

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY APRIL 4, 2024
MOORE COUNTY HISTORIC COURTHOUSE- 2ND FLOOR

Board Members Present:

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

Board Members Absent:

Farrah Newman, and Ray Daly

Staff Present:

Debra Ensminger, Planning Director; Danielle Orloff, Senior Planner; Ruth Pedersen, Senior Planner; Tron Ross, Associate County Attorney; Eli Seawell, Environmental Health; and Nathan Hinson, Environmental Health

CALL TO ORDER

Chairman, Joe Garrison called the meeting to order at 6:00 PM

INVOCATION

Board Member Tucker McKenzie provided the invocation.

PLEDGE OF ALLEGIANCE

Chairman, Joe Garrison led the pledge of allegiance.

MISSION STATEMENT

Vice-Chairman, David McLean read the Moore County Mission Statement.

APPOINTMENT OF MEETING SECRETARY

Chairman Joe Garrison made a motion to appoint Danielle Orloff as Clerk to the Board. The motion was seconded by Vice-Chairman, David McLean; the motion passed 7-0.

PUBLIC COMMENT PERIOD

There was no public comment.

CONSIDERATION OF ABSTENTIONS

There were no abstentions.

APPROVAL OF CONSENT AGENDA

Board member, Mick McCue made a motion for approval of the consent agenda. The motion was seconded by John McLaughlin; the motion passed 7-0.

PUBLIC HEARINGS

Public Hearing #1- Initial Zoning Request to Rural Equestrian (RE), of approximately 13.81 acres located on Equestrian Road, owned by RJ Property Holdings, LLC, per Deed Book 5896, Page 163 and further described as Parcel ID 00037131 in Moore County Tax Records. The potentially affected properties are located on Equestrian Road and surrounding properties.

Senior Planner Ruth Pedersen presented a conventional rezoning request for the initial zoning of Rural Equestrian (RE) for Parcel ID 00037131. Planner Pedersen explained that the area is just outside of Southern Pines and illustrated zoning districts on both the County and Southern Pines sides of Equestrian Road and US Hwy 1. Owners had a survey completed, which revealed the parcel is not in the Southern Pines Extra Territorial Jurisdiction (ETJ). The Town of Southern Pines confirmed that they do not consider this parcel as part of their ETJ. The owners requested to rezone as Rural Equestrian (RE) in the County for any future changes on the property. The request is consistent with the adjacent zoning. The Municipal and County Future Land Use comparison map designates the area as open space. The request for the initial zoning of Rural Equestrian (RE) is consistent with the Moore County Future Land Use Plan to preserve and maintain the rural character of Moore County.

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

Craig Foster signed up to answer questions if needed but had no statement at this time. Rod Lynch asked to have property zoned Rural Equestrian (RE) to expand the horse farms that are already in the area and remain the gateway to the equestrian community. They have the blessing of the Moss heirs for the area previously donated by them.

With no further questions from the board Chairman Joe Garrison closed the public hearing.

Board Member Mick McCue made a motion to adopt the Consistent Moore County Planning Board Consistency Statement and authorize the Chair to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Vice-Chairman David McLean; the motion passed 7-0.

Vice-Chairman David McLean made a motion to adopt the Initial Zoning Request to Rural Equestrian (RE), of approximately 13.81 acres located on Equestrian Road, owned by RJ Property Holdings, LLC, per Deed Book 5896, Page 163 and further described as Parcel ID 00037131 in Moore County Tax Records. The motion was seconded by Mick McCue; the motion passed 7-0.

Public Hearing #2- Conventional Rezoning Request: Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40(RA-40) of one parcel of approximately 14.74 acres located at 1675 Murdocksville Road, owned by Cynthia Cole Secura, per deed Book 6117, Page 419. This 14.74-acre tract is located east of Murdocksville Road and was subdivided from a larger tract located west of Murdocksville Road in Plat Cabinet 20, Slide 134, Moore County Registry. The upper portion of the tract is zoned RA-5, and the triangular portion at the bottom is already zoned RA-40. The potentially affected properties are located on Murdocksville Road and surrounding properties.

Senior Planner Ruth Pedersen presented the conventional rezoning request from RA-5 and RA-40 of currently split zoned parcel located at 1675 Murdocksville Road, just north of Highway 73 and west of highway 15-501, to RA-40 zoning. The part of the parcel showing on the west side of Murdocksville Rd has been recently subdivided off, GIS has not caught up with the subdivision. Planner Pedersen wanted to clarify that this rezoning request was only for the area of the parcel on the east side of Murdocksville Rd.

Adjacent uses are compatible with RA-40 and align with residential uses. This request is not compatible with current Future Land Use Map designation of rural agricultural. If the rezoning request is adopted, then the map would be updated to show this area as medium density residential. The rezoning request aligns with the Moore County Future Land Use Plan because it reduces negative land uses. Planner Pedersen presented a chart that showed the different uses that would be allowed in the requested zoning district vs the current zoning, showing the reduction in intense land uses.

Board Member Mick McCue asked Planner Pedersen if discussions with applicant have produced what the applicant is wanting to do with the property that they currently are not able to do with it as it is currently zoned. The applicant is available to answer questions during the public hearing.

Board Member Tucker McKenzie reiterated for clarification that the rezoning request is not consistent with the Future Land Use Map; but the current zoning is not consistent either.

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

The property owner, Cynthia Secura, 1665 Murdocksville Rd, explained that the rezoning request was initiated due to current zoning of RA-5 warranting larger parcel sizes. She wants to give her daughter one acre not five acres. She wants to keep it rural.

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

Board Member Mick McCue made a motion to adopt the Consistent Moore County Planning Board 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 7-0.

Vice-Chairman David McLean made a motion to adopt the Conventional Rezoning Request: Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40(RA-40) of one parcel of approximately 14.74 acres located at 1675 Murdocksville Road, owned by Cynthia Cole Secura, per deed Book 6117, Page 419. The motion was seconded by John McLaughlin; the motion passed 7-0.

Public Hearing #3 -Request to amend Chapter 19 Section 19.11.C.2 (Subdivision- Major Subdivisions- Construction Process – Soil Evaluation Report) of the Moore County Unified Development Ordinance to correct the legal reference for individual lot soil evaluations in major subdivisions, which will potentially affect all properties in Moore County:

Amend Chapter 19 (Subdivisions) Section 19.11.C.2 as follows:2. The report must show that each proposed lot has been evaluated per under the current provisions of Title 15ANCAV18A.1900 et seq Article II, Chapter 130A of 15A NCAV 18E “Laws fand rules for Sewage treatment and Disposal Systems.”

Mrs. Pedersen explained the request.

With no further questions from the board Chairman Joe Garrison opened the public hearing. No one was present.

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

Board member Mick McCue made a motion to adopt the attached Consistent Planning Board Land Use Plan Consistency Statement and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Tucker McKenzie; the motion passed 7-0.

Vice-Chair David McLean made a motion to recommend approval to the Moore County Board of Commissioners of the proposed amendments to Chapter 19 (Subdivisions) Section 19.11.C.2 (Subdivision- Major Subdivisions- Construction Process – Soil Evaluation Report) of the Moore County Unified Development Ordinance. The motion was seconded by Tucker McKenzie; the motion passed 7-0.

PLANNING DEPARTMENT REPORTS

Planning Director, Debra Ensminger, mentioned that she sent an email to the board for online training, through the School of Government, on May 15 from 1-4pm. She asked to know who wanted to attend the training as she needs to register them individually. The fee is \$100 and covers one online training and other in person training sessions at various locations. She asked for a response as quickly as possible from those who have not yet responded and confirmed that Guy McGraw, David McLean and Farrah Newman had confirmed yes to the training and John McLaughlin will let Staff know his availability on Monday April 8, 2024.

PLANNING BOARD COMMENT PERIOD

No further comments from the board.

ADJOURNMENT

With no further comments Board Member, Mick McCue made a motion to adjourn the meeting. The motion was seconded by Vice-Chair David McLean, the motion passed unanimously 7-0. The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Danielle Orloff

Senior Planner

Elected Secretary to the Planning Board April 4, 2024, meeting