

**MOORE COUNTY PLANNING BOARD
THURSDAY, DECEMBER 3, 2020 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIANCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of August 6, 2020
- C. Consideration of Abstentions

III. PUBLIC HEARINGS

1. **Unified Development Ordinance Text Amendment – Dervin Spell**

IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger

V. BOARD COMMENT PERIOD - Chairman

VI. UPCOMING EVENTS

- **Thursday, January 7, 2021 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, January 19, 2021 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- Tuesday, February 2, 2021 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

VII. ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **given** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

**PUBLIC COMMENT PROCEDURES
MOORE COUNTY PLANNING BOARD**

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign-up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

**MOORE COUNTY PLANNING BOARD
PUBLIC HEARINGS PROCEDURES**

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

**MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, AUGUST 6, 2020 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

Board Members Present:

Joe Garrison (Chairman), Harry Huberth (Vice Chairman), Bobby Hyman, John Cook, Jeffrey Gilbert

Board Members Absent: John Mathews, Matthew Bradley

Staff Present:

Debra Ensminger, Planning Director; Tron Ross, Associate County Attorney; Stephanie Cormack, Administrative Officer

CALL TO ORDER

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

INVOCATION

Chairman Joe Garrison offered the invocation.

PLEDGE OF ALLEGIANCE

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

MISSION STATEMENT

Board Member Bobby Hyman 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 July 2, 2020
- C. Consideration of Abstentions

Vice Chair Huberth made a motion for approval of the consent agenda with the following amendment to the minutes dated July 2, 2020, page 7 second to last paragraph, last sentence requesting to change the word “chance to change”. Board Member Bobby Hyman seconded the motion and the motion passed unanimously 5-0.

ELECTION OF VICE-CHAIR

Board Member Bobby Hyman made a motion to nominate Harry Huberth to hold the position of Vice-Chair Board Member Jeffrey Gilbert seconded the motion and the motion passed unanimously 5-0.

PUBLIC HEARING

Public Hearing #1 – General Use Rezoning Request: Rural Agricultural-CUD (Farm Use) to Rural and Agricultural-40 (RA-40) -Debra Ensminger

Planning Director Debra Ensminger presented a request by Matthew & Jamie Encinosa, Alex & Lara Hardy and Michael & Judy Rowland requesting a General Use Rezoning of 42.94 acres (Tracts 1, 3 &4) located on NC Hwy 22 and Blues Siding Rd. from Rural Agricultural-CUD (Farm Use) to Rural and Agricultural-40 (RA-40). The properties are further described as Par ID#00036767 & #95000186 owned by Michael & Judy Rowland (Tract 1) per Deed Book 1118, Page 415 & Deed Book 1072, Page 111, Matthew & Jamie Encinosa (Tract 3) per Deed Book 5337, Page 91 and Alex & Lara Hardy (Tract 4) per Deed Book 5301, Page 400.

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

With no further discussion or public comment Chairman Garrison closed the Public Hearing.

Vice Chair Harry Huberth inquired if the rezoning would affect any current farm use on the property.

Ms. Ensminger explained the initial intent was for family members to build and farm on the property which did not materialize.

With no further comments Board Member Jeffrey Gilbert 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 John Cook; the motion passed unanimously 5-0.

Vice Chair Harry Huberth made a motion to recommend approval to the Moore County Board of Commissioners of the a General Use Rezoning from Rural Agricultural - CUD (Farm Use) to Residential and Agricultural - 40 (RA-40) of an approximate 42.94 acres (Tracts 1,3, and 4), located on NC Hwy 22 and Blue Siding Road, Carthage. The motion was seconded by Board Member Bobby Hyman; the motion passed unanimously 5-0.

Ms. Ensminger informed the applicants the item heard tonight would go before the Board of Commissioners on October 20th meeting.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger notified the Board of no Planning Board meeting for the month of September.

BOARD COMMENT PERIOD

Chairman Garrison thanked the board and staff for their commitment to attend the meeting.

ADJOURNMENT

With no further comments Vice Chair Harry Huberth made a motion to adjourn the August 6, 2020 regular meeting. The motion was seconded by Board Member Bobby Hyman; meeting adjourned at 6:10 p.m., the motion passed unanimously 5-0.

Respectfully submitted by,

Stephanie Cormack

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning and Transportation Director

DATE: November 4, 2020

SUBJECT: Unified Development Ordinance Text Amendments –
Certificate of Major Subdivision Plat Approval

PRESENTER: Dervin Spell

REQUEST

Moore County Planning Staff is requesting the below text amendment to the Moore County Unified Development Ordinance:

Bold Text – additions to the ordinance
~~Strikethrough Text~~ - deletions from the ordinance

Certificate of Preliminary Major Subdivision Plat Approval

I hereby certify that the ~~Subdivision Review Board~~ **Board of Commissioners** of Moore County, North Carolina approved on the _____ day of _____, 20__ the preliminary plan of subdivision as shown on this plat. Preliminary approval is valid for a period of 24 months from the above date or as established under the vested rights procedures, if applicable.

Subdivision Administrator

Date

REASON. Removes Subdivision Review Board and adds Board of Commissioners to reflect the preliminary major subdivision plat approval process per the Moore County Unified Development Ordinance Section 18.6 Subsection B.

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board’s review and consideration.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

ATTACHMENTS

- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals in the 2013 Moore County Land Use Plan:

Goal 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to the compatibility of land use goals supporting providing a transparent permitting process and straightforward standards and procedures.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendments to the Unified Development Ordinance, as proposed.

Joe Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

1. The text amendment request is not consistent with the 2013 Moore County Land Use Plan.

2. The proposed text amendment is not reasonable and not in the public interest because the proposed amendment will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the text amendments to the Unified Development Ordinance, as proposed.

Joe Garrison, Chair
Moore County Planning Board

Date