

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY JULY 2, 2015, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Buck Mims (Chair), Scott McLeod, Joesph Garrison, Eli Schilling, Eddie Nobles

Board Members Absent: Aaron McNeill (Vice Chairman), Rich Smith, Gene Horne,

Staff Present:
Debra Ensminger, Planning Director
Theresa Thompson, Planner
Tim Emmert, Planning Supervisor
Brenda White, Deputy County Attorney
Lydia Cleveland, Administrative Officer II

CALL TO ORDER

Planning Board Chairman Buck Mims called the meeting to order.

INVOCATION

Board Member Eddie McNeill offered the invocation.

PLEDGE OF ALLEGIANCE

Board and Staff recited the Pledge of Allegiance.

MISSION STATEMENT

Board Member Joseph Garrison 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 May 7, 2015
- C. Consideration of Abstentions

Board Member Eli Schilling motioned to approve the Consent Agenda and the motion was seconded by Board Member Garrison. The motion passed unanimously (5-0).

WORK SESSION

Planning Director Debra Ensminger opened the work session and explained that Theresa Thompson will review 11 sections and Tim Emmert will explain changes to Article 16 Wireless Communication Facilities.

Ms. Thompson explained the intent of the changes is to simplify and make the ordinances easier to understand.

Ms. Thompson first reviewed proposed Article 3 also referred as **Zoning Districts**. Ms. Thompson explained that everything is the same as before and staff did not change the intent of any of the zoning districts. Conditional Districts were removed due to the complexity while Conditional Zoning remained but moved to another article.

Ms. Thompson continued to explain the changes associated with each of the following articles;

Article 4 – Dimensional Standards

Ms. Thompson explained that the content within this article was condensed from 19 pages to 8 with the removal of individual tables and replaced with one that contains all the information. Additional changes include the front setback was changed to 30 feet, a side setback was added to zoning district B2, and for new businesses within zoning district Village Business the minimum lot width has been changed to 75 feet with a rode frontage of 30 feet.

Article 7 – Non-Residential Screening

Ms. Thompson explained that non intensive outdoor recreation is now exempt from screening and under “screen types” if there is existing vegetation staff will count that towards the required screening. Proof of this existing vegetation will be required on the submitted site plan and a site visit will be conducted before zoning approval is given. This section is still in progress because staff is working with the Wildlife Commission to develop pertinent landscaping requirements applicable to the area. Items C, D, and E is new language to give the zoning administrator more flexibility and finally the tables of recommended, not recommended, and discouraged/prohibited species were provided by the Wildlife Commission but they are still working through them.

Planning Board Member Garrison recommended reducing the amount of tables to make it less confusing on what is allowed versus what is prohibited. Additional Board members agreed that the guides are good but it need additional revisions.

Article 10 – Conditional Use Permits

Most of the language is directly from the statutes and it may be repetitive of other articles but it will allow the average citizen to find what they are looking for and all the information they need will be one location. Currently all the requirements for a conditional use permit may be listed in several articles.

Article 11 – Amendments

Staff added an appeals section.

Article 12 – Conditional Zoning

This section is a little longer than the current article but this because two chapters have been combined into one.

Article 13 – Appeals and Variances

Most of the language for this article is straight from the statutes.

Article 14 – Vested Rights

Article 14 is a new article and includes information from case law.

Article 15 – Nonconforming Situations

The information included in Article 15 is the same just broken down into easier to read components.

Tim Emmert explained the changes to the next article.

Article 16 – Wireless Communication Facilities

Mr. Emmert explained that there are a lot of changes in the new Wireless Communication Facilities article. These changes include the removal of redundant language, references to a Master Plan, references to landscaping, a consultant's review, and biennial permits. There was an addition to include the requirement of an antenna array before a permit would be approved.

Ms. Thompson continued with a review of the remaining article included in this work session.

Article 22 – Enforcement and Penalties

Ms. Thompson explained that enforcement is a step by step process that begins no later than 10 days after a complaint is filed. A courtesy letter is given first with a typical timeframe of compliance within 30 days. This can be extended several times in order for violation to be corrected. The final resort is a violation letter than is vetted through the County Attorney's office and gives the violator 10 days to comply.

Ms. Thompson explained additional chapters will be brought before them in a similar fashion in future work sessions.

OTHER BOARD MATTERS

Board Member Scott McLeod asked about the decommissioning requirements for Solar Farms and expressed concern that no bond is required. Ms. Ensminger explained that staff are reviewing this requirement and will make changes as recommended.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger told the Planning Board to anticipate the ETJ expansion request from Pinebluff to be a part of the agenda for the next Planning Board Meeting.

BOARD COMMENT PERIOD

Board Member Nobles commented that he liked the direction that the proposed Unified Development Ordinances was going.

ADJOURNMENT

With no further comments Chairman Mims adjourned the meeting.

Respectfully submitted by,

Lydia Cleveland
Administrative and Transportation Manager