

## CHAPTER 20 RECORD OF AMENDMENTS

February 18, 2014. UDO Adoption by Moore County Board of Commissioners

May 20, 2014. Text Amendments:

- Article 8 (General Development Standards) - Section 8.4 (Signs)
- Article 12 (Flood Damage Prevention) - Section 12.1 (Authorization)  
- Section 12.2 (Standards for Floodplains)
- Article 13 (Planned Unit Developments) - Section 13.7 (General Development Standards)
- Article 18 (Definitions & Word Interpretations)

January 20, 2015. Article 9 (Specific Use Standards) - Section 3 (Solar Collector Facility)

March 3, 2015. Text Amendments:

- Article 7 (Table of Uses)
- Article 9 (Specific Use Standards) - Section 9.3 (Commercial Uses)
- Article 14 (Wireless Communication Facilities)
- Article 17 (Subdivisions)
- Article 18 (Definitions and Word Interpretations)
- Appendix A (Recommended Landscaping Materials)
- Appendix C (Subdivision Plat Certificates and Statements)

May 19, 2016. Text Amendments to Article 7 (Table of Uses)

October 18, 2016. UDO Rewrite.

September 5, 2017. Text Amendments:

- Chapter 2 (Review Bodies & Administrator) – Section 2.3 (Subdivision Review Board)  
- Section 2.4 (Board of Adjustment)
- Chapter 3 (Intent of Zoning Districts) – Section 3.2 (Rural Agricultural District)
- Chapter 6 (Table of Uses) – Group Care Facility, Pet Day Care Grooming, Veterinary Clinic, Dry Cleaning & Laundromat, Convenience Store, Feed & Seed Sales, Florist, Flea Market, Museums & Art Galleries, Hospital, Recreation (Low Impact Outdoor), Temporary Classroom, Warehousing and/or Distribution Center
- Chapter 7 (General Development Standards) – Section 7.15 (Setback Encroachments)  
- Section 7.16 (Signs) Replacement Billboards & Dimensional Sign Chart

- Chapter 8 (Specific Use Standards)
  - Section 8.1 (Accessory Use or Buildings)
  - Section 8.14 (Manufactured Homes)
  - Section 8.47 (Commercial Truck Wash)
  - Section 8.64 (Child Care Home Facility)
  - Section 8.86 (Recreation, Low Impact Outdoor)
  - Section 8.87 (Recreation, High Impact Outdoor)
  - Section 8.109 (Sawmill)
  - Section 8.110 (Temporary Classroom)
  - Section 8.116 (Temporary Event, Special Event)
- Chapter 9 (Nonconforming Situations) – Section 9.5 (Replacement)
- Chapter 10 (Text Amendment & General Use Rezonings)
  - Section 10.2 (Application Process) – Subsection A (Board of Commissioners)
  - Section 10.3 (Notice of Public Hearings)
- Chapter 11 (Conditional Rezonings) – Section 11.3 (Notice of Public Hearings)
- Chapter 12 (Conditional Use Permit) – Section 12.3 (Notice of Public Hearings)
- Chapter 13 (Appeals & Variances) – Section 13.4 (Notice of Public Hearings)
- Chapter 18 (Subdivisions)
  - Section 18.5 (Minor Subdivisions)
    - Subsection D. (Additional Documents Submitted for Approval)
  - Section 18.7 (Major Subdivisions – Minimum Design Standards)
    - Subsection K (Water & Sewer Options)
  - Section 18.8 (Major Subdivisions – Option 1 – Conservation Design Standards)
  - Section 18.14 (Waiver from Subdivision Regulations)
  - Section 18.16 (Subdivision Plat Requirements)
- Chapter 19 (Definitions) – Section 19.2 (Definitions)
  - New Definitions: “Lot of Record, Nonconforming” and “Temporary”

November 7, 2017. Text Amendments:

- Chapter 6 (Table of Uses) – Removal of Intensive Swine Farms
- Chapter 8 (Specific Use Standards)
  - Section 8.3 (Bona Fide Farms)
  - Section 8.4 (Intensive Swine Farm)
- Chapter 11 (Conditional Rezonings) – Section 11.2 (Application Process)
- Chapter 14 (Vested Rights) – Section 14.5 (Development Agreements)
- Chapter 18 (Subdivisions)
  - Section 18.3 (Exemptions to Subdivision Regulations)
    - Subsection A. (Applicability)

- Section 18.5 (Minor Subdivisions)
  - Subsection E. (Expedited Review)
- Section 18.13 (Performance Guarantees for Major Subdivisions)
  - Subsection D. (Claim of Rights)
- Section 18.16 (Subdivision Plat Requirements)
- Chapter 19 (Definitions) – Section 19.2 (Definitions)
  - Amend Definition: “Built-Upon Area”

February 20, 2018. Text Amendments:

- Chapter 6 (Table of Uses) – Added Debris Management Facility Uses
- Chapter 8 (Specific Use Standards)
  - Section 8.102 (Debris Management Facility)
  - Section 8.104 (Landfill)

May 1, 2018. Text Amendments:

- Chapter 5 (Dimensional Standards)
  - Section 5.1 (Table of Area and Setbacks)
- Chapter 6 (Table of Uses)
  - Section 6.1 (Use Table) – Added Drop-In Child Care Facility
    - Subsection E. (Prohibited Uses)
- Chapter 7 (General Development Standards)
  - Section 7.8 (Highway Corridor Overlay District)
    - Subsection F. (Minimum Lot, Buildings, and Screening Standards)
  - Section 7.15 (Setback Encroachments)
  - Section 7.16 (Signs)
    - Subsection J. (Off-Premise Signs)
- Chapter 8 (Specific Use Standards)
  - Section 8.1 (Accessory Uses or Buildings)
  - Section 8.12 (Home Occupation, Level 2)
  - Section 8.13 (Manufactured Home)
  - Section 18.20 (Animal Shelter)
  - Section 18.66 (Government Facility)
  - Section 8.110 (Drop-In Child Care Centers)
- Chapter 9 (Nonconforming Situations)
  - Section 9.4 (Expansions)
- Chapter 11 (Conditional Rezoning)
  - Section 11. B. (Community Meeting)

- Chapter 18 (Subdivisions)
  - Section 18.5 (Minor Subdivisions)
    - Subsection C (Minor Plat Submittal Requirements)
  - Section 18.7 (Minimum Design Standards)
    - Subsection S (Cluster Mailboxes)
  - Section 18.8 (Conservation Design Standards)
  - Section 18.15 (Subdivision Plat Requirements)
- Chapter 19 (Definitions)
  - Section 19.2 (Definitions)

July 17, 2018. Text Amendments

- Chapter 8 (Specific Use standards)
  - Section 8.69 (Religious Institutions)

November 20, 2018. Text Amendments:

- Chapter 2 Chapter 2 (Review Bodies and Administrator),
  - Section 2.2 (Planning Board)
- Chapter 4 (Zoning Permit),
  - Section 4.2 (Application)
  - Section 4.3 (Action by the Administrator)
  - Section 4.4 (Zoning Decision Sign)
- Chapter 7 (General Development Standards)
  - Section 7.6 (Developments with Multiple Principal Uses)
  - Section 7.11 (Non-Residential Screening)
- Chapter 8 (Specific Use Standards),
  - Section 8.4 (Accessory Dwelling Located within a Single Family Dwelling)
  - Section 8.6 (Accessory Manufactured Home)
  - Section 8.7 (Accessory Stick-Built Dwellings)
  - Section 8.8 (Single Family Dwelling)
  - Section 8.11 (Home Occupation, Level 1)
  - Section 8.12 (Home Occupation, Level 2)
  - Section 8.13 (Manufactured Home)
  - Section 8.18 (Multifamily Dwellings)
  - Section 8.22 (Kennels, Overnight)
  - Section 8.84 (Recreation, Indoor)
  - Section 8.92 (Amateur Radio and Receive-only Antenna)
  - Section 8.100 (Mini-Warehouse)

- Section 8.111 (Manufactured Home or Recreational Vehicle, Temporary Use)
- Chapter 10 (Text Amendments & General Use Rezoning)
  - Section 10.2 (Application Process)
  - Section 10.3 (Notice of Public Hearings)
- Chapter 11 (Conditional Rezoning)
  - Section 11.2 (Application Process)
  - Section 11.3 (Notice of Public Hearings)
- Chapter 12 (Conditional Use Permits)
  - Section 12.2 (Application Process)
- Chapter 18 (Subdivisions)
  - Section 18.6 (Preliminary Plat Submittal and Review)
  - Section 18.6 (Preliminary Plat Submittal and Review)
  - Section 18.7 (Minimum Design Standards)
  - Section 18.8 (Conservation Design Standards)
  - Section 18.15 (Subdivision Plat Requirements)
  - Section 18.16 (Subdivision Plat Requirements )
- Chapter 19 (Definitions), Section 19.2 (Definitions)
  - Amending the definition of a “Front lot line” and “Setback”
  - New Definitions: “Arterial Street” and “Marginal Street Access”
- Chapter 6 (Table of Uses), Section 6.1 (Table of Uses)
  - Adding Adult Gaming Establishments as a use
- Chapter 8 (Specific-Use Standards)
  - Section 8.52 (Adult Gaming Establishments)
  - Section 8.86 (Indoor Recreation)
  - Section 8.112 (Manufactured Home or Recreational Vehicle, Temporary Use)

January 22, 2019. Text Amendments:

- Chapter 2 Chapter 2 (Review Bodies and Administrator),
  - Section 2.2 (Planning Board) – remove Conditional Use Permits
- Chapter 12 (Conditional Use Permits),
  - Section 12.2 (Application Process) – change to Board of Commissioners
  - Section 12.3(D) (Fort Bragg Notification) – add section

January 22, 2019. Text Amendments:

- Chapter 2 Chapter 2 (Review Bodies and Administrator),

- Section 2.1 (Board of Commissioners) – add Major Subdivision Plats
- Section 2.3 (Subdivision Review Board) – change to make recommendation
- Chapter 6 (Table of Uses),
  - Section 6.1 (Table of Uses) – add Major Subdivisions
- Chapter 18 (Subdivisions)
  - Section 18.6 (Preliminary Plat Submittal and Review)
  - Section 18.7 (Minimum Design Standards as shown on Preliminary Plat)
  - Section 18.9 (Option 2 – Conservation Subdivision Design Standards)
  - Section 18.11 (Major Subdivisions – Final Plat Submittal)

June 18, 2019. Text Amendments:

- Chapter 6 (Table of Uses)
  - Section 6.1 (Table of Uses) to add Equestrian Cottages as a conditional zoning use in the Rural Equestrian Zoning District.
  - Section 6.1 (Use Table) to rename Tourist Home to Bed & Breakfast and change to conditional rezoning.
  - Section 6.1 (Use Table) to change the following uses as a conditional use to require conditional rezoning approval: home occupation level 2, manufactured home park, animal shelter, animal training facility, overnight kennel, pet day care, grooming, obedience training, veterinary clinic, flea market, assembly hall, high impact outdoor recreation, indoor shooting range, outdoor shooting range, zoo, petting zoo, contractors storage yard and office, mining / quarry operation.
- Chapter 7 (General Development Standards)
  - Section 7.11 (Non-Residential Screening) to allow landscape buffers outside of the setback area.
- Chapter 8 (Specific Use Standards)
  - Section 8.28 (Equestrian Cottage) to add specific standards for Equestrian Cottages.
  - Section 8.31 (Tourist Home) to change the name to Bed & Breakfast and allow one guestroom to be permitted in a detached structure on the same property.
- Chapter 10 (Text Amendments & General Use Rezoning)
  - Section 10.2 (Application Process) to change the submittal period from 30 days to 45 days, and add 7 days to notify applicant of deficiencies, and 7 days to correct deficiencies.

- Chapter 11 (Conditional Rezoning)
  - Section 11.2 (Application Process) to change the submittal period from 30 days to 45 days, and add 7 days to notify applicant of deficiencies, and 7 days to correct deficiencies.
- Chapter 12 (Conditional Use Permits)
  - Section 12.2 (Application Process) to change the submittal period from 30 days to 45 days, and add 7 days to notify applicant of deficiencies, and 7 days to correct deficiencies.

November 19, 2019. Text Amendments:

- Chapter 4 (Zoning Permits)
  - Section 4.1 (Zoning Permit Applicability) to change “property owner” to “applicant” because the applicant is not required to be the property owner.
  - Section 4.2 (Application) to change from “applicable” to “determined applicable or relevant by the Administrator” because not all checklist items are relevant. Also language added to indicate if there are wetlands, stormwater control, etc, the applicant is responsible for the accuracy shown on the site plan.
- Chapter 5 (Dimensional Standards)
  - Section 5.1 (Table of Area and Setbacks) removes language to correspond with the removal of Section 7.15 to be consistent with the Fire Code.
- Chapter 6 (Table of Uses)
  - Section 6.1 (Use Table) removes Major Subdivisions from “Residential Uses” and to “Other Uses” to include non-residential major subdivisions, such as a business park.
- Chapter 7 (General Development Standards)
  - Section 7.11 (Non-Residential Screening) changes the standards to be consistent of standards in Pinehurst and Southern Pines.
  - Section 7.15 (Setback Encroachments) Removes language to correspond with Fire Code standards which require that the entire building shall not project into the required distance requirements.
  - Section 7.16 (Signs) change allows interior lots an option to have signage fronting a highway.
- Chapter 8 (Specific Use Standards)
  - Section 8.4 (Accessory Dwelling Located within a Stick Built Dwelling) adds language to clarify that a passage way creates 2 separate buildings per the Building Code.

- Section 8.12 (Home Occupation, Level 2) removes specific use standard section numbers due to being subject to change.
- Section 8.68 (Government Facility) adds convenience site to specific use standards.
- Section 8.70 (Religious Institutions) removes specific use standard section numbers due to being subject to change.
- Section 8.107 (Salvage Yards) adds language to be consistent with NCGS 136-143 and specifies that property with more than 5 junk vehicles are considered an automobile graveyard.
- Chapter 11 (Conditional Rezoning)
  - Section 11.1 (Applicability) adds language to clarify that permitted and/or conditional uses listed in the corresponding zoning district are permitted in a conditional zoning district.
- Chapter 13 (Appeals & Variances)
  - Section 13.1 (Administrative Appeals) to clarify “board” to mean “Board of Commissioners”.
- Chapter 18 (Subdivision)
  - Section 18.5 (Minor Subdivisions) to delete “existing” because existing easements may or may not have road maintenance agreements already recorded.
  - Section 18.6 (Major Subdivision – Preliminary Plat Submittal and Review) to clarify that the UDO does not have to comply with NCGS 47-30 at the preliminary plat step.
  - Section 18.7 (Major Subdivision – Minimum Design Standards) to clarify that all streets should meet minimum NCDOT requirements.
  - Section 18.8 (Major Subdivision – Option 1) to clarify that the Administrator can review the HOA agreement for open space compliance.
  - Section 18.8 (Minimum Open Space Required) reduces the amount of contiguous open space required to accommodate a portion of the open space can be used for recreation purposes.
  - Section 18.10 (Major Subdivision-Construction Process) clarifies that the soil report shall be submitted before final plat approval.
  - Section 18.15 (Subdivision Plat Requirements) amends language to allow the Administrator to review the HOA agreement for open space and maintenance compliance.
- Chapter 19 (Definitions)
  - Section 19.1 (Word Interpretation) Removes language (similar language is included in Section 19.2).



- Section 19.2 (Definitions) to change “building” to have a similar definition to the Building Code.
- Section 19.2 (Setback) removes language to correspond with Fire Code standards which requires that the entire building shall not project into the required distance requirements.
- Section 19.2 (Lot Line, Front) adds language to accommodate odd shaped interior lots that have double frontage.

January 21, 2020. Text Amendments:

- o Chapter 8 (Specific Use Standards)
  - Section 8.107 (Mining) removes “of a conditional use permit” to clarify that any type of approval requires a detailed plan for restoration of the site.

October 20, 2020. Text Amendments:

- o Chapter 4 (Zoning Permits)
  - Section 4.6 (Expiration) amends language that zoning permits are valid for 1 year and that if the proposed moving, constructing, altering, repairing, or use of land, as set forth in an application for a zoning permit, is discontinued for a period of 2 years or more, the permit shall lapse and be of no further force and effect.
- o Chapter 6 (Table of Uses)
  - Section 6.1 (Use Table) adds Pottery Manufacturing and Sales in the RA, VB, B-1, B-2, and I Zoning Districts.
- o Chapter 7 (General Development Standards)
  - Section 7.15 (Signs) Subsection K (Electronic Changeable Message Signs) amends language to allow electronic message signs at religious institutions.
- o Chapter 8 (Specific Use Standards)
  - Section 8.12 Home Occupation, Level 2), Subsection B (Standards) clarifies that “child care home facility” is a separate use than “child care facility”.
  - Section 8.71 (Religious Institutions), Subsection B (Standards) removes section number due to being subject to change.
  - Section 8.92 (Pottery Manufacturing & Sales) adds specific use standard language for potter manufacturing and sales.
- o Chapter 9 (Nonconforming Situations)
  - Section 9.2 (Continuation) adds language to state if a legal nonconforming use is discontinued, as evidence by the disconnection of electrical or utility service for a period of 2 years, any future use of the building, structure, or land shall comply with the provisions of this ordinance.

- Chapter 11 (Conditional Rezoning)
  - Section 11.2 (Application Process), Subsection F (Additional Conditions) adds language that the applicant must consent in writing to the conditions in order for those conditions to be effective.
- Chapter 12 (Conditional Use Permit)
  - Section 12.2 (Application Process), Subsection C (Additional Conditions) Adds language that conditions and safeguards imposed shall not include taxes, impact fees, building design elements within the scope of NCGS 153A-340(l), and driveway related improvements in excess of those allowed in NCGS 136-18(29) and NCGS 160A-307. Design restrictions are permitted for commercial or multi-family development or with written consent from the property owner
- Chapter 13 (Appeals & Variances)
  - Section 13.1 (Administrative Appeals) Subsection F (Standing) adds language stating criteria used to determine whether an individual has standing to bring civil actions against administrative decisions.
  - Section 13.6 (Appeals to Court) updates the language to include the following sections: A. Quasi-Judicial Decisions, B. Circumventing the Board of Adjustments, C. Administrative Decisions, D. Time for Commencement of Action, and E. Fines Stayed During Appeal
- Chapter 14 (Vested Rights)
  - Section 14.2 (Development Permit) adds & describes the nature of development permits and relocates the Valid Building Permit section to 14.
  - Section 14.4 (Site Specific Development Plans & Phased Development Plans) relocates the section and modifies the following subsections: C. Site Development Plan, D. Phased Development Plan, E. Duration, and F. Termination.
  - Section 14.5 (Multi-Phased Developments) adds new section defining multi-phased developments.
  - Section 14.6 (Permit Choice) relocates the section & updates the language to include purpose, expirations, subsequent development permits, and appeal process.
  - Section 14.7 (Development Agreement) moves Section 14.5 to Section 14.7 to be in proper sequence.
  - Section 14.8 (Appeal) adds Section 14.8 to refer to Section 13.6.
  - Section 18.13 (Performance Guarantees for Major Subdivisions), Subsection B (Duration) to define “duration.”Section 18.15 (Subdivision Plat

Requirements) amends language to allow the Administrator to review the HOA agreement for open space and maintenance compliance.

- Section 18.13 (Performance Guarantees for Major Subdivisions) moves subsections to be in proper sequence.
- o Chapter 19 (Definitions)
  - Section 19.2 (Definitions) amends the definition of “development,” and to define “development permit,” and “land development regulation”.
  - Section 19.2 (Definitions) amends the definition of “family.”
  - Section 19.2 (Definitions) clarifies the definition of “lot of record, nonconforming” that nonconforming lots of record should have been legally existing at the effective date of the UDO or prior freestanding ordinances.