

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY APRIL 7, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Rich Smith (Chair), Buck Mims, Eddie Nobles, Scott McLeod, Bobby Hyman, Gene Horne, Joseph Garrison

Board Members Absent: Aaron McNeill (Vice Chairman), David Lambert

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 Rich Smith called the meeting to order.

INVOCATION

Board Member Eddie Nobles offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member Bobby Hyman led in the reciting of the Pledge of Allegiance

MISSION STATEMENT

Board Member Gene Horne 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 March 3, 2016
- C. Consideration of Abstentions

Board Member Horne motioned to approve the Consent Agenda and the motion was seconded by Board Member Nobles. The motion passed unanimously (7-0).

PUBLIC HEARING(S)

Chairman Smith introduced the first public hearing as the following.

Pine Valley Solar Farm, LLC is requesting a Conditional Use Permit to construct a commercial Solar Collector Facility on approximately 30 acres of an overall approximately 89.44 acre parcel (ParID 00022606) located south of NC Hwy 211 in West End, owned by McDonald Family Farms as identified in Moore County tax records.

Senior Planner Theresa Thompson stated the following as part of her presentation. “The request is to locate a solar collector facility south of NC Hwy 211 located in the West End area as illustrated on the site plan. The property received rezoning approval on February 2, 2016 to Rural Agriculture. The proposed area is currently undeveloped. Adjacent uses include a solar collector facility located to the west, single family homes to the south, and a sand mine to the east. The site plan illustrates the property will meet the UDO’s screening requirements by utilizing Type 3 Screening, to the side and rear of the property, which includes a minimum 20 foot wide buffer of at least 15 trees and 7 shrubs per 100 linear feet to simulate a natural wooded vegetative area and along the front of the solar collector area the site plan meets the Highway Corridor Overlay District screening requirements. The proposed site plan meets all UDO requirements. In addition, the applicant has agreed that all specific use standards will be met as specified in the UDO which will be inspected by county staff before a Certificate of Occupancy is issued. The UDO requires that the 4 Findings of Fact are met as included in the staff report. Any recommendation of denial would need to include which finding is not met and why. There may need to be minor adjustments made to the site plan therefore staff recommends including an additional condition to the motion if approved as stated in the staff report that reads “Should the Zoning Administrator, Building Inspections, Environmental Health, NCDOT, or the Fire Marshal identify minor changes, staff shall be authorized to accept such minor modifications to the site plan as necessary.””

Chairman Smith asked for any questions from the Board.

Board Member Buck Mims asked how far this property is located from Highway 211. Theresa stated she is unaware of the exact distance but the location is not visible due to a large buffer of trees and a railroad with large trees surrounding the easement.

With no further discussion Board Member Horne made a motion to endorse the Moore County Board of Commissioners to approve the Conditional Use Permit for the use of a Solar Collector Facility on the parcel known as ParID# 00022606. The motion was seconded by Board Member Nobles and the motion passed 6-1. (Board Member Garrison dissenting)

Chairman Smith closed public hearing one.

Chairman Smith introduced the second public hearing as the following.

McDonald Family Farms, LLC is requesting a General Use Rezoning from Residential and Agricultural-20 (RA-20) to Industrial (I) of the northern portion, being approximately

1.78 acres of an approximate 2.75 acre parcel (ParID 00022600) located on Knox Lane near the intersection of NC Hwy 211 and NC Hwy 73, owned by JR Square LLC as identified in Moore County tax records.

Senior Planner Theresa Thompson stated the following as part of her presentation. “This request is to rezone an approximate 1.78 acres from Residential and Agricultural-20 to the Industrial Zoning District. This property is currently undeveloped. The surrounding area is zoned a mixture of Industrial, Commercial, and Residential as illustrated on the Zoning Map. The adjacent land uses included several vacant and dilapidated commercial buildings, a vacant dilapidated dwelling, a single family home, and a self-storage warehouse business. The Future Moore County Land Use Map classifies this area as Commercial/Office/Retail/Institutional which is typically not compatible with industrial uses, though there are three adjacent Industrial buildings and there are seven nearby lots zoned Industrial so the proposed zoning will place compatible uses in the area. Also, the small size of the property limits larger and more intensive industrial uses to the property. The proposed rezoning is compatible with Land Use Plan goals as listed in the Land Use Plan Consistency Statement. Staff recommends the Board to make two separate motions. The first motion will be to adopt the Planning Board Land Use Plan Consistency Statement and the second motion is to endorse the Board of Commissioners to approve or deny the rezoning request.”

Chairman Smith asked for any questions from the Board.

Mr. Angus McDonald requested to present to the Board and explained that the property is a land lease and the current leasee intends to renew their lease, and has a need to put storage trailers on the property. Most of the surrounding property is owned by the applicant with the exception of the property in the back. The applicant stated that they have reached out to the other property owner and they stated they have no issues.

With no further questions or comments Board Member Garrison made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Horne and the motion passed unanimously 7-0.

Board Member Garrison made a motion to endorse the Moore County Board of Commissioners to approve the general use rezoning the northern portion, being approximately 1.78 acres, of the parcel known as ParID 00022600 as identified in Moore County tax records from Residential and Agricultural-20 Zoning District (RA-20) to the Industrial Zoning District (I) as proposed. The motion was seconded by Board Member Horne and the motion passed unanimously 7-0.

Chairman Smith closed public hearing two.

Chairman Smith introduced the third public hearing as the following.

Article 7 (Table of Uses), Sub-Section 7.1.2 (Table of Uses) of the Moore County Unified Development Ordinance: **Amend** “Boat Sales and Service (outdoor storage in rear/side yard only)” to “Boat & RV Sales, Service, Storage” as listed Section 7.1.2 Table of Uses of the Unified Development Ordinance.

Senior Planner Theresa Thompson stated the following as part of her presentation. “Currently, Moore County allows Boat Sales and Service in the Gated Community Seven Lakes Zoning District. The Seven Lakes West Landowners Association owns an existing boat and RV storage area adjacent to Longleaf Drive which they are seeking to expand. Initially staff recommended amending the use to “Boat & RV Sales, Service, Storage” as shown in the staff report. We have since recognized that the Sales and Service component of the use is not suitable for the residential Seven Lakes community. Therefore, staff is requesting to slightly change the text amendment request to include:

1. REMOVING “Boat Sales and Service” as a permitted in use in the Gated Community Seven Lakes Zoning District.
2. TO ADD “Boat & RV Storage” as a permitted use in the Gated Community Seven Lakes Zoning District.

Staff recommends the Board to make two separate motions. The first motion will be to adopt the Planning Board Land Use Plan Consistency Statement and the second motion is to endorse the Board of Commissioners to approve or deny the text amendment request.”

Chairman Smith asked for any questions from the Board.

With no questions or comments Board Member Mims made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Horne and the motion passed unanimously 7-0.

Board Member Garrison made a motion to endorse the Moore County Board of Commissioners to approve the text amendment to the Moore County Unified Development Ordinance as proposed. The motion was seconded by Board Member Horne and the motion passed unanimously 7-0.

Chairman Smith closed public hearing three.

Chairman Smith introduced the fourth public hearing as the following.

Moore County Planning Staff is requesting a General Use Rezoning from Highway Commercial District (B-2) to the Gated Community – Seven Lakes District (GC-SL) of two parcels (ParID 20050198 and 20070132), the overall acreage is approximately 6.27 acres located on Longleaf Drive in Seven Lakes West, owned by Seven Lakes West Landowners Association as identified in the Moore County tax records.

Senior Planner Theresa Thompson stated the following as part of her presentation. Staff is recommending rezoning two adjacent parcels located near Longleaf Drive in the Seven Lakes West area from Highway Commercial (B-2) to Gated Community – Seven Lakes Zoning District. The larger 4 acre lot is currently being utilized as an outdoor boat and RV storage area. The 2.24 acre lot is currently undeveloped. The properties are the Seven Lakes West community. They were originally apart of the adjacent 110 acre tract abutting NC Hwy 211 which is the reason they were the Highway Commercial Zoning. The properties were purchased in 2010 by the Seven Lakes West Landowners Association. Staff did not realize this when the County rezoned 265 parcels in 2014 or they would have been included with that rezoning process. The Future Moore County Land Use Map classifies this area as Medium Residential and the requested zoning is compatible with this Land Use Classification. The proposed rezoning is compatible with Land Use Plan goals as listed in the Land Use Plan Consistency Statement. These properties are located approximately 1,800 feet from NC Hwy 211. Due to this distance from the highway and the close proximity to the GC-SL Zoning District, staff recommends rezoning these properties to reflect the Seven Lakes zoning designation. Staff recommends the Board to make two separate motions. The first motion will be to adopt the Planning Board Land Use Plan Consistency Statement and the second motion is to endorse the Board of Commissioners to approve or deny the rezoning request.”

Chairman Smith asked for any questions from the Board.

With questions or comments Board Member Nobles made 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. The motion was seconded by Board Member Garrison and the motion passed unanimously 7-0.

Board Member Garrison made a motion to endorse the Moore County Board of Commissioners to approve/deny the general use rezoning of the adjacent parcels known as ParID 20050198 and 20070132 as identified in Moore County tax records from Highway Commercial (B-2) to Gated Community – Seven Lakes (GC-SL) as proposed. The motion was seconded by Board Member Horne and the motion passed unanimously 7-0.

Chairman Smith closed public hearing four.

OTHER BOARD MATTERS

No other board matters were discussed.

PLANNING DEPARTMENT REPORTS

Planning Director, Debra Ensminger discussed the training email that was sent to each Board Member and asked the Board for their preference for review. The Board agreed that a group session would be beneficial.

BOARD COMMENT PERIOD

No comments were made by the Board.

ADJOURNMENT

Board Member Garrison made a motion to adjourn. The motion was seconded by Board Member McLeod. The motion passed unanimously (7-0)

Respectfully submitted by,

Lydia Cleveland