

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, NOVEMBER 4, 2021, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present:

Joe Garrison (Chairman), John Cook, John McLaughlin, Amy Lynn

Board Members Absent:

Jeffrey Gilbert, Bobby Hyman

Staff Present:

Debra Ensminger, Planning Director; Stephanie Cormack, Admin Officer; Betty Lynd, Senior Planner; Tron Ross, Associate County Attorney

CALL TO ORDER

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

INVOCATION

Chairman John Cook offered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Joe Garrison led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member Amy Lynn 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 4, 2021
- C. Consideration of Abstentions

Board Member John McLaughlin made a motion for approval of the consent agenda and approval of the minutes of March 4, 2021, meeting. Board Member John Cook seconded the motion and the motion passed unanimously 4-0.

ELECTION OF VICE CHAIR

Chairman Garrison recommended this item be tabled to the next meeting when all board members could be present. Board Member Amy Lynn made a motion to table election of Vice Chair until the next meeting date. Board Member John Cook seconded the motion and the motion passed unanimously 4-0.

Chairman Garrison asked Moore County staff Debra Ensminger to speak on behalf of the passing of Vice Chair Harry Huberth. Ms. Ensminger approached the podium and said a few words in honor of Vice Chair Harry Huberth who will be greatly missed.

PUBLIC HEARING

Public Hearing #1 – Moore County staff is requesting amendments to the Unified Development Ordinance Text Amendments - Quarterly Update – Betty Lynd

Senior Planner Betty Lynd presented to the board the requested amendments as noted within the staff report.

1. Amend Chapter 6 (Table of Uses), Section 6.1 (Use Table)
2. Amend Chapter 8 (Specific Use Standards), Section 8.11 (Home Occupation, Level 1)
3. Amend Chapter 8 (Specific Use Standards), Section 8.31 (Office)
4. Amend Chapter 8 (Specific Use Standards), Section 8.58 (Massage & Bodywork Therapy Practice, Unlicensed)
5. Amend Chapter 15 (Watershed Overlay Districts)
6. Amend Chapter 17 (Enforcement & Penalties), Section 17.2 (Enforcement Procedures), Subsection A (Investigation)
7. Amend Chapter 18 (Subdivisions), Section 18.7 (Major Subdivisions – Minimum Design Standards as Shown on Preliminary Plat), Subsection T (Cluster Mailboxes)
8. Amend Chapter 18 (Subdivisions), Section 18.16 (Subdivision Plat Requirements)

Mrs. Lynd explained to the board these items were being updated for various reasons, customer inquiries of clarity, ensure proper code is being followed, enforcement procedure timelines and guidance regarding transferring of watershed allocations to other municipalities.

Board Chair Garrison asked if the reason staff was separating boat and RV storage under the Table of Uses was due to the number of storage facilities coming up in the area?

Mrs. Lynd explained there have been a number of inquiries and if these types of uses are permitted by right then the board would not normally see this type of request. By requiring a conditional zoning on these uses then it would have to go before the board for approval.

Board Chair Garrison asked for further clarification regarding the language change for medical office uses.

Mrs. Lynd explained there was an inquiry to convert a residential accessory structure to a medical office, staff soon realized this was not clarified in the ordinance and needed to be addressed.

Board Chair Garrison asked the reason behind needing clarification for cluster mailboxes.

Mrs. Lynd explained there is an existing mail house located in Seven Lakes that has a potential need for expansion and staff realized there was not sufficient guidance in the ordinance to ensure enough parking was available as well as the standards needed to move forward.

Board Member Lynn asked how the watershed overlay district comes into play around the county.

Mrs. Lynd explained the county has a certain amount of acreage allocated for each watershed district and when a municipality runs out of their allotted allocations, they have the right to request transfer of allocations from the county to that municipality.

With no further comments from the board Chairman Garrison opened the Public Hearing.

With no one signed up to speak the board chair closed the Public Hearing.

With no further comments Board Member John Cook 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 160D-604. The motion was seconded by Board Member Amy Lynn; the motion passed unanimously 4-0.

Chairman Joe Garrison made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance. The motion was seconded by Board Member Amy Lynn; the motion passed unanimously 4-0.

Public Hearing #2 – Unified Development Ordinance Text Amendment – Highway Corridor Overlay District (Urban Transition Land Uses) – Betty Lynd

Pete Mace of TIJJS, LLC is requesting a text amendment to the Moore County Unified Development Ordinance.

Senior Planner Betty Lynd presented to the board the requested amendment as noted within the staff report.

1. Amend Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District)

Mrs. Lynd provided the board with a general definition of the uses that would fall under this type of use and provided examples.

The applicant is requesting high impact outdoor recreation be removed as a prohibited use from the Table of Uses. These types of uses were prohibited as adopted by the Board of County Commissioners in April of 2021, located in the Urban Transition Highway Corridor Overlay District. The applicant is requesting this type of use be allowed under a conditional zoning. If allowed under a conditional zoning the use would be applicable to any property located in the Urban Transition Highway Corridor Overlay District.

With no further comments from the board Chairman Garrison opened the Public Hearing.

Chairman Garrison asked if this was a prohibited use and wanted to make sure if approved these types of uses would have to go through the conditional zoning process.

Mrs. Lynd explained these types of uses are a prohibited use within this district and provided examples of these type of uses. If approved these types of uses would have to go through a conditional rezoning process and would be brought before the board for review.

The following signed up to speak during the public hearing.

- Pete Mace; 170 Pine Barrens Vista Southern Pines

Mr. Mace explained to the board he has a client who is interested in a high-end golf putting facility located on a piece of property with 5.2 acres in the Urban Transition Highway Corridor Overlay District. Mr. Mace explained this type of use is currently not allowed under this zoning designation and is looking at hopefully changing this use option.

With no other person signed up to speak Chairman Garrison closed the public hearing.

With no further comments Board Member Amy Lynn made a motion to adopt for approval 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 160D-604. The motion was seconded by Board Member John McLaughlin; the motion passed unanimously 4-0.

Board Member Amy Lynn made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance. The motion was seconded by Board Member John Cook; the motion passed unanimously 4-0.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger mentioned the upcoming December meeting maybe set up as a work session to discuss 160D changes/additions and reformat of the look to the Unified Development Ordinance. Ms. Ensminger explained most of the changes are made to reflect changes to the law which are already in effect.

BOARD COMMENT PERIOD

Chairman Garrison thanked Moore County staff for all their hard work while working for the county and welcomed new Board Members.

ADJOURNMENT

With no further comments Board Member Amy Lynn made a motion to adjourn the November 4, 2021, regular meeting. The motion was seconded by Board Member John Cook; meeting adjourned at 6:30 p.m., the motion passed unanimously 4-0.

Respectfully submitted by,

Stephanie Cormack