

*City of*



*Lumberton*

*Planning & Neighborhood Services*

**Special Use Permit process is as follows: Applications must be submitted at least two (2) weeks prior to the intended City Council Policy Committee Meeting.**

- 1) Submit a completed application, along with the application fee (\$250.00 non-refundable-fees subject to change) and a detailed business plan.
- 2) Once the Planning Department receives the above information, we will review it and contact you if more information is needed. If the application is complete, the Planning Department will submit the application to the City Clerk requesting it to be placed on City Council's Agenda.
- 3) Once the meeting date(s) have been determined, it will be sent to the Council Policy Committee for review, followed by review by City Council. City Council will then decide to forward the application to the Planning Board for their recommendation, table the request for more information or deny the request based on their findings.
  - a) If the application is forwarded to the Planning Board, you will receive notification indicating the date, time and location of the meeting. Please have a representative familiar with the request plan to attend this meeting.
  - b) If the application is tabled for more information, you will be notified.
  - c) If the application is denied, you will be notified.
- 4) If the application is forwarded to the Planning Board; they will hold the public meeting, make their recommendation and forwarded it back to City Council (they, too, have the option of tabling the request for more information).
- 5) Once the Planning Board's recommendation is forwarded to City Council, a Public Hearing is scheduled. You will receive notification indicating the date, time and location of the public hearing. Please have a representative familiar with the request plan to attend this meeting as well.
  - a) If the application is denied, you will be notified.
  - b) If the application is tabled for more information, you will be notified.
  - c) If the application is approved, the property owner will receive a Special Use Permit that must be signed and notarized by all property owners. If there is more than one property owner, please request additional signature sheets. Please return the signed permit to the Planning Department along with a check for \$26.00, **payable to: Robeson County Register of Deeds**, for recordation fees.
  - d) Once the permit has been recorded, we will provide you with the Deed Book number and Page. Then, you must contact us (Planning Department and Inspections Department) to obtain the necessary permits.

Application must be complete prior to acceptance

City Council meets every second Monday of the month.

City Council Policy Committee meets the Wednesday before the City Council Meeting.

Planning Board/Board of Adjustments meet every third Tuesday of the month.

\*\*\* All dates and times are subject to change\*\*\*

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES  
CITY OF LUMBERTON, NORTH CAROLINA  
APPLICATION FOR A SPECIAL USE PERMIT**

**TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON**

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

**1. Applicant:**

**Owner:**

Legal Name: \_\_\_\_\_

Legal Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Name of Business:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_

**Description of Property:**

2.

\_\_\_\_\_ (Address)

\_\_\_\_\_ (Deed Book)

\_\_\_\_\_ (Page)

\_\_\_\_\_ (Map Book)

\_\_\_\_\_ (Page)

\_\_\_\_\_ (Frontage)

\_\_\_\_\_ (Area)

3. **Tax Map Identification (parcel number):** \_\_\_\_\_

4. **Proposed Use of Property:** \_\_\_\_\_

5. **Zoning District Designation of Property:** \_\_\_\_\_

6. **Development Site Plan:** See Appendix A of Land Use Ordinance.

7. **Notice of Hearing:** All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. **Supportive Information:** At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. **Application Fee: Submit the fee payment with application. The application fee is nonrefundable.**

ADDRESS:

**10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11. Notarized Signatures:**

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

**Applicant:** \_\_\_\_\_  
Name Physical Address

**Applicant:** \_\_\_\_\_  
Signature

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public Signature My Commission Expires: \_\_\_\_\_

**Owner:** \_\_\_\_\_  
Name Physical Address

**Owner:** \_\_\_\_\_  
Signature

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public Signature My Commission Expires: \_\_\_\_\_

**Effective July 1, 2018**

**GENERAL INFORMATION**

THE FOLLOWING PERMIT FEES ARE CURRENT AS OF JULY 1, 2018 NO BUILDING, ELECTRICAL, PLUMBING, MECHANICAL OR OTHER PERMITS ISSUED BY THE DEPARTMENT SHALL BE VALID UNTIL FEES HAVE BEEN PAID TO THE CITY OF LUMBERTON.

**PERMITS WILL BE ISSUED BETWEEN THE HOURS OF 8:00 AND 10:00 A.M. AND 3:30 - 5:00 PM IN THE INSPECTIONS DEPARTMENT AT THE MUNICIPAL BUILDING, 500 N. CEDAR STREET, LUMBERTON.**

FOR MORE INFORMATION ON PERMIT FEES, PLEASE CALL THE PLANNING DEPARTMENT AT 671-3838.

**I. BUILDING PERMITS**

A. NEW CONSTRUCTION, ADDITIONS, AND ALTERATIONS:  
\$3.50 PER \$1,000 CONSTRUCTION VALUE  
\$50.00 MINIMUM

B. REROOF OR REPAIR TO ROOF:  
\$3.50 PER \$1,000 CONSTRUCTION VALUE  
\$50.00 MINIMUM

C. BUILDING DEMOLITION:  
RESIDENTIAL \$100.00  
COMMERCIAL 0.1-10,000 SQFT. \$150.00  
10,001+ \$250.00

D. MOVING PERMIT:  
\$100.00

II. INSULATION  
\$0.020 PER SQUARE FOOT HEATED FLOOR  
(\$40.00 MINIMUM)

III. ELECTRICAL  
\$40.00 APPLICATION FEE PLUS  
\$5.00 PER 220 VOLT OUTLET  
\$0.50 PER 110 VOLT OUTLET  
\$5.00 PER MOTOR

SERVICE CHANGE & REPAIR  
UP TO 200 AMP \$40.00  
201 AMP+ \$60.00

**IV. PLUMBING**

A. \$40.00 APPLICATION FEE PLUS:  
\$5.00 PER FIXTURE  
B. SPRINKLER SYSTEM  
\$0.03 PER SQUARE FOOT FLOOR AREA

**V. MECHANICAL**

\$40.00 APPLICATION FEE PLUS:

A. AIR CONDITIONING & HEAT PUMPS  
0.1 - 5 TONS \$20.00  
5.1 - 50 TONS \$25.00  
50+ TONS \$60.00  
SPLIT SYSTEMS ADD \$ 5.00

\*B. FOSSIL FUEL BURNING EQUIPMENT  
0.1 - 50,000 BTU \$15.00  
50,000 - 100,000 BTU \$20.00  
100,000 - 200,000 BTU \$25.00  
200,001+ BTU \$30.00

C. REFRIGERATION  
(COMPRESSOR RATING)  
0.1 - 5 TONS \$15.00  
5.1 - 15 TONS \$20.00  
15 + TONS \$30.00

D. COOKING EQUIPMENT HOODS  
(COMMERCIAL ONLY)  
0.1 - 10 SQ.FT. \$20.00  
10.1 - 50 SQ.FT. \$25.00  
50.1 - 100 SQ.FT. \$30.00  
100+ SQ.FT. \$40.00

EXHAUST FANS \$5.00

VENTILATION EQUIPMENT  
(OTHER THAN RESIDENCES) \$20.00

MODIFICATION, REPAIR OR REPLACEMENT OF DUCT  
WORK \$30.00  
\*E. GAS PIPING \$30.00

\* NO APPLICATION FEE

**VI MISCELLANEOUS FEES**

\*A. ABC COMPLIANCE \$40.00  
\*B. DAYCARE COMPLIANCE \$40.00  
\*C. FUEL TANK PRESSURE TEST \$40.00  
\*D. POWER OUTS (VACANT) \$40.00  
\*E. COMMERCIAL FIRE ALARM \$40.00

**VII. MOBILE HOMES**

\$30.00 SET UP FEE  
\$30.00 ELECTRICAL FEE  
\$30.00 PLUMBING FEE  
\$30.00 REINSPECTION FEE

**VIII. SIGNS**

A. NEW SIGN  
1. OUTDOOR ADVERTISING  
OFF PREMISES \$100.00 PER SIDE  
2. PRINCIPLE USE  
0 - 50 SQ.FT. \$50.00  
51+ SQ.FT. \$100.00  
3. COMMERCIAL ACCESSORY - \$10.00 PER SIDE  
4. TEMPORARY - \$10.00 PER SIDE

B. MODIFICATION  
ALL SIGNS \$25.00 PER SIDE

**VIII. OTHER FEES**

A. SPECIAL USE PERMIT  
1. APPLICATION FEE \$250.00  
2. SUBDIVISION - PAYABLE AT FINAL PLAT STAGE  
A. PER LOT W/IMPROVEMENTS \$50.00  
B. PER LOT W/O IMPROVEMENTS \$20.00

B. VARIANCE OR APPEAL TO ADMINISTRATIVE DECISION:  
APPLICATION \$250.00

C. REZONING PETITION  
APPLICATION \$250.00

D. ANNEXATION PETITION  
APPLICATION \$100.00

E. LAND USE PERMIT (ZONING) \$ 25.00

F. ZONING CERTIFICATION LETTER \$ 5.00

G. SITE PLAN REVIEW  
(LESS THAN 1 ACRE) \$ 50.00  
(FROM 1 TO 4.9 ACRES) \$150.00  
(5 ACRES & LARGER) \$250.00  
3<sup>RD</sup> & EACH ADDITIONAL REVIEW \$ 50.00

H. LAND USE ORDINANCE \$ 30.00

COPIES  
8.5" X 11" (14") \$ .25  
11" X 17" \$ .50  
18" X 24" \$ 2.00  
24" X 36" \$ 3.00  
30" X 42" \$ 4.00

# DEPARTMENT OF PLANNING & INSPECTIONS

## DEVELOPMENT REVIEW PROCEDURES

### PLAN REVIEW

CHAPTER 35 OF THE LUMBERTON CITY CODE REQUIRES THE PREPARATION AND SUBMITTAL OF DEVELOPMENT PLANS FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE DEPARTMENT COORDINATES THIS FUNCTION FOR THE CITY AND ADVISES APPLICANTS OF THEIR RESPONSIBILITIES RELATIVE TO PLAN SUBMISSION, PERMIT ISSUANCE, AND FEE PAYMENT.

MOST BUILDING PERMITS CAN BE ISSUED WITHIN 2 TO 4 WORKING DAYS WHILE MOST TRADE PERMITS CAN BE ISSUED UPON APPLICATION. THE INFORMATION REQUIRED TO BE DISCLOSED FOR THE ISSUANCE OF A PERMIT IS REFLECTED ON THE APPLICATIONS OR ON THE SITE PLAN CHECK LIST, ALL OF WHICH ARE AVAILABLE AT THE DEPARTMENT.

BUILDING PERMITS FOR CHANGE OF USE, NEW CONSTRUCTION, ADDITIONS, ETC. REQUIRE THE SUBMISSION OF DETAILED DEVELOPMENT SITE PLANS AS WELL AS CONSTRUCTION DRAWINGS AND SPECIFICATIONS.

### REVIEW BY OTHER AGENCIES

THE TYPE OR LOCATION OF A DEVELOPMENT PROPOSAL MAY REQUIRE THE REVIEW OF PLANS AND SPECIFICATIONS BY STATE OR FEDERAL AGENCIES. WHILE THE APPLICANT IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE REGULATIONS OF OTHER AGENCIES, THE DEPARTMENT WILL ROUTE PLANS TO THE RELEVANT CITY AGENCIES FOR REVIEW AND COMMENT. PERMITS MAY NEED TO BE OBTAINED FROM THESE AGENCIES AND FEES PAID.

IN ADDITION, AUTHORIZATION TO USE A TRACT OF LAND MY REQUIRE THE APPROVAL OF THE LUMBERTON CITY COUNCIL OR BOARD OF ADJUSTMENT; THESE APPROVALS ARE SUBJECT TO A PUBLIC HEARING PROCESS AND CAN REQUIRE SEVERAL MONTHS TO CONCLUDE.

### OTHER FEES

FEES MY BE ASSESSED BY STATE AND FEDERAL AGENCIES AS WELL AS THE OTHER CITY AGENCIES. EXAMPLES INCLUDE THE PUBLIC WORKS DEPARTMENT FEES FOR DRIVEWAY CUTS, WATER CONNECTION, SEWER CONNECTION, AND STORM DRAINAGE, ALSO THE ELECTRIC UTILITIES DEPARTMENT FEES FOR SERVICE CONNECTIONS.

THESE FEES AS, APPROPRIATE, MUST BE PAID PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

### MUNICIPAL PLANNING AUTHORITY

THE CITY OF LUMBERTON ENFORCES COMPREHENSIVE LAND USE CODES WITHIN ITS CORPORATE LIMITS AND EXTRATERRITORIAL JURISDICTION. QUESTIONS ABOUT THE LOCATION OF ITS PLANNING BOUNDARY SHOULD BE DIRECTED TO THE PLANNING DEPARTMENT AT (910) 671-3838.

### MUNICIPAL UTILITIES

THE CITY OF LUMBERTON IS A FULL SERVICE UTILITY PROVIDER OFFERING WATER, SANITARY SEWER, AND ELECTRIC UTILITY SERVICES.

### CONTACT PERSONS

#### PLANNING DIRECTOR

ARTRIEL KIRCHNER 671-3976

#### DEPUTY PLANNING DIRECTOR

BRIAN NOLLEY 671-3977

#### INSPECTIONS DIRECTOR

BEN ANDREWS 671-3837

#### BUILDING INSPECTORS

JEREMY WOODSELL 671-3839

BOBBY RAY MEARES 671-3840

#### CODE ENFORCEMENT OFFICER

STEPHANIE CANADY 671-3842

#### FIRE INSPECTOR

SETH HUTCHINSON 671-3841

#### COMMUNITY DEVELOPMENT ADMINISTRATOR

VACANT 671-3844

#### PUBLIC WORKS DIRECTOR

ROB ARMSTRONG 671-3851

#### ELECTRIC UTILITIES DIRECTOR

LAMAR BRAYBOY 671-3865

## Planning & Inspections Fee

# CITY OF LUMBERTON



## PERMIT FEE SCHEDULE

**EFFECTIVE JULY 1, 2018**

**2018005944**ROBESON CO, NC FEE \$26.00  
PRESENTED & RECORDED:

07-24-2018 09:35:11 AM

VICKI L LOCKLEAR  
REGISTER OF DEEDS  
BY: TOMASA MORALES PEAVY  
ASSISTANT**BK: D 2142****PG: 376-378**

HOLD: CITY OF LUMBERTON

**ORDINANCE AMENDING A SECTION OF CHAPTER 35 OF THE CITY CODE OF  
ORDINANCES OF THE CITY OF LUMBERTON, NORTH CAROLINA  
Electronic Gaming Operation Ordinance**

**BE IT ORDAINED** by the City Council of the City of Lumberton that the following sections be added to the Code of Ordinances of the City of Lumberton, North Carolina:

**Sec. 35-15. Definitions of basic terms.**

*Electronic Gaming Operation:* Any business enterprise, whether as a primary or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This does not include any lottery approved by the State of North Carolina.

*Game of Chance:* A game whose outcome is strongly influenced by randomizing device, and upon which, contestants may or may not wager money or anything of monetary value.

*Electronic Gaming Machines:* Any electronic machines, including but not limited to computers and gaming terminals, used to conduct games of chance or skill, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed by the owner or operator of the machines, whether or not the existence or value of any such distribution is determined by electronic games played, by predetermined odds, or otherwise.

**Sec. 35-166.5. Electronic Gaming Operations**

- (1) Any business desiring to operate as an Electronic Gaming Operation must obtain a conditional use permit. Conditional Use Permits for Electronic Gaming Operations can only be applied for in zoning districts B-4, B-5, and B-7.
- (2) The following will require a conditional use permit under this section:
  - a. The opening or commencement of an electronic gaming operation as a new business;
  - b. The conversion of an existing business, whether or not an electronic gaming operations, to any of the electronic gaming operations defined herein;
  - c. The addition of any of the features of one or more of the electronic gaming operation defined herein to an existing business;
  - d. The addition of any of the electronic gaming operations defined herein to any other existing electronic gaming operation; or
  - e. The relocation of any electronic gaming operation.

NOTE: The changes shaded in grey shall be made to the table in Code Section 35-149 Table of Permissible Uses:

| Use Description   | A | R-20 | R-15 | R-11 | PR-11 | R-7 | R-6 | R-3 | B-1 | B-2 | B-3 | B-4 | B-5 | B-6 | B-7 | M-1 | M-2 | M-3 |
|---|---|------|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 6.150 Billiard parlors/Pool Halls & Game Centers (not to include electronic gaming) |   |      |      |      |       |     |     |     | C   | C   |     | C   | C   |     | C   | C   | C   |     |
| 6.160 Electronic Gaming Operations  |   |      |      |      |       |     |     |     |     |     |     | C   | C   |     | C   |     |     |     |

(3) Days/Hours of operation: An Electronic Gaming Operation may operate from 8:00am until 10:00pm Monday thru Saturday, closed on Sundays. If the electronic gaming operation is an accessory use, the primary use may continue to operate during its normal business hours.

(4) Number of machines/terminals/computer for any Electronic Gaming Operation: 1 unit per 50 sq.ft. of gross floor area designated for the Electronic Gaming Operation. The maximum number of machines/terminals/computer for any Electronic Gaming Operation is 40.

(5) The machines/terminals/computers used by an Electronic Gaming Operation must not be prohibited by state or federal law and must have all applicable permits and licenses.

(6) If food or beverages are served by an Electronic Gaming Operation, the establishment must meet the requirements of the Robeson County Department of Health, and all state law requirements.

(7) The consumption of alcoholic beverages on premises is prohibited unless the owner or operator has secured appropriate state alcoholic beverage permit(s).

(7) Lighting shall be kept on the parking surfaces associated with an Electronic Gaming Operation during the hours of operation which are within sunset to sunrise.

(8) An Electronic Gaming Operation must meet a parking requirement of one (1) space for every two hundred (200) square feet of gross floor area plus three (3) additional parking spaces.

NOTE: The following entry shall be made in Code Section 35-291 Number of parking spaces required:

|       |   |
|-------|---|
| 6.160 | <u>One (1) space per 100 square feet of gross floor area, plus three (3) additional parking spaces.</u> |
|-------|---|

(9) An Electronic Gaming Operation shall not be located within one thousand (1,000) linear feet of any:

- (a) other Electronic Gaming Operation,
- (b) residential zoning district,
- (c) single-family residence,
- (d) church or place of worship,
- (e) public or private daycare center,
- (f) public or private school,
- (g) government building,
- (h) public park, playground, or library,
- (i) adult establishment,
- (j) group care, facilities for the care of the aged or infirm, or congregate care facilities, or
- (k) cemetery.

The required separation from the above listed places applies whether a use indicated in (a) to (j) is the principal use or an accessory use of the property.

Distances shall be measured from the closest point of a lot line of each of the two properties in question.

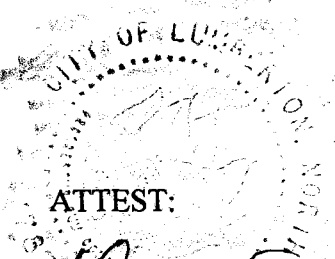
(10) All Electronic Gaming Machines shall be open for direct, unobstructed access by police officers, fire department personnel, and emergency response personnel, and shall be visible from the main entrance of the involved Electronic Gaming Operation.

(11) No Electronic Gaming Operation shall permit, allow, or condone the use of an Electronic Gaming Machine by any person under the age of 18.

(12) A \$200.00 Civil Penalty per day per violation and/or a criminal misdemeanor, punishable as provided in G.S. 14-4, with a maximum fine of up to five hundred dollars (\$500.00) per day per violation may be issued for a violation of any part of this Ordinance. The penalty or fine may be imposed upon the owner, the operator, or both.

(13) This section shall not apply to any lottery endorsed, approved, or sponsored by the State of North Carolina nor to arcade games of skill which don't involve the use of electronic machines.

On motion of Councilman Hackney, seconded by Councilman Rising, the foregoing Ordinance was adopted on December 6<sup>th</sup>, 2017.



*Bruce W. Davis*  
 Bruce W. Davis, Mayor

ATTEST:

*Laney Mitchell-McIntosh*  
 Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

*E. Holt Moore, III*  
 E. Holt Moore, III, City Attorney