

**MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, OCTOBER 3, 2019 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

Board Members Present: Joe Garrison (Chairman), Harry Huberth (Vice Chairman), John Cook, David Lambert, Eddie Nobles

Board Members Absent: Matthew Bradley, Jeffrey Gilbert, Bobby Hyman, John Matthews

Staff Present: Debra Ensminger, Planning Director
Tron Ross, County Attorney
Theresa Thompson, Planning Supervisor
Dervin Spell, Planner

CALL TO ORDER

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

INVOCATION

Board Member Eddie Nobles offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member John Cook led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Vice Chairman Harry Huberth 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 September 5, 2019
- C. Consideration of Abstentions

Vice Chairman Harry Huberth made a motion for approval of the consent agenda. Board Member Eddie Nobles seconded the motion and the motion passed unanimously 5-0.

PUBLIC HEARING

Public Hearing #1 –Moore County staff is requesting amendments to the Moore County Unified Development Ordinance.

Planning Supervisor Theresa Thompson presented to the board the requested amendments as noted within the staff report.

1. Amend Chapter 4 (Zoning Permits), Section 4.1 (Zoning Permit Applicability)
2. Amend Chapter 4 (Zoning Permits), Section 4.2 (Application), Subsection C (Site Plan Requirements)
3. Amend Chapter 5 (Dimensional Standards), Section 5.1 (Table of Area and Setbacks)
4. Amend Chapter 6 (Table of Uses), Section 6.1 (Use Table)
5. Remove Chapter 7 (General Development Standards), Section 7.15 (Setback Encroachments)
6. Amend Chapter 7 (General Development Standards), Section 7.11 (Non-Residential Screening), Subsection D (Screening Types)
7. Amend Chapter 7 (General Development Standards), Section 7.16 (Signs), Subsection J (Off-Premise Signs)
8. Amend Chapter 8 (Special Use Standards), Section 8.4 (Accessory Dwelling Located within a Stick Built Dwelling)
9. Amend Chapter 8 (Special Use Standards), Section 8.12 (Home Occupation, Level 2), Subsection B (Standards)
10. Amend Chapter 8 (Specific Use Standards), Section 8.68 (Government Facility), Subsection A (Definition)
11. Amend Chapter 8 (Special Use Standards), Section 8.70 (Religious Institutions), Subsection B (Accessory Uses)
12. Amend Chapter 8 (Special Use Standards), Section 8.107 (Salvage Yards), Subsection A (Definition)
13. Amend Chapter 11 (Conditional Rezoning), Section 11.1 (Applicability)
14. Amend Chapter 13 (Appeals & Variances), Section 13.1 (Administrative Appeals), Subsection B (Submittal)
15. Amend Chapter 18 (Subdivisions), Section 18.5 (Minor Subdivisions), Subsection D (Additional Document Submitted for Approval)
16. Amend Chapter 18 (Subdivisions), Section 18.6 (Major Subdivision – Preliminary Plat Submittal and Review), Subsection D (Preliminary Plat Submittal)
17. Remove Chapter 18 (Subdivision), Section 18.7 (Major Subdivisions – Minimum Design Standards), Subsection F (Alternative Street Standards)
18. Amend Chapter 18 (Subdivision), Section 18.8 (Major Subdivisions – Option 1), Subsection E (Ownership of Open Space)
19. Amend Chapter 18 (Subdivisions), Section 18.10 (Major Subdivision – Construction Process), Subsection C (Soil Evaluation Report)
20. Amend Chapter 18 (Subdivisions), Section 18.15 (Subdivision Plat Requirements)
21. Amend Chapter 18 (Subdivisions), Section 18.8 (D) (Minimum Open Space Required)

22. Amend Chapter 19 (Definitions), Section 19.1 (Word Interpretation)
23. Add Chapter 19 (Definitions), Section 19.2 (Definitions)
24. Amend Chapter 19 (Definitions), Definition (Setback)
25. Amend Chapter 19 (Definitions), Definition (Lot Line, Front)

Vice Chairman Harry Huberth had a question regarding item #6 that addressed landscaping requirements. Mr. Huberth inquired about what mechanisms will be used to enforce the amended landscaping requirements. Planning Supervisor Theresa Thompson mentioned the county has maintenance requirements in the UDO. Mr. inquired if the county had a bond issue or if the county could have a bond issue. Mr. Huberth then gave a hypothetical example of a developer finishing a project in June when the weather is not favorable to new landscaping. Mrs. Thompson explained the applicant does have the option to request a conditional certificate of occupancy where a developer will have six months to install the landscaping. Mrs. Thompson also mentioned if a developer installs landscaping and a plant dies they are required to replace that plant, and the county has an enforcement policy for this.

Vice Chairman Harry Huberth had a question regarding item #15, Road Maintenance agreement. Mr. Huberth inquired whether the county had a mechanism to protect property owners on private roads. Planning Supervisor Theresa Thompson explained any new easement requires a road maintenance agreement. Mrs. Thompson added requiring a road maintenance agreement on an existing easement would not be feasible due to the number of homes that already exist on the easement and trying to get all the homeowners to come to an agreement. Mrs. Thompson also mentioned it would be impractical to prevent someone living on an existing easement from subdividing their land until all land owners on the easement signed a road maintenance agreement. Mrs. Thompson mentioned the county was not able to require road maintenance agreements before for existing easement.

Chairman Joe Garrison inquired if that requirement is being removed since the county could not require road maintenance agreements for existing easements anyway, which Mrs. Thompson explained it was not feasible to require for existing easements. Mr. Huberth mentioned from his personal experience all the landowners on his road had to sign a maintenance agreement due to a new property owner attempting to obtain a mortgage, which could only be obtained after all the existing property owners on the easement signed the road maintenance agreement. Mr. Huberth added that he guessed the banks would be the ones to handle this. Mrs. Thompson mentioned the county requires road maintenance agreement on any new easement, extended easement, or if someone is going to subdivide property on an easement.

Chairman Joe Garrison had a question regarding item #1, asking even though the requirement of an application being signed by a property owner is being struck out, that the application will still need to be signed by someone. Mr. Garrison made the suggestion that instead of striking out the language, that it be modified by replacing “property owner” with “applicant”. He stated this will still make it clear that the

application has to be signed by somebody. Mrs. Thompson agreed with Mr. Garrison and said that change will be made.

Chairman Joe Garrison opened the Public Hearing, with no further discussion or Public Comment Mr. Garrison closed the public hearing.

Board Member Eddie Nobles 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 Harry Huberth; the motion passed unanimously 5-0.

Board Member Eddie Nobles made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendments to the Moore County Unified Development Ordinance. The motion was seconded by Board Member David Lambert; the motion passed unanimously 5-0.

PLANNING DEPARTMENT REPORTS

Planning Director Debra Ensminger provided the Board with an update regarding the following items.

- There will be an item for the board's consideration in November.
- On October 9, 2019, Moore County Board of Commissioners will hold a work session at 9:30 a.m. at the Rick Rhyne Public Safety Center Community Room. The purpose of the meeting is to discuss future capital projects as well solid waste matters.

BOARD COMMENT PERIOD

Chairman Joe Garrison asked Board Member David Lambert if this was his last meeting. Mr. Lambert confirmed this and he stated it has been a pleasure. Mr. Garrison thanked Mr. Lambert for his work on the board.

ADJOURNMENT

With no further comments Board Member David Lambert made a motion to adjourn the October 3, 2019 regular meeting. The motion was seconded by Board Member Eddie Nobles and the motion passed unanimously 5-0. The meeting adjourned at 6:15 p.m.

Respectfully submitted by,

Dervin Spell