TOWN OF BROADWAY PLANNING BOARD

SPECIAL CALLED MEETING

Monday, November 9, 2026, 6:00 PM

Sanford Municipal Center, 225 E. Weatherspoon Street, Sanford, NC 27330

CALL TO ORDER – 6:00 PM

Introduction by Chairman: The Town of Broadway Planning Board is an advisory council on matters relating to land development & long-range planning and provides recommendations to the Town of Broadway Board of Commissioners. The recommendation made this evening will be presented to the Town of Broadway Board of Commissioners for consideration at their regularly scheduled meeting on Monday, November 23, 2026 at 6:00pm in the Commissioners Chambers of the Broadway Town Hall at 103 N. Main Street, Broadway, NC 27505. Action may or may not be taken at that time per the discretion of the Commissioners.

A. APPROVAL OF AGENDA
B. APPROVAL OF MINUTES – *None*
C. DISCLOSURE OF CONFLICT OF INTEREST
D. OLD BUSINESS - *None*
E. NEW BUSINESS
PUBLIC HEARING TO CONSIDER ITEM 1:

1. UDO TEXT AMENDMENT; PB ITEM 2026-1101
   Staff-initiated UDO text amendment to re-adopt the current the Sanford/Lee County/Broadway Unified Development Ordinance (UDO) with no changes to its text, but to include a broad statement of consistency with the current comprehensive land use plan, the *Plan SanLee*. This is a corrective measure to ensure compliance with NCGS §160D-605(a) and UDO §3.3.6.2, both of which require a vote of consistency or inconsistency with the adopted Comprehensive Plan for all UDO text amendments.

F. OTHER BUSINESS - *None*
G. REPORTS – *None*
H. ADJOURNMENT

This is general information provided by the Lee County Attorney for inclusion in the Lee County Planning Board agenda packet as a reference for board members as of 2022-04-18. Staff has added this information to the agenda packets for the Planning Board and Board of Adjustment for Sanford and Broadway also.

Conflict of Interest Policy Related to Land Use Decisions

Pursuant to North Carolina General Statutes 160D-1-9, the following conflict of interest policies will apply to all land use decisions coming before staff, appointed boards or the governing boards as follows:

For Governing Board Members – *Town of Broadway Board of Commissioners*
A Town of Broadway Board of Commissioners member shall not vote on any legislative decision regarding a development regulation adopted pursuant to Chapter 160D, where the matter being considered is reasonably likely to have a direct, substantial, and reading identifiable financial impact on the member. A Commissioner shall also not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business or other associational relationship.

For Appointed Board Members – *Broadway Planning Board & Board of Adjustment*
Members of the appointed boards shall not vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial and readily identifiable financial impact on the member. Further, an appointed board member shall not vote on any zoning amendment of the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. A close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

For members of any board exercising quasi-judicial functions, the member shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex-parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

For Administrative Staff – *Sanford/Lee County Community Development Department Staff*
No staff member shall make a final decision on an administrative decision if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. A close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. If a staff member has a conflict of interest, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under the UDO unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.

Town of Broadway
Planning Board
Public Hearing Information
Zoning Text Amendment
Monday, November 9th, 2026

Zoning Text Amendment, Planning Board Case 2026-1101

SUMMARY

Upon a review of the Community Development Department's process by which UDO text amendments have been presented to and voted on by the Governing Boards, it has been determined that staff has not completely followed the prescribed review and approval methods required by state statute and the Unified Development Ordinance. NCGS §160D-605(a) states that *"when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan*." Furthermore, UDO §3.3.6.2 states that *"In accordance with NCGS §160D-605, the decision of the Governing Body shall include a statement that addresses: (a) the consistency/inconsistency of the petition with the Comprehensive Plan, (b) why the Board considers the petition to be reasonable/unreasonable, and (c) why the Board considers the petition to be in the public interest/not in the public interest."*

REQUEST

This is a staff-initiated text amendment to readopt the Sanford/Lee County/Broadway Unified Development Ordinance in its entirely with an eventual vote by the Governing Boards regarding a statement of consistency with the Comprehensive Plan (the *Plan SanLee*). This is a corrective measure to ensure compliance with state law, and shall include each article and appendix listed below without changes to any text or maps:

- **Article 1** General Provisions
- **Article 2** Administrative Agencies
- **Article 3** Zoning and Permitting Procedures
- **Article 4** Zoning District Regulations
- **Article 5** Supplemental Development Standards
- **Article 6** Subdivision Regulations
- **Article 7** Landscaping and Buffering Standards
- **Article 8** Off-Street Parking and Private Driveway Standards
- **Article 9** Environmental Control Regulations
- **Article 10** Site Design Standards
- **Article 11** Sign Regulations
- **Article 12** Nonconformities and Vested Rights
- **Article 13** Flood Hazard Area Regulations
- **Appendix A** Definitions
- **Appendix B** Specifications for Forms to be Submitted
- **Appendix C** Acceptable Plant Species

PLAN SANLEE

The *Plan SanLee* land use plan sets forth the "blueprint" for the future development of the City of Sanford, Lee County, and the Town of Broadway. It was adopted by Sanford, Lee County, and Broadway in 2018 and is the vision of what the community wants to become & the steps needed to realize that vision.

The plan identifies broad strategic land use objectives to guide growth and support sustainable land development patterns. These stated objectives are:

1) direct growth towards areas with existing infrastructure capacity;
2) promote the utilization of un- and under-developed land within urbanized areas;
3) promote reinvestment and redevelopment of legacy commercial corridors and business districts;
4) preserve and protect the character of existing residential neighborhoods, historic districts, and similar community assets;
5) enhance functionality of the local and regional transportation network by aligning land use patterns with existing and planned capacity of the region's streets and highways
6) promote the long-term sustainability of Lee County's rich rural and agricultural heritage by directing growth away from productive farming areas and concentrating development in the urbanized portions of the county;
7) protect and preserve the environmental quality of the county through reasonable environmental regulations and context sensitive development standards;
8) ensure that intensive/extractive industries are sited, developed, and operated in a manner that does not negatively impact adjacent or nearby areas;
9) preserve and protect lands designated for economic development and employment generating activities, such as industrial parks, from encroachment by incompatible land uses
10) adopt and implement land use regulations that support development patterns that are consistent with the overall strategic objectives of the plan and conform to the land use vision promoted by the plan

SAMPLE MOTIONS

The Town of Broadway Planning Board shall provide a written recommendation to the Town of Broadway Board of Commissioners that addresses plan consistency and other matters as deemed appropriate. Sample motions are provided based on information in the *Plan SanLee* land-use plan. The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #1: APPROVE A STATEMENT ON CONSISTENCY WITH THE *PLAN SANLEE* AS IT RELATES TO THIS ZONING TEXT AMENDMENT:

Motion Option 1: *"I make a motion that the proposed zoning text amendment **IS** consistent with the Plan SanLee comprehensive plan, as it is an all-encompassing effort to regulate growth and development within our community and the standards within the UDO are used to achieve the ten stated objectives of our long-range land use plan as more particularly described in the Town of Broadway Planning Board consistency statement, approved, adopted and incorporated herein."*

Motion Option 2: *"I make a motion that the proposed zoning text amendment **IS NOT** consistent with the Plan SanLee comprehensive plan because…(board member to provide rationale)."*

Motion Option 3 (*Unique motion*): The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #2: TO RECOMMEND THAT THE TOWN OF BROADWAY BOARD OF COMMISSIONERS APPROVE OR DENY THE ZONING TEXT AMENDMENT:

Motion Option 1: *"I make a motion that the Town of Broadway Planning Board recommend that the Town of Broadway Board of Commissioners **APPROVE** the proposed zoning text amendment to readopt our UDO with no text changes or changes to the maps so that we may bring our previous text amendments into compliance with comprehensive plan consistency requirements prescribed by state law because the UDO is consistent with the Plan SanLee, is reasonable and is in the public interest for the reasons further described in the Town of Broadway Planning Board consistency statement, approved, adopted and incorporated herein.*

Motion Option 2: *"I make a motion that the Town of Broadway Planning Board recommend the Town of Broadway Board of Commissioners **DENY** the proposed zoning text amendment to readopt our UDO with no text changes because…(board member to provide rationale)."*

Motion Option 3 (*Unique motion*): The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

Town of Broadway Planning Board
Land Use Plan Consistency Statement
Readoption of Unified Development Ordinance

After deliberation and discussion, the Town of Broadway Planning Board finds that:

The proposed Unified Development Ordinance is **consistent** with all the land use objectives adopted in Broadway's comprehensive plan, Plan SanLee, further described as follows:

- It is consistent with Objective 1: Direct growth and development activity towards those areas which have existing or planned infrastructure capacity to support the nature and intensity of the proposed land uses by designating permitted uses by zoning matrix.
- It is consistent with Objective 2: Promote the full utilization of undeveloped and underdeveloped land resources within urbanized areas that have access to existing infrastructure by establishing zoning district regulations for designated defined districts with specific standards for each district.
- It is consistent with Objective 3: Enhance the aesthetic character of legacy commercial corridors and business districts by promoting reinvestment, redevelopment and retrofitting that matches the urban form and quality standards promoted by the land use plan for these prominent community assets by providing specific buffers, setbacks, signage requirements and design standards for zoning districts tailored to the specific zoning community and by including design standards for Commercial Development along thoroughfares and freeways
- It is consistent with Objective 4: Preserve and protect the character of existing neighborhoods, historic districts, and similar community assets from encroachment by incompatible development while promoting ongoing investment around such areas by requiring Special Use Permits for specific land uses and by requiring specific buffers, setbacks, signage requirements and design standards based upon zoning districts and by including a Historic Preservation Overlay District, Village Neighborhood District and Manufactured Home Overlay District with specific standards.
- It is consistent with Objective 5: Enhance the functionality of the local and regional transportation network by aligning land use patterns with the existing and planned capacity of the region's streets and highways, promoting connectivity and developing in a manner that encourages alternative modes of transportation by ensuring all roads are developed to NC DOT standards with lot and street design standards for subdivisions and by including an Airport Overlay District and zoning requirements for Light and Heavy Industrial districts with specific standards.
- It is consistent with Objective 6: Promote the long-term sustainability of Lee County's rich rural and agricultural heritage by directing growth away from productive farming areas and concentrating development in the urbanized portions of the county by maintaining standards for lower density lot sizes in Residential Agricultural districts and by providing additional standards for a Special Use Permit or enhanced standards for certain uses in Residential Agricultural districts.
- It is consistent with Objective 7: Protect and preserve the environmental quality of the county through reasonable environmental regulations and context sensitive development standards to prevent negative effects of development on flood plains, surface water, ground water, air quality, forest, wetlands, and wildlife habitat by including standards in its Environmental Control Regulations, Watershed Conservation Overlay District, Mining Special Overlay District, erosion control standards, and Flood Hazard Area regulations.

- It is consistent with Objective 8: Ensure that intensive/extractive industries are sited, developed and operated in a manner that does not negatively impact adjacent or nearby areas containing lower intensity land uses by including zoning requirements for Light and Heavy Industrial districts with specific standards, including the option for Conditional Zoning, with design standards, buffer and landscape requirements and a Mining Special Overlay District and Airport Overlay District.
- It is consistent with Objective 9: Preserve and protect lands designated for economic development and employment generating activities such as industrial parks, from encroachment by incompatible land uses by including specific zoning requirements for Light and Heavy Industrial districts with specific standards, including the option for Conditional Zoning, and by including design standards for Commercial Development along thoroughfares and freeways.
- It is consistent with Objective 10: Adopt and implement land use regulations that support development patterns that are consistent with the overall strategic objectives of the plan and conform to the land use vision promoted by the plan by maintaining a land use matrix that supports the vision of the plan and by adding standards for new uses that are in harmony with the plan.

The Unified Development Ordinance consolidates and adopts all provisions of Broadway's existing rules concerning land use and development regulations, which further all of the Plan SanLee's goals listed above.

The proposed Unified Development Ordinance is reasonable and in the public interest because:

a. It does not make any changes to the text or maps of the existing Unified Development Ordinance, but is readopted with the same existing text and maps to address a procedural requirement of Chapter 160D of the North Carolina General Statutes. The adoption of the Unified Development Ordinance will not change what is currently permissible or not permissible. The text has been reviewed and found to be reasonable in scope and application and does not change any existing zoning districts or standards.
b. It supports the Plan SanLee and provides guidance to all landowners, businesses, developers, neighbors and citizens of the Town of Broadway for land use and development.
c. Having a Unified Development Ordinance is in the public interest because it provides legal guidance and protection for all citizens by providing guidelines, rules and procedures for enforcement.
d. Having a Unified Development Ordinance is reasonable and in the public interest because it promotes residential and commercial development in a safe and orderly manner considering the strategies and policy of Plan SanLee.

Therefore, the Town of Broadway Planning Board finds the readoption of the Unified Development Ordinance is **consistent** with Town of Broadway's comprehensive land use plan, Plan SanLee and is reasonable and in the public interest for the reasons set out above and recommends unanimously that the Town of Broadway Board of Commissioners readopt the Unified Development Ordinance.

_____ _____

Donnie Mize, Vice-Chair Date
Town of Broadway Planning Board

Please run October 29 and November 5

TOWN OF BROADWAY PUBLIC NOTICE

The Town of Broadway Planning Board will hold a special-called meeting on Monday, November 9, 2026 at 6:00 p.m. at the City of Sanford Municipal Building, Council Chambers, located at 225 East Weatherspoon Street, Sanford, NC 27330, to hold a public hearing and vote. The Town of Broadway Planning Board will consider the readoption of the Unified Development Ordinance with no changes to the current text to comply with procedural requirements of Chapter 160D of the North Carolina General Statutes. The complete text of the Unified Development Ordinance, along with all maps, is available for public inspection at the Sanford/Lee County Zoning and Design Review Division located at 115 Chatham Street, Suite 1, Sanford NC 27330, between 8:00 a.m. and 5:00 p.m., Monday through Friday. The complete Unified Development Ordinance text is also available online (www.sanfordnc.net/297/Unified-Development-Ordinance) for viewing and download. The public is invited to attend the hearing and individuals may appear and present their views. Please call the Sanford/Lee County Zoning and Design Review Division at 919-718-4656 with any questions. Upon request and with a 24-hour notice, the Town will provide an interpreter for the hearing impaired or any other type of auxiliary aid. The Planning Board may take action after the public hearing.

Cualquier cuidadano que tenga preguntas o comentarios de las cosas al referido, puede comunicarse a el departamento de desarollo para Sanford/Condado de Lee, llame al (919) 718-4656.

Paulette Harmon
Clerk, Town of Broadway Planning Board