



**TOWN OF CARTHAGE  
PLANNING BOARD  
January 7<sup>th</sup>, 2025  
6:00 P.M.**

**AGENDA**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF AGENDA** - Members of the board may remove or add items to the agenda prior to commencing the meeting. Motions/votes are not required to approve the agenda but there must be unanimous consent before proceeding.
- 5. CONSENT AGENDA** - All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Planning Board to remove an item from the consent agenda and place it on the regular agenda.
  - a. Approval of minutes from November 7, 2024, Regular Meeting Minutes.
- 6. PUBLIC COMMENT** - Members of the public may use this time to address the Planning Board with any presentations, questions or concerns. Those who wish to speak should fill out the sign-up sheet in the building's entryway to be recognized during the public comment session or raise their hand and wait to be recognized by the presiding member. All public comment made as part of a public hearing should be withheld until the public hearing has begun and the floor is given to public comments. No public comment will be had outside of this public comment session or a public hearing unless otherwise permitted by the members of the board. The chairperson may place time limits on speakers prior to the start of the public comment session.
- 7. OLD BUSINESS**
- 8. OATH OF OFFICE**
  - a. Corey Diebel Oath of Office
- 9. NEW BUSINESS**
  - a. Rezoning of PID #20230534 / 5275 NC HWY 22; Petitioner: Joshua and Amanda Brown.
  - b. 3810 US 15-501 Industrial Zone Site Plan; Petitioner: Lauren Rothlisberger
  - c. Text Amendment to the Unified Development Ordinance for Major Subdivision – Construction Drawings (A) Section 100.65-9 (A); Petitioner: Town of Carthage
- 10. OTHER BUSINESS OF THE BOARD**
- 11. ADJOURNMENT**

**TOWN OF CARTHAGE**  
**PLANNING BOARD**  
**MEETING MINUTES**  
**November 7<sup>th</sup>, 2024**

**Attendance:** Antoniette Kelly, Bill Smyth, Elizabeth Futrell, Ian Lumgair and David Norris

**Absent:** Victoria Riddle

1. CALL TO ORDER

a. Elizabeth Futrell called the meeting to order at 6:00 p.m.

2. INVOCATION

a. Antoniette Kelly gave the invocation.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

a. ***Motion:***

***Elizabeth Futrell made a motion to approve the agenda as presented. All ayes.***

***Motion passes 5-0.***

5. CONSENT AGENDA

a. ***Motion:***

***Elizabeth Futrell made a motion to accept the Consent Agenda with the approval of the October 3<sup>rd</sup>, 2024, Regular Meeting Minutes. Bill Smyth seconded the motion. All ayes, motion passes 5-0.***

6. PUBLIC COMMENT

a. Mark Phillips addressed the Veteran's Day Ceremony at the memorial.

7. OLD BUSINESS

a. No old business.

8. OATH OF OFFICE

a. Corey Diebel Oath of Office is postponed to the January regular meeting.

9. NEW BUSINESS

a. *Site Plan Review for a New Commercial Building for the Fred Smith Company, PARID 00005661; Petitioner: Canterbury Construction for FSC II LLC.*

The applicant, Canterbury Construction, on behalf of the Fred Smith Company (FSC II LLC) submitted a "Zoning/Subdivision Request Form" for a site plan approval to add a new

commercial building to their property located at 6644 and 6648 Glendon Carthage Road. This new commercial building consists of 4,800 square feet for 2 indoor bays and 3,600 square feet for proposed offices, for a total of 8,400 square feet of new office space. This project is located at their current facility on approximately 22.5 acres at parcel 00005661. The current zoning of this parcel is Industrial Conditional Zoning (I-CZ). Please view Attachment 1 for Ordinance 22.01 which was approved February 21, 2022, and applies to this parcel. A commercial building is subject to a site plan approval, per the approved ordinance, Ordinance 22.01, and subject to the Unified Development Ordinance Section 100.64. The new commercial building includes vehicle repair and servicing, and ancillary office uses, all permitted uses with the adopted ordinance.

A site plan review is required by the UDO and is generally for informational purposes only. The request is an already permitted use and can be built by right. Site plan review does not give the Planning Board an option to recommend conditions or changes, but the Planning Board may ask questions. John Alsby (sp) with CSB engineering, located at 375 E. 3<sup>rd</sup> Street, Wendell, NC, requests to speak on behalf of the owner, Fred Smith. Older facility located at bottom and upgrading to a new facility. The current older facility will be retained for storage and other uses. Mr. Alsby described the project in more detail with regard to parking.

***First Motion:***

***David Norris made a motion that the site plan is complete and meets all requirements by the Unified Development Ordinance. Ian Secoded the motion. All ayes. Motion passes 5-0.***

b. CZ-07-24: Conditional Zoning Request for Ouida Food Truck Park from CBD to CBD-CZ at 310 McReynolds Street (PID #00002645 & #20120232); Petitioner: Ouida Newell.

The applicant and owner, Ouida Newell, on behalf of herself submitted a commercial site plan to develop a food truck park. She is requesting conditional zoning, to allow for 4 food trucks on her commercial properties which is shown on the attached commercial site plan, Attachment 1. Her properties are located at 310 Monroe Street and 310 Monroe Street Unit A. The parcels are 20120232 and 00002645, located on the corner of Monroe Street and Rockingham Street in the

Central Business District (CBD).

She would like to create “Ouida Food Truck Park” which consists of four food trucks, 7 picnic tables and 43 parking spaces. Per our current UDO, there is one mobile food truck permitted per parcel. She would like to have four food trucks, only on 310 Monroe Street, parcel 00002645. She would like to create a pleasant outdoor environment for food and entertainment, similar to the mobile food truck park in Southern Pines, NC. She has worked with meeting to town UDO standards and submitted her site plan for review.

Ouida Newell wishes to keep the site as is with no tree removal or paving. UDO allows 1 truck per parcel; she is requesting 4 as a condition. Ouida also owns her own food truck and operates at the property currently. Ouida addressed the board and stated that Andrew Shepard has been hired to clear brush on the back parcel in order to expand space if the project takes off such as was the case with Red’s Corner. Ingress and egress driveway has been planned to avoid on site traffic jams and Ouida intends to post enter and exit signs to help direct drivers in and out of the property. Ouida would like 3’ x 2’ signs to be easily read. Hours may vary during the seasons, summer may be longer hours. Ouida would like to be open 10a-10p, winter could be 10a-7p.

Elizabeth Futrell asked if the house behind the property, that is for sale, has been asked. Martha lives in the house now and Ouida discussed the project with her and Martha is favorable to it. Staff have not received any public questions or feedback at this point. Bill asked if there would be alcohol. Ouida is not planning to allow alcohol at this time, but perhaps in the future. Jennifer referenced the UDO for this and it is permitted in this zoning district with an alcohol permit.

Ian Lumgair asked what the plans were for the buildings. The front porch of the historic home will be used for serving beer in the future. The historic home is also planned to potentially be a tourist home or similar short-term rental, but Ouida is still in early stages of planning this concept. For recordation on the conditional zoning request, the future conditions will be added.

No public comments were made.

***First Motion:***

***David Norris made a motion that the Conditional Zoning request for 310 McReynolds Street was consistent with the 2040 Land Use Plan. Antoniette Kelly seconded the motion. All ayes. Motion passes 5-0.***

***Second Motion:***

***David Norris made a motion to recommend approval of the Conditional Zoning request at 310 McReynolds Street to the Board of Commissioners as presented. Bill Smyth seconded the motion. All ayes. Motion passes 5-0.***

*c. CZ-03-24: Conditional Zoning Request for Bonck America Corporation Solar Business from R-20 to R-20-CZ at 409 Rockingham Street (PID #00005184); Petitioner: Charles Lu.*

The applicant, Charles Lu, owner of Bonck America Corporation, owner of 409 Rockingham Street, would like to propose using his home for his solar business. In addition, he would like to request your approval to allow for 10-11 people maximum, with 3 to 5 people daily to work with him. He would not be open to the public and has said he will make no noise. He will store solar panels on site.

This parcel 00005184, is approximately 2.4 acres in the R-20 “Residential” zoning district. It is located on Rockingham Street across the street from Carthage Elementary school. Mr. Lu has been working with the Town staff since March in proposing this request. He currently operates his business in the downtown area; however, he has been adamant about wanting to use his current home for his office. He currently does not qualify for a home occupation, per our UDO, since he does not abut a commercial property on one side. However, the conditional zoning request is within his property owners’ rights to request.

Cannot rezone to allow the commercial use of the property due to concerns with spot zoning since the surrounding property is zoned residential. Currently has an office in a commercial building downtown. Wishes to move the office to the home property under home occupation designation. Mr. Lu has translator, English is 2<sup>nd</sup> language.

The warehouse is in NY. Mr. Lu passed out additional material to board members describing more about his company. Testing of panels will need to be done. Cannot do this in a building downtown. Develops software through testing. Just for testing and using basement only. 1900 sf in basement. Parking: Mr. Lu estimates 1100 sf for parking, car park structure will have

solar panels and be used for testing solar panels. Plans to have 3-5 people daily in person, up to 11 total. Most staff work remotely. Mostly operations staff will be at property.

Ian Lumgair asked if any street parking would be used. The translator responded no. The property is approximately 2 acres. Ian asked if there would be commercial style signs on the property. Lu says no, everything online. No customers coming. Only workers test panels in the house for software development.

No other questions from Planning Board.

***First Motion:***

***Ian Lumgair made a motion that the Conditional Rezoning request at 409 Rockingham Street is consistent with the 2040 Land Use Plan. Antoniette Kelly seconded the motion. All ayes. Motion passes 5-0.***

***Second Motion:***

***David Norris made a motion to recommend approval to the Board of Commissioners the Conditional Zoning request at 409 Rockingham Street. Ian Lumgair seconded the motion. All ayes. Motion passes 5-0.***

d. *Annexation and Rezoning for Moore County B-2 to Town of Carthage Highway Commercial District (HCD) Zoning for Lot #1 Legion Hut Road (PID #20060239); Petitioner: Southbury Development, LLC.*

Jennifer introduced the request. The applicants in attendance. No public comment made. Reno Dell'Acqua present for applicant, COO of Southbury, looking for commercial uses such as small-scale commercial development. Examples cited were coffee shop or "Waffle House". Ian Lumgair asked if the Cooper Ford car wash was still moving forward, Jennifer confirmed that it was. Ian Lumgair expressed concerns for traffic flow in that area if it were to build up. Jennifer explained that staff are looking at ways to adjust UDO language to ensure that traffic growth and safety is accommodated in the future UDO.

***First Motion:***

**Ian Lumgair motioned to approve the Rezoning request for Lot #1 Legion Hut Road (PID #20060239) was consistent with the 2040 Land Use Plan. David Norris seconded the motion. All ayes. Motion passes 5-0.**

***Second Motion:***

**David Norris made a motion to recommend approval to the Board of Commissioners the Rezoning request of Lot #1 Legion Hut Road (PID #20060239). Antoniette Kelly seconded the motion. All ayes. Motion passes 5-0.**

*e. Southbury Trail Major Modification Request; Petitioner: Southbury Development, LLC.*

Jennifer presented the request. Explained that residents living in the trail head have concerns about the trail which prompted members of the Board of Commissioners and applicant to reconsider the trail. Jennifer showed the trail's location and explained how it would be built if further developed. Jennifer showed how pedestrian connectivity could be achieved through the development of the trail to allow people to walk from the current town hall to downtown area without having to follow the busy highways. The trail would need to be ADA accessible if properly built.

The applicant explained that the trail was being prepared to be built when he received word that there were citizens' concerns. Elizabeth asked what the citizen concerns were.

Mark Phillips spoke, as neighbor to trail, approved walking trail when he was commissioner. BOC assumed at the time that the trail would be further over from his property. Because of ADA requirements, the trail needs to be built closer to the property line. Jennifer explained that trees would need to be removed between the 2 properties to build it and understands that there is a privacy concern as well as drainage issues to get around. Engineer, Shane Sanders, planned to follow sewer easement, but due to flooding in a depression at the end of the trail it floods during major rain events. Then required ADA regs requires that trail head needs to be higher than Saunders to achieve necessary design.

Bridge was discussed. Engineer explained that a wooden bridge would be wet all the time and cause maintenance issues. Jennifer explained that ordinance designates HOA to maintain bridge since it is part of the open space for the development.

Jennifer explained that ordinance requires a trail but can be amended to remove it or alter it. Bill Smyth, resident of Southbury, explained that there is discussion that HOA may be dissolved once declarant, DR Horton, turns over HOA to the homeowners. Mr. Phillips states that trail will run within 5 feet of his garage. A fence was proposed to separate the properties. Also stated that there are no pedestrian improvements on Saunders. Jennifer referenced Bike Ped plan that sidewalks are to be built in that area. Jennifer explained the in recent discussions with Public Works Department town could build sidewalks with current budget. Bill asked if the trail would have any parking. Applicant says no. So, visitors to the trail would need to enter the neighborhood and park to use the trail. Open areas would be left natural if removed.

PB discussed concerns over losing privacy for existing HOAs at end of trail, HOA maintenance of trail and flooding issues.

No other discussion.

***First Motion:***

**Bill Smyth motioned to approve the Major Modification request for the Southbury Trail was consistent with the 2040 Land Use Plan. Ian Lumgair seconded the motion. All ayes. Motion passes 5-0.**

***Second Motion:***

**Bill Smyth made a motion to recommend approval to the Board of Commissioners for the Conditional Zoning Amendment (Major Modification). Ian Lumgair seconded the motion. All ayes. Motion passes 5-0.**

*f. Unified Development Ordinance (UDO) Text Amendment to Section 100.65-9 (A)  
Major Subdivision – Construction Drawings (A); Petitioner: Town of Carthage.*

Jennifer presented storm water concerns from residents of new subdivisions. In response, staff has developed an ordinance amendment to allow more stormwater controls. Jennifer stated Stormwater concerns tend to increase with smaller lots and increased development. Explained that a positive drainage map should be provided by builder before final plats are approved to



ensure stormwater drainage requirements are being met and reduce concerns later after homes are purchased.

Ian asked where the concerns were coming from. Jennifer explained that there are multiple concerns not just in Carthage, but county wide as noted in the pilot. There is potential for builders to change the drainage work done by the developer and this needs to be managed.

Bill asked if fencing of the ponds could be required. Jennifer said yes, the board may recommend that fences be required as part of this hearing. Bill and David, as residents of the community, expressed concerns they've received from neighbors about the threat to public safety by deep sides of pond. Expressed that a recent new homeowner had to put a fence around their home due to stormwater pond being without fencing. Bill has tried to call HOA company but receives no reply.

Design of fencing and height was discussed. Staff recommended board table ordinance amendment and have Jennifer bring back design requirements for PB consideration.

***Motion:***

**David Norris motions to table and directs Town Planner to bring back design standards to consider. Antoniette Kelly 2<sup>nd</sup> the motion. Motion passes 5-0.**

*g. Unified Development Ordinance (UDO) Text Amendment to Section 100.38-1 "No Occupancy or Use Until Requirements Fulfilled"; Petitioner: Town of Carthage.*

Jennifer Hunt read the text that changed with the passing of SB 166. Summarized that if developer doesn't put in their landscaping and lighting town cannot withhold CO approval because it doesn't affect public health and safety. No control over this, required to amend. But the process of amendment still must go through Planning Board as required by USGS 160D.

Planning Board expressed concerns with the removal of this authority from the towns by the state and had much discussion about how communities will be able to enforce it.

***First Motion:***

**David Norris motioned that the UDO Text Amendment was consistent with the 2040 Land Use Plan. Antoniette Kelly 2<sup>nd</sup> the motion. Motion passes 5-0.**

***Second Motion:***

**David Norris motioned to recommend approval to the Board of Commissioners the UDO Text Amendment to Section 100.38-1. Antoniette Kelly 2<sup>nd</sup> the motion. Motion passes 5-0.**

h. *Unified Development Ordinance (UDO) Text Amendment to Section 100.68-D “Limitations or Impervious Area”*; *Petitioner: Town of Carthage.*

Jennifer Hunt read the text that changed with the passing of SB 166. No control over this, required to amend. But the process of amendment still must go through Planning Board as required by USGS 160D.

***First Motion:***

**Ian Lumgair motioned that the UDO Text Amendment was consistent with the 2040 Land Use Plan. David Norris 2<sup>nd</sup> the motion. Motion passes 5-0.**

***Second Motion:***

**Ian Lumgair motioned to recommend approval to the Board of Commissioners the UDO Text Amendment to Section 100.68-D. David Norris 2<sup>nd</sup> the motion. Motion passes 5-0.**

i. *Unified Development Ordinance (UDO) Text Amendment to Section 100.57-15 “Residential Driveways for New Construction”*; *Petitioner: Town of Carthage.*

Jennifer Hunt read the text that changed with the passing of SB 166. No control over this, required to amend. But the process of amendment still must go through Planning Board as required by USGS 160D.

***First Motion:***

**Antoniette Kelly motioned that the UDO Text Amendment was consistent with the 2040 Land Use Plan. David Norris 2<sup>nd</sup> the motion. Motion passes 5-0.**

***Second Motion:***

**Antoniette Kelly motioned to recommend approval to the Board of Commissioners the UDO Text Amendment to Section 100.57-15. David Norris 2<sup>nd</sup> the motion. Motion passes 5-0.**

j. *Unified Development Ordinance (UDO) Text Amendment to Section 100.65-12 “Performance Guarantees for Major Subdivisions”*; Petitioner: Town of Carthage.

Jennifer Hunt read the text that changed with the passing of SB 166. No control over this, required to amend. But the process of amendment still must go through Planning Board as required by USGS 160D.

***First Motion:***

**Ian Lumgair motioned that the UDO Text Amendment was consistent with the 2040 Land Use Plan. David Norris 2<sup>nd</sup> the motion. Motion passes 5-0.**

***Second Motion:***

**Ian Lumgair motioned to recommend approval to the Board of Commissioners the UDO Text Amendment to Section 100.65-12. David Norris 2<sup>nd</sup> the motion. Motion passes 5-0.**

k. *Unified Development Ordinance (UDO) Text Amendment to Section 100.56A\* Special Requirements 37 “Wireless Telecommunication Facilities”*; Petitioner: Town of Carthage.

Jennifer Hunt stated that the ordinance needed to be updated in order to help people interested in placing WTFs on their properties. Minor, but necessary edits until full UDO is completed.

***First Motion:***

**Ian Lumgair motioned that the UDO Text Amendment was consistent with the 2040 Land Use Plan. Bill Smyth 2<sup>nd</sup> the motion. Motion passes 5-0.**

***Second Motion:***

**David Norris motioned to recommend approval to the Board of Commissioners the UDO Text Amendment to Section 100.56A\*. Ian Lumgair 2<sup>nd</sup> the motion. Motion passes 5-0.**

## 10. OTHER BUSINESS OF THE BOARD

- a. No meeting in December. **Next meeting is Tuesday, January 7<sup>th</sup>, 2025.** Add at 6pm.

## 11. ADJOURNMENT

Bill Smyth motioned to adjourn the meeting. Ian Lungair seconded the motion. All ayes.  
Motion passes 5-0. Meeting adjourned at 7:48 p.m.

DRAFT



## MEMORANDUM

Date: January 7, 2025

To: Planning Board

From: Jennifer Hunt, Town Planner

Subject: R-01-25: Rezoning from RA-40 (Moore County) to RA-40 "Residential Agricultural District" (Town of Carthage) for PARID: 20230534; Petitioner: Amanda and Joshua Brown

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### I. SUMMARY OF APPLICATION REQUEST:

The applicant and owner, Amanda and Joshua Brown, are requesting annexation into the Town of Carthage and therefore must receive a zoning district for the property they wish to annex. This parcel 20230534 is located off NC 22 Hwy near Harper Lane. The address is 6275 NC 22 Carthage, NC 28315. The applicant requests to be zoned RA-40, Residential Agricultural District. This is aligned with the abutting property to the south and the area which is also RA-40 with the Town of Carthage.

### II. PROJECT INFORMATION:

1. PARID: 20230534      PIN: 857500555791
2. Applicant & Owner: Joshua and Amanda Brown
3. Long-Range Plan Designation:  
This future area of this land appears to be Town Residential, per the adopted 2040 Land Use Plan.
4. Current Zoning:  
The current zoning is RA-40 with Moore County, according to Moore County GIS online.
5. Site outlined in red below.



### III. APPLICATION REVIEW:

When reviewing an application for rezoning, the Planning Board shall consider and be guided by Article 3. Below is highlighted Section 100.32, Section 100.42 and Section 100.44 (4) as set forth in UDO:

#### **Sec. 100.32 Planning Board – Powers and Duties**

*In addition to its specific duties set forth in this and other Town Ordinances and policies, the Planning Board shall have the following powers and duties:*

- 1. To make studies of the Town and surrounding areas;*
- 2. To determine objectives to be sought in the development of the Town;*
- 3. To propose and recommend plans for achieving these objectives;*
- 4. To develop and recommend to the Board of Commissions policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;*
- 5. To advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;*
- 6. To exercise such functions in the administration and enforcement of various means for carrying*

- out plans as may be assigned by this article or other ordinances of the Town; and*
- To perform other related duties as may be assigned by this article or other ordinances.*

**Section 100.42 Types of Amendments:**

*Amendments may be to the text of the ordinance or take the form of map amendments, often known as rezoning. The Town of Carthage recognizes three types of amendments.*

- 1. Text Amendments. This type of amendment is used when a party chooses to modify the actual text of the ordinance. This is a legislative decision by the Board of Commissioners.*
- 2. Map Amendments. This type of amendment is used when a party chooses to change a zoning district from one type to another. Often known as a straight rezoning, it recognizes that the change in district allows for all uses allowed within a given zoning district. It cannot be conditioned in any way. This is a legislative decision by the Board of Commissioners.*
- 3. Conditional Zoning. Conditional Zoning is an amendment process that is both a map amendment and a text amendment. It is a legislative decision by the Board of Commissioners, but it allows for the placement of conditions and/or limits on the approval.*

**Section 100.44 (4) Planning Board**

*All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input. The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request.*

**A. Staff Comments:**

Staff has found that the applicant meets the rezoning requirements and is not encouraging spot zoning with their RA-40 zoning district request. This is a straight rezoning. The RA-40 district is primarily designed to accommodate a compatible mixture of single-family dwellings and agricultural uses at lower densities of approximately one unit or less per acre. These areas are generally found in areas without sewer service that are not yet appropriate for development at higher densities.

**IV. PLANNING BOARD ACTION:**

The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request. All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input, per UDO Section 100.42 and 100.44.

The Planning Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Planning Board shall vote on the petition (**two motions required**). The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

**LUP CONSISTENCY MOTION** (1<sup>st</sup> Required Motion)

**I move to:**

**OPTION 1**

Approve the rezoning request and describe its consistency with the adopted Land Use Plan.

**or**

**OPTION 2**

Reject the rezoning request and describe its inconsistency with the adopted Land Use Plan.

**or**

**OPTION 3**

Approve the rezoning request and deem it a modification of the adopted Land Use Plan. The Planning Board believes this action taken is reasonable and in the public interest because.....

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**PETITION MOTION** (2<sup>ND</sup> Required Motion)

**And, therefore, I move to:**

**OPTION 1**

Approve R-01-25 as written and presented.

**or**

**OPTION 2**

Approve R-01-25 with the following conditions.....

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***(Option 3 on next page)***

**OPTION 3**

Deny R-01-25 for the following reasons.....

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# Town of Carthage

Updated 1/15/2023

4396 Hwy 15/501 • Carthage, NC 28327

Phone: 910.947.2331 • Fax: 910.947.3079

www.TownofCarthage.org

Email Completed Form to: TownClerk@TownofCarthage.org

## Annexation Petition

Date: 10/17/2024

Contiguous     Non-Contiguous

### Site Information

Address of Site 6275 NC Hwy 22, Carthage Nc 28315		LRK/Parcel ID# 20230534
Current Jurisdiction K	Current Zoning NA RA-40	Parcel Size 1.96
Explanation of Request Building a home, need utilities.		

To the Board of Commissioners of the Town of Carthage:

- We, the undersigned owners of real property respectfully request that the area described in this petition be annexed into the Town of Carthage.
- The area to be annexed is  contiguous  non-contiguous to the Town of Carthage and the boundaries of such territory are attached to this petition as a map.

### Petitioner(s) Information

1	Printed Name of Petitioner Amanda Brown	Signature of Petitioner <i>Amanda Brown</i>	Date of Signature 10/17/2024
	Address of Petitioner 139 Mallard Cv.		City, State, Zip Vass, NC 28394
	Email Address of Petitioner amandabbrown068@gmail.com		Phone Number of Petitioner 910-722-6621
2	Printed Name of Petitioner Joshua Brown	Signature of Petitioner <i>Joshua Brown</i>	Date of Signature 10/17/2024
	Address of Petitioner 139 Mallard Cv.		City, State, Zip Vass, NC 28394
	Email Address of Petitioner brownjoshua248@gmail.com		Phone Number of Petitioner 910-638-5514
3	Printed Name of Petitioner Rodney Allred	Signature of Petitioner <i>Rodney Allred</i>	Date of Signature 10/17/2024
	Address of Petitioner 10593 Hwy 211 E.		City, State, Zip Aberdeen, NC 28315
	Email Address of Petitioner rallred42@gmail.com		Phone Number of Petitioner 910-986-0197



More Info  
- Tax Information Website  
- Soil Report  
- Tax Bill Information

Parcel ID: 20230534  
PIN: 85730055791  
Owner's Name: BROWN, AMANDA BLYTHE  
Owner's Name 2:  
Mailing Address: 304 BLACKHAWK LN  
Mailing Address 2:  
City: RAEFORD  
State: NC  
Zip: 28376  
Tax Jurisdiction: K  
Description: LOT 2A  
Township: 07  
Neighborhood: 701  
Transaction Date: 08/10/2023  
Deed Book: 6055  
Deed Page: 586  
Stamp Value: 0  
Valid Sales Date: 12/31/1999  
Class: RV  
Land Status: VACANT  
Tax Acres: 1.98



Map Scale: 1 inch = 800 feet



Town of Carthage  
4396 Hwy 15/501  
Carthage, NC 28327-  
(910)947-2331

P A Y M E N T

Date: 11/13/2024  
Time: 1:45 PM

Joshua Brown  
6275 NC Hwy 22  
Annexation Fee

Cash:	\$0.00
Check:	\$0.00
Charge:	\$300.00
MoneyOrder:	\$0.00
Total Fee:	\$300.00
TOTAL PAID:	\$300.00
Change Due:	\$0.00

1 10343	Zoning	\$300.00
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Operator: 15  
Receipt#: 171771

T H A N K Y O U !

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What are you looking for?

1	Customer Payment Information	2	Payment Options	3	Payment Confirmation
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### Payment Processed Successfully

PRINT

Thank you for making an IC E-Payment. **Trusted, secure e-payments.**

Please review the transaction results below.

A receipt for this transaction has been sent via email if it was previously provided.

<b>Payment Made To:</b>	Town of Carthage, NC (910) 947-2331
<b>Transaction Date/Time:</b>	11/13/2024 1:36:42 PM
<b>Payment Message:</b>	Approved 447118
<b>Invoice Number:</b>	INV20241113123510191
<b>Payment Amount</b>	\$300.00
<b>Service Fee</b>	\$9.75
<b>Total Amount</b>	<b>\$309.75</b>
<b>Name:</b>	JOSHUA BROWN
<b>Address:</b>	6275 NC HWY 22 CARTHAGE NC 28327
<b>Email Address:</b>	brownjoshua248@gmail.com
<b>Payment Method:</b>	Visa
<b>Card Number</b>	XXXXXXXXXX5132
<b>Payment Type:</b>	Miscellaneous

### Cloud Store Details

INV20241113123510191 Details:	Name: JOSHUA BROWN Address: 6275 NC HWY 22 City: CARTHAGE State: NC Zip Code: 28327 Phone Number: 9106385514 Email: brownjoshua248@gmail.com Description: ANNEXATION FEE Payment Amount: 300.00
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For Registration Register of Deeds  
William Britton  
Moore County, NC  
Electronically Recorded  
September 4, 2024 12:31:51 PM  
Book: 6226 Page: 184 - 187 #Pages: 4  
Fee: \$26.00 NC Rev Stamp: \$0.00  
Instrument# 2024011968

Excise Tax \$ .00 Recording Time, Book and Page

Mail after recording to: Advantage Title Company, 2037 Liberty Rd, Eldersburg, MD 21784

This instrument prepared by Kristin Marsalese, Esq., a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

Brief Description for the index:

Parcel 20230534 NC 22 Hwy, Carthage, NC 28327

Parcel ID: 20230534

Order No: AT-109844

**NORTH CAROLINA QUITCLAIM DEED**

**THIS QUITCLAIM DEED** made this 29<sup>th</sup> day of AUGUST, in the year 2024, by and between:

GRANTOR	GRANTEE
<p><b>AMANDA BROWN a/k/a AMANDA BLYTHE BROWN</b>, a married woman</p> <p><b>Mailing Address(es):</b> 304 Blackhawk Lane Raeford, NC 28376</p>	<p><b>AMANDA BROWN and JOSHUA BROWN</b>, wife and husband, as tenants by the entirety</p> <p><b>Mailing Address(es):</b> 304 Blackhawk Lane Raeford, NC 28376</p>

In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.



PCLAT-109844DQTC01010104

Submitted electronically by "Advantage Title Company" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Moore County Register of Deeds.



WITNESSETH, that the Grantor, for valuable consideration, paid by the Grantee, the receipt of which is hereby acknowledged, has granted, bargained, remised and released and by these presents does grant, bargain, remise and forever quitclaim unto the Grantee and his/her/their heirs/successors and assigns, all right, title, claim, and interest of the said grantor in and to a certain tract or parcel of land lying and being in Moore County, North Carolina and more particularly described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF.**

**Commonly Known As:** Parcel 20230534 NC 22 Hwy, Carthage, NC 28327

Grantor acquired the property hereinabove described by deed dated 8/11/2023 and recorded 8/11/2023 in Book 6055, Page 586 of official records.

A map showing the above-described property is recorded in Map Book \_\_\_\_\_, Page \_\_\_\_\_.

**TO HAVE AND TO HOLD** the aforesaid tract or parcel of land and all privileges thereunto belonging to him the said Grantee and his heirs and assigns free and discharged from all right, title, claim or interest of the said grantors or anyone claiming by, and through or under them.

Title to the property hereinabove described is subject to the following exceptions:

- 1. 2024 ad valorem taxes for which Grantee hereby assumes and agrees to pay.
- 2. Easements and restrictions of public record as of the date hereof.

This property  is/or  is not the principal residence of the Grantor.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK





IN TESTIMONY WHEREOF, said grantor has hereunto set his/her/their hand(s) and seal(s) the day and year first above written.

Amanda Brown AKA Amanda Blythe Brown  
AMANDA BROWN  
a/k/a AMANDA BLYTHE BROWN

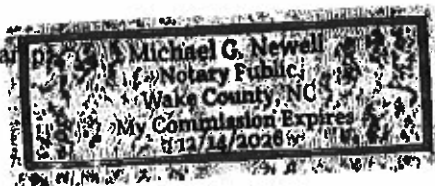
STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, MICHAEL G. NEWELL a Notary Public of said State and County aforesaid, do hereby certify that grantor, AMANDA BROWN a/k/a AMANDA BLYTHE BROWN, personally appeared before me this day, and (i) I have personal knowledge of the identity of the person(s) or (ii) I have seen satisfactory evidence of the grantor's identity, by current state or federal identification with the grantor's photograph in the form of a DRIVERS LICENSE or (iii) a credible witness has sworn to the identity of the grantor each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Witness my hand and official seal or stamp, this 29<sup>th</sup> day of AUGUST, in the year 2024.

(seal or stamp)



Michael G. Newell  
Notary Public Official Signature  
MICHAEL G. NEWELL  
Notary Printed or Typed Name

My Commission Expires: 12/14/2026







**EXHIBIT A  
LEGAL DESCRIPTION**

Real property in Carthage, County of Moore, State of North Carolina, described as follows:

BEING TRACT 2A, CONSISTING OF 1.96 ACRES, MORE OR LESS, AS SET FORTH ON A MINOR SUBDIVISION, TRACT 2, BLUE LAND, PREPARED BY BROWN SURVEYORS, PLLC ON JULY 7, 2023 AND RECORDED ON PLAT CABINET 19, SLIDE 934, MOORE COUNTY REGISTER OF DEEDS.

Commonly known as: Parcel 20230534 NC 22 Hwy, Carthage, NC 28327

Parcel ID: 20230534

*The preparer of this document has been engaged solely for the purpose of preparing this instrument, has prepared the instrument only from the information given and has not been requested to provide, nor has the preparer provided an examination of the legal description, an opinion on title or advice on the tax, legal or non-legal consequences of that may arise as a result of the conveyance, nor has the preparer verified the accuracy of the amount of consideration stated to have been paid or upon which any tax may have been collected.*





**TOWN OF CARTHAGE  
PLANNING BOARD  
STATEMENT OF LAND USE PLAN CONSISTENCY  
FOR PROPOSED REZONING FROM RA-40 (MOORE COUNTY) TO RA-40 (TOWN OF CARTHAGE)  
FOR PARCEL ID#20230534; PETITIONER: AMANDA AND JOSHUA BROWN.**

WHEREAS, amendments to the Town of Carthage Unified Development Ordinance have been proposed, which amendments are identified as follows:

**REZONING FROM RA-40 (MOORE COUNTY) TO RA-40 (TOWN OF CARTHAGE) FOR PARCEL ID#20230534**

NOW THEREFORE, the Planning Board of the Town of Carthage resolves as follows:

**Section 1.** The Planning Board concludes that the above-described amendment(s) are/are not consistent with the Town of Carthage 2040 Land Use Plan, as amended based on the following:

- Goal 1: Preserve and celebrated small-town community roots.**
- Goal 2: Coordinated, intentional, and well-planned growth and development.**
- Goal 3: Protection of open space and critical natural features.**
- Goal 4: Ample employment opportunities and support for business development.**
- Goal 5: Vibrant commercial areas that provide a variety of goods, services, entertainment options, and amenities.**
- Goal 6: A well-connected multi-modal transportation system.**
- Goal 7: High-quality parks and recreational facilities that are accessible to all.**
- Goal 8: Protected and preserve historic and cultural resources.**
- Goal 9: Adequate supply and high quality of housing.**
- Goal 10: Informed, engaged, and active residents that represent a variety of neighborhoods and citizen groups.**
- Goal 11: Regulations that are consistent with the Town’s vision.**
- Goal 12: Cultural, educational, recreational, and other amenities that contribute to the quality of life of Carthage’s citizens.**

*Town staff have been receiving concerns with major subdivisions regarding stormwater. To remain proactive, staff wishes to add two additional standards to clarify what type of stormwater management is required. These two additional standards include a stormwater management plan using stormwater ponds or on-site stormwater management plan for lots less than 40,000 sq. ft. Additionally, requiring builders to provide a positive drainage map after construction and a document stating there is a positive drainage before releasing final Cos (Certificate of Occupancies).*

**Section 2.** Please state the Planning Board’s reasonings/findings for the approval or disapproval of this consistency statement based on the above selected goals.

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**Section 2.** The Planning Board concludes that the above-described amendment(s) are/are not reasonable and in the public interest as they do/do not fulfill a direct objective of the Land Use Plan.

This statement adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Elizabeth Futrell, Chair

\_\_\_\_\_  
Jamie Sandoval, Clerk to the Planning Board



## MEMORANDUM

Date: January 7, 2025  
To: Planning Board  
From: Jennifer Hunt, Town Planner  
Subject: S-03-24: Site Plan Review for Flexible Industrial Space located at 3810 US 15-501, Parcel 20220380, Zone: Industrial; Petitioner: Lauren Rothlisberger

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### I. SUMMARY OF APPLICATION REQUEST:

The applicant and owner, Lauren Rothlisberger, submitted a "Zoning/Subdivision Request Form" for a site plan approval to add flexible industrial space to the property located at 3810 US 15-501. This new industrial flexible space proposed is 10,338 square feet. The total property size is approximately 2 acres. There are currently three buildings on the south (bottom) portion of this site. The proposed flexible industrial space is on the north side of the property, approximately .8 acres measured using Moore County GIS. The site plan includes landscaping, lighting and parking which meet the Unified Development Ordinance requirements. **Please view Attachment 1 for their proposed site plan.**

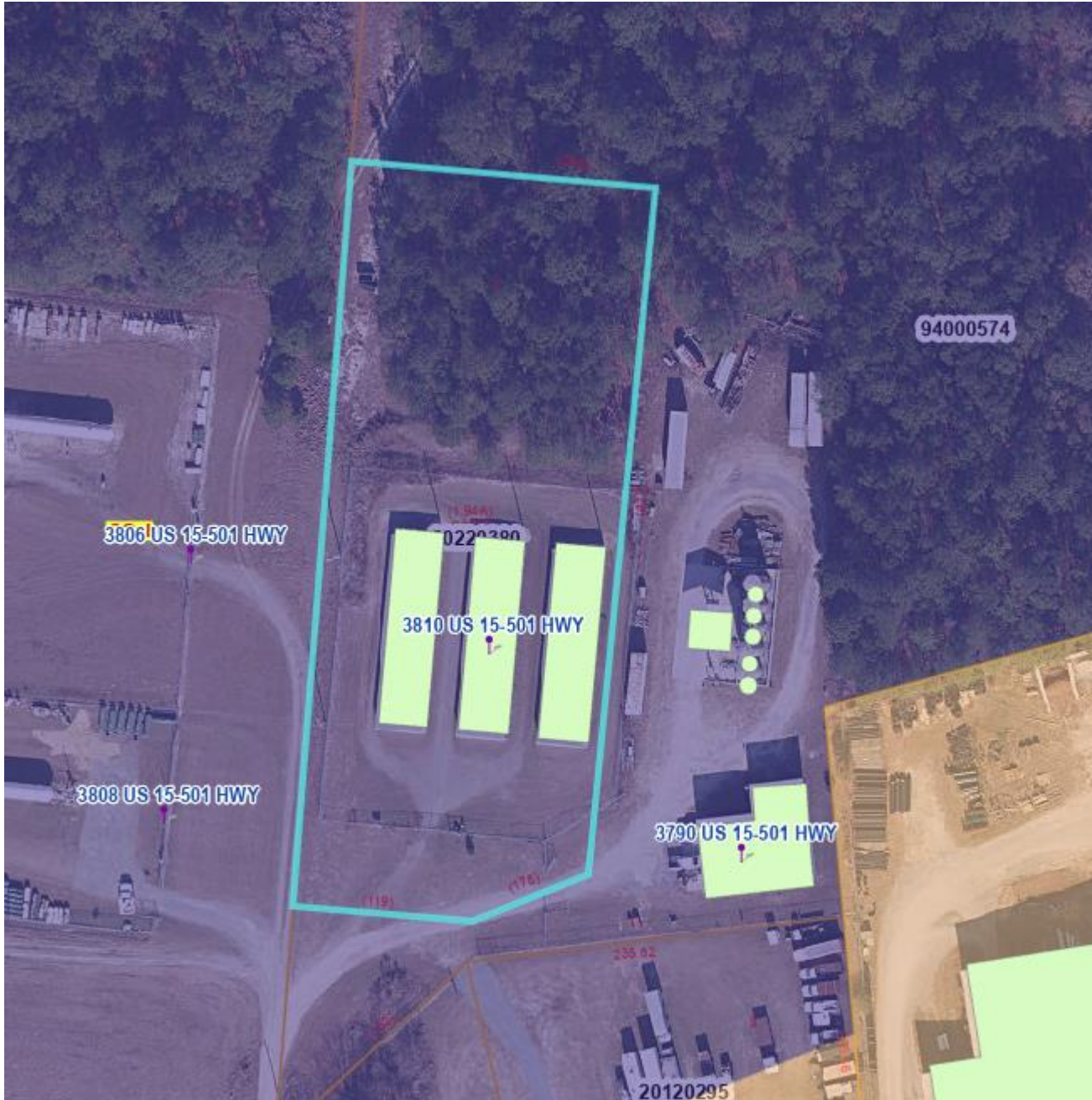
The applicant has been working with proposing this project since May 2024 and has attended multiple Technical Review Committee meetings. The feedback given at these TRC meetings has been accounted for in the site plan submitted for review, please view Attachment 1.

The site plan, for this new proposed project, includes 33 parking spaces, with 2 ADA parking spaces, landscaping islands, a proposed sign, a landscape buffer and 33 large trees around the buffer. The parking is proposed to be concrete for the curbing, ADA parking and sidewalks around the building. The area outside of that is proposed as compacted stone. The current zoning of this parcel is Industrial. The parking lot is aligned with the appropriate UDO standards in Section 100.58 (Parking).

UDO Section 100.58 (9) (d) says:

*d. Be paved and maintained with concrete, asphalt, stone, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights; be graded, properly drained, stabilized and maintained to prevent dust and erosion.*

Figure 1: Site Location outlined in blue.



**II. PROJECT INFORMATION:**

1. PARID: 20220380 (PIN: 858800216390)
2. Applicant/Owner: Lauren Rothlisberger
3. Owner: Lauren and Paul Rothlisberger
4. Long-Range Plan Designation:  
This future area of this land appears to be commercial or industrial per the adopted 2040 Land Use Plan.
5. Current Zoning:  
The current zoning is I (Industrial).

**III. APPLICATION REVIEW:**

**A. Review Process:**

Applications for site plan review are pursuant to UDO Section 100.32, Section 100.44 and Section 100.64 "Site-Specific Vesting Plan."

***Sec. 100.32 Planning Board – Powers and Duties***

*In addition to its specific duties set forth in this and other Town Ordinances and policies, the Planning Board shall have the following powers and duties:*

1. *To make studies of the Town and surrounding areas;*
2. *To determine objectives to be sought in the development of the Town;*
3. *To propose and recommend plans for achieving these objectives;*
4. *To develop and recommend to the Board of Commissions policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;*
5. *To advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;*
6. *To exercise such functions in the administration and enforcement of various means for carrying out plans as may be assigned by this article or other ordinances of the Town; and*
7. *To perform other related duties as may be assigned by this article or other ordinances.*

***Section 100.44 (4) Planning Board***

*All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input. The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request.*

**C. Staff Comments:**

A commercial building to provide industrial flexible space is permitted use per the Table of Permitted uses within the Industrial zoning district. The applicant and owner has been diligent in following and meeting the Unified Development Ordinance standards. The flexible space, per the applicant, will be designed to use approximately 1,500 square feet bay, with a 10 ft. x 10 ft. office space and small bathroom. The applicant has stressed that the space will be divided at the request of the interested leasing party.

It is unclear if separate meters will be placed in advance for each lessee or if they will be placed as the space is rented out. Clarification from the applicant is needed.

IV. **PLANNING ATTACHMENTS PROVIDED BY THE APPLICANT:**

1. Attachment 1: Site Plan

V. **PLANNING BOARD ACTION:**

The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request. All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input, per UDO Section 100.42 and 100.44.

The Planning Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Planning Board shall vote on the petition (***two motions required***). The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

**PETITION MOTION** (Required Motion)

**And, therefore, I move to:**

OPTION 1

Approve S-03-24 as written and presented.

**or**

OPTION 2

Approve S-03-24 with the following conditions.....

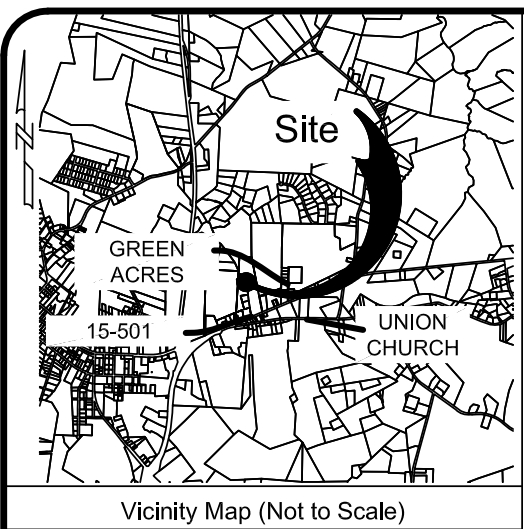
OPTION 3

Deny S-03-24 for the following reasons.....

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- Legend:**
- = Iron Pipe Found
  - = Iron Rod Found
  - = Concrete Monument Found
  - ▲ = PK Nail Found
  - = PK Nail Set
  - = Existing Right of Way
  - = Proposed Right of Way
  - = Boundary Line
  - = Adjacent Property Lines not Surveyed
  - = Existing Setback Lines
  - = Proposed Setback Lines
  - = Existing Contour
  - = Proposed Contour
  - = Approximate Location of Existing Water
  - = Proposed 6" Waterline
  - = Approximate Location of Existing Gas I
  - = Existing Sanitary Sewer Line
  - = Proposed 8" Sanitary Sewer Line
  - = Existing Easement
  - = Proposed Easement
  - = Existing Overhead Utility
  - = Existing Underground Utility
  - = Existing Wetland Limits
  - = Existing Fence
  - = Proposed Fence
  - = Proposed 4" Sewer Service
  - = Proposed 2" Water Service
  - = Limits of Disturbance
  - = Proposed Silt Fence
  - = Proposed Temporary Diversion
  - = Existing Stream Centerline
  - = Existing Soil Road
  - = Existing Gravel Road
  - = Existing Light Pole
  - = Proposed Light Pole
  - = Existing Utility Pole
  - = Proposed Utility Pole
  - = Existing Water Meter
  - = Proposed Water Meter
  - = Existing Water Valve
  - = Proposed Water Valve
  - = Existing Fire Hydrant
  - = Proposed Fire Hydrant
  - = Existing Sanitary Sewer Manhole
  - = Proposed Sanitary Sewer Manhole
  - = Existing Sewer Clean out
  - = Proposed Sewer Clean out
  - = Curb Inlet
  - = Existing Storm Drain Manhole
  - = Proposed Storm Drain Manhole
  - = High Density Polyethylene Pipe
  - = Reinforced Concrete Pipe
  - = Flared End Section
  - = Proposed Spot Elevation
  - = 10" Pine (typ.)
  - = Existing Tree to be Removed

**GENERAL NOTES:**

THIS MAP IS NOT IN ACCORDANCE WITH GS 41-30, AS AMENDED.  
 AREA BY COORDINATE METHOD.

BOUNDARY AND SITE INFORMATION TAKEN FROM A SURVEY BY:  
 MATTHEWS LAND SURVEYING & MAPPING, LLC  
 10 COURTHOUSE SQUARE  
 CARTHAGE, NC 28521  
 AND  
 DZT LAND SURVEYING, PLLC  
 7500 HWY 15-501 SUITE 5  
 WEST END, NC 21376

**SITE DATA:**

SITE JURISDICTION: TOWN OF CARTHAGE  
 ADDRESS: 3810 US HWY 15-501  
 CARTHAGE, NC  
 PARCEL ID: 20220380  
 PIN: 858800216340  
 DEED BOOK & PAGE: BOOK 5819, PAGE 140

CURRENT ZONING: I  
 BUILDING SETBACKS:  
 FRONT: 50'  
 SIDE: 25'(25' SIDE CORNER)  
 REAR: 30'

TOTAL ACREAGE: 1.94 ACRES

RIVER BASIN: CAPE FEAR  
 WATER SUPPLY WATERSHED: N/A

**OWNER**

PAUL & LAUREN ROTHLSBERGER  
 46 PINE RIDGE DR.  
 CARTHAGE, NC 28521

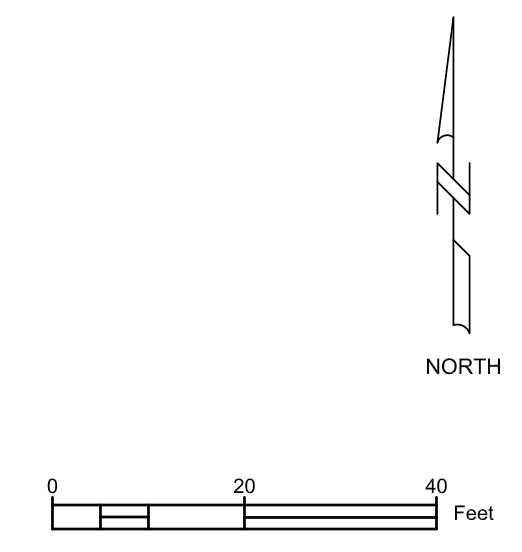
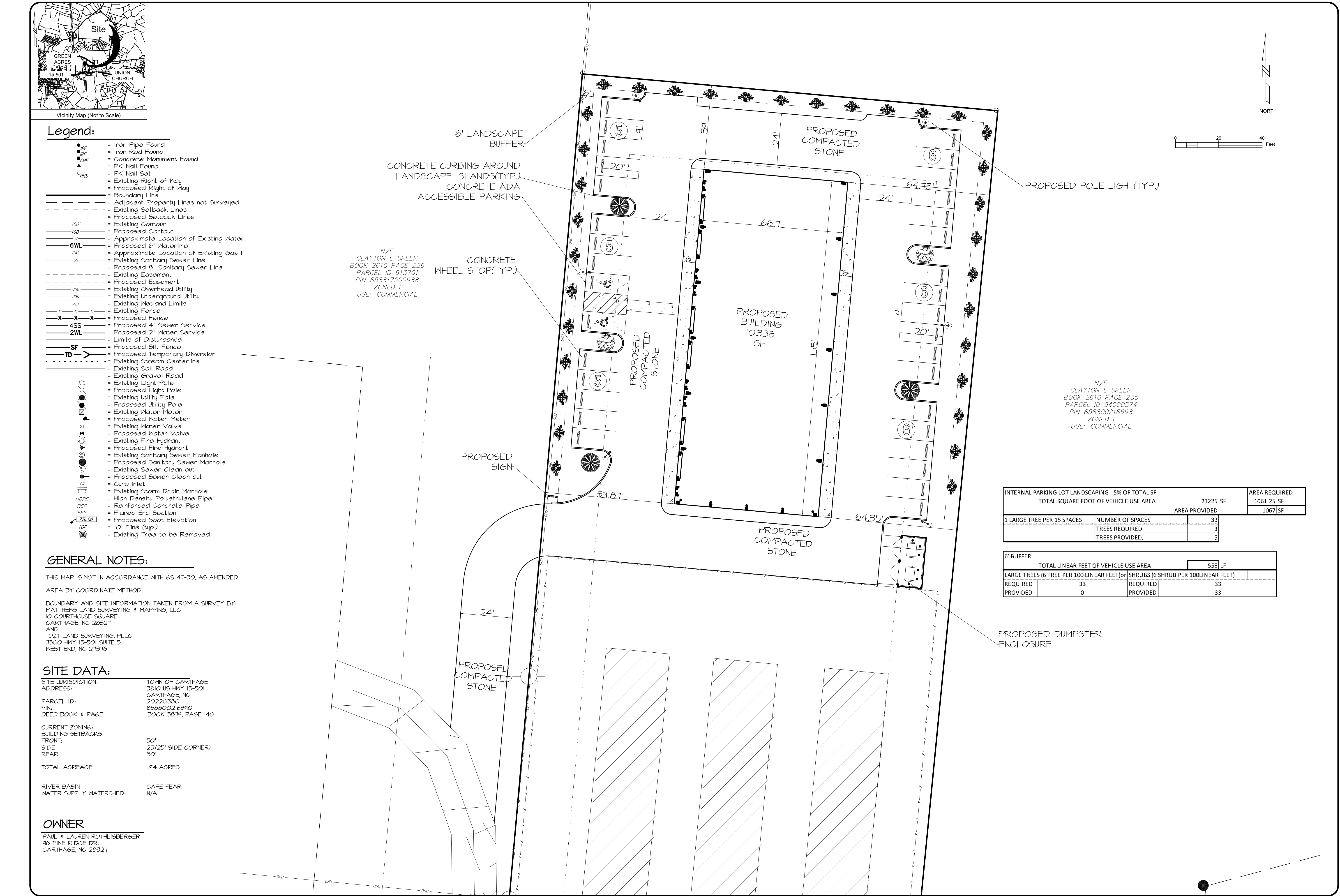
N/F  
 CLAYTON L. SPEER  
 BOOK 2610 PAGE 226  
 PARCEL ID 913701  
 PIN 858817200988  
 ZONED I  
 USE: COMMERCIAL

N/F  
 CLAYTON L. SPEER  
 BOOK 2610 PAGE 235  
 PARCEL ID 94000574  
 PIN 858800218698  
 ZONED I  
 USE: COMMERCIAL

INTERNAL PARKING LOT LANDSCAPING - 5% OF TOTAL SF		21225 SF	AREA REQUIRED
TOTAL SQUARE FOOT OF VEHICLE USE AREA		42450 SF	1061.25 SF
		AREA PROVIDED	1067 SF
1 LARGE TREE PER 15 SPACES	NUMBER OF SPACES	33	
	TREES REQUIRED	3	
	TREES PROVIDED	5	

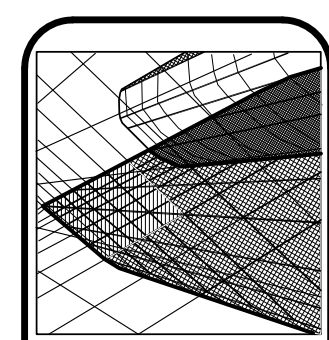
6' BUFFER		558 LF
TOTAL LINEAR FEET OF VEHICLE USE AREA		558 LF
LARGE TREES (6 TREE PER 100 LINEAR FEET)	REQUIRED	33
SHRUBS (6 SHRUB PER 100 LINEAR FEET)	REQUIRED	33
PROVIDED	PROVIDED	33



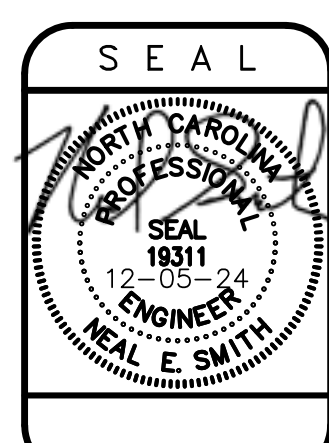
**3810 US HWY 15-501**  
 CARTHAGE, NC  
 SITE LAYOUT PLAN

REVISIONS:

1	12-05-24	BCW
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**Neal Smith Engineering, Inc.**  
 139 Piedmont Avenue - Suite C  
 Southern Pines, NC 28387  
 Phone: (910) 695-8825  
 Fax: (910) 695-8852  
 www.nseengineering.com  
 License No. C-1425



**PRELIMINARY**  
 Do not use for construction

DRAWN BY: BCW  
 DATE: 11-25-24  
 JOB NUMBER: 2400594  
 DRAWING KEY: SP-1

THIS DRAWING IS THE PROPERTY OF NEAL SMITH ENGINEERING, INC., AND MAY NOT BE REPRODUCED WITHOUT WRITTEN AUTHORIZATION FROM THE ENGINEER. THIS DRAWING IS VOID WITHOUT ORIGINAL SIGNATURE AND SEAL.





## MEMORANDUM

Date: January 7, 2025  
To: Planning Board  
From: Jennifer Hunt, Town Planner  
Subject: TA-02-24: Text Amendment for Major Subdivision- Construction Drawings (A), Unified Development Ordinance (UDO) as it pertains to Section 100.65-9 (A);  
Petitioner: Town of Carthage

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### I. SUMMARY OF APPLICATION REQUEST:

The Town Planning staff, along with the Public Works Director and the Town Manager, realize that there are stormwater concerns with major subdivisions that have been impacting the Town of Carthage and Moore County in general. To remain proactive, the Town would like to add two additional standards to help clarify what type of stormwater management is required in the Town of Carthage. Currently, our language is not as specific as it could be, so to alleviate ambiguity, we propose the following below in the Unified Development Ordinance (UDO). All text that is italicized is the existing language in the UDO. The underlined text is what we are proposing to be added to this section. Please view Attachment 1 for the entire UDO Section 100.65-9.

#### *Sec. 100.65-9 Major Subdivision – Construction Drawings*

A. *Construction Plan Submittal. Following preliminary plat approval, the subdivider shall submit 2 paper copies and a digital copy of the construction plans to the Administrator. Licensed Professional Engineer design and certification are required on all construction related plans, including but not limited to streets, stormwater controls, drainage, and utilities (storm sewers, sanitary sewers, water systems, electric, cable, natural gas, telephone, etc.). Submittal requirements are reflected in Sec 100.65-15. One copy of the construction drawings shall be returned to the applicant with town comments.*

- a. *Stormwater controls include having a stormwater management plan using stormwater ponds or on-site stormwater management plan for any lot less than 40,000 square feet. The stormwater management plan is in addition to the NCDEQ requirements for basic stormwater management and is subject to approval by the Town of Carthage, engineering team, as adequate.*
- b. *In addition, we require all builders to provide a positive drainage map after construction and a document stating there is positive drainage before we will release the final Certificate of Occupancy (CO).*
- c. *STANDARDS FOR DETENTION PONDS.*
  - (A) *Generally. It is the intent of this section to provide fencing standards for all stormwater detention ponds required by the State of North Carolina in an effort to mitigate any safety and aesthetic issues they may present. The enforcement of these standards will be through the TOC zoning and general police powers.*

(B) Fencing required. Fencing shall be provided around the perimeter of all stormwater detention ponds located within the corporate limits and its extraterritorial jurisdiction. The required fence shall be no less than four feet in height. It shall be a steel or aluminum chain link fence with black or green vinyl coating. All fences shall provide securable entrances to allow access for maintenance personnel and equipment, and to provide for the safety of citizens.

(C) Applicability to existing detention ponds. The existence of detention ponds within the corporate limits that do not provide for adequate fencing surrounding the ponds presents a threat to the safety of the TOC citizens. Therefore, all detention ponds located within the corporate limits existing at the time of adoption of this section shall, within one year after the effective date of this subchapter, be altered to comply with the provisions of this section.

## II. APPLICATION REVIEW:

### A. Review Process:

Applications for ordinance text amendments are reviewed pursuant to UDO Section 100.32, Section 100.42 and Section 100.44.

### B. Amendment Procedure and Review:

When reviewing an application for a text amendment, the Planning Board shall consider and be guided by Article 3. Below is highlighted Section 100.32, Section 100.42 and Section 100.44 (4) as set forth in UDO:

#### **Sec. 100.32 Planning Board – Powers and Duties**

*In addition to its specific duties set forth in this and other Town Ordinances and policies, the Planning Board shall have the following powers and duties:*

- 1. To make studies of the Town and surrounding areas;*
- 2. To determine objectives to be sought in the development of the Town;*
- 3. To propose and recommend plans for achieving these objectives;*
- 4. To develop and recommend to the Board of Commissioners policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;*
- 5. To advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;*
- 6. To exercise such functions in the administration and enforcement of various means for carrying out plans as may be assigned by this article or other ordinances of the Town; and*
- 7. To perform other related duties as may be assigned by this article or other ordinances.*

#### **Section 100.42 Types of Amendments:**

*Amendments may be to the text of the ordinance or take the form of map amendments, often known as rezoning. The Town of Carthage recognizes three types of amendments.*

- 1. Text Amendments. This type of amendment is used when a party chooses to modify the actual text of the ordinance. This is a legislative decision by the Board of Commissioners.*
- 2. Map Amendments. This type of amendment is used when a party chooses to change a zoning district from one type to another. Often known as a straight rezoning, it recognizes that the change in district allows for all uses allowed within a given zoning district. It cannot be conditioned in any way. This is a legislative decision by the Board of Commissioners.*
- 3. Conditional Zoning. Conditional Zoning is an amendment process that is both a map amendment and a text amendment. It is a legislative decision by the Board of Commissioners, but it allows for the placement of conditions and/or limits on the approval.*

**Section 100.44 (4) Planning Board**

*All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input. The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request.*

**C. Staff Comments:**

We recommend that the PB adopt the text amendment, as stormwater management onsite is important for each subdivision development.

**III. PLANNING BOARD ACTION:**

The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request. All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input, per UDO Section 100.42 and 100.44.

The Planning Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Planning Board shall vote on the petition (**two motions required**). The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

**LUP CONSISTENCY MOTION** (1<sup>st</sup> Required Motion)

**I move to:**

**OPTION 1**

Approve the text amendment and describe its consistency with the adopted Land Use Plan.

**or**

**OPTION 2**

Reject the text amendment and describe its inconsistency with the adopted Land Use Plan.

**or**

**OPTION 3**

Approve the text amendment and deem it a modification of the adopted Land Use Plan. The Planning Board believes this action taken is reasonable and in the public interest because.....

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**PETITION MOTION** (2<sup>ND</sup> Required Motion)

**And, therefore, I move to:**

**OPTION 1**

Approve TA-02-24 as written and presented.

**or**

**OPTION**

Approve TA-02-24 with the following revisions.....

---

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---

**OPTION 3**

Deny TA-02-24 for the following reasons.....

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**TOWN OF CARTHAGE  
PLANNING BOARD  
STATEMENT OF LAND USE PLAN CONSISTENCY  
FOR PROPOSED TEXT AMENDMENT FOR MAJOR SUBDIVISION – CONSTRUCTION DRAWINGS  
(A) SECTION 100.65-9 (A) IN THE UNIFIED DEVELOPMENT ORDINANCE.**

WHEREAS, amendments to the Town of Carthage Unified Development Ordinance have been proposed, which amendments are identified as follows:

**Major Subdivision – Construction Drawings (A) Section 100.65-9 (A)**

NOW THEREFORE, the Planning Board of the Town of Carthage resolves as follows:

**Section 1.** The Planning Board concludes that the above-described amendment(s) are/are not consistent with the Town of Carthage 2040 Land Use Plan, as amended based on the following:

**Goal 1: Preserve and celebrated small-town community roots.**

**Goal 2: Coordinated, intentional, and well-planned growth and development.**

**Goal 3: Protection of open space and critical natural features.**

**Goal 4: Ample employment opportunities and support for business development.**

**Goal 5: Vibrant commercial areas that provide a variety of goods, services, entertainment options, and amenities.**

**Goal 6: A well-connected multi-modal transportation system.**

**Goal 7: High-quality parks and recreational facilities that are accessible to all.**

**Goal 8: Protected and preserve historic and cultural resources.**

**Goal 9: Adequate supply and high quality of housing.**

**Goal 10: Informed, engaged, and active residents that represent a variety of neighborhoods and citizen groups.**

**Goal 11: Regulations that are consistent with the Town’s vision.**

**Goal 12: Cultural, educational, recreational, and other amenities that contribute to the quality of life of Carthage’s citizens.**

*Town staff have been receiving concerns with major subdivisions regarding stormwater. To remain proactive, staff wishes to add two additional standards to clarify what type of stormwater management is required. These two additional standards include a stormwater management plan using stormwater ponds or on-site stormwater management plan for lots less than 40,000 sq. ft. Additionally, requiring builders to provide a positive drainage map after construction and a document stating there is a positive drainage before releasing final Cos (Certificate of Occupancies).*

**Section 2.** Please state the Planning Board’s reasonings/findings for the approval or disapproval of this consistency statement based on the above selected goals.

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**Section 2.** The Planning Board concludes that the above-described amendment(s) are/are not reasonable and in the public interest as they do/do not fulfill a direct objective of the Land Use Plan.

This statement adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Elizabeth Futrell, Chair

\_\_\_\_\_  
Jamie Sandoval, Clerk to the Planning Board