Moore County
Planning Board

November 7, 2024 | 6:00 PM
Historic Courthouse
1 Courthouse Square
Carthage, NC 28327

MINUTES

CALL TO ORDER *6:00 PM*
Vice Chair, Farrah Newman, called the meeting to order at 6:00pm.

Present: Vice-Chair Farrah Newman, Member Ray Daly, Member Tucker McKenzie, Member Ron Jackson, Member Tyler Brady, Member Guy McGraw, Member John McLaughlin.

Absent: Chair David McLean, Member Joe Garrison.

INVOCATION *Member Volunteer*
Member Tucker McKenzie, led the Invocation.

PLEDGE OF ALLEGIANCE *Member Volunteer*
Vice-Chair Newman led the Pledge of Allegiance.

MISSION STATEMENT *Member Volunteer*
Member, Tyler Brady, read the Mission Statement.

I. PUBLIC COMMENT PERIOD
Please sign up on the Public Comment Sign-In sheet near the door.
There were no public comments.

II. APPROVAL OF CONSENT AGENDA
Vice-Chair Newman called for any abstentions. There were no abstentions. The only item on the consent agenda was approval of the September 19, 2024, Special meeting. Vice-Chair Newman called for a motion. Member Ray Daly made a motion to approve. Member John McLaughlin seconded. Motion passed unanimously.

1. Planning - Approval of the September 19, 2024, Special Meeting minutes.

III. PUBLIC HEARING

Planning Director, Debra Ensminger, introduced the board to the notebooks containing the agenda items and applicable ordinances. Ensminger instructed the board to consider the consistencies or inconsistencies with the Land Use Plan, and that they would now be responsible for determining whether items are consistent or inconsistent based on the statements of reasonableness which can be found in the 160D blog: guide for consistency statements and statements of reasonableness. Ensminger asked the board to be sure to leave the notebooks at the end of each meeting so that the Planning staff can prepare them for each meeting. Ensminger stated she would now be introducing items instead of the Chairman.

1. Planning - Conditional Rezoning Request: Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) for a Wireless Communication Facility – 9739 NC 24-27 Highway

Planning Director Ensminger introduced the RA-CZ for a Wireless Communication Facility, that would be followed by Planning staff's presentation, to be followed by the applicant's presentation. Senior Planner, Ruth Pedersen, presented the staff report. Pedersen asked the board to consider which goals or actions in the Future Land Use Map are consistent or inconsistent. Is the re-zoning reasonable or in the public interest? Pedersen added, there are factors of analysis for 'reasonableness' in the UNCSOG blog, included in the packets. Vice-Chair introduced Jonathan Yates to speak for Verizon Wireless. Yates presented for the applicant, Milestone Towers. Yates explained that this location will complete the network coverage on 24/27 from Robbins to Carthage. Yates continued, the property is >600 acres and generously meets all setbacks. Yates acknowledged with each project there will be some discontent, but this tower ultimately is for the greater good. Yates continued, this tower will also have accessibility for wireless competitors, if and when they chose to implement services at this tower. Yates introduced neighboring landowner, Gary Bowles, who is in favor of the project and attended tonight to provide support.

Vice-Chair opened the public hearing. Gary Sullivan spoke in opposition to the tower. Sullivan asked about any double-blind communication studies to determine if these towers pose any health concerns, citing there are none. Denise Sullivan spoke on behalf of her father.

MOTION #1: Vice-Chair Newman opened the floor to a motion. Member Jackson made a motion to adopt the Moore County Land Use Plan consistency statement, and authorized the Chair to authorize the document as required by 160D-604. *Pedersen advised the board needs to choose an action or recommendation on which they are basing consistency. Jackson chose Goal 1.1, Encourage the production of farmland for farming and forestry land for forestry. McKenzie seconded. Motion passed unanimously.

MOTION #2: McKenzie made a motion to authorize the Vice-Chair to sign the consistency statement. Daly seconded. Motion passed unanimously.

MOTION #3: Daly made a motion to recommend approval to the Moore Board of Commissioners the request for a Conditional Rezoning of an approximately 0.11-acre portion of one parcel of approximately 631.63 acres, located at 9739 NC 24-27 Highway, from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) to construct a 259’ Wireless Communication Facility, owned by Jordan Three, LLC, per Deed Book 4092, Page 40. The tower setbacks on the 631.63-acre lot are: North ±467’-8”; South ±3,395’-9”; East ±2,586’-5”; and West ±677’-9”. McKenzie seconded. Motion passed unanimously.

2. Planning - Public Hearing to consider Unified Development Ordinance Amendments to Chapter 6 (Table of Uses), Section 6.1 (Principle Use Table), Section 6.2.B (Accessory Uses and Structures, Procedure for Establishment), Section 6.2.E (Accessory Uses and Structures, Accessory Use Table), and Chapter 8 (Specific Use Standards), Section 8.84 (Personal Workshop/Storage Building)

Planning Director, Ensminger, introduced the item. Ensminger reminded the Planning Board that they have heard this item previously, and recommended approval to the Board of Commissioners without changes. Ensminger explained the Board of Commissioners has heard this item and returned it to the Planning Board for further consideration. Specifically, to allow a personal workshop as a stand-alone, "Principal" use.

Senior Planner, Pedersen, presented the proposed text amendments, adding **Personal Workshop** to the **Principal Use Table**, the exception being the gated communities of Woodlake and Seven Lakes. Pedersen advised the board they will need to identify the Future Land Use goal(s) to support their rendering of consistent, or inconsistent. Pedersen continued, the statement of reasonableness (in the public interest) will also need to be included in their rendering. Pedersen opened the floor for questions.

Member Brady asked for clarification of the proposed text. Pedersen explained that personal workshops will now be permitted as a Principal Use.

Vice-Chair Newman opened the Public Hearing. There were no public comments. Vice-Chair Newman closed the public hearing.

MOTION #1: Member McKenzie made a motion to adopt the attached Land Ue Plan consistency statement as Consistent, and to authorize the Vice-Chair to execute the document as required by GS 160D-604, citing Land Use Plan 4.1.1 as the reason. Daly seconded. Motion passed unanimously.

MOTION #2: Member McKenzie made the motion to recommend approval of the proposed text amendments concerning Personal Workshops to the Board of Commissioners. Member Guy McGraw seconded. Motion passed unanimously.

3. Planning - Unified Development Ordinance Amendments to Chapter 6 (Table of Uses), Section 6.2.C.4 (Accessory Uses and Structures, General Standards for all Secondary Uses and Structures, Maximum Structure Size).

Planning Director Ensminger introduced the final item on the agenda regarding Accessory Structures. Ensminger noted the Planning Board had previously recommended no size limitation of accessory structures to the Board of Commissioners. Ensminger continued, the Board of Commissioners has sent the item back to the Planning Board for consideration of appropriate size restrictions.

Senior Planner Pedersen presented staff findings of appropriate size restrictions and maximum structure size for accessory structures. Pedersen continued, the board can determine the text amendments are consistent or inconsistent based on the Land Use Plan goals. Pedersen asked for any questions.

Member Brady asked if the overhang is included in the square footage? Pedersen advised, Yes, the entirety of the structure contributes to the square footage.

Member John McLaughlin asked about other factors that limit impervious (built upon) areas, like watershed and floodplain? Pedersen advised those factors supersede any other ordinance standards.

Member McKenzie asked if in an abundance of clarity, should the ordinance read, any <u>single</u> structure not exceed 10,000 square feet? Pedersen advised this standard could be added in the motion to adopt, if the board so chooses.

Member Guy McGraw asked Pedersen to clarify the reasoning behind the restriction of 500 sq. ft. accessory structures in the RA20 & RA40 zoning districts. Pedersen explained, the 500 sq. ft. maximum was left in the development standards due to the smaller lot size and intended density of those districts. Pedersen advised the board could make the standard for all districts be 10% of lot size maximum in their motion to go back to the Board of Commissioners.

Vice-Chair Newman opened the public hearing. There were no public comments. Vice-Chair Newman closed the public hearing.

MOTION: Member McKenzie made the motion to adopt the land Use Plan consistency statement as <u>consistent</u>, and authorize the Vice-Chair to execute the document as required by NCGS 160D-604, and recommend 4.1.1 action for the rationale. McGraw seconded. Motion passed unanimously.

MOTION: Member McKenzie made a motion to recommend approval to the Board of Commissioners regarding the proposed text amendments of Chapter 6 Table of Uses with modifications to add in section 6.2.C.4 Use Accessory Uses and Structures, adding to line items 4&5 adding the word **<u>single;</u>** and also modifying section 6.2.C.4 to include lIne item 1 RA20 7 RA40, and recommend removal of Line 2. Member Daly seconded. Motion passed unanimously.

IV. PLANNING DEPARTMENT REPORTS

Debra Ensminger

Planning Director Ensminger instructed the board to leave their notebooks at their seats so that Planning Staff can update with materials for the next meeting. Ensminger informed the board that there will be 1 item on the December agenda, a storage facility in the Robbins area. Ensminger continued, there will be light holiday refreshments also at the December 5 meeting.

V. BOARD COMMENT PERIOD

Member McLaughlin stated Member Joe Garrison carried an unfair burden following the previous meeting. McLaughlin continued, the board should show some level of unity going forward. Member Ron Jackson asked to keep the statements. Ensminger said the statements of reasonableness will be emailed, and asked if the board wanted them sent with their next agenda packets? Board generally agreed, yes.

VI. UPCOMING EVENTS

- Tuesday, Nov. 12, 2024, 6:00PM Land Use Plan Steering Committee Meeting to be held at the Ag Center in Carthage
- Tuesday, November 19, 2024, 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- Thursday, December 5, 2024, 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage

ADJOURNMENT

MOTION: Member McKenzie made a motion to adjourn. Member McGraw seconded. Motion passed unanimously at 7:07pm.