



## Moore County Board of Commissioners

October 15, 2024 | 4:00 PM  
Historic Courthouse  
1 Courthouse Square  
Carthage, NC 28327

### MINUTES

#### COMMISSIONERS PRESENT

Chairman Nick Picerno, Vice Chairman Kurt Cook, Frank Quis, John Ritter, Jim Von Canon

#### CALL TO ORDER

Chairman Picerno called the meeting to order.

#### 1. ITEMS OF BUSINESS:

##### A. Planning - Land Use Tutorial

Planning Director Debra Ensminger provided the commissioners with notebooks for guidance with land use decisions and provided a presentation, hereby incorporated as a part of these minutes by attachment as Appendix A. Questions and discussion followed.

#### ADJOURNMENT

There being no further business, upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to adjourn the October 15, 2024, Special Meeting of the Moore County Board of Commissioners at 4:26pm.

Nick Picerno, Chairman

Laura M. Williams, Clerk to the Board

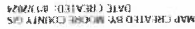




County of Moore  
—North Carolina—

## APPENDIX A

# Zoning / Land Use Plan Consistency & Reasonableness Statements October 15, 2024



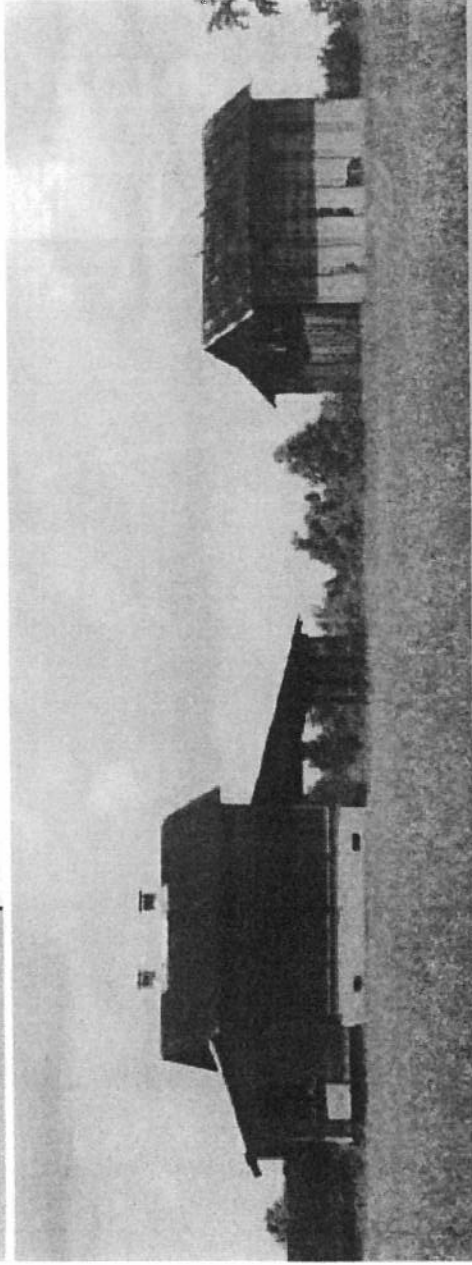


# UDDO

## Moore County Unified Development Ordinance

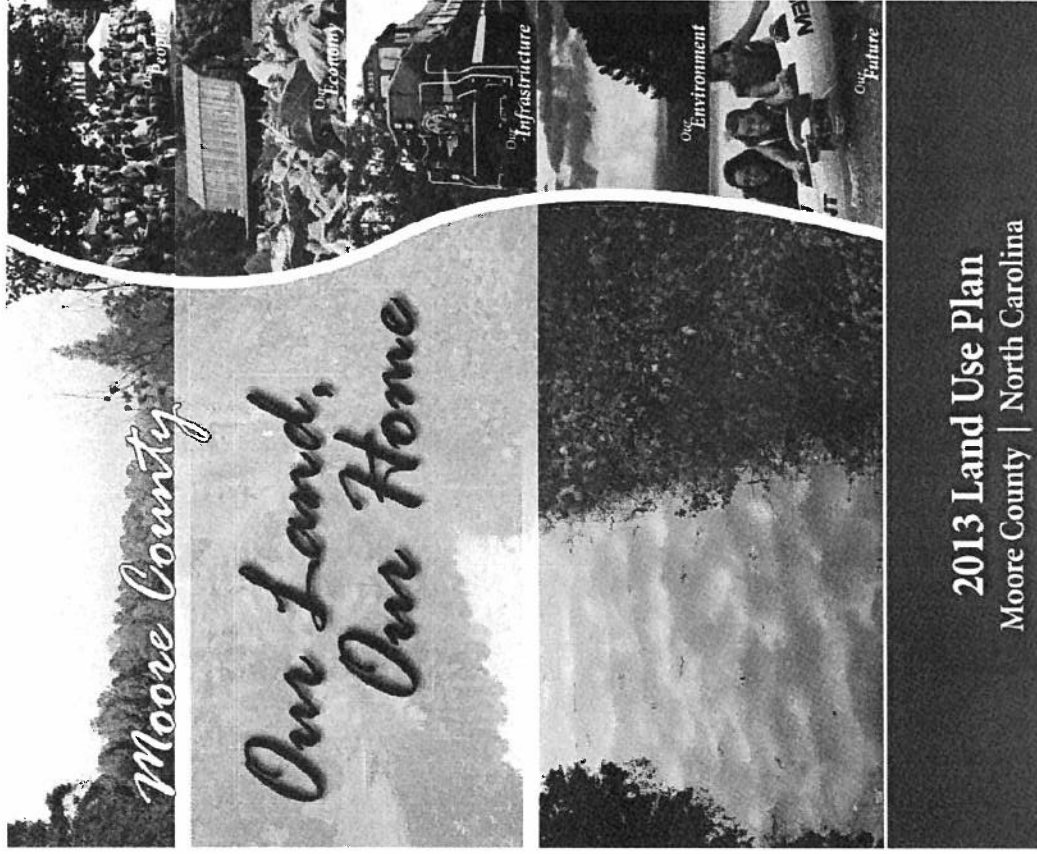
ADOPTED: 2.18.14

LAST AMENDED: 09.17.2024.



Small Area Plan for Area "A"  
Moore County, North Carolina

Debra Enslinger



## 2013 Land Use Plan

Moore County | North Carolina

# Zoning Districts

- Rural Agricultural
- Residential and Agricultural (RA-20) and (RA-40)
- Residential and Agricultural (RA-2) and (RA-5)
- Rural Agricultural Urban Service Boundary (RA-USB)
- Rural Equestrian (RE)
- Gated Community Seven Lakes (GC-SL) and Woodlake (GC-WL)
- Public and Conservation (P-C)
- Neighborhood Business (B-1)

## Zoning Districts Continued

- Highway Commercial (B-2)
- Village Business – (VB)
- Industrial – (I)
- Conditional Zoning Districts
  - Parallel Conditional Zoning Districts
  - Planned Development Conditional Zoning Districts
  - Multi-Family Conditional Zoning Districts

## Zoning Overlay Districts

- Highway Corridor Overlay District
  - Rural Highway
  - Urban Transition
- Watershed Overlay Districts
- Special Flood Hazard Area

## Table of Uses

- **Principal Use Table**

- The use table list the range of allowable principal uses, the zoning districts where they are permitted, and the type of application approval necessary from the County for the use to be established. The following application types are listed in the table:

- **Permitted Uses**

- A “P” in a cell of the table indicates that the specific use type is permitted in the corresponding zoning district, subject to any referenced use standards identified in the table and issuance of a zoning permit by the Administrator.

- **Special Uses**

- An “S” in a cell of the table indicates that the specific use type may only be permitted in the corresponding zoning district approval of a special use permit by the Board of County Commissioners. Special uses are subject to any referenced use standards identified in the table and may be subject to additional conditions deemed necessary by the Board of Commissioners.



## Table of Uses Continued

- **Conditional Zoning**
  - A “Z” in a cell of the table indicates that the specific use type may only be permitted within a conditional zoning district that is parallel to the listed underlying zoning district. The conditional zoning district designation must be in place before the use type may be established.
- **Planned Development District**
  - An “A” in a cell of the principal use table indicates that the specific use type is permitted in a planned development district, provided the specific use type is included in the list of potential use types in the master plan or terms and conditions document.
  - If a use type is listed prohibited in a planned development district it may not be included in a master plan or terms and conditions document.
- **Use Not Permitted**
  - An “.” symbol in a cell of the summary use table indicates that the specific use type is not permitted in the corresponding zoning district.

## Review Bodies and Administrator

- The following review bodies have powers and responsibilities for administering the Unified Development Ordinance:
  - 1. The Board of Commissioners;
  - 2. The Planning Board;
  - 3. The Board of Adjustment;
  - 4. The Subdivision Review Board; and
  - 5. The Administrator



## Board of Commissioners

- Amendments to the Unified Development Ordinance text and Official Zoning Map; (Legislative)
- Special Use Permits; (Quasi-Judicial)
- Conditional Rezoning; (Legislative)
- Major preliminary subdivision plats; (Quasi-Judicial)
- Vested Rights Extensions;
- Extraterritorial jurisdiction (ETJ) Expansions;
- Amendments to the Comprehensive Land Use Plan for Moore County.

## Planning Board / Watershed Review Board

- Amendments to the Unified Development Ordinance text and Official Zoning Map; (Legislative)
- Conditional Rezoning; (Legislative)
- Extraterritorial Jurisdiction(ETJ) Expansions; and
- Amendments to the Comprehensive Land Use Plan for Moore County.
- Special Non-Residential Intensity Allocations (SNIA);
- Watershed Density Averaging Certificates;
- Public Health and/or Water Quality Abatements;
- Proposed major watershed variance approvals (further consideration by the Environmental Management Commission); and
- Minor watershed variances.

## Board of Adjustment

- Variances, except for minor watershed variance applications;
- Reasonable accommodations; and
- Administrative Appeals.

## The Administrator (Planning Director, “Staff” or “Planning Staff”)

- Recommendations:
  - Concept plans associated with a conditional rezoning prior to consideration by the Planning Board;
  - Planned Development Master Plans prior to consideration by the Planning Board;
  - Site plans associate with special use permit applications prior to consideration by the Board of Commissioners; and
  - Site plans to be considered as site-specific vesting plans by the Board of Commissioners.



## The Administrator (Planning Director, “Staff” or “Planning Staff”)

- Decision Making Authority:
  - Zoning Permits;
  - Site Plans;
  - Floodplain Development Permits;
  - Minor Subdivision Plats;
  - Limited Subdivision Plats;
  - Family Subdivision Plats;
  - Exemption Plats;
  - Major Final Subdivision Plats;
  - Water Supply Watershed-related application approvals;
  - Determinations; and
  - Administrative adjustments.

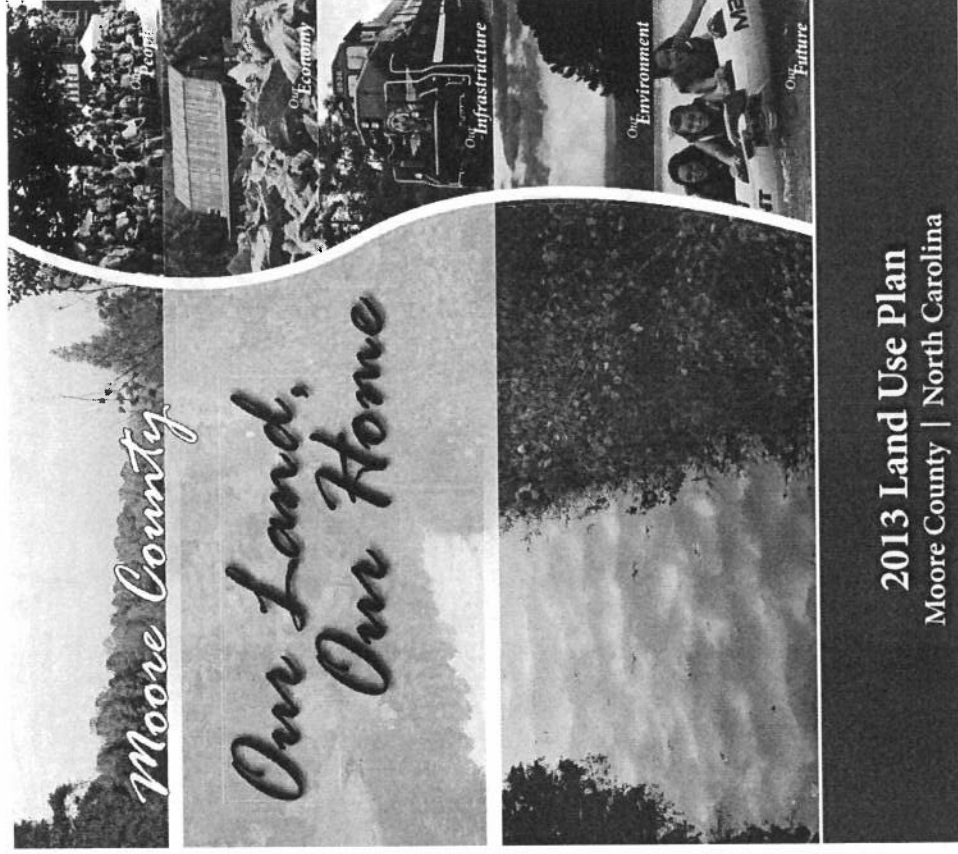


## The Administrator (Planning Director, “Staff” or “Planning Staff”)

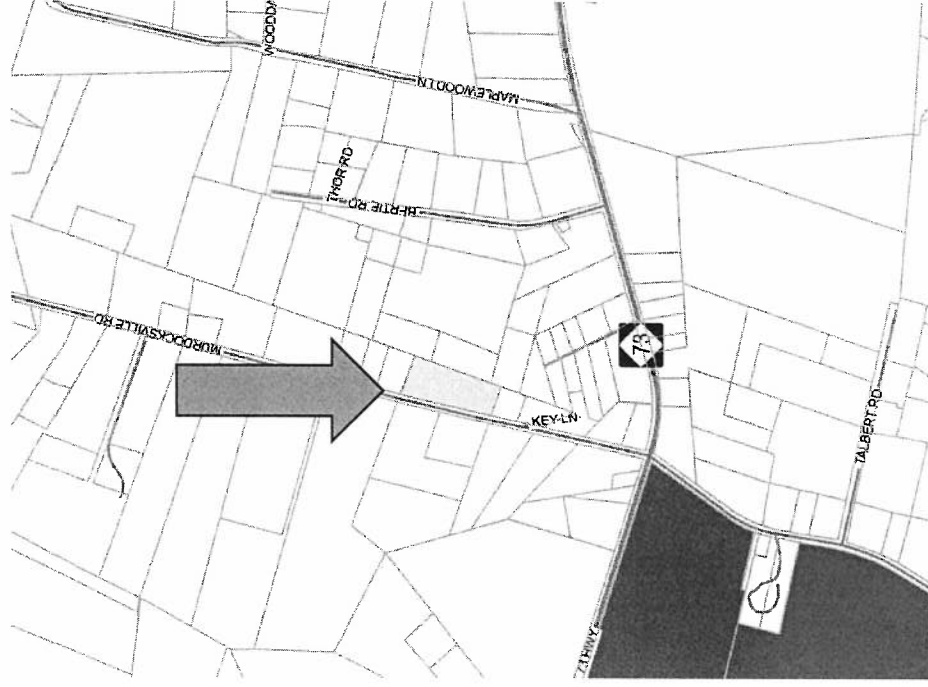
- Other Powers and Duties
  - Conduct pre-applications conferences;
  - Serve as the Floodplain Administrator
  - Serve as the Watershed Administrator;
  - Maintain the Official Zoning Map and related materials;
  - Interpret the boundaries of the Official Zoning Map;
  - Establish and maintain application forms;
  - Determine application completeness;
  - Provide expertise and technical assistance to the County’s review bodies;
  - Maintain records pertaining to the provisions of the Unified Development Ordinance and make records available for public inspection; and
  - Related duties as directed by the Board of Commissioners.



# 2013 Moore County Land Use Plan



# Most Recent Board of Commissioners Case Murdocksville Road Conventional Rezoning



Neighborhood Business (B-1) to  
Residential and Agricultural – (RA-  
40)

Inconsistent with the Land Use  
Plan and Approved

Future Land Use Map Updated to  
reflect approval

Rural Agricultural to Medium  
Density

## Land Use Plan Consistency & Reasonableness Statements Zoning Text or Map Amendment

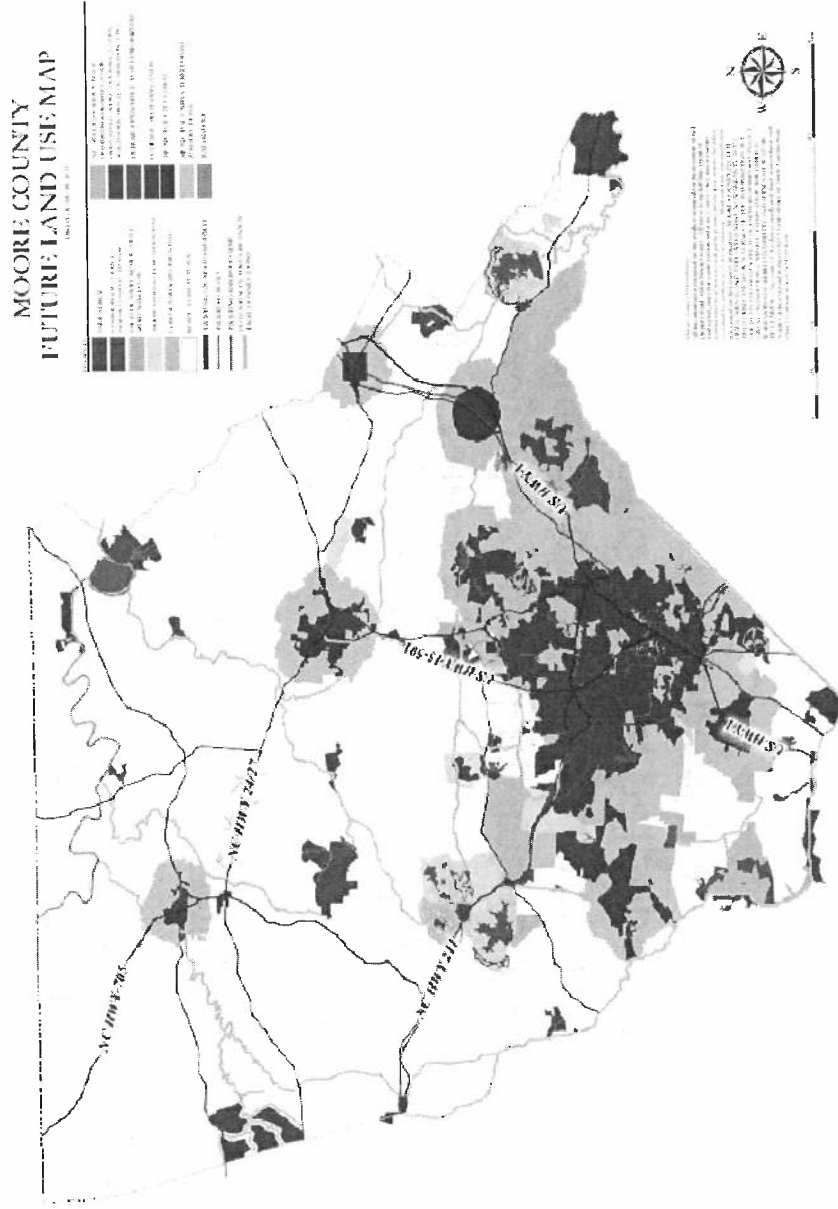
- The Board of Commissioners can do the following:
  - Make a motion that the request is consistent with the 2013 Land Use Plan  
AND
  - Make a motion to approve the request.
- Make a motion that the request is inconsistent with the 2013 Land Use Plan  
AND
- Make a motion to approve the request

## Land Use Plan Consistency & Reasonableness Statements Zoning Text or Map Amendments

- The Board of Commissioners can do the following:
  - Make a motion that the request is consistent with the 2013 Land Use Plan  
AND
  - Make a motion to deny the request.
- Make a motion that the request is inconsistent with the 2013 Land Use Plan  
AND
- Make a motion to deny the request



# Future Land Use Map



## Land Use Plan Consistency & Reasonableness Statements Zoning Text or Map Amendment

- If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted land use plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently.
- The plan consistency statement is not subject to judicial review.



## Land Use Plan Consistency & Reasonableness Statements Zoning Text or Map Amendment

- When adopting or rejecting any zoning text or map amendment, the [governing board] shall also approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan.
- In addition, when adopting or rejecting any petition for a zoning map amendment, the [governing board] shall adopt a statement analyzing the reasonableness of the proposed rezoning.



## Statements of Reasonableness

- Factors of Analysis ( factors are suggested and not mandated, as not all factors will be relevant to all rezoning decisions )
  - i. The size, physical conditions, and other attributes of the area proposes to be rezoned;
  - ii. The benefits and detriments to the landowners, the neighbors, and the surrounding community;
  - iii. The relationship between the current actual and permissible under the proposed amendment;
  - iv. Why the action taken is in the public interest; and
  - v. Any changed conditions warranting the amendment.



## Special Use Permits

### •Board Orders

# Recap Summary



# QUESTIONS?

