

**MINUTES
MOORE COUNTY PLANNING BOARD
SPECIAL MEETING
THURSDAY, JUNE 15, 2023, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

Board Members Present:

Bobby Hyman (Vice-Chairman), Mick McCue, John McLaughlin, Amy Lynn, Tucker McKenzie

Board Members Absent:

Joe Garrison (Chairman), Jeffrey Gilbert, David McLean, Farrah Newman

Staff Present:

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

CALL TO ORDER

Vice-chair Bobby Hyman called the meeting to order at 6:00 pm.

INVOCATION

Vice-chair Bobby Hyman offered the invocation.

PLEDGE OF ALLEGIANCE

Vice-chair Hyman led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board member Tucker McKenzie 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 4, 2023, Regular Meeting
- C. Approval of Minutes of May 18, 2023, Work Session
- D. Consideration of Abstentions

Board member Mick McCue made a motion for approval of the consent agenda. Board member John McLaughlin seconded the motion and the motion passed unanimously 5-0.

ADOPT PUBLIC HEARING PROCEDURES FOR THE PUBLIC HEARING TO BE HELD AT THIS MEETING

There was no modification to the public hearing procedures for the public hearing to be held at this meeting.

PUBLIC HEARING

Public Hearing #1 – A request to amend Chapter 4 (Zoning Permits, Site Plans, and Determinations), Chapter 7 (General Development Standards), Chapter 8 (Specific Use Standards) and Chapter 17 (Flood Damage Prevention), Chapter 19 (Subdivisions) and Chapter 20 (Definitions) – Debra Ensminger

Ms. Ensminger went over each item line by line within the packet regarding the request.

- Chapter 4 (Zoning Permits, Site Plans, and Determinations), Section 4.1 (Zoning Permit Required)– staff is not recommending moving forward with modification.
- Chapter 7 (General Development Standards) staff is recommending moving forward as presented in staff report.
- Chapter 8 (Specific Use Standards), Section 8.113 (Wireless Communication Facility) staff is recommending moving forward as presented in staff report.
- Chapter 17 (Flood Damage Prevention), Section 17.1 (Applicability) staff is recommending moving forward as presented in staff report.

With no further questions from the board, Vice-chair Hyman opened the public hearing.

The following signed up to speak during the public hearing.

- Jeffrey Marcus; 2760 Murdocksville Rd. West End, NC., representative for Nature Conservancy & Moore County resident feels there should be smart growth and Moore County should be proactive with zoning and have clean drinking water, he was neither in favor of nor against the proposed text amendments.

With no further discussion or public comment Vice-chair Hyman closed the public hearing.

With no further discussion from the board, Board member Tucker McKenzie made a motion to adopt the attached Approval Moore County Planning Board Land Use Plan Consistency Statement and authorize the chair to execute the document as required by North Carolina General Statute 160D-604 (administrative correction was made due to incorrect statute reference from 160D-605 to 160D-604). The motion was seconded by Board member Amy Lynn; the motion passed 5-0.

Motions listed by Chapter.

Chapter 4 - Board member Tucker McKenzie made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 4 (Zoning Permits, Site Plans, and Determinations), Section 4.1 (Zoning Permit Required) to keep the zoning decision sign requirement. The motion was seconded by Board member Amy Lynn; the motion passed 5-0.

Chapter 7- Board member Amy Lynn made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District) to add “Manufacturing, General” to uses allowed by Conditional Zoning in the Urban Transition Highway Corridor Overlay District. The motion was seconded by Board member Mick McCue; the motion passed 5-0.

Chapter 8 – Board member Mick McCue made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 8 (Specific Use Standards), Section 8.113 (Wireless Communication Facility) to remove the requirement for a Biennial Operating Permit for persons operating Wireless Communication Facilities. The motion was seconded by Board member John McLaughlin, the motion passed 5-0.

Chapter 17 – Board member Mick McCue made a motion to recommend Approval to the Moore County Board of Commissions of the proposed amendment to Chapter 17 (Flood Damage Prevention), Section 17.1 (Applicability) to correct the statute reference. The motion was seconded by Board member Tucker McKenzie, the motion passed 5-0.

Ms. Ensminger presented the remaining items to the board regarding Chapter 19 and Chapter 20, line item by line item within the packet regarding the request.

- Chapter 19 (Subdivisions), Section 19.4 (Family Subdivisions) to remove Subdivision Review Board requirements to approve family subdivision plats – staff is not recommending moving forward with modification as presented in staff report.
- Chapter 19 (Subdivisions), Section 19.6 (Minor Subdivisions) to remove Subdivision Review Board requirements to approve minor subdivisions – staff is not recommending moving forward with modification as presented in staff report.
- Chapter 19 (Subdivisions), Section 19.7 change Stormwater Management Plan requirement from preliminary plat stage to final plat stage and move language to Section 19.11 (Construction Process) – staff is recommending moving forward as presented in staff report.
- Chapter 19 (Subdivisions), Section 19.16 (Subdivision Plat Requirements) to change items on the Table of Subdivision Application Requirements as follows.
 - Item a: Proposed buildings are required only if applicable on preliminary plats – staff is recommending moving forward as presented in staff report – staff is recommending moving forward as presented in staff report.
 - Item b: Existing buildings are required only on exempt, minor, and family subdivisions plats – staff is recommending moving forward as presented in staff report.

- Item c: Allow existing topography to be shown on preliminary plats, and proposed topography – staff is recommending changing the word “allow” to “require”.
 - Item d: Allow existing and proposed entrance signs to be shown on preliminary plats if applicable – staff is recommending changing the word “allow” to “require”.
 - Item e: Allow estimated linear feet in streets on preliminary plats and require linear feet in streets on final plats – staff is recommending changing the word “allow” to “require”.
 - Item f: Allow estimated percentage of entire project to be covered with impervious surfaces, including totals by phase on preliminary plats and require percentage of entire project to be covered with impervious surface, including totals by phase on final plats – staff is recommending changing the word “allow” to “require”.
 - Item g: Allow estimated separate impervious surface totals by streets, sidewalks, maximum allowed for each lot on preliminary plats and require separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc. on final plats – staff is recommending changing the word “allow” to “require”.
 - Item h: Primary and secondary fire and rescue responders are required on preliminary and final plats – staff is recommending removing this item from the table.
 - Item i: Allow Stormwater Management Plans for major subdivisions to be submitted at final plat stage rather than preliminary plat stage – staff is recommending moving forward as presented in staff report.
- Chapter 19 (Subdivisions), Section 19.17 (Subdivision Plat Certification Requirements) to remove the requirement for a utilities certificate on minor subdivision plats – staff is not recommending moving forward with modification as presented in staff report.
 - Chapter 20 (Definitions) Section 20.2 (Definitions) to add the following definitions as presented in staff report.

With no further discussion from the board, Board member Mick McCue made a motion to adopt the attached Approval Moore County Planning Board Land Use Plan Consistency Statement and authorize the chair to execute the document as required by North Carolina General Statute 160D-604 (administrative correction was made due to incorrect statute reference from 160D-605 to 160D-604). The motion was seconded by Board member Tucker McKenzie; the motion passed 5-0.

Motions listed by Chapter and/or item as presented in staff report.

Chapter 19 - Board member Mick McCue made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 19 (Subdivisions), Section 19.4 (Family Subdivisions) to keep Subdivision Review Board requirements to approve family subdivision plats and not amend. The motion was seconded by Board member John McLaughlin; the motion passed 5-0.

Chapter 19 - Board member Tucker McKenzie made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 19 (Subdivisions), Section 19.6 (Minor Subdivisions) to keep Subdivision Review Board requirements to approve

minor subdivision and not amend. The motion was seconded by Board member Amy Lynn; the motion passed 5-0.

Chapter 19 - Board member Tucker McKenzie made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 19 (Subdivisions) to change Stormwater Management Plan requirement from preliminary plat stage (Section 19.7) to final plat stage, update requirements to be consistent with current NCDEQ policies, and move this language to Section 19.11 (Construction Process). The motion was seconded by Board member John McLaughlin; the motion passed 3-2 (Amy Lynn & Mick McCue voting opposed).

Board member Tucker McKenzie made a motion to combine items listed as Chapter 19, 4a through 4g in the staff report as one motion. The motion was seconded by Board member Amy Lynn; the motion passed 5-0.

Chapter 19 – Board member Tucker McKenzie made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 19 (Subdivisions), Section 19.16 (Subdivision Plat Requirements) items 4a through 4g with recommended amendments to change the language of “allow” to “require” for items 4c through 4g and to modify item 4c language of “not” to “and” proposed topography. The motion was seconded by Board member Amy Lynn; the motion passed 5-0.

Chapter 19 – Board member Tucker McKenzie made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 19 (Subdivisions), Section 19.16 (Subdivision Plat Requirements) item 4h to remove items on the Table of Subdivision Application Requirements listed as item 4h in the staff report as not required and remove from the table. The motion was seconded by Board member John McLaughlin; the motion passed 5-0.

Chapter 19 – Board member Tucker McKenzie made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 19 (Subdivisions) Section 19.16 (Subdivision Plat Requirements) item 4i to change items on the Table of Subdivision Application Requirements language from allow to “require”. The motion was seconded by Board member John McLaughlin; the motion passed 3-2 (Amy Lynn & Mick McCue voting opposed).

Chapter 19 – Board member Tucker McKenzie made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 19 (Subdivisions) Section 19.17 (Subdivision Plat Certification Requirements) to keep the requirement for a utilities certificate on minor subdivision plats. The motion was seconded by Board member John McLaughlin; the motion passed 5-0.

Chapter 20 – Board member Mick McCue made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendment to Chapter 20 (Definitions) Section 20.2 (Definitions) to add the definitions of Stormwater Management Plan, Stormwater Control Measures Dispersed Flow, Vegetated Conveyance, and Post Construction Stormwater Management Permit. The motion was seconded by Board member Amy Lynn; the motion passed 5-0.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger thanked the board for their feedback and their recommendations will be forwarded to the Board of County Commissioners.

BOARD COMMENT PERIOD

Vice-chair Hyman thanked staff and the board for all their hard work.

ADJOURNMENT

With no further comments Board member Tucker McKenzie made a motion to adjourn the June 15, 2023, special meeting. The motion was seconded by Board member John McLaughlin, the motion passed unanimously 5-0. The meeting was adjourned at 8:06 p.m.

Respectfully submitted by,

Stephanie Cormack