

**LENOIR CITY COUNCIL
MEETING MINUTES
TUESDAY, NOVEMBER 4, 2025
6:00 P.M.**

- PRESENT:** Mayor Joe Gibbons presiding. Mayor Pro-Tem David Stevens, Councilmembers present were Jonathan Beal, Todd Perdue, Ike Perkins, Ralph Prestwood, Crissy Thomas, City Manager Scott Hildebran, City Clerk Lauren Hartley and Attorney Timothy Rohr.
- CITY STAFF:** In attendance was Finance Director Donna Bean, Public Services Public Works Director Jon Hogan, Communication & Public Information Director Joshua Harris, Fire Chief Norman Staines, Police Chief Andy Wilson, Planning Director Hannah Williams, Planner Matt Duchan, Planning Technician Kim Staines and Community Engagement Coordinator Ashely Smith.
- ABSENT:** Councilmember Kimmie Rogers, City Parks & Recreation Director Phil Harper, Public Services Public Utilities Director Jeff Church and Economic Development Main Street Director Brenda Floyd.

I. CALL TO ORDER

- A. The meeting was opened by a moment of silence and the pledge of allegiance as led by Mayor Gibbons.
- B. Councilmember Todd Perdue said 22 years ago I was elected to serve on the Lenoir City Council, I am formally announcing my resignation from the board. Due to my wife's illness we have moved to accommodate her needs, which is located outside the City limits. It has been a privilege to serve on this board and for the City. He stated he is most proud of the way City Council got along and works truly for what's best for the people. Councilmember Perdue thanked everyone and the time together.

Mayor Gibbons said he has appreciated serving with Councilmember Perdue and it has been an honor. We have appreciated all that you have done serving on this board. We are planning to hold a celebration for you at a later time. We will always have a special place for you at the City of Lenoir.

Councilman Perkins said Councilmember Perdue has been instrumental in his pursuit in this position and thanked him for being there for him and the advice over the years.

Attorney Rohr said it has been a pleasure working with Councilmember Perdue both on City Council and as the City Attorney.

Councilman Perdue excused himself from the meeting.

II. MATTERS SCHEDULED FOR PUBLIC HEARING:

- A. Rezoning R 7-25; A public hearing was held to consider approval of the proposed rezoning case for the remainder of 2115 Hickory Blvd NCPIN 2758639922 from split zoned B-7 (Highway Business) and R-15 (Single Family) to exclusively B-2 (General Business). Planning Staff and the Planning Board supports the rezoning request.

Planning Board recommends adoption of the proposed rezoning based on the following consistency statement:

The future land use map identifies the subject property as mixed-use, and is surrounded by medium-density residential and existing low-density residential. The 2045 Comprehensive Plan maintains that multi-family developments are overall appropriate and grades out at the highest level of appropriateness. The mixed-use district also recommends nine or more dwelling units per acre, and the area where this development will occur will exceed that. By changing the zoning designation from R-15 and B-7 to solely B-2, this area would have greater flexibility to achieve these policy concepts and potentially expand beyond just a residential development. Staff finds the proposed re-zoning to be consistent with the goals of the Comprehensive Plan. The change is reasonable and in the public interest because it accommodates future residential development in a convenient and centralized location, which can be better served by city infrastructure when expanded.

Mayor Gibbons opened the public hearing.

Planning Director Hannah Williams said this property is located at 2115 Hickory Blvd and has been approved for a 140-unit apartment complex on ten acres. The developer acquired eight acres adjacent to the property and is looking into building 60 additional units. The additional acreage is zoned B-7 and R-15. The developer is seeking to have one zoning district for all, which would be B-2. Planning Board discussed this rezoning at the October 13 meeting and recommends approval.

Mayor Gibbons asked if anyone had questions from Council or the public. With none, Mayor Gibbons closed the public hearing.

Mayor Pro-Tem Stevens said this rezoning is consistent with our 2045 comprehensive plan and agrees with the Planning Board's recommended approval.

Upon a motion by Mayor Pro-Tem Stevens, City Council voted 5 to 0 to approve the rezoning request R 7-25, as presented.

- B. Zoning Ordinance Amendment ZOA 2-25; A public hearing was held for an Ordinance Amendment regarding side and rear setbacks on historical lots (recorded before 1979). This would grant rear and side yard setbacks proportionate to the size of the lot. This ordinance amendment identifies what properties are affected and how zoning standards would change for those properties. Planning Staff and the Planning Board supports the Zoning Ordinance Amendment. Planning Board recommends adoption of the proposed rezoning based on the following consistency statement:

The proposed zoning amendment is consistent with the housing policy concepts in the 2045 Comprehensive Plan, encouraging equity and a well-rounded approach to housing where property owners are able to develop and restore the older housing stock in Lenoir. The 2045 plan recommends that Staff updates zoning regulations to allow for detached housing on smaller lots while maintaining balance with larger lots on the periphery. This zoning amendment is compatible with the goal of establishing neighborhood compatibility. Some neighborhoods with non-conforming lots have distinct neighborhood character, scale, and form. Updating the ordinance with this amendment would promote the maintenance of these neighborhoods and improve upon the character of other neighborhoods with lots that would be otherwise limited in improvement efforts.

Mayor Gibbons opened up the public hearing.

Planning Director Hannah Williams said this ordinance amendment was submitted by applicant, Richard Meadlock. The applicant added a side door covered entry to his home on Realty Street, which encroaches in the side setback. Instead of tearing it out, staff encouraged him to apply for a text amendment. This ordinance would allow non-conforming lots that pre-date Lenoir Zoning Ordinance of 1979 to allow rear and side setbacks to be proportionate to the size of the lot. This amendment would apply jurisdiction wide to lots prior to 1979. Planning Board discussed this at their October 13 meeting and recommends approval.

Councilmember Perkins stated he would like to thank staff for the interest in this amendment. It is in support of our 2045 comprehensive plan and would give the homeowners of the older communities help to enhance their property.

Councilmember Beal said he likes the way the ordinance is crafted for these small lots, it gives the property owners more flexibility.

Mayor Gibbons asked if anyone had question from Council or the public. With none, Mayor Gibbons close the public hearing.

Upon a motion by Councilmember Perkins, City Council voted 5 to 0 to approve the Zoning Ordinance Amendment ZOA 2-25 that is consistent with the 2045 comprehensive plan, as presented.

III. CONSENT AGENDA ITEMS:

Mayor Gibbons presented the following items:

- A. Minutes: Approval of the City Council minutes of the meeting of Tuesday, October 21, 2025, as submitted.
- B. Minutes: Approval of the Committee of the Whole minutes of the meeting of Tuesday, October 28, 2025, as submitted.
- C. Special Meeting - Monday, November 10, 2025, 5:30 p.m.; Schedule a special meeting on Monday, November 10, 2025, at 5:30 p.m. to be held at the City Hall, 3rd Floor Conference Room. The purpose of the meeting is to review The Campus Project (Auditorium, Gymnasium, OVT Visitor Center, Pavilion) and consider bids for facility renovations/improvements.

Upon a motion by Councilmember Thomas, City Council voted 5 to 0 to adopt the above listed items (A through C) on the Consent Agenda as listed and recommended.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

City Manager Scott Hildebran presented the following:

- A. Items of Information
 - 1. The City/County Services Committee will meet on Monday, November 10 at the J.E. Broyhill Civic Center.
 - 2. The City offices will be closed Tuesday, November 11 in observance of Veterans Day.
 - 3. The Veterans Day Event will be held Tuesday, November 11 at 11:00 a.m. at the

downtown stage on the square.

4. The Lenoir Tourism Development Board will meet on Thursday, November 13 at 4:00 p.m. at City Hall, Third Floor.
5. The Lenoir Business Advisory Board will meet on Thursday, November 13 at 6:00 p.m. at City Hall, Third Floor.
6. The City Council will not meet on Tuesday, November 18 and the Committee of the Whole will also not meet in November.
7. The Foothills Regional Airport Authority will meet on Wednesday, November 19 at noon at the Airport facility.
8. The ABC Board will meet on Thursday, November 20 at 2:00 p.m.
9. The annual Drive-By Community Turkey Tuesday event will be held Tuesday, November 25 beginning at 5:00 p.m. at the Martin Luther King Jr. Center located at 313 Greenhaven Drive until all the turkeys have been handed out. One turkey will be given per family or a person may walk up to receive on turkey.
 - Councilmember Thomas stated this is our 11th annual event and we should have a big turnout this year. We will try to help as many people as we can. She asked everyone that can to donate turkeys for this event.
10. The City offices will be closed November 27 and 28 in observance of Thanksgiving holiday.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

Mayor Gibbons said the City will be busy with events in November and going into December. He thanked everyone for participating in the Halloween events held Downtown and at the Martin Luther King Jr. Center.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

There being no further business, Mayor Gibbons adjourned the meeting at 6:26 p.m.

Lauren Hartley, City Clerk

Joseph L. Gibbons, Mayor

CITY OF LENOIR

COUNCIL ACTION FORM: November 4, 2025

I. Agenda Item:

R 7-25: Consideration of a request that the City re-zone the remainder of NCPIN 2758639922 from split-zoned B-7 (Highway Business) and R-15 (Single Family) to exclusively zoned B-2 (General Business).

II. Background Information:

The applicant is requesting to rezone the remainder of the subject property, split-zoned B-7 and R-15, to be exclusively zoned as B-2 (General Business) to allow for a proposed multi-family development.

III. Staff and Planning Board Recommendation:

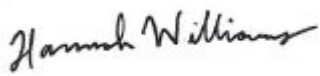
Adoption of the proposed rezoning based on the following consistency statement:

The future land use map identifies the subject property as mixed-use, and is surrounded by medium-density residential and existing low-density residential. The 2045 Comprehensive Plan maintains that multi-family developments are overall appropriate and grades out at the highest level of appropriateness. The mixed-use district also recommends nine or more dwelling units per acre, and the area where this development will occur will exceed that. By changing the zoning designation from R-15 and B-7 to solely B-2, this area would have greater flexibility to achieve these policy concepts and potentially expand beyond just a residential development. Staff finds the proposed re-zoning to be consistent with the goals of the Comprehensive Plan. The change is reasonable and in the public interest because it accommodates future residential development in a convenient and centralized location, which can be better served by city infrastructure when expanded.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director:  _____



Staff Report

Zoning Amendment

CASE NUMBER R #7-25

LOCATION MAP/AERIAL PHOTOGRAPH



Subject
Property

2115 Hickory Blvd
(US-321)

SUMMARY

Owner

Southwood Realty Company

Applicant

Southwood Realty Company

Location

2115 Hickory Blvd. (South of
Civic Center)

NCPINs

2758639922 (remainder)

Project Planners

Hannah Williams, AICP, CZO

Matt Duchan

Updated October 29, 2025

Proposed Amendment:

The applicant is requesting to rezone the subject property, split-zoned B-7 and R-15, to be exclusively zoned as B-2 (General Business) to allow for a proposed multi-family development with the same regulations throughout the site.

Staff Recommendation:

Approval, based on the consistency statement on page 7.

Planning Board Recommendation:

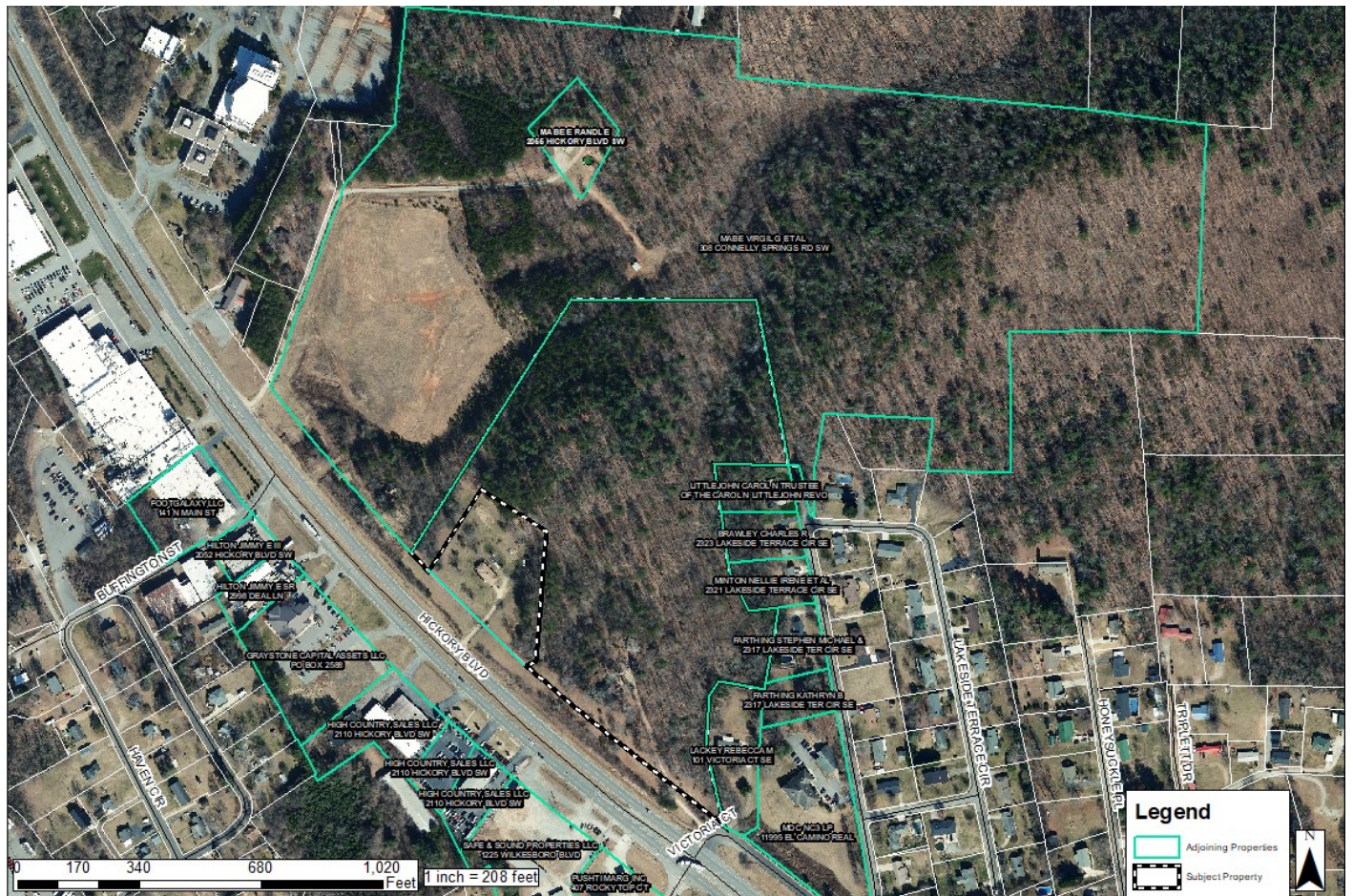
Approval of the request, based on the staff's consistency statement

Public Comment:

Planning Board Meeting: October 13, 2025. Notices were mailed to adjacent property owners on or before October 1, 2025.

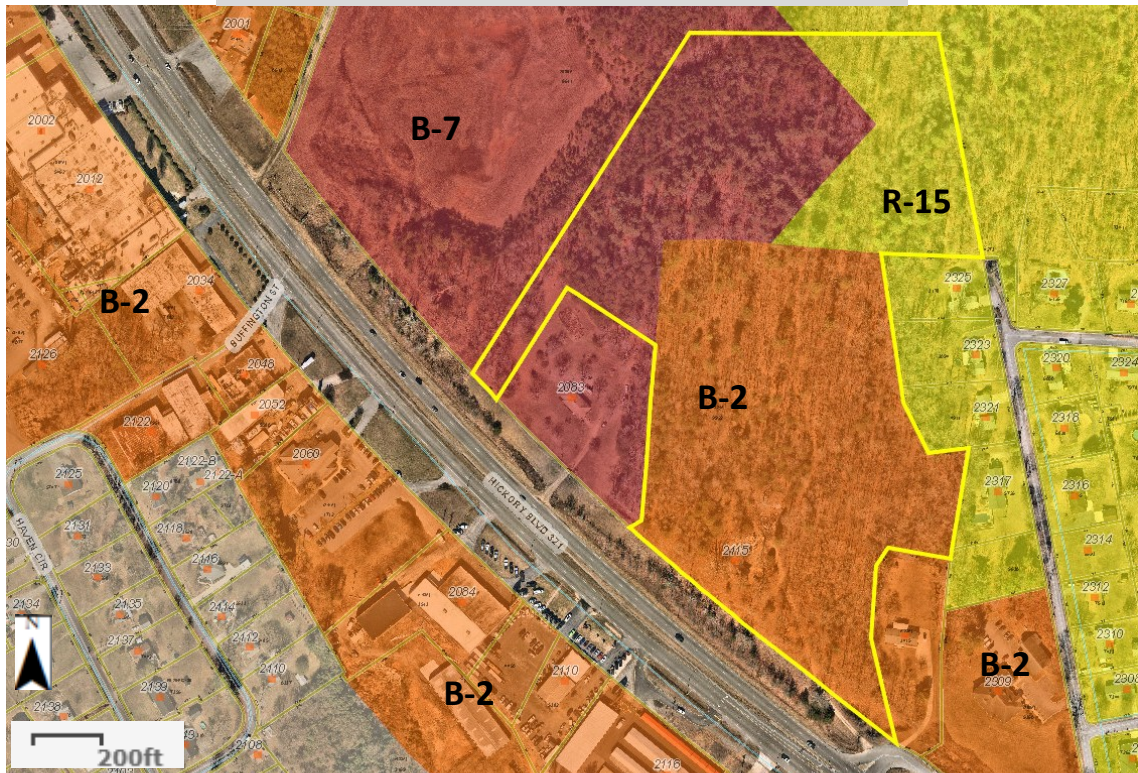
City Council (Public Hearing): Notices were mailed to adjacent property owners on October 22. Scheduled for November 4, 2025.

ABUTTING PROPERTY OWNERS

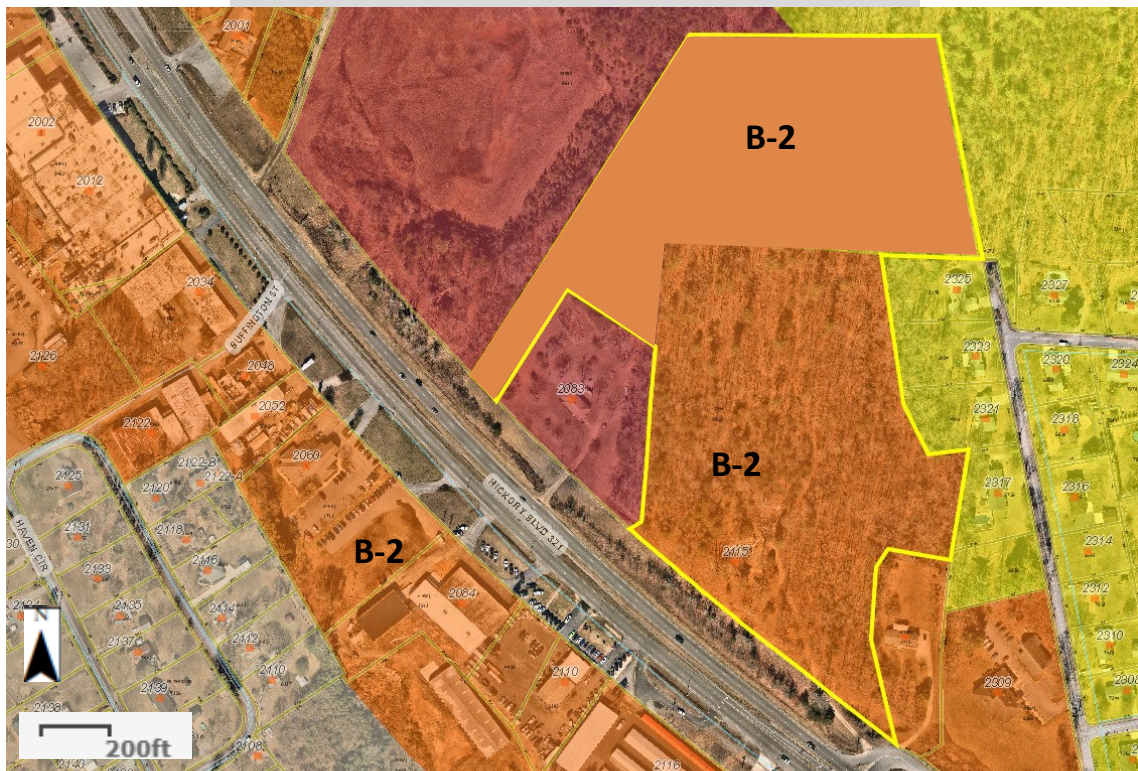


Name	Address	City	State	Zip
Charles & Megan Brawley	2323 LAKESIDE TERRACE CIR SE	LENOIR	NC	28645
Carol Littlejohn & Trustees	2325 LAKESIDE TERRACE CIR SE	LENOIR	NC	28645
Nellie Irene Minton et al	2321 LAKESIDE TERRACE CIR SE	LENOIR	NC	28645
Stephen & Kathryn Farthing	2317 LAKESIDE TER CIR SE	LENOIR	NC	28645
MDC NC3 LP	11995 EL CAMINO REAL	SAN DIEGO	CA	92130
Rebecca Lackey	101 VICTORIA CT SE	LENOIR	NC	28645
Pushti Marg Inc.	407 ROCKY TOP CT	LENOIR	NC	28645
Safe & Sound Properties LLC	1225 WILKESBORO BLVD	LENOIR	NC	28645
High Country Sales LLC	2110 HICKORY BLVD SW	LENOIR	NC	28645
Fred & Margaret Powell	2536 GRANT RD	HUDSON	NC	28638
Virgil Mabe et al	308 CONNELLY SPRINGS RD SW	LENOIR	NC	28645
Graystone Capital Assets LLC	PO BOX 2588	HICKORY	NC	28603
Randle Mabe	2055 HICKORY BLVD SE	LENOIR	NC	28645

Existing Zoning: R-15/B-7



Proposed Zoning: B-2



BACKGROUND AND ANALYSIS

Zoning Map Amendments

The City of Lenoir Zoning Ordinance establishes an official zoning map/atlas for the City of Lenoir. The zoning map may be amended from time to time by the City Council when public necessity, convenience, general welfare, or good zoning practice justifies the amendment. The zoning map cannot be changed until the Planning Board reviews the request and makes a report to City Council on the proposed change and the City Council holds a public hearing to consider the request.

Intent of the Zoning Districts

The R-15 Residential (Single-family) District is intended to accommodate low density single-family residences and compatible land uses. R-15 is normally serviced by public water and sewer facilities. Any uses which would adversely affect or interfere with the residential character and development of these areas are excluded.

The B-7 (Highway Business) District is intended to provide areas along major thoroughfares for development at similar intensities as the General Business district, but in areas less conducive to the accommodation of pedestrian infrastructure and pedestrian-scaled architecture. Performance standards in this district focus on improving highway-adjacent development access, through the development or redevelopment of parcels with interior service roads and consolidated driveway access to help minimize traffic congestion on the state highway system. Sidewalks, landscaping, and architectural design standards of this district are intended to promote the unique character of Lenoir on these highly visible parcels, while maintaining affordability of development in areas that are located further away from the main economic core. The retail and service establishments allowed within this district are intended to serve both local and regional consumers.

The B-2 (General Business) District is intended to provide for a wide variety of retail, service and other activities, controlled by performance standards, at locations along major transportation routes, to serve both local and transient traffic. While generally located in areas that are auto-centric, the General Business zoning district is intended to promote development that equally considers pedestrian traffic, because this district is often located in close proximity to multi-family developments and short-term lodging. This district is designed to accommodate a moderate to high intensity of development along key commercial corridors in the City, with robust design standards to encourage a unique sense of place and promote a multi-modal future with support for transit, bike, and pedestrian infrastructure.

Subject and Surrounding Properties

The subject property is located along Hickory Blvd (US-321), just west of the Victoria Court intersection and is split zoned B-2, B-7, and R-15. The property is 18 acres, a portion of which will be incorporated into the Palisades Apartment Complex. and is currently vacant. This property is generally hilly as you go north and features a creek on the eastern side of the property. While this property abuts a neighborhood, it is generally buffered with mature trees so as to provide adequate separation from adjacent homes. The three homes that run along the northeast side of the parcel are all over 100' from their rear property lines.

Since the previous zoning amendment for the Palisades, the lot lines have been recombined to reflect the development area (See Appendix A on page 10). The properties owned by Virgil Mabe (NCPIN 2758646611) and Fred & Margaret Powell (NCPIN 2758647113) will remain zoned B-7 (see abutting property owners and zoning map on page 2). The Lakeside Terrace neighborhood is just east of the subject property and comprises the majority of adjacent property owners to the south and east. Bumgarner Camping Center is located southeast of the property and Autoworld of Lenoir is southwest of the property, both across 321. The Caldwell County Fairgrounds is around a half-mile south of the site, while the J.E. Broyhill Civic Center is about a half-mile north-west of the subject property.

Reason for Request

Southwood Realty is developing the site for a high-density apartment complex. While the original development entailed 140 units,

BACKGROUND AND ANALYSIS (CONT.)

the company acquired more property to develop 84 more units in a proposed second phase totaling 224 units. See page 11 for a proposed site plan of Phase 1 and 2 of this project. The newly acquired subject property is split-zoned B-2 (General Business), B-7 (Highway Business) and R-15 (Single-family Residential). R-15 only permits single-family homes and accessory dwellings/apartments, while permitted uses in B-2 run the gamut from single-family to high-density residential uses as well as functioning as Lenoir's most flexible commercial district. B-7 zoning was recently amended to clarify that high density multi-family is allowed (ZOA 1-25). However, Southwood Realty desires a single zoning district across phases 1 and 2 of the development. The applicant is interested in maintaining consistent zoning across the development area.

Zoning Analysis

The subject property is located in a peripheral area in the southern part of Lenoir, close to city limits where Lenoir and Hudson meet, and would contribute to an ever-pressing need for greater housing stock. In a sense, this area is centralized to both cities and would function well as a commuter community for local industry professionals, App State (Boone and Hickory campuses), and Caldwell Community College faculty and students. The 2045 Comprehensive Plan maintains that there is a need for housing diversity and calls for more missing middle housing in the City of Lenoir proper.

The R-15 portion of the property precludes any form of multi-family housing or commercial development from being built. The current split-zoning would only serve low-density residential and commercial opportunities in an inconsistent fashion. R-15, unlike B-2, is not flexible or highly permissible beyond single-family housing opportunities, whereas B-2 is considered the city's most flexible zoning district. Functionally, apart from B-2 being the most flexible and diverse zoning district, it also is strategically placed in areas where landowners should develop retail/commercial offerings in close proximity to housing. The Comprehensive Plan recommends that new housing developments become community spaces and are established as mixed-use zoning districts, which falls directly in line with what B-2 seeks to accomplish in many parts of Lenoir.

Prior to the reworking of the ordinance to explicitly allow high density multi-family developments, B-7 was considered as a potential solution to address low-density commercial areas with fewer design standards. This site can theoretically accommodate up to 360 multi-family dwelling units, but further analysis would need to be conducted to confirm that. At 202 units, the development is proposed to be around 11 dwelling units per acre.

The Lakeside Terrace neighborhood adjacent to the property will have little to no impacts from this rezoning, since the development will not share roads or access. There is a mature tree line on the subject property that provides a natural buffer between the two properties. That, along with hilly topography and the bank of the creek also provide adequate separation between future development on this tract and the neighborhood, so there are few if any possibilities of interaction.

One of the five guiding principles of the 2045 Comprehensive Plan is to expand housing options. There is limited housing stock in Lenoir, a lot of which is older, single-family homes that are increasingly unaffordable to current and potential residents. Multi-family housing addresses that concern and provides young families, young professionals, empty nesters, and the elderly with more reasonable offerings. B-2 is a viable zoning district along 321, providing flexible uses along a major transportation corridor.

The proposed development would address the need for greater, denser housing stock in Lenoir, especially to serve growing industry in Lenoir, Caldwell County, and the greater Unifour area. Southwood Realty has carried out several developments in western North Carolina with the vast majority of their developments breaking ground in Gastonia where their headquarters is located.

BACKGROUND AND ANALYSIS

Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and special uses for each zoning district. The current zoning district is intended essentially only for single-family housing, while the proposed zoning district permits a variety of housing types as well as commercial uses. The R-15 zoning district allows for single-family, while the B-2 and B-7 zoning districts allow for a mix of residential uses at all density levels, as well as a variety of commercial uses.

Comparison of Zoning Districts

	R-15	B-7	B-2
Development Standards	Min Lot Size– 15,000 SF	Min Lot Size - N/A	Min Lot Size - N/A
	Setbacks	Setbacks	Setbacks
	Front: 40'	Front: 50'	Front: 10'
	Side Yard: 15'	Side Yard: 10'	Side Yard: 0'
	Street Side Yard: 25'	Street Side Yard: 10'	Street Side Yard: 0'
	Minimum Rear Yard: 35'	Minimum Rear Yard: 10'	Minimum Rear Yard: 20'
Summary of Permitted Uses	Accessory Cottage or Apartment Dwelling, single family detached **For special uses see Section 600, Table A in Lenoir Zoning Ordinance**	Accessory Cottage or Apartment Bed & Breakfast Cultural and Community Facilities Commercial Kennels Day Care Centers Dwelling, Single/Two-Family/Multi-family (medium and high density)/Group Eating and drinking (w/ & w/o drive-thru) Greenhouses Hospitals/Clinics Hotels/Motels Manufacturing & Processing: Boutique/Artisan/Light Night Clubs Office (medical/dental) Recreation (outdoor/indoor) Retailing (light/intensive) Services (automotive/business and personal) Shooting Range Studios and Specialty Schools Veterinarians Warehousing	Accessory Cottage or Apartment Attached Dwellings (townhomes) Bed & Breakfast Dwelling, Single/Two-Family/Multi-family (medium and high density)/Group Billiards and Pool Halls Day Care Centers Cultural and Community Facilities Commercial Kennels Eating and Drinking (w/ & w/o drive-thru) Greenhouses Hospitals/Clinics Hotels/Motels Manufacturing & Processing: Boutique/Artisan/Light Night Clubs Office (medical/dental) Recreation (outdoor/indoor) Retailing (light/intensive) Services (automotive/business and personal) Shooting Range Studios and Specialty Schools Veterinarians Warehousing

STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Consistency with the Comprehensive Plan

When adopting or rejecting any zoning amendment, City Council must adopt a brief statement describing whether or not the action is consistent with the City's Comprehensive Plan, in accordance with G.S. 160D-605(a), and must also address the reasonableness of any proposed map amendments. Staff offers the following draft statement on the consistency and reasonableness of the request.

The future land use map identifies the subject property as mixed-use, and is surrounded by medium-density residential and existing low-density residential. The 2045 Comprehensive Plan maintains that multi-family developments are overall appropriate and grades out at the highest level of appropriateness. The mixed-use district also recommends nine or more dwelling units per acre, and the area where this development will occur will exceed that. By changing the zoning designation from R-15 and B-7 to solely B-2, this area would have greater flexibility to achieve these policy concepts and potentially expand beyond just a residential development. Staff finds the proposed re-zoning to be consistent with the goals of the Comprehensive Plan. The change is reasonable and in the public interest because it accommodates future residential development in a convenient and centralized location, which can be better served by city infrastructure when expanded.

PLANNING BOARD RECOMMENDATIONS

Planning Board recommends approval based upon the above consistency statement.

SITE PHOTO



SITE PHOTOS



Northern portion of site, 2083 Hickory Blvd property (pictured) not included)



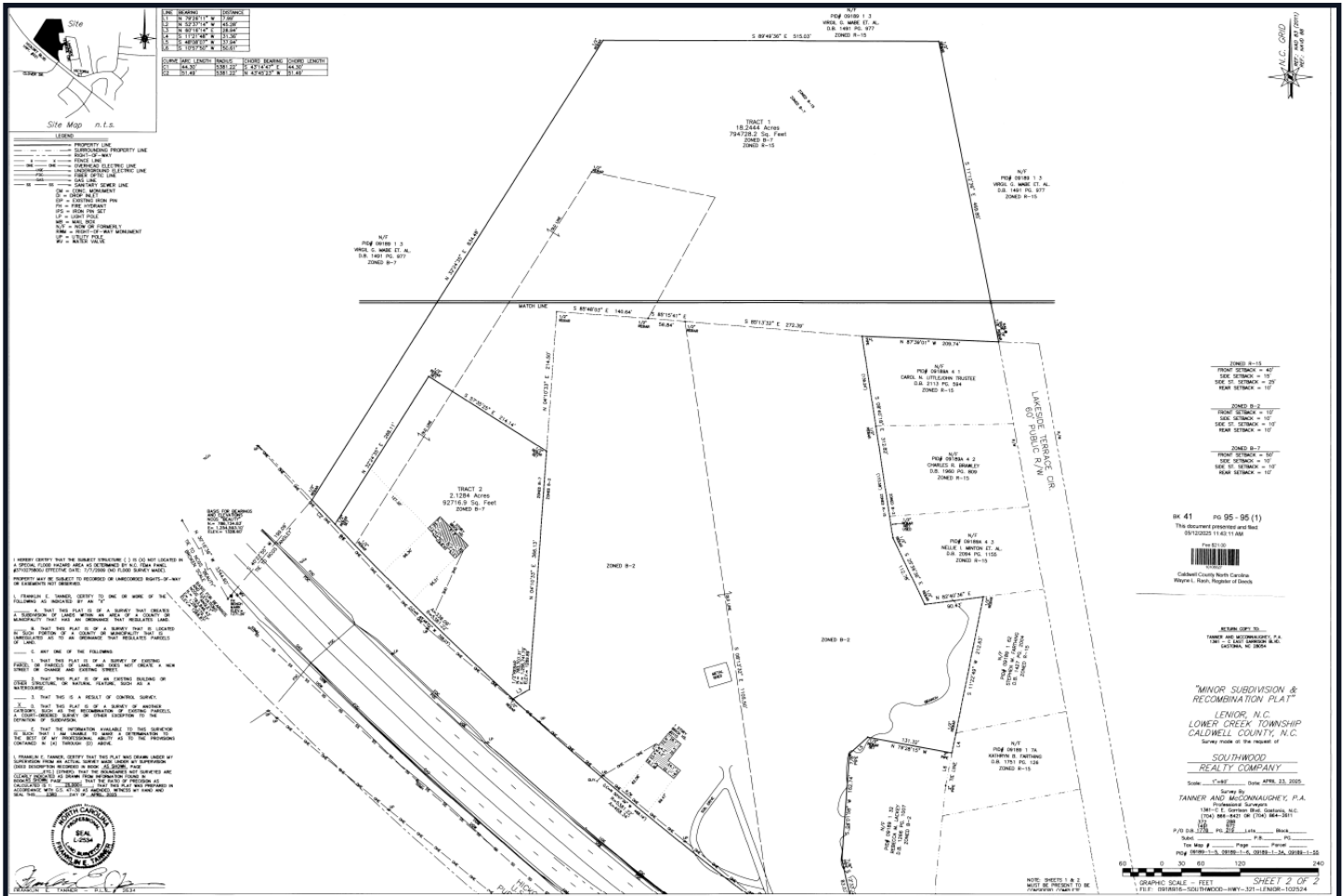
View of central site from 321



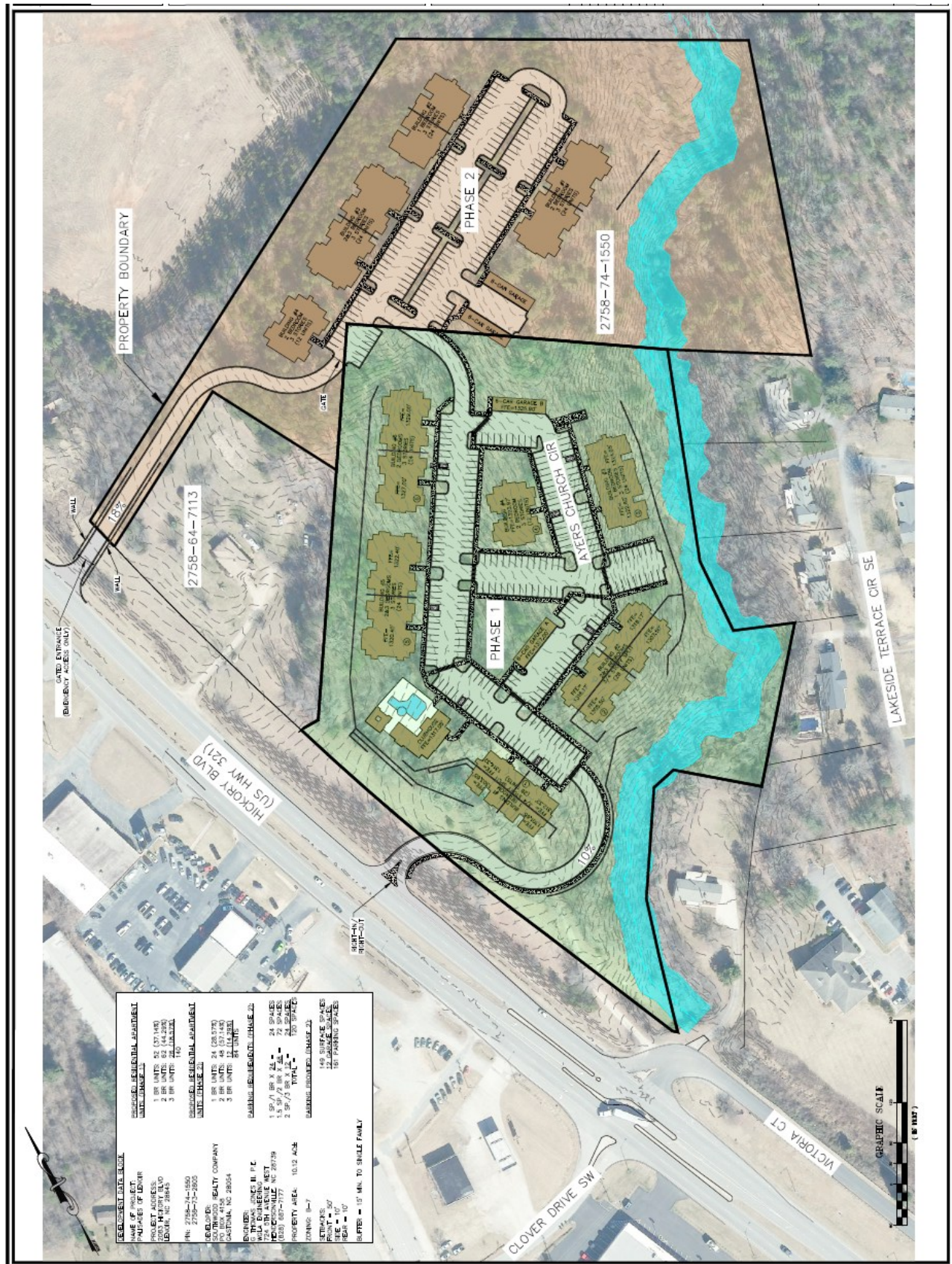
View of central and northern portion of site from 321



Southern portion of site visible from 321 facing Victoria Ct. and Lakeside Terrace Dr.



PROPOSED SITE PLAN



CITY OF LENOIR
COUNCIL ACTION FORM
November 4, 2025

I. Agenda Item:

Public hearing for ZOA 2-25: Ordinance Amendment regarding side and rear setbacks on historical lots (recorded before 1979).

II. Background Information:

There are over 1200 lots below minimum lot size within Lenoir's city limits, many of which pre-date modern zoning standards and may have legally nonconforming status due to lot size and setback encroachments. Dense lots in historic Lenoir neighborhoods such as Kentwood, West End, Freedman, and Lerinco would be granted rear and side yard setbacks proportionate to the size of the lot.

For example, if a 10,000 square foot lot is required and the lot is 7,500 square feet, a 25 percent reduction to side and rear setbacks is allowed.

This ordinance amendment identifies what properties are affected and how zoning standards would change for those properties Ordinance is attached.

III. Staff & Planning Board Recommendation:

Adoption of the attached ordinance along with the following consistency statement.

The proposed zoning amendment is consistent with the housing policy concepts in the 2045 Comprehensive Plan, encouraging equity and a well-rounded approach to housing where property owners are able to develop and restore the older housing stock in Lenoir. The 2045 plan recommends that Staff updates zoning regulations to allow for detached housing on smaller lots while maintaining balance with larger lots on the periphery. This zoning amendment is compatible with the goal of establishing neighborhood compatibility. Some neighborhoods with non-conforming lots have distinct neighborhood character, scale, and form. Updating the ordinance with this amendment would promote the maintenance of these neighborhoods and improve upon the character of other neighborhoods with lots that would be otherwise limited in improvement efforts.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Hannah Williams

Planning Director: _____

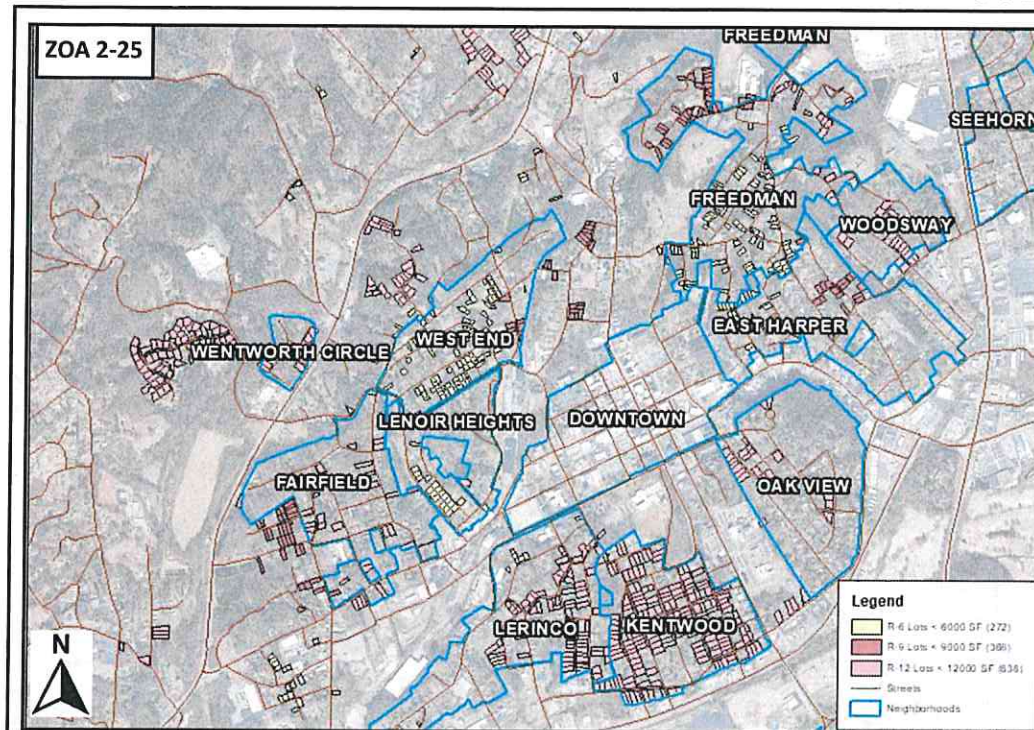
Staff Report

ZONING ORDINANCE AMENDMENT REQUEST

CASE NUMBER ZOA #2-25



AERIAL OF LOTS BELOW MINIMUM LOT SIZE



Ordinance amendment would affect future development prospects on over 1200 lots.

Note: Map does not encompass all lots below minimum lot size.

SUMMARY

Owner

N/A

Applicant

Richard Meadlock

Location

Citywide

NC PIN

Citywide

Project Planners

Hannah Williams, AICP, CZO

Matt Duchan

Updated October 21, 2025

Applicant's Request:

The applicant is requesting a text amendment to allow non-conforming lots created prior to Lenoir Zoning Ordinance (1979) to have rear and side yard setbacks proportionate to the size of the lot.

Staff Recommendation:

Approval of the proposed amendment process outlined in this staff report.

Planning Board Recommendation:

Approval of the proposed amendment, based upon the consistency statement provided by staff on page 5.

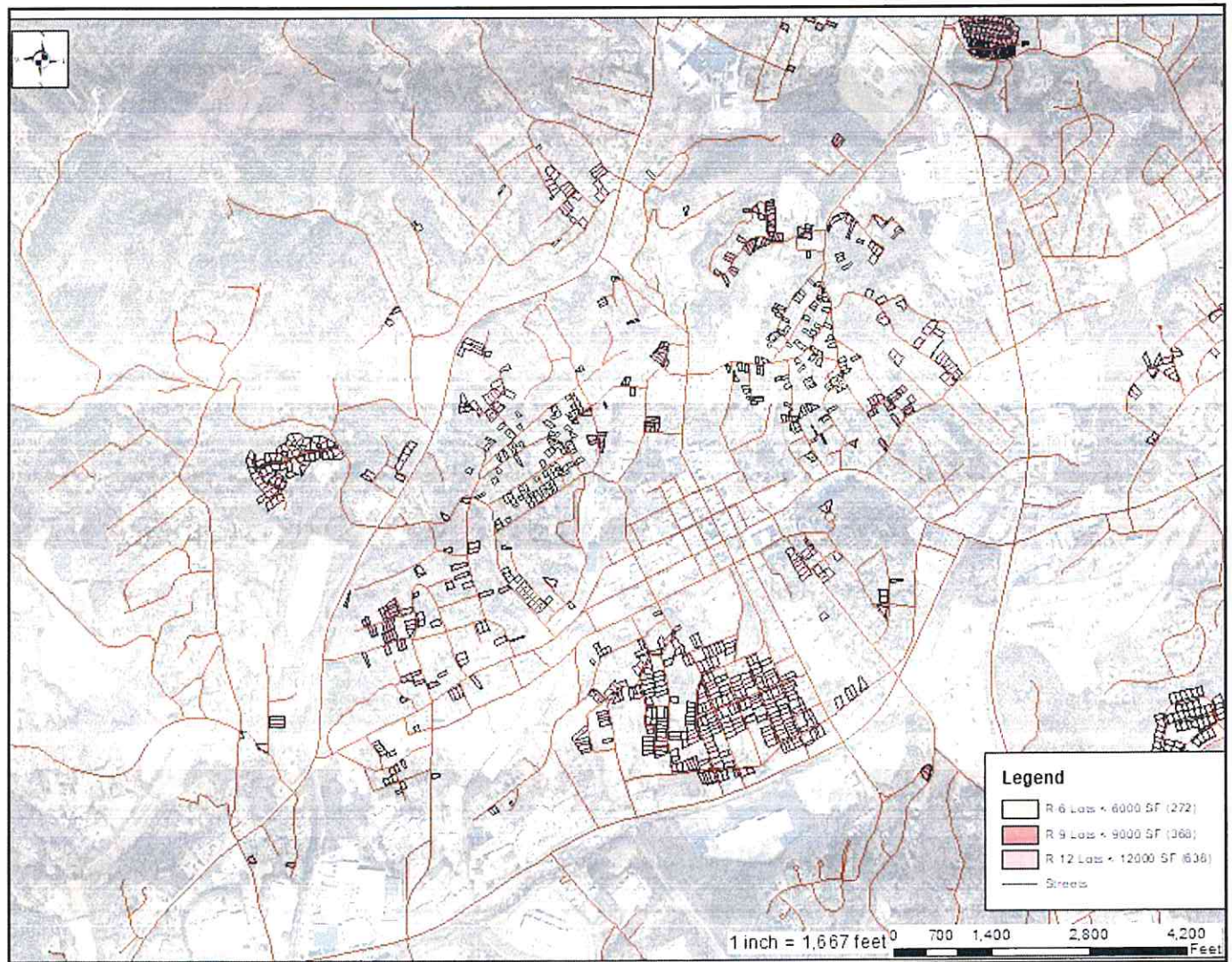
Public Comment:

Planning Board Meeting: October 13, 2025.

City Council (Public Hearing): Scheduled for November 4, 2025.

LOTS BELOW MINIMUM LOT SIZE IN CITY LIMITS

There are 1,268 lots below minimum lot size within Lenoir's city limits. Many lots were established prior to the passing of the Lenoir Zoning Ordinance, and may have legally nonconforming status due to lot size and setback encroachments.



BACKGROUND AND ANALYSIS

Intent of Zoning Amendments

Zoning amendments are an essential component of planning and community development. Without the ability to amend zoning code, rules and regulations would remain static throughout history without policymakers and decision makers having the power to recommend and contribute to growth and change. Zoning amendments can be initiated by planning staff, the Planning Board, City Council, or a property owner (or someone financially influenced by the property (or properties) in question).

Through the zoning amendment process, stakeholders are afforded the right to make reasonable and suitable changes to their properties. These properties are governed by the Lenoir Zoning Ordinance within the confines of recommendations of the Comprehensive Plan as well as reasonable, suitable, or pragmatic planning practices where appropriate.

Citywide Amendment

The properties affected by the proposed ordinance amendment are located in all areas of Lenoir. Some of the neighborhoods where the amendment would have the greatest effect are in historic neighborhoods, including Kentwood Park, West End, Lerinco, and Freedman. Several other neighborhoods that have small lot sizes are planned unit developments (PUDs), so while they may be under minimum lot size, the PUD approval process provides different zoning regulations such as setback reductions, stormwater and built-upon area requirements, and areas of dedicated open space. Older neighborhoods are those that would be most likely to benefit from this amendment given that many of those properties pre-date zoning standards that were implemented in the late 1970s. See pages 6 through 8 for maps of historic neighborhoods with undersized lots.

Proposed Amendments

The proposed amendment text is as follows:

Non-conforming lots below the minimum lot size, recorded prior to 1979 may be granted rear and side yard setbacks proportionate to the size of the lot. For example, if a 10,000 square foot lot is required and the lot is 7,500 square feet, a 25 percent reduction to side and rear setbacks is allowed.

The amendment to the ordinance would entail evaluating lots below minimum lot size and identifying the percentage a lot is below minimum lot size and adjusting rear and side setbacks accordingly.

Section 506 of the Zoning Code states that "no yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance." Effectively, this amendment would further prevent that possibility given that any standalone lots already under minimum lot size would have the opportunity to meet these new setback standards provided that a permit application or survey for review is submitted.

Reason for Request

The applicant added an awning to the side door of his home to provide a covered entry. The awning encroaches into the side setback by three feet. The required setback is 10 feet. Under the proposed text amendment, a 7-foot setback would apply and considered as conforming to the code.

BACKGROUND AND ANALYSIS (CONT.)

Setback Variances Common

Some of the most common hurdles the Planning Department comes across in terms of site development on historic lots are required setbacks. Setback variances are the most common variances. The purchase and knowledge of a non-conforming lot does not make a hardship self-created. In the case of the most recent variance approval at 530-A Wheeler Street, the lot in question was around 3700 square feet and the applicant was planning to build a duplex, and under standard zoning regulations the buildable area was around 250 square feet. With this proposed amendment in place, setbacks would be reduced to 10 feet on front and rear setbacks and 5 feet on the side. The variance reduced front, rear, and side setbacks all to 10 feet. The proposed amendment could effectively help to reduce variance requests.



Original Building Envelope
Before Variance 1-25 at 530A Wheeler Street



Approved Building Envelope
Variance 1-25 at 530A Wheeler Street

Section 710—Special Front Yard Requirements in Developed Areas

Section 710 was established to assist built-upon lots with front yard setbacks where it would otherwise be impossible. The code reads as follows: "The front yard requirements of this ordinance shall not apply to any lot where the average front yard on already built upon lots located wholly or in part within one hundred (100) feet on each side of such lot and within the same block and zoning district and fronting on the same street as such lot, is less than the minimum, but not less than the average of the existing setbacks on the developed lots; provided however, the front yard on such lot shall not be less than one half of the required front yard."

This section demonstrates flexibility on historic lots in established neighborhoods, much like those eligible for the proposed amendment. Allowing side and rear setback reductions, exempting older, small properties from by-right zoning restrictions, is a natural next step towards equity in planning in the City of Lenoir.

CONSISTENCY STATEMENT/STAFF RECOMMENDATIONS

Consistency with the Comprehensive Plan/Reasonableness of Amendment

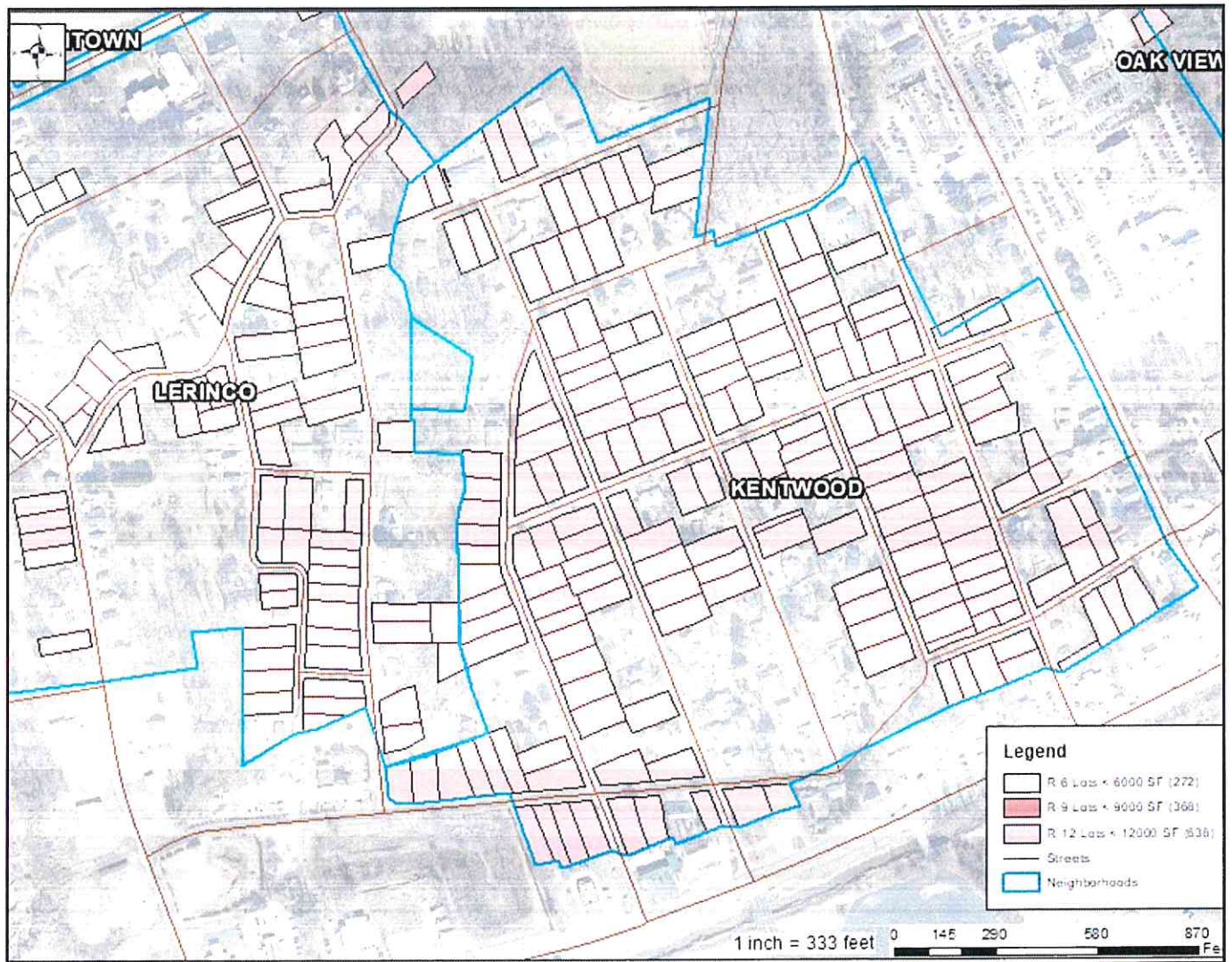
When adopting or rejecting any zoning amendment, City Council must adopt a brief statement describing whether or not the action is consistent with the City's Comprehensive Plan, in accordance with G.S. 160D-605(a), and must also address the reasonableness of any proposed map amendments. Staff offers the following draft statement on the consistency and reasonableness of the request.

The proposed zoning amendment is consistent with the housing policy concepts in the 2045 Comprehensive Plan, encouraging equity and a well-rounded approach to housing where property owners are able to develop and restore the older housing stock in Lenoir. The 2045 plan recommends that Staff updates zoning regulations to allow for detached housing on smaller lots while maintaining balance with larger lots on the periphery. This zoning amendment is compatible with the goal of establishing neighborhood compatibility. Some neighborhoods with non-conforming lots have distinct neighborhood character, scale, and form. Updating the ordinance with this amendment would promote the maintenance of these neighborhoods and improve upon the character of other neighborhoods with lots that would be otherwise limited in improvement efforts.

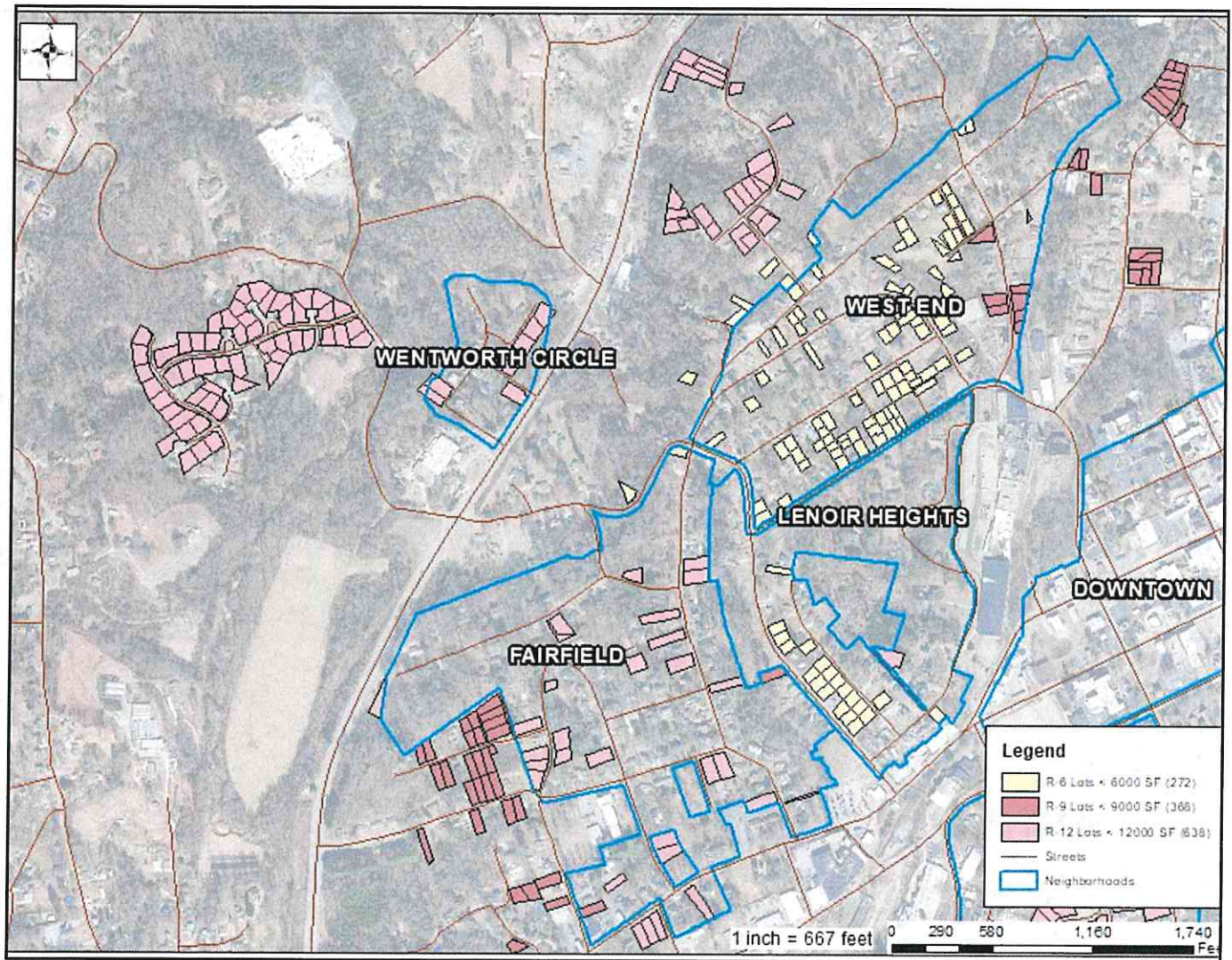
PLANNING BOARD RECOMMENDATIONS

Planning Board recommends approval of the zoning ordinance amendment and adopts the consistency statement above.

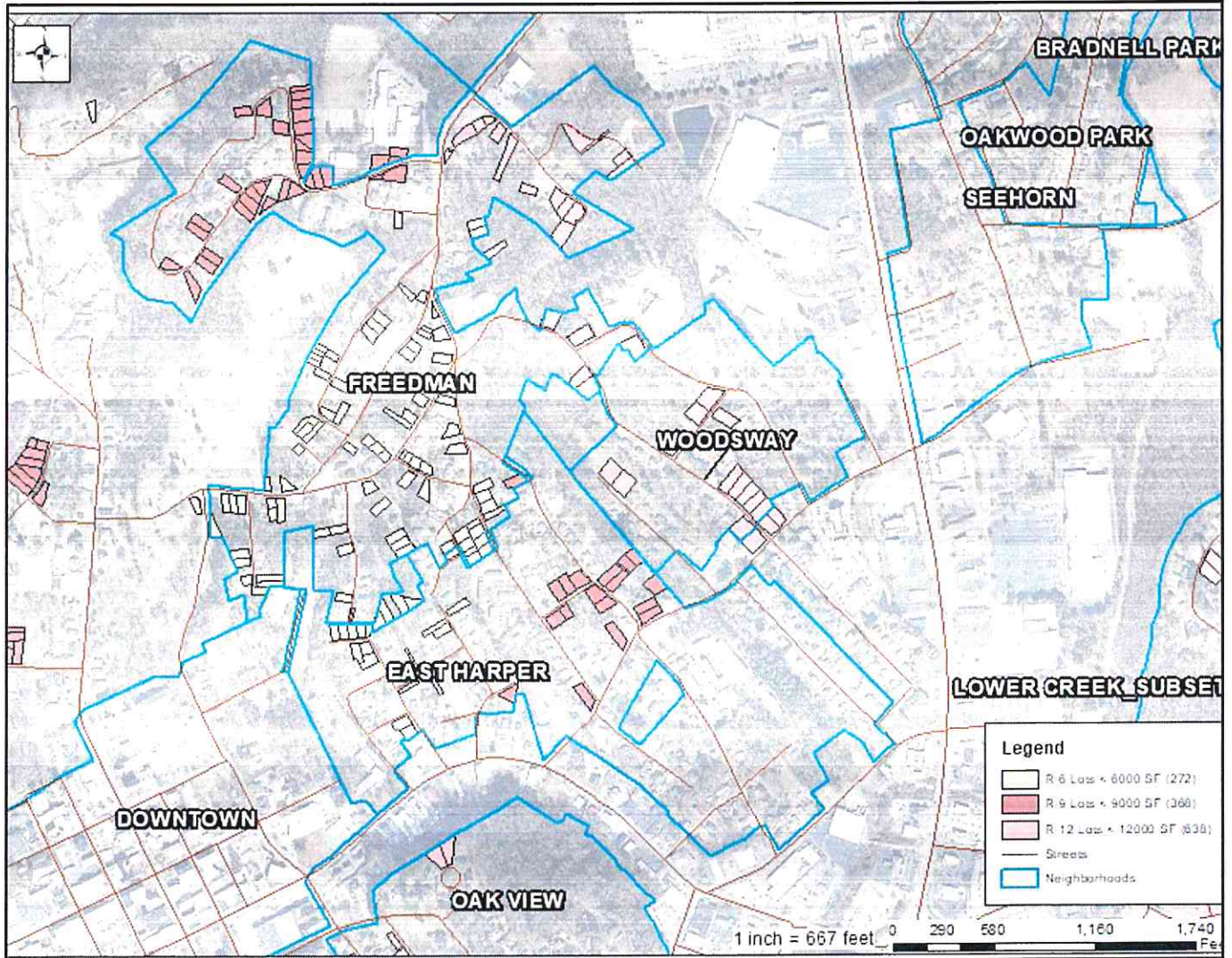
LERINCO & KENTWOOD



WEST LENOIR NEIGHBORHOODS



NEIGHBORHOODS NORTH OF DOWNTOWN



AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, AMENDING APPENDIX A OF THE CITY OF LENOIR CODE OF ORDINANCES RELATED TO SETBACK REDUCTIONS PROPORTIONAL TO LOT SIZE PROVIDING FOR CODIFICATION, AND AN EFFECTIVE DATE.

Whereas, the Lenoir Zoning Ordinance establishes setbacks which provide minimum distances between structures and boundary lines in order to ensure safety, maintain privacy, ensure visual order; and

Whereas, applying the full setback regulations on lots that do not meet the zoning district minimum lot size can reduce buildable area, preventing upgrades to existing housing stock; and

Whereas, the proposed amendment introduces a proportional setback standard that scales requirements to historic lot size, promoting flexibility while maintaining the character and function of established neighborhoods; and

Whereas, the Lenoir Planning Board and City Council find that this amendment supports compact, efficient land use and encourages reinvestment in existing developed areas and is consistent with the goals of the City's Comprehensive Plan to promote housing diversity, equitable development standards, and sustainable growth patterns; and

NOW, THEREFORE, LET IT BE ENACTED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. Appendix A, Article VII, of the Code of Ordinances, City of Lenoir, North Carolina, is hereby amended to read as follows:

710 Setback Exceptions - A modification of the minimum required yard or setback is permitted under the following specific conditions:

710.1 Special Front Yard Requirements in Developed Areas - The front yard requirements of this ordinance shall not apply to any lot where the average front yard on already built upon lots located wholly or in part within one hundred (100) feet on each side of such lot and within the same block and zoning district and fronting on the same

street as such lot, is less than the minimum, but not less than the average of the existing setbacks on the developed lots; provided however, the front yard on such lot shall not be less than one half of the required front yard.

710.2 Rear and Side Yard Encroachments – Lots of record established prior to 1979 that do not meet the minimum lot size may be granted reduced rear and side yard setbacks proportionate to the size of the lot. For example, where a 10,000 square foot lot is required and the lot contains 7,500 square feet, a 25 percent reduction to side and rear setbacks is allowed.

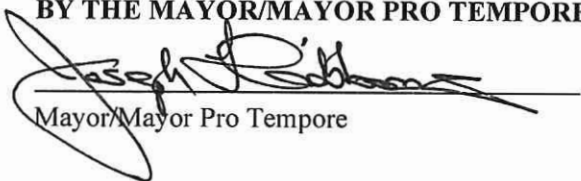
SECTION 2. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 3. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this 23 day of ~~October~~ and this 30 day of ~~October~~, 2025.

DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 4th day of November, 2025.

BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:


Mayor/Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:


City Clerk

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