

MOORE COUNTY NORTH CAROLINA

Unified Development Ordinance Update

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Moore County is a diverse county in the Sandhills region of North Carolina that hosts a portion of the Fort Bragg Army Base as well as the upscale resort towns of Pinehurst and Southern Pines. Moore County has contracted with CodeWright to update the County's current unified development ordinance for compliance with the recently approved changes to the State's planning enabling legislation commonly referred to as the "160-D changes."

The initial task in the project was the preparation of a detailed diagnosis memorandum that reviewed each section of the current ordinance and proposed a series of recommended changes – both those necessary for compliance with 160D as well as other changes for increased compliance with best practices. Changes include streamlining code language and removing repetition, development of new procedures like administrative adjustments, codification of existing but insufficiently explained procedures like site plan review, and adjustment to development standards like the sign provisions.

In addition to substantive changes, CodeWright also developed a new style set, numbering system, and page layout for the document to allow the document to include modern features like dynamic headers and footers, tables of contents, automatic renumbering, and other navigational aids like more cross references.

The document is under final review by County staff and is expected to complete the adoption process in Spring, 2022.

MOORE COUNTY, NC UDO DIAGNOSIS SUMMARY TABLE		
CHAPTER 4: ZONING PERMITS		
Section # & Name Description	Mandatory Changes for Legal Compliance (160D, case law)	Recommended (but not mandatory) Changes
4.1 Zoning Permit Applicability Clarifies the a zoning permit is a basic requirement for most forms of development.		Suggest clarifying if a zoning permit is still required if a development application (like a rezoning or special use permit) is approved
4.2 Application - Sets out the requirements for a pre-application conference - Identifies the agencies notified as part of zoning permit review - Sets out site plan requirements	- Need to clarify what constitutes a complete application - Clarify if development that is exempt from a building permit is also exempt from a site plan (but not exempt from a zoning permit) - Clarify if a change in use requires a site plan review or just a zoning permit	- Suggest clarifying what constitutes a "sketch plan" - Clarify if a pre-application conference is required prior to review of an attached residential development
4.3 Action by Administrator Sets out the review criteria used by the Administrator in deciding the application	Notice of decision by Zoning Administrator must be provided in writing	
4.4 Zoning Decision Sign Sets out the requirements for the applicant to post notice of an approved zoning permit on the affected property	- Clarify sign placement rules - Clarify what evidence of posting consists of	- Suggest the County provide blank forms for use as signs or inclusion of an illustration of what is to be not acceptable as a notice sign - Clarify sign not required to be posted for more than 10 days after decision
4.5 Denial Explains the result of a denial of an application	- Need to reference the available appeal process - Clarify that withholding a zoning permit based on an existing unresolved violation is only authorized for the same lot or site	Suggest adding language clarifying that an applicant may amend and re-submit a zoning permit application that has been denied
4.6 Expiration Sets out the expiration provisions	Revise maximum vesting term to be one year from the date of approval	
4.7 Revocation Sets out the procedure for revocation of a zoning permit by the Administrator	- Clarify that permit revocation may only be processed in accordance with the process used to grant the permit - Clarify that a permit revocation may be appealed to the Board of Adjustments	
Other Recommendations		Encourage the County to disconnect the zoning compliance permit procedure

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5.1 Table of Area and Setbacks Sets out a summary table of dimensional standards by zoning district	Update w-ref to NCS	- Clarify if these dimensional requirements are also applied within any parallel conditional zoning districts - Suggest clarifying that the minimum lot area shown for the PUD-C2 district is a minimum district size, not a lot size - Suggest clarification that maximum densities may be increased through accelerated open space provision in conservation subdivisions

CHAPTER 3. INTENT OF ZONING DISTRICTS		
SECTION 3.4. INTENT OF ZONING DISTRICTS		
SECTION 3.4. TRANSITION OF LEGACY ZONING DISTRICTS		
GENERAL-USE ZONING	DISTRICT	TRANSITIONED TO
NC	Public and Conservation	B1-C2
B-1	Neighborhood Business	B-2-C2
B-2	Highway Commercial	B-2-C2
VB	Village Business	VB-C2
I	Industrial	I-C2
		ME-C2
		PD-C2
		Planned Development-Conditional
C2	PARALLEL-CONDITIONAL ZONING	PUD-C2
MP	MEDIA-FAMILY ZONING	PLANNED-USE DEVELOPMENT
GP		
OVERLAY ZONING DISTRICTS		
HCOO	Highway Corridor Overlay Districts	248
WPO	Watershed Protection Overlay Districts	Flound-Resound-Overlay-District
FLK	Flood Hazard Overlay District	

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KEY PROJECT FEATURES

- Detailed Diagnosis document identifying mandatory and optional improvements
- A new numbering system and page layout applied throughout the document, not just to new sections
- A tracked change working document that allows reviewers to see what language has changed
- Full 160D and 2021 Session Law compliance
- Reed-compliant signage standards

