

**MOORE COUNTY PLANNING BOARD  
REGULAR MEETING  
THURSDAY, August 3 2017, 6:00 PM  
MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> Floor**

**CALL TO ORDER – 6 PM**

**INVOCATION – (Member Volunteer)**

**PLEDGE OF ALLEGIENCE – (Member Volunteer)**

**MISSION STATEMENT – (Member Volunteer)**

**I. PUBLIC COMMENT PERIOD** (*Procedures are attached*)  
Please sign up on the Public Comment Sign In sheet near the door

**II. APPROVAL OF CONSENT AGENDA**  
All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of March 2, 2017
- C. Consideration of Abstentions

**III. PUBLIC HEARING**

1. **Conditional Use Permit Request: Bed & Breakfast** – William & Tracy Dowd are requesting a Conditional Use Permit for the use of a 5-unit Bed & Breakfast in a single family residence located at 4494 NC Hwy 73, West End NC.

**IV. OTHER BOARD MATTERS**

1. **Text Amendment** - Moore County Planning Staff is requesting text amendment updates to the Moore County Unified Development Ordinance.

**V. PLANNING DEPARTMENT REPORTS**

**VI. BOARD COMMENT PERIOD**

**VII. UPCOMING EVENTS**

- Tuesday, August 15, 2017 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Tuesday, September 5, 2017 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, September 7, 2017 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**

**VIII ADJOURNMENT**

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.*

*Please see attached procedures for the Public Comment Period and public comment during Public Hearing*

## **PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD**

*The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:*

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 1. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 1. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 2. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 3. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 4. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 5. Any applause will be held until the end of the Public Comment Period.*
- 6. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 7. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 8. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

*Adopted on the 4<sup>th</sup> day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.*

**MOORE COUNTY PLANNING BOARD  
PUBLIC HEARINGS PROCEDURES**

*The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:*

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

*Adopted on the 5<sup>th</sup> day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board*

**MINUTES**  
**MOORE COUNTY PLANNING BOARD**  
**THURSDAY, MARCH 2, 2017 6:00 PM**  
**MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> FLOOR**

**Board Members Present:** Joseph Garrison (Chair) Eddie Nobles (Vice Chairman),  
Gene Horne, John Cook, Scott McLeod, Aaron McNeill  
David Lambert, Harry Huberth

**Board Members Absent:** Bobby Hyman

**Staff Present:** Debra Ensminger, Planning Director  
Brenda White, Deputy County Attorney  
Theresa Thompson, Senior Planner  
Lydia Cleveland, Administrative and Transportation  
Program Manager

**CALL TO ORDER**

Chairman Joseph Garrison called the meeting to order at 6:00 pm.

**INVOCATION**

Vice Chairman Eddie Nobles offered the invocation.

**PLEDGE OF ALLEGIANCE**

Board Member Aaron McNeill led in citing of the Pledge of Allegiance.

**MISSION STATEMENT**

Board Member David Lambert read the Moore County Mission Statement.

**PUBLIC COMMENT PERIOD**

There was no public comment.

**APPROVAL OF THE CONSENT AGENDA**

- A. Approval of Meeting Agenda
- B. Approval of Minutes of December 1, 2016
- C. Consideration of Abstentions

Board Member Gene Horne made a motion to approve the consent agenda. The motion was seconded by Board Member Harry Huberth and the motion passed unanimously 8-0.

## **PUBLIC HEARING(S)**

Chairman Garrison stated the following

“Neighborhood Youth Leadership is requesting conditional rezoning for a “Elementary, Middle, and High School” to expand the existing elementary and middle schools to provide additional classroom space, incorporating high school grade levels to the Sandhills Theatre Arts Renaissance School (also known as STARS Charter) located at 140 Southern Dunes Drive, Vass, NC 28394. The request would rezone a total of +/-9.17 acres from Highway Commercial (B-2) / Residential & Agricultural – 40 (RA-40) to Highway Commercial Conditional Zoning (B-2-CZ) where the only permitted use for the property will be a school.”

Senior Planner Theresa Thompson explained that the request is to rezone an approximate 9.17 acres from Highway Commercial and Residential and Agricultural 40 to Highway Commercial conditional zoning district, where the only permitted use for the property will be a school and the site specific development plans are available in the board packets. The applicant is currently in the process of combining an approximate 3.53 acres from a neighboring property to provide additional classroom space incorporating high school grade levels. The existing adjacent zonings districts include Highway Commercial on the front portion of the property and Residential and Agricultural 40 in the rear half of the property. Adjacent land uses include single family homes, townhomes, undeveloped parcels, a dentist office, and an auto sales business. Staff has determined that there is general capability of mixed uses in the existing proposed zoning districts. The intent of the Highway Commercial district is to provide for the development of commercial service centers that serve community, county wide, or regional commercial needs, are accessible by residents from surrounding neighborhoods and are of such nature so as to minimize conflicts with surrounding residential areas. Schools are permitted within the Highway Commercial zoning district. Due to the school expansion request the applicant has elected to pursue conditional rezoning where the only permitted use on the property will be the school. The conditional rezoning process is beneficial for staff, adjacent property owners, the Planning Board, and the Board of Commissioners in order to know with certainty what the applicant will develop on the property. If approved the only development allowed to occur on this property is the school per the site specific development plan. Another beneficial aspect of conditional rezoning is the applicant or the boards may propose reasonable specific conditions of approval and those mutually agreed upon can be imposed. Staff has determined that the proposed conditional zoning district is consistent with the Moore County Land Use Map that classifies this area of land as high density residential with mixed uses. The requested zoning to Highway Commercial conditional zoning with the specific use of a school is compatible with the land use classification. The land use states that the high density residential with mixed land use classification includes a density of 4-8 dwellings per acre, single family detached or attached, housing may include a mixture of dwelling types including single family detached, duplexes, patio homes, semi-detached, detached dwelling, multi family or townhouse. This category should also include some non-residential neighborhood and

supportive uses such as retail, commercial office, schools, daycares, churches, and other similar uses compatible with residential. Public infrastructure such as roads, water, school, fire/rescue, open space must be adequate to accommodate the development. The public service providers in proximity of these areas are shown on the future land use map. This request is consistent with several goals with the Land Use Plan.

Ms. Thompson asked the Board if they had any questions.

Board Member Horne asked if county water and sewer is available at the site and Ms. Thompson stated yes.

Board Member John Cook asked if the proposed area is currently owned by the school and Ms. Thompson explained that the purchase of the property is contingent on the rezoning.

Chairman Garrison opened the public hearing.

Mr. Bob Koontz acting as the representative for Stars Charter School explained that they are essentially trying to add a high school because they are currently kindergarten through 9<sup>th</sup> grade. The school would like to roll the project out in 3 phases with an immediate need to add 10<sup>th</sup> grade by August 2017 which will include a 5500 square foot building. Phase 2 and 3 will include an additional 28,000 square foot building which will allow the current mobile classrooms to be removed, parking areas will be paved, and all buildings will be connected by sidewalks. Mr. Koontz stated there is currently a wetland area on the site and the school intends to make this a learning area for the students. Mr. Koontz reviewed the master plan and explained that they are currently working with NCDOT on the Traffic Impact Analysis to address traffic issues.

Board Member Cook asked if there will be any acceleration/deceleration lanes, flashing lights, or any other signals and Mr. Koontz stated there will be deceleration lanes but he is unsure of any acceleration lanes and yes the intent is to have signs that clearly mark the hours of operation.

Board Member Huberth asked if there will be any screening to accommodate the townhomes and Mr. Koontz stated they will meet code requirements and if there is anything in addition requested that can be considered.

Mr. Wes Graner the Executive Director of Stars Charter School stated that any screening that was requested in the past was completed.

Board Members Huberth and Scott McLeod asked if there had been any discussions with neighbors and if any issues were worked out, Mr. Graner stated that they were resolved to his knowledge.

Ms. Louis Valure stated that she and her husband are the owners of the townhomes and have been battling issues with the school for 8 years. Ms. Valure expressed concern

regarding the fencing around the current playground, the amount of room available for an emergency apparatus, and the amount of traffic and lighting at night for extra-curricular activities. Ms. Valure concluded with a request to delay the vote until the NCDOT report was available.

Board Member Huberth stated that traffic is obviously a concern and asked the staff who owns Southern Dunes Drive. Planning Director Debra Ensminger stated that the school owns the road.

Board Member McLeod asked if the townhomes were granted an easement and Ms. Ensminger stated yes.

Board Member McLeod made a motion to table the item until the report from NCDOT is available for review.

Mr. Koontz stated that the building permit would not be issued until the report was available and all requirements of the report were met.

Ms. Valure clarified that they were never granted an easement.

Upon learning that there is not an easement in place Board Member McLeod withdrew his motion and Board Member McNeill stated that if the road belongs to the school then they can do what they want.

Mr. Gene Barton who owns the track of land that the school intends on purchasing stated that the school has worked very hard to handle the traffic concerns.

Chairman Garrison closed the public hearing.

Chairman Garrison made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement Approval and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Vice Chairman Nobles and the motion passed unanimously 8-0.

Board Member Huberth made a motion to endorse the Moore County Board of Commissioners to approve the conditional rezoning a total of +/-9.17 acres located at 140 Southern Dunes Drive, Vass, NC 28394 from Highway Commercial (B-2) / Residential & Agricultural – 40 (RA- 40) to Highway Commercial Conditional Zoning (B-2-CZ) where the only permitted use for the property will be a “Elementary, Middle, and High School” as proposed per the approved site specific development plan and contingent on meeting the requirements of the Traffic Impact Analysis. The motion was seconded by Board Member McNeill and the motion passed unanimously 8-0.

## **OTHER BOARD MATTERS**

No other board matters were discussed.

## **PLANNING DEPARTMENT REPORTS**

Ms. Ensminger stated she did not have anything further to report.

## **BOARD COMMENT PERIOD**

No other board comments were discussed.

## **ADJOURNMENT**

Vice Chairman Nobles made a motion to adjourn the March 2, 2017 regular meeting. The motion was seconded by Board Member McNeill and the motion passed unanimously 8-0.

Respectfully submitted by,

Lydia Cleveland

**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Ensminger  
Planning & Transportation Director

**DATE:** June 2, 2017

**SUBJECT:** Conditional Use Permit Request: Bed & Breakfast  
(4494 NC Hwy 73, West End)

**PRESENTER:** Theresa Thompson

**REQUEST**

William and Tracy Dowd are requesting a Conditional Use Permit for the use of a 5-unit Bed & Breakfast in a single family residence located at 4494 NC Hwy 73, West End, NC 27376, owned William and Tracy Dowd, as identified in Moore County tax records.

This case was properly advertised, a public hearing sign was posted on the property, and all adjacent property owners were notified.

**BACKGROUND**

- Current land use – Includes one single family residence.
- Adjacent land uses – Includes undeveloped property and single family residences.

**REQUIRED FINDINGS**

In recommending the Conditional Use Permit the following findings must be met:

1. The use will not materially endanger the public health or safety;
2. The use meets all required conditions and specifications;
3. The use will not substantially injure the value of adjoining property unless the use is a public necessity;
4. The use will be in harmony with the surrounding area and compatible with the surrounding neighborhood; and
5. The use will be in general conformity with the approved Moore County Land Use Plan.

**APPLICATION REVIEW COMMENTS**

The proposed site plan meets all Unified Development Ordinance requirements.

**RECOMMENDATION**

Staff recommends the Moore County Planning Board make the following motion:

**Motion:** Make a motion to endorse the Moore County Board of Commissioners to approve/deny the Conditional Use Permit for the use of a 5-unit Bed & Breakfast in a single family residence

*Bed and Breakfast – Conditional Use Permit – Staff Report*

located at 4494 NC Hwy 73, West End, NC 27376, owned by William and Tracy Dowd, as identified in Moore County tax records.

**ATTACHMENTS**

- Photos of Property
- Land Use Map
- Conditional Use Permit Application
- Property Deed
- Submitted Floor Plan of Home
- Submitted Floor Plan of Accessory Barn
- Submitted Photos of Residence

**Views of the driveway from NC Hwy 73.**





Single family home

Undeveloped

Single family home

NC 73

Undeveloped

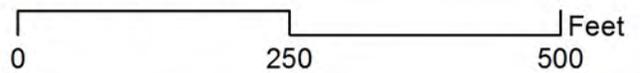
Future horse barn



Undeveloped

Undeveloped

LAND USE MAP





PLANNING & TRANSPORTATION



P.O. BOX 905  
1018 Carriage Oaks Drive  
Carthage, NC 28327  
Inspections/Permitting: (910) 947-2221  
Planning: (910) 947-5010  
Transportation: (910) 947-3389  
Fax: (910) 947-1303

Conditional Use Permit Application

Application Date: 5/31/2017			
Location/Address of Property: 4494 NC Hwy 73, West End, NC 27376			
Applicant: William & Tracy Dowd		Phone:	
Applicant Address: 4494 NC Hwy. 73	City: West End	St: NC	Zip: 27376
Owner: William & Tracy Dowd		Phone:	
Owner Address: same as above	City:	St:	Zip:
Current Zoning District: Moore County	Proposed Use: Bed & Breakfast & Horse Hotel		
Comments: We recently purchased a 2600 sq. ft home on 8.25 acres. We would like to rent out our 3 upstairs bedrooms, and eventually build an apartment barn with 4-6 stalls and a fenced pasture adjacent to our existing house. The apartment barn is in the planning stage, but we hope to begin construction in 3-6 months.			
Application Submittal The applicant must submit a complete application packet on or before the submittal deadline. This includes: <ul style="list-style-type: none"> <li><input type="checkbox"/> Completed Moore County Conditional Use Permit Application.</li> <li><input type="checkbox"/> Application Fee (\$175).</li> <li><input type="checkbox"/> Postage sufficient to notify all adjacent landowners <b>FOR TWO MAILINGS</b>. (One for Planning Board meeting, and one for Board of Commissioners meeting.) The rate for postage FOR EACH CERTIFIED MAIL LETTER is \$6.49. This includes \$3.30 (certified mail) plus \$2.70 (return receipt) plus \$0.49 (first class stamp).</li> <li><input type="checkbox"/> A detailed site plan. (See page two of this packet for list of items to include.)</li> </ul>			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
Tracy Dowd Applicant/Owner Signature		May 30, 2017 Date	
William Dowd Applicant/Owner Signature		May 30, 2017 Date	
Office Use Only: PAR ID: 00992463 Danya Cowick Received By			
		5/31/2017 Date	

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

October 17, 2016 4:28:56 PM

Book: 4720 Page: 327 - 329 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$732.00

Instrument # 2016014803

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$732.00

Parcel Identifier No. \_\_\_\_\_ Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Paul B. Trevarrow, Esq., 760 NW Broad Street, Southern Pines, NC 28387

This instrument was prepared by: Robert M. Friesen, Esq., Robbins May &amp; Rich LLP, 120 Applecross Road, Pinehurst, NC 28387

Brief description for the Index: 4494 NC Hwy 73, West End, NC

THIS DEED made this 24th day of August, 2016, by and between

GRANTOR	GRANTEE
Tarrell B. Graham, III and wife, Ellen Martha Keane Graham	William J. Dowd and wife, Tracy S. Dowd <b>PO Box 1065</b> <b>West End, NC 27376</b>

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Mineral Springs Township, Moore County, North Carolina and more particularly described as follows:

See "Exhibit A" attached hereto.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3519 at Page 225.

All or a portion of the property herein conveyed  X  includes or \_\_\_ does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Subject and together with any utility easements, other easements and restrictive covenants that are enforceable against or a benefit of the property, if any.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

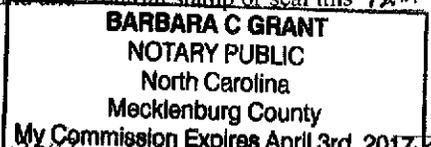
By: \_\_\_\_\_ (Entity Name) \_\_\_\_\_ (SEAL)  
Print/Type Name: Tarrell B. Graham, III

By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_  
Print/Type Name: Ellen Martha Keane Graham

By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_  
Print/Type Name: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_  
Print/Type Name: \_\_\_\_\_

State of North Carolina - County of Mecklenburg  
I, the undersigned Notary Public of the County and State aforesaid, certify that Tarrell B. Graham, III and wife, Ellen Martha Keane Graham personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 12<sup>th</sup> day of October, 2016.



My Commission Expires: April 3rd, 2017 (Affix Seal)  
Notary's Printed or Typed Name: Barbara C. Grant

State of \_\_\_\_\_ - County of \_\_\_\_\_  
I, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he is the \_\_\_\_\_ of \_\_\_\_\_, a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

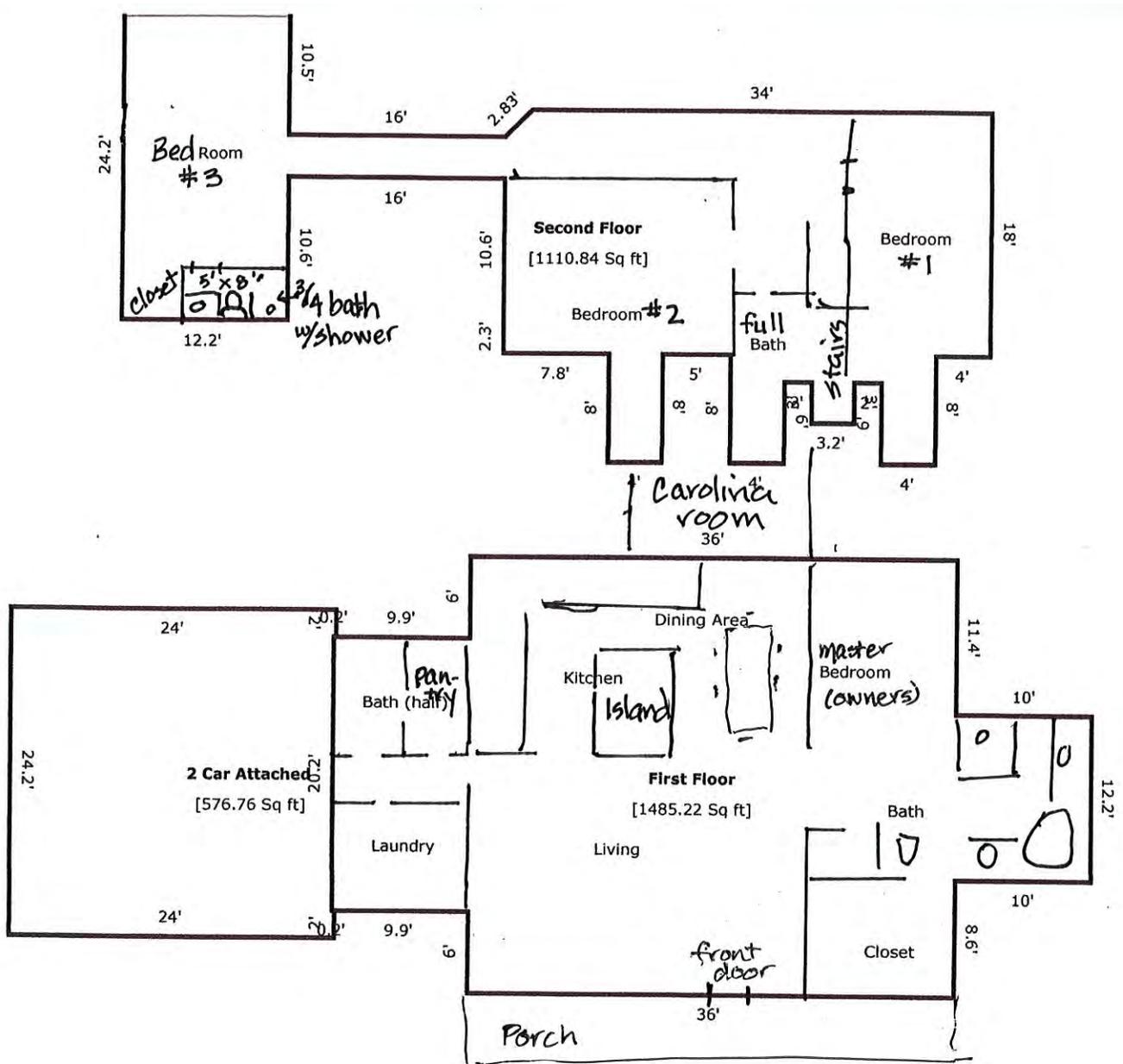
My Commission Expires: \_\_\_\_\_ (Affix Seal)  
Notary's Printed or Typed Name: \_\_\_\_\_ Notary Public

State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_  
Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_ (Affix Seal)  
Notary's Printed or Typed Name: \_\_\_\_\_ Notary Public

## "Exhibit A"

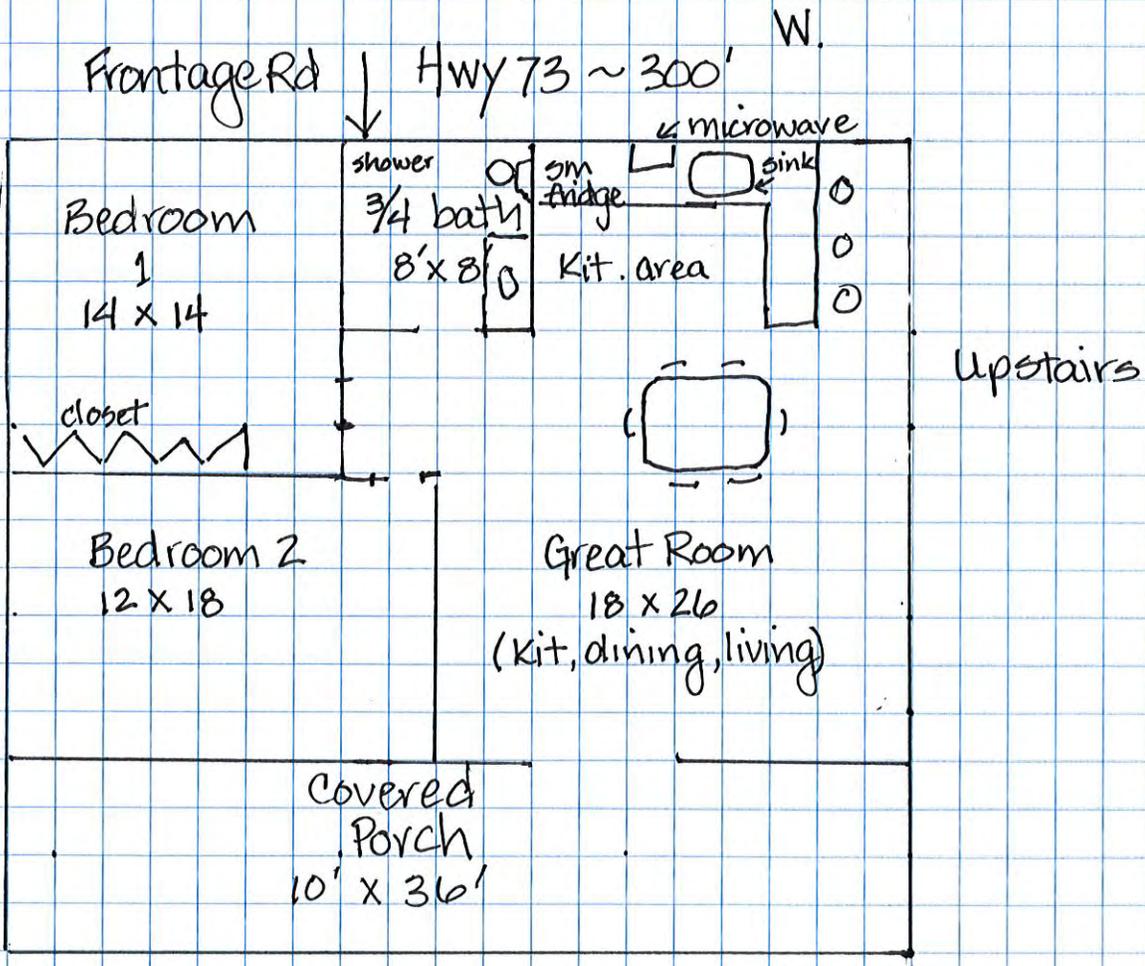
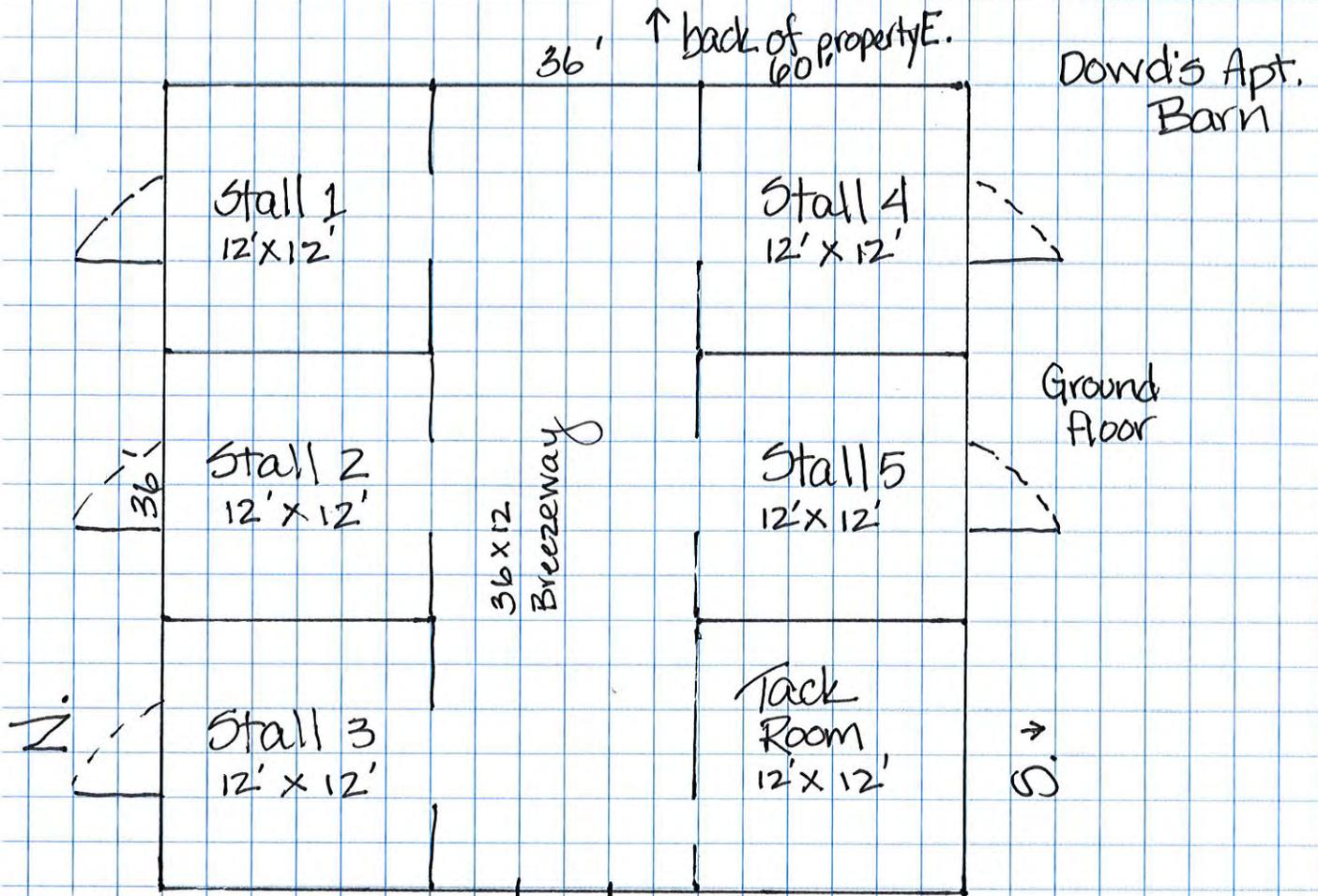
Beginning at a nail in the centerline of NC Highway 73, said nail being the in centerline of said Highway 73 with the westerly line of the Lillie Graham Au said nail also being the northernmost corner of the agreed common boundary Tarrell C. and Reece B. Graham property and the Robert H. and Eleanor F. Cl said Agreement recorded in Book 822 at Page 511 of the Moore County Registry as and with the westerly line of the said Auman Estate Land and the easterly line Chappell and wife, Eleanor F. Chappell, Land, as described in Book 221 at Moore County Registry, S. 03-00 W. 1269.16 feet to a new iron stake; thence 664.18 feet to a nail in the centerline of said Highway 73; Thence as and with said Highway 73, N. 34-33 E. 1082.16 feet to the Beginning, containing 8.25 e northeasterly portion of the said Robert H. Chappell and wife, Eleanor F. Cha

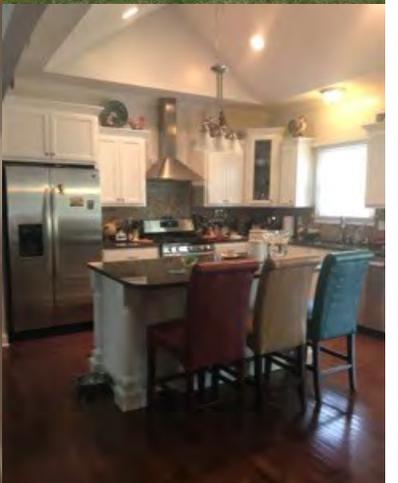


TOTAL Sketch by a la mode, inc.

**Area Calculations Summary**

Living Area		Calculation Details	
First Floor	1485.22 Sq ft	$12.2 \times 10 = 122$	
		$20.2 \times 10.1 = 204.02$	
		$32.2 \times 36 = 1159.2$	
Second Floor	1110.84 Sq ft	$3.2 \times 3 = 9.6$	
		$4 \times 8 = 32$	
		$24.2 \times 12.2 = 295.24$	
		$3.1 \times 16 = 49.6$	
		$0.5 \times 2 \times 2 = 2$	
		$34 \times 2 = 68$	
		$36 \times 16 = 576$	
		$15.2 \times 2 = 30.4$	
		$4 \times 6 = 24$	
		$4 \times 6 = 24$	
<b>Total Living Area (Rounded):</b>	<b>2596 Sq ft</b>		
<b>Non-living Area</b>			
2 Car Attached	576.76 Sq ft	$24.2 \times 23.8 = 575.96$	
		$2 \times 0.2 = 0.4$	
		$0.2 \times 2 = 0.4$	





**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Ensminger  
Planning and Transportation Director

**DATE:** July 6, 2017

**SUBJECT:** Unified Development Ordinance Text Amendments

**PRESENTER:** Theresa Thompson

**REQUEST**

Moore County Planning Staff is requesting the below text amendments to the Moore County Unified Development Ordinance:

**Bold Text** – additions to the ordinance  
~~Strikethrough Text~~ - deletions from the ordinance

1. *REMOVE* Chapter 2 (Review Bodies and Administrator), Section 2.3 (Subdivision Review Board), Number 2. as follows:

2.3 Subdivision Review Board

- A. Powers and Duties. The Subdivision Review Board shall have all the powers and authority pursuant to NCGS 153A-332 and shall perform any related duties as directed by the Board of Commissioners. The Subdivision Review Board shall have decision-making authority on the following requests:
  1. Major Preliminary Subdivision Plats; and
  2. ~~Subdivision Regulation Waivers.~~

REASON. Subdivision regulations “waivers” are variances and therefore should be decided by the Board of Adjustment.

2. *REMOVE* Chapter 2 (Review Bodies and Administrator), Section 2.4 (Board of Adjustment), Number 3. as follows:

2.4 Board of Adjustment

- A. Powers and Duties. The Board of Adjustment shall have all the powers and authority pursuant to NCGS 160A-388 and NCGS 153A-345.1 and shall perform related duties as directed by the Board of Commissioners. The Board of Adjustment shall have decision-making authority on the following requests:
  1. Variances;

UDO Text Amendments – Staff Report

2. Reasonable Accommodation;
3. ~~Floodplain Variances;~~ and
4. Administrative Appeals.

REASON. Language is not necessary and redundant (variances are listed already).

3. *AMEND* Chapter 3 (Intent of Zoning Districts), Section 3.2 (Rural Agricultural District) as follows:

### 3.2 Rural Agricultural (RA) District

A district intended to encourage the continuance of agricultural uses as well as to ensure that residential development of appropriate intensities that are consonant with the suitability of land, availability of public services, and that are compatible with surrounding development, will occur at appropriate densities to provide a healthful environment. **The RA District is also intended to accommodate rural commercial activities where the use of site specific development plans, individualized development conditions, vegetative buffers, larger lots, and the compatibility of adjacent land uses are considered to provide suitable locations for rural commerce and other rural activities.**

REASON. Updates the intent language to support non-residential activities in the RA Zoning District.

4. *AMEND* Chapter 6 (Table of Uses), Section 6.1 (Use Table), Use as follows:

Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Group Care Facility									Z			C	P		8.18	I, R
Pet Day Care, Grooming, Obedience Training									C		P	P	P		8.24	B
Veterinary Clinic							P		C		P	P	P		8.25	B
Dry Cleaning and Laundromat						P					P	P	P	P	8.28	B
Convenience Store						P			C		P	P	P	P	8.35	M
Feed and Seed Sales							C		C			P	P	P	8.36	B, M
Florist									P		P	P	P	P	8.37	B
Flea Market									C			Z	P		8.38	B, M
Museums and Art Galleries									C		P	P	P		8.69	A-3
Hospital	P	P	P	P	C	C	P	P	P			P	P	P	8.68	I
Recreation, Low Impact Outdoor	P	P	P	P	P	P	P	P	P		C	P	P		8.86	A-5
<del>Classroom, Temporary</del>	<del>P</del>	<del>8.110</del>	<del>S-1</del>													
Warehousing and/or Distribution Center									Z				C	P	8.102	S-1, S-2

REASON. Adds public and community service uses and low impact outdoor recreation to the RA Zoning District to accommodate the surrounding communities. “Classroom, Temporary”

is an accessory use and not necessary to list. Adds warehousing as a Conditional Rezoning in the RA zoning district to be reviewed and approved on a case by case basis.

5. *AMEND* Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District), Subsection F. (Minimum Lot, Buildings, and Screening Standards) as follows:

	Urban Village	Urban Transition	Rural Highway
Required Buffer Plantings <b>from ROW lines</b>	Type 3 Screening (Section 7.11)		

REASON. Adds “from ROW lines” to clarify where buffers are required.

6. *AMEND* Chapter 7 (General Development Standards), Section 7.15 (Setback Encroachments) as follows:

7.15 Setback Encroachments. Fire escapes, **awnings**, stairways, **steps, stoops**, balconies, **decks**, and uncovered porches may not project more than ~~4~~ **5** feet into any required setback. Sills, cornices, eaves, gutters, buttresses, ornamental features, and similar items may not project more than 30 inches. Refer to Section 9.7 for setback subsidizations for existing lots of record.

REASON. Adds appropriate appurtenances and accommodated one foot extra into the setback encroachment provisions.

7. *ADD* Chapter 7 (General Development Standards), Section 7.16 (Signs), Subsection I. (Replacement Billboards) as follows:

I. Replacement Billboards. Billboards may be replaced on a case by case basis per NCGS 136-131.2. Confirmation of replacement permit approval by the NC Department of Transportation (NCDOT) is required before a zoning permit is issued.

REASON. NCDOT determines the eligibility of replacing a billboard. If approved by NCDOT, the NC Statutes requires zoning approval by the local jurisdiction. Building Permit approval is also required.

8. *AMEND* Chapter 7 (General Development Standards), Section 7.16 (Signs), Subsection M. (Dimensional Sign Chart) as follows:

Sign Type		Maximum Number	Maximum Sign Area (sq. ft.)	Max. Height	Min. Setbacks	
Temporary, Non-Commercial	Special Events, Yard Sales, Religious, Ideological	1 per street frontage	<del>Residentially Zoned Properties (4)</del>	36	6	10
			<del>Nonresidential Zoned (16)</del>			

Temporary, Commercial	Real Estate	1 per street frontage or 2 for lots with frontage greater than 400 feet	<del>Residentially Zoned Properties (4)</del>	36	6	10
			<del>Nonresidential Zoned /Approved Planned Development (16)</del>			
	Construction	1 per street frontage	<del>Single Family / Duplex (6)</del>	36	10	10
			<del>Multifamily / Nonresidential (16)</del>			
	Grand Opening (max 30 days)	Unlimited wall signs / 1 per street frontage	<del>16</del> 36		6	10
	Promotional (max 30 days per year)	Unlimited wall signs / 1 per street frontage	<del>16</del> 36		6	10
Auction	1 per street frontage	<del>16</del> 36		6	10	

REASON. Increases the square footage requirements for temporary uses to assist in the advertisement of said uses.

9. *AMEND* Chapter 8 (Specific Use Standards), Section 8.1 (Accessory Uses or Buildings), Subsection A (Definition) and C (Exempt Accessory Buildings) as follows:

- A. Definition. An accessory use or building shall be incidental **and subordinate** to the principal use or building and shall be conducted or located on the same lot. Examples of accessory buildings may include garages, carports, agricultural uses, and storage buildings.
- B. Exempt Accessory Buildings. The issuance of a zoning permit is not required for any proposed accessory building less than 12 feet in any direction, or if a building permit is not required, though any change of use requires zoning approval. Any development within floodplains, wetlands, or watersheds requires approval. **Portable storage containers known as pods that are designed and constructed for the storage of household goods are exempt from requiring a zoning permit but shall be limited to 6 months as an accessory building on any residential lot. Truck trailers are prohibited as accessory buildings on any residential lot.**

REASON. Adds “and subordinate” to the Definition to clarify that accessory uses should not only be related to the principal use but also be a less intensive use than the principal use. Staff has received calls from residences and businesses requesting to utilize pods or truck trailers as permanent storage buildings. Staff added portable storage container and truck trailer language, for clarification, in response to these inquiries.

10. *REMOVE* Chapter 8 (Specific Use Standards), Section 8.14 (Manufactured Home), Subsection C (Prohibited) in its entirety:

~~C. **Prohibited.** No living compartment or building other than that of a prefabricated building specifically designed for manufactured home use or extension shall be added to any manufactured home. This excludes front and rear uncovered porches and decks not exceeding 100 square feet.~~

REASON. Language is not necessary and redundant due to additions to manufactured homes being regulated by the NC State Building Code.

11. *AMEND* Chapter 8 (Specific Use Standards), Section 8.47 (Commercial Truck Wash), Subsection B (Standards) as follows:

C. Standards. Refer to Section ~~8.47 B.~~ **8.46 B.**

REASON. Correction of a typo.

12. *AMEND* Chapter 8 (Specific Use Standards), Section 8.64 (Child Care Home Facility), Subsection B (Child Care in a Manufactured home) as follows:

B. Child Care in a Manufactured Home. ~~In cases where manufactured homes are used,~~ The ~~building~~ **home** shall have underpinning consisting of a brick curtain wall or have galvanized metal sheeting, ABS, or PVC plastic color skirting with interlocking edges, installed around the perimeter of the home. Skirting shall be in good condition and unpierced except for ventilation and access. **In addition**, singlewide manufactured homes are limited to a maximum of 3 preschool-age children (not more than 2 may be 2 years of age or less) and 2 school-age children.

REASON. Clarifies singlewide manufactured home regulations.

13. *AMEND* Chapter 8 (Specific Use Standards), Section 8.86 (Recreation, Low Impact Outdoor), Subsection A (Definition) and B (Standards) as follows:

A. Definition. Recreational activities open to the public or members that have a low potential for nuisance to abutting property owners. This generally includes one or more of the following passive recreational uses: parks (not including neighborhood parks), hiking, horseback riding, biking trails (non-motorized), and the following active recreational uses: 3 or less multi-use athletic fields or courts, model airplanes (~~maximum 5 airplanes flying at the same time~~), and swimming pools.

B. Standards. Passive Recreational Uses: No setback or screening required. Active Recreational Uses: All **runways**, fields and outdoor recreational uses shall be located a minimum 100 feet from any residentially zoned property line. Screening is not required. 1 parking space for each employee plus 1 space for every 4 participants. The

use of public street right-of-ways for parking including overflow parking shall be prohibited. All **model airplane runways and fields** and lighted courts and fields shall be screened with a Type 3 screening (Section 7.11) from any abutting residential use on a different lot or residentially zoned property.

REASON: The updated language clarifies that all outdoor recreation requires a 100 foot setback including model airplane runways. Model airplane runways and fields also require a Type 3 screening buffer. The tracking number of airplanes flying is not necessary due to setback and screening requirements.

14. *AMEND* Chapter 8 (Specific Use Standards), Section 8.87 (Recreation, High Impact Outdoor), Subsection A (Definition) as follows:

- A. Definition. Public or private recreational activities that have a high potential for nuisance to abutting property owners. This generally includes one or more of the following active recreational uses: batting cages, amusement park, waterpark, fairgrounds, drive-in theatre, open or partially enclosed arenas and amphitheaters, go-cart or motorcross tracks, miniature golf, race tracks, or 4 or more multi-use athletic fields or courts, ~~or 6 or more model airplanes flying at the same time.~~

REASON: The tracking of number of airplanes flying is not necessary due to setback and screening requirements.

15. *AMEND* Chapter 8 (Specific Use Standards), Section 8.109 (Sawmill), Subsection A (Definition) as follows:

8.109 Sawmill

- A. Definition. A facility where logs are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, **including pallet recycling and production**, and not including the processing of timber for use on the same lot by the owner or resident of that lot.

REASON: Includes pallets in the definition of sawmill due to similar land use intensities due to pallet business inquiries. Staff recommends the text amendment due to sawmills require conditional zoning approval which is on a case by case basis.

16. *REMOVE* Chapter 8 (Specific Use Standards), Section 8.110 (Classroom, Temporary) in its entirety:

~~8.110 Classroom, Temporary~~

- ~~A. Definition. Temporary classroom space, modular or manufactured, to augment an existing public educational facility. Temporary classrooms for use as part of an existing public educational facility may be allowed to remain on the site for longer than 3 years.~~

REASON: Modular Classrooms are typically not temporary in nature so the use should be treated as a permanent use. The use is approved as an accessory use and not necessary to listed separately in the Table of Uses.

17. *AMEND* Chapter 8 (Specific Use Standards), Section 8.116 (Temporary Event, Special Event), Subsection B (Standards) as follows:

- B. Standards. Special events cannot be held longer than 14 consecutive days once every 6 months on the same lot. The owner of the property shall authorize in writing for the event to be held on the property. The temporary parking lot can be located on the same site as the activity or as a satellite parking lot. The use of public street right-of-ways for parking shall be prohibited. Activities creating loud noises (horns, speakers, music) shall not be located within 1,000 feet of residences not located on the site without written permission from the property owner(s). Structures associated with the use shall be permitted provided they are removed at the end of the event. Permanent signs are prohibited. All temporary signs shall be approved under Section ~~7.15~~ **7.16** (Signs).

REASON. Correction of a typo.

18. *AMEND* Chapter 9 (Nonconforming Situations), Section 9.5 (Replacement) as follows:

9.5 Replacement

Nonconforming buildings or structures which are damaged by fire, explosion, flood, or other calamity may be reconstructed provided that the nature and degree of the nonconformity will not be changed or increased from that which existed prior to the damage or destruction. If a nonconforming manufactured home is removed it may be replaced provided that the new manufactured home, **including associated decks**, does not increase the degree of the nonconformity.

REASON. Clarifies that nonconforming decks can be replaced to provide access to the manufactured home.

19. *AMEND* Chapter 10 (Text Amendments & General Use Rezoning), Section 10.2 (Application Process), Subsection A (Board of Commissioners) as follows:

- A. Board of Commissioners. The Board of Commissioners shall hold a legislative public hearing and ~~concurrently with~~ **prior to** adopting, denying, or remanding any amendment request, the Board of Commissioners shall adopt ~~a statement describing whether its action is consistent with the County Land Use Plan and explain why the action taken to be reasonable and in the public interest~~ **one of the following statements which shall not be subject to judicial review:**
1. **A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.**

2. A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explain why the action taken is reasonable and in the public interest.
3. A statement approving the zoning amendment and containing at least all of the following:
  - a. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.
  - b. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.
  - c. Why the action was reasonable and in the public interest.

REASON. Regulations have been updated to meet current statutory requirements (SL 2017-10) and case law.

20. *AMEND* Chapter 10 (Text Amendments & General Use Rezoning), Section 10.3 (Notice of Public Hearings), Subsection A (Mailed Notice) as follows:

- A. Mailed Notice. Whenever there is a rezoning request, the Administrator shall notify by certified mail return receipt of the public hearings to the applicant(s), the owner(s) of the parcel(s) of land shown ~~on the County tax records~~ **owned per the most recent deed recorded in the Register of Deeds Office**, and all property owners of abutting properties (as the last addresses listed in the County tax records) at least 10 but not more than 25 days prior to the date of each public hearing.

REASON. The Moore County Tax Department does not update the Tax Map to reflect the most recent property owners.

21. *AMEND* Chapter 11 (Conditional Rezoning), Section 11.3 (Notice of Public Hearings), Subsection A (Mailed Notice) as follows:

- A. Mailed Notice. The Administrator shall notify by certified mail return receipt of the public hearings to the applicant(s), the owner(s) of the parcel(s) of land shown ~~on the County tax records~~ **owned by the most recent deed recorded in the Register of Deeds Office**, and all property owners of abutting properties (as the last addresses listed in the County tax records) at least 10 but not more than 25 days prior to the date of each public hearing.

REASON. The Moore County Tax Department does not update the Tax Map to reflect the most recent property owners.

22. *AMEND* Chapter 12 (Conditional Use Permit), Section 12.3 (Notice of Public Hearings), Subsection A (Mailed Notice) as follows:

A. Mailed Notice. The Administrator shall notify by certified mail return receipt of the public hearings to the applicant(s), the owner(s) of the parcel(s) of land shown ~~on the County tax records~~ **by the most recent deed recorded in the Register of Deeds Office**, and all property owners of abutting properties (as the last addresses listed in the County tax records) at least 10 but not more than 25 days prior to the date of each public hearing.

REASON. The Moore County Tax Department does not update the Tax Map to reflect the most recent property owners.

23. *AMEND* Chapter 13 (Appeals & Variances), Section 13.4 (Notice of Public Hearings), Subsection A (Mailed Notice) as follows:

B. Mailed Notice. The Administrator shall notify by certified mail return receipt of the public hearings to the applicant(s), the owner(s) of the parcel(s) of land shown ~~on the County tax records~~ **by the most recent deed recorded in the Register of Deeds Office**, and all property owners of abutting properties (as the last addresses listed in the County tax records) at least 10 but not more than 25 days prior to the date of each public hearing.

REASON. The Moore County Tax Department does not update the Tax Map to reflect the most recent property owners.

24. *AMEND* Chapter 18 (Subdivisions), Section 18.5 (Minor Subdivisions), Subsection D (Additional Documents Submitted for Approval) as follows:

D. Additional Documents Submitted for Approval. ~~NCDOT Driveway Approval (per NCCGS 136-18(5) & 136-93) is required before plat approval.~~ Lots considered for minor subdivision status on an existing or new easement must complete the Private Road Maintenance Agreement to be recorded at the same time as the minor subdivision plat. **Before the plat is approved, the Administrator shall consult with other departments and agencies, if applicable, to ensure conformance of the proposed subdivision with the various development standards set forth by county and state agencies, including but not limited to those listed in Section 18.6(F).**

REASON. Minor Subdivisions does not require driveway permit approval by NCDOT. Clarifies that other agency review and approval may be required.

25. *AMEND* Chapter 18 (Subdivisions), Section 18.7 (Major Subdivisions - Minimum Design Standards), Subsection K (Water and Sewer Options) as follows:

K. Water and Sewer Options. All water and sewer systems shall be installed in accordance with County specifications and standards. Major subdivisions of 20 or more lots are required to install and connect to public water and/or sewer. ~~Should private water and sewerage systems be provided (allowable only in areas where County services are not available), such shall meet the requirements of the health regulations of the State of~~

~~North Carolina and of Moore County.~~ Water supply and sewage disposal facilities to serve Major Subdivision developments may be provided through the use of:

1. Individual wells and septic tanks provided either on each lot or in off-lot locations protected through recorded easements (for subdivisions proposing nineteen or less lots); or
2. A community water and/or sewage disposal system designed, constructed, and maintained in conformity with all applicable County, State and Federal standards, regulations, and policies; or
3. Connection to a water and/or sewage disposal system operated by the County of Moore. System extensions are permitted only in accordance with applicable water, sewer and land use policies; or
4. A combination of the above alternatives.

REASON. Clarifies “public” water and/or sewer includes community water and/or sewage disposal to match the North Carolina Department of Environmental Quality’s definition of a public system.

26. *AMEND* Chapter 18 (Subdivisions), Section 18.8 (Major Subdivisions – Option 1 – Conservation Design Standards) as follows:

- A. Dimensional Requirements. No minimum lot size, frontage, or depth is required. The required minimum front, side, and rear setback shall be 10 feet and may be reduced to 5 feet when abutting an alley or dedicated open space **or reduced to a zero lot lines for duplexes.**

REASON. Clarifies zero lot line allowable for duplexes.

27. *AMEND* Chapter 18 (Subdivisions), Section 18.17 (Waiver from Subdivision Regulations) as follows:

18.14 ~~Waiver from Subdivision Regulations~~ Subdivision Variance

- A. Applicability. A waiver may be granted ~~during~~ **before** the preliminary plat approval process, **if in addition to the other requirements of Section 13.2 (Variances), petitions to the standards of the chapter shall comply with the following:**
  1. Physical Hardship. Where because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, or the existence of other physical conditions peculiar to the site, strict compliance with the provisions of the Ordinance would cause practical difficulties on the subdivider above and beyond what other subdividers would face.
  2. ~~Equal or Better Performance. Where, in the opinion of the SRB, a variance will result in equal or better performance in furtherance of the purposes of this UDO.~~

~~B. Submittal Process. Application shall be submitted concurrently with the application for preliminary plat review. An application shall also contain a statement by the subdivider explaining the reasons for a request for a waiver from the subdivision regulations.~~

~~C. Subdivision Review Board. The findings of the Administrator and any other reports pertaining to the plat and waiver request shall be used by the SRB when reviewing waiver requests. The SRB may approve, approve with conditions, or disapprove the request for a waiver from the subdivision regulations. The SRB shall review and take action on each preliminary plat within 60 days. If the SRB conditionally approves the waiver request and preliminary plat, the conditions and reasons thereof shall be stated in writing. If the SRB disapproves the waiver request the applicant may make the recommended revisions and submit a revised preliminary.~~

REASON. Subdivision regulation waivers are variances and should be decided by the Board of Adjustment.

28. ADD Chapter 18 (Subdivisions), Section 18.15 (Subdivision Plat Requirements) as follows:

Information Required	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
A note indicating that the proposed subdivision will be served by either a central or individual sewer / septic system		✘	✘	✘	

REASON. Correction of a typo.

29. ADD Chapter 18 (Subdivisions), Section 18.16 (Subdivision Certificate Requirements) as follows:

Type of Certificate or Statement	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
NCDOT Div. of Highways District Engineer Certificate			✘		✘

REASON. Correction of a typo.

30. ADD Chapter 19 (Definitions), Section 19.2 (Definitions), new definition (Lot of Record, Nonconforming) as follows:

**Lot of Record, Nonconforming. A lot recorded in the Office of Register of Deeds existing at the effective date of this ordinance or prior freestanding zoning and subdivision ordinances that cannot meet the minimum size and/or lot width requirements of the district in which the lot is located.**

REASON. Clarifies meaning of nonconforming lots of records.

**CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN**

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

**RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval or Denial) and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

**Motion #2:** Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

**ATTACHMENTS**

- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals and Rural Agricultural Future Land Use Category listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.
  - Recommendation 1.7: Support and promote local businesses.
  - Recommendation 1.7.2: Encourage emerging markets that utilize local agricultural and manufactured products, and enhance tourism and the service sectors.
- The text amendment is consistent with the Goals listed above due to the addition of rural commercial activities into the Rural Agricultural Zoning District are considered on a case by case basis through site specific development plan approval to reflect the pattern of development in rural Moore County by protecting current uses and way of life while also protecting property rights.

Future Land Use Categories: Rural Agricultural Primary use of the land is to support rural residential life associated with agricultural uses (e.g. row crops, forestry, horticulture, grazing, poultry, dairy, swine operations, and intensive agricultural uses in certain areas) and other rural activities.

- The text amendment is consistent with the Rural Agricultural Land Use Category because the language added to the Intent of the Rural Agricultural Zoning District is intended to accommodate rural activities through site specific development plan approval to provide suitable locations for rural commerce and other rural activities. Rural Activities include the following conditional or conditional rezoning uses added to RA Zoning District: Group Care Facility, Pet Day Care,

Vet Clinic, Convenience Store, Feed & Seed Sales, Flea Market, Museums, and Warehousing / Distribution Center. Rural Activities also include the following permitted uses added to RA Zoning District (and additional residential districts): Florists and Hospitals.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to protecting current uses and way of life while also protecting property rights, meet current statutory requirements, and language has been clarified that was difficult to interpret.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.”

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Eddie Nobles, Chair  
Moore County Planning Board

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Date

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

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  - Recommendation 1.7.2: Encourage emerging markets that utilize local agricultural and manufactured products, and enhance tourism and the service sectors.
- The text amendment is consistent with the Goals listed above due to the addition of rural commercial activities into the Rural Agricultural Zoning District are considered on a case by case basis through site specific development plan approval to reflect the pattern of development in rural Moore County by protecting current uses and way of life while also protecting property rights.

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Vet Clinic, Convenience Store, Feed & Seed Sales, Flea Market, Museums, and Warehousing / Distribution Center. Rural Activities also include the following permitted uses added to RA Zoning District (and additional residential districts): Florist and Hospitals.

3. The text amendment is not reasonable and not in the public interest because the proposed amendment will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the text amendment to the Unified Development Ordinance, as proposed.”

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Eddie Nobles, Chair  
Moore County Planning Board

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Date