

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, FEBRUARY 1, 2024, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present:

Joe Garrison (Chairman), Farrah Newman, Tucker McKenzie, Guy McGraw, Ray Daly
David McLean (Vice-Chairman), Mick McCue, Ron Jackson, John McLaughlin

Board Members Absent:

None

Staff Present:

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

CALL TO ORDER

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

INVOCATION

Board member Tucker McKenzie offered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Joe Garrison led the pledge of allegiance.

MISSION STATEMENT

Board member John McLaughlin read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

CONSIDERATION OF ABSTENTIONS

There were no abstentions.

APPROVAL OF THE CONSENT AGENDA

Board member Mick McCue made a motion for approval of the consent agenda. Vice chair David McLean seconded the motion and the motion passed unanimously 9-0.

PUBLIC HEARING

Public Hearing #1 – A request for a Conditional Rezoning from Rural Agricultural Conditional Zoning (RA-CZ – Pallet Recycling & Production Facility) to Rural Agricultural Conditional Zoning (RA-CZ), the total being approximately 28.729 acres, for a Debris Management Facility, located at 2344 NC Hwy 705 and adjacent to West Side Road, Robbins, owned by Confrenella, LLC per Deed Book 6058, Page 63. – **Danielle Orloff**

Ms. Orloff went over the item within the packet explaining the item presented is an amendment to a previously approved Conditional Rezoning by the Moore County Board of Commissioners on September 15, 2020. The amendment is considered a major modification, per the Moore County Unified Development Ordinance, therefore only the amendment is to be considered.

The applicant has requested to increase the size of the proposed office space of 400 square feet for a previously approved Debris Management Facility, Pallet Recycling & Production Facility. The increase will not require the applicant to obtain an approval of a Special Non-residential Intensity Allocation from the Watershed Review Board.

With no further questions from the board, Chairman Garrison opened the public hearing.

The following signed up to speak during the hearing.

- Matthew Reeder: applicant 590 Reeder Rd. Seagrove; spoke in favor of the proposed
- Rebecca (last name unknown) lives off Hwy 705; spoke against the proposed
- Bryan Welborn, applicant Engineer, Neal Smith Engineering available for questions if needed.

Board member McCue requested clarification of the item being amended.

Ms. Orloff explained that the amendment is only to consider the proposed major modification of an increase in density for 400 square feet of office space.

With no further discussion or public comment, Chairman Garrison closed the public hearing.

With no further discussion from the board, Vice chair David McLean made a motion to adopt the consistent 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. The motion was seconded by Tucker McKenzie; the motion passed 9-0.

Vice chair David McLean made a motion to recommend Approval to the Moore County Board of Commissioners of a previously approved Conditional Rezoning from Rural Agricultural Conditional Zoning (RA-CZ – Pallet Recycling & Production Facility) to Rural Agricultural Conditional Zoning (RA-CZ), the total being approximately 28.729 acres, for a Debris Management Facility, located at 2344 NC Hwy 705 and adjacent to West Side Road, Robbins,

owned by Confrenella, LLC per Deed Book 6058, Page 63. The motion was seconded by Board member Tucker Mckenzie; the motion passed 9-0.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger reminded the board of the upcoming Land Use Forum meeting February 13th at Union Pines High School and February 15th at North Moore High School.

BOARD COMMENT PERIOD

Chairman Garrison thanked staff for all they do.

ADJOURNMENT

With no further comments Board member John McLaughlin made a motion to adjourn the meeting. The motion was seconded by Board member John McLaughlin Vice chair David McLean, the motion passed unanimously 9-0. The meeting was adjourned at 6:20 p.m.

Respectfully submitted by,

Stephanie Cormack

Exhibit A



County of Moore
— North Carolina —

Planning Board

February 1, 2024

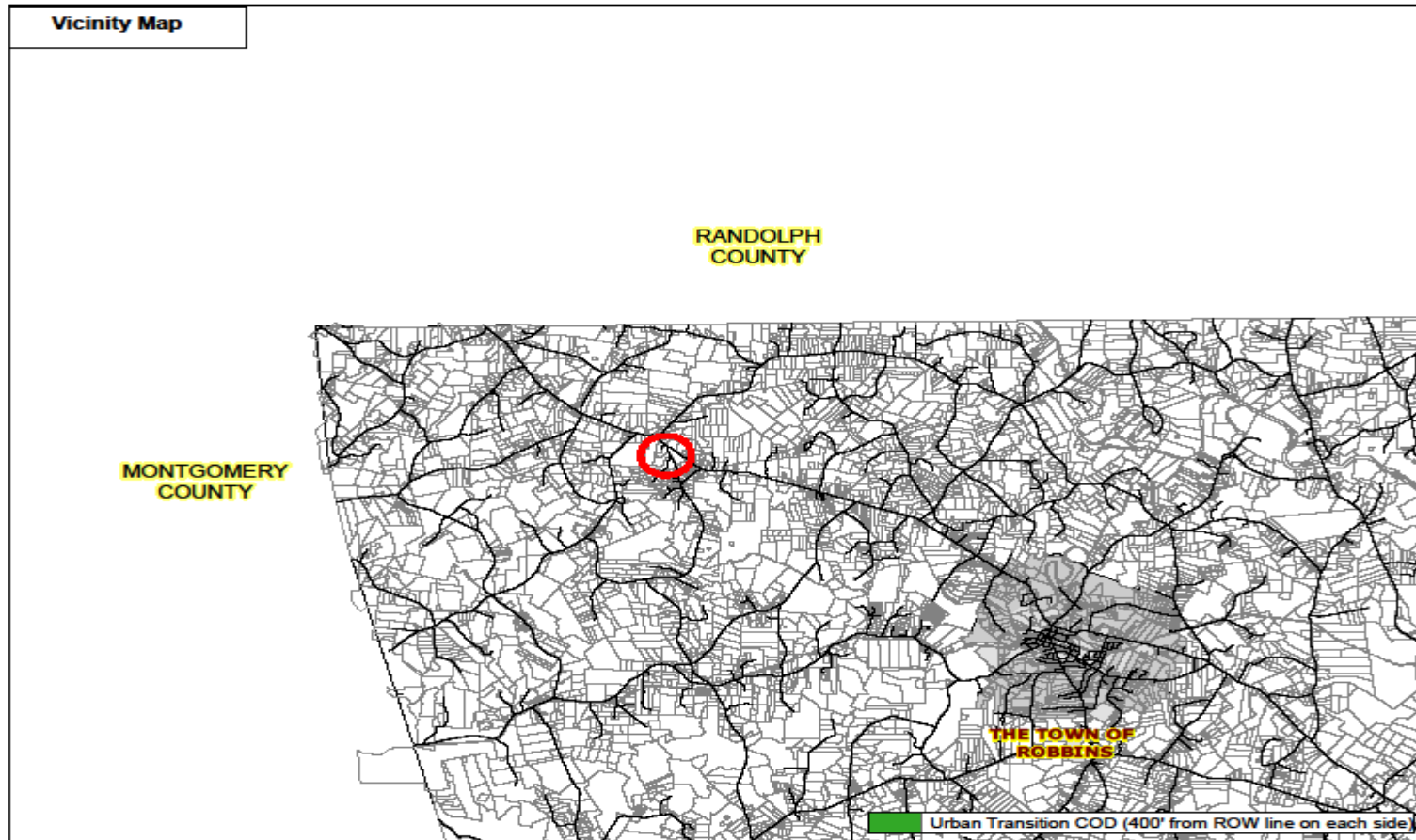


County of Moore
— North Carolina —

Amendment to Previously Approved Conditional Rezoning

RA-CZ (Debris Management Facility- Sawmills, Pallet
Recycling Facility) Major Modification

Vicinity Map



View of Subject Property from NC Hwy 705



View of Adjacent Property -2332 NC Hwy 705



Southbound View of NC 705



Northbound View of NC Hwy 705



Southbound View West Side Road



Background

- In the current UDO, Ch 8 Section 8.39.6. of the UDO (Sawmills) Debris Management Facility is defined as: A facility where logs are processed to produce wood products, **including pallet recycling and production**, and not including the processing of timber for use on the same lot by the owner or resident of that lot.
- A previous request for a Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) Debris Management Facility, Sawmills, Pallet Recycling and Production Facility was approved by the Moore County Board of Commissioners September 15, 2020.
- Section 12.6.H.(Amendment) 2.(Major Modifications considered amendments) including changes in density to the previously approved, September 15, 2020, Rural Agricultural Conditional Rezoning (RA-CZ) Debris Management Facility, Sawmills, Pallet Recycling & Production Facility requires amendments deemed as major modifications be approved.
- Major modifications to the previously approved plan include an increase of 400+ square feet in office space.
- Other changes deemed minor modifications not needing to be approved, to the plan were building layout, one parking space reduction (1 less employee) and location of office building.

Parcel Information-

CH 16- Watershed Overlay Districts

The property is located within the Cape Fear Bear Creek WS-IIIP watershed which restricts non-residential development to 24% built upon area or up to 70% with Special Non-Residential Intensity Allocation (SNIA) approval.

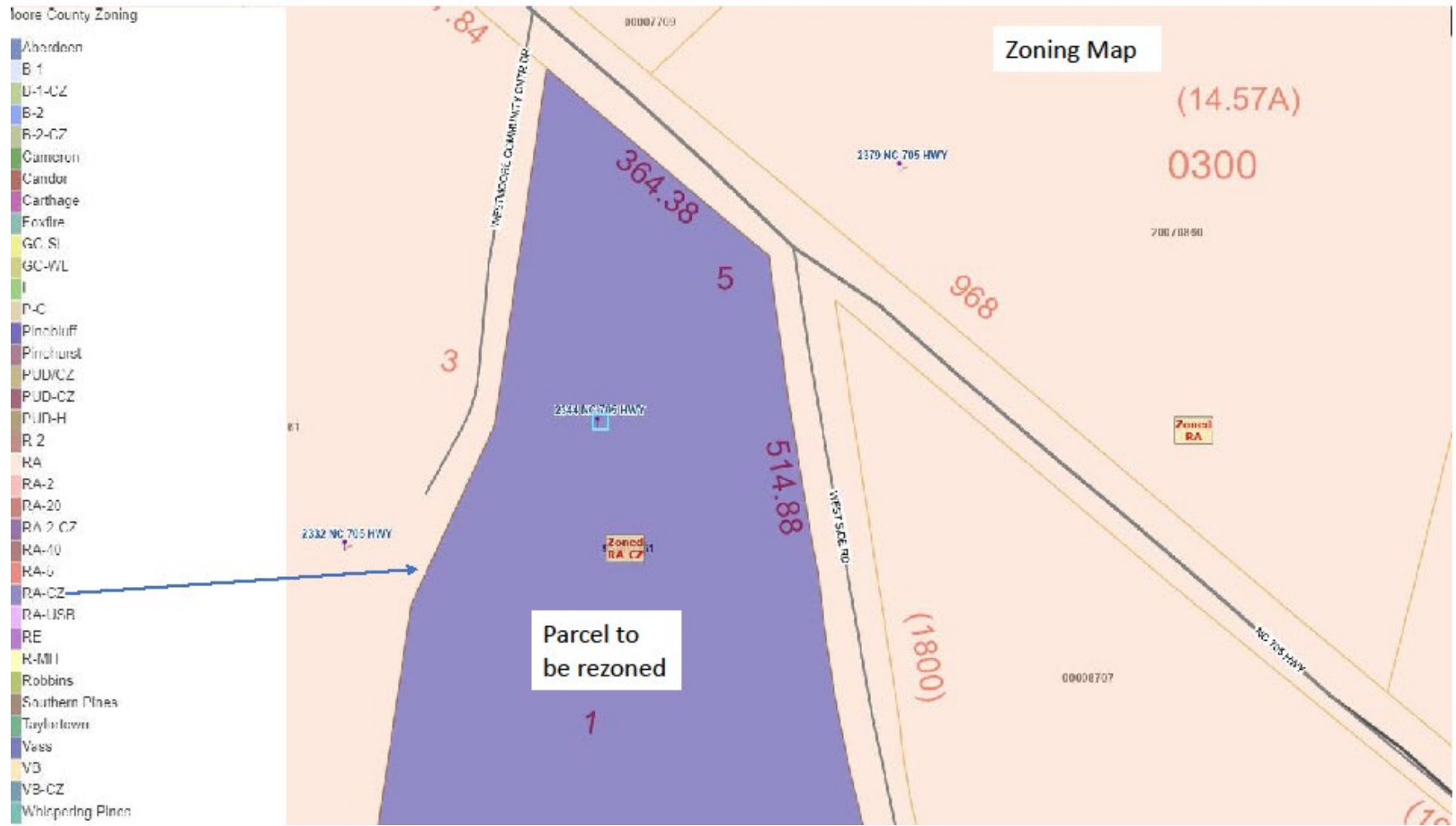
- Existing impervious surface: .77938 acres or 33,950 sq ft (2.71% of parcel)
- Proposed impervious surface: 2.5378 acres or 110,550 square feet (8.83% of parcel)
- Total= 3.317 acres or 144,496.36 square feet (11.54% of parcel)

The applicant will **not** be required to obtain approval of a Special Non-residential Intensity Allocation (SNIA) from the Watershed Review Board prior to obtaining any permits for construction.

COMMUNITY MEETING

The community meeting was conducted at 2344 NC Hwy 705 on January 16, 2024, from 3:00pm -5:00pm. Adjacent property owners were notified by certified return receipt mail, sent on January 6, 2024. Please refer to the attached report for more details.

Zoning Map



Zoning District Compatibility

- Adjacent properties are zoned Rural Agricultural(RA)
- Adjacent properties include single family dwellings, undeveloped property, and the Westmoore Community Center.
- The already approved Rural Agricultural Conditional Zoning (RA-CZ)Debris Management Facility – Sawmills, Pallet Recycling & Production Facility is consistent with the Rural Agricultural (RA) zoning district.
- The Unified Development Ordinance states the intent of the Rural Agricultural (RA) District is intended to encourage the continuance of agricultural uses as well as to ensure that residential development of appropriate intensities that are consonant with the suitability of land, availability of public services, and that are compatible with surrounding development, will occur at appropriate densities to provide a healthful environment.
- The RA District is also intended to accommodate rural commercial activities where the use of site-specific development plans, individualized development conditions, vegetative buffers, larger lots, and the compatibility of adjacent land uses are considered to provide suitable locations for rural commerce and other rural activities.

RECOMMENDATION BY PLANNING BOARD – CH 12.5.B

1. After conclusion of a public meeting, the Planning Board shall make a recommendation on the application in accordance with Section 12.5.D, Review Criteria.
2. In making its recommendation, the Planning Board shall prepare a written statement regarding the application's consistency with the County's Adopted Comprehensive Land Use Plan.
3. During its review of a conditional rezoning application, the Planning Board may suggest revisions to the proposed conditions (including the concept plan), consistent with the provisions of **Section 12.5.E, Conditions of Approval**. Only those revisions agreed to in writing by the applicant shall be incorporated into the application.

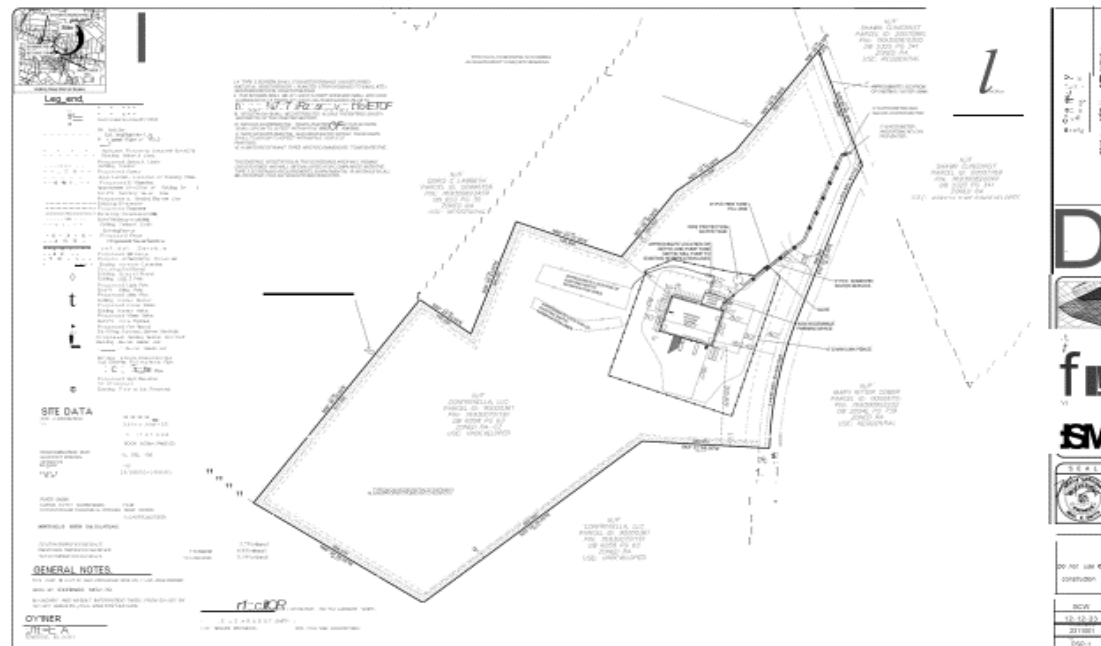
CONDITIONS OF APPROVAL– CH 12.5.E

1. Only conditions mutually agreed to by the owner(s) of the property that is the subject of a conditional zoning district designation, and the Board of Commissioners may be approved as part of a conditional rezoning application establishing a conditional zoning district.
2. Unless subject to an approved condition, all requirements of a corresponding conventional zoning district shall apply to a conditional zoning district.
3. Conditions of approval shall comply with **Section 10.10, Conditions of Approval**

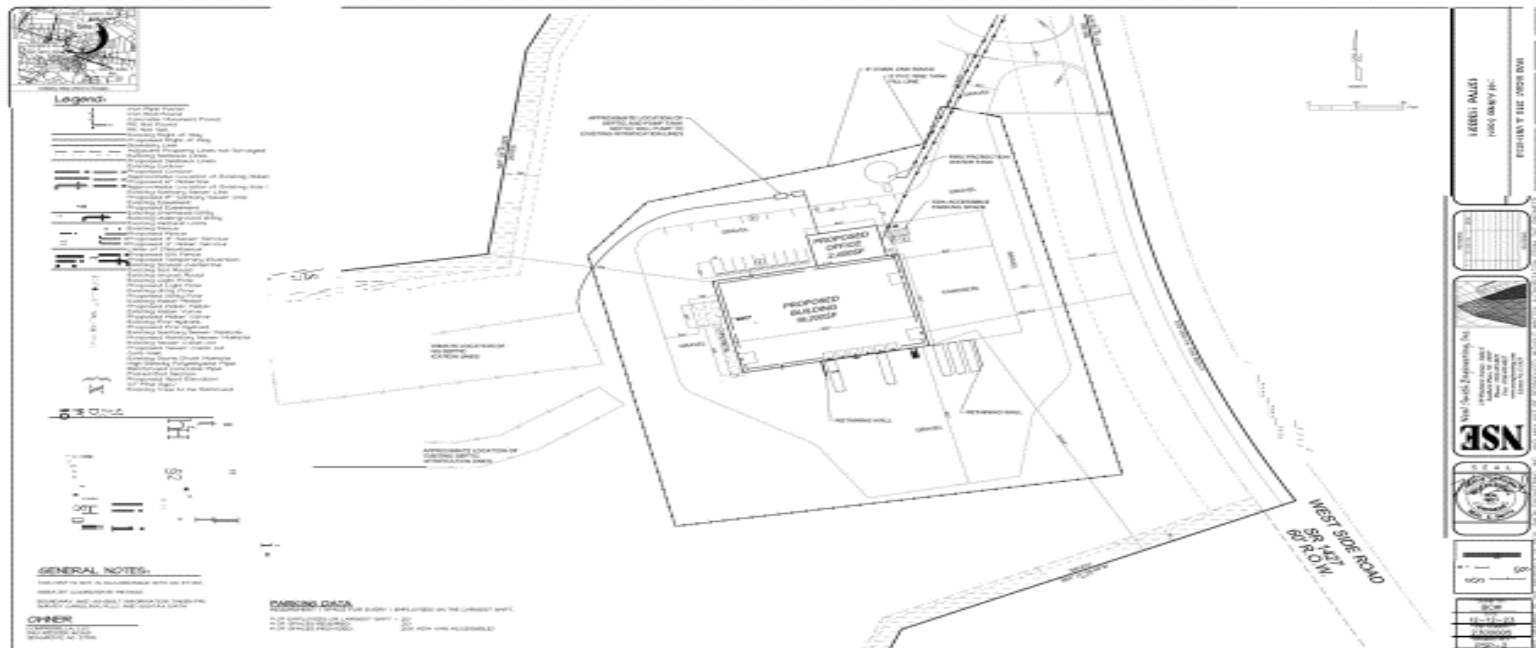
CONDITIONS OF APPROVAL: CH 10 SECTION 10.10

- A. Conditions shall be limited to those that address conformance of development and use of the site with County regulations and adopted plans and that address the impacts reasonably expected to be generated by the development or use of the site.
- B. Conditions shall be in writing and may be supplemented with text or plans and maps.
- C. No condition shall be made part of the application which:
 - 1. Specifies the ownership status, race, religion, or other characteristics of the occupants of housing units;
 - 2. Establishes a minimum size of a dwelling unit;
 - 3. Establishes a minimum value of buildings or improvements;
 - 4. Excludes residents based upon race, religion, or income; or
 - 5. Obligates the County to perform in any manner relative to the approval of the application or the development of the land.
- D. All conditions of approval shall be consented to, in writing, by all owners of land or applicants subject to the conditions.

County of Moore
—North Carolina—



Site Plan

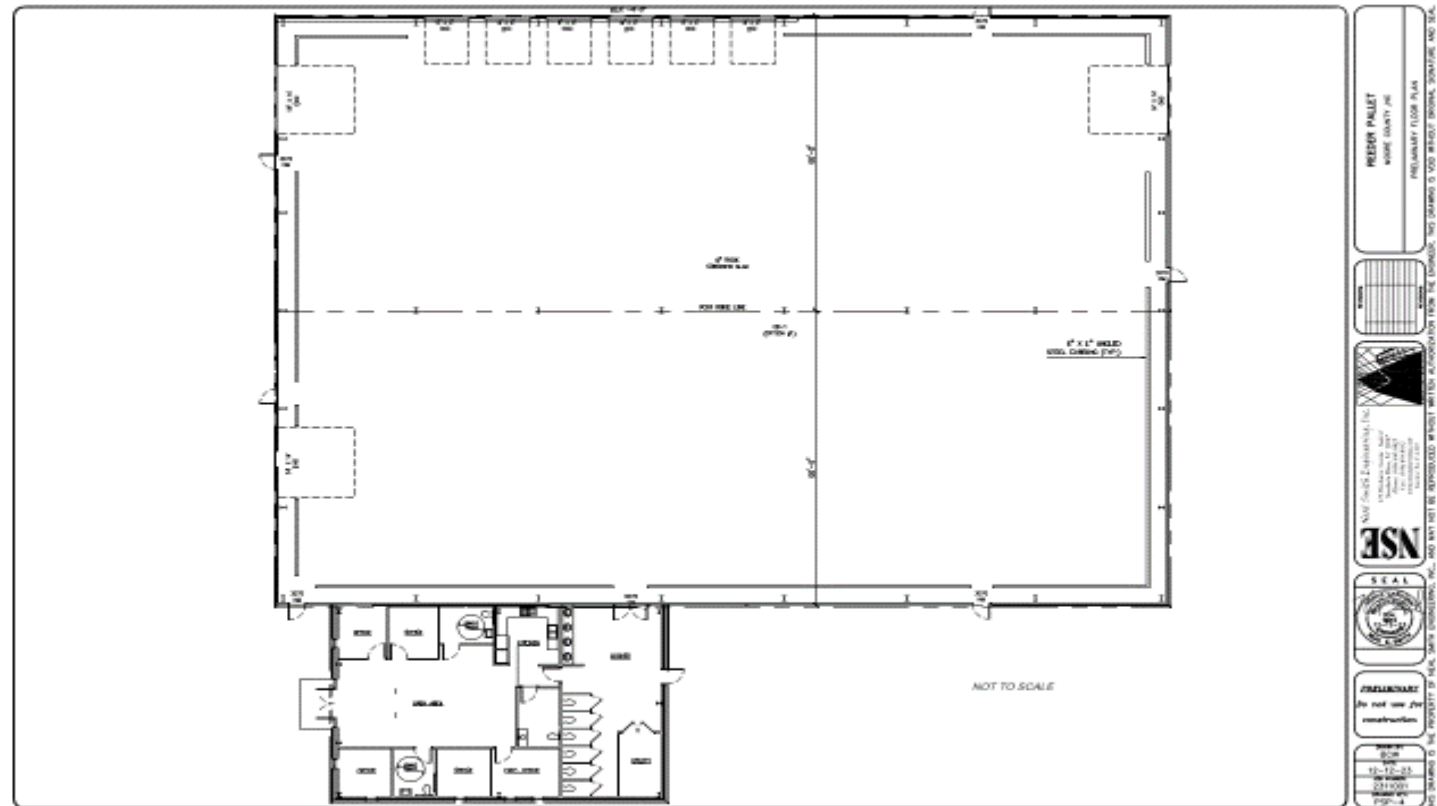


Parcel Layout – Overhead Photography

Not removing any trees except for on the construction site. Type 3 Landscape Screening (supplemental plantings shall be provided for any insufficiencies)



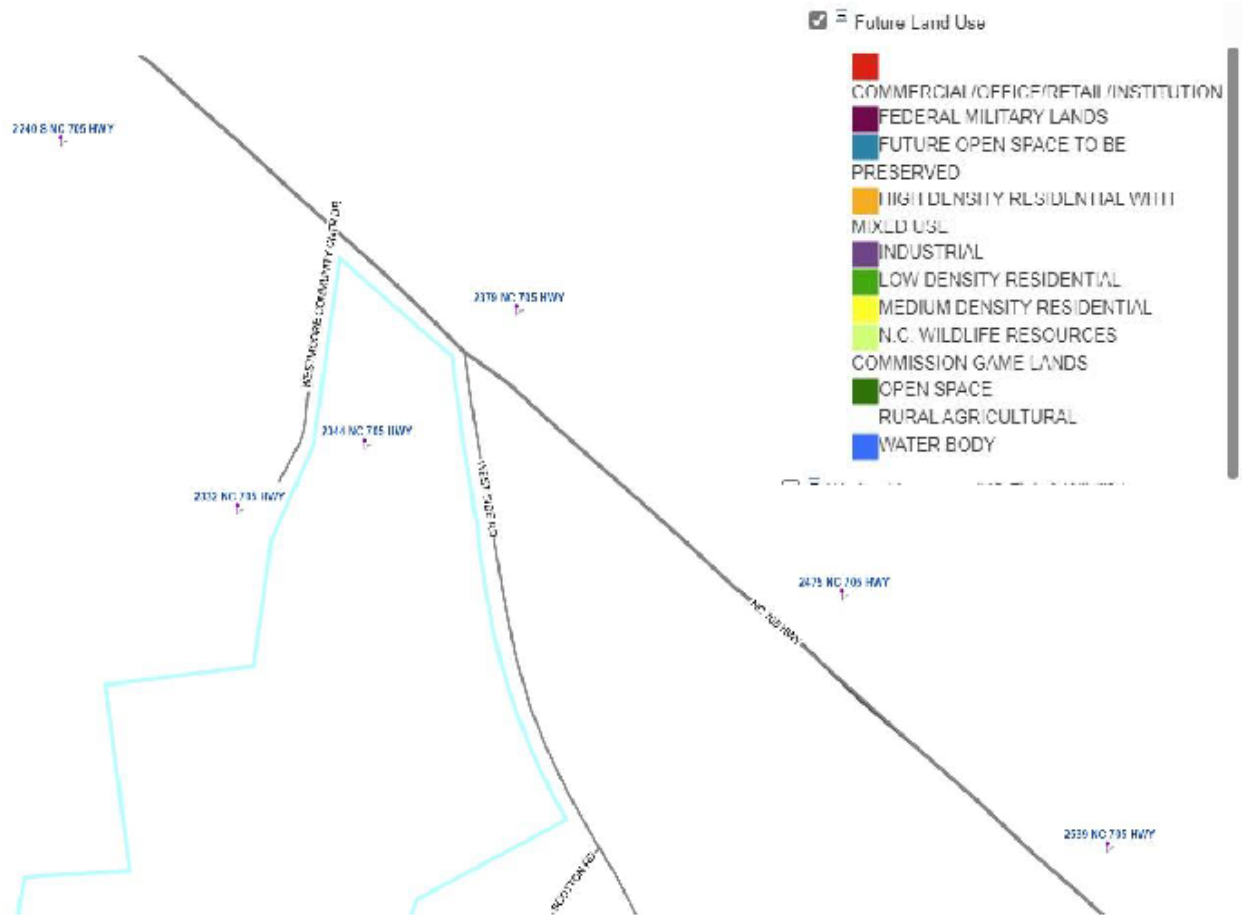
Site Plan – amended floor plan of office area



Review Criteria – UDO Chapter 12 Section 12.5.D- Amendment Only

1. Whether the proposed conditional rezoning advances the public health, safety, or welfare;
Adjacent property owners received notification of the proposed rezoning and the property was posted with a sign noticing the public hearing. A community meeting also took place at the site location, 2344 NC Hwy 705.
 - Established local growing business locating where employees live.
2. Whether and the extent to which the proposed conditional rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the County's Adopted Comprehensive Land Use Plan;
 - The rezoning request aligns with the Future Land Use Map.
 - The request is reasonable and in the public interest given that it does align with Goals, Recommendations and Actions as included in the attached Land Use Plan Consistency Statement:
 - Support and promote local businesses
 - Support Infill development
 - Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned, or most cost-efficiently be provided and extended to serve development.
3. Whether an approval of the conditional rezoning is reasonable and in the public interest;
 - The relationship between current and actual permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment with specific standards mentioned earlier accomplished.
 - Previously approved use, only increasing the size of the office building by 400 sq ft. – no negative impacts
4. Whether and the extent to which the concept plan associated with the conditional rezoning is consistent with this Ordinance; and
5. Any other factors as the Planning Board may determine to be relevant.

Moore County Future Land Use Map



Consistency with the 2013 Moore County Land Use Plan

- FLUM – Rural Agricultural Land Use Classification. The requested zoning to Rural Agricultural Conditional Zoning (RA-CZ) Debris Management Facility, Sawmills, Pallet Recycling & Production Facility is compatible with the Rural Agricultural Land Use Classification. The Land Use Plan states the primary use of the Rural Agricultural Land Use Classification is to support rural residential life associated with agricultural uses and other rural activities.
- The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including:
 - **Recommendation 1.7:** Support and promote local businesses,
 - **Action 1.7.2:** Encourage emerging markets that utilize local agricultural and manufactured products, and enhance tourism and the service sectors,
 - **Action 1.8.5:** Support and promote infill development that will optimize the use of existing infrastructure
 - **Recommendation 3.4:** Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned, or most cost-efficiently be provided and extended to serve development,
 - **Action 3.4.1:** Direct intensive land uses to areas that have existing or planned infrastructure.

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 (**Consistent** or **Inconsistent**) and authorize its Chairman to execute the document as required by North Carolina General Statute 160D-604.

- **Motion#2:** Make a motion to recommend **Approval** or **Denial**, for the amendment of the previously approved, September 15, 2020, Rural Agricultural Conditional Rezoning (RA-CZ) Debris Management Facility, Sawmills, Pallet Recycling & Production Facility, located at 2344 NC Hwy 705 and adjacent to West Side Road, Robbins, the total being approximately 28.729 acres, to the Moore County Board of Commissioners.