of streets. This list includes 15 paved streets adding up to a total of 2.54 miles.

RELATIONSHIP TO STRATEGIC PLAN:

- Growing City, Livable Neighborhoods, A Great Place to Live

BACKGROUND:

- Staff has identified several subdivision streets throughout the City that are now acceptable for addition to the City of Fayetteville system of streets.
- Most of these streets are recently constructed subdivision streets or streets that the City agreed to accept from NCDOT for maintenance.

ISSUES:

- These streets need to be officially accepted and added to City of Fayetteville system of streets for us to begin providing maintenance services on them and for them to be included in our 2009 Powell Bill appropriation.

OPTIONS:

- Approve the attached list for inclusion in the City of Fayetteville system of streets.
- Modify the list, then approve.
- Do not accept these streets for maintenance.

RECOMMENDATIONS:

- Approve the attached list of subdivision streets for inclusion in the City's system of streets.

000016

ITEM 2.E.

NEW STREETS FOR COUNCIL APPROVAL JUNE 2009

| STREET NAME | LENGTH TO BE ACCEPTED | FROM | TO |
|--------------------|----------------------------------|------------------|------------------|
| DEAL ST | 0.11 | END MAINT | JERNIGAN ST |
| HOLMAN ST | 0.16 | DEAL ST | CUL-DE-SAC |
| JERNIGAN ST | 0.17 | HOLEMAN ST | CUL-DE-SAC |
| KERSHAW LP | 0.36 | SE CORNER LOT 15 | SW CORNER LOT 33 |
| KINDLEY DR | 0.20 | SW CORNER LOT 19 | SW CORNER LOT 68 |
| TWO BALE LN | 0.26 | RAEFORD RD | END MAINT |
| PAXTON DR | 0.20 | REILLY RD | GODFREY DR |
| HILLSBORO ST | 0.26 | HAY ST | HWY 24 ON RAMP |
| LOWELL HARRIS RD | 0.14 | END MAINT | DEAD END |
| YELLOWBRICK RD | 0.24 | CORNFIELD AVE | YELLOWBRICK RD |
| CAVINESS ST | 0.10 | CORNFIELD AVE | YELLOWBRICK RD |
| TINMAN DR | 0.09 | CORNFIELD AVE | YELLOWBRICK RD |
| LIONCOWARD DR | 0.08 | CORNFIELD AVE | YELLOWBRICK RD |
| YORKCHESTER DR | 0.17 | SW CORNER LOT 43 | DEAD END |
| TOTALS | 2.54 | | |

CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council

Thru: Dale Iman, City Manager

From: Jeffery P. Brown, PE, Interim Director of Engineering & Infrastructure 

Date: June 22, 2009

Re: Resolution Accepting State Revolving Loan for Swainey Avenue Drainage Improvement Project

THE QUESTION:

- Council is asked to adopt a resolution accepting a State Revolving Loan in the amount of \$600,000 from the North Carolina Department of Environment and Natural Resources for the Swainey Avenue drainage improvement project.

RELATIONSHIP TO STRATEGIC PLAN:

- More Efficient City Government; Cost-Effective Service Delivery

BACKGROUND:

- On February 17, 2009, the federal government adopted the American Recovery and Reinvestment Act of 2009, more commonly referred to as the Stimulus Package.
- On March 23, 2009 Council adopted Resolution No. R2009-22 authorizing the City to apply for a state revolving loan for the Swainey Avenue drainage project.
- Project will reduce flooding along City streets and private properties.

ISSUES:

- The City will be required to pay 1% closing cost (\$6,000) of the total loan amount within six months of the date of the loan offer.
- The maximum term of this loan offer shall not exceed 20 years at an interest rate of 0%.
- The total loan to be repaid shall be ½ of the total project costs reimbursed.
- All principal payments will be made annually on or before May 1st.

OPTIONS:

- Adopt the resolution accepting the loan in the amount of \$600,000 from the NC Clean Water State Revolving Fund.
- Do not adopt the resolution accepting the loan.

RECOMMENDATION:

- Adopt the attached resolution accepting the loan from the NC Clean Water State Revolving Fund loan to be used for the stormwater drainage improvements along Swainey Avenue.

000018

ITEM

2, F.

RESOLUTION OF THE FAYETTEVILLE CITY COUNCIL

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorize the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environment and Natural Resources has offered a (State Revolving Loan in the amount of \$600,000 for the construction of Swaine Avenue Drainage Improvements.

WHEREAS, the City of Fayetteville intends to construct said project in accordance with the approved plans and specifications,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE:

That the City of Fayetteville does hereby accept the State Revolving Loan, offer of \$600,000.

That the City of Fayetteville does hereby give assurance to the North Carolina Department of Environment and Natural Resources that all items specified in the loan offer, Section II – Assurance will be adhere to.

That Dale Iman, City Manager and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Fayetteville has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.


Adopted this the 22nd day of June, 2009.

ANTHONY G. CHAVONNE, Mayor

ATTEST:

JENNIFER K. PENFIELD, Deputy City Clerk

CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council
Thru: Dale Iman, City Manager
From: Jeffery P. Brown, PE, Interim Director Engineering and Infrastructure 
Date: June 22, 2009
Re: **Resolution to Set Public Hearing to Consider Closing Three Unopened Streets Within the Hope VI Area**

THE QUESTION:

- A petition was received from the Fayetteville Metropolitan Housing Authority for the closure of a portion of McKethan Street, a portion of Ross Street, and Lafayette Street. These streets are all unopened streets within the Hope VI area.

RELATIONSHIP TO STRATEGIC PLAN:

- Growing City – A Great Place to Live

BACKGROUND:

- NCGS§160A-299 gives the authority and procedures for the City to close a city street or alley.
- A map of the proposed streets is attached.
- The Resolution and Order closing a portion of McKethan Street, a portion of Ross Street, and Lafayette Street is attached for adoption following the public hearing.

ISSUES:

- Access to the abutting properties will not be denied as a result of the closures.
- Closing of these streets will allow these areas to be developed as part of the Hope VI Project.

OPTIONS:

- Adopt resolution calling for a public hearing.
- Deny the request.

RECOMMENDATIONS:

- Adopt the attached resolution authorizing advertisement of the Council's intent to permanently close the referenced streets and setting a public hearing for July 27, 2009.

000020

ITEM 2. G.

**STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND
CITY OF FAYETTEVILLE**

Resolution R2009-_____

**RESOLUTION CALLING A PUBLIC HEARING
REGARDING THE PROPOSED CLOSING OF LAFAYETTE STREET
AND THE PROPOSED CLOSING OF A PORTION OF
MCKETHAN STREET FORMERLY KNOWN AS SPRING STREET
AND ROSS STREET FORMERLY KNOWN AS PEARL STREET**

WHEREAS, the City of Fayetteville has received a request to permanently close LaFayette Street having a thirty-foot (30') right-of-way, and to permanently close a portion of McKethan Street formerly known as Spring Street having a forty foot (26') right-of-way, and Ross Street formerly known as Pearl Street having a forty foot (26') right-of-way as shown on Plat Book 7, Page 62 and recorded in the Office of the Register of Deeds for Cumberland County, North Carolina. The streets are located on the north side of Vanstory Street and are found within the Hope VI project area. The street and portion of said streets are more specifically described as:

- Being all that certain unopened street identified as **LaFayette Street** as shown on Plat Book 7, Page 62, Cumberland County Registry.
- **McKethan Street** - Commencing at a point where the western right-of-way margin of McKethan Street formerly known as Spring Street intersects the northern right-of-way margin of Vanstory Street and running in a northerly direction along the western right-of-way of McKethan Street approximately 113.75 feet to the point of BEGINNING; thence continuing with the western right-of-way margin of McKethan Street in a northerly direction approximately 320.07 feet; thence crossing said 26 foot right-of-way to the eastern right-of-way of said street; thence in a southerly direction to the southwest corner of property identified as Tax PIN 0437-60-8622; thence in a westerly direction crossing said McKethan Street right-of-way 26 feet to the BEGINNING.
- **Ross Street** - Commencing at a point where the western right-of-way margin of Ross Street formerly known as Pearl Street intersects the northern right-of-way margin of Vanstory Street and running in a northerly direction along the western right-of-way of Ross Street approximately 106.75 feet to the point of BEGINNING; thence continuing with the western right-of-way margin of Ross Street in a northerly direction approximately 264.89 feet; thence crossing said 26 foot right-of-way to the eastern right-of-way of said street; thence in a southerly direction to the southwest corner of property identified as Tax PIN 00437-70-0627; thence in a westerly direction crossing said Ross Street right-of-way 26 feet to the BEGINNING. See attached map.

AND WHEREAS the above-described streets are located within the corporate limits of the City of Fayetteville and the Council intends to approve said request.

NOW THEREFORE, the City Council calls a public hearing on the question of the street closures to be held during the regular meeting of the Fayetteville City Council in Council Chambers at 433 Hay Street, 7:00 PM, July 27, 2009. Persons wishing to be heard regarding this issue must register in advance with the City Clerk in the Executive Offices, Second Floor, City Hall, 433 Hay Street, prior to the hearing date or at Council Chambers between 6:30 – 7:00 PM on the evening of the hearing.

The City Manager or his designee is directed to advertise this notice as prescribed in NCGS 160A-299 on June 26, July 3, 10 and 17, 2009.

ADOPTED this 22nd day of June 2009 by the City Council of the City of Fayetteville, North Carolina.

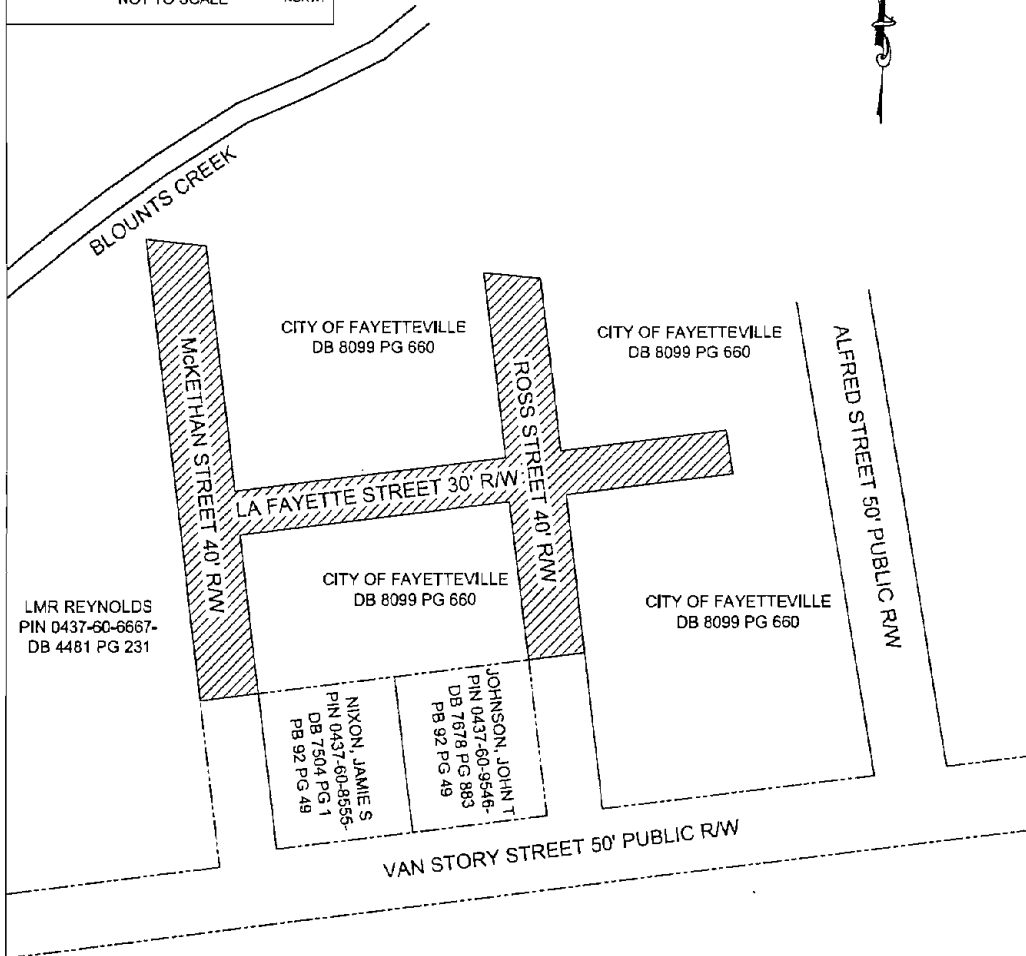
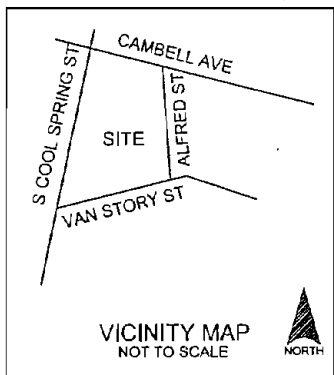
CITY OF FAYETTEVILLE

(SEAL)

By: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

Jennifer K. Pennfield, Deputy City Clerk



STREET CLOSING PETITION

LA FAYETTE STREET, A PORTION OF McKETHAN STREET
AND A PROTION OF ROSS STREET

CITY OF FAYETTEVILLE, CUMBERLAND COUNTY, NC
SCALE 1" = 100' JUNE 4, 2009

MAP PREPARED BY:
ALLEN - ALLEN & ASSOCIATES OF NC, PA
2606 RAEFORD ROAD, SUITE 31
FAYETTEVILLE, NORTH CAROLINA 28303

MAP NOT PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED



STREETS TO BE CLOSED

000024

PETITION OF THE FAYETTEVILLE METROPOLITAN HOUSING AUTHORITY TO CLOSE ROSS STREET

To: The Honorable Mayor and Members of the City Council of the City of Fayetteville,
North Carolina

1. That under the date of December 6, 1919, a plat was recorded in the office of the Register of Deeds for Cumberland County, entitled Bevil & Van Story said plat being recorded in Plat Book 7, Page 62, Cumberland County Registry.
2. That there were dedicated certain streets in said subdivision by the recordation of the plat, one of which is denominated Pearl Street (now called Ross Street).
3. That the petitioner is owner of a portion of the property adjoining said street and is desirous of closing a portion of the street as a public street, pursuant to North Carolina General Statute 160A-299.
4. That a portion of said street, although dedicated by the heretofore mentioned plat, is not now used as a street; that your petitioner believes it would be in the best interests of all parties that said street portion be closed as a public street and that your petitioner believes that the closing of said street portion would not deprive anyone of reasonable means of ingress and egress to his or her property and that the closing of said street portion will not do any harm to person known to your petitioner.

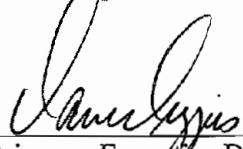
WHEREFORE, Petitioner respectfully petitions the City Council of the City of Fayetteville as follows:

- (1) That the portion of Ross Street (formerly Pearl Street) from Sta 1+31.78 (Sta 0+00 being the centerline of Van Story Street) to it's end, be closed pursuant to the authority of North Carolina General Statute, 160A-299.
- (2) That a hearing be held pursuant to North Carolina General Statute 160A-299 after appropriate notification of all parties as set forth in the aforesaid statute.

Filed this 21st day of May, 2009.

SIGNATURE OF PETITIONERS:

Fayetteville Metropolitan Housing Authority

By: 
Dawn Driggers, Executive Director

PETITION OF THE FAYETTEVILLE METROPOLITAN HOUSING AUTHORITY TO CLOSE MCKEITHAN STREET

To: The Honorable Mayor and Members of the City Council of the City of Fayetteville,
North Carolina

1. That under the date of December 4, 1919, a plat was recorded in the office of the Register of Deeds for Cumberland County, entitled Bevil & Van Story said plat being recorded in Plat Book 7, Page 62, Cumberland County Registry.
2. That there were dedicated certain streets in said subdivision by the recordation of the plat, one of which is denominated McKeithan Street (Formerly Spring Street per Plat Book 7, Page 62).
3. That the petitioner is owner of a portion of the property adjoining said street and is desirous of closing a portion of the street as a public street, pursuant to North Carolina General Statute 160A-299.
4. That a portion of said street, although dedicated by the heretofore mentioned plat, is not now used as a street; that your petitioner believes it would be in the best interests of all parties that said street portion be closed as a public street and that your petitioner believes that the closing of said street portion would not deprive anyone of reasonable means of ingress and egress to his or her property and that the closing of said street portion will not do any harm to person known to your petitioner.

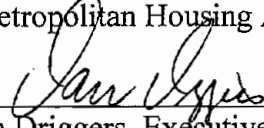
WHEREFORE, Petitioner respectfully petitions the City Council of the City of Fayetteville as follows:

- (1) That McKeithan Street in its entirety be closed pursuant to the authority of North Carolina General Statute, 160A-299.
- (2) That a hearing be held pursuant to North Carolina General Statute 160A-299 after appropriate notification of all parties as set forth in the aforesaid statute.

Filed this ____ day of _____, 2009.

SIGNATURE OF PETITIONERS:

Fayetteville Metropolitan Housing Authority

By: 
Dawn Driggers, Executive Director

PETITION OF THE FAYETTEVILLE METROPOLITAN HOUSING AUTHORITY TO CLOSE LA FAYETTE STREET

To: The Honorable Mayor and Members of the City Council of the City of Fayetteville,
North Carolina

1. That under the date of December 4, 1919, a plat was recorded in the office of the Register of Deeds for Cumberland County, entitled Bevil & Van Story said plat being recorded in Plat Book 7, Page 62, Cumberland County Registry.
2. That there were dedicated certain streets in said subdivision by the recordation of the plat, one of which is denominated La Fayette Street.
3. That the petitioner is owner of a portion of the property adjoining said street and is desirous of closing a portion of the street as a public street, pursuant to North Carolina General Statute 160A-299.
4. That a portion of said street, although dedicated by the heretofore mentioned plat, is not now used as a street; that your petitioner believes it would be in the best interests of all parties that said street portion be closed as a public street and that your petitioner believes that the closing of said street portion would not deprive anyone of reasonable means of ingress and egress to his or her property and that the closing of said street portion will not do any harm to person known to your petitioner.

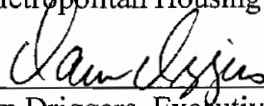
WHEREFORE, Petitioner respectfully petitions the City Council of the City of Fayetteville as follows:

- (1) That La Fayette Street in its entirety be closed pursuant to the authority of North Carolina General Statute, 160A-299.
- (2) That a hearing be held pursuant to North Carolina General Statute 160A-299 after appropriate notification of all parties as set forth in the aforesaid statute.

Filed this ____ day of _____, 2009.

SIGNATURE OF PETITIONERS:

Fayetteville Metropolitan Housing Authority

By: 
Dawn Driggers, Executive Director

CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council

Thru: Dale Iman, City Manager

From: Jeffery P. Brown, PE, Interim Director of Engineering & Infrastructure 

Date: June 22, 2009

Re: **Set a Public Hearing and Approve a Preliminary Resolution Requiring the Paving Without Petition of Certain Soil Streets**

THE QUESTION:

- Council is being asked to set a public hearing for the July 27, 2009 Council meeting and approve a preliminary resolution requiring the paving without petition of: **Drexel Road** from Temple Avenue to Pennsylvania Avenue; **Greensboro Street** from Jasper Street to McLamb Drive; **Wilma Street** from Roosevelt Street 930 feet to a cul-de-sac; **Salisbury Street** from Wilma Street 298 feet to a cul-de-sac; **Quillan Street** from Bragg Boulevard 794 feet to a turn around; **Morgan Lane** from Park Street to Claremont Avenue and from Claremont Avenue 330 feet to a dead end.

RELATIONSHIP TO STRATEGIC PLAN:

- Livable Neighborhoods, Paved Streets

BACKGROUND:

- In 2007 Council established a program to pave remaining soil streets over a three year period.
- The soil streets listed above will complete this process with the streets that staff recommends to be paved with an estimated cost of \$784,854.
- All of these streets are proposed to be paved including concrete curb & gutter (\$25.00 assessment rate).

ISSUES:

- Chapter 160A, Article 10 of the North Carolina General Statutes outlines the procedure for special assessments for street paving.

OPTIONS:

- Set a public hearing and adopt the attached preliminary resolution requiring the paving without petition of these soil streets.
- Do not set a public hearing or approve the resolution.

RECOMMENDATION:

- Set a public hearing for July 27, 2009 and adopt the attached resolution requiring the paving without petition of certain soil streets.

000028

ITEM 2. H.

**STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND
CITY OF FAYETTEVILLE**

**NOTICE OF MEETING OF
CITY COUNCIL**

Notice is hereby given of a meeting of the City Council at the time and place and for the purpose stated in the following resolution and order:

**PRELIMINARY RESOLUTION
REQUIRING THE PAVING WITHOUT PETITION OF**

Drexel Road from Temple Avenue to Pennsylvania Avenue; Greensboro Street from McLamb Drive to Jasper Street; Morgan Lane from Park Street to Claremont Avenue and from Claremont Avenue 330 feet to a dead end; Quillian Street from Bragg Boulevard to 794 feet to turn around; Salisbury Street from Wilma Street 311.82 feet to a cul-de-sac; and Wilma Street from Roosevelt Drive 932.89 feet to a cul-de-sac.

After careful study and consideration of the matter and all pertinent facts and circumstances, including engineering and planning studies and advice, and the exercise of its best legislative judgment, the City Council of Fayetteville, North Carolina finds as fact that:

1. The public interest, safety, convenience and general welfare requires the paving and other below described improvements of: Drexel Road from Temple Avenue to Pennsylvania Avenue; Greensboro Street from McLamb Drive to Jasper Street; Morgan Lane from Park Street to Claremont Avenue and from Claremont Avenue 330 feet to a dead end; Quillian Street from Bragg Boulevard to 794 feet to turn around; Salisbury Street from Wilma Street 311.82 feet to a cul-de-sac; and Wilma Street from Roosevelt Drive 932.89 feet to a cul-de-sac.

AND

1. The property abutting on said streets to be so paved and improved will be benefited by such pavement and improvement to the extent of the part of the cost thereof to be assessed, as stated below, against such abutting properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, DOES ORDER THAT:

1. Drexel Road from Temple Avenue to Pennsylvania Avenue; Greensboro Street from McLamb Drive to Jasper Street; Morgan Lane from Park Street to Claremont Avenue and from Claremont Avenue 330 feet to a dead end; Quillian Street from Bragg Boulevard to 794 feet to turn around; Salisbury Street from Wilma Street 311.82 feet to a cul-de-sac; and Wilma Street from Roosevelt Drive 932.89 feet to a cul-de-sac, the cost of such improvements (exclusive of so much of said cost as is incurred at street intersections) to be specially assessed in an amount not to exceed **TWENTY-FIVE DOLLARS (\$25.00)** thereof upon the lots and parcels of land abutting upon said improved street portions according to the extent of the

respective frontage thereon by an equal rate per foot of such frontage, to be paid after completion of such work and within thirty (30) days after notice of assessment, in cash with no interest, or in ten (10) equal annual installments, bearing annual interest at a rate not to exceed eight percent (8%), payable annually.

2. Pursuant to the policy of the City Council adopted on December 7, 1992, the annual interest rate on the unpaid installments may be adjusted at the discretion of City Council at the time of the confirmation of the assessment roll, to a rate equal to the rate on the ten-year Treasury Note, not to exceed the maximum allowed by law.
3. A meeting of the City Council of Fayetteville will be held on the 27th day of July, 2009, at the Fayetteville City Hall, at 7:00 p.m., on the proposed improvements, when all objections to the legality of making the proposed improvements shall be made in writing, signed in person or by attorney, and filed with the Clerk of said City at or before such time, and that any such objections not so made will be waived.
4. Individuals desiring to speak at this public hearing shall sign up with the City Clerk, by name and home address (in writing or in person) before 5:00 p.m. on or before the scheduled public hearing date, at 433 Hay Street, 2nd floor, or between 6:30 and 7:00 p.m. on the public hearing date at City Hall Council Chamber.
5. This **RESOLUTION** shall be published once in the Fayetteville Observer, a newspaper published in the City of Fayetteville, ten (10) days before the time fixed for said meeting.

ADOPTED this the 22nd day of June 2009 by the City Council of the City of Fayetteville, North Carolina.

CITY OF FAYETTEVILLE

By: _____
Anthony G. Chavonne, Mayor

ATTEST:

Jennifer K. Pennfield, Deputy City Clerk

PUBLISH: July 10, 2009

CITY COUNCIL ACTION MEMO

To: Dale Iman, City Manager

Thru: Jeffery P. Brown, PE, Interim Director of Engineering & Infrastructure 

From: Greg Caison, Stormwater Manger

Date: June 22, 2009

Re: Interlocal Agreement for the Billing and Collection of Stormwater Fees

THE QUESTION:

- Council is requested to approve a new interlocal agreement with Cumberland County for the billing and collection of stormwater fees.

RELATIONSHIP TO STRATEGIC PLAN:

- Stormwater Management
- Sustainable Community – Conserving and protecting community natural resources

BACKGROUND:

- As a result of Cumberland County's withdrawal from the joint stormwater program, the previous interlocal agreement for the billing and collection of stormwater fees is no longer valid. The previous agreement also contained other wording related to the "joint" operation of the city-county stormwater program which not longer applies.
- The County Commissioners have recently terminated the previous agreement and have approved this new agreement. The new Interlocal Agreement between the City of Fayetteville and Cumberland County must be approved to continue the existing billing and collection process.
- The terms and conditions have not changed from the previous process.

ISSUES:

- Currently, the most efficient way to bill and collect stormwater fees is to employ the use of the existing county property tax database. The County's system is a proven method having been used for the past fourteen (14) years for this purpose and it also contains the property's relevant impervious area information critical to accurately calculating the fees.

OPTIONS:

- Approve the Interlocal Agreement as presented.
- Approve the Interlocal Agreement with revisions.
- Deny the approval of the Interlocal Agreement.

RECOMMENDATIONS:

- Approve the Interlocal Agreement with Cumberland County for the billing and collection of stormwater fees with an effective date of July 1, 2009.

0000.31

ITEM 2. I.

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

AGREEMENT FOR
INTERLOCAL UNDERTAKING

THIS INTERLOCAL AGREEMENT made and entered into this ____ day of June, 2009, by and between CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina, hereinafter referred to as the COUNTY, party of the first part, and the CITY OF FAYETTEVILLE, a municipality duly incorporated under the laws of North Carolina, hereinafter referred to as the CITY, party of the second part;

WITNESSETH:

WHEREAS, the COUNTY and the CITY entered into an INTERLOCAL AGREEMENT dated July 31, 1995 for the CITY to operate a joint storm water utility on behalf of both jurisdictions; and

WHEREAS, based on a November 25, 2008 letter from the North Carolina Division of Water Quality, the COUNTY is no longer considered a Phase I NPDES community and thus no longer needs to obtain and comply with an NPDES Stormwater Discharge Permit for the discharge of stormwater to waters of the state; and

WHEREAS, on March 16, 2009, the COUNTY Board of Commissioners voted to discontinue collection of the existing stormwater fee and transition out of the existing joint stormwater utility with the CITY; and

WHEREAS, the CITY is still considered a Phase I NPDES community and must continue to obtain and comply with an NPDES Stormwater Discharge Permit for the discharge of stormwater to waters of the state; and

WHEREAS, the CITY desires to create a stormwater utility to fund a comprehensive stormwater program including but not limited to those activities as required by its NPDES Stormwater Discharge Permit; and

WHEREAS, the CITY desires to use the COUNTY property tax billing system to bill for the new CITY stormwater fees associated with its new stormwater utility and to have the stormwater fee billing database maintained and updated by the COUNTY; and

WHEREAS, the governing bodies of the COUNTY and the CITY have by resolution duly recorded in their minutes ratified this INTERLOCAL AGREEMENT;

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained and of the mutual benefits to result therefrom, the parties hereby agree as follows:

1. Purpose. The purpose of this INTERLOCAL AGREEMENT is to provide for the maintenance and upkeep of the CITY's stormwater fee billing database by the

COUNTY, and to provide for the billing and collection of the CITY's stormwater fee through the COUNTY's property tax billing system.

2. Duration. The term of this INTERLOCAL AGREEMENT shall be indefinite, unless sooner terminated as herein provided.
3. Personnel. In consideration for the maintenance of the CITY's stormwater fee billing database, the CITY shall fund the Stormwater Billing Coordinator position, to include salary and benefits, which is hired by the County Tax Administrator and is a COUNTY employee.
4. Expenses. In consideration for the billing and collection of the CITY's stormwater fee, the CITY shall pay the COUNTY ten cents per property tax bill containing a CITY stormwater fee.
5. Ownership of Property. This INTERLOCAL AGREEMENT does not require the purchase, acquisition, or disposition of real property by either party during the term of this agreement.
6. Amendment. This INTERLOCAL AGREEMENT may be amended anytime by mutual agreement between the parties in writing and duly ratified by the governing bodies of the COUNTY and CITY.
7. Termination. This INTERLOCAL AGREEMENT may be terminated by either party upon prior written notice of at least 180 days duly authorized by its governing body of one party to the other party. The date of termination shall be the last day of the fiscal accounting year of either party following the delivery of such written notice from one party to the other party.

[The rest of this page intentionally left blank][

WHEREFORE, the parties hereunto, intending to be bound thereby, have executed this Agreement by and through their respective authorized officials, as of the date and year first above written.

[CITY SEAL]

CITY OF FAYETTEVILLE

BY:

ANTHONY G. CHAVONNE, Mayor
City of Fayetteville

ATTEST:

City Clerk

[COUNTY SEAL]

COUNTY OF CUMBERLAND

BY:

Jeannette M. Council
JEANNETTE M. COUNCIL, Chairman
Cumberland County Board of
Commissioners

ATTEST:

Marsha Fogle
MARSHA FOGLE, Clerk to Board

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control Act.

APPROVED FOR LEGAL SUFFICIENCY:

BY:

City Finance Director

BY:

Amy H. Cannon
County Finance Director

BY:

City Attorney's Office

BY:

[Signature]
County Attorney's Office

CITY COUNCIL ACTION MEMO

To: Dale Iman, City Manager
CC: Brad Whited, Jeffery Brown
From: Gloria Wrench, Purchasing Manager
Date: June 22, 2009
Re: Bid Recommendation – Airport Parking Lot Improvements

THE QUESTION: Staff requests approval to award a contract for the Airport Parking Lot Improvements. The work consists of performing parking lot improvements at the City of Fayetteville Airport parking lots.

RELATIONSHIP TO STRATEGIC PLAN: Greater Tax Base Diversity – Strong Local Economy

BACKGROUND: Bids were received June 2, 2009 for the project entitled "Airport Parking Lot Improvements". Bids were received as follows:

| | |
|--|--------------|
| Barnhill Contracting Company, Fayetteville, NC | \$745,556.95 |
| Highland Paving Co., Fayetteville, NC | \$789,137.35 |
| Barnes Paving Co. Inc., Lumberton, NC | \$863,529.20 |

Barnhill Contracting Co. will utilize SDBE, minority or woman-owned businesses for approximately 10.9% of the work on this project.

ISSUES: None

OPTIONS: (1) Award contract according to staff recommendation. (2) Reject bids and not award contract.

RECOMMENDATIONS: Award a contract to the lowest responsive, responsible bidder, Barnhill Contracting Company, Fayetteville, NC, in the amount of \$745,556.95.

0000.35

ITEM 2. J.

CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council
From: Jimmy Teal, Planning Director
Date: June 22, 2009
Re: Adoption of the Airport Overlay District Ordinance

THE QUESTION: Adopt an Airport Overlay District Ordinance for areas within the city located in the vicinity of the Fayetteville Regional Airport

RELATIONSHIP TO STRATEGIC PLAN: Partnership of Citizens

BACKGROUND:

The Airport staff working with the planning staffs from the County and City developed an overlay district ordinance designed to protect the operations of the Fayetteville Airport. The overlay district essentially provides three elements:

1. Factors are listed within the text that are proposed to be considered when any rezoning petitions or special use permits are submitted within the overlay area;
2. Notice is to be given to the public by means of a statement on any recorded plat advising the public that the property is located within the overlay district;
3. Reasonable height restrictions based on an incremental scale and require a copy of the FAA Form 7460-1 to the City at the time of permit application. Please note this form is required by FAA.

The Cumberland County Board of Commissioners and the Hope Mills Town Commissioners held separate public hearings in 2008 to consider adoption of the overlay district ordinance. Both bodies adopted the Airport Overlay District Ordinance. Their overlay districts have been in place for over six months with no problems.

The overlay district ordinance for each governmental entity is basically the same with each ordinance applicable to its jurisdiction.

0000.36

ITEM 3. A.

ISSUES:

A speaker at the Planning Commission public hearing cited the ordinance as a taking by a governmental entity by restricting property use.

A taking is either a physical use of a person's property or a regulation that does not provide the owner with a practical use of the property. The overlay ordinance does not include any reference to a governmental entity acquiring property. Secondly, the land uses allowed under the terms of the ordinance shall continue to be allowed in the same manner as established by this ordinance.

When the Zoning Commission or City Council are considering a rezoning case or special use permit within the overlay district they shall give considerable weight to the following:

All allowed uses within the district being requested should be compatible with the continued operation of the airport and consistent with the 2023 Off-Airport Land Use Plan or subsequent amendments to said plan.

OPTIONS:

1. Adopt the Airport Overlay District Ordinance as recommended by the Planning Commission;
2. Adopt the Airport Overlay District Ordinance with revisions;
3. Delay action on adopting the Airport Overlay District Ordinance.

RECOMMENDATIONS:

Adopt the Airport Overlay District Ordinance as recommended by the Planning Commission.

ATTACHMENTS: Map of the proposed Airport Overlay District
Proposed Airport Overlay District Ordinance
Planning Commission Meeting Minutes



PLANNING

**MINUTES
CITY OF FAYETTEVILLE
FAYETTEVILLE PLANNING COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 17, 2009
7:00 PM
LAFAYETTE ROOM
CITY HALL**

MEMBERS PRESENT

Jim Smith
Myles Jones
Jack Cox
Mark Ledger
Mary Lavoie
Debra Patillo
Larry Boney
Charles Astrike
Bill Watt
Tom Speight

MEMBERS ABSENT

Chris Dempster

OTHERS PRESENT

Jimmy Teal, Planning Director
Karen Hilton, Asst. Planning Dir.
Janet Smith, Asst. City Atty.
David Nash, Planner

The meeting was called to order at 7:00 PM.

ITEM 1. Approval of the Agenda

Mr. Cox made a motion to approve the agenda. Mr. Speight seconded the motion.

A vote was taken and it passed unanimously.

ITEM 2. Approval of the Minutes from the November 18, 2008 Meeting

Mr. Ledger made a motion to approve the minutes. Mr. Cox seconded the motion.

Mr. Watt stated that his name is not William. He stated he would like to be called Bill Watt.

Mr. Ledger made a motion to approve the minutes as amended. Mr. Cox seconded the motion.

A vote was taken and it passed unanimously.

ITEM 3. Approval of the Minutes from the December 16, 2008 Meeting

Mr. Ledger made a motion to approve the minutes with the correction to Mr. Watt's name. Mr. Speight seconded the motion.

A vote was taken and it passed unanimously.

ITEM 5. Public Hearing to Consider Airport Overlay District

Mr. Smith asked if Mr. Bledsoe was present. He was not.

Mr. Nash presented the case. He stated that Mr. Whited, Airport Director, was present and available if there were any questions regarding the item. Mr. Nash stated that approximately 2000 letters on this item were mailed to property owners within the proposed airport district. He stated that the project is referred to as an Overlay District Project. He stated that it was a joint project with Cumberland County, the Town of Hope Mills and the City of Fayetteville. He stated that the airport is owned by the city but all of the different jurisdictions are involved because the impact of the airport affects all three jurisdictions.

Mr. Nash showed the Commission a map of the area surrounding the airport to give the Commission members a greater understanding of the area. Mr. Nash then showed the Commission the area that is in the proposed Airport Overlay District.

Mr. Nash stated that this has been a joint committee effort with the Cumberland County Planning Department. Mr. Nash stated that he represented the City of Fayetteville in the initial discussions. Mr. Nash stated that an Overlay District is an addition to the zoning ordinance. He stated that it is going to establish specific regulations which will be in addition to the underlined zoning ordinance. Mr. Nash stated that the property would not be changed or rezoned if the overlay were to get adopted. The existing zoning would stay the same, but it added some new considerations and regulations to the properties located within the boundary.

Mr. Nash stated that currently the Cumberland County Commissioners have approved the item as well as the Hope Mills Town Board. Mr. Nash stated that the reason for the airport overlay district is to prevent incompatible uses to the airport operations.

Mr. Nash stated that some of the elements of the overlay that are contained in the ordinance that the Planning Board Members have available to them are definitions, descriptions, maps, impact zones and information about height restrictions. He stated that he will be pointing out some differences what the Planning Commission has available to them tonight and what the county and Hope Mills has already adopted.

Mr. Nash stated that the major points available in the information are three things, 1) it sets forth factors that need to be considered when a request comes in from the airport overlay area and in the City of Fayetteville jurisdiction. 2) it amplifies the height limitations that are currently in place over the area. 3) it requires public notice by placing statements on recorded plats and Fayetteville is considering adding a required notice when property changed hands by placing a statement on the deed.

Mr. Nash stated that when a request to rezone property within the overlay district comes into the city, then the city will give weight to the following factors: that all uses should be compatible with the continued operation of the airport, and all uses should be consistent with a certain map that is in the airport master plan.

Mr. Nash stated that if a request for rezoning property in the overlay district were submitted that would not be compatible with the overall airport operations it should not be favorably considered unless the airport manager recommends approval. Mr. Nash stated that the things he believes the airport manager would be considering include high concentration of residential uses on the land, a facility for the assembly of a large number of people, or something that would cause impairment of aircraft operations such as smoke, light admissions, electrical interference, anything with massive height or anything capable of attracting birds or water fowl.

Mr. Nash stated that the second major focus is setting reasonable height limitations for the property that are near the approach zones. He stated that the FAA has already requiring approval for anything over two hundred feet in the area. Mr. Nash stated that the verbiage in the proposed ordinance states that prior to

applying for a building or a zoning permit the developer would need to provide a copy of the FAA acknowledgement that they have received the required paperwork. Mr. Nash stated that approval would not be granted until that was received. He stated that if the FAA acknowledged a possible obstruction being proposed any could create a hazard the airport manager could get involved and give his written consent to approve the permit or the developer would be required to seek a variance under the provisions of the zoning ordinance. Mr. Nash stated that in general it doesn't apply to anything less than thirty five feet high unless it were atop a high hill and that would cause interference with the air space they are trying to protect.

Mr. Nash showed the Commission a map that showed Part 77 regulations for the FAA based on the work the consultants did for the master plan. Mr. Nash showed the Commission what the overlay district is based upon which includes several thousand feet off of each runway.

Mr. Nash stated that the third basic point of all this is the additional requirement for public notification on recorded plats. Mr. Nash used as an example for this if a property owner of vacant land in the overlay district subdivides the property then a statement is placed on the plat indicating the property is near an airport. The statement on the plat informs the buyer they are purchasing land that is near an airport and there is the potential exposure to noise. Mr. Nash stated that this was just one more way of making people aware. He stated that Fayetteville is requiring notice to be a statement on the deed whenever property changes hand. Mr. Nash stated the wording in the ordinance that would appear on the plat includes the property is within the City of Fayetteville Airport Overlay District and all or a portion of the property described here on is within an area that is subject to an average noise level near to or exceeding sixty five DNL.

Mr. Nash showed the Commission a map of the noise contours from the master plan stating that most of the noise is contained on the property of the airport and a little extends to HWY 87-East Mountain Drive interchange. Mr. Nash stated that the ordinance stated near to which means that there is a possibility they might be bothered by aircraft noise.

Mr. Nash summarized how the proposal for the City of Fayetteville defers from the proposal that Cumberland County and Hope Mills received. He stated that the City of Fayetteville proposal does not include airport impact zones because where they would apply is in the County's jurisdiction now. He stated that if the City of Fayetteville were to annex that area the ordinance would need to be amended. Mr. Nash showed the Commission a drawing of the proposed airport impact zones.

Mr. Nash reiterated that Cumberland County and the Town of Hope Mills has already adopted the Airport Overlay District and he reminded the Commission that tonight was the public hearing and it would then go to City Council.

Mr. Smith asked Mr. Whited had anything to add. Mr. Whited replied no that he was available for any questions.

The public hearing was opened.

Mr. Keith appeared in opposition of the request. Mr. Keith stated that he owns several pieces of property near the airport. He stated that he has been on Airport Commission on other towns and he is a pilot. He stated that they certainly want to do everything they can to protect the airport and all the approaches. Mr. Keith stated that the major concern is the issue of height easements, slope easements and approach easements that have been talked about at the meeting. Mr. Keith stated that the easements are the same as what the FAA used.

Mr. Keith stated that in 1934 when the Civil Aeronautic Board limited height obstruction to two hundred feet and this is his first encounter where they did not compensate the property owners from taking their use of property height. He stated it was the first time he had seen it in the County. He stated that he assisted in the appraisal process for a lot of properties adjoining airports in different municipalities. He stated they were appraised for the purpose of determining the amount of just compensation under the Fifth Amendment. Mr. Keith stated that the property owner is entitled as a result to a municipality, county or

FAA taking various approach easements that limit the use of the height of the property. He stated that this is his first encounter where those rights were taken with just compensation.

Mr. Keith stated that he certainly hoped that the Commission would consider the property owners. He stated that everyone wants to consider the safety of the public as well. He stated that if he were flying in and out of the airport on a commercial carrier he would certainly want to be as safe as possible but he feels it is owed to the property owners in the area to give them some consideration so that they can do some things to their properties without being restricted with height limitations and restrictions.

Mr. Keith stated that the FAA has always limited the height of things around airports and they do anytime you are constructing a tower or anything of that sort. He stated that on those accounts you have to submit an application to the FAA. He stated that the FAA generally using the same sloop easements on the side and off the approach end and departure end of the runways. He stated that the easements can be quite restrictive. Mr. Keith stated that most airports require those easements as a description on the use of the land and it affects the title of the property. He asked that the Commission consider the property owners as well.

Mr. Smith asked again if Mr. Bledsoe was present. He was not.

The public hearing was closed.

Ms. Lavoie asked Mr. Keith what kind of project he would have planned for the air space he feels should receive compensation. Mr. Keith stated that it was not a matter of planning for of things that would affect the value of the property. Ms. Lavoie asked for an example. Mr. Keith stated slope easements and side slope easements. Mr. Keith stated that anytime you limit the height of a structure on a piece of property you are affecting the value and the use of the property. He stated that those properties are appraised quite often. He stated that he recently appraised one for another municipality and they compensated the property owners for the taken of the approach and side slope easements. He stated that if he wasn't mistaken the side slope easements were twenty to one and the approach easements were one hundred to one. He stated that means you can go one hundred feet out and build a structure one foot high and if you go two hundred feet out you can build a structure two feet high. He stated that there isn't much use in building a two foot structure to the property owner. He stated that it also affects the ability to grow timber on your property because of the height of the tree. He stated that you would have to go miles away from the airport to allow a tree to grow to maturity.

Ms. Lavoie asked if someone who was purchasing property around an airport expect to limit what they can do on their property. Mr. Keith stated that to his knowledge he has never heard of that. He stated that he has been in business for forty years. Mr. Keith stated that he has appraised over fifteen thousand properties worth several billion dollars worth. Ms. Lavoie asked if no one would ever expect to limit their growth on the property because they are near an airport. Mr. Keith replied that most people who purchase land around an airport expect to develop it industrially. He stated that there are industries that want to be located next to the airport to taxi their aircraft up to their manufacturing building to practice just in time inventory to decrease down time in deliveries. He stated that those of the kind of things that he has seen. He stated that the noise is not an overriding issue for industrial use. He stated that his property is zoned industrial and it was zoned that way so houses would not be close to the airport and wanted something that would be compatible with the noise, lights and things of that nature.

Ms. Patillo asked Mr. Nash if he had considered Mr. Keith's concerns about property owners receiving compensation and if they were considered what the results were. She then asked Mr. Keith if he had made his concerns known at the Cumberland County and Hope Mills hearings.

Mr. Keith answered that the specific points were not brought to the Cumberland County Commission but he did attend the meeting and expressed his concerned about receiving compensation under the Fifth Amendment. He stated that other municipalities are paying compensation to property owners. He stated that he believed no one in this situation was getting a dime. He asked if any one was getting paid. Several people responded no.

Mr. Keith stated that it was the first time he had seen land taking without just compensation. He stated that the FAA funds acquiring these rights from the property owner. He stated that they always have in the past. He stated the fact there is no compensation in this case is basically his concern.

Mr. Nash deferred to Mr. Whited to answer Ms. Patillo's question. Mr. Whited stated that he would like to shed some clarity on the issue. He stated that the overlay district is a reflection of Part 77 which is what Mr. Keith was discussing in terms of the height limitations and the sloops. Mr. Whited stated that this overlay district is not a physical taking, but a zoning overlay district. He stated that it is a zoning because the airport is in favor of commercial development in vicinity of the airport.

Mr. Whited stated the 1983 Airport Area District promoted commercial activity around the airport which was put to very good use. He stated that what he has seen in the last five or six years are the commercial properties being converted to residential and medium residential particularly in approach zones of runway four, which is the main runway. He stated that the concern is due to the lack of available customers for industrial and commercial uses land. He stated that they are concern about protecting against those kinds of rezoning cases without any consideration. He stated that in regards to specific payment, which Mr. Keith is talking about, for the actual physical taking of the avigational easements, there is a reference to an irrigational easement on runway ten. Mr. Whited asked that the Commission not confuse that with the airport overlay district as being a complete avigational easement taking because it is not. Mr. Whited stated that there is a specific one that was purchased on runway ten because the airport didn't own property across the road. Mr. Whited stated that the FAA policy is that the airport buys the runway protection zone which is the encroachment most immediate to the runway and if it can't be purchased the FAA recommends buying an avigational easement from those property owners. He stated that the airport followed that procedure and that this is not a physical taken of avigational rights. He stated that this is merely an indication that this is an impact area and certain consideration needs to be looked at when rezoning or developing properties. Mr. Whited stated that it's really a formalization of the existing Part 77 which adds a zoning element that we haven't had before other than in 1993 when there was an area being considered for this.

Mr. Nash asked Mr. Whited if he was talking about the airport area plan. Mr. Whited stated yes. Mr. Nash stated that the airport area plan was one of the plans the county did in the early 1980s. Mr. Nash stated that the area was already zoned and it made some recommendations to how the zoning might evolve to match the plan but they were pretty similar.

Ms. Patillo asked if there were only one runway and two runway approaches. Mr. Whited stated that there are four approaches to the airport. He stated that there are two runways with four approaches. He stated that the primary runway is the longest and that those approach areas go out further but that the airport owns a majority of the property in those areas. Mr. Whited stated that the secondary runway is a smaller runway with smaller approach areas.

Mr. Cox asked if the thirty five foot height restriction applies to only approach areas. Mr. Whited stated that the thirty five foot height restriction is the area of the runway fifteen hundred feet on the side.

Mr. Cox stated that he thinks that some people may think this entire contouring is restricted to thirty five feet. Mr. Whited stated no. He said that the most restrictive areas that Mr. Keith was speaking about are right in the immediate approaches of the runway. He stated there is an avocation easement in this area. Mr. Whited stated they purchased that area years ago in 1948.

Mr. Cox stated that people thought the whole area would be restricted. Mr. Whited stated no. Mr. Whited stated that the airport does not have that right to cut trees down in the entire area of the proposed overlay. Mr. Whited stated that if there was a tree on Mr. Keith's property that was causing an obstruction of services they would have to go to Mr. Keith and negotiate for that tree or whatever consideration they deemed they needed to control. Mr. Whited stated that in any of the area they would have to negotiate for rights. He stated that the overlay does not give them the right to cut trees down without compensation for the property owner.

A citizen attending the meeting asked Mr. Whited if the airport was widening the approach. Mr. Whited stated no. He stated that this is in reference to Part 77 which is a federal regulation which indicated that this is a notice for proposal for structure and alteration. He stated that anything in that area needs to go through a federal and due process with the FAA. Mr. Whited stated that they are just identifying it. He stated that a lot of residents are unaware that these issues are at play around the airport. He stated that he is trying to make this known that there are impacts to this area from airplanes flying over and developmental issues. He stated that was really a public awareness issue but they are trying to negate development closely to the airport and in the areas surrounding it. He stated that there is a lot of residential in the south and western areas closely to the airport. He stated that they would prefer to see industrial development or commercial development in the area but they can not dictate the availability to the property owners.

Ms. Patillo stated that there are two positions, Mr. Keith's position stating they should be compensated and Mr. Whited's position who stated that they should not be compensated because they already have the right.

Mr. Whited stated to clarify Mr. Keith is suggesting that by adopting the overlay district you are physically taking all of the airspace and that is not true. Mr. Keith stated that they are identifying an area of consideration for zoning issues and making the public aware that you are in this particular area there may be height restrictions based on the Federal regulations. Mr. Whited stated that he felt that Mr. Keith's position that it was taking, but the proposal is for an overlay district not a physical taking.

Mr. Keith stated that he is primarily concerned with the easement issue. He stated that is the last forty years he has appraised property and the FAA through the local airport division would take eighty to ninety percent of the cost with the local government paying five percent and the state paying five percent for the cost of these aviation easements.

Mr. Whited stated that the process is changing. He stated that if there is a determination say for instance on runway four, they decided they needed some additional land and they determined it wasn't feasible for the airport to purchase the land but needed to have an avigational easement to have the right to cut the trees in a broader area they would still have to go through the process that was previously explained. He stated that the property owner would have the right to compensation in that case sine it was a physical taking.

Mr. Keith stated that maybe he was confused on what Mr. Nash stated about the approach easements and things like that. He asked if they were currently in existence.

Mr. Nash stated that all of the height restriction information in the ordinance has several different approach type zones of several different varieties that he did not even mention because they were so technical. He stated that they have always been there and are still going to be there. He stated that if anyone was referring to what he said he stated that Fayetteville was not considering having the areas right off the runway which would be a factor to consider if a rezoning case where to emerge and they are not in the Fayetteville proposal but they were in the County's.

Mr. Teal stated that they were included in the County's because they were in the County's jurisdiction.

Chairman Smith stated there is no City of Fayetteville property out there except for the airport itself.

Mr. Whited stated that Mr. Nash's description was of the existing FAA Part 77 which talks about the slopes and that is exactly what this Overlay District is created from. He stated that it doesn't increase it, it just restates it. He stated that it is the criterion that was used in the overlay district in relation to any development. He stated that it was an existing Federal regulation that is being identified in a public ordinance so that it's been made aware to the public.

A citizen attending the meeting stated that being in aviation himself and understanding Part 77 it sounds to him like they are using the Part 77 that you haven't been using in order to widened and use the approach to widen the approach area should anything happen.

Mr. Whited stated that the County, the City and the Airport have been using Part 77. He stated that some of the rezoning requests have been approved in spite of Part 77. He stated that even with the Overlay District that still could happen. He stated that the Overlay District is a hope that by having this ordinance all of the Planning Staff with the City of Fayetteville and Cumberland County would be more familiar with these issues. He stated that the Zoning Boards and Planning Commissions when they take up these issues would be more educated on them in able to make better more informed decisions. Mr. Whited stated that the approaches won't change and they aren't going to be widened.

A question was asked about the height requirements. Mr. Whited stated that is was about 580 feet MSL. He stated you would take a couple hundred feet off sine the airport is roughly 200 feet above mean sea level. He stated that if someone wanted to put a cell tower on the very edge of the overlay and the FAA's determination based on the height of the cell tower there is no impact to aviation then the tower could be built based on FAA concerns.

Mr. Whited stated because of the overlay district the planning departments would ensure that the process with FAA is complete before giving approval.

Mr. Whited stated that if someone was planning on building a five hundred foot tower if may have an impact on the airport's accessibility or the approach issue to the runways. Mr. Whited stated that in that case the airport could say that it would have too large an effect on the access of the airport. He stated the airport was the regional facility in needs of commercial basis. He stated that in that case the request would hopefully be denied.

A citizen stated that the aircraft that come in now in the overlay now have to come in high and drop down quick and he wanted to know if this overlay district was changing the approach.

Mr. Whited stated that it doesn't change the approaches to the airport. He stated that the approaches to the airport are dictated on terrain, equipment on the ground and all those things that have not changed. He stated that this was not a high metropolitan area where they might try to avoid planes diving down. He stated that the planes gradually come down into the airport. He reiterated that all they are doing is making the public more aware that the area has considerations and that they are not taking anyone's airspace or the right to cut down their trees.

Mr. Keith asked if they will still have use of the property up to two hundred feet. Mr. Whited responded due to the location it would be more like a hundred and fifty feet until you get to the horizontal surface. He stated it was one hundred fifty feet from the airway elevation.

Mr. Keith stated that that the property owners in another location still have their rights given to them by the Civil Aeronautics Board in 1934 which is up to two hundred feet. He stated that as far as cell towers and things like that the FCC requires FAA approval before they will lease the license for a cell tower.

Mr. Whited stated that the overlay district does not change any of that. He stated that Part 77 has the two hundred foot requirement and the requirement to go through the process. He stated those properties closest to the airport are under stricter height regulations than those areas further away from the airport.

Mr. Keith asked how the property owners would get compensation if they want to do something with their property. Mr. Whited stated that if they want to rezone their property they could go through the process. He stated that the airport does not have any objection to commercial property.

Mr. Teal stated that the area in the green, the overlay district, would still have reasonable use. He stated that if this proposal was adopted tonight the property owners in the green as indicated on the map would have still have the same use as before.

Mr. Whited stated that there is no taking of anything away from the people who own land in the area.

Mr. Keith asked if they still have two hundred feet airspace. Mr. Whited stated the FAA states that you can control airspace as much as you can control it. He stated that if you don't have a tower there now then you are not controlling that airspace.

Mr. Keith stated that they would still be taking the airspace. Mr. Whited stated that he would have to be using it. He stated in other words you would have to construct some thing. He stated that at this point they would have to go through the process of review.

Ms. Patillo stated she wanted to know if the issue that Mr. Keith brought up regarding property compensation ever considered.

Mr. Whited stated that it is an established practice but that the overlay district is not taking any property from the property owners.

Ms. Patillo said that she understood.

Mr. Whited stated that they do not have to compensate anymore. He stated that if he was buying property or an easement they would have to have an appraisal and a review appraisal and provide just compensation to the owner.

Ms. Patillo stated that because they are not taking any property there is not a reason to have to consider the issues of compensation.

Mr. Keith asked if he may ask a question. Mr. Smith stated that he would allow Mr. Speight to speak and then come back to Mr. Keith.

Mr. Speight stated that he would yield to Mr. Keith.

Mr. Keith asked if the Airport Commission have any plans to get a FAA grant to acquire any side slops and approach easements around the runway.

Mr. Whited stated there are no plans to purchase any avigation easements. He stated that there is some consideration to finish out with a purchase of property in the runway protection zone. He stated that it would be a total taking of the property and nothing would change. Mr. Whited stated that there is no need for any additional takings. He stated that with the exception of runway four the airport owns easements and the land necessary to protect the close end portion.

Mr. Cox stated that runway ten and runway four have not changed since 1962; they are still the same length and still the same encroachment. Mr. Whited stated yes with the exception of runway four that had a five hundred foot extension.

Mr. Cox stated that nothing has changed for the last forty five years. Mr. Cox asked if there is an established noise contour that restricts the construction of residential or commercial for protection of the people who live and work in that area.

Mr. Whited stated that the all the airports have to do a noise contour based on the projected aircraft over the next twenty years. Mr. Whited stated that in previous years the FAA says that a sixty-five DNL or greater impacts human ears so that is used as the boundary line. He made reference to the map that showed noise contour around the airport showing how the impact has shrunk over the years. He stated that what the FAA would do is support them doing a Part 150 study if the area where a sixty-five DNL. He stated that a Part 150 study was a study to consider what the noise impacts are. He stated that they would go out into the homes and the FAA would help them pay for insulations and different mitigations factors to address the noise. He stated that if the fact was that the LVA would be in that level it doesn't mandate anything. He stated that it doesn't dictate anything other than that there are some additional resources to address the issue and to lessen the impacts of the noise.

Mr. Cox asked for clarity about the FAA DNL standards.

Mr. Whited stated that the sixty five DNL is the FAA standard. He stated that anything higher than that is detrimental to human health.

Mr. Cox stated that it was used because US Airways had the big aircraft here and we are working on what we have flying out here. He asked if there were any long range plans taking place in this community to increase the type of aircraft.

Mr. Whited stated that there are no plans to increase the runways. He stated that as far as aircraft operations the master plan identified the regional jet going from fifty passengers up to ninety passengers by 2023. He stated that they have seen that already. He stated that they have some eighty five passenger regional jets. He stated that with the advent of engine technology and so forth it is going to improve the lessening of noise as we go forward. He stated that he can not predict that US Air based on changes that might happen in BRAC in 2011 could possibly increase the number or size of planes serving Fayetteville. He stated that the master plan shows that the original jet will facilitate our needs for years to come. He stated that in ten years it might be a totally different story.

Mr. Cox stated that his point is that there are no plans with what people see or what they have right now, what they are living with and working with. He stated that if they build in that area they have to build knowing that what exist is going to be there.

Mr. Whited stated that the main runway stays the same. He stated that there is a proposal in the master plan to extend the shorter runway which is the 10-280 by fourteen hundred feet in the easterly direction. He stated that it is an unfundable project right now but it is in the master plan.

A citizen stated that when she received the letter stating that she was informed of the meeting because if she decided to sell her house that she would have to let someone else know that they were in a danger zone and an overlapping of the airport.

Mr. Smith stated that is was not necessarily a danger zone, he stated he wouldn't use that as a term but the airport overlay area.

The citizen stated that when she purchased the property no one informed her of that. She stated that no one put that on her contract when she purchased the house.

Mr. Smith stated that it was one of the additions they felt necessary to put on there so people are aware. He stated that no one said that they had to tell you.

The citizen stated that she is losing out. She stated that if she decided to sell her house once the prospective buyer reads the warning they will no longer want to purchase it.

Mr. Smith asked if it would change her mind. She replied yes it would have.

Mr. Astrike stated that it was important to get back to the basic issue. He stated that nothing is going to be changed. He stated that the property would not be devaluated now. He stated that all this is concerning is for future planning and future zoning that there needs to be something in writing. He stated with DNL, there are already aircraft flying over head that is under the DNL and it is not an issue. He stated that the point of it is that if you want to rezone your property there is a procedure that needs to occur. He stated that it hasn't been in effect and building a house underneath an approach course of an airplane is not a smart move to make anyway. He stated that there aren't many houses out underneath them. He stated that he has flown out of Fayetteville thousands of times and he hasn't seen many houses down low that he is flying over. He stated that this overlay is something that is overdue in order to protect everybody. He stated that for older property, he understands. He stated that he would submit to Mr. Keith that in some cases there is a lot of good use to property that maybe we can't build on that could be used for something else. He stated that there is a problem and had this been in effect before then you would have known at lease. He stated

that it was a step forward and when the citizens leave the meeting they should feel fairly sure that nothing has changed in your life and won't change in your life in the foreseeable future as far as the overlay is concerned. He stated that while it may feel like we are bringing every thing done on our heads that is just not true.

A citizen asked if it were going to be the property owner's responsibility to have the statement placed on the deed or is it going to be something that the City of Fayetteville automatically does.

Mr. Nash stated that while they are saying that the statement is required on future deeds when property changes hands but it is not the City placing it on the deed. He stated that it would be up to the owner or buyer/seller to make sure it is on there.

A citizen stated that they would have to be informed.

Mr. Teal stated that it was one of the provisions the County did not have. He stated that they had talked about adding that provision to the City.

Mr. Nash stated that on the bottom of page twenty-three there is a phrase in there that adds when property changes hands. Mr. Teal added for real estate transactions.

Mr. Nash stated that the County and Hope Mills all have the provisions about there being a stamp on a subdivision before closing. He stated that they are also recommending that Fayetteville adopt that part of it also. He stated the City ordinance includes the statement on the deed when property is sold.

Mr. Myles Jones asked if the property value, with consideration, before you bought it, was it valued with this consideration of the overlap. He stated that the citizen is concern the value is going to be decrease due to the district overlay. He stated that the value should have had that already in mind. He stated that he didn't know that it would knock it down, but I'm not sure.

The citizen stated that while that might be true but it's the principle of it. She stated that he said he had purchased the property and you are right the plans are flying over us, but to literally have it placed on your deed when you are getting ready to sell the home becomes a whole different issue. She stated that she would not have purchased her home had that information had been on the deed.

The Commission members discussed the options of where they could place the statement advising of the airport overlay and they were discussing the location of the material in the pamphlet.

Mr. Teal stated that on page twenty one it reads that the provision of this section shall slide to all new developments within the airport overlay district (AOD) and any additions, remodeling, relocation, construction or sale of property requiring zoning permit, building permit, or real estate transaction.

Mr. Teal stated that it doesn't specifically state the deed but it does say real estate transaction.

Mr. Keith stated that in the real estate business it is customary to notify property owner that property is within a certain district or whatever the case may be. He stated that placing that information in the deed could have an impact on the value of the property. Mr. Keith stated that he would recommend put the information in the contract to sell or formally or verbally notify the prospective buyer but not to place it in the deed. He stated that you would be putting yourself out there.

Ms. Smith stated that she would be happy to look into the possible outcomes of putting the statement on the deeds of the property.

Mr. Smith stated that during previous discussion they were talking about who would be responsible for that and who the burden of proof fell on with the register of deeds and the City of Fayetteville. He stated that if you are looking at a piece of property that would probably be taking place during the day and people would

be able to see that the planes are flying over head. He stated that he remembers having some form of conversation along that line.

Mr. Teal stated that if the Commission decided to recommend the ordinance tonight, the commission could approve it without the deed requirement. That action would coincide with the County and Hope Mills ordinance.

Mr. Ledger made a motion to table the request until the Planning Department had the opportunity to accomplish the following:

1. To conduct a survey of at least five other airports the same size as ours or larger and the associate ordinances that have jurisdiction over them with an eye towards any clauses that they contained for compensation of property rights
2. To provide a sample of how the FAA and the local airport authority would establish a process for review and determination of an award for compensation.
3. To provide clearer direction on how the annotation of documents would occur in the case of deed of sale and plats.
4. Make a topographical representation similar to a two dimensional layout to show height restrictions that are imposed by the FAA Part 77 regulation to include how high can you develop before it requires waiver, acceptance or compensation.

Ms. Patillo seconded the motion.

Mr. Smith asked if there were any discussion or question.

Mr. Astrike stated that he is against those issues. He stated that it was an airport issue. He stated that the overlay is developing an area for planning purposes and you can't do anything without going before the Zoning Committee to change anything. He stated that it is in the request that if you are going to get some rezoning then the airport is involved in this issue. He stated that everything that was requested is good stuff but it doesn't impact the overlay district at all. He stated that the zoning is what impacts it. He stated that if the owner wants to develop commercial then the procedures are here that will protect them. He stated that there is already in place compensation. He stated that they are not grabbing any land in this issue. He stated that they are not grabbing one inch of land. He stated they aren't proposing it. He stated that when it's all over they have to have a two hundred fifty to one slope and it doesn't mean anything to the property owners or to the Planning Commission. He stated that it is a part of Part 77 and there can not be any penetration to the slopes. He stated that all the information asked for may be nice to know but with that request they are tasking the Planning Department to do so much work that is unnecessary. He stated that it isn't going to change the overlay requirements.

Mr. Whited stated that he agreed with Mr. Astrike. He stated that is was a very complex calculation. He stated that the FAA determines all that information.

Mr. Jones stated that the bases of the request are just for more clarification to include what can and what can not be done. He stated that since the Planning Department has reported the overlay to make the public aware maybe they should go just a little bit further to include what they can and can not do. He stated that maybe some would be more specific about the zonings but as a home owner he would like to know some kind of idea of explanation. He just asked that things be broken down a little further than they currently are. He stated that he understands that the issue is the overlay but he also understands that the issue is the people. He stated that they need to work with the people.

Mr. Astrike stated that when you look at the very first paragraph it states that the purpose of the district is to protect the public health, safety and well fare in the vicinity of the airport and to encourage future development that is compatible with the continue operation of the airport and the economic well being of the city. He stated that he hates taking a hard nose approach to the situation but that there is nothing they can do to change what is in place now. He stated that they are trying to put something in place.

Ms. Patillo stated that she understands when it is being done now so that people do not make the same mistakes in the future. She stated that it is not the issue. She stated that the issue is that there are two perspectives regarding compensation.

Mr. Astrike stated that this thing has nothing to do with compensation. He stated that the FAA has it, He stated that they could pass everything they wanted to but it is not going to effect what Mr. Keith has brought up about compensation for home owners.

Ms. Patillo stated that we need to get clarification of the compensation law because there are two points of view in the room. She stated that the clarification would be useful.

Mr. Cox asked what currently needs to be compensated. Ms. Patillo stated that she has a concern that there are two different perspectives on who should be compensated for what. She stated that the point is actually a good point regarding compensation as to what and who. Ms. Patillo stated her concern is to get the information in order to better understand the two points of view.

Mr. Teal stated that compensation is where there is a taking and this is not a taking. He stated that taking is where it leaves the property owner with no use.

Ms. Smith stated that she would be happy to look into it.

Mr. Teal reminded the Commission that there are eight regular members and two alternates present. One of the alternate members may vote while the other alternate member cannot.

Mr. Ledger stated that all the things he requested may not all be able to be provided by the Planning Department or in a reasonable amount of time. He stated that these things can, if they are able to find the information, shed some light on this. He stated that he is requesting these things with the goal that an ordinance that will be established to go into the UDO. He stated that everyone knows having to revise any ordinance which the Planning Commission has passed before, it doesn't have to be perfect but if something is overlooked at the outset sometimes it is more difficult to correct a problem that was left embedded in it then if you had taken the time and maybe looked at the considerations. He stated that here may not be ordinances out there for RDU, Charlotte, and Greenville or wherever that may have any mention of takings compensation. He stated that it may be a strictly a judicial thing. He stated that in having someone go look at these five locations and if no where in the ordinance that has jurisdiction over them do they mention any compensation. He stated that he would like the Planning Department to tell the Commission that because at this point in time he feel the Planning Department did not do that level of research to bring that much detail to the Commission and it has brought some concern to the citizens and is the reason why we have a public hearing.

Ms. Lavoie stated that she thought it had been established a half hour ago that there is no taking.

Ms. Patillo stated she felt the issue had not been resolved.

Ms. Lavoie questioned it being in dispute. She stated that she did not understand what the dispute was because they had said there was no taking.

Mr. Ledger stated that if they can go and bring back a reasonable sample of ordinances that indicate that no one considers this when they draft an overlay district or an ordinance then he will be satisfied. He stated however he is unaware of the research that has gone into the project while it was being prepared. He stated that there is a gentleman who has spoken to the Commission that has said that if you own property within an overlay district and if you are restricted in what you can use that property, the FAA has a procedure to grant compensation for that restriction. He stated that it may still exist right now but he doesn't know because it hasn't been addressed in a local ordinance before.

Ms. Smith stated that she doubts that compensation has been addressed in an overlay district for any airport anywhere. She stated that taking is a judicial process and the question is based upon the value of the property. She stated that if you have reasonable use of the property you will not get compensated.

Mr. Smith stated that the questioned called. He asked if anyone needed the motion to be restated by Mr. Ledger. Mr. Smith asked Mr. Ledger to restate the motion.

Mr. Ledger made a motion to table the request until the Planning Department had the opportunity to accomplish the following:

1. To conduct a survey of at least five other airports the same size as ours or larger and the associate ordinances that have jurisdiction over them with an eye towards any clauses that they contained for compensation of property rights
2. To provide a sample of how the FAA and the local airport authority would establish a process for review and determination of an award for compensation.
3. To provide clearer direction on how the annotation of documents would occur in the case of deeds, titles and sight plans.
4. Recommends that a topographical representation similar to a two dimensional layout is made to show height restrictions that are imposed by the FAA Part 77 regulation to include how high can you develop before it requires waiver, acceptance or compensation.

The motion was seconded by Ms. Patillo.

Mr. Smith stated that they needed to decide between Mr. Watt and Mr. Jones who would not be voting. The Commission members discussed options available to those who would not be voting.

Mr. Speight stated that Mr. Ledger's motion was not the same as the first. Mr. Ledger stated that he may have added on or two words but the intent was the same.

Mr. Speight stated that he has had some experience with airport management and that he feels Mr. Ledger has made a valid point. He stated he doesn't see any reason with the velocity they have had over the last year to get more information on this and he feels that the airport overlay is a good idea but he thinks these additional things should be addressed.

Since Mr. Jones had spoken on this matter earlier, the consensus was for Mr. Jones to be the participating member.

Mr. Jones asked if a friendly amendment could be added to the motion. He stated that he would like additional clarification of the direction of the annotation on the usage of language. He stated that maybe it could be something that they could look at to see what they can or can not do. He stated that he believes it has been established that there is not a taking and nothing has changed but he doesn't feel it would hurt to show some usage to clarify a bit more to establish boundaries of what they have and don't have.

Mr. Smith asked Mr. Ledger accepted the friendly amendment. Mr. Ledger made clarification of the amendment questioning Mr. Jones about the usage. Mr. Jones explained it was regarding the air space usage. Mr. Ledger stated that he accepted the friendly amendment.

Mr. Smith asked Ms. Patillo if she accepted the amendment. Ms. Patillo stated yes.

A vote was taken. Mr. Boney, Mr. Cox, Ms. Lavoie and Mr. Astrike voted in opposition of the motion. Mr. Ledger, Mr. Jones, Mr. Speight and Ms. Patillo voted in favor of the motion. The vote was tied. Mr. Smith voted to break the tie. He voted in favor of the motion. The motion was passed.



**MINUTES
CITY OF FAYETTEVILLE
FAYETTEVILLE PLANNING COMMISSION
REGULAR MEETING
TUESDAY, APRIL 21, 2009
7:00 PM
LAFAYETTE ROOM
CITY HALL**

MEMBERS PRESENT

Jim Smith
Mary Lavoie
Debra Patillo
Mark Ledger
Larry Boney
Bill Watt
Tom Speight

MEMBERS ABSENT

Myles Jones
Charles Astrike
Jack Cox
Chris Dempster

OTHERS PRESENT

Jimmy Teal, Planning Director
Karen Hilton, Asst. Planning Dir.
Janet Smith, Asst. City Atty.
Rob Anderson, Chief Dev. Officer
David Nash, Planner
Craig Harmon, Planner

The meeting was called to order at 7:03 pm.

ITEM 1. Approval of the Agenda

Mr. Ledger made a motion to approve the agenda. Mr. Boney seconded the motion. A vote was taken and passed unanimously.

ITEM 2. Approval of the Minutes from the February 17, 2009 Meeting

Mr. Ledger made a motion to approve the minutes. Mr. Watt seconded the motion. A vote was taken and passed unanimously.

**ITEM 3. Consider Recommendation to City Council for the
Airport Overlay District Ordinance**

Mr. Teal gave a brief review of the Airport Overlay District Ordinance. Mr. Teal stated that this issue was first discussed at the February 17, 2009 meeting. He stated that the Commission chose to table the topic and requested additional information. Mr. Teal covered the topics of other ordinances comparable to the proposed Airport Overlay District Ordinance, compensation, plat notification and noise.

Mr. Teal stated the agenda packet included airport overlay district ordinances from communities in both North and South Carolina that are very similar to the one being proposed.

Mr. Teal addressed the concerns about compensation in regard to takings. Mr. Teal stated the proposed Airport Overlay District Ordinance does not include any the acquisition of land or any taking of land.

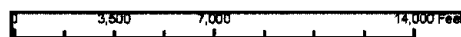
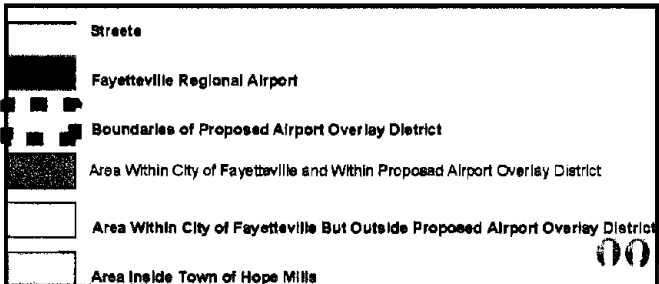
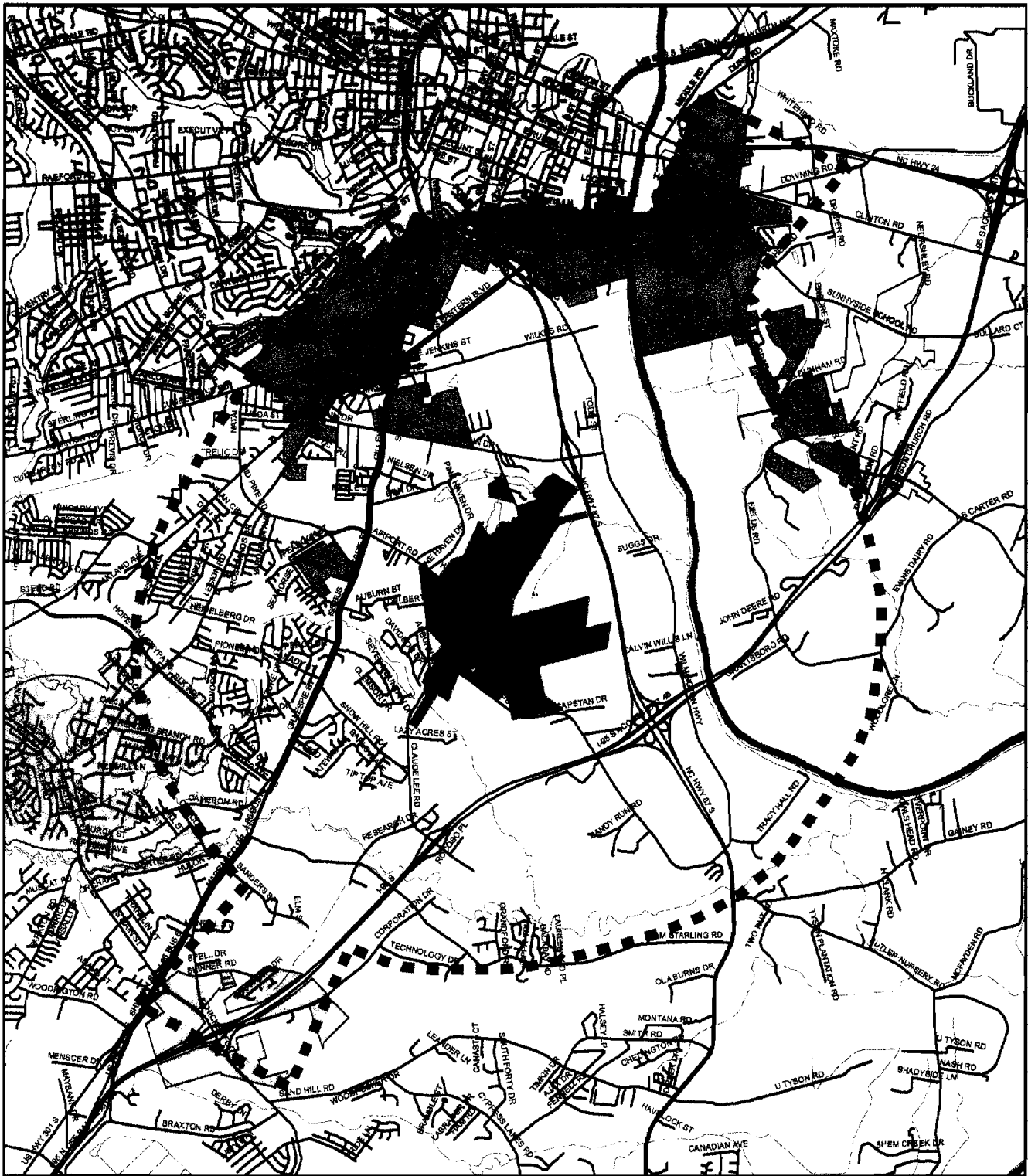
Mr. Teal stated that the request to place notification on the deed has been removed from the ordinance but the provision for notification on plats is still included. Mr. Teal gave detailed information on such application to the requirement.

Mr. Teal asked if there were any questions. There were none.

Mr. Ledger made a motion to approve as submitted. Ms. Patillo seconded the motion. A vote was taken and passed unanimously.

Map of Proposed Airport Overlay District

On June 22, 2009, the Fayetteville City Council will hold a Public Hearing on a proposed Airport Overlay District. The district will help protect the Fayetteville Regional Airport and property owners in the vicinity of the airport. The Fayetteville Planning Commission held a public hearing on the proposed district on February 17, 2009. The Cumberland County Board of Commissioners and the Hope Mills Board of Commissioners have already adopted the district. The boundaries of the proposed Airport Overlay District are shown by a dashed line on the map below.



The City of Fayetteville Planning Department is mailing notices to certain property owners about the City Council Public Hearing on the proposed Airport Overlay District.

Notices are being mailed to the owners of property located within the City of Fayetteville and located within the proposed Airport Overlay District.



Map printed on 6/2/09 by City of Fayetteville Planning Dept

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 30, ZONING, ARTICLE IV, DISTRICT USE REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA.

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Code of Ordinances of the City of Fayetteville be amended as follows:

Section 1. Article XVI, Airport Zoning is amended by adding the following:

Section 30-520. Airport Overlay District (AOD).

The purpose of this district is to protect the public health, safety and welfare in the vicinity of the Fayetteville Regional Airport by minimizing exposure to and giving public notice of probable high noise levels and accident hazards generated by the airport operations and to encourage future development that is compatible with the continued operation of the airport and the economic well being of the City.

The provision of this Section shall apply to all new development within the Airport Overlay District (AOD) and any addition, remodeling, relocation or construction of property requiring a zoning permit or a building permit. These provisions shall also apply to all trees located within the boundary of AOD.

The boundary of the AOD is established as a layer on the Official Zoning Map of the City of Fayetteville in digital format and is hereby adopted and made a part of the provisions of this Section as if the map itself were contained herein.

The land uses allowed under the terms of this Ordinance shall continue to be allowed in the same manner as established by this Ordinance; however, upon the consideration of any petition for the rezoning of property within the AOD, the planning staff, the Zoning Commission

000074

and the City Council shall give considerable weight to the following factors when formulating their recommendation\ruling:

All allowed uses within the district being requested should be compatible with the continued operation of the airport and consistent with the 2023 Off-Airport Land Use Plan, or subsequent amendments to said plan.

Any district that allows a use incompatible with the airport operations should not be favorably considered without a favorable recommendation from the Fayetteville Airport Director to include such uses as high concentration of residential units, buildings having large assembly of people, smoke or other substances that would impair aircraft visibility or interfere with its operation, light emissions that interfere with pilot vision, electrical interference, tall smokestacks or telecommunication towers and uses that attract birds and water fowl.

Structures shall not be erected, altered, or maintained and no tree shall be allowed to grow to a height in excess of the applicable height limits established and regulated by the Federal Aviation Administration (FAA), and prior to application for any building\zoning permit the developer shall provide to the Coordinator a copy of the FAA's acknowledgement of receipt of FAA Form 7460-1, Notice of Proposed Construction or Alteration, as required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77). In the event, the FAA's acknowledgement indicates the proposed development would provide an obstruction and\or a hazard to air navigation, the developer must provide either written consent from the Airport Director as related to the proposed development or seek a variance under the provisions of this chapter. Notwithstanding the provisions of this Section, height limitations shall not apply to any structure or any vegetation that is 35 feet or less in height, except when such tree or structure, because of

terrain, land contour, or topographic features, would extend above the height limits of the FAA.

The FAA height limitations generally include the following:

1. Approach Zone. Height limitations for Approach Zones shall be determined by measuring outward and upward at a 50:1 slope for Runway 4\22 and slope of 50:1 for Runway 10\28. This measurement is commenced from the end of and at the same elevation as the end of the respective runway centerline to the prescribed horizontal distance.
2. Transitional Zone. Height limitations for the Transitional Zone shall be determined by measuring outward and upward at a 7:1 slope from the sides of and at the same elevation as the Approach Surface, and extending to the point of intersection with a horizontal surface or conical surface.
3. Conical Zone. Height limitations in the Conical Zone are established by measuring from the periphery of the horizontal zone and at 150 feet above elevation outward and upward at a 20:1 slope to a height of 350 feet above airport elevation.
4. Horizontal Zone. Height limitations in the Horizontal Zone are established at 150 feet above airport elevation (190 MSL).

Any site plan, preliminary or final plat for property located within the AOD that is submitted for review and approval under the terms of this Ordinance and\or the City Subdivision Ordinance shall contain the following notice:

Property shown on this plan\plat is within the City of Fayetteville Airport Overlay District.

000056

Any allowed use, subdivision or other development located within the AOD shall not have outdoor lighting or illumination arranged and/or operated in such a manner as to be misleading or pose a danger to aircraft operations and in no case shall lighting be in contradiction to the provisions of this Ordinance.

The owner of any existing structure or vegetation that is currently penetrating any referenced surface within the AOD shall permit the installation, operation, and maintenance thereon of whatever markers and lights deemed necessary by the Federal Aviation Administration or by the Fayetteville Airport Director to indicate to the operators of aircraft in the vicinity of the airport the presence of an airport obstruction. These markers and lights shall be installed, operated, and maintained at the expense of the Fayetteville Regional Airport.

The regulations prescribed in this Section shall not be construed to require the removal, lowering or other change or alteration of any existing structure that is found to be nonconforming to the provisions of this Section as of the effective date of this amendment, or otherwise interfere with the continuance of an existing use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which valid permits have been issued prior to the effective date of this amendment, and is diligently exercised. The provision of this sub-section do not apply to any tree, which may be trimmed in the event the tree is found to be encroaching into the airspace zones established in sub-section "D" above.

Whenever it is determined that a nonconforming tree or structure has been abandoned or more than 50% percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations within the AOD.

Where the provisions of this Section conflict with the remaining provisions of this Ordinance and any other provision of the City Code or other Federal, State or local regulation, the more restrictive regulation shall apply.

Definitions:

Approach Surface Zones. An inclined plane located directly above the approach area to the Fayetteville Regional Airport. The dimensions of the approach area are measured horizontally. The approach areas for each particular runway are symmetrically located with respect to the extended runway center lines and have lengths and widths as indicated on the Airport Airspace Plan contained within the 2005 Fayetteville Regional Airport Master Plan, Sheet Number 6, or any subsequent amendment upon official adoption to the Airport Master Plan. The Airport Airspace Plan also shows the slopes of the respective approach surface zones.

Aviation Easement. An easement, recorded with the Cumberland County Register of Deeds, intended to protect property owners and residents of properties in close proximity to the Fayetteville Regional Airport and by providing for the free and unobstructed passage of aircraft in and through the air space above said properties thus providing for the safe, convenient and reasonable operation of the airport.

DNL. The A-weighted average day/night sound level in decibels during a 24-hour period.

Horizontal Surface Zone. A plane, circular in shape with its height 150 feet above the established Fayetteville Regional Airport elevation and having a radius from the airport reference point as indicated on the Airport Airspace Plan contained within the 2005 Fayetteville Regional Airport Master Plan, Sheet Number 6, or any subsequent amendment upon official adoption to the Airport Master Plan.

000058

Conical Surface Zone. An area that extends upward and outward from the periphery of the horizontal surface zone with a slope of 20:1 measured in a vertical plane passing through the Fayetteville Regional Airport reference point. Measuring outward, from the periphery of the horizontal surface zone, the conical surface extends for a horizontal distance as shown on the Airport Airspace Plan contained within the 2005 Fayetteville Regional Airport Master Plan, Sheet Number 6, or in any subsequent amendment upon official adoption to the Airport Master Plan.

Height. For the purposes of determining vertical (height) limits related to the Airport Overlay District, established and regulated by the Federal Aviation Administration (FAA), the datum shall be mean sea level elevation unless otherwise specified.

Transitional Zone. The area within the Fayetteville Regional Airport airspace that extends outward and upward from the sides of the approach zones for a horizontal distance as shown on the Airport Airspace Plan contained within the 2005 Fayetteville Regional Airport Master Plan, Sheet Number 6, or any subsequent amendment upon official adoption to the Airport Master Plan.

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

Adopted this the _____ day of _____, 2009.

000059

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

JENNIFER K. PENFIELD, Deputy City Clerk

000060

CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council
From: Jimmy Teal, Planning Director
Date: June 22, 2009
Re: Adoption of the 2030 Growth Vision Plan

Handwritten signatures and initials, including what appears to be 'JA', 'RAF', and a circled 'D'.

THE QUESTION: Adoption of the 2030 Growth Vision Plan.

RELATIONSHIP TO STRATEGIC PLAN: Partnership of Citizens

BACKGROUND:

The City of Fayetteville in coordination with Cumberland County and the other municipalities in Cumberland County embarked in the summer of 2005 on developing a new comprehensive plan for the community. The plan was called the 2030 Growth Vision Plan. A taskforce was established that was made up of elective officials and members of the local planning boards to work with the consultant, planning staff, organizations and the general public in developing the plan.

Eleven community meetings were held throughout the county in September 2005 to solicit suggestions and ideas from groups and citizens. This information was reviewed by the taskforce. In addition, the taskforce studied a variety issues such as transportation, water & sewer, schools, recreation and open space. The taskforce spent much of the fall of 2005 and winter of 2006 reviewing this information and formulating a draft plan.

The taskforce developed the draft plan in the summer of 2006. Another series of community meetings were held in September 2006 for interested groups and citizens to review the draft for input. The overwhelming response to the draft was positive. The plan articulated 17 vision statements on a variety of issues. Each vision statement included several policy and action items designed to implement the vision statements.

The plan did experience a delay in 2007 with the City Council and County Commissioners wanting to finalize a municipal influence area and sanitary sewer area before finalizing the 2030 Growth Vision Plan. The MIA and growth area issues were resolved in March 2008. The taskforce picked up its work at that point and finalized the draft. The 2030 Growth Vision Plan was presented to the local elected officials on Tuesday, September 29, 2008 at the AIT Building. The general consensus from the officials attending the September 29th meeting was positive.

The 2030 Growth Vision Plan was presented to City Council on December 8, 2008. The Council requested the City Planning Commission to review the document with the County Joint Planning Board for any possible changes.

000061

ITEM 3, B.

ISSUES:

The County Planning Board suggested some minor changes that the City Planning Commission endorsed. The Cumberland County Board of Commissioners adopted the 2030 Growth Vision Plan at their April 20, 2009 meeting with the changes recommended by the County Planning Board.

The original version of the 2030 Growth Vision Plan and the changes adopted by the County Commissioners are attached.

OPTIONS:

1. Adoption of the 2030 Growth Vision Plan as adopted by the County Commissioners and endorsed by the Planning Commission;
2. Adoption of the 2030 Growth Vision as originally suggested by the 2030 Growth Vision Plan Taskforce;
3. Adoption of the 2030 Growth Plan with additionally changes;
4. Delay action for further study.

RECOMMENDATIONS:

Planning Commission recommends adoption of the 2030 Growth Vision Plan as adopted by the County Commissioners.

Planning staff concurs with the Planning Commission's recommendation with the exception of keeping policies 10.13 and 11.7 regarding tree protection as originally drafted.

Attachment: 2030 Growth Vision Plan
Amended 2030 Growth Vision Plan as adopted by the County
Planning Commission Meeting Minutes



**MINUTES
CITY OF FAYETTEVILLE
FAYETTEVILLE PLANNING COMMISSION
&
CUMBERLAND COUNTY JOINT PLANNING BOARD
SPECIAL MEETING
TUESDAY, MARCH 31, 2009
7:00PM
FIRST FLOOR TRAINING ROOM
CITY HALL**

CITY MEMBERS PRESENT

Jim Smith
Bill Watt
Mary Lavoie
Mark Ledger
Charles Astrike
Myles Jones
Chris Dempster
Tom Speight

COUNTY MEMBERS ABSENT

Donavan McLaurin
Lorie Epler
Walter Clark
Pat Hall
Benny Pearce
Roy Turner
Charles Morris
Harvey Cain, Jr.

OTHERS PRESENT: Tom Lloyd, Will Denning, Rob Anderson, Janet Smith, Karen Hilton, Craig Harmon, Marsha Bryant, David Nash & Jimmy Teal

The meeting was called to order at 7:03pm.

1. APPROVAL OF THE AGENDA

Mr. Astrike made a motion to approve the agenda. Mr. Speight seconded the motion.

A vote was taken and the motion passed unanimously.

2. DISCUSSION & REVIEW OF THE 2030 GROWTH VISION PLAN

Mr. Teal, City Planning Director, stated the Fayetteville City Council in December 2008 requested the City Planning Commission to meet with the Cumberland County Joint Planning Board to review the 2030 Growth Vision Plan. The City Council was interested if the County had any changes they wished to make to the 2030 Growth Vision Plan.

Mr. Tom Lloyd, County Planning Director, presented the County's proposal. Mr. Lloyd provided a handout that listed eight items amending the 2030 Growth Vision Plan. (Those items are attached)

Myles Jones questioned Mr. Lloyd as to why the County's recommendation was to change section 9.2 from "shall avoid" to "should be cautious" of rezoning residentially zoned land to commercial zoning solely because it adjoins a major highway. Mr. Lloyd answered that the County Planning Board felt the word "shall" was too restrictive in that context and should allow greater flexibility based on the individual situation.

Mark Ledger asked about section 11.7 dealing with incentives and disincentives relating to landscaping. Mr. Lloyd answered the County has an existing landscape ordinance requiring trees and they felt a disincentive was unnecessary.

After some further discussion, Mr. Astrike made a motion for the City Planning Commission to incorporate the changes recommended by the Cumberland County Joint Planning Board for the 2030 Growth Vision Plan. Mr. Watt seconded the motion.

Ms. Lavoie asked about the storm water change listed under Vision 11. Mr. Morris from the County Planning Board stated that the County has to follow State DEHNR regulations regarding the Phase II storm water rules and they felt supporting the state policy was appropriate wording.

There was no further discussion and the City Planning Commission passed the motion unanimously.

3. REPORT ON THE MUNICIPAL INFLUENCE AREA (MIA)

Mr. Teal stated this item was included on the agenda since the City Council recently recommended a denial of a sidewalk waiver request for a project on River Road within the municipal influence area. Mr. Teal thought there may be some questions about the MIA from City Council in addition to the sidewalk item, but there were none.

Mr. Teal complimented the county planning staff on working with the city and providing information on projects within the municipal influence area in a timely manner.

4. UPDATE ON THE CITY BILLBOARD ORDINANCE

Mr. Teal explained the City had been sued by Lamar Advertising regarding the billboard transfer ordinance, but the suit was recently settled when both parties agreed to a proposal that allowed Lamar to upgrade some of their nonconforming billboards in exchange for removing twice that many existing billboards.

Mr. Teal provided a comparison of the city's billboard ordinance and the county's billboard ordinance.

No action was taken on this item.

5. OTHER BUSINESS

The members from both boards agreed that tonight's meeting was productive and informative. The members requested the staffs to develop a list of agenda items for future meetings. Ms. Epler suggested an item regarding the City proposed unified development ordinance. Chairman Smith of the City Planning Commission and Chairman McLaurin of the County Planning Board stated they would discuss scheduling the next meeting.

6. ADJOURNMENT

The meeting was adjourned at 8:20 pm.

Suggested Changes to the Draft 2030 Growth Vision Plan

March 31, 2009

1. Actions for Vision 6. Expanded Parks and Recreation

Action 6.2. Develop and support park and recreation master plans for the Towns of Spring Lake, Hope Mills, and Stedman **Eastover**. Continue to support the Falcon and Wade Master Plan. (Page 24)

Action 6.3: Prepare a ~~greenways and trails~~ **Fayetteville/Cumberland Parks and Greenways Master Plan** for the entire county. Make a Cape Fear River Corridor Conservation and Development Plan a central feature of the master plan, ***with all affected municipalities, including the Towns of Eastover, Godwin, Linden and Wade.*** Develop major feeders from Rockfish, Locks Creek, Little River, the South River, etc. Develop methods and mechanisms to preserve and protect natural and man-made corridors for future pedestrian and boating use. Develop guidelines and design standards for pedestrian and boating trails. (Page 24)

Action 6.11: Develop new neighborhood parks in the Towns of Godwin and Linden **and Eastover**. These parks to include playground units, swings, benches/trash receptacles, walking trail, and picnic shelter. (Page 24)

2. POLICIES FOR VISION 9. COMPATIBLE COMMERCIAL DEVELOPMENT

Policy 9.1: ~~Taxpayer investment in major roadways shall be protected by prohibiting uncontrolled strip development along the area's important traffic moving arteries.~~ ***Promote policies that address the expansion of strip commercial areas with respect to landscaping, access and buffering.*** Beyond traffic considerations, the quality of development adjoining the area's travel corridors should have a positive influence on community image, appearance and economic development. (Page 31)

Policy 9.2: Local governments shall ~~should avoid~~ ***be cautious of*** rezoning residentially zoned land to commercial zoning solely because it adjoins a major highway or street. Proper design and/or buffering has shown that land tracts adjoining major streets can be properly developed for residential use. (Page 32)

3. POLICIES FOR VISION 10. COMMUNITY APPEARANCE AND IMAGE

Policy 10.13: ~~Clear cutting of trees (except those grown for timber) shall not be permitted without advance notice and just cause.~~ Those proposing the removal of trees shall demonstrate a good faith effort to incorporate existing trees into their site designs. Incentives and disincentives may be used to encourage appropriate site development. (Page 35)

4. POLICIES FOR VISION 11. A HEALTHY, SUSTAINABLE ENVIRONMENT

Policy 11.7: Local governments may employ ~~a combination of incentives and disincentives to protect existing trees and/or require the replacement of trees removed for development.~~ ***in combination with the landscape ordinance.*** (Page 38)

Policy 11.11: Development activities in the 100-year floodplain shall be carefully controlled. ~~If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural activities shall be preferred.~~ (Page 38)

5. Actions for Vision 11. A Healthy Sustainable Environment

Action 11.3: Prepare a countywide comprehensive drainage and flood management plan, including public and private actions in support of plan implementation, ***with all municipalities with environmentally sensitive areas.*** Prepare sub-area plans as a follow-on activity to identify specific actions needed by area of the county, ***with special attention to and involvement of municipalities with environmentally sensitive areas.*** Seek ways to maintain drainage districts created by past actions. (Page 39)

Action 11.4: ~~Develop ordinances and regulations~~ ***Support policies*** for improving and maintaining the stormwater drainage system throughout the county, ***with special attention to and involvement of municipalities with environmentally sensitive areas.*** Require newly created drainage systems or drainage districts, whether public or private, to have a permanent mechanism in place for the on-going maintenance of such systems or districts. (Page 39)

6. POLICIES FOR VISION 13. THE CAPE FEAR RIVER, A REGIONAL ASSET

Policy 13.2: A Cape Fear River corridor conservation and development plan shall be prepared and periodically updated setting forth priority goals and objectives as well as development standards. The River Corridor Plan should be developed, adopted and implemented by ***all*** the jurisdictions that are, or could be, geographically connected to the river. (Page 43)

7. Actions for Vision 13. The Cape Fear River, A Regional Asset

Action 13.1: Establish a Cape Fear River Corridor Oversight Group, appointed by ***all*** the local government jurisdictions that are, or could be, geographically connected to the River. Allow for some flexibility in appointing the group. (Page 43)

Action 13.2: Charge the Oversight Group with preparing a Cape Fear River Corridor Conservation and Development Plan, to be adopted and implemented by ***all*** the jurisdictions that are, or could be, geographically connected to the River or its tributaries. (Page 43)

8. 2030 Plan Growth Strategy Map Language Change

Rural Areas - eliminate the following sentence: ~~Generally, public funds should not be used for planning, programming or installing urban services in these areas that would promote more intensive development.~~ (Page 54)

Conservation Areas - Conservation Areas provide for the long-term management and protection of significant, limited, or irreplaceable natural areas. (e.g. 400-year floodplain, riparian buffers along streams, Natural Heritage Areas...) (Page 54)

Note:

1. Strikeout means to eliminate
2. Bolded Italicized means additional wording

2030 Growth Vision Plan *Policies and Actions*

Cumberland County

City of Fayetteville

Town of Hope Mills

Town of Eastover

Town of Falcon

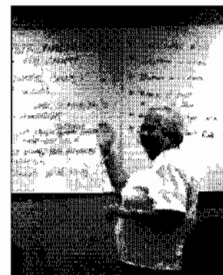
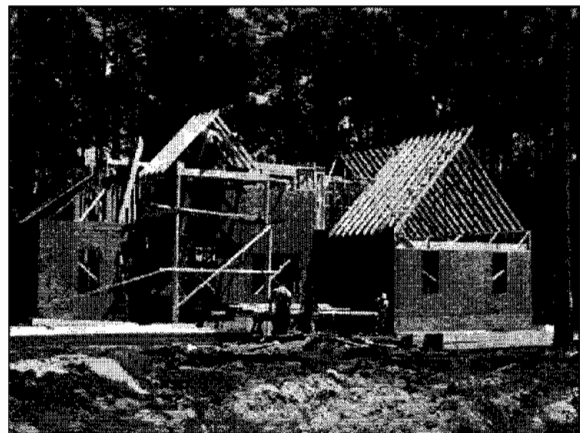
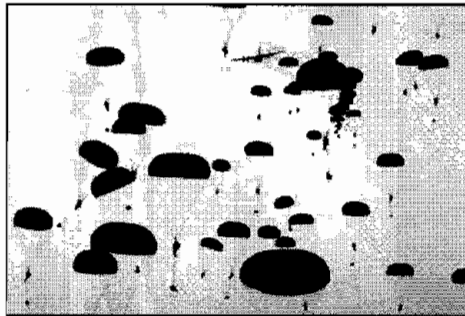
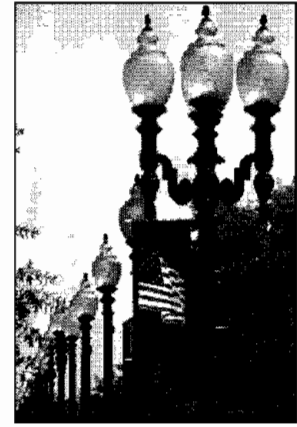
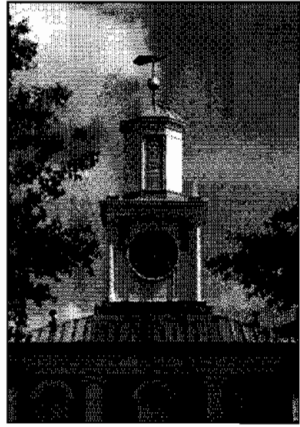
Town of Godwin

Town of Linden

Town of Spring Lake

Town of Stedman

Town of Wade



March 11, 2008
DRAFT

Contents

| | |
|---|-----------------------------|
| Introduction..... | 1 |
| Vision Statements..... | 4 |
| Policies and Actions..... | 11 |
| 1. A More Diversified Local Economy..... | 11 |
| 2. Well Managed Growth and Development..... | 14 |
| 3. Infrastructure That Keeps Pace..... | 16 |
| 4. A Balanced Transportation System..... | 19 |
| 5. Community Oriented Schools..... | 21 |
| 6. Expanded Parks and Recreation..... | 23 |
| 7. Preserved Open Space and Rural Character..... | 26 |
| 8. Quality Housing and Residential Development..... | 28 |
| 9. Compatible Commercial Development..... | 31 |
| 10. Community Appearance and Image..... | 34 |
| 11. A Healthy, Sustainable Environment..... | 37 |
| 12. Vibrant Downtown Areas..... | 40 |
| 13. The Cape Fear River, A Regional Asset..... | 43 |
| 14. Public Safety Services Closer to the People..... | 46 |
| 15. Senior Citizens Well Served..... | 48 |
| 16. Intergovernmental Cooperation and Efficiency..... | 49 |
| 17. An Active, Involved Citizenry..... | 52 |
| Acknowledgments | |
| Growth Factors Analysis..... | under separate cover |

Introduction

Overview of the 2030 Plan

Need for Planning

During the past several decades, Cumberland County and its municipalities have faced a number of challenges as the region has undergone considerable change. Areas of new growth and development have continued their shift from urban to suburban and rural locations. As new development moves farther into the countryside, greater demands are being placed on area roads, utilities, parks and other local government services. Resource issues are also coming to the forefront, including sprawling development, farmland losses, drainage issues, and environmental degradation.

At the same time, Cumberland County and the surrounding area appear to be poised for significant new growth. The latest round of BRAC (Base Realignment and Closure) Commission decisions will significantly boost the military and civilian population of Fort Bragg, resulting in new economic development in the region and greater demands for housing, infrastructure and services. Downtown Fayetteville has seen considerable new investment in preserving the historic and cultural heart of the region. The area's park system, though aging, offers a diverse range of facilities for the recreation needs of local residents. And, compared to many parts of the state, Cumberland County is blessed with good water and sewer capacities—available for new industry and new growth.

Authorization for Planning

As the region continues to change, local elected leaders must make difficult decisions about how to manage growth and about how to allocate the area's finite financial resources to deal with these many growth-related issues. In response to these pressures, elected officials from Cumberland County, the City of Fayetteville, and the Town of Hope Mills came together in 2005 to authorize and jointly fund a new comprehensive planning initiative for the area. The *2030 Joint Growth Vision Plan* is intended to help guide and coordinate those difficult decisions—about future development and redevelopment, and about priorities for local government in response to the demands brought about by this constant change.

Leadership and Coordination

Strong leadership and coordination is critical to the success of an effective planning program. Fortunately, Cumberland County, its several communities, and Fort Bragg are well stocked with dedicated, experienced leaders. From successful business people, to farmers, to educators, to military personnel, to fully engaged political leaders and public servants, to citizens with a special appreciation for the area's quality of life, Cumberland County is blessed with more than its share of capable people. Preparation of the 2030 Plan involved an informed and active group of leaders representing every local government in Cumberland County. Members of the 20-person *Growth Vision Task Force* were appointed from each local government in Cumberland County by their respective elected bodies. Research, writing, and technical/logistical support for preparation of the Plan was facilitated by a local government staff *Support Team* working in coordination with a professional planning consultant, Glenn R. Harbeck, AICP.

Community Involvement

A critical part of plan development is the involvement of property owners, residents, business owners, and other stakeholders in the community. The development of the *Growth Vision Plan* started 'from the ground up'; i.e., community involvement was the foundation of the plan. The following summarizes several significant stages in the development of the Plan:

- **County-Wide Summit Meeting** Starting early in the process, the City of Fayetteville, Cumberland County and the Town of Hope Mills hosted a *County-Wide Summit Meeting* for the 2030

Plan. On June 28, 2005, over 100 elected officials and planning board members, representing every local government in the county, met to identify and assign priorities to the most important growth issues facing the area. These issues were duly recorded, sorted and ranked for further study.

- **Future of Cumberland Month** Soon after the successful *Summit Meeting*, the 20-person *Growth Vision Task Force* was appointed and began its work. In September of 2005, the *Task Force* sponsored "*Future of Cumberland Month*" hosting a series of town meetings at eleven locations around the county. These meetings involved a county-wide growth issue and visioning exercise. Again, all comments were recorded word for word, sorted, and ranked in accordance with the input received. When compiled in a report, this information became a benchmark document for reference by the Task Force during policy development.

- **Task Force Work Sessions** Subsequent *Task Force* meetings proceeded from the foundation of input received from the *Summit Meeting* and *Future of Cumberland Month*. All input gleaned from these meetings was reviewed during monthly *Task Force* sessions over a period of more than a year. Every policy and action proposed for inclusion in the Plan was reviewed, approved, modified or discarded by the consensus of the Task Force.

- **County-Wide Open Houses** With draft vision statements, policies and proposed implementation actions in hand, the Task Force then hosted a series of "open houses" in every part of the county, in which the draft Plan was presented for public comment. A walk around survey was employed to elicit detailed comments in an efficient manner. Eleven open houses for the 2030 Plan were held during the month of March 2007.

- **Additional Task Force Work Sessions** Following the open houses, citizen input was reviewed during several more work sessions of the Task Force in 2007 and early 2008. In addition to citizen perspectives, many other stakeholders and stakeholder groups submitted written comments or sat in on the monthly Task Force meetings. Also during this period of time, City of Fayetteville and Cumberland County officials undertook a special initiative to address issues concerning extensions of water and sewer services, MIA's, and the pending incorporation of the Town of Eastover.

- **Concluding County-Wide Summit Meeting** As intended, the planning process concluded by coming full circle back to the elected officials and planning board members most involved in growth and development decisions in their respective communities. At the Concluding County-Wide Summit meeting, held on _____, 2008, the proposed 2030 Growth Vision Plan was presented as to its key features, benefits and usefulness. Procedures for plan adoption were suggested.

In general, the planning process proceeded from the broad to the specific, and from idealistic visions to pragmatic actions. Citizen and stakeholder input was welcomed and valued throughout the duration. Following each round of public meetings and the receipt of other comments, the Task Force authorized further revisions to the plan. The process was both initiated and concluded with input from the broadest geographic spectrum of elected officials and planning board members throughout the county.

Functions of the 2030 Plan

The Growth Vision Plan serves the following primary purposes:

- **Guidance for Local Government Decisions**

The Vision Statements, Policies, Growth Strategy Map, and Implementation Actions of the Plan give direction to area local governments in reviewing development proposals, planning growth-related facilities and services, preparing standards and regulations, working with other local government jurisdictions on growth management issues, and establishing applicable budget and work program priorities.

- **Source of Information**

The Plan and supporting technical research, especially the various white papers of the *Growth Factors Analysis*, provide useful information on a number of topics, including the local population and economy, transportation, housing, community facilities and other factors.

- **Public Participation and Input**

Public input meetings, Task Force meetings, publication and review of documents, written comments, and other means seek to ensure that the Plan reflects, as accurately as possible, the attitudes and perspectives of the majority of citizens of the area.

Major Parts of the Growth Vision Plan

- **Growth Factors Analysis**

The *Growth Factors Analysis* includes primarily statistical measures concerning the area's population, housing, economy and infrastructure capabilities. The purpose of the *Growth Factors Analysis* is to provide a factual basis for understanding the social, economic, and environmental context for growth in Cumberland County. The *Growth Factors Analysis* is published under separate cover.

- **Vision Statements**

The *Vision Statements* establish a clear picture of where the County would like to be some 20 years from now. *Vision Statements* lay the foundation for policies and actions. *Vision Statements* are written as if it is now 20 years in the future and we are looking back at what has come about as a result of policies and actions identified in the Growth Vision Plan. One of the best ways to determine whether a proposed development or action is consistent with the Plan is to understand the intent of the *Vision Statements* and see what they might say about the proposal.

- **Policy Statements**

The *Policy Statements* are the heart of the plan. Policies on land use, various forms of development, water and sewer, transportation facilities, parks and open space, and community appearance, are among those addressed in the plan. Policies are officially adopted positions of local government with regard to preferred or required courses of action. Their primary purpose is to provide guidance to decisions and actions today. When a policy is applied, it does not go away. Policies can and should be used over and over again in support of the *Vision Statements*. There are typically several policy statements for each vision area.

- **Growth Strategy Map**

The *Growth Strategy Map* identifies various parts of the planning area as to their suitability for development and urban services. The map shows where development and redevelopment might best occur, and where natural and cultural resources should be conserved. The *Growth Strategy Map* is to be supported and complemented by zoning, subdivision regulations, infrastructure investments and other local growth management tools.

- **Implementation Actions**

Implementation Actions serve as a "to do list" for local government in support of the Growth Vision Plan policies. Unlike the vision and policy statements, which should remain relatively constant over time, implementation actions should be updated each year to keep up with changing needs and priorities. Also, once an action is completed, it goes away; it gets checked off the list. Actions may be considered as potential work program items for implementation by local governments in the coming fiscal year or subsequent fiscal years. It should not be expected that all implementation items can be completed in the first fiscal year. Priorities must be chosen. There are typically several implementation actions for each vision area.

Words With Special Meaning Often Used in Policy Statements

Certain key words are used frequently in policy statements. The following glossary is intended to convey the specific meaning of these key words as used in Policy Statements for the 2030 Growth Vision Plan.

1. adequate: sufficient to achieve the intended purpose or prevent harm
2. allow, authorize, permit: official action to let something happen
3. control: to regulate or direct
4. discourage: to not favor; to dissuade
5. encourage: to favor or foster (also see support)
6. may: provides the option, but not required; permissive
7. preferred: the favored course among alternatives but does not preclude other options
8. prohibit: not allowed, prohibit: to totally prevent
9. promote: to proactively encourage, to take positive steps
10. reasonable, reasonably: practical, just enough to do the job; not extreme
11. require: to mandate something
12. shall: mandatory, not optional; a more formal term for "will"
13. should: preferred or recommended but not mandatory
14. significant: important; determined by quantity or relative impact
15. support: to foster, may imply financial support

How to Use the Plan Policies and Actions

The Policies contained in the Growth Vision Plan have been designed for regular use in guiding public decisions of local governments as well as in providing information for private decisions. As officially adopted policies, they are to be used primarily in managing growth and development and as a foundation for decisions on local government facilities and services. The following paragraphs detail how various parties involved in local decision-making may use the Policies and Implementation Actions set forth in the Growth Vision Plan.

• As Used by Local Government Staff

Reviewing Development Proposals—Local government staff should consult the Policies in reviewing development proposals that fall under local government authority. Such development proposals would typically include rezonings, subdivision reviews, site plan reviews, driveway permits, special use permits, sign permits, and the like. All Policies and Actions are given a unique identification number allowing them to be referenced by "chapter and verse" in staff recommendations.

Suggesting Changes in Local Government Services—Local government staff should consult the Policies and Actions before making recommendations about changes in local government facilities and services. Recommendations to be presented to the local government manager or elected body should first be evaluated according to their consistency with the adopted policies. All local government department heads should periodically review the policies and implementation actions, becoming familiar with their content. This is especially important during preparation of the annual work program and proposed budget request for each department.

• As Used by Appointed Boards and Commissions

Before their regular meetings, members of appointed boards and commissions should review proposed agenda items in light of the adopted Growth Vision Policies. For example, the Planning Board should review development proposals with regard to how well they match up with the Plan's policies on transportation, housing, community appearance, and so forth. (The local government planning staff should assist the Planning Board by pointing out policies applicable to each agenda item when preparing staff recommendations.) Board members should then draw their own conclusions as to the consistency of a particular action or proposal with the Policies of the Growth Vision Plan.

- ***As Used by Elected Officials***

In their authority to rezone properties, approve proposed developments as well as changes in local government facilities and services, elected officials have the final word on the actions of local government. As customary, the elected body should take into account and weigh the interpretation of Policy as provided by all interested parties, the local government staff, and appropriate appointed boards and commissions. Decisions on programs and capital improvement expenditures are also made with greater confidence when they can be evaluated for consistency with the Growth Vision Plan. Over time, a track record of policy interpretation forms a reliable foundation for decision-making.

- ***As Used by Military Officials at Fort Bragg***

Military authorities at Fort Bragg should consult the Growth Vision Plan when considering plans and projects under their jurisdiction. Long range plans for the army base concerning infrastructure systems, buffer areas, and other decisions affecting the area around the base should give consideration to the Growth Vision Plan. Similarly, local governments with planning jurisdiction over properties near the base should give due consideration to the planning and land use objectives of Fort Bragg.

- ***As Used by Development Interests***

Developers, property owners, builders and others involved in the development community should consult the Policies when formulating their own development plans. By making their plans consistent with the Policies of the Growth Vision Plan, the chances of plan approval should increase, thereby minimizing guesswork, time and money. The quality of the plans drawn up for review may also improve if the developer knows that the effort put into the design is more apt to pay off.

- ***As Used by the General Public***

Residents of Cumberland County and all of its municipalities can and should reference specific Policies of the Growth Vision Plan, when speaking in favor or in opposition to a particular proposal before appointed and elected boards and commissions.

The Vision Statements, Policies and Implementation Actions of the 2030 Growth Vision Plan begin on the following page.

Vision Statements

Public Meetings Held--Future of Cumberland Month

During the month of September 2005, eleven public workshops were held throughout Cumberland County to seek public input on issues and concerns related to the future of Cumberland County and its municipalities. These meetings were held early in the planning process to allow the public to identify priority subjects for policy development and implementation. Input received at these meetings lead directly to the formulation of Vision Statements for the Joint Growth Vision Plan. The vision statements, in turn, provided the foundation for policy development.

Meetings were held as follows:

| | | |
|----------------------|-----------------------------------|--------------|
| Eastover Area | (Salem Methodist Church) | September 22 |
| Fayetteville | (Smith Recreation Center) | September 14 |
| Grays Creek Area | (Grays Creek Recreation Center) | September 29 |
| Haymount Area | (Kiwanis Recreation Center) | September 22 |
| Hope Mills | (Hope Mills Town Hall) | September 21 |
| N Cumberland/Linden | (Raleigh Road School) | September 28 |
| N Fayetteville | (College Lakes Recreation Center) | September 13 |
| Stedman Area | (Stedman Primary School) | September 20 |
| Spring Lake | (Spring Lake Town Hall) | September 27 |
| West Fayetteville | (Cliffdale Recreation Center) | September 29 |
| Wade, Falcon, Godwin | (District 7 Elementary School) | September 15 |

It is important to remember that the following Vision Statements are written as if it is 20 to 25 years from now and we are looking back at what came about as a result of the 2030 Growth Vision Plan, completed in 2008.

1. A More Diversified Economy

The local economic base of Cumberland County has grown and diversified significantly. New and expanded business and industry have brought better paying jobs, requiring higher levels of education and training. Local educational institutions have responded with courses and curriculums custom tailored to meet education and training needs. Young workers in Cumberland County can find excellent, lifelong career opportunities without ever leaving the area. While workers in retail trade and manufacturing employment continue to be an important part of the local economy, other types of work have expanded, including health care, information services, professional and technical services and wholesale trade. The substantial contribution of the military to the local economy has continued, with the strategic national importance of Fort Bragg never waning, and with local efforts to protect the land area and mission of Fort Bragg continuing. Enhanced cultural facilities serve to distinguish Cumberland County from other communities of comparable size, improving the area's competitiveness for attracting new businesses.

2. Well Managed Growth

Working from the 2030 Plan, area local governments and service providers have been able to coordinate their policies and actions to direct new growth where it can best be served. As a result, new developments generate fewer land use conflicts, less sprawl, and less traffic congestion, while creating more planned open spaces, and a cleaner, healthier environment. By facilitating more efficient, clustered and mixed use development patterns, area local governments have been able to deliver public services for tax rates below state averages. Better, more quality-conscious development standards are applied consistently throughout the county, resulting in higher quality developments. At the same time, such standards respect the inherent differences found in development practices for rural versus urban areas, small towns versus large city areas, and historic versus "modern" areas.

3. Infrastructure That Keeps Pace

The location of new development has been carefully coordinated with area plans for infrastructure, including transportation, water and sewer services, stormwater management, schools, parks and open space. Utilities must be shown to be adequate and in place prior to the occupancy of the new developments they serve. Sewer services have been strategically employed to encourage urban level growth where it can best be accommodated. Advanced planning has allowed future school and park sites to be located and acquired ahead of their need. Planned highway corridors have been identified and mapped to ensure their protection during the development process. Similarly, future greenway corridors have been identified so that they may be incorporated into the design of new developments. A countywide stormwater management plan has anticipated necessary drainage and retention facilities as various areas have been developed.

4. A Balanced Transportation System

Local governments in Cumberland County have worked proactively with the State DOT toward a balanced, multi-modal transportation system. Advanced planning and follow-through has resulted in an efficient system of streets and highways, and a well-connected network of sidewalks, trails and bike paths. It has become common practice for new road improvements to include bike lanes and well-designed cross walks. New public and private developments routinely include sidewalks and bikeway connections. Mixed use and urban level developments have been employed to encourage walkability. A rural transit service has joined the area public transportation system in serving the needs of senior citizens and others who cannot or choose not to drive a car. Nearly all roads have been paved; existing roads are well maintained. The outer loop and other important connectors have been completed.

5. Community Oriented Schools

Schools in Cumberland County have been planned well in advance of growth to avoid overcrowding and the need for mobile classrooms. Instead of building large, impersonal schools, new smaller schools (especially elementary) have been located and designed to serve and be accessible to the neighborhoods around them. Access to such schools is as much by walking and biking, as it is by automobile. Rather than functioning as single purpose "factories to educate children", schools in Cumberland County serve as true community centers, providing meeting space for community gatherings, recreational events, and other functions.

6. Expanded Parks & Recreation

As Cumberland County has grown, more park and recreation facilities have been added to meet demand. Many new parks include active recreation facilities for the youth, such as soccer, softball, and multi-purpose fields. Other park facilities have addressed the active and passive recreation preferences of seniors. A well developed system of walking and biking trails runs adjacent to the Cape Fear River and its tributaries, as well as within available utility corridors. This "greenway" system can be accessed from many parts of the county, and connects numerous schools, parks, open spaces and neighborhoods. In addition to more large parks, there is a renewed emphasis on smaller neighborhood parks close at hand, within walking distance of residential areas. Numerous smaller park and open space areas have been created as part of routine development approval processes. Many recreation facilities have been developed in cooperation with County schools.

7. Preserved Open Space & Rural Character

Losses of open space, farmland and rural character have been curtailed by growth management policies that have directed new development away from prime agricultural areas, significant open spaces, and environmentally sensitive lands. Rather, Cumberland County has worked effectively with area municipalities, other service providers, and the school board to place urban infrastructure within or adjoining existing urban areas, and away from rural areas and open spaces. Urban services, such as centralized water and sewer, roads, schools and parks, have been strategically placed to facilitate compact, contiguous growth, rather than promoting leapfrog developments in the midst of productive farmland. New development has been encouraged to occur in the form of full service, mixed use communities, rather than a series of unrelated, single use, sprawling, suburban-style subdivisions.

8. Quality Housing & Residential Development

Cumberland County communities offer a multitude of quality housing choices, including a predominance of single-family homes, but also truly urban housing forms such as townhouses, condominiums, and apartments. A local public school is often a central feature of new neighborhoods, along with compatible neighborhood services. Because services are close at hand, such neighborhoods encourage walking and reduce auto dependency. Consistent zoning practices have protected existing and planned neighborhoods from incompatible, large scale, automobile-oriented commercial development. Affordable housing needs have been met in greater measure by smaller accessory units (garage apartments, granny flats, apartments over shops or small clusters of multifamily housing) rather than solely by mobile homes or institutional complexes. Many older, existing neighborhoods have also seen a resurgence in the rehabilitation of homes well suited to meet affordable housing needs.

9. Compatible Commercial Development & Services

Community leaders have navigated a careful course, allowing for shopping and services convenient to nearby residential areas, while protecting these same areas from incompatible commercial encroachment. Local development regulations have controlled the types of services allowed near residential areas, as well as their size and physical design. New and rehabilitated commercial buildings exhibit well-groomed landscaping, attractive signage, oftentimes with a distinctive architectural design. Previously vacant commercial and industrial buildings have been renovated and adapted for use as cultural facilities, retail enterprises, office and institutional use, innovative housing, and as small business development centers. Policies have been implemented to prevent indiscriminate abandonment and prolonged vacancies of "big boxes" left behind for "bigger boxes".

10. Attractive Community Appearance & Image

Visitors to Cumberland County are impressed by the attractive roadways and major streets serving the area. Major urban corridors are lined with plentiful street trees, attractive landscaping, understated signage, and architecturally appealing buildings. Both urban and rural roadsides are free of clutter and litter. Strict enforcement of regulations concerning junked vehicles and dilapidated structures has cleared the area of these eyesores, and helped foster a positive image. Most new developments have placed electric, cable and other utility lines underground. Some older developed areas have had existing overhead wires placed underground as redevelopment opportunities have allowed. Residents throughout the county have developed a renewed pride in the upkeep of their homes and businesses. Area citizens place a high value on the unique history of their community, as reflected in efforts to preserve historic buildings and places.

11. A Healthy, Sustainable Environment

In managing growth, area local governments have worked to minimize adverse impacts to the region's air and water quality. Joint growth policies and development standards have reduced automobile dependency; many area residents are able to walk or bicycle to most daily activities. Cluster developments, walkable neighborhoods and nearby services are designed to generate less traffic and require shorter distances to shop or work. Streams and drainage ways passing through the county receive less storm water runoff and pollution due, in part, to policies on low impact design, tree preservation, protection of wetlands, landscaped parking areas, and vegetated buffer strips adjoining stream channels and roadsides. New and expanding industries in Cumberland County are known to be good environmental stewards. Solid waste levels have been substantially reduced through area-wide recycling efforts.

12. Vibrant Downtown Areas

The past two decades have seen renewed interest in the unique value and heritage of downtown areas throughout the county. Many older buildings have been rehabilitated and adaptively reused for a wide range of shopping, dining, working, and cultural attractions. Our downtowns have benefited from their revival as the social and cultural heart of the communities they serve. People are naturally drawn to these areas by their historic character and beauty, and the human scale of their buildings and public spaces. Renewed interest in downtown area neighborhoods has repopulated these central locations, providing financial support to merchants and twenty-four hour security for downtown area visitors. Municipal and

county governments have been proactive in creating the physical, financial, and regulatory environment especially conducive to business development in these areas.

13. The Cape Fear River, A Regional Asset

The Cape Fear River has been restored to its rightful place as a significant regional asset. The core 'gateway' area of the river in Fayetteville between Grove and Person Streets has been developed as an entertainment and retail district. Terraced plazas lead down to the river on both sides. The Cape Fear River Trail has been extended and improved, offering views of the river not seen for many years. Recreational use of the river has been enhanced with improved boating access sites and better information about river conditions. New investment in the river corridor has complemented downtown revitalization efforts, especially east of the Market House. As the image and appearance of the river corridor has been upgraded, new residential and business development has been drawn to the area.

14. Public Safety Services Closer to the People

As Cumberland County has continued to grow, it has become necessary for local area law enforcement, fire safety, and emergency medical officials to operate, in some instances, from substations closer to the populations they serve. In addition to improving response times, this has allowed area public safety personnel to become especially attuned to the issues and problems unique to each area of the county. All public safety services have been continually upgraded in terms of communications capability, equipment, personnel, and advanced planning. By working together, area citizens and public safety officials have dramatically reduced instances of violence and crime and enhanced fire protection and emergency medical services.

15. Senior Citizens Well Served

As the senior citizen population of Cumberland County has grown, so too have public and private services responded to meet the needs of an aging population. Public and private transit services, for example, fulfill a critical need, as seniors have sought and found ways to maintain their mobility. Many new forms of housing have come into being, allowing seniors to live close to the services they require. In addition to traditional senior citizen housing, many seniors choose to live in accessory housing close to an extended family, providing for the right balance between independent and assisted living. Recreation and other enrichment activities for seniors have become a large part of local government recreation programs. Convenient access to health care and social services has required the establishment of several regional "one-stop" senior citizen centers at strategic locations in the county.

16. Intergovernmental Cooperation & Efficiency

Local governments in Cumberland County have joined forces on many fronts to address matters of common interest. These matters include, for example: economic development, growth management, transportation, water and sewer services, open space preservation, and environmental quality, among others. Some local government services have been consolidated for efficiency and improved service. Other government functions have remained separate, but have benefited from the guidance of multi-jurisdictional boards and committees. All local governments have benefited from an expanding tax base and cost effective innovations in service delivery. A renewed focus on frequent, effective communication between local government leaders and area residents has greatly enhanced decision making in the region.

17. An Active, Involved Citizenry

Area citizens show a keen interest in the affairs of their local government. There is a can-do spirit driven by civic pride and revealed through broad community involvement. Local governing boards and committees have no shortage of interested, qualified people willing to serve. Area citizens are heavily involved in civic clubs and organizations; volunteerism is a constant source of energy as it is poured into the institutions and organizations that work to improve the area. Local government officials routinely seek the views of their constituents on growth and development issues. During the development review process, great emphasis is placed on effective communication and consensus among all parties, including elected officials, planning board members, other local advisory boards, the developer, local government staff, and the public.

Draft

This page left blank intentionally.

For Review Only

Policies and Actions

Policy Area 1: A More Diversified Local Economy

The health of the local economy is the engine that drives area incomes, standards of living and quality of life. The global economy requires that communities continually re-equip themselves for the industries and jobs of the future. A diversified economy is the best insurance that the community will be able to shift gears and adjust to changing world conditions.

Vision Statement

The local economic base of Cumberland County has grown and diversified significantly. New and expanded business and industry have brought better paying jobs, requiring higher levels of education and training. Local educational institutions have responded with courses and curriculums custom tailored to meet training needs. Young workers in Cumberland County can find excellent, lifelong career opportunities without ever leaving the area. While workers in retail trade and manufacturing continue to be an important part of the economy, other types of work have expanded, including health care, information services, professional and technical services and wholesale trade. The substantial contribution of the military to the local economy has continued, with the strategic national importance of Fort Bragg never waning. Local efforts to protect the land area and mission of Fort Bragg have continued. Enhanced cultural facilities serve to distinguish Cumberland County from other communities of comparable size, improving the area's competitiveness for attracting new businesses.

POLICIES FOR VISION 1. A MORE DIVERSIFIED LOCAL ECONOMY

Policy 1.1: The **EXPANSION OF EXISTING BUSINESSES** and the **START UP OF NEW BUSINESSES** shall be a critical component of the area's economic development effort.

Policy 1.2: The rehabilitation and reuse of currently unused or **UNDERUTILIZED STRUCTURES, SITES AND INFRASTRUCTURE** shall be encouraged.

Policy 1.3: Local governments shall be active participants, facilitators and partners in the creation of **BUSINESS AND INDUSTRIAL DEVELOPMENT OPPORTUNITIES** capitalizing upon the unique human and economic resources of the area.



* Note: Vision Statements have been repeated at the beginning of each corresponding policy section.

Policy 1.4: Local economic development efforts shall protect, enhance and encourage a high **QUALITY OF LIFE, IMAGE AND CULTURAL AMENITIES** as critical factors in business retention, recruitment and economic growth.



Policy 1.5: Agri-tourism (ice cream sales, pumpkin harvest, strawberry picking, winery tours and tasting, farm stays, etc.) shall be encouraged as a means to supplement and sustain family farms while also bolstering the local area economy.

Policy 1.6: **AREA EDUCATIONAL INSTITUTIONS** should focus on training and retraining students and workers with knowledge and skill sets geared to the 21st Century economy.

Policy 1.7: The identification, restoration and active use of **STRUCTURES, MONUMENTS, NEIGHBORHOODS, AND SITES OF HISTORIC SIGNIFICANCE** shall be encouraged as a means of enhancing their economic and cultural value to the area.



Policy 1.8: **NEW AND EXPANDING BUSINESSES AND INDUSTRIES** shall be encouraged that: 1) diversify the local economy, 2) train and employ a more highly skilled work force and 3) increase area resident's incomes.

Policy 1.9: Opportunities to **LINK THE GREATER CUMBERLAND COUNTY ECONOMY** to 1) surrounding counties and 2) research institutions throughout the state and nation shall be actively pursued.

Policy 1.10: **ECONOMIC DEVELOPMENT INCENTIVES** shall be periodically identified, evaluated and implemented to encourage appropriate and desirable growth and development within the region.

Policy 1.11: Local governments shall encourage a **PUBLIC SERVICE AND REGULATORY ENVIRONMENT** conducive to economic development, provided that environmental quality, public health and safety considerations are not compromised.

Policy 1.12: Appropriate **OPPORTUNITY SITES** for manufacturing and new technology enterprises shall be identified and protected through appropriate zoning. Such sites shall be based upon factors such as transportation access, availability of utilities, compatibility with nearby land uses, soil conditions, drainage, and other considerations.

Policy 1.13: Activities that bring new people and businesses to the area, including **SPECIAL EVENTS, SPORTS TOURNAMENTS, TOURISM AND CONVENTION ACTIVITIES** shall be encouraged and supported.

Actions for Vision 1. A More Diversified Local Economy

Action 1.1: Create and maintain an up-to-date inventory of opportunity sites for business development, to include existing buildings suitable for rehabilitation and adaptive reuse.

Action 1.2: Identify sources and/or establish mechanisms for funding economic development incentives.

Action 1.3: Continue to support Cumberland County Business Council in their efforts to expand existing businesses and recruit new businesses to the area.

Action 1.4: Continue to support Cumberland County Business Council's Match Force Program which seeks to match the talents of military retirees with employment opportunities in the area, thereby retaining a valuable talent pool for economic growth.



Action 1.5: Continue to support the area's tourism and convention potential, including recommendations for travel and tourism oriented businesses and infrastructure necessary to host major meeting and convention events, particularly in downtown Fayetteville.

Action 1.6: Establish a business recruiting presence in the Research Triangle area.

Action 1.7: Advertise the area's abundant water resources, steady stream of capable workers (former military and spouses), strategic location along I-95, affordable housing, 2 and 4 year colleges, cultural diversity, and quality health care as key business advantages to locate in the Fayetteville-Cumberland County area.

Action 1.8: Conduct a review of zoning and infrastructure to identify and/or confirm appropriate sites for manufacturing and new technology enterprises.

Action 1.9: Include cultural facilities in local government capital improvement plans and budgets. Weigh the value of enhanced cultural facilities relative to economic development and quality of life benefits.

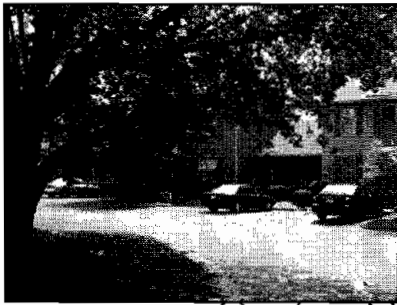
Policy Area 2: Well-Managed Growth and Development

Not all land is equally suited for development. Development on land that is "high and dry" avoids future problems related to poor drainage and flooding. Development that is convenient to existing public facilities maximizes taxpayer investments and minimizes local government service costs. Consistent development standards result in more predictable and higher quality growth.

Vision Statement

Working from the 2030 Plan, area local governments and service providers have been able to coordinate their policies and actions to direct new growth where it can best be served. As a result, new developments generate fewer land use conflicts, less sprawl, and less traffic congestion. There are also more planned open spaces, and a cleaner, healthier environment. By facilitating more efficient, clustered and mixed use development patterns, local governments have been able to deliver public services for tax rates below state averages. Better, more quality-conscious development standards are applied consistently throughout the county, resulting in higher quality developments. At the same time, such standards respect the differences found in development practices for rural versus urban areas, small towns versus large city areas, and historic versus "modern" areas.

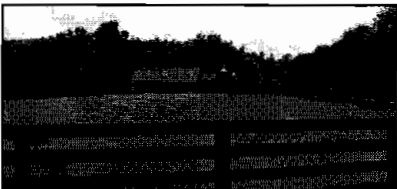
POLICIES FOR VISION 2. WELL-MANAGED GROWTH AND DEVELOPMENT



Policy 2.1: An **URBAN AREA** shall be identified and mapped where urban level development and redevelopment (averaging 4 units or more per acre) is to be especially encouraged and where a full range of urban services, including centralized water and sewer, as well as stormwater management services, are already available or can be provided in a timely, cost effective manner.



Policy 2.2: An **URBAN FRINGE AREA** shall be identified and mapped where urban level development and redevelopment (averaging 3 units or more per acre) is to be accommodated and where a full range of urban services, including centralized water and sewer, as well as stormwater management services, can be provided within the next 10 to 15 years.



Policy 2.3: A **RURAL AREA** shall be identified and mapped where development at a non-urban density (2.2 units per acre allowed but much lower densities preferred) is to be encouraged and where on-site sewer services (i.e. septic tanks) are most appropriate.

Policy 2.4: **COMMUNITY AREAS** shall be identified and mapped to include small towns where a mixture of community level land uses is to be encouraged to help meet the housing, shopping and employment needs of area residents.

Policy 2.5: **CONSERVATION AREAS** shall be identified and mapped to include 100 year floodplains, riparian buffers along streams,

Natural Heritage Areas, critical wildlife habitat, public parks, and other significant, limited or irreplaceable natural areas. Development, if any, should be limited and attentive to the protection of environmental features.

Policy 2.6: URBAN LEVEL DEVELOPMENT STANDARDS shall be developed and applied within the URBAN and URBAN FRINGE AREAS (e.g. sidewalks, streetlights, storm water improvements, etc.). Such standards may be modified when site-specific conditions warrant a more environmentally sensitive, low impact approach. Allowances may also be made for historic areas

Policy 2.7: RURAL LEVEL DEVELOPMENT STANDARDS shall be developed and applied within the RURAL AREAS of the county (e.g. no curb and gutter, no streetlights, etc.).

Policy 2.8: Regardless of location on the GROWTH STRATEGY MAP, new development should occur at DENSITIES APPROPRIATE FOR THE SITE. Density factors shall include whether the site is within an environmentally sensitive area, the type of sewage treatment available, the topography and drainage of the site, the capacity of transportation facilities serving the site, the proximity of the site to other existing services, and other relevant factors.

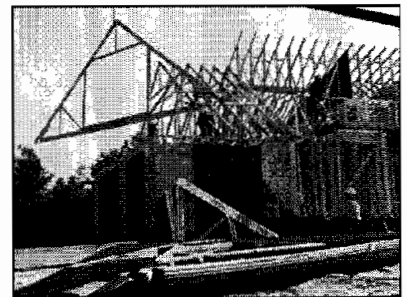
Policy 2.9: NEW DEVELOPMENT AND INFILL DEVELOPMENT shall be especially encouraged in locations where a full range of urban services and infrastructure (i.e. schools, fire stations, water and sewer facilities, parks, and roads) is already in place, and where the public sector will not incur the full cost for building new facilities to serve the area.

Policy 2.10: Local governments shall encourage patterns of development and community growth that respect the training and operational mission of the military, while also allowing for reasonable, appropriate USES OF PROPERTIES NEAR FORT BRAGG.

Actions for Vision 2. Well-Managed Growth and Development

Action 2.1: Create development standards for application within all local government jurisdictions in Cumberland County. Involve all interested public and private sector interests in the creation of the standards as follows:

- Urban Development Standards for existing urban areas and properties within the Urban and Urban Fringe Areas. Include exceptions for environmentally sensitive or constrained sites.
- Rural Development Standards for properties not in an incorporated area and not within the Urban or Urban Fringe Areas.
- Small Town Development Standards as may be necessary to accommodate particular small town areas.
- Historic Area Development Standards for exceptions to more modern standards that would destroy the character of older areas.





Action 2.2: Jointly adopt and print a development standards booklet describing in both text and illustrations, the standards established under Action 2.1 above.

Action 2.3: Establish specific criteria in area zoning ordinances for approving higher density development. At the same time, create one or more large lot zoning districts as well as a density CUD within the City of Fayetteville's zoning ordinance for application where environmental constraints or other conditions may warrant their use.

Action 2.4: Identify and adopt incentives for encouraging infill development on sites where urban services are already in place.

Action 2.5: Continue to work with Fort Bragg on the development of land use policies and requirements for the use of properties abutting the base. Begin with the Joint Land Use Study (i.e. buffers) and move forward from that study.

Policy Area 3: Infrastructure That Keeps Pace

The location, timing and capacity of infrastructure such as roads, water and sewer utilities, schools, parks and drainage are among the most influential factors affecting growth and development. 2030 policies and actions suggest that local governments should become more proactive in using these features to direct growth and development intelligently and to protect taxpayer investments in these facilities.

Vision Statement

The location of new development has been carefully coordinated with area plans for infrastructure, including transportation, water and sewer services, stormwater management, schools, parks and open space. Utilities must be shown to be adequate and in place prior to the occupancy of the new developments they serve. Sewer services have been strategically employed to encourage urban level growth where it can best be accommodated. Advanced planning has allowed future school and park sites to be located and acquired ahead of their need. Planned highway corridors have been identified and mapped to ensure their protection during the development process. Similarly, future greenway corridors have been identified so that they may be incorporated into the design of new developments. A countywide stormwater management plan has anticipated necessary drainage and retention facilities as various areas have been developed.



Note: Because this policy area is quite broad, the plan user should also consult the following plan sections for additional policy direction on specific infrastructure elements:

- Policy Area 2: Well-Managed Growth (includes urban services)
- Policy Area 4: A Balanced Transportation System
- Policy Area 5: Community-Oriented Schools
- Policy Area 6: Expanded Parks and Recreation
- Policy Area 11: A Healthy, Sustainable Environment (includes stormwater management)

POLICIES FOR VISION 3. INFRASTRUCTURE THAT KEEPS PACE

Policy 3.1: Recognizing that infrastructure has a powerful influence on growth and development, the availability of infrastructure (along with other factors) should determine WHERE DEVELOPMENT WILL OCCUR in the region, rather than the other way around.

Policy 3.2: ADVANCED PLANNING FOR ALL INFRASTRUCTURE facilities shall be supported and routinely updated on a countywide basis. Facilities benefited by advanced planning shall include, at a minimum, schools, roads, water, sewer, stormwater management, parks and greenways.

Policy 3.3: DEVELOPMENT INTENSITY should be matched, generally, with the availability of infrastructure. There will be locations, however, where infrastructure alone cannot make up for poor soils, inadequate topography (drainage), or other overriding factors.

Policy 3.4: Local governments in Cumberland County support the provision of **CENTRALIZED WATER SERVICES** throughout the county.

Policy 3.5: Due to the high expense involved and number of customers required per given area, "county-wide sewer" must be acknowledged as untenable for the foreseeable future. Rather, **CENTRALIZED SEWAGE COLLECTION AND TREATMENT** should be focused on a **DESIGNATED SERVICE AREA** where sewer lines can be properly located and sized to serve a carefully projected customer base.

Policy 3.6: Generally, **INFRASTRUCTURE WITH EXCESS CAPACITY** should be utilized first before spending additional monies to install and maintain new infrastructure elsewhere. **INCENTIVES** may be necessary to direct new development and redevelopment to locations with excess infrastructure capacity.

Policy 3.7: ADEQUATE UTILITIES INFRASTRUCTURE (water supply, sewage collection and treatment capacity, stormwater management, etc.) must be in place before the new development it serves may be occupied.

Policy 3.8: New infrastructure shall not be placed in areas where it would encourage **DEVELOPMENT INCOMPATIBLE WITH THE MISSION OF THE FORT BRAGG/POPE** military complex, thereby jeopardizing this important economic driver in the region.

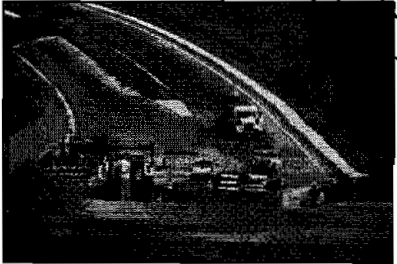
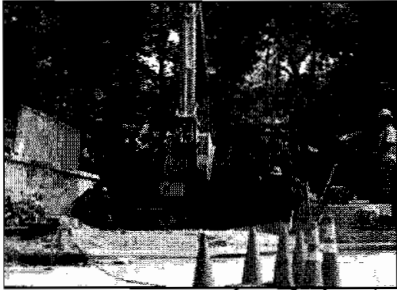
Policy 3.9: New infrastructure shall not be placed in areas where it would encourage **SPRAWLING OR SCATTERED DEVELOPMENT** in outlying rural areas. Exceptions may be made for major economic development initiatives, or a need to address an imminent public health emergency.



Policy 3.10: FORT BRAGG SHALL BE INCLUDED in all major infrastructure planning locally. This will be especially important as Fort Bragg and surrounding local communities seek mutually beneficial opportunities to enhance services.

Policy 3.11: Local governments in Cumberland County are unified in their opposition to INTERBASIN TRANSFERS OF WATER between the Cape Fear and Neuse River basins. *(Repeated in the Cape Fear River Section.)*

Policy 3.12: Additional RAW WATER STORAGE RESERVES shall be developed by utilizing existing lakes on Rockfish Creek. The restoration of HOPE MILLS LAKES NOS. 1 AND 2 shall be encouraged.



Actions for Vision 3: Infrastructure That Keeps Pace

Action 3.1: Continue to support the Cumberland County Public School Master Plan; offer input on future school locations relative to area growth and development objectives.

Action 3.2: Continue to support the Joint Cumberland County Transportation Plan; lobby for implementation of key transportation projects.

Action 3.3: (Do not include this action, or some version of it, until the outcome of the Policy Initiative may be evaluated.)

Action 3.4: Continue to support area plans for the provision of Water Services throughout the county.

Action 3.5: Prepare a Joint Cumberland County Stormwater Master Plan.

Action 3.6: Continue to support the Cumberland County Parks Master Plan.

Action 3.7: Prepare a Joint Cumberland County Greenway Master Plan.

Action 3.8: Based on information contained in each of the various infrastructure master plans noted above, prepare a Summary Needs Assessment For Infrastructure throughout the county. Review capital improvement plans (CIP's) from the county, county schools, PWC and all municipalities in light of the needs assessment. Update all CIP's as appropriate.

Action 3.9: Based on information contained in each of the various infrastructure master plans noted above, prepare maps showing the adequacy of infrastructure facilities throughout the county. Update them continuously. Develop an Adequate Public Facilities Ordinance, linking development approvals to the adequacy of infrastructure by location.

Action 3.10: Prepare an in-house study evaluating various development incentives (both financial and non-financial) that might be employed to encourage growth to locate where existing infrastructure has excess capacity.

Action 3.11: Include representatives of Fort Bragg in all local advanced planning initiatives for infrastructure development. Continue their presence on the 2030 Long Range Planning Committee.

Action 3.12: The installation of infrastructure and determination of land use types near Fort Bragg should be reviewed for consistency with the Fort Bragg Small Area Plan.

Policy Area 4: A Balanced Transportation System

Transportation facilities are the essential corridors of commerce and mobility. 2030 policies call for an efficient system of streets and roads, improved mass transit services, as well as more sidewalks, trails and bicycling facilities. The policies also recognize that the way in which we choose to lay out new roads and developments can have a profound impact in reducing automobile dependency and traffic congestion.

Vision Statement

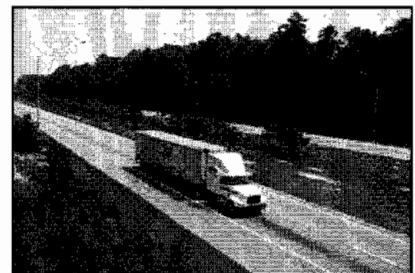
Local governments in Cumberland County have worked proactively with the State DOT toward a balanced, multi-modal transportation system. Advanced planning and follow-through has resulted in an efficient system of streets and highways, and a well-connected network of sidewalks, trails and bike paths. It has become common practice for new road improvements to include bike lanes and well-designed cross walks. New public and private developments routinely include sidewalks and bikeway connections. Mixed use and urban level developments have been employed to encourage walkability. A rural transit system has joined the area public transportation system in serving the needs of senior citizens and others who cannot or choose not to drive a car. Nearly all roads have been paved; existing roads are well maintained. The outer loop and other important connectors have been completed.

POLICIES FOR VISION 4. A BALANCED TRANSPORTATION SYSTEM

Policy 4.1: Opportunities to ENHANCE REGIONAL TRANSPORTATION CONNECTIONS between Fayetteville and other parts of the state and region shall be supported; such opportunities may include not only roadways but also **COMMUTER RAIL PASSENGER SERVICE** between Cumberland County and other metropolitan areas within the State.

Policy 4.2: The completion of the OUTER LOOP AROUND FAYETTEVILLE shall be supported as the highest priority highway improvement project in Cumberland County.

Policy 4.3: PEDESTRIAN AND BIKEWAY FACILITIES shall be encouraged as energy-efficient, healthful, and environmentally sound alternatives to the automobile. All future road construction and expansion within the region shall consider opportunities for bikeways and pedestrian ways within the project.





Policy 4.4: Local communities shall strive to make areas under their jurisdiction PEDESTRIAN-FRIENDLY THROUGH DEVELOPMENT STANDARDS AND PUBLIC IMPROVEMENTS.

Policy 4.5: As new neighborhoods are developed, at least two points of access/egress should be provided. The secondary access/egress may be gated with a breakaway wall but should allow for passage of pedestrians and bicyclists.

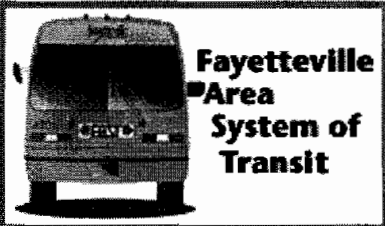
Policy 4.6: The mobility needs of all citizens shall be recognized through the provision of TRANSPORTATION ALTERNATIVES TO THE AUTOMOBILE. Local communities shall lobby the state and federal governments for pedestrian, bikeway and transit improvements proportionate to the large number of people benefited.



Policy 4.7: An AREA-WIDE BIKEWAY SYSTEM should be tied into the ALL-AMERICAN TRAIL.

Policy 4.8: The operational success of area-wide mass transit services shall be supported through the encouragement of compact, TRANSIT-SENSITIVE DEVELOPMENT PATTERNS. Higher intensity development shall be encouraged along prospective transit corridors, between municipalities and employment centers, Fort Bragg and other population centers.

Policy 4.9: ACCESS TO THE AREA'S MAJOR ROADWAYS shall be managed so as to preserve the intended purpose of the highway and to protect the investment of taxpayer dollars used to build the facility. Methods may include, for example, limited driveway access, minimum lot frontages, the use of service roads and parallel access roads, connections between adjoining parking lots, etc.



Policy 4.10: Opportunities to enhance air passenger service at FAYETTEVILLE REGIONAL AIRPORT shall be supported. Land uses such as industrial development, warehousing and distribution shall be the preferred development activities on lands influenced by airport impacts (e.g. noise and safety issues).

Actions for Vision 4: A Balanced Transportation System

Action 4.1: Re-examine the regional transportation plan in light of the impending dramatic growth of Fort Bragg due to BRAC and Army Modular Force. (The latest information on growth includes a net increase of 7,064 military, an associated 12,716 family member, 1,795 civilians and another 351 contract employees. For the past 26 years, Fort Bragg has been essentially a stable population with no growth.)

Action 4.2: Continue to support the currently adopted area-wide Bicycle and Pedestrian Plan. For more information visit www.fampo.org, click on Programs, then Bicycle and Pedestrian.

Action 4.3: In keeping with currently adopted Bicycle and Pedestrian Plan, include bike lanes as part of street construction standards. Apply these standards when appropriate and as may be consistent with the Bicycle and Pedestrian Plan.

Action 4.4: Reexamine area development standards to evaluate the need for improved pedestrian systems (sidewalks, greenways, etc.) in new residential developments.

Action 4.5: Seek funding sources, such as Enhancement Grants, to provide sidewalks and street furniture, lighting, etc. to improve pedestrian-oriented areas.

Action 4.6: Reexamine area development standards to require bus shelters or, at a minimum, bus pull offs in new higher density residential and commercial developments served by two or more bus routes.

Action 4.7: Seek funding sources to establish commuter-rail passenger service. (Fayetteville Metropolitan Planning Organization (FAMPO) and the RPO to lead.)

Action 4.8: Continue to support development standards that require parking lot connections and shared driveway access for commercial developments whenever possible.

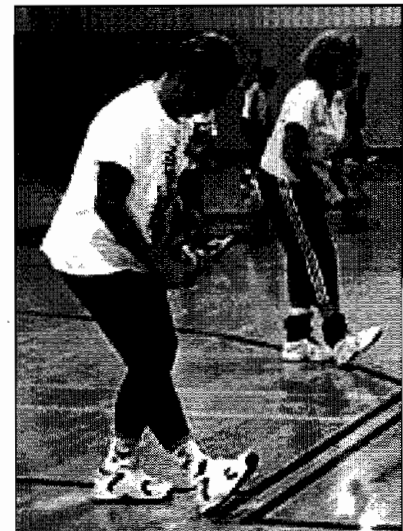


Policy Area 5: Community Oriented Schools

For the 2030 Plan, public schools are viewed as an anchor for community growth, social interaction and neighborhood stability. Because public schools have also become one of the largest budget items for local government, policies and actions call for enhanced long-range thinking, innovative action planning, and multiple uses of these relatively expensive community assets.

Vision Statement

Schools in Cumberland County have been planned well in advance of growth to avoid overcrowding and the need for mobile classrooms. Instead of building large, impersonal schools, new smaller schools (especially elementary) have been located and designed to serve and be accessible to the neighborhoods around them. Access to such schools is as much by walking and biking, as it is by automobile. Rather than functioning as single purpose "factories to educate children", schools in Cumberland County serve as true community centers, providing meeting space for community gatherings, recreational events, and other functions.



POLICIES FOR VISION 5. COMMUNITY ORIENTED SCHOOLS

Policy 5.1: ADVANCED PLANNING FOR THE LOCATION of new public schools shall be supported. School locations should serve to reinforce desirable growth patterns rather than promoting sprawl.



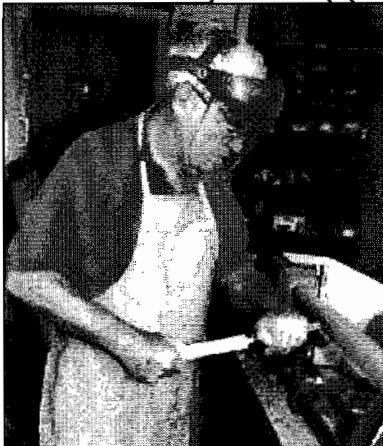
New elementary school locations shall be viewed as a **CORNERSTONE OF THE NEIGHBORHOODS** they are intended to serve.

Policy 5.2: OFFERS OF LAND for the siting of new schools shall be encouraged, particularly in conjunction with related neighborhood development. Acceptance of such properties shall be based on approved locational and design criteria.

Policy 5.3: School campuses shall be designed to allow safe, **PEDESTRIAN ACCESS FROM ADJACENT NEIGHBORHOODS**. Travel corridors within 1.5 miles of all public schools shall be a priority for construction of sidewalks, bike paths and pedestrian trails.

Policy 5.4: Site planning for TRAFFIC MANAGEMENT AND SAFETY in the vicinity of public schools shall be a priority.

Policy 5.5: The CO-LOCATION AND JOINT DEVELOPMENT of school facilities in conjunction with other community facilities and services shall be encouraged. Co-located facilities and services may include but not be limited to park and recreation facilities, senior centers, health clinics, and libraries.



Actions for Vision 5: Community Oriented Schools

Action 5.1: The Cumberland County Board of Education should be encouraged to prepare a School Master Plan with input on growth and development concerns from the Cumberland County Long Range Planning Committee. The 20-year plan should target suitable areas for land acquisition and be updated every five years. (The School System currently prepares a 10-year plan, updated every 5 years.)

Action 5.2: Each local government in Cumberland County should consider preparing and adopting its own capital improvement plan to include funding for the construction of pedestrian and bicycle facilities within 1.5 miles of public schools in its jurisdiction.

Action 5.3: Prepare a study of alternatives for paying for new school construction based on the demand for school space created by new development.

Action 5.4: Consider co-location of schools with park and recreation facilities when preparing the next master park and recreation plan.

Action 5.5: In cooperation with the Cumberland County Board of Education, prepare school location and design criteria for the placement and site development of community-oriented schools, to include priorities for safe pedestrian and bicycle access, transit use, neighborhood connectivity, infrastructure availability, and environmental compatibility.

Action 5.6: Apply for a Safe Routes to School Grant through the North Carolina Department of Transportation. These Federal funds, administered by the State, may be used to construct new bike lanes, pathways, and sidewalks, as well as to launch Safe Routes education and promotion campaigns in elementary and middle schools.

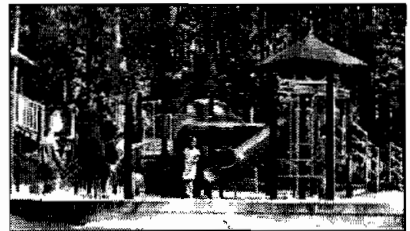
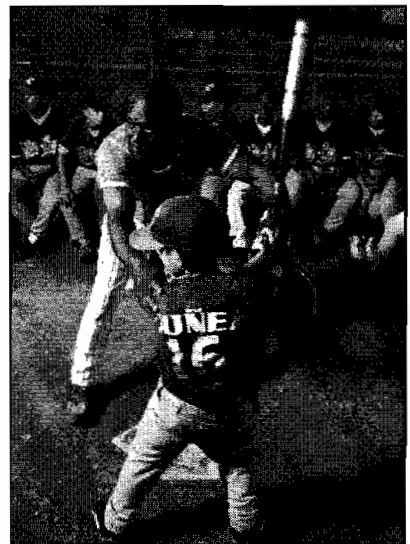


Policy Area 6: Expanded Parks and Recreation

Quality parks and recreation facilities are one of the key features that separate communities with a high quality of life from those that claim to but do not. The following vision, policies and actions are intended to continue the Cumberland County region's reputation for high quality recreation facilities.

Vision

As Cumberland County has grown, more park and recreation facilities have been added to meet demand. Many new parks include active recreation facilities for the youth, such as soccer, softball, and multi-purpose fields. Other park facilities have addressed the active and passive recreation preferences of seniors. A well developed system of walking and biking trails runs adjacent to the Cape Fear River and its tributaries, as well as within available utility corridors. This "greenway" system can be accessed from many parts of the county, and connects numerous schools, parks, open spaces and neighborhoods. In addition to more large parks, there is a renewed emphasis on smaller neighborhood parks close at hand, within walking distance of residential areas. Numerous smaller park and open space areas have been created as part of routine development approval processes. Many recreation facilities have been developed in cooperation with County schools.



POLICIES FOR VISION 6. EXPANDED PARKS AND RECREATION

Policy 6.1: PARKS DEVELOPMENT shall be emphasized as being vital to Cumberland County as a great community with a high quality of life that can attract new businesses and industry to the area.

Policy 6.2: Parks shall be **LOCATED AND DESIGNED** according to population density and needs of the people residing within the most likely park service area. Special attention shall be given to the unique needs of **ELDERLY** and **PHYSICALLY AND MENTALLY CHALLENGED** citizens.

Policy 6.3: Efforts to develop a system of open space **GREENWAYS AND HIKING TRAILS** to connect residential areas with schools, parks, service areas, downtowns and cultural areas shall be supported. Natural corridors such as streams and floodplains, and man-made corridors such as utility and transportation rights-of-way and easements shall be strategically employed.

Policy 6.4: The underutilized value of the CAPE FEAR RIVER AND ITS TRIBUTARIES shall be capitalized upon by the provision of more and better access to the river for active and passive recreation.

Policy 6.5: SMALLER PARKS shall be encouraged in existing and proposed neighborhoods to meet the needs of small children and to

encourage social interaction and mutual support among area families.

Policy 6.6: Neighborhood parks should be located with exposure to residences, businesses and other activities, where informal **OBSERVATION AND OVERSIGHT** can provide enhanced security to park properties.

Policy 6.7: **NEW RESIDENTIAL DEVELOPMENT** should provide for adequate open space and recreation areas in proportion to the demand created by the development. Acreage or funding may be determined according to local government criteria.

Policy 6.8: In addition to developer support for parks development, local governments shall seek a consistent, on-going **SOURCE OF FUNDING FOR PARKS** improvements and maintenance.

Policy 6.9: The **CO-LOCATION AND JOINT DEVELOPMENT OF PARK FACILITIES** in cooperation with institutions such as colleges, public schools, the military, other federal, state and local government agencies, as well as private and non-profit interests, shall be supported.

Policy 6.10: Opportunities to locate and develop needed park facilities that may function as a **BUFFER TO FORT BRAG** shall be encouraged.

Policy 6.11: New methods of park maintenance and programming including, but not limited to, increased **PRIVATIZATION AND VOLUNTEERISM** shall be explored.

Policy 6.12: Cooperative **PUBLIC-PRIVATE ARRANGEMENTS** for the development, programming, and maintenance of park and recreation facilities shall be encouraged.

Actions for Vision 6. Expanded Parks and Recreation

Action 6.1: Incorporate the City/County Parks and Recreation Master Plan into the 2030 Growth Vision Plan by reference.

Action 6.2: Develop and support park and recreation master plans for the Towns of Spring Lake, Hope Mills, and Stedman. Continue to support the Falcon and Wade Master Plan.

Action 6.3: Prepare a greenways and trails master plan for the entire county. Make a Cape Fear River Corridor Conservation and Development Plan a central feature of the master plan. Develop major feeders from Rockfish, Locks Creek, Little River, the South River, etc. Develop methods and mechanisms to preserve and protect natural and man-made corridors for future pedestrian and boating use. Develop guidelines and design standards for pedestrian and boating trails.



Action 6.4: Work with Fort Bragg on the development of the All-American Trail.

Action 6.5: Work with the North Carolina Sandhills Cooperative Partnership and Fort Bragg to preserve land parcels that will provide recreation opportunities and also protect the continued viability of Fort Bragg.

Action 6.6: Continue to leverage State dollars from a special program designed to protect military installations from incompatible development (House Bill 1264).

Action 6.7: Amend subdivision regulations or other appropriate ordinances to allow for a proportionate fee in lieu of land dedication.

Action 6.8: Develop criteria for determining the adequacy of acreage to be accepted from developers for parks and/or open space. Establish routine procedures for deeding ownership of dedicated land to local government.

Action 6.9: Authorize a mechanism by which developers with property on a planned pedestrian way may donate land and develop the trail as a means of meeting some or all of their open space requirements. Set appropriate standards for trail development.

Action 6.10: Work with the State Parks Division in the development of the new state park in providing unique regional facilities not found in local parks.

Action 6.11: Develop new neighborhood parks in the Towns of Godwin and Linden. These parks to include playground units, swings, benches/trash receptacles, walking trail, and picnic shelter.

Action 6.12: Expand the Town of Stedman Park to include a walking trail that connects to the existing walking trail at the recreation center. Include additional security lighting, renovation of the two small existing picnic shelters, and fence along park property, additional landscaping and restroom/concession facility.

Action 6.13: Complete the remaining phases to the Wade Town Park to include splash pad, concession/restroom facilities, additional athletic fields, completion of walking trail around the park property, additional picnic shelters/with grills, benches, trash receptacles and basketball court.

Action 6.14: Expand Falcon Town Park to included additional amenities such as paving the walking trail, softball/baseball field, tennis courts, concession building and improvements to the stream that flows through the park.

Action 6.15: Upon restoration of Hope Mills Lake, create a Heritage Park at the old Hope Mill Property (approximately 6 acres.) As outlined in the Heritage Preservation Plan (1995) improvements that could be included in the Heritage Park include an outdoor amphitheater, a picnic area and a fishing area. Also create a Water Trail beginning at the Park and



extending to the Cape Fear River Water Trail at the Huske Lock and Dam.

Action 6.16: Expand the Town of Spring Lake Edward Mendoza Memorial Park to include additional baseball fields and walking trails. Develop additional neighborhood parks to include playground units and picnic areas. Redevelop area around the Spring Lake Multi-purpose Community Center to include soccer and football fields.

Policy Area 7: Preserved Open Space & Rural Character

It has been said that the best way to preserve the countryside is to build a better city. 2030 policies on preserving open space and rural character call for land use and infrastructure policies to direct new growth and development to locations within or near existing urban areas.

Vision Statement

Losses of open space, farmland and rural character have been curtailed by growth management policies that have directed new development away from prime agricultural areas, significant open spaces, and environmentally sensitive lands. Rather, Cumberland County has worked effectively with area municipalities, other service providers, and the school board to place urban infrastructure within or adjoining existing urban areas, and away from rural areas and open spaces. Urban services, such as centralized water and sewer, roads, schools and parks, have been strategically placed to facilitate compact, contiguous growth, rather than promoting leapfrog developments in the midst of productive farmland. New development has been encouraged to occur in the form of full service, mixed use *communities*, rather than a series of unrelated, single use, sprawling, suburban-style *subdivisions*.



POLICIES FOR VISION 7. PRESERVED OPEN SPACE AND RURAL CHARACTER

Policy 7.1: Local government policies shall seek to conserve **RURAL AREA AGRICULTURAL LANDS** having a high productive potential for appropriate agricultural use.

Policy 7.2: Actions concerning **INFRASTRUCTURE** (e.g. schools, parks, utilities) and regulations shall direct new development first to targeted growth areas near existing towns, rather than "leapfrogging" to locations in the midst of farmland and greenspace.

Policy 7.3: **ENVIRONMENTALLY SENSITIVE AREAS** shall be identified and managed so as to protect them from incompatible land uses.

Policy 7.4: **FLOODPRONE AREAS** shall be conserved for the valuable open space, environmental and flood hazard benefits they provide and shall be managed for suitable land use activities.

Policy 7.5: All PARK AND RECREATION MASTER PLANS shall include open space, greenways and natural areas as key components.

Policy 7.6: CONSERVATION EASEMENTS shall be promoted as a means of providing appropriate open space areas and corridors for public use, while also providing tax benefits to the donor.

Policy 7.7: All land that is set aside for OPEN SPACE SHALL BE MANAGED by a community association, non-profit organization, government authority or other suitable entity.

Policy 7.8: CLUSTER DEVELOPMENT shall be encouraged as an environmentally sound, economically cost effective, and visually attractive alternative to large lot subdivisions. Such developments should be planned around the most outstanding natural features of the land, with some outstanding areas serving as designated open space regardless of whether upland or wetland.

Policy 7.9: On-going efforts to implement the County's VOLUNTARY AGRICULTURAL DISTRICT PROGRAM shall be encouraged and supported.

Policy 7.10: Local governments shall consult with the Cumberland County FARM ADVISORY BOARD on all planning related matters affecting farmland.

Actions for Vision 7. Preserved Open Space and Rural Character

Action 7.1: Prepare a mapped inventory of environmentally sensitive areas and determine their associated values worth protecting. Use this information to determine appropriate land use activities for these areas and to prepare appropriate management tools.

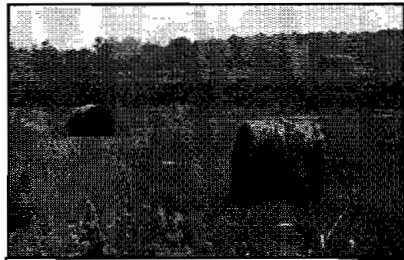
Action 7.2: Reexamine the County's floodplain management ordinance as to its adequacy for addressing land uses within these areas.

Action 7.3: Acquire and distribute or prepare, as necessary, informational material concerning the dedication of conservation easements and the tax advantages available to property owners.

Action 7.4: Prepare a cluster development provision for inclusion in all area zoning ordinances. Include criteria that identify the most appropriate locations and situations in which to apply the cluster development concept.

Action 7.5: Implement and promote the Voluntary Agricultural District Program, pointing out benefits such as limits on eminent domain and protection against nuisance lawsuits, among others.

Action 7.6 Prepare an open space and greenway master plan for all of Cumberland County.



Action 7.7: Local governments in Cumberland County should establish additional tools, as well as a reliable, long term funding mechanism for the acquisition of open space to keep pace with area growth and development.

Action 7.8: Provide for low density zoning for areas outside the *urban services area*.

Policy Area 8: Quality Housing & Residential Development

2030 policies and actions support a broad range of housing types and levels of affordability. While single-family site-built homes remain the predominant housing form in the area, many other options are available. Rehabilitation of existing homes and neighborhoods, already provided with urban services, is especially desirable to promote economic health and advance the stability of existing neighborhoods.

Vision Statement

Cumberland County communities offer a multitude of quality housing choices, including a predominance of single-family homes, but also truly urban housing forms such as townhouses, condominiums, and apartments. A local public school is often a central feature of new neighborhoods, along with compatible neighborhood services. Because services are close at hand, such neighborhoods encourage walking and reduce auto dependency. Consistent zoning practices have protected existing and planned neighborhoods from incompatible, large scale, automobile-oriented commercial development. Affordable housing needs have been met in greater measure by smaller accessory units (garage apartments, granny flats, apartments over shops or small clusters of multifamily housing) rather than solely by mobile homes or institutional complexes. Many older, existing neighborhoods have also seen a resurgence in the rehabilitation of homes well suited to meet affordable housing needs.



POLICIES FOR VISION 8. QUALITY HOUSING AND RESIDENTIAL DEVELOPMENT

Policy 8.1: Local governments in Cumberland County shall seek to accommodate a **VARIETY OF HOUSING TYPES** in locations consistent with their characteristics and level of services required.

Policy 8.2: Factors used to determine preferred locations for **LARGE MULTI-FAMILY DEVELOPMENTS** shall include: close proximity to employment and shopping centers, access to major thoroughfares and transit systems, the availability of public services and facilities, storm water management issues, and compatibility with adjacent areas and land uses.

Policy 8.3: **ACCESS TO HIGHER INTENSITY DEVELOPMENT** shall generally not be permitted through an area of lower intensity development. For example, access to a large multi-family development, major new park facility, or other large traffic

generator shall not be permitted through a single-family residential area.

Policy 8.4: Area AFFORDABLE HOUSING needs shall be met through an array of rental and home ownership options including apartments, townhouses, granny flats, carriage houses (garage apartments), single family site built homes, accessory living units, and manufactured homes.

Policy 8.5: The particular housing needs of SENIOR CITIZENS AND THE DISABLED shall be recognized in local government policies and actions regarding residential development.

Policy 8.6: Incentives may be provided for INFILL DEVELOPMENT and the REHABILITATION OF EXISTING HOUSING already provided with urban services to acknowledge the lower service and infrastructure costs to the taxpayer. DEVELOPMENT REQUIRING THE EXPANSION OF SERVICES AND INFRASTRUCTURE may be required to assist in the cost of such service expansions.

Policy 8.7: INNOVATIVE AND FLEXIBLE LAND PLANNING AND DEVELOPMENT practices shall be encouraged to create neighborhoods which better safeguard land, water, energy and historic resources.

Policy 8.8: EXISTING NEIGHBORHOODS shall be protected from encroachment by incompatible land uses. At the same time, convenient services designed to be compatible with nearby residential uses may be permitted at an appropriate level of design and scale.

Policy 8.9: NEW INFILL DEVELOPMENT shall be architecturally compatible with existing structures, landscape features and the streetscape within its vicinity. Efforts by neighborhood associations to establish their own standards for development compatibility shall be encouraged.

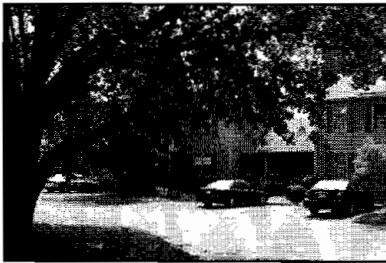
Policy 8.10: Residential areas that have become completely infused or surrounded by non-residential uses may undergo an ORDERLY CONVERSION to higher density residential development or other compatible land uses.

Policy 8.11: Housing throughout the county shall be required to meet or exceed MINIMUM HOUSING AND NUISANCE ABATEMENT STANDARDS to eliminate unlawful activity and blight. Individual structures that have declined to levels beyond reasonable rehabilitation and repair shall be removed so as not to adversely affect the economic health of other nearby structures.

Policy 8.12: Proposed residential development that would expose residents to the harmful effects of INCOMPATIBLE DEVELOPMENT OR TO ENVIRONMENTAL HAZARDS shall be prohibited.

Policy 8.13: All forms of housing development should be discouraged from "LEAPFROGGING" into the countryside, thereby destroying the rural character of the County, breaking up large





farmland areas, and making the provision of urban services more costly to taxpayers.

Policy 8.14: Detailed NEIGHBORHOOD AND SMALL AREA PLANNING shall be supported so as to encourage greater resident involvement and closer attention to area specific issues and needs.

Policy 8.15: COMPACT, FULL SERVICE NEIGHBORHOODS offering a compatible mixture of appropriately scaled and designed structures (homes, schools, churches, parks, shopping and services, etc.) and less dependency on the automobile, shall be encouraged

Policy 8.16: MANUFACTURED HOME PARKS AND MANUFACTURED HOME PLACEMENTS shall be approved in accordance with specific development standards, which address size, location, physical requirements (e.g. underpinning), road access and circulation.

Policy 8.17: To preserve the traffic moving function of the area's major travel ways, prevent traffic accidents and avoid land locking interior land parcels for economic development, local governments shall discourage **RESIDENTIAL STRIP DEVELOPMENT** along the county's major roadways.

Policy 8.18: Residential development may be encouraged to **BACK UP TO MAJOR ROADWAYS**, provided that adequate buffering (attractive berms, walls, significant vegetation, etc.) is provided along rear property lines adjoining the roadway. Buffering shall be visually opaque and provide for substantial noise deadening.

Actions for Vision 8. Quality Housing and Residential Development

Action 8.1: Examine area zoning ordinances concerning provisions that would allow for accessory housing such as carriage houses and granny flats in new residential areas. (i.e. mother-in-law suites)

Action 8.2: Examine area zoning ordinances concerning new provisions that would encourage the development of housing suitable for senior citizens or disabled persons and consider removing provisions that might discourage the same.

Action 8.3: Create incentives for infill development on sites with urban services already in place.

Action 8.4: Establish that new developments requiring the expansion of schools, fire stations, utilities, roads and parks should contribute to the cost of building such facilities.

Action 8.5: Establish design criteria for neighborhood services convenient to nearby residential areas.

Action 8.6: Examine area zoning ordinances concerning provisions governing the placement and design of day care facilities in residential

areas. Approval of such facilities in residential areas should require that standards be met to ensure compatibility.

Action 8.7: Identify areas that would benefit from a special area plan. Rank them in order of priority, including which area appears most interested in getting involved in such an effort.

Action 8.8: Reexamine standards for manufactured home parks and manufactured home placements as to their adequacy.

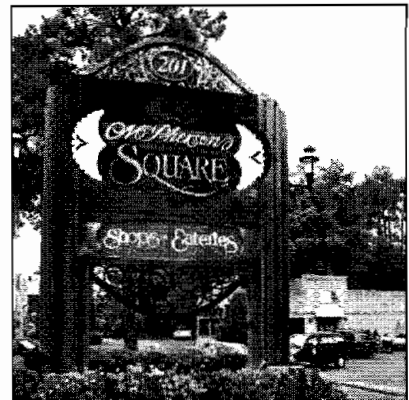
Action 8.9: Re-examine subdivision regulations to discourage single-family lots and individual driveways from fronting on and having direct access to major roadways.

Policy Area 9: Compatible Commercial Development

New commercial areas, particularly those near a residential area, have traditionally been a major challenge for developers and city planners alike. Images of bright lights, garish signage, large paved areas and heavy traffic cause nearby residents to be justifiably concerned. The 2030 policies suggest that with thoughtful design and development standards, commercial uses of various sizes and types can be accommodated and accepted as good neighbors and convenient services.

Vision Statement

Community leaders have navigated a careful course, allowing for shopping and services convenient to nearby residential areas, while protecting these same areas from incompatible commercial encroachment. Local development regulations have controlled the types of services allowed near residential areas, as well as their size and physical design. New and rehabilitated commercial buildings exhibit well-groomed landscaping, attractive signage, oftentimes with a distinctive architectural design. Previously vacant commercial and industrial buildings have been renovated and adapted for use as cultural facilities, retail enterprises, office and institutional use, innovative housing, and as small business development centers. Policies have been implemented to prevent indiscriminate abandonment and prolonged vacancies of "big boxes" left behind for "bigger boxes".



POLICIES FOR VISION 9. COMPATIBLE COMMERCIAL DEVELOPMENT

Policy 9.1: Taxpayer investment in major roadways shall be protected by prohibiting **UNCONTROLLED STRIP DEVELOPMENT** along the area's important traffic moving arteries. Beyond traffic considerations, the quality of development adjoining the area's travel corridors should have a positive influence on community image, appearance and economic development.

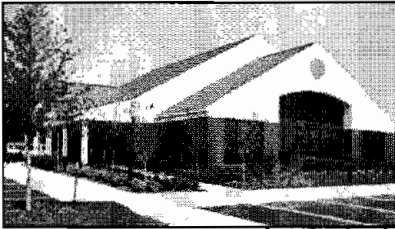
Policy 9.2: Local governments shall **AVOID REZONING RESIDENTIALLY ZONED LAND** to commercial zoning solely

because it adjoins a major highway or street. Proper design and/or buffering has shown that land tracts adjoining major streets can be properly developed for residential use.



Policy 9.3: OFFICE AND INSTITUTIONAL DEVELOPMENT may be encouraged to locate as a transitional land use between residential areas and activities of higher intensity, including major highways. Existing residences fronting on a once quiet roadway, now intensively traveled, may be candidates for conversion to office and institutional uses.

Policy 9.4: To disperse traffic loads and allow for regional access, LARGE-SCALE COMMERCIAL DEVELOPMENT (i.e. regional shopping, distribution centers, major manufacturing, etc.) should be located at or near major intersections.



Policy 9.5: SMALLER SCALE COMMERCIAL DEVELOPMENT should be clustered in "nodal" locations convenient to surrounding residential areas. Pedestrian and bicycle facilities should be installed along all streets leading to such commercial nodes.

Policy 9.6: So as to minimize unsafe turning movements into and out of the flow of traffic, local governments shall encourage the CONSOLIDATION OF COMMERCIAL DRIVEWAYS onto major streets and the **CONNECTION OF ADJACENT PARKING LOTS**.



Policy 9.7: Local governments shall encourage businesses to replace existing, non-conforming signage with UPDATED, CONFORMING SIGNAGE.

Policy 9.8: The pedestrian-oriented character and architectural INTEGRITY OF OLDER COMMERCIAL AREAS shall be preserved and strengthened.

Policy 9.9: OFF-STREET PARKING REQUIREMENTS for older or specially designed commercial areas may be reduced in light of compensating factors such as on-street parking, and walking or transit access.

Policy 9.10: The preservation, rehabilitation and appropriate adaptive reuse of older commercial areas shall be encouraged. Incentives may be employed for REUTILIZING EXISTING COMMERCIAL PROPERTIES before rezoning additional land for commercial development.

Policy 9.11: When a new business moves into a vacated business location, previously expansive, UNLANDSCAPED OR UNDERLANDSCAPED PARKING AREAS should be up-fitted with appropriate planting islands and perimeter landscaping.

Policy 9.12: New or redeveloped commercial properties shall be designed and maintained so as to be compatible with the area in which they are located. DESIGN STANDARDS for a large commercial development adjoining a major street may be different than design standards for a smaller commercial property serving a residential area.

Policy 9.13: The PREFERRED DESIGN OF COMMERCIAL PROPERTIES shall be: (1) buildings pulled up to the street so as to enclose the streetspace (2) parking to the side or rear and (3) windowed walls oriented toward public rights of way. Other design alternatives are also acceptable, so long as they fit in with the area in which they are located.

Policy 9.14: Large commercial developments shall be ADEQUATELY BUFFERED from nearby residential areas. Buffering may include but not be limited to landscaping, berms, fences and walls as well as less intensive transitional land uses (e.g. office and institutional development, parks and open space, cemetery, etc.)

Policy 9.15: When "BIG BOX" RETAIL STORES relocate to another "bigger box" location in the community, the company is strongly encouraged to find new occupants and make arrangements for the on-going maintenance of the building.

Policy 9.16: Local governments may establish SPECIAL DESIGN STANDARDS FOR BIG BOX RETAIL STORES, so as to avoid accepting the "anywhere USA" standard, minimal building design.

Actions for Vision 9. Compatible Commercial Development

Action 9.1: Prepare an inventory and accounting of existing commercially zoned land and vacant buildings with an eye toward future commercial development needs and preferred development patterns.

Action 9.2: Prepare design standards for new commercial development at two scales—large-scale automobile-oriented development and smaller scale pedestrian-oriented/neighborhood commercial development.

Action 9.3: Prepare special neighborhood level plans for areas undergoing a transition from residential to commercial development.

Action 9.4: Reexamine parking requirements for older commercial areas or specially designed new commercial areas.

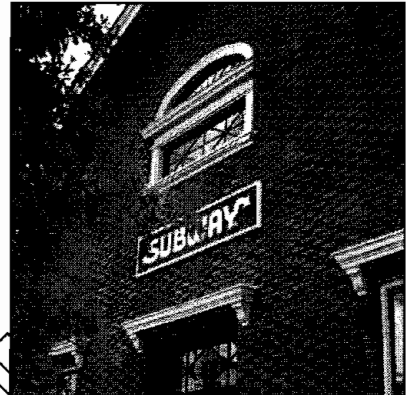
Action 9.5: Identify possible incentives to encourage the revitalization and reuse of existing commercial properties.

Action 9.6: Prepare ordinance amendments setting forth requirements for the up-fitting the landscaping and design of existing expansive parking areas upon redevelopment of the property.

Action 9.7: Reexamine buffering standards between commercial and residential development.

Action 9.8: Investigate what other communities have done with regard to the abandonment of "big box" commercial buildings.

Also see policies and actions listed under Policy Area 10: Community Appearance and Image, following.

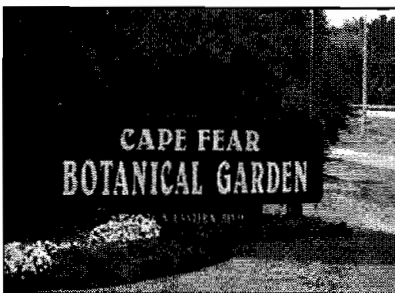
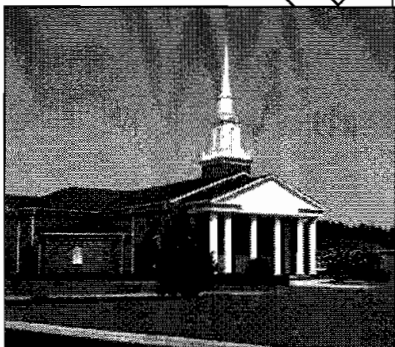


Policy Area 10: Community Appearance and Image

Community appearance and image deals largely with what can be seen from the public roadway. This is usually the first and most lasting impression that a visitor or prospective new businessperson receives when touring the area. Issues addressed under community appearance and image are critical to the economic development and continued prosperity of the area. As such, they are not to be taken lightly. Policies and actions deal mainly with the appearance of gateway highway corridors, both inside the public right of way as well as the image presented by private properties fronting on the public roadway.

Vision

Visitors to Cumberland County are impressed by the attractive roadways and major streets serving the area. Major urban corridors are lined with plentiful street trees, attractive landscaping, understated signage, and architecturally appealing buildings. Both urban and rural roadsides are free of clutter and litter. Strict enforcement of regulations concerning junked vehicles and dilapidated structures has cleared the area of these eyesores, and helped foster a positive image. Most new developments have placed electric, cable and other utility lines underground. Some older developed areas have had existing overhead wires placed underground as redevelopment opportunities have allowed. Residents throughout the county have developed a renewed pride in the upkeep of their homes and businesses. Area citizens place a high value on the unique history of their community, as reflected in efforts to preserve historic buildings and places.



POLICIES FOR VISION 10. COMMUNITY APPEARANCE AND IMAGE

Policy 10.1: The important economic, tourism, and community image benefits of attractive MAJOR TRAVEL CORRIDORS through the area shall be recognized. Such entryway corridors shall receive priority attention for improved appearance and development standards, including landscaping, signage, tree preservation, underground utilities, streetlights, and sidewalks.

Policy 10.2: BILLBOARDS shall be prohibited along newly constructed thoroughfares, including but not limited to: I-295, the Hope Mills Bypass, and Owen Drive Extension. Additional billboards along existing major thoroughfares shall be limited.

Policy 10.3: LANDSCAPE IMPROVEMENTS AT EXISTING AND NEW COMMERCIAL DEVELOPMENTS, particularly as related to breaking up and softening the appearance of expansive parking areas, shall be encouraged.

Policy 10.4: The INAPPROPRIATE USE OF MANUFACTURED HOMES for storage, or their abandonment without proper disposal, shall be prohibited. Short-term storage in tractor-trailers or storage containers may be authorized.

Policy 10.5: Proper code enforcement shall be employed to deal with the public health and safety issues of ABANDONED AND NEGLECTED RESIDENTIAL PROPERTIES.

Policy 10.6: New development, redevelopment, rehabilitation and maintenance of structures and sites should be consistent and supportive of the neighborhood and architectural context of designated NEIGHBORHOOD CONSERVATION AREAS*. (See footnote)

Policy 10.7: The significance of STREET TREES in providing visual relief, summer cooling, improved air quality and livability shall be recognized through public policies to encourage their planting and maintenance. Highest priority shall be given to gateway travel corridors and urban centers. Programs urging voluntary efforts by property owners shall be preferred. Power companies shall be encouraged to aesthetically trim trees under or near power lines when those trees do not interfere with power line operations.

Policy 10.8: SIGN REGULATIONS AND STANDARDS shall be reviewed and periodically updated to enhance community identity and create a high quality business image.

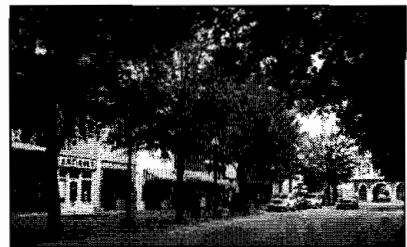
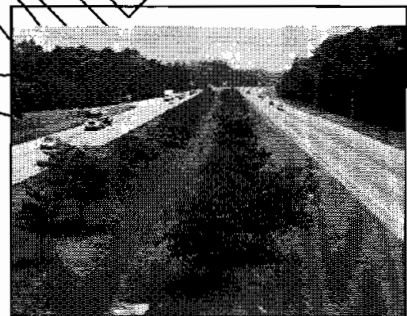
Policy 10.9: LITTERING of public streets and roadside properties, whether from "litterbugs", drivers of poorly covered trucks, or persons blowing debris onto the street, shall not be tolerated. Those who would abuse our local environment and denigrate the image of our area shall be held accountable through community service programs and enforcement of litter laws.

Policy 10.10: The placement of UTILITY WIRES UNDERGROUND shall be required in all new public and private developments. Existing overhead utilities should be relocated to underground locations when redevelopment or new construction affords the opportunity and where high visibility justifies the cost.

Policy 10.11: The placement of COMMUNICATION AND OTHER TOWERS in Cumberland County shall be monitored through the use of the special use permitting process. Their design and location shall continue to be regulated as necessary.

Policy 10.12: The County shall not permit the establishment and operation of UNLICENSED JUNKYARDS. Similarly, JUNKED OR UNLICENSED VEHICLES shall not be permitted to remain in locations visible from any public right of way, except as may be specifically permitted within an approved junkyard.

Policy 10.13: CLEARCUTTING OF TREES (except those grown for timber) shall not be permitted without advance notice and just cause. Those proposing the removal of trees shall demonstrate a



* A neighborhood conservation area may be designated by the local government upon agreement with neighborhood property owners that the character of the area warrants protection from incompatible development. Rules governing development review in a conservation area serve a purpose similar to private restrictive covenants where no such covenants exist. Such rules are less restrictive than those found in a locally designated historic district.

good faith effort to incorporate existing trees into their site designs. Incentives and disincentives may be used to encourage appropriate site development.

Actions for Vision 10. Community Appearance and Image

Action 10.1: Designate roadways into the County and municipalities that serve as gateway corridors into each jurisdiction. Map them. Rank them by priority.

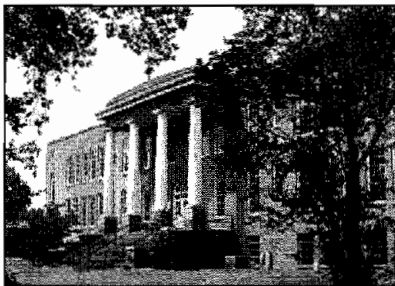


Action 10.2: Authorize and approve design and streetscape standards for gateway corridors in close cooperation with gateway corridor property owners. Do this in the order of each corridor's priority. Show successful examples from other communities.

Action 10.3: Initiate voluntary gateway enhancement programs in close cooperation with gateway corridor property owners. Do this in the order of each corridor's priority.

Action 10.4: Amend the zoning ordinance to require street trees or other appropriate vegetation, in association with new development along designated gateway corridors.

Action 10.5: Prepare or update a landscape ordinance and design guidelines setting forth rules for tree removal and tree preservation, planting and maintenance. Set forth rules to address clear cutting in different land use activities. (See esp. City of Salisbury, NC Landscape Ordinance and Design Guidelines.)



Action 10.6: Create a market brand and unique identifier strategy for the heart of each community. This may include, but not be limited to logos, banners, signage, light fixtures, canopies, street furniture, etc.

Action 10.7: Develop and adopt guidelines for new commercial signage, based on the identifier strategy.

Action 10.8: Review existing sign regulations and revise to enhance the visual image of each community.

Action 10.9: Seek funding from grants, foundations and public-private partnerships for visual art.

Action 10.10: Earmark funds to relocate overhead utilities underground in critical, highly visible locations.

Action 10.11: Each community in Cumberland County is encouraged to obtain TREE CITY USA designation.

Action 10.12: Prepare a street tree planting and maintenance booklet

Action 10.13: Expand the use of the environmental court for littering and other appearance-related code violations.

Action 10.14: Review the entire code enforcement system and adjust personnel, budget and other tools as needed to address priority appearance issues.

Action 10.15: Identify several potential neighborhood conservation areas. Educate neighborhoods and encourage participation in conservation initiatives. Prepare neighborhood conservation plans in the order of each neighborhood's readiness to proceed.

Policy Area 11: A Healthy, Sustainable Environment

Concern for air and water quality speaks volumes about how an area values its quality of life and economic development potential. 2030 policies focus on preserving air quality largely through reduced dependence on the automobile as well as the recruitment of clean industry. Policies on preserving water quality call for landscape preservation (topography, trees, stream buffers, etc.) and enhanced stormwater management.

Vision Statement

In managing growth, area local governments have worked to minimize adverse impacts to the region's air and water quality. Joint growth policies and development standards have reduced automobile dependency; many area residents are able to walk or bicycle to most daily activities. Cluster developments, walkable neighborhoods and nearby services are designed to generate less traffic and require shorter distances to shop or work. Streams and drainage ways passing through the county receive less storm water runoff and pollution due, in part, to policies on low impact design, tree preservation, protection of wetlands, landscaped parking areas, and vegetated buffer strips adjoining stream channels and roadsides. New and expanding industries in Cumberland County are known to be good environmental stewards. Solid waste levels have been substantially reduced through area-wide recycling efforts.

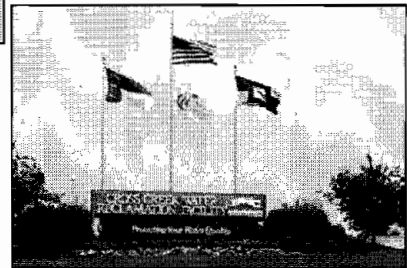
POLICIES FOR VISION 11. A HEALTHY, SUSTAINABLE ENVIRONMENT

Policy 11.1: Local governments shall strive to make their respective communities **WALKABLE AND PEDESTRIAN-FRIENDLY**, and less dependent on the individual automobile.

Policy 11.2: Compact, **MIXED USE DEVELOPMENTS** shall be encouraged so as to facilitate walking, biking and transit options.

Policy 11.3: New, **HIGHER DENSITY RESIDENTIAL DEVELOPMENT** should be designed to be compatible with opportunities for transit services.

Policy 11.4: **RUNOFF AND DRAINAGE** from development shall be of a quality and quantity as near to natural conditions as possible. (See new Policy 11.5)





Policy 11.5: Local governments support the efforts of the Cumberland County Soil and Water Conservation District and the U.S. Department of Agriculture to advise **FORESTRY AND AGRICULTURAL LAND USERS** in implementing best management practices to conserve soil and protect water quality.

Policy 11.6: Site plans for commercial and multi-family development should demonstrate a good faith effort to preserve the **NATURAL FEATURES OF THE SITE**, including existing topography and significant existing vegetation (i.e. avoid clear cutting)



Policy 11.7: Local governments may employ a combination of incentives and disincentives to **PROTECT EXISTING TREES** and/or require the replacement of trees removed for development.

Policy 11.8: The environmental benefits of **LOW IMPACT DEVELOPMENT**, including the use of vegetated roadside **DRAINAGE SWALES**, shall be recognized. Requirements for **CURB AND GUTTER** shall be reserved to urban level development that is served by stormwater collection, retention and slow release facilities.

Policy 11.9: Local governments shall require the retention of a **VEGETATED RIPARIAN BUFFER** (natural or planted) along all creeks, rivers, lakes and other non-privately held water bodies in Cumberland County.

Policy 11.10: **LARGE PARKING LOTS** shall have landscaped planting islands and perimeter buffer strips and may use other materials and design technologies to intercept and absorb runoff from the parking surface. Parking requirements shall be carefully gauged by land use so as not to create excessive paved surface areas.

Policy 11.11: Development activities in the **100-YEAR FLOODPLAIN** shall be carefully controlled. If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural activities shall be preferred.

Policy 11.12: Local **ECONOMIC DEVELOPMENT AND INDUSTRIAL RECRUITMENT** efforts shall focus on businesses and industries that have a clean air and water quality impact.

Policy 11.13: Local governments shall encourage the construction of energy efficient structures, including the use of "**GREEN BUILDING**" (i.e. using renewable material and energy resources) design.

Policy 11.14: Local governments shall continue to pursue a variety of **SOLID WASTE REDUCTION STRATEGIES**, including educational programming on waste prevention, recycling and reuse.

Policy 11.15: Local governments shall encourage residential **COMPOSTING AND MULCHING**.

Policy 11.16: Land uses that, by nature, pose a higher risk of **SURFACE AND GROUNDWATER CONTAMINATION** shall be located in areas less susceptible to such contamination. Such uses might include, for example, junk yards, landfills, chemical storage, etc.

Actions for Vision 11. A Healthy, Sustainable Environment

Action 11.1: Prepare and apply design standards for pedestrian friendly circulation within commercial and residential areas.

Action 11.2: Seek funding sources such as Enhancement Grants to provide sidewalks, bikeways and pedestrian friendly amenities on area streets.

Action 11.3: Prepare a countywide comprehensive drainage and flood management plan, including public and private actions in support of plan implementation. Prepare sub-area plans as a follow-on activity to identify specific actions needed by area of the county. Seek ways to maintain drainage districts created by past actions.

Action 11.4: Develop ordinances and regulations for improving and maintaining the stormwater drainage system throughout the county. Require newly created drainage systems or drainage districts, whether public or private, to have a permanent mechanism in place for the on-going maintenance of such systems or districts.

Action 11.5: Prepare a tree preservation ordinance clearly identifying those situations where varying degrees of tree removal shall be allowed and/or tree replacement shall be required. Check with other communities around the state to find out what has worked elsewhere. The intent of such an ordinance shall be to prevent unnecessary clear cutting of development sites.

Action 11.6: Prepare ordinance amendments setting forth design standards for planting islands and perimeter landscaping designed to absorb stormwater runoff from parking lots.

Action 11.7: Map significant environmental corridors and other lands in the county and prepare management plans to preserve their integrity.

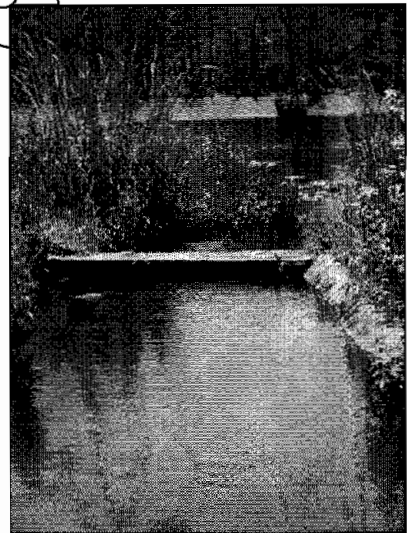
Action 11.8: Develop a more intense education program locally on the importance of recycling and the cessation of littering and dumping.

Action 11.9: Develop an urban forestry program for all local governments in Cumberland County.

Action 11.10: Establish a clean corporate citizen award campaign.

Action 11.11: Establish an inter-jurisdictional task force to agree upon riparian buffer standards throughout the county adjoining area streams, lakes, ponds, and other non-privately held water bodies.

Action 11.12: Re-examine parking requirements in local ordinances with an eye toward reducing parking spaces for some types of uses. The



intent would be to avoid excessive parking requirements while minimizing the amount of impervious surface area and volume of stormwater runoff.

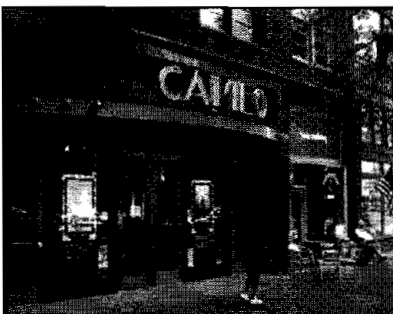
Policy Area 12: Vibrant Downtown Areas

Downtown Fayetteville is the historic and cultural center of Cumberland County. While the city center has experienced its ups and downs over the years, great strides have been made in recent years toward a true resurgence in the economic vitality of the area. Similarly, all of Cumberland County's smaller communities have town centers that are in varying stages of growth, development or revitalization. The policies and actions of this section are intended to support the economic, physical and social health of these important areas.

Vision

The past two decades have seen renewed interest in the unique value and heritage of downtown areas throughout the county. Many older buildings have been rehabilitated and adaptively reused for a wide range of shopping, dining, working, and cultural attractions. Our downtowns have benefited from their renewal as the social and cultural heart of the communities they serve. People are naturally drawn to these areas by their historic character and beauty, and the human scale of their buildings and public spaces. Renewed interest in downtown area neighborhoods has repopulated these central locations, providing financial support to merchants and twenty-four hour security for downtown area visitors.

POLICIES FOR VISION 12. VIBRANT DOWNTOWN AREAS



Policy 12.1: PRIMARY ENTRYWAY CORRIDORS INTO DOWNTOWN AREAS shall continue to receive priority for visual enhancements, employing special development standards, public investment, and community involvement to facilitate constructive change.

Policy 12.2: A COMPATIBLE, DIVERSE MIXTURE of retail, office, institutional, residential, dining, services, and public open space shall be encouraged in clearly defined downtown areas.

Policy 12.3: The role of the county's downtown areas as CENTRAL MEETING PLACES and focus for cultural, entertainment and recreational activities shall be supported.

Policy 12.4: The PRESERVATION, REHABILITATION AND APPROPRIATE ADAPTIVE REUSE of historic and other desirable downtown properties shall be encouraged. Rehabilitations shall respect the original architecture and fabric of the building and site. Destruction or demolition of desirable older structures shall be avoided.

Policy 12.5: PEDESTRIAN ORIENTED STREETScape IMPROVEMENTS including, but not limited to sidewalks, street trees, landscaping, street lights, street furniture, and signs shall be made to create and maintain a downtown environment attractive to investment.

Policy 12.6 The DOWNTOWN AREA CIRCULATION SYSTEM shall balance the needs of pedestrians, private vehicles, public transit services, and train traffic.

Policy 12.7: Efforts to direct NEW AND EXPANDING BUSINESSES to compatible locations in downtown areas shall be encouraged.

Policy 12.8: The City and County shall maintain a TANGIBLE PRESENCE IN DOWNTOWN FAYETTEVILLE through the location of City and County offices there. Other local, state and federal governments shall also be encouraged to maintain similar commitments to downtown areas.

Policy 12.9: Cooperative planning and economic development efforts between LOCAL GOVERNMENTS AND FORT BRAGG to enhance the economic and social well being of historic commercial districts near the Army installation shall be encouraged.

Policy 12.10: Development and redevelopment of downtown area properties shall support the ARCHITECTURAL AND HISTORIC CONTEXT so important to the economic success of the area. The intent shall be to create a unique environment and identity not found in other places.

Policy 12.11: Efforts to maximize the use of the PUBLIC SPACE OF THE SIDEWALK so as to enliven the downtown street space are generally supported. Such use shall be balanced against public safety and other issues as may affect pedestrian movement and other proper uses of the street right of way.

Policy 12.12 A VARIETY OF HOUSING TYPES AND PRICE RANGES shall be encouraged in and adjoining the commercial business district. Such housing shall be at densities in keeping with a downtown location and compatible with nearby properties. Public-private partnerships to encourage downtown area housing shall be supported.

Policy 12.13: The revitalization of NEIGHBORHOODS NEAR DOWNTOWN AREAS shall be recognized as a key to the long-term economic success of these town centers.

Policy 12.14: NEW PARKING FACILITIES serving the downtown area may be developed as needed in concert with additional investment opportunities. Such facilities shall be located and designed so as to complement and enhance the aesthetic and functional fabric of the downtown.

Policy 12.15: APPROPRIATE INFILL DEVELOPMENT, particularly on sites where previous buildings once stood and now present a "missing tooth" in the streetscape, shall be encouraged.





Policy 12.16: STRATEGIC LINKAGES (i.e. transportation and land use) between downtown areas and other economic centers or amenities shall be established and supported.

Actions for Vision 12. Vibrant Downtown Areas

Action 12.1. Establish a Gateway Management Program to address appearance and traffic management issues on roads leading to downtown areas. Seek funding and voluntary cooperation for implementation and maintenance.

Action 12.2. For each community, delineate the area of town that will be considered the downtown area.

Action 12.3: Prepare specific downtown redevelopment plans for each of the communities, including recommendations for a specific economic niche.

Action 12.4: Prepare streetscape plans for each community's downtown area, including plans for the development of sidewalks, street trees, lighting and other improvements as necessary.

Action 12.5: Develop a public awareness program concerning minor low cost measures that can be undertaken to improve the visual appearance of their property.

Action 12.6: Evaluate the condition of existing neighborhoods in the vicinity of downtown areas. Based on this evaluation, recommend actions needed for improvements or support for each neighborhood.

Action 12.7: Participate in the Fort Bragg-Fayetteville Heritage Partnership Initiative. (Fayetteville was among seven military communities selected to receive technical assistance under the Army-Community Heritage Partnership. The program is designed to develop preservation-based economic development strategies to increase the vitality of the community's historic downtown commercial district.)

Action 12.8: Complete the development of the Cross Creek Linear Park. This will help establish a linkage between Downtown Fayetteville and the Cape Fear River

Action 12.9: Complete the improvements to the streetscape of Person Street. This will help establish a linkage between Downtown Fayetteville and the Cape Fear River.

Action 12.10: Use bicycle and pedestrian plans prepared by the Fayetteville Metropolitan Planning Organization or the Rural Planning Organization as an element of detailed circulation plans within the downtowns.

Policy Area 13: The Cape Fear River, A Regional Asset

Policies and actions concerning the Cape Fear River as a regional asset speak to the largely untapped potential that this once influential natural resource now holds. The greatest potential of the river (and its tributaries) can be achieved through a careful balancing of compatible development within the context of conserving the best natural and scenic features of the river and its banks.

Vision

The Cape Fear River has been restored to its rightful place as a significant regional asset. The core "gateway" area of the river in Fayetteville between Grove and Person Streets has been developed as an entertainment and retail district. Terraced plazas lead down to the river on both sides. The Cape Fear River Trail has been extended and improved, offering views of the river not seen for many years. Recreational use of the river has been enhanced with improved boating access sites and better information about river conditions. New investment in the river corridor has complemented downtown revitalization efforts, especially east of the Market House. As the image and appearance of the river corridor has been upgraded, new residential and business development has been drawn to the area.

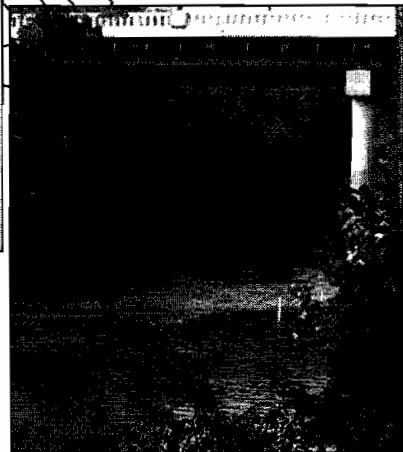
POLICIES FOR VISION 13. THE CAPE FEAR RIVER, A REGIONAL ASSET

Policy 13.1: Recognizing the important role of the Cape Fear River and its tributaries to the natural and economic heritage of the region, policies and actions shall support CONSERVATION OF THE RIVERINE ECOSYSTEM while allowing for STRATEGIC, ENVIRONMENTALLY SENSITIVE DEVELOPMENT of the resource.

Policy 13.2: A CAPE FEAR RIVER CORRIDOR CONSERVATION AND DEVELOPMENT PLAN shall be prepared and periodically updated setting forth priority goals and objectives as well as development standards. The River Corridor Plan should be developed, adopted and implemented by the jurisdictions that are, or could be, geographically connected to the river.* (See footnote)

Policy 13.3: DEVELOPMENT WITHIN THE RIVER CORRIDOR, including its tributaries, should respect and capitalize upon the conservation of natural resources, the influence of the river on the development of the region, cultural diversity, opportunities for exercise and outdoor recreation, heritage-oriented entertainment, and public-private partnerships with local and major businesses.

* For the purpose of this policy section, it is recommended that the planning area for the Cape Fear River Corridor extend along the entire length of the river (and its tributaries) as it passes through Cumberland County, including properties visible from the water's edge for a maximum distance of 1000 feet and a minimum distance of 250 feet, depending upon topography or other relevant factors.



Policy 13.4: LANDFORMS AND LANDSCAPING associated with development shall be sensitive to the natural and scenic quality of the river and adjoining lands.

Policy 13.5: A BUFFER OF INDIGENOUS VEGETATION shall be maintained and supplemented as necessary along the riverbank to filter runoff and sustain the environmental and visual quality of the river corridor. The depth of the buffer from the river's edge shall be determined primarily by ecological considerations, as they influence the long-term economic viability of the resource.

Policy 13.6: Preservation of SIGNIFICANT NATURAL HERITAGE AREAS along the Cape Fear River and its tributaries shall be a priority.

Policy 13.7: Infill development between the DOWNTOWN AND THE CAPE FEAR RIVER should be encouraged as a means to create an economic opportunity and activity corridor connecting the two areas.

Policy 13.8: Continued development of the CAPE FEAR RIVER TRAIL from the Bladen County line to Harnett County shall be supported. All opportunities to increase the length of the Cape Fear River Trail shall be considered.

Policy 13.9: WALKWAYS, BIKEWAYS AND GREENWAYS shall be encouraged that connect development adjoining the river corridor to the Cape Fear River Trail.

Policy 13.10: PARKING AREAS, ROADWAYS and other automobile-oriented facilities shall be located and designed so as to be generally screened from the surface of the river and from adjoining trails. A scenic river drive may be designed to allow for occasional views of the river, without calling attention to the roadway.

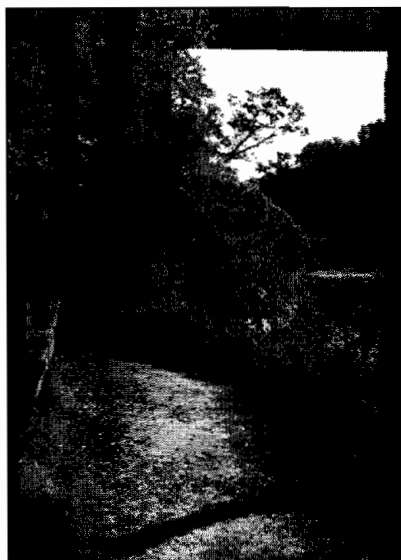
Policy 13.11: Improved BOATING ACCESS facilities shall be a priority for increasing public access to the Cape Fear River and its tributaries.

Policy 13.12: Local governments in Cumberland County are unified in their opposition to INTERBASIN TRANSFERS OF WATER between the Cape Fear and Neuse River basins. *(Repeated in the Infrastructure Section.)*

Policy 13.13: Local governments in Cumberland County are unified in their SUPPORT FOR THE RETENTION AND PRESERVATION OF THE LOCKS on the Cape Fear River.

Actions for Vision 13. The Cape Fear River, A Regional Asset

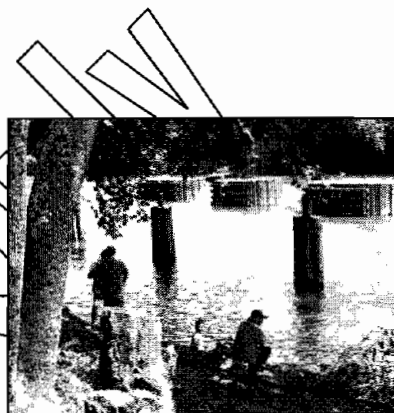
Action 13.1: Establish a Cape Fear River Corridor Oversight Group, appointed by the local government jurisdictions that are, or could be, geographically connected to the River. Allow for some flexibility in appointing the group.



Action 13.2: Charge the Oversight Group with preparing a Cape Fear River Corridor Conservation and Development Plan, to be adopted and implemented by the jurisdictions that are, or could be, geographically connected to the River or its tributaries.

Action 13.3: As part of the Cape Fear River Corridor Conservation and Development Plan:

- a) Map environmentally significant natural, scenic, and historic sites.
- b) Prepare a development analysis of the Corridor to delineate developable areas according to environmental suitability (soils, slopes, flooding, etc.) the feasibility of providing infrastructure (vehicular, utilities, etc.) and locational suitability.
- c) Define a Cape Fear River Corridor Development Zone for priority economic development and investment. Identify several strategic locations within the development zone for particular development opportunities based on a market study.
- d) Develop guidelines and design standards for the Cape Fear River Corridor Development Zone
- e) Develop guidelines and design standards for the Cape Fear River Trail and all "tributary trails" leading to it. Such trails should be on both land and water. Include Rockfish Creek for as a prime canoeing/kayaking trail.
- f) Identify land for acquisition in fee simple and/or easements along the west bank of the Cape Fear River to expand the Cape Fear River Trail.
- g) Identify properties located along the east bank of the Cape Fear River that would be suitable for development of a riverfront park and/or greenway system in conjunction with the Cape Fear River Trail.
- h) Identify and pursue funding sources for installing and upgrading facilities along the Cape Fear River Trail.
- i) Identify opportunities for pedestrian access between the Cape Fear River and targeted areas.
- j) Using landscape visualization and analysis techniques identify the best location for development of a scenic river drive.
- k) Identify opportunities for the placement of visible access markers of the Cape Fear River Corridor Development on all major highway entrances into the urban area.
- l) Consider development of an outdoor amphitheater as a key component within the approved Development Zone.
- m) Seek the input of the Cape Fear River Assembly, Sustainable Sandhills, Cape Fear Botanical Gardens, Fish and Wildlife and other organizations, agencies and authorities that could be advocates of the river.
- n) Seek corporate sponsors as a source of funding for key development opportunities.
- o) Identify mechanisms for marketing the Cape Fear River Trail as a tourist/recreation destination.



Action 13.4: To help protect the environmental integrity and water quality of the Cape Fear River:

- a) Prepare a study identifying the required buffer width(s) from the River's edge based on ecological considerations, topography, slope, soils, etc. Draft a model ordinance or ordinance provisions to be adopted by all local governments with jurisdiction.

- b) Develop a public sector/non profit land acquisition strategy for critical environmentally significant lands in the river corridor.
- c) Zone critical lands for conservation-compatible land uses.

Action 13.5: To increase awareness of the opportunities available from this regional asset:

- a) Include an educational component with the Cape Fear River Trail development emphasizing its unique environments, historic sites and scenic beauty. Take the 2030 Taskforce (and other public officials as may be appropriate) on a boat trip on the river so they experience firsthand.
- b) Develop the entire Cape Fear River Trail and hold an annual river trail run that highlights major points along the river, the ecosystem, and significant features of the area.

Action 13.6: Implement the improvement plan for Person Street from the Market House to the Cape Fear River

Policy Area 14: Public Safety Services Closer to the People

The provision of public safety services is an essential function of local government. Demand for such services grows as an area expands. Response times are a critical measure of how well these services are being delivered. 2030 policies and actions call for enhancements in these services through more "stations" in the community as well as greater public-private partnerships.

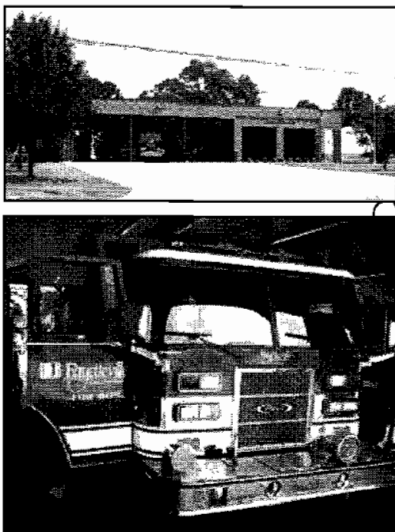
Vision Statement

As Cumberland County has continued to grow, it has become necessary for local area law enforcement, fire safety, and emergency medical officials to operate, in some instances, from substations closer to the populations they serve. In addition to improving response times, this has allowed area public safety personnel to become especially attuned to the issues and problems unique to each area of the county. All public safety services have been continually upgraded in terms of communications capability, equipment, personnel, and advanced planning. By working together, area citizens and public safety officials have dramatically reduced instances of crime and have enhanced fire protection and emergency medical services.

POLICIES FOR VISION 14. PUBLIC SAFETY SERVICES CLOSER TO THE PEOPLE

Policy 14.1: Local governments shall encourage development patterns and housing choices that support **COMMUNITY POLICING** and **DEFENSIBLE SPACE PRINCIPLES**, e.g. mixed use development, defined public and private spaces, useful front porches, appropriate lighting, etc.

Policy 14.2: Local governments shall support public-private partnerships such as **NEIGHBORHOOD WATCH**, that enable neighborhood groups to effectively partner with law enforcement agencies in preventing crime.



Policy 14.3: The SHARED USE OF PUBLIC BUILDINGS AND FACILITIES (county, municipal, other) shall be encouraged to allow public safety services (substations) to be located closer to the people and properties they serve.

Policy 14.4: As an alternative to shared, fixed base substations, MOBILE LAW ENFORCEMENT SUBSTATIONS may be supported to allow law enforcement personnel to locate close to crime trouble spots.

Policy 14.5: Incentive programs may be employed to encourage **PUBLIC SAFETY PERSONNEL TO LIVE IN SELECTED NEIGHBORHOODS.**

Policy 14.6: PUBLIC SAFETY CLASSES AND PROGRAMS shall be offered in senior centers, recreation sites and community buildings throughout the county.

Actions for Vision 14. Public Safety Services Closer to the People

Action 14.1: Create an inventory of public buildings and facilities that may be suitable for the location of a community-policing substation. Compare these locations with high crime areas and potential patrol areas.

Action 14.2: Purchase and equip one or more mobile law enforcement substations (trailers) that can be moved about the county in response to high crime locations.

Action 14.3: Explore the technical feasibility and cost of enabling emergency vehicles to pre-empt traffic signal systems for faster response times.

Action 14.4: Establish a routine schedule (i.e. every 3 to 5 years) for evaluating the technical components, area coverage, and staffing needs of the county's 911 system and emergency communications network.

Action 14.5: Offer incentives (e.g. reduced trash collection fee?) for neighborhoods to organize and participate in the Neighborhood Watch program.

Action 14.6: Fully implement the police program authorizing paid "civilian" personnel to complete on-the-scene traffic reports, thereby freeing up sworn officers on the Fayetteville police force to attend to other duties.



Policy Area 15: Senior Citizens Well Served

A community that is livable and friendly for seniors is likely to be livable and friendly to people of all ages. Services that are convenient to seniors will be convenient to others. Transit services that afford mobility to seniors may also afford mobility to the young and disabled. Senior citizens in accessory housing benefit from being near an extended family as much as the extended family benefits from having the wisdom of senior citizens close at hand.



Vision Statement

As the senior citizen population of Cumberland County has increased, so too have public and private services responded to meet the needs of an aging population. Public and private transit services, for example, fulfill a critical need, as seniors have sought and found ways to maintain their mobility. Many new forms of housing have come into being, allowing seniors to live close to the services they require. In addition to traditional senior citizen housing, many seniors choose to live in accessory housing close to an extended family, providing for the right balance between independent and assisted living. Recreation and other enrichment activities for seniors have become a large part of local recreation programs. Convenient access to health care and social services has required the establishment of several regional "one-stop" senior citizen centers at strategic locations in the county.



POLICIES FOR VISION 15. SENIOR CITIZENS WELL SERVED

Policy 15.1: Local governments shall encourage **DEVELOPMENT PATTERNS AND HOUSING CHOICES** that allow for cost-effective and convenient transportation options for senior citizens, including walking, biking and transit services.

Policy 15.2: Local governments shall continue to support a **COORDINATED PROGRAM** of recreation, health care, and social services to senior citizens, through partnerships of public, private, non-profit, charitable and faith-based organizations.

Policy 15.3: **MIXED USE DEVELOPMENTS** that provide housing suitable for senior citizens should be encouraged. Such mixed uses might include basic services such as food and drug stores, as well as health care providers.

Policy 15.4: Local governments should encourage a variety of **HOUSING TYPES AND PRICES** suitable for senior citizens. Included among these options should be **ACCESSORY HOUSING** forms that allow seniors to live near or adjacent to family in some newly developed neighborhoods.

Policy 15.5: Given the rapidly growing senior citizen population, priority shall be given to the **EXPANSION OF SENIOR SERVICES**, in



such a way that the delivery of such services can be made more accessible.

Policy 15.6: Local government recreation programming shall include **LEISURE ACTIVITIES** suitable for people of all ages, including both indoor and outdoor pursuits. Parks and other common areas shall be accessible to individuals with varied disabilities.



Policy 15.7: **PUBLIC SPACES** known to be frequented by senior citizens should be fitted with design features that are elder friendly, such as convenient parking, benches, curb cuts and ramps, signalized crosswalks, and handrails.



Policy 15.8: The special **PUBLIC SAFETY AND CRIME PREVENTION** needs of senior citizens shall be recognized in local government law enforcement activities.

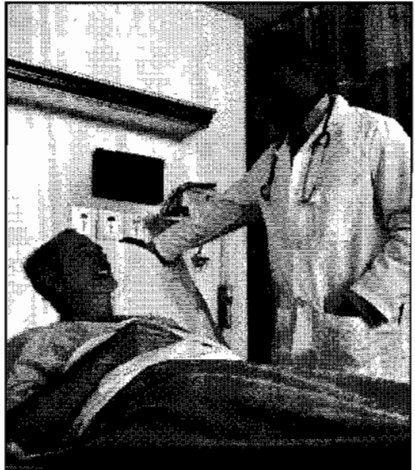
Actions for Vision 15. Senior Citizens Well Served

Action 15.1: Create an inventory of services and opportunities that encourages independence and quality of life for senior citizens. Use the inventory to market these services to current residents and potential newcomers.

Action 15.2: Initiate partnerships between local government, businesses, non-profits and educational institutions to promote the development of livable and senior friendly community amenities.

Action 15.3: Commission a senior center(s) space needs study with cost estimates and funding opportunities.

Action 15.4: Establish special anti-scam and neighborhood watch programs in local law enforcement efforts.



Action 15.5: Include consideration of senior citizen needs when preparing special area plans, corridor studies, park plans, etc.

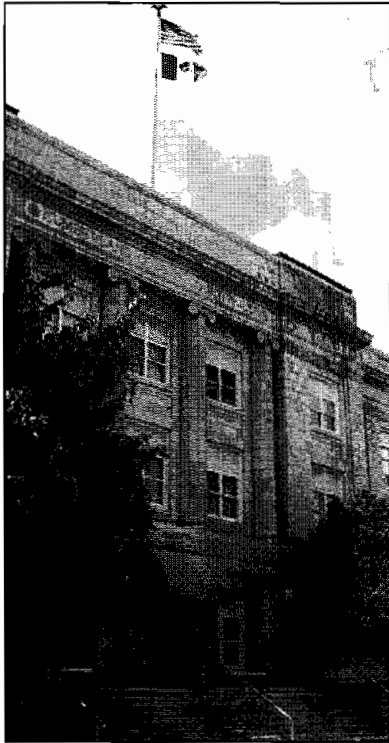
Action 15.6: Amend local land use ordinances to create one or more new zoning districts where accessory housing is permitted as part of a new development, allowing senior citizens to live in an extended family situation. (It is not recommended that accessory housing be added to properties in an existing neighborhood, unless already permitted within the applicable zoning district.)

Policy Area 16: Intergovernmental Cooperation and Efficiency

As the urbanized areas of Cumberland County have continued to expand, public decision-making on key issues such as land use, transportation, water and sewer, open space, and environmental quality require greater levels of advanced planning and coordination among local government jurisdictions. At the same time, key elements of the area's cultural and economic base can benefit enormously from the mutual support, common interests and frequent communication among local governments.

Vision Statement

Local governments in Cumberland County, as well as the military, have joined forces on many fronts to address matters of common interest. These matters include, for example: economic development, growth management, transportation, water and sewer services, open space preservation, and environmental quality, among others. Some government services have been consolidated for efficiency and improved service. Other government functions have remained separate, but have benefited from the guidance of joint boards and committees. All local governments have benefited from an expanding tax base and cost effective innovations in service delivery. A renewed focus on frequent, effective communication between local government leaders and area residents has greatly enhanced decision making in the region.



POLICIES FOR VISION 16. INTERGOVERNMENTAL COOPERATION/EFFICIENCY

Policy 16.1: Local governments shall support on-going INTERGOVERNMENTAL PLANNING on issues of common concern, including land use and development, transportation, utilities, environmental management, economic development, law enforcement, emergency management, education, and recreation and tourism, among others.

Policy 16.2: MULTI-JURISDICTIONAL PLANS FOR INFRASTRUCTURE AND SERVICES (e.g. transportation, recreation) shall be jointly prepared and periodically updated as area conditions change.

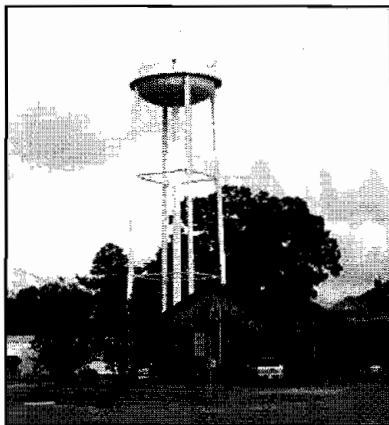
Policy 16.3: Public and private sector efforts to PLAN FOR AND PROMOTE THE REGION AS A COHERENT METROPOLITAN WHOLE, including coordination with adjoining counties, shall be supported. At the same time, the unique identity and character of individual communities with the region shall be respected.

Policy 16.4: Opportunities for CONSOLIDATION OF SERVICES shall be continually evaluated, particularly with regard to potential operational efficiencies and cost savings.

Policy 16.5: MULTI-JURISDICTIONAL BOARDS AND COMMITTEES shall be supported as they evaluate and recommend improvements in the delivery of government services and infrastructure.

Policy 16.6: JOINT MEETINGS, routinely held, shall be supported to allow elected and appointed board members, as well as key support staff, to better coordinate the planning and delivery of government services.

Policy 16.7: The 2030 PLAN shall be employed as a CENTRAL DOCUMENT FOR ON-GOING JOINT PLANNING efforts in the county. Elected and appointed officials, as well as local government staff, should use the 2030 Plan to facilitate discussion and action on issues of mutual concern.



Actions for Vision 16. Intergovernmental Cooperation and Efficiency

Action 16.1: As soon as possible after adoption of the joint 2030 Plan, hold a joint meeting of key local government staff to discuss the initial coordinated use of the policies and actions of the plan-- in both month to month recommendations to elected and appointed boards as well as in annual work program and budget formulation.

Action 16.2: Within six months after adoption of the 2030 Plan, hold a joint meeting of key local government staff in Cumberland County to discuss progress on the 2030 Plan with respect to routine use of the policies and implementation actions.

Action 16.3: Within one year after adopting the 2030 Plan, hold a joint meeting of local government/elected officials in Cumberland County to discuss progress on the 2030 Plan with respect to routine use of the policies and implementation actions. Continue meeting annually for five years.

Action 16.4: Update the implementation actions section of the 2030 Plan annually in January of each year, leading to the work program and budget setting process of each local government.

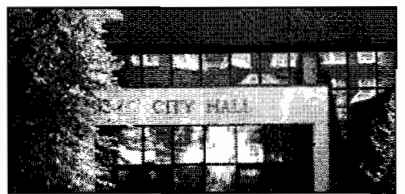
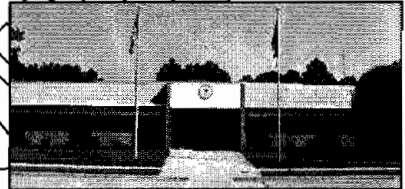
Action 16.5: Continue the progress made in recent years with regard to improved planning coordination between Fort Bragg and Cumberland County.

Action 16.6: Authorize a study of local government services in Cumberland County to determine which services might offer the best opportunities for consolidation.

Action 16.7: Cumberland County, the City of Fayetteville and the Public Works Commission should continue to address the joint coordination of sewer service extensions and land use planning. Implementation of the policy initiative should be monitored and revisited at least annually.

Action 16.8: All local governments in Cumberland County should have appropriate representation on a joint county/municipal long range planning committee or other similar entity. The committee will jointly address regional issues such as transportation, the environment, and other subjects that cut across jurisdictional boundaries. Each local government would have the option of administering its own zoning, subdivision and similar current planning ordinances, as well as small area plans falling entirely within each government's jurisdiction.

Action 16.9: Upon joining the joint planning committee, municipal influence areas (MIA's) for each participating municipality may be established. Each municipality's development standards for roads, storm drainage, sidewalks, etc. would apply in the newly established MIA for that municipality.



Policy Area 17: An Active, Involved Citizenry

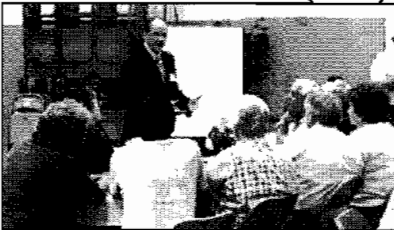


Effective community leadership and civic involvement is critical to the success of any local government initiative. This is especially true in implementing a long-range joint vision plan for a county as large as Cumberland. The policies of the 2030 Plan emphasize the need for on-going civic involvement from a broad and deep pool of informed and capable citizens. Various means of maintaining effective lines of communication are also suggested.

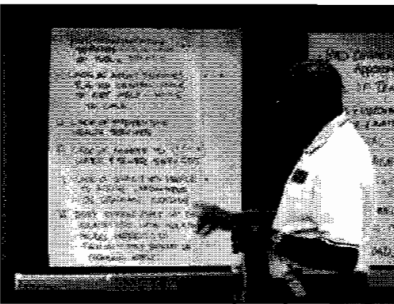


Vision Statement

Area citizens show a keen interest in the affairs of their local government. There is a can-do spirit driven by civic pride and revealed through broad community involvement. Local governing boards and committees have no shortage of interested, qualified people willing to serve. Area citizens are heavily involved in civic clubs and organizations. Volunteerism is a constant source of energy as it is poured into the institutions and organizations that work to improve the area. Local government officials routinely seek the views of their constituents on growth and development issues. During the development review process, great emphasis is placed on effective communication and consensus among all parties, including elected officials, planning board members, other local advisory boards, the developer, local government staff, and the public.



POLICIES FOR VISION 17: AN ACTIVE, INVOLVED CITIZENRY



Policy 17.1: LOCAL GOVERNMENT BOARDS AND COMMISSIONS should be roughly representative of the constituent voting population of the planning area (e.g. youth, minorities, income groups, geography, etc.)

Policy 17.2: Public involvement shall be encouraged in decisions on land use and development by making the public aware of **PROPOSED DEVELOPMENTS** at the earliest lawful opportunity, as well as fostering communication between developers and the general public.

Policy 17.3: NEIGHBORHOOD AND SPECIAL AREA PLANNING shall be encouraged to foster public involvement in the preparation of closely tailored, action-oriented special area plans and improvements. Public participation should be a central, on-going feature of such plans.

Policy 17.4: All LOCAL GOVERNMENT WEBSITES in Cumberland County should have quick links to all other local governments in the county to facilitate convenient access to public information by area citizens.

Actions for Vision 17: An Active, Involved Citizenry

Action 17.1: Local government websites in Cumberland County should be designed to direct residents to the correct local government information for their location by using the resident's address and/or zip code.

Action 17.2: Each local government website should have a permanent feature identifying opportunities for greater citizen involvement in their local government's affairs. Openings on appointed boards and committees should be identified along with information concerning the duties of each board or committee. Opportunities for employment or to volunteer for local government service programs should also be identified.

Action 17.3: Prepare an assessment of the demographic composition of appointed boards and committees throughout the county. Compare the composition of these boards to their constituent populations. Set flexible goals to make appointments that roughly approximate the demographics of the area each board serves.

Action 17.4: When preparing the planning process for any new planning initiative, design the scope of work around key opportunities for citizen input.

Action 17.5: Evaluate how cable television might be better employed to inform area citizens of the activities and programs of their local governments, as well as decisions made by their elected officials.

Action 17.6: Authorize a random survey of citizen preferences concerning services and priorities of local government. Re-administer the survey every other year to track changes in citizen priorities.

Action 17.7: Establish an orientation video for new citizens to the area, viewable on the County's website and/or cable television familiarizing new comers to local government services and identifying opportunities to get involved.



2030 Growth Vision Plan
Acknowledgments

2030 Growth Vision Plan Task Force Members

Charles Astrike, Co-Chair, Fayetteville Planning Commission
Clifton McNeill, Co-Chair, Cumberland County Joint Planning Board

| | |
|---|--|
| Jimmy Keefe, Fayetteville City Council* | Mardy Jones, Stedman Board of Commissioners |
| Lois Kirby, Fayetteville City Council* | Benny Pierce, Eastover Board of Commissioners |
| Wesley Meredith, Fayetteville City Council | Donovan McLaurin, Falcon Godwin & Wade Town Boards |
| Ted Mohn, Fayetteville City Council | Kim Fisher, Cumberland County School Board |
| Paul Williams, Fayetteville City Council* | Greg West, Cumberland County School Board |
| Dr. John Henley, Cumberland Co Brd of Commissioners | Jimmy Buxton, Fayetteville Planning Commission* |
| Diane Wheatley, Cumberland Co Brd of Commissioners | Charles Morris, Cumberland County Joint Planning Board |
| Doris Luther, Hope Mills Board of Commissioners | Frank Arrant, Hope Mills Planning Commission* |
| Frances Collier, Linden Board of Commissioners | Melvin Dove, Hope Mills Planning Commission |
| James O'Garra, Spring Lake Board of Aldermen* | Tina Odom, Hope Mills Planning Commission* |
| Jami Sheppard, Spring Lake Board of Aldermen* | Terry Spell, Hope Mills Planning Commission* |
| Jack Vannoy, Spring Lake Board of Aldermen | Greg Bean, Director of Public Works, Fort Bragg |

Support Team Leaders

Nancy Roy, Cumberland County Planning & Inspections Director*
Tom Lloyd, County Planning & Inspections Director
Jimmy Teal, Chief Planning Officer, City of Fayetteville
Roy Taylor, Hope Mills Planning Director*
Glenn Harbeck, Consultant

Team Advisors

James Martin, Cumberland County Manager
Roger Stancil, Fayetteville City Manager*
Dale Iman, Fayetteville City Manager
Randy Beeman, Hope Mills Town Manager
Larry Faison, Spring Lake Town Manager
Hal Hegwer, Spring Lake Town Manager*

Other Support Team Members

| | |
|---|--|
| Juanita Pilgrim, Deputy County Manager | Glen Prillaman, Planner, Fort Bragg |
| Kyle Sonnenberg, Assistant City Manager | Tim Kinlaw, Assoc Suprntndnt, Cumberland Co Schools |
| Stanley Victrum, Assistant City Manager | Mark Whitley, Planner, Cumberland County Schools |
| Karen Hilton, Asst Planning Officer, City of Fayetteville | Tom Cooney, Director, Public Utilities Cumberland County |
| Cecil Combs, Dep. Co. Planning & Inspections Director | City Planning Staff |
| Tom Spinks, Spring Lake Planning Director | Cumberland County Planning Staff |

Others

Citizens of Cumberland County who have participated in the development of
the 2030 Growth Vision Plan

* Denotes former Members/Advisors

The 2030 Growth Vision Plan was sponsored through a cooperative funding agreement by Cumberland County, the City of Fayetteville, and the Town of Hope Mills, NC. Consulting assistance was provided by Glenn Harbeck Associates Inc., Wilmington, NC.

Cumberland County
www.co.cumberland.nc.us
678-7600 (Planning Department)

City of Fayetteville Planning Department
www.ci.fayetteville.nc.us
433-1996 (Planning Department)

Town of Hope Mills
www.townofhopemills.com
424-4555



CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council

Thru: Dale Iman, City Manager

From: Jeffery P. Brown, PE, Interim Director of Engineering & Infrastructure 

Date: June 22, 2009

Re: Public Hearing for Assessment Rolls on Soil Streets That Have Been Paved

THE QUESTION:

- Council is scheduled to conduct a public hearing to hear comments concerning the assessment for curb & gutter and paving of the following streets: **Barges Lane** from Grove Street to Lamon Street; **Oscar Street** from Fairview Street to Blackwell Street; **Milan Road** from North Street to Dead End; **Seminole Drive** from Goins Drive to Dead End; **Meeting Street** from N. Cool Spring Street to Dead End; and **Church Street** from the centerline of Lakeland Street southeasterly approximately 215.57 feet.
- Following the public hearing, Council is asked to take action confirming the assessment rolls.

RELATIONSHIP TO STRATEGIC PLAN:

- Paving of soil streets

BACKGROUND:

- Paving of these streets as authorized by Council in 2007 is now complete. Barges Lane was authorized for paving in 2004.
- At its meeting on May 11, 2009, council set June 22, 2009 as the date for the required public hearing to receive comments from property owners along these streets concerning the preliminary assessment rolls.
- Property owners have been duly notified of the pending assessments and their opportunity to speak at the public hearing.

ISSUES:

- Chapter 160A, Article 10 of the North Carolina General Statute outlines the procedure for special assessments for street paving.
- These procedures require a preliminary assessment roll be completed and a public hearing held.
- The current assessment rate as outlined in Council Policy 160.1 is not to exceed \$10.00 per linear foot for strip pavement and \$25.00 per linear foot for pavement with concrete curb and gutter for each side of the street.
- Barges Lane was approved for paving with an assessment rate of \$10.00 per linear foot for pavement with concrete curb and gutter for each side of the street. Assessment rates were changed to the current rates in 2007.

OPTIONS:

After conducting the public hearing:

- Adopt resolutions confirming assessment rolls as presented.
- Consider other funding options or assessment rates.

RECOMMENDATION:

- Adopt the attached resolutions confirming assessment rolls for these streets.

***RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS***

WHEREAS, the City Council of City of Fayetteville has on June 22, 2009, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Church Street (from the centerline of Lakeland Street southeasterly approximately 215.57 feet) for paving;

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Church Street (from the centerline of Lakeland Street southeasterly approximately 215.57 feet) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statues of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Engineer's office.
3. The City Engineer is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statues of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 13th day of July, 2009, the notice required by Chapter 160A, Section 229, of the General Statues of North Carolina.

ADOPTED this the 22nd day of June, 2009.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

Jennifer K. Penfield, Deputy City Clerk

***RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS***

WHEREAS, the City Council of City of Fayetteville has on June 22, 2009, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Milan Road (from North Street to Dead End) for paving;

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Milan Road (from North Street to Dead End) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statues of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Engineer's office.
3. The City Engineer is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statues of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 13th day of July, 2009, the notice required by Chapter 160A, Section 229, of the General Statues of North Carolina.

ADOPTED this the 22nd day of June, 2009.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

Jennifer K. Penfield, Deputy City Clerk

***RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS***

WHEREAS, the City Council of City of Fayetteville has on June 22, 2009, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Oscar Street (from Blackwell Street to Fairview Street) for paving;

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Oscar Street (from Blackwell Street to Fairview Street) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Engineer's office.
3. The City Engineer is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statutes of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 13th day of July, 2009, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

ADOPTED this the 22nd day of June, 2009.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

Jennifer K. Penfield, Deputy City Clerk

***RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS***

WHEREAS, the City Council of City of Fayetteville has on June 22, 2009, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Seminole Drive (from Goins Drive to Dead End) for paving;

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Seminole Drive (from Goins Drive to Dead End) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statues of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Attorney's office.
3. The City Attorney is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statues of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 13th day of July, 2009, the notice required by Chapter 160A, Section 229, of the General Statues of North Carolina.

ADOPTED this the 22nd day of June, 2009.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G.CHAVONNE, Mayor

ATTEST:

Jennifer K. Penfield, Deputy City Clerk

***RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS***

WHEREAS, the City Council of City of Fayetteville has on June 22, 2009, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Barges Lane (from Lamon Street to existing pavement) for paving;

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Barges Lane (from Lamon Street to existing pavement) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Engineer's office.
3. The City Engineer is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statutes of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 13th day of July, 2009, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

ADOPTED this the 22nd day of June, 2009.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

Jennifer K. Penfield, Deputy City Clerk

***RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS***

WHEREAS, the City Council of City of Fayetteville has on June 22, 2009, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Meeting Street (from N. Cool Spring Street to Dead End) for paving;

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Meeting Street (from N. Cool Spring Street to Dead End) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Engineer's office.
3. The City Engineer is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statutes of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 13th day of July, 2009, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

ADOPTED this the 22nd day of June, 2009.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

Jennifer K. Penfield, Deputy City Clerk

CITY COUNCIL ACTION MEMO

To: Mayor and City Council
From: Dale E. Iman, City Manager
Date: June 22, 2009
Re: Fiscal Year 2009-2010 Budget Ordinance, Associated Capital Project Ordinances and Amendments and Fee Schedule

THE QUESTION: Council will be asked to take action to adopt the fiscal year 2009-2010 budget, associated capital project ordinances and amendments, and fee schedule. Council will discuss final revisions to the recommended budget and tax rate at a special meeting on June 17, 2009. The budget ordinance and related materials will be prepared to reflect those changes and will be provided separately to Council.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principles: Financially sound city government; full range of quality municipal services; and services delivered in a cost effective manner.

BACKGROUND:

- ❑ The Fiscal Year 2009-2010 Recommended Budget was presented to City Council on May 4, 2009 and the document, along with the PWC's recommended budget, has been made available for public inspection at the office of the City Clerk and on the city website.
- ❑ Two budget work sessions were conducted on May 13 and May 20, 2009.
- ❑ Additional budget questions received from Council have been addressed in written responses provided to Council and posted to the City's website.
- ❑ A public hearing was held on May 26, 2009 as required by the Local Government Budget and Fiscal Control Act.
- ❑ At the June 1, 2009 council worksession, Council provided direction to revise the recommended budget and tax rate.
- ❑ A budget ordinance was presented for Council consideration on June 8, 2009. Council voted to continue discussion of the budget at a special meeting to be held on June 17, 2009.
- ❑ Staff will incorporate final direction from Council to prepare the budget ordinance and related materials.

ISSUES: To be presented in supplemental memorandum.

OPTIONS: To be presented in supplemental memorandum.

RECOMMENDATIONS: To be presented in supplemental memorandum.



OFFICE OF THE TAX ADMINISTRATOR
117 Dick Street, 5th Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302
Phone: 910-678-7507 • Fax: 910-678-7582 • www.co.cumberland.nc.us

MEMORANDUM

TO: Fayetteville City Clerk Office

FROM: Aaron Donaldson, Tax Administrator *AD*

DATE: June 1, 2009

RE: MONTHLY STATEMENT OF TAXES

Attached hereto is the report that has been furnished to the Mayor and governing body of your municipality for the month of May 2009. This report separates the distribution of real property and personal property from motor vehicle property taxes, and provides detail for the current and delinquent years.

Should you have any questions regarding this report, please contact me at 678-7587.

AD/sn
Attachments

Celebrating Our Past....Embracing Our Future

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

000134

INFORMATION

| DATE | REPORT # | REMITTED TO FINANCE | 2008 CC | 2008 VEHICLE | 2008 REVIT | 2008 VEHICLE REVIT | 2008 FVT | 2008 TRANSIT TAX | 2008 STORM WATER | 2008 FAY STORM WATER | 2008 RECYCLE FEE |
|----------|----------|---------------------|------------|--------------|------------|--------------------|-----------|------------------|------------------|----------------------|------------------|
| 05/01/09 | 2008-219 | 45,128.36 | 16,262.65 | 17,517.95 | 80.82 | 0.00 | 1,916.52 | 1,445.11 | 958.29 | 1,163.38 | 1,657.93 |
| 05/04/09 | 2008-220 | 66,959.79 | 17,951.04 | 34,975.05 | 0.00 | 0.00 | 3,878.00 | 3,460.00 | 710.35 | 891.66 | 1,571.03 |
| 05/05/09 | 2008-221 | 44,896.08 | 9,355.58 | 24,875.32 | 0.00 | 41.51 | 2,972.19 | 2,727.19 | 547.95 | 568.61 | 950.55 |
| 05/06/09 | 2008-222 | 34,422.13 | 8,377.60 | 18,205.86 | 0.00 | 5.71 | 2,096.34 | 1,905.00 | 583.56 | 867.85 | 762.73 |
| 05/07/09 | 2008-223 | 43,990.07 | 12,296.46 | 21,251.47 | 9.98 | 0.00 | 2,427.47 | 2,189.35 | 534.58 | 737.55 | 1,198.54 |
| 05/08/09 | 2008-224 | 39,098.97 | 12,409.64 | 17,168.89 | 0.00 | 3.48 | 1,951.92 | 1,716.91 | 736.31 | 1,187.28 | 1,143.41 |
| 05/11/09 | 2008-225 | 54,691.10 | 15,148.10 | 27,279.85 | 0.00 | 16.02 | 3,005.00 | 2,725.00 | 681.36 | 924.36 | 1,366.36 |
| 05/12/09 | 2008-226 | 23,291.41 | 9,555.42 | 8,887.69 | 0.00 | 0.00 | 880.00 | 650.00 | 449.46 | 514.93 | 817.12 |
| 05/13/09 | 2008-227 | 27,053.79 | 7,693.52 | 12,190.71 | 0.00 | 0.00 | 1,490.00 | 1,210.00 | 720.03 | 938.57 | 714.00 |
| 05/14/09 | 2008-228 | 36,970.75 | 12,008.40 | 16,788.54 | 0.00 | 131.50 | 1,560.00 | 1,290.01 | 590.65 | 731.18 | 775.56 |
| 05/15/09 | 2008-229 | 51,105.67 | 21,265.18 | 19,826.32 | 0.00 | 86.87 | 2,224.62 | 1,619.61 | 269.84 | 1,107.06 | 1,475.37 |
| 05/18/09 | 2008-230 | 78,243.35 | 9,719.57 | 55,418.89 | 0.00 | 0.00 | 3,574.48 | 3,199.49 | 1,256.33 | 896.63 | 1,220.60 |
| 05/19/09 | 2008-231 | 17,606.29 | 6,028.64 | 7,016.25 | 0.00 | 0.00 | 931.36 | 791.69 | 453.62 | 661.51 | 569.65 |
| 05/20/09 | 2008-232 | 30,090.19 | 8,077.78 | 14,936.72 | 0.00 | 0.96 | 1,581.81 | 1,391.81 | 337.15 | 408.00 | 714.00 |
| 05/21/09 | 2008-233 | 30,456.37 | 13,579.55 | 9,040.60 | 0.00 | 15.91 | 965.93 | 805.93 | 434.40 | 636.74 | 1,198.29 |
| 05/22/09 | 2008-234 | 41,597.13 | 16,390.52 | 17,217.55 | 0.00 | 0.00 | 1,625.39 | 1,360.40 | 621.15 | 992.00 | 864.32 |
| 05/25/09 | 2008-235 | HOLIDAY | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05/26/09 | 2008-236 | 51,603.67 | 9,985.84 | 32,003.75 | 0.00 | 38.45 | 2,920.00 | 2,645.00 | 440.26 | 455.43 | 756.00 |
| 05/27/09 | 2008-237 | 42,416.77 | 12,215.54 | 22,148.04 | 0.00 | 0.00 | 2,082.29 | 1,857.29 | 525.20 | 882.40 | 871.21 |
| 05/28/09 | 2008-238 | 26,149.08 | 5,316.93 | 12,934.34 | (54.77) | 0.00 | 1,358.19 | 1,173.18 | 488.48 | 677.87 | 850.26 |
| 05/29/09 | 2008-239 | 61,820.54 | 26,569.17 | 19,603.69 | 0.00 | 0.00 | 2,258.58 | 1,838.59 | 2,648.32 | 2,697.16 | 2,392.25 |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| TOTALS | | 847,591.51 | 250,207.13 | 409,287.48 | 36.03 | 340.41 | 41,700.09 | 36,001.56 | 13,987.29 | 17,940.17 | 21,869.18 |

TRUE

MACC: MONTHLY ACCOUNTING (TOTALS COLLECTED FOR MONTH)
CC: INCLUDES REAL & PERSONAL, LATE LIST, & PUBLIC SERVICE

FVT: FAYTTEVILLE VEHICLE TAX (\$5.00)

FAYETTEVILLE MACC LEDGER

MAY 2009

1998-2008

| 2008 ANNEX | 2007 CC | 2007 VEHICLE | 2007 REVIT | 2007 VEHICLE REVIT | 2007 FVT | 2007 STORM WATER | 2007 FAY STORM WATER | 2007 ANNEX | 2006 ANNEX | 2006 CC | 2006 VEHICLE | 2006 REVIT |
|------------|------------|-----------------|---------------|--------------------------|-------------|------------------------|----------------------------|---------------|---------------|------------|-----------------|---------------|
| 0.00 | 0.00 | 1,173.14 | 0.00 | 0.00 | 185.00 | 48.00 | 0.00 | 0.00 | 0.00 | 0.00 | 175.50 | 0.00 |
| 0.00 | 283.91 | 489.46 | 0.00 | 0.00 | 85.00 | 0.00 | 0.00 | 0.00 | 66.34 | 421.28 | 84.70 | 0.00 |
| 0.00 | 402.43 | 281.91 | 0.00 | 0.00 | 82.38 | 0.00 | 0.00 | 0.00 | 0.00 | 47.13 | 133.42 | 0.00 |
| 0.00 | 108.50 | 308.39 | 0.00 | 0.00 | 50.00 | 32.00 | 0.00 | 0.00 | 125.00 | 11.59 | (65.14) | 0.00 |
| 0.00 | 653.30 | 571.87 | 0.00 | 0.00 | 65.00 | 12.00 | 24.00 | 0.00 | 283.47 | 189.79 | 90.73 | 0.00 |
| 0.00 | 215.91 | 568.94 | 0.00 | 0.00 | 90.00 | 0.00 | 0.00 | 0.00 | 321.69 | 0.00 | 28.48 | 0.00 |
| 0.00 | 493.56 | 460.00 | 0.00 | 0.00 | 85.00 | 33.09 | 24.00 | 0.00 | 509.72 | 0.00 | 46.51 | 0.00 |
| 0.00 | 0.00 | 186.65 | 0.00 | 0.00 | 70.00 | 120.00 | 0.00 | 0.00 | 109.23 | 0.00 | 63.61 | 0.00 |
| 0.00 | 29.08 | 352.91 | 0.00 | 0.00 | 45.00 | 24.00 | 0.00 | 0.00 | 170.42 | 61.71 | 33.06 | 0.00 |
| 0.00 | 249.63 | 469.87 | 0.00 | 0.00 | 80.00 | 12.00 | 24.00 | 0.00 | 278.63 | 0.00 | 19.87 | 0.00 |
| 0.00 | 10.58 | 641.40 | 0.00 | 0.00 | 95.00 | 12.00 | 0.00 | 0.00 | 88.32 | 0.00 | 277.32 | 0.00 |
| 6.02 | 30.76 | 754.96 | 0.00 | 0.00 | 145.00 | 24.00 | 0.00 | 0.00 | 18.25 | 11.96 | 164.40 | 0.00 |
| 0.00 | 103.26 | 162.04 | 0.00 | 0.00 | 35.00 | 2.91 | 0.00 | 0.00 | 0.00 | 0.00 | 29.63 | 0.00 |
| 0.00 | 341.59 | 345.13 | 0.00 | 0.00 | 50.00 | 12.00 | 24.00 | 0.00 | 320.91 | 42.52 | 76.32 | 0.00 |
| 0.00 | 935.45 | 547.95 | 0.00 | 0.00 | 60.00 | 36.00 | 48.00 | 0.00 | 19.88 | 342.76 | 77.47 | 0.00 |
| 0.00 | 25.63 | 519.22 | 0.00 | 0.00 | 70.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 33.46 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 0.00 | 90.81 | 447.63 | 0.00 | 0.00 | 90.00 | 12.00 | 0.00 | 0.00 | 178.25 | 6.24 | 228.07 | 0.00 |
| 0.00 | 385.31 | 234.26 | 0.00 | 0.00 | 20.00 | 12.00 | 0.00 | 0.00 | 65.28 | 0.70 | 0.00 | 0.00 |
| 0.00 | 669.04 | 414.43 | 0.00 | 0.00 | 55.00 | 18.95 | 10.76 | 0.00 | 0.00 | 422.63 | 174.00 | 0.00 |
| 0.00 | 129.33 | 502.27 | 0.00 | 0.00 | 90.00 | 38.63 | 24.00 | 0.00 | 40.75 | 0.00 | 105.20 | 0.00 |
| 6.02 | 5,158.08 | 9,432.43 | 0.00 | 0.00 | 1,547.38 | 449.58 | 178.76 | 0.00 | 2,596.14 | 1,558.31 | 1,776.61 | 0.00 |

FAYETTEVILLE MACC LEDGER

MAY 2009

1998-2008

| 2006 VEHICLE REVIT | 2006 FVT | 2006 STORM WATER | 2005 CC | 2005 VEHICLE | 2005 REVIT | 2005 VEHICLE REVIT | 2005 FVT | 2005 STORM WATER | 2004 CC & PRIOR | 2004 VEHICLE & PRIOR | 2004 REVIT & PRIOR | 2004 VEHICLE REVIT & PRIOR | 2004 FVT & PRIOR |
|--------------------------|-------------|------------------------|------------|-----------------|---------------|--------------------------|-------------|------------------------|-----------------------|----------------------------|--------------------------|-------------------------------------|------------------------|
| 0.00 | 52.94 | 0.00 | 34.15 | 83.03 | 0.00 | 0.00 | 15.61 | 0.00 | 0.00 | 238.06 | 0.00 | 0.00 | 35.57 |
| 0.00 | 44.44 | 6.44 | 16.15 | 58.08 | 0.00 | 0.00 | 10.00 | 0.00 | 0.00 | 109.95 | 0.00 | 0.00 | 20.00 |
| 0.00 | 25.00 | 0.00 | 0.00 | 160.74 | 0.00 | 0.00 | 20.00 | 0.00 | 0.00 | 224.26 | 0.00 | 0.00 | 38.15 |
| 0.00 | (5.00) | 0.00 | 13.16 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 108.53 | 0.00 | 0.00 | 15.00 |
| 0.00 | 15.00 | 0.00 | 0.00 | 3.15 | 0.00 | 0.00 | 0.00 | 2.64 | 0.00 | 91.05 | 0.00 | 0.00 | 5.00 |
| 0.00 | 10.00 | 0.00 | 47.51 | 135.16 | 0.00 | 0.00 | 5.00 | 0.00 | 56.78 | 26.20 | 0.00 | 0.00 | 13.37 |
| 0.00 | 20.00 | 5.62 | 0.00 | 108.39 | 0.00 | 0.00 | 20.00 | 0.00 | 0.00 | 53.13 | 0.00 | 0.00 | 15.38 |
| 0.00 | 25.00 | 0.00 | 0.00 | 11.82 | 0.00 | 0.00 | 10.00 | 0.00 | 0.00 | 11.28 | 0.00 | 0.00 | 10.00 |
| 0.00 | 0.83 | 0.00 | 35.57 | 26.75 | 0.00 | 0.00 | 0.00 | 0.00 | 174.17 | 75.92 | 0.00 | 0.00 | 10.00 |
| 0.00 | 10.00 | 0.00 | 0.00 | 24.99 | 0.00 | 0.00 | 5.00 | 0.00 | 529.94 | 79.70 | 0.00 | 0.00 | 20.00 |
| 0.00 | 35.00 | 0.00 | 0.00 | 112.70 | 0.00 | 0.00 | 21.48 | 0.00 | 14.54 | (47.91) | 0.00 | 0.00 | 5.00 |
| 0.00 | 29.17 | 0.00 | 0.00 | 141.40 | 0.00 | 0.00 | 15.00 | 0.00 | 63.76 | 76.03 | 0.00 | 0.00 | 25.00 |
| 0.00 | 10.00 | 0.00 | 0.00 | 13.67 | 0.00 | 0.00 | 10.00 | 0.00 | 10.64 | 72.43 | 0.00 | 0.00 | 30.00 |
| 0.00 | 25.00 | 0.00 | 0.00 | 5.78 | 0.00 | 0.00 | 5.00 | 0.00 | 28.58 | 238.11 | 0.00 | 0.00 | 35.00 |
| 0.00 | 20.00 | 12.00 | 0.00 | 58.25 | 0.00 | 0.00 | 10.00 | 0.00 | 0.00 | 267.72 | 0.00 | 0.00 | 29.37 |
| 0.00 | 20.00 | 0.00 | 67.02 | 4.93 | 0.00 | 0.00 | 5.00 | 0.00 | 15.33 | 131.26 | 0.00 | 0.00 | 34.06 |
| 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 0.00 | 35.00 | 12.00 | 0.00 | 48.74 | 0.00 | 0.00 | 30.00 | 0.00 | 18.42 | 28.78 | 0.00 | 0.00 | 15.00 |
| 0.00 | 0.00 | 0.00 | 33.03 | 2.23 | 0.00 | 0.00 | 5.00 | 0.00 | 0.00 | 50.63 | 0.00 | 0.00 | 0.00 |
| 0.00 | 11.83 | 25.12 | 174.77 | 8.97 | 0.00 | 0.00 | 5.00 | 0.00 | 205.80 | 89.17 | 0.00 | 0.00 | 20.00 |
| 0.00 | 20.00 | 0.00 | 0.00 | 107.30 | 0.00 | 0.00 | 10.00 | 0.00 | 14.57 | 65.71 | 0.00 | 0.00 | 20.00 |
| 0.00 | 404.21 | 61.18 | 421.36 | 1,116.08 | 0.00 | 0.00 | 202.09 | 2.64 | 1,132.53 | 1,990.01 | 0.00 | 0.00 | 395.90 |

0000137

FAYETTEVILLE MACC LEDGER
1998-2008

MAY 2009

| 2004 & PRIOR STORM WATER | INTEREST | REVIT INTEREST | STORM WATER INTEREST | FAY STORM WATER INTEREST | ANNEX INTEREST | FAY RECYCLE INTEREST | TOTAL TAX & INTEREST |
|-----------------------------------|-----------|-------------------|----------------------------|-----------------------------------|-------------------|----------------------------|-------------------------|
| 0.00 | 1,892.54 | 4.04 | 53.70 | 55.78 | 0.00 | 78.65 | 45,128.36 |
| 10.96 | 1,659.21 | 0.00 | 36.59 | 43.34 | 1.00 | 75.81 | 66,959.79 |
| 0.00 | 1,334.75 | 0.00 | 28.46 | 29.36 | 0.00 | 49.19 | 44,896.08 |
| 0.00 | 787.95 | 0.01 | 33.13 | 45.23 | 6.39 | 42.74 | 34,422.13 |
| 0.00 | 1,197.61 | 0.42 | 28.39 | 39.50 | 14.18 | 57.57 | 43,990.07 |
| 0.00 | 1,079.58 | 0.00 | 36.48 | 59.02 | 30.04 | 56.97 | 39,098.97 |
| 0.00 | 1,420.42 | 0.00 | 48.94 | 67.11 | 62.91 | 71.27 | 54,691.10 |
| 0.00 | 808.86 | 0.00 | 38.98 | 25.53 | 5.47 | 40.36 | 23,291.41 |
| 0.00 | 927.22 | 0.00 | 38.20 | 47.92 | 8.52 | 35.68 | 27,053.79 |
| 0.00 | 1,166.71 | 0.00 | 31.48 | 40.15 | 13.94 | 39.00 | 36,970.75 |
| 0.00 | 1,809.00 | 1.24 | 20.11 | 57.31 | 0.66 | 77.05 | 51,105.67 |
| 0.00 | 1,280.17 | 0.00 | 62.05 | 44.77 | 6.50 | 58.16 | 78,243.35 |
| 0.00 | 587.57 | 0.00 | 23.00 | 33.78 | 0.00 | 29.64 | 17,606.29 |
| 0.00 | 982.89 | 0.00 | 18.72 | 23.95 | 30.50 | 35.96 | 30,090.19 |
| 0.00 | 1,181.33 | 0.00 | 32.84 | 38.46 | 1.88 | 59.66 | 30,456.37 |
| 0.00 | 1,471.20 | 0.00 | 32.70 | 51.00 | 0.00 | 44.99 | 41,597.13 |
| 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 0.00 | 1,024.08 | 0.31 | 26.97 | 22.07 | 8.11 | 36.46 | 51,603.67 |
| 0.00 | 905.71 | 0.00 | 28.19 | 44.67 | 3.27 | 44.52 | 42,416.77 |
| 8.34 | 901.80 | 0.00 | 34.18 | 44.58 | 62.41 | 47.82 | 26,149.08 |
| 0.00 | 2,257.67 | 0.00 | 135.97 | 134.79 | 4.25 | 112.34 | 61,820.54 |
| 19.30 | 24,676.27 | 6.02 | 789.08 | 948.32 | 260.03 | 1,093.84 | 847,591.51 |

000138