



AGENDA

Tuesday, January 28, 2025: 3:00 PM

Town Council Work Session

C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

4. ACTION ITEMS

a. PD-07-24: Written Decision for New York Place PDP

Planning staff have prepared a draft Written Decision for application PD-07-24, New York Place PDP, for the Town Council's review and approval. The PDP was approved at the January 14, 2025 Regular Meeting.

b. PD-08-24: Written Decision for Ace Hardware Phase 2 Amended PDP

Planning staff have prepared a draft Written Decision for application PD-08-24, Ace Hardware Phase 2 Amended PDP, for the Town Council's review and approval. The PDP was approved at the January 14, 2025 Regular Meeting.

c. MAPP-04-24: Written Decision for Morganton Park South - North Lots Preliminary Plat

Planning staff have prepared a draft Written Decision for application MAPP-04-24, Morganton Park South - North Lots Preliminary Plat, for the Town Council's review and approval. The Preliminary Plat was approved at the January 14, 2025 Regular Meeting.

d. Amendments to Code of Ordinances 70.07 regarding use of non-motorized wheeled vehicles on roadways.

At the October, 2024 Town Council Work Session, staff discussed with Council the issue of skateboarding being prohibited on many downtown streets. Following that meeting, staff drafted some amendments to Code of Ordinances Section 70.07 for the Council's review. A discussion regarding the draft language occurred at the December, 2024 Town Council Regular Meeting. Staff were asked to further study and clarify some of the terms used in the draft language. Staff have prepared a new amendment to present for the Council's consideration.

e. Relief from §50.035 of the Town Code of Ordinances - Water Extension Exemption Request

Mr. and Ms. Skelly are proposing to build a house at 512 S. Glenwood Trail within the Town's ETJ. They request relief from §50.035 of the Town Code of Ordinances requiring any new house, lot, or subdivision to connect to the Town's water system if it is within 300 feet (plus 100 feet multiplied by the number of additional dwellings) of an existing [water] distribution pipe. The property is within approximately 245 feet of an existing water main.

f. Project Updates

Staff will discuss current status of ongoing projects to include the Carriage House and a sidewalk downtown on Illinois crossing the railroad tracks, in addition to requesting adoption of a NCDOT agreement update and budget amendment for the Knoll Road Multi-use Path.

g. Approve Budget Amendment Ordinances

h. Planning Board Appointments

Council will discuss available seats on the Planning Board and potential appointment(s)

5. COUNCIL UPDATES AND DISCUSSION

a. Public Communications Update

Staff will update the Town Council on Public Communications efforts.

b. Moore County Water Discussions

Staff will provide an update regarding proposed legal parameters of an Intergovernmental Agreement with Moore County pertaining to long-term water treatment and distribution.

c. Planning Department Update

Staff will update Council on applications advancing from the Planning Board to Council, the latest news on Senate Bill 382, and Phase 2 implementation efforts related to the 2040 Comprehensive Plan.

6. COUNCIL ROUNDTABLE

a. Request For Resolution to Amend NCGS 113A-50

Discussion regarding the request of Attorney Marsh Smith that Council draft and adopt a Resolution requesting the General Assembly to amend a section of NCGS regarding sedimentation control and the ability to file Civil suits.

7. ADJOURNMENT

Meetings/work sessions of the Southern Pines Town Council are now available on the Town's [YouTube channel](#). Video of the Town Council meetings will be live streamed on the channel for viewing either during the meetings or after they have concluded. Please note, the video is provided only for the purposes of viewing the meetings; public comments or questions are not accepted via the live stream. To receive notifications when new content is published, please "subscribe" to the Town's channel at <https://bit.ly/3hXx2Qk>

Agenda Item

To: Reagan Parsons, Town Manager

From: Alaina Mallette, Senior Planner

Via: BJ Grieve, Planning Director

Subject: PD-07-24: Planned Development District – Preliminary Development Plan for +/- .8 Acres on the West Side of S. Bennett Street Between New York Avenue and Pennsylvania Avenue (New York Place)

Date: January 28, 2025

I. PURPOSE

Per UDO §2.14.6(F)(11), “A written decision must be approved for every quasi-judicial application, either by entering the decision at the end of the hearing or at a subsequent meeting of the hearing body, which shall generally be the next scheduled meeting. As part of the written decision, the hearing body must make findings of fact and conclusions as to applicable standards and any conditions. The chair may direct the Planning Director or Town Attorney to draft a written decision for approval by the hearing body at its next regularly scheduled meeting, which approval may be on a consent agenda.”

Planning staff have prepared a draft of the written decision of the Town Council’s approval of application PD-07-24 that was heard by the Town Council at the regular meeting on January 14, 2025, that the Town Council may now wish to adopt. If the Town Council approves the drafted written decision, the Mayor will sign the document. The original signed version will be delivered to the applicant, authorized agent, and property owner with Planning staff and the Town Clerk maintaining copies of the signed document for their respective files.

II. SUMMARY OF APPLICATION REQUEST

Colin Webster and John Spurrell, on behalf of Grosvenor Land, LLC (“Applicant”), have submitted a Planned Development District – Preliminary Development Plan application pursuant to §2.18.5 of the Town of Southern Pines Unified Development Ordinance for a mixed-use development to include 40 residential condominiums and 9,100 square feet of retail, restaurant and office space. The subject parcels are currently zoned to Planned Development (PD) pursuant to an approved Conceptual Development Plan (i.e., PD-02-23) and are identified as PIN 858105282734 (PARID 00032263) and PIN 858105281747 (PARID 00031983). Per the Moore County tax records, the parcels are owned by Grosvenor Land, LLC.

III. TOWN COUNCIL EVIDENTIARY HEARING AND ACTION

A public evidentiary hearing regarding a proposed Preliminary Development Plan (PDP) for the New York Place Planned Development was called to order with four members present on January 14, 2025, and with the fifth member withdrawn without being excused

by a majority vote of the remaining members present; therefore, recording an automatic affirmative vote on the matter (see North Carolina General Statute §160A-75 Voting). The oath was administered to all witnesses choosing to speak. Planning staff entered the January 14, 2025, Staff Report as Town's Exhibit A and staff's January 14, 2025 presentation as Exhibit B. Legal counsel for the applicant, Attorney Nick Robinson, entered three exhibits into the record: Exhibit 1, a signed affidavit for Neil Salmon, the Chief Design Officer for the Ascot Corporation; Exhibit 2, the originally submitted traffic design analysis dated May 11, 2023; and Exhibit 3, a signed affidavit for Eri Govea, a licensed professional traffic engineer.

The Applicant's legal counsel asked questions of their expert witnesses and responded to Town Council questions. Two additional witnesses spoke during the hearing. After closing the hearing, Town Council discussed and voted 4-1 to approve draft findings of fact as prepared by staff. Then, by a vote of 4-1, the Town Council voted to approve with conditions the New York Place Preliminary Development Plan, i.e., PD-07-24. The final conditions were as drafted by the Planning Department staff and legal counsel for the Applicant and presented in the Town's Exhibit A.

IV. ATTACHMENTS

1. Written Decision of the Board: PD-07-24

V. TOWN COUNCIL ACTION

The Town Council may wish to take one of the following actions.

1. No action;
2. **Accept the Written Decision for PD-07-24 as prepared by the Town staff;**
3. An action listed above with the following conditions...; or
4. Action not listed above...



CASE NUMBER: PD-07-24

**FINDINGS OF FACT, DECISION OF THE BOARD, AND ORDER IN THE MATTER
OF A PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR NEW YORK
PLACE PLANNED DEVELOPMENT – MIXED USE BUILDING**

DESCRIPTION OF MATTER

Colin Webster and John Spurrell, on behalf of Grosvenor Land, LLC (“Applicant”), have submitted a Planned Development District – Preliminary Development Plan application pursuant to §2.18.5 of the Town of Southern Pines Unified Development Ordinance for a mixed-use development to include 40 residential condominiums and 9,100 square feet of retail, restaurant and office space. The subject parcels are currently zoned to Planned Development (PD) pursuant to an approved Conceptual Development Plan (i.e., PD-02-23) and are identified as PIN 858105282734 (PARID 00032263) and PIN 858105281747 (PARID 00031983). Per the Moore County tax records, the parcels are owned by Grosvenor Land, LLC.

A public evidentiary hearing regarding a proposed Preliminary Development Plan (PDP) for the New York Place Planned Development was called to order with four members present on January 14, 2025, and with the fifth member withdrawn without being excused by a majority vote of the remaining members present; therefore, recording an automatic affirmative vote on the matter (see North Carolina General Statute §160A-75 Voting). The oath was administered to all witnesses choosing to speak. Planning staff entered the January 14, 2025, Staff Report as Town’s Exhibit A and staff’s January 14, 2025 presentation as Exhibit B. Legal counsel for the applicant, Attorney Nick Robinson, entered three exhibits into the record: Exhibit 1, a signed affidavit for Neil Salmon, the Chief Design Officer for the Ascot Corporation; Exhibit 2, the originally submitted traffic design analysis dated May 11, 2023; and Exhibit 3, a signed affidavit for Eri Govea, a licensed professional traffic engineer.

The Applicant’s legal counsel asked questions of their expert witnesses. Two additional witnesses spoke during the hearing. After closing the hearing, Town Council discussed and voted 4-1 to approve the draft findings of fact as prepared by staff. Detailed discussion during the evidentiary hearing can be found in the meeting minutes on record in the Town Clerk’s office and online.

FINDINGS OF FACT

1. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Preliminary Development Plan approval has met the specified submittal requirements as required in the Town of Southern Pines Unified Development Ordinance (UDO) Appendices, the applicants have submitted adequate evidence addressing criteria for a Preliminary Development Plan, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.

2. The Town Council finds that the application complies with UDO §2.18.5(H) Criteria for a Preliminary Development Plan, Criterion 1 (i.e., the application demonstrates that it will achieve the purposes of the PD districts), in that the proposed development promotes creative and innovative design that is in character with the Downtown area, includes usable open space, and includes an activated public realm along S. Bennett Street—effectively enhancing walkability and mobility in the area. Furthermore, with the addition of dwelling units created a variety of housing types in the Downtown Adjacent neighborhood. The condition prohibiting specific land uses acceptably mitigate concerns regarding the purpose of establishing an appropriate land mix and intensity, especially considering potentially applicable UDO standards. Therefore, according to §3.5.14 and §2.18 of the UDO, Town Council does not find significant inconsistency between the Preliminary Development Plan and the purpose of the PD district, generally, considering the commitments made in the narrative and in the conditions.
3. The Town Council finds that the application complies with UDO §2.18.5(H) Criteria for a Preliminary Development Plan, Criterion 2 (i.e., the Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO), in that the application and commitments contain enough information to be deemed generally consistent with the CDP and UDO. The two conditions acceptably mitigate concerns regarding compliance with UDO standards. Further detailed analysis of compliance with both the CDP and the UDO will involve representatives from all other Community Development departments (such as Streets, Engineering, Fire, etc.) and will occur during site plan review.
4. The Town Council finds that the application complies with UDO §2.18.5(H) Criteria for a Preliminary Development Plan, Criterion 3 (i.e., proposed Development is located in an area of the Town that is appropriate), in that the proposed density of development is located in an area of town with sufficient public services and utilities and the proposed architecture is consistent with the surrounding area. With the commitments made, the proposed development is located in an appropriate area of town.
5. The Town Council finds that the application complies with UDO §2.18.5(H) Criteria for a Preliminary Development Plan, Criterion 4 (i.e., proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities and services), in that there are sufficient utilities available to the site and the cost of extensions to the site of said utilities will be borne by the Applicant. The cost of any transportation-related improvements will be borne by the Applicant and the Property Owner. Development of the subject property in the manner proposed is an efficient way to increase commercial and residential units within the community.

CONCLUSION AND DECISION

Therefore, by a vote of 4-1, the Town Council voted to approve with conditions the New York Place Preliminary Development Plan, i.e., PD-07-24. The final conditions were as drafted by the Planning Department staff and legal counsel for the Applicant, presented in the Town's Exhibit A, and written as follows.

1. **Condition 1.** The following land uses shall be prohibited:
 - 1) 1210, 1220, 1230, 1240, or 1250, care facilities;
 - 2) 2110 series, automobile sales;

- 3) 2124, department store;
- 4) 2143, tobacco store;
- 5) 2260, pawn shop;
- 6) 2418, veterinary services;
- 7) 2521, drive-through restaurants;
- 8) 2550, Food trucks;
- 9) 2652, tattoo parlor;
- 10) 2653, adult establishment;
- 11) 2654, adult cabaret;
- 12) 2721 series, animal services and kennels;
- 13) 5370, gyms and event venues (except gym and fitness ancillary to the residential units);
- 14) 6110, nursery/preschool (except minor nursery uses as ancillary to the residential units);
- 15) 6120 series, grade schools;
- 16) 6562, day care center; and
- 17) 6600 series, religious institutions.

2. **Condition 2.** The final approved site plan shall either (1) provide for 70% or less impervious surface or (2) include permeable pavement and/or other measures similar permeable technology to bring the built-upon area from 77.9% of total acreage to 70%. Such materials and methodologies for calculating perviousness shall be acceptable to the Town of Southern Pine's Town Engineer or other applicable approval authority prior to approval of the site plans.

This is the 28th day of January, 2025.

FOR THE TOWN COUNCIL:

Taylor G. Clement, Mayor

Agenda Item

To: Reagan Parsons, Town Manager

From: James Broadwell, Planner I

Via: BJ Grieve, Planning Director

Subject: PD-08-24: Planned Development District - Preliminary Development Plan for Ace Hardware Planned Development District, on ±1.87 acres on the South side of Airport Road; Petitioner: Mr. Paul Saathoff, on behalf of Rhetson Companies, Inc. and Southern Pines Ace Land Company, LLC

Date: January 28, 2025

I. PURPOSE

Per UDO §2.14.6(F)(11), “A written decision must be approved for every quasi-judicial application, either by entering the decision at the end of the hearing or at a subsequent meeting of the hearing body, which shall generally be the next scheduled meeting. As part of the written decision, the hearing body must make findings of fact and conclusions as to applicable standards and any conditions. The chair may direct the Planning Director or Town Attorney to draft a written decision for approval by the hearing body at its next regularly scheduled meeting, which approval may be on a consent agenda.”

Planning staff have prepared a draft of the written decision of the Town Council’s approval of application PD-08-24 that was heard by the Town Council at the regular meeting on January 14, 2025 that the Town Council may now wish to adopt. If the Town Council approves the drafted written decision, the Mayor will sign the document. The original signed version will be delivered to the applicant, authorized agent, and property owner with Planning staff and the Town Clerk maintaining copies of the signed document for their respective files.

II. SUMMARY OF APPLICATION REQUEST

Mr. Paul Saathoff, on behalf of Rhetson Companies, Inc. and Southern Pines Ace Land Company, LLC, submitted a Planned Development District – Preliminary Development Plan application pursuant to §2.18.5 of the Town of Southern Pines Unified Development Ordinance for the development of 14,500 square feet of Retail, Restaurant, Professional Office, Other Office Services, Personal Services, Gym, Medical Office, or Health and Human Services space on approximately 1.87 acres on parcels identified as PIN 857300963887 (PARID 00033603) and PIN 857300974451 (PARID 00033604). Phase 1 of this Planned Development District has already been constructed, and the Phase 3A PDP was approved on August 27, 2024. This Preliminary Development Plan, being Phase 2, will expand on the District’s establishments and uses. Per the Moore County tax record, the subject property is owned by Southern Pines Ace Land Company, LLC.

III. TOWN COUNCIL EVIDENTIARY HEARING AND ACTION

A public evidentiary hearing regarding a proposed Preliminary Development Plan (PDP) for the Ace Hardware Planned Development was called to order with five members present on January 14, 2025. The oath was administered to all witnesses choosing to speak. Planning staff entered the January 14, 2025, staff report as Exhibit A and staff's January 14, 2025 presentation as Exhibit B. After closing the hearing, Town Council discussed and voted on the draft findings of fact.

The Town Council voted 5-0 to adopt Attachment 1 of the staff report as Finding of Facts. The Town Council then voted 5-0 to approve PD-08-24, with two conditions, as presented at the January 14, 2025 Town Council Meeting. Councilman Pate moved to adopt and Councilwoman Gray seconded both motions.

IV. ATTACHMENTS

1. Written Decision of the Board: PD-08-24

V. TOWN COUNCIL ACTION

The Town Council may wish to take one of the following actions.

1. No action;
- 2. Accept the Written Decision for PD-08-24 as prepared by the Town staff;**
3. An action listed above with the following conditions...; or
4. Action not listed above...



CASE NUMBER: PD-08-24

**FINDINGS OF FACT, DECISION OF THE BOARD, AND ORDER IN THE MATTER
OF A PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR THE ACE
HARDWARE PLANNED DEVELOPMENT**

DESCRIPTION OF MATTER

Mr. Paul Saathoff, on behalf of Rhetsen Companies, Inc. and Southern Pines Ace Land Company, LLC, submitted a Planned Development District – Preliminary Development Plan application pursuant to §2.18.5 of the Town of Southern Pines Unified Development Ordinance for 14,500 square feet of Retail, Restaurant, Professional Office, Other Office Services, Personal Services, Gym, Medical Office, or Health and Human Services space on 1.87 total acres on parcels identified as PIN 857300963887 (PARID 00033603) and PIN 857300974451 (PARID 00033604). Phase 1 of this Planned Development District has already been constructed, and the Phase 3A PDP (PD-03-24) was approved on August 27, 2024. This Preliminary Development Plan, being Phase 2, will expand on the District’s establishments and uses. Per the Moore County tax record, the subject property is owned by Southern Pines Ace Land Company, LLC.

A public evidentiary hearing regarding a proposed Preliminary Development Plan (PDP) for the Ace Hardware Planned Development was called to order with five members present on January 14, 2025. The oath was administered to all witnesses choosing to speak. Planning staff entered the January 14, 2025 Staff Report as Exhibit A and staff’s January 14, 2025 presentation as Exhibit B. After closing the hearing, Town Council discussed and voted on the draft findings of fact. Detailed discussion during the evidentiary hearing can be found in the meeting minutes on record in the Town Clerk’s office and online.

FINDINGS OF FACT

- A. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Preliminary Development Plan approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Preliminary Development Plan, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.
- B. The Town Council finds that the application complies with UDO §2.18.5(H) Criterion 1 (*the application demonstrates that it will achieve the purposes of the PD district and this section*) in that the proposed development aligns with the purpose of a PD district only with the imposition of integrated open space and shared parking measures. The Town Council finds that the two conditions of approval tied to the PD-03-24 development approval were

necessary to achieve the purpose of a PD. The inconsistencies found in the PD-03-24 application were regarding:

1. **Usable Open Space Usage.** The Usable Open Space depicted in Phase 2 left too much ambiguity and room for a lessee to deviate from what UDO §3.5.14(A)(9) calls for - *Foster Development of a network of open space to serve a variety of recreational and environmental purposes designed and located with respect to existing unique natural features and environmentally sensitive areas.* Lessees could employ large portions of the open space for graveled-over seating or leave it as a largely unutilized space.
2. **Parking Volume.** The Phase 2 and 3A parking spaces amounted to 130, with the UDO parking standards calling for a minimum of 114. Phase 1 has 176 spaces, with Phase 3B yet to be determined, leaving well over 306 spaces for the Ace development. UDO §3.5.14(A)(6) reads to *encourage common or shared parking.* This development should improve its design by anticipating peak hours of customer traffic per business, sharing parking according to those hours, and ultimately eliminating some spaces.

The Town Council finds that this Preliminary Development Plan achieves the purposes of the PD and UDO by including these two conditions of approval, related to the development of Usable Open Space and parking volume, with PD-08-24 just the same as with PD-03-24. These two conditions of approval will align the PDP with the purposes of a Planned Development (as set forth in UDO §3.5.14(A)(6), §3.5.14(A)(9), and §3.5.14(A)(11)) and eliminate any ambiguity for what conditions are tied to the Phase 2 development approval between PD-03-24 and PD-08-24.

- C. The Town Council finds that the application complies with UDO §2.18.5(H) Criterion 2 (*the Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO*) in that the application contains enough information and commitments to be deemed generally consistent. The PDP is appropriate given the potential list of uses and character of the development; it also achieves an efficient, safe, and economical land use without detracting from the quality of the overall Ace Hardware development or the community as a whole.
- D. The Town Council finds that the application complies with UDO §2.18.5(H) Criterion 3 (*The proposed Development is located in an area of the Town that is appropriate*) in that proposed development is Phase 2 of the Ace Hardware CDP – within an “Area to Transform” and “Retail Center” under the Comprehensive Plan. The proposed land use will provide additional commercial uses that further expand a growing retail and service industry job base. The proposed development is also within walking distance of a large apartment complex, Sandhills Community College, a traditional residential community, restaurants, a grocery store, and the Southern Pines Greenway System. The Town Council finds that given the prior phase of Ace Hardware’s development and the relative convenience of the location near a variety of existing and planned land uses, the proposed development is located in an appropriate area of town. Furthermore, the development is located in an

area of town with existing access to necessary infrastructure and where the street system is adequate, or will be improved to be adequate, to accommodate the projected traffic volumes.

- E. The Town Council finds that the application complies with UDO §2.18.5(H) Criterion 4 (*The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities, and services*) in that the proposed PDP is served by all necessary utilities and transportation infrastructure and the development will bear the cost of all infrastructure modifications and/or extensions. Development of the subject property in the manner proposed is an efficient way to increase jobs and tax base, while providing for a more vibrant community atmosphere.

CONCLUSION AND DECISION

Therefore, by a vote of 5-0, the Town Council voted to approve, with conditions, the Ace Hardware Preliminary Development Plan PD-08-24 with the following additional conditions as drafted and submitted within Exhibit A:

Condition 1 – Phase 2 Usable Open Space Usage.

The Phase 2 Usable Open Space shall include a minimum of these four featured components:

1. A grass lawn, as depicted on the PDP, to be maintained by the Phase 2 lessees, developer, or property owner's association.
2. Three separate planting beds that encompass at least 30 square feet each OR eight planters at least 3½ feet in diameter, to be maintained by the Phase 2 lessees, developer, or property owner's association.
3. Permanent seating as depicted on the PDP, directly on or adjacent to the lawn. The developer can opt for picnic tables, benches, stand-alone chairs, or a combination of these, all rated for outdoor use.
4. One pergola structure, similar shade structure, or two (2) shade trees, including adjacent landscaping, located within the Open Space. The structure or tree locations will be at the developer's discretion.

Condition 2 – Phase 2 and 3A Parking Volume.

No parking will be permitted with the development of Parcel 3B to encourage shared parking throughout the development. All parking to serve parcel 3B will be shared with all other parcels within the Ace Hardware CDP area. Any uses on parcel 3B will not be required to meet minimum parking standards for their particular use as it is understood that all parking for this parcel will be shared parking.

This is the 28th day of January, 2025.

FOR THE TOWN COUNCIL:

Taylor G. Clement, Mayor

Agenda Item

To: Reagan Parsons, Town Manager

From: James Broadwell, Planner I

Via: BJ Grieve, Planning Director

Subject: MAPP-04-24: Major Subdivision Preliminary Plat for Morganton Park South–North Lots, on ±32.65 acres on the south side of W. Morganton Road; Petitioner: Mr. Bob Koontz, on behalf of Morganton Road Enterprises, LLC, and Midland Atlantic Properties

Date: January 28, 2025

I. PURPOSE

Per UDO §2.14.6(F)(11), “A written decision must be approved for every quasi-judicial application, either by entering the decision at the end of the hearing or at a subsequent meeting of the hearing body, which shall generally be the next scheduled meeting. As part of the written decision, the hearing body must make findings of fact and conclusions as to applicable standards and any conditions. The chair may direct the Planning Director or Town Attorney to draft a written decision for approval by the hearing body at its next regularly scheduled meeting, which approval may be on a consent agenda.”

Planning staff have prepared a draft of the written decision of the Town Council’s approval of application MAPP-04-24 that was heard by the Town Council at the regular meeting on January 14, 2025 that the Town Council may now wish to adopt. If the Town Council approves the drafted written decision, the Mayor will sign the document. The original signed version will be delivered to the applicant, authorized agent, and property owner with Planning staff and the Town Clerk maintaining copies of the signed document for their respective files.

II. SUMMARY OF APPLICATION REQUEST

Mr. Bob Koontz of Koontz Jones Design, LLC, on behalf of Morganton Road Enterprises, LLC and Midland Atlantic Properties submitted a Major Subdivision Preliminary Plat application pursuant to the Town of Southern Pines Unified Development Ordinance (UDO) §2.20. The plat intends to subdivide the parent tract into five commercial lots and a public right-of-way for the future Old Morganton Road Extension. The parent tract presently comprises a forested area, the northern-most portion of Carolina Green Parkway, and a stormwater pond. The subject property is located south of W. Morganton Road. Per the Moore County tax records, the property is identified as PARID 98000749, which comprises ±32.65 acres, and is owned by Morganton Road Enterprises, LLC.

III. TOWN COUNCIL EVIDENTIARY HEARING AND ACTION

A public evidentiary hearing regarding the proposed Major Subdivision Preliminary Plat (MAPP) for the Morganton Park South–North Lots was called to order with five

members present on January 14, 2025. The oath was administered to all witnesses choosing to speak. Planning staff entered the January 14, 2025 staff report as Exhibit A and staff's January 14, 2025 presentation as Exhibit B. After closing the hearing, the Town Council discussed and voted on the draft findings of fact.

After detailed discussion on topics including, but not limited to, the preservation of trees along W. Morganton Road and Carolina Green Parkway, the 20' western side buffer, and traffic implications regarding the new roadway, the Town Council voted 5-0 to adopt Attachment 1 of the staff report as Finding of Facts. The Town Council then voted 5-0 to approve with conditions MAPP-04-24 as presented at the January 14, 2025 Town Council Meeting. Councilman Pate moved to adopt and Councilwoman Gray seconded both motions.

IV. ATTACHMENTS

1. Written Decision of the Board: MAPP-04-24

V. TOWN COUNCIL ACTION

The Town Council may wish to take one of the following actions.

1. No action;
- 2. Accept the Written Decision for MAPP-04-24 as prepared by the Town staff;**
3. An action listed above with the following conditions...; or
4. Action not listed above...



CASE NUMBER: MAPP-04-24

**FINDINGS OF FACT, DECISION OF THE BOARD, AND ORDER IN THE MATTER
OF A MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION FOR
MORGANTON PARK SOUTH–NORTH LOTS**

DESCRIPTION OF MATTER

Mr. Bob Koontz of Koontz Jones Design, LLC, on behalf of Morganton Road Enterprises, LLC and Midland Atlantic Properties, submitted a Major Subdivision Preliminary Plat application pursuant to the Town of Southern Pines Unified Development Ordinance (UDO) §2.20 for five commercial lots and a future public right-of-way on ±32.65 total acres on the parcel identified as PARID 98000749. Per the Moore County tax record, the subject property is owned by Morganton Road Enterprises, LLC.

A public evidentiary hearing regarding the proposed Major Subdivision Preliminary Plat (MAPP) for the Morganton Park South–North Lots was called to order with five members present on January 14, 2025. The oath was administered to all witnesses choosing to speak. Planning staff entered the January 14, 2025 Staff Report as Exhibit A and staff’s January 14, 2025 presentation as Exhibit B. After closing the hearing, the Town Council discussed and voted on the draft findings of fact. Detailed discussion during the evidentiary hearing can be found in the meeting minutes on record in the Town Clerk’s office and online.

FINDINGS OF FACT

1. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Major Subdivision Preliminary Plat approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Preliminary Plat, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.
2. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 1 (the application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities) in that the Preliminary Plat aligns with the 2040 Comprehensive Plan only with the imposition of protection measures to the existing tree stand within the 40’ highway buffer along W Morganton Rd. These trees provide distinct natural character to the surrounding community, which directly aligns with MAPP Criterion 1, Comprehensive Plan policies 4.9 and 4.10, and UDO §3.5.14(A)(9). The proposed subdivision is consistent with the General Framework Map and Conservation and Development Maps, which each categorize the site as an Area to Transform and Mixed-Use

Area. Site access and utility connections, provided by Town of Southern Pines Public Works, are both readily available. Therefore, the project is also compatible with its surrounding infrastructure.

3. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 2 (the proposed subdivision complies with the UDO and applicable state and federal regulations) in that the Preliminary Plat complies with the UDO only with the imposition of a protection measure for the existing trees within the 40' Linear Park along Carolina Green Parkway. A protection measure for the existing trees and their critical root zones ensures that the PDP purpose criteria, under UDO §2.18.5(A), of integrating natural features and woodlands may be adequately applied to this project. The proposal complies with federal regulations in that the applicant has provided a biological assessment reflecting no impact on the Red Cockaded Woodpecker or other endangered species.
4. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 3 (the proposed Subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property) in that the four commercial lots and their respective dimensions meet density standards. The proposed Old Morganton Road Extension depicted on the plat will also provide sufficient access and circulation within the development.
5. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 4 (the proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties) in that the project does not present a safety or viability concern for the surrounding area. The Old Morganton Road Extension connects Old Morganton Road, Carolina Green Parkway, and the proposed outparcels in a way that's safe and accommodates both vehicular and pedestrian traffic. Additionally, with the imposition of specific traffic control measures as prescribed in this project's Traffic Impact Analysis (TIA), the proposed lots and land uses will fall within the TIA's mandated parameters.
6. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 5 (the proposed public facilities are adequate to serve the normal and emergency demands of the proposed development, and to provide for the efficient and timely extension to serve future development) in that the proposed utility plan adequately meets water, fire flow, and sewer requirements. The Town of Southern Pines will provide all utility extensions and connections. This means they will serve this development adequately and efficiently.

CONCLUSION AND DECISION

Therefore, by a vote of 5-0, the Town Council voted to approve, with conditions, the Morganton Park South–North Lots MAPP-04-24 with the following additional conditions:

Condition 1 – W. Morganton Road – Highway Corridor Overlay Buffer

Within the 40' Highway Buffer adjacent to W. Morganton Road, the project developer shall retain all existing trees greater than or equal to 6-inch caliper, subject to the following:

- No grading shall occur within the buffer or within the critical root zone of buffer trees. The critical root zone is defined by the Town Arborist as a tree's respective drip line.
 - Tree protection fencing shall be installed to protect the critical root zone of all retained trees within the buffer at a minimum distance of 6-feet or a tree's drip line, whichever is greater. The exact tree protection fence locations shall be reviewed and approved during the Old Morganton Road Extension site plan review.
 - If the above required standoff distance directly prevents necessary site design, then the project developer may request a standoff reduction of tree protection fences. Any approved reduction is contingent on the assessment and concurrence from the Town of Southern Pines Arborist.
 - The project developer may remove underbrush within the buffer, such as vines and small trees less than 6-inch caliper.
 - Additional plantings necessary to meet UDO Exhibit 4-4 standards, such as required shrubs count, will be reviewed and approved during site plan review.
- This condition is pursuant to UDO Exhibit 3-13, MAPP Criterion 1, Comprehensive Plan Policy 4.9, Comprehensive Plan Policy 4.10, and UDO §3.5.14(A)(9).*

Condition 2 – Carolina Green Parkway – Linear Park

The Linear Park along Carolina Green Parkway, within Outparcel 1, shall be 40' wide and developed in accordance with the MPS CDP. Within the 40' Linear Park, the project developer shall retain all existing trees greater than or equal to 6-inch caliper, subject to the following:

- No grading shall occur within the buffer or within the critical root zone of buffer trees; however, the project developer may clear area necessary to grade and install the Old Morganton Rd Extension and install required Linear Park elements and amenities pursuant to the MPS CDP. The critical root zone is defined by the Town Arborist as a tree's respective drip line.
- Tree protection fencing shall be installed to protect the critical root zone of all retained trees within the Linear Park at a minimum distance of 6-feet or a tree's drip line, whichever is greater. The exact tree protection fence locations shall be reviewed and approved during the Old Morganton Road Extension site plan review.
- If the above required standoff distance directly prevents necessary site design, then the project developer may request a standoff reduction of tree protection fences. Any approved reduction is contingent on the assessment and concurrence from the Town of Southern Pines Arborist.

- The project developer may remove underbrush within the buffer, such as vines and small trees less than 6-inch caliper.
- Trees retained within this buffer may be counted toward satisfying Linear Park landscape requirements pursuant to the MPS CDP.
This condition is pursuant to MAPP Criterion 2, UDO §2.18.5(A)(4), and UDO §3.5.14(A)(9).

This is the 28th day of January, 2025.

FOR THE TOWN COUNCIL:

Taylor G. Clement, Mayor



MEMO

To: Town Council
From: Mason Mattox, Planner I

Date: January 28, 2025
Re: Proposed Amendment to Code of Ordinances §70.07

A Proposal to Amend the Town of Southern Pines Code of Ordinances §70.07 regarding the use of roller skates, skateboards, and the like.

I. OVERVIEW

The initiative to re-evaluate the Town's Code of Ordinances as they pertain to skateboarding and similar activities began in September of 2021, and was paused awaiting completion of a Town Skate Park. The Elaine T Baillie Skatepark officially opened in December of 2024, creating a refreshed interest from Town Management in revisiting the permitted locations of skating devices, in part, to allow for the public to access the Skatepark by means of those devices.

In examining the initiative to amend the Town's Code of Ordinances, Planning staff have observed the following goals from Council and Town Management:

- To ensure public safety is maintained.
- To promote the usage of alternative means of transportation (non-automobile) within the community, and
- To allow those utilizing skating devices access to the Elaine T Baillie Skatepark by means of those devices.

Note that the term 'Skating Device' is a collective term referring to broader activity such as roller-skating, riding scooters, etc.

II. CURRENT AND PROPOSED ORDINANCE

Current Ordinance

§70.07 USE OF ROLLER SKATES, SKATEBOARDS, AND THE LIKE PROHIBITED FROM ROADWAY.

No person on roller skates or skateboards or riding in or by means of coaster, toy vehicle, or similar device shall go on any roadway, except while crossing a street at a crosswalk or intersection; except on streets set aside as play streets and except on streets in single family residential areas that are not thoroughfare or collector streets. Additionally, no person shall ride the devices on any sidewalk in any business district in the Town.

December 17, 2024 Proposed Text Amendment

§70.07 USE OF ROLLER SKATES, SKATEBOARDS, AND THE LIKE PROHIBITED FROM SIDEWALKS IN THE HISTORIC DISTRICT.

The use of roller skates or skateboards or riding in or by means of coaster, toy vehicle, or similar device shall be permitted on public streets and sidewalks; except those sidewalks located within the Town's Local Historic District.

January 28, 2025 Proposed Text Amendment

§70.07 SPECIAL PROVISIONS FOR NON-MOTORIZED WHEELED VEHICLES, INCLUDING ROLLER SKATES, SKATEBOARDS, COASTERS, AND THE LIKE.

1. The following provisions govern the operation of non-motorized vehicles other than bicycles, including but not limited to roller skates, skateboards, coasters, and scooters, (Collectively referred to hereafter as “skating device”) on any public right-of-way or on any property open to the public or used by the public for pedestrian or vehicular purpose:
2. Skating devices may be ridden upon any roadway provided that:
 - a. The street has a posted speed limit of 35 mph or less; and
 - b. The rider yields to all pedestrians.
3. Skating devices may be ridden upon any sidewalk, provided that:
 - a. The sidewalk is not located within the Local Historic District; and
 - b. The rider yields to all pedestrians. Pedestrians shall at all times have the right-of-way upon a sidewalk. In the case of any doubt of safe and untouched passage by a pedestrian, a person riding a skating device shall stop or dismount such device until the pedestrian passes.
4. Any person under the age of 16 operating a skating device shall wear a helmet of good fit, with the chin strap fastened securely under the chin.

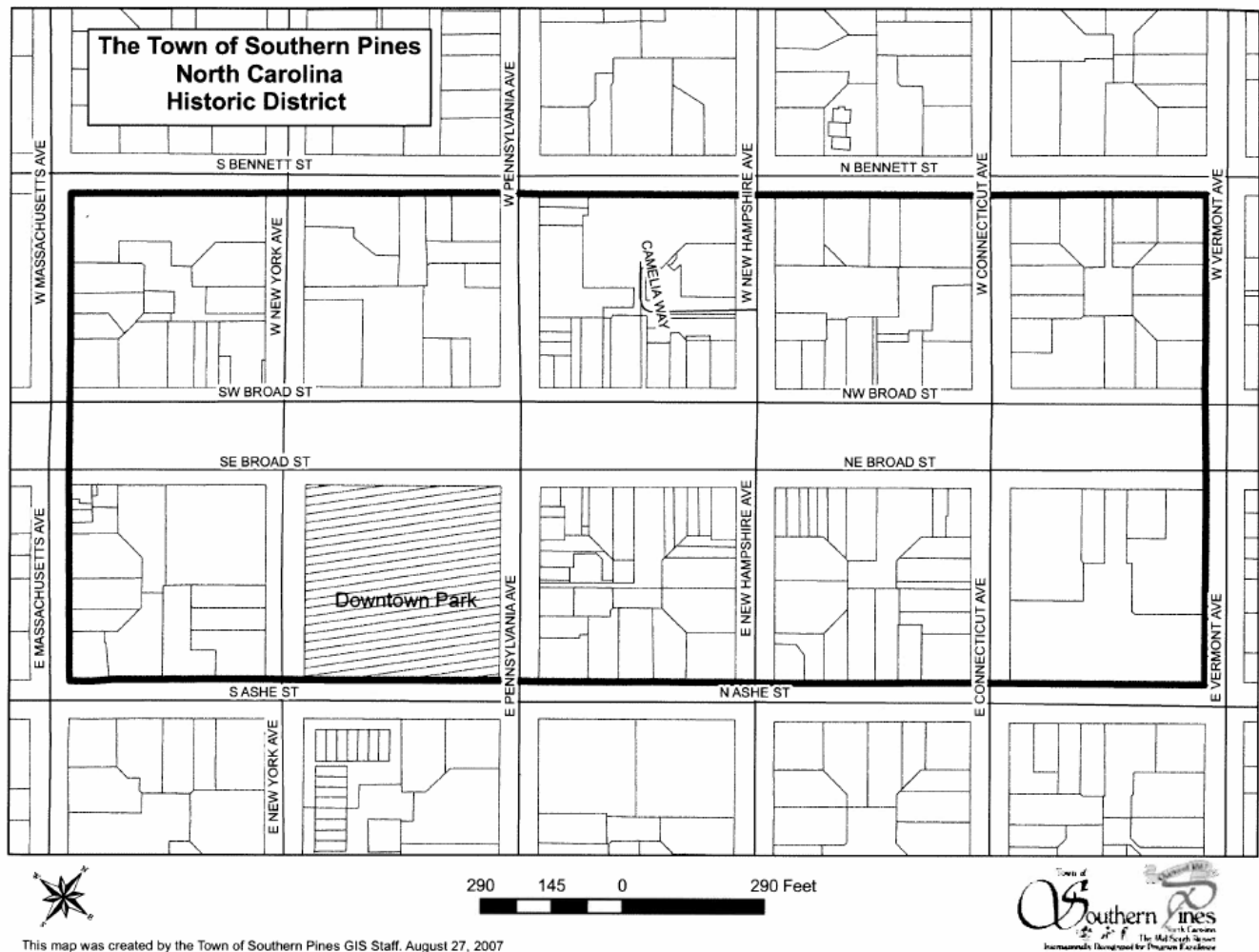
III. AMENDED ORDINANCE TEXT PROPOSALS AND MAP

Planning staff has drafted a revision to the language of Code of Ordinances §70.07 believing that the proposal has closely followed the comments and requests of Town Council following the October 22, 2024 and December 17, 2024 Town Council Work Session discussions.

Based on Town Council discussion and subsequent staff research, Planning staff chose to forego the 2021 proposed pedestrian district map and instead use the Local Historic District for purposes of clarity and simplicity. Note that any sidewalks closest to the Historic District boundary on S. Bennet St., W. Mass. Ave., S. Ashe St., and W. Vermont Ave. are included in the restricted area.

The creation of a new pedestrian district may create confusion in terms of wayfinding and signage; as such, it has been proposed that the area of Town in which skating devices are not permitted on sidewalks mirrors the Town’s Local Historic District Zoning overlay. See figure below:

Figure One. Town of Southern Pines Local Historic District Boundary:



IV. RECOMMENDATION

Town staff believes that adopting the proposed ordinance while utilizing the existing Local Historic District boundary best represents the desires of Town Council, and the future needs of the community as a whole, considering safety, and other factors. Chief of Police Nick Polidori has not cited any foreseeable safety concerns as of 12/09/2024.

The allowance of skating devices on all public streets and some sidewalks will also enable and promote the usage of alternative means of transportation within the community, especially for those who wish to utilize skating devices as a means of transportation to the Elaine T Bailey Skatepark.



**ORDINANCE #3104
AMEND CHAPTER 70 OF THE TOWN'S
CODE OF ORDINANCES TO REDEFINE THE PERMITTED LOCATIONS OF
SKATEBOARDING AND LIKE ACTIVITY**

WHEREAS, the Town of Southern Pines enforces regulations regarding roller skates, skateboarding, and the like; and

WHEREAS, Chapter 70 of the Town's Code of Ordinances defines rules and regulations for General Provisions;

BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina that the Town's Code of Ordinances are amended as follows:

1. Amend the Code of Ordinances by adopting "Attachment A" in its entirety.
2. This ordinance amendment is effective January 28, 2025.

I certify that this ordinance was adopted by the Town Council of Southern Pines at its meeting of January 28, 2025 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

ATTACHMENT A

The Town's Code of Ordinances is amended to alter the following section in Chapter 70, General Provisions.

§70.07 SPECIAL PROVISIONS FOR NON-MOTORIZED WHEELED VEHICLES, INCLUDING ROLLER SKATES, SKATEBOARDS, COASTERS, AND THE LIKE.

1. The following provisions govern the operation of non-motorized vehicles other than bicycles, including but not limited to roller skates, skateboards, coasters, and scooters, (Collectively referred to hereafter as “skating device”) on any public right-of-way or on any property open to the public or used by the public for pedestrian or vehicular purpose:
2. Skating devices may be ridden upon any roadway provided that:
 - a. The street has a posted speed limit of 35 mph or less; and
 - b. The rider yields to all pedestrians.
3. Skating devices may be ridden upon any sidewalk, provided that:
 - a. The sidewalk is not located within the Local Historic District; and
 - b. The rider yields to all pedestrians. Pedestrians shall at all times have the right-of-way upon a sidewalk. In the case of any doubt of safe and untouched passage by a pedestrian, a person riding a skating device shall stop or dismount such device until the pedestrian passes.
4. Any person under the age of 16 operating a skating device shall wear a helmet of good fit, with the chin strap fastened securely under the chin.

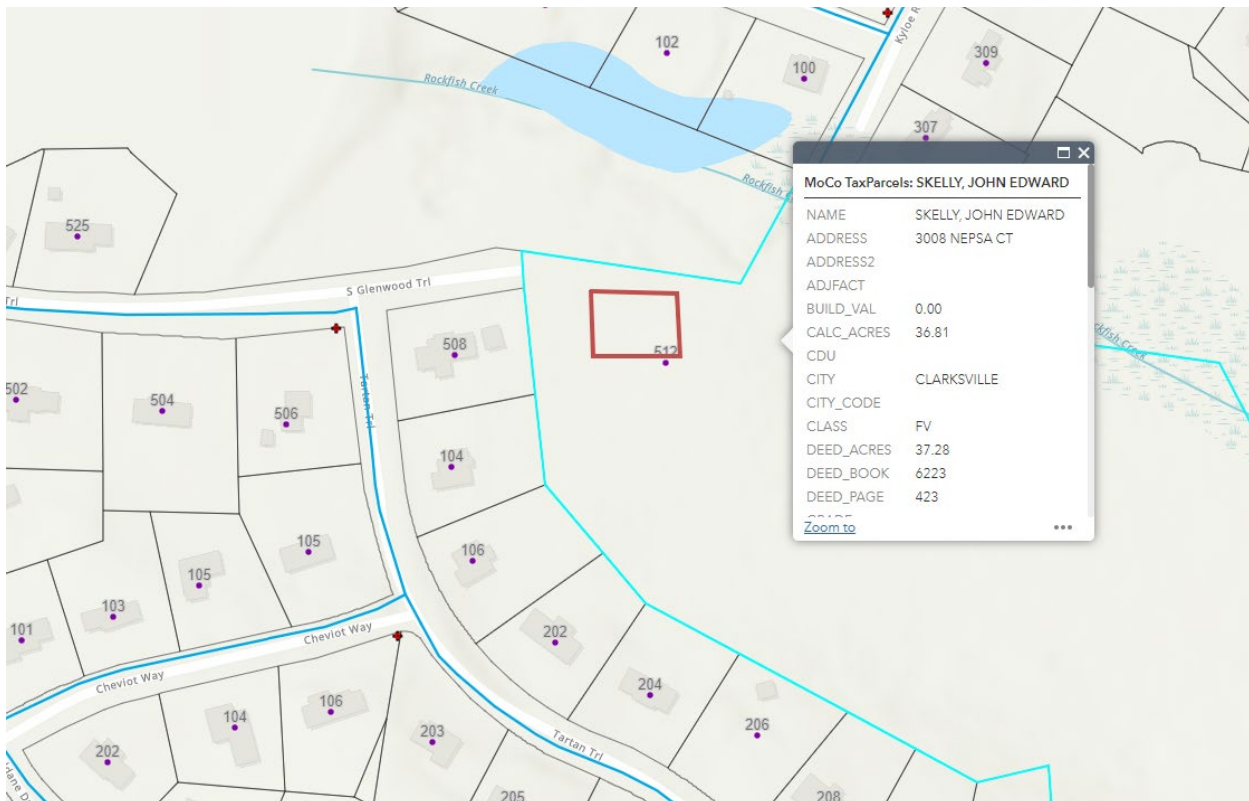
MEMO

To: Reagan Parsons, Town Manager
From: James Michel, PE Town Engineer/Assistant Public Works Director
Date: January 23, 2025
Re: Relief from §50.035 of the Town Code of Ordinances

I. SUMMARY:

Mr. and Ms. Skelly is proposing to build a house at 512 S. Glenwood Trail which currently is within the Town's ETJ. The Skelly's are requesting relief from §50.035 of the Town Code of Ordinances requiring any new house, lot, or subdivision to connect to the Town's water system if it is within 300 feet (plus 100 feet multiplied by the number of additional dwellings) of an existing [water] distribution pipe. Pursuant to the same section "Only the Town Council may waive this requirement." Therefore, the applicant must request of Town Council a waiver from §50.035 of the Town Code of Ordinances. The property is within approximately 245 feet of an existing water main and without receiving relief from this provision of the Code of Ordinances, would be required to connect to the Town's water system (see below Map).

To provide an acceptable connection to the Town's water system, a main extension to the point of the tap would also be required. The minimum waterline size for this extension would be a 2" line which would provide no additional fire protection, system looping, or other significant benefits to the distribution system. The Town Fire Marshall was consulted to ensure that adequate measures were in place to provide fire protection and he had no concerns with the placement of the house.



II. TOWN COUNCIL ACTION:

Town Council is being asked to grant a waiver from §50.035 of the Town Code of Ordinances for this property.

Council finds that that the requirement to extend the Town's water system to serve the property would result and an inefficient extension of and provide no significant benefit to the distribution system and does hereby waive the requirements from §50.035 of the Town Code of Ordinances.

Council finds the that requirement to extend the Town's water system to serve the property would result in an efficient extension of utilities due to expected growth and development in the area and that the requirements from §50.035 of the Town Code of Ordinances shall be followed.

NORTH CAROLINA
MOORE COUNTY

SUPPLEMENTAL AGREEMENT

DATE: 1/3/2025

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: EB-5864

AND

WBS ELEMENTS: PE 47320.1.1

ROW _____

SOUTHERN PINES

CON 47320.3.1

OTHER FUNDING: _____

FEDERAL-AID #: 4732011

CFDA #: 20.205

TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$1,360,000

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the Southern Pines, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department and the Municipality on 6/29/2023, entered into a certain Project Agreement for the original scope: the construction of a multi-use trail along Knoll Road in Southern Pines, programmed under Project EB-5864; and,

WHEREAS, this Supplemental Agreement is to update the scope and provide additional funding for the Project.

NOW THEREFORE, the parties wish to supplement the aforementioned Agreement whereby the following provisions are amended:

2. SCOPE OF PROJECT

The Project consists of the construction of a multi-use trail along Knoll Road, add three traffic calming devices and additional turn lanes along the corridor to provide additional safety measures, the roadway crown will be realigned and require additional asphalt work.

The Department's funding participation in the Project shall remain as the following eligible items:

- Design
- Environmental Documentation
- Construction

3. FUNDING

REIMBURSEMENT FOR ELIGIBLE ACTIVITIES

Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of federal funds, the Department shall reimburse an additional amount of \$1,360,000 at 80% of eligible expenses incurred by the Municipality up to a maximum of \$3,032,000 in TA5200 funds. The Municipality will provide \$758,000 as their local match and all costs that exceed the total estimated cost per the Revised Funding Table below:

REVISED FUNDING TABLE

Fund Source (Agreement #)	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
Transportation Alternatives Program (TA5200) #11493	\$1,672,000	80%	\$418,000	20%
TAP-TA5200 Supplemental #13125	\$1,360,000	80%	\$340,000	20%
Subtotal	\$3,032,000	80%	\$758,000	20%
Total Estimated Cost		\$3,790,000		

WORK PERFORMED BY NCDOT

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, during any phase of the delivery of the Project, shall reduce the funding available to the Municipality under this Agreement. The Department will set aside ten percent (10%) of the total estimated cost, or \$379,000 to use towards the costs related to review and oversight of this Project, including, but not limited to review and approval of plans, environmental documents, contract proposals, engineering estimates, construction engineering and inspection oversight, and other items as needed to ensure the Municipality's appropriate compliance with state and federal regulations.

In the event that the Department does not utilize all the set-aside funding, then those remaining funds will be available for reimbursement to the Municipality at the above reimbursement rate. For all cost of work performed on the Project, whether incurred by the Municipality or by the Department, the Municipality shall provide the non-federal match. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the Total Estimated Cost.

OTHER PROVISIONS

The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

Except as hereinabove provided, the Agreement heretofore executed by the Department and the Municipality on 6/29/2023, is ratified and affirmed as therein provided.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

SOUTHERN PINES

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

Southern Pines

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)



ORDINANCE #3105
AMENDING THE BIKE TRANSPORTATION PROJECT BUDGET

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital reserve project budget is hereby amended:

Section 1: The project authorized is for the purpose of developing bike routes, bike signage and policies and procedures as identified in the approved bike plan.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following additional amount is appropriated for the project:

Knoll Road Trail Grant Expenditures	\$ 1,569,000
Construction	<u>340,000</u>
Total Additional Project Appropriation	<u>\$ 1,909,000</u>

Section 4: The following additional revenue is anticipated to be available for this project:

Grant Proceeds	\$ 1,569,000
Transfer In – General Fund	290,000
Interest on Investments	<u>50,000</u>
Total Additional Project Revenues	<u>\$ 1,909,000</u>

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

Section 6: This amended ordinance becomes effective January 28, 2025.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of January 28, 2025 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk



ORDINANCE #3106
AMENDING THE 2024-2025 FISCAL YEAR BUDGET
Portion of Town Match Required for Knoll Road Multi-Use Trail Project

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 28th day of January, 2025 that the Operating Budget for the Fiscal Year 2024/2025 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Transfer to Capital Project – Bike Plans	10-670-4900	\$290,000.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$290,000.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of January 28, 2025 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

Andrew M. Speck, PE, DBIA
124 Brookfield Drive
Pinehurst, NC 27384

RE: Southern Pines Planning Board Application

To Whom It May Concern:

Please accept for consideration the attached Southern Pines Planning Board Application. I believe serving as a member of the Planning Board allows me to bring my professional experience to bear for the benefit of our community which supports my personal goal of finding a way to serve our community.

I am a former Army Engineer Officer having been medically discharged for injuries incurred in the line of duty. I am a professionally registered engineer in multiple states having worked more than 20 years with Butler Manufacturing which is a company that designs and fabricates steel structures for contractors all over North America. I've been working for a design build general contractor for more than 7 years now where my responsibilities include handling building projects from cradle to grave. I am the client's primary point of contact and project team leader with responsibility for site analysis, project design, estimating, permitting, contracting, construction, and post construction warranty work.

In the course of my current professional responsibilities, I've occasionally had to appear before local Planning Boards or Boards of Adjustments as part of obtaining project approvals. In the course of doing this it occurred to me that serving on these types of Boards would be a great way for me to serve my community while continuing to learn and grow myself.

Please let me know if I can provide any additional information in support of my application. I look forward to hearing from you soon and am looking forward to serving our community.

Cordially,

Andrew M. Speck

Andrew M. Speck, PE, DBIA



**DATA SHEET FOR APPOINTMENT TO
COMMITTEES, COMMISSIONS
AND BOARDS**

COMMITTEE, COMMISSION, OR BOARD IN WHICH INTERESTED: _____

NAME: _____ TELEPHONE: _____

ADDRESS: _____ EMAIL: _____

EDUCATIONAL BACKGROUND

EMPLOYMENT

JOB TITLE: _____

EMPLOYER: _____

CIVIC AND PROFESSIONAL ACTIVITIES: _____

PAST MEMBERSHIP IN ORGANIZATIONS AND OFFICES HELD: _____

ANY ADDITIONAL INFORMATION AND COMMENTS: _____

DATE: 13 January 2025

SIGNATURE: *Andrew M. Speck*

PLEASE RETURN TO:

Administration
125 SE Broad Street
Southern Pines, NC 28387

admin@southernpines.net

Your application will remain on file 12 months from the date of completion



**DATA SHEET FOR APPOINTMENT TO
COMMITTEES, COMMISSIONS
AND BOARDS**

COMMITTEE, COMMISSION, OR BOARD IN WHICH INTERESTED: _____

NAME: _____ TELEPHONE: _____

ADDRESS: _____ EMAIL: _____

EDUCATIONAL BACKGROUND

EMPLOYMENT

JOB TITLE: _____

EMPLOYER: _____

CIVIC AND PROFESSIONAL ACTIVITIES: _____

PAST MEMBERSHIP IN ORGANIZATIONS AND OFFICES HELD: _____

ANY ADDITIONAL INFORMATION AND COMMENTS: _____

DATE: 21 December 2024 SIGNATURE: Jeremy S. Haskell

PLEASE RETURN TO: Administration
125 SE Broad Street
Southern Pines, NC 28387

admin@southernpines.net

Your application will remain on file 12 months from the date of completion



NORTH CAROLINA

DATA SHEET FOR APPOINTMENT TO
COMMITTEES, COMMISSIONS
AND BOARDS

COMMITTEE, COMMISSION, OR BOARD IN WHICH INTERESTED:

Planning Commission

NAME:

Michael Skolnick

TELEPHONE:

505 239-8833

ADDRESS:

445 Broadmeade Dr Southern Pines

EMAIL:

ylweanary@aol.com

EDUCATIONAL BACKGROUND

46 years of Real Estate Broker with 42 hours of
education every 3 years

EMPLOYMENT

JOB TITLE:

Retired from being owner & Qualifying Broker of

EMPLOYER:

EXCALIBUR REALTY + INVESTMENTS

CIVIC AND PROFESSIONAL ACTIVITIES:

Rotary Member for last 27 years
Reference - Mayor Gregg Hull of Rio Rancho, NM
gregg.dohull@gmail.com 505 280-6772 (M)

PAST MEMBERSHIP IN ORGANIZATIONS AND OFFICES HELD:

9 years on board of YMCA
3 yrs on Board of VIC (Veterans Integration Centers)

ANY ADDITIONAL INFORMATION AND COMMENTS:

For the last 20 years
of my career I've been involved in the creating of over
5000 Building lots in Rio Rancho, NM. Assisted in the planning,
rezoning & assembling of the subdivisions

DATE:

12-20-24

SIGNATURE:

PLEASE RETURN TO:

Administration
125 SE Broad Street
Southern Pines, NC 28387

admin@southernpines.net

Your application will remain on file 12 months from the date of completion

1. Goals for Communication

The Town's communications efforts aim to:

- **Ensure Transparency:** Provide clear, accurate, and timely information about policies, programs, and decisions.
- **Foster Consistency:** Maintain uniform messaging across departments and communication platforms.
- **Build Public Trust:** Establish and sustain confidence by being open, responsive, and reliable.
- **Enhance Engagement:** Encourage participation in civic matters and ensure the community feels informed and included.

2. Designation of Spokespersons

The following roles are authorized to represent the Town in public communications:

- **Primary Spokesperson:** The Town Manager or their designee serves as the official voice on policy, emergencies, and significant Town matters.
- **Secondary Spokesperson:** The communications specialist handles routine announcements, media outreach, and public information campaigns.
- **Department Heads:** May provide statements on issues specific to their department, with prior approval as required.

All engagements with the press will be coordinated with the communications specialist ahead of time if at all possible. When not possible, a full debrief will be provided to the communications specialist as soon as practicable.

3. Departmental Roles in Communication Efforts

Each department is responsible for:

- Regularly providing updates on projects, programs, and issues to the communications specialist.
- Immediately informing the communications specialist of any planned or emergency road or facility closures, road restrictions, utilities outages, or other events likely to generate public interest or inconvenience or that are likely to be reported by the media. Accidents involving injury; significant damage to Town equipment; damage to private property; significant closure (more than same day) of roads, trails or other

infrastructure; or environmental damage must be reported to the communications specialist immediately for coordination of public notification as appropriate.

- Collaborating on content for announcements, newsletters, reports, or web updates.
- Monitoring and reporting public concerns or inquiries related to their operations.
- Regularly reviewing departmental content on the Town website at www.southernpines.net and working with the communications specialist and the Information Technology team to update pages as necessary and appropriate.
- Publishing and distributing public notices, including agendas, legal notices, and similar that are generated due to the department's business or work with an appointed board.
- Post notices, communications materials, and similar in publicly accessible areas of their buildings, such as the lobby, an information board, or similar.

4. Role of the Communications Specialist

- Develop communications strategies, programs, and tools to educate residents and business owners of Town activities, policies, capital investment initiatives, and more.
- Assist department heads and program managers to communicate with the public and execute community engagement activities where public input is desired.
- Balance communications requirements to ensure the Town is communicating with one voice.
- Work with management to set priorities for communications to ensure resources are properly aligned and reduce information overload.
- Manage the Town's social media program. Note: the communications specialist *does not* manage department social media programs, i.e. Parks & Recreation, Library, etc.
- Serve as primary conduit to and from members of the media and assist media with routine information requests. See **Public Records** for discussion of complex media requests for information.
- Keep the Town website main pages and features (news, banner, and etc.) fresh and up to date; assist directors in managing web content on their portions of the website.

5. Employee Guidelines for Media Interactions and Public Statements

- Employees must direct all media inquiries to the communications specialist or Town Manager unless explicitly authorized to respond.
- Public statements must align with Town policies, reflect accurate information, and avoid personal opinions on Town matters.
- Employees are encouraged to share official communications through personal networks but must not disclose confidential or sensitive information.
- Southern Pines Police and Southern Pines Fire & Rescue follow developed media protocols for emergency and routine department business. When issues, programs or situations affect other Town departments or the general public, these communications should be coordinated closely with the Town communications specialist.

6. Standards for Communication

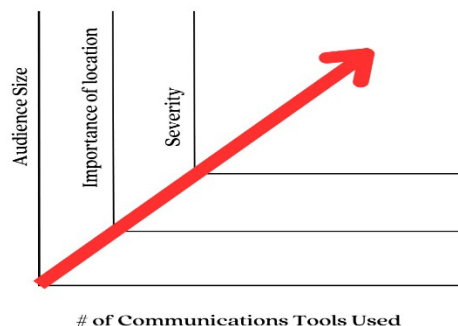
- **Tone and Professionalism:** Communications must be respectful, inclusive, and reflective of the Town's commitment to serving all residents equitably.
- **Responding to public comment or questions:** While the Town utilizes social media to communicate with the public about events, policies, and programs, not every comment, statement, or question requires a response. In some cases, social media best practices suggest that comments, even negative comments, be ignored by the organization and where appropriate allow the larger online community to respond. Comments, posts, and etc. will only be deleted under extraordinary circumstances and where it has violated the posted Social Media Comment Policy contained in the Town's "about" section of each platform's profile.
- **Accessibility:** Ensure materials are accessible to diverse audiences, including compliance with ADA guidelines and multilingual support where appropriate.

7. Preferred Platforms for Messages

- **Town Website:** For information that is comprehensive, continually relevant to readers over an extended period of time; meeting agendas; and public notices.
 - **Banners** – for announcements, event promotions, policy changes, and etc.
 - **Pages** – for topics requiring more explanation
 - **News Alerts** – for timely topics requiring push notifications
- **Social Media:** For real-time updates, event promotion, and two-way communication with residents.
- **Press Releases:** For announcements requesting or requiring media coverage or public dissemination.
- **Newsletters:** For periodic updates on Town programs and initiatives, announcements, events, and programs.
- **Emergency Alert Systems:** For immediate or planned public announcements such as road closures, severe weather, and other public safety-related messaging.

8. Messaging Framework

- Delivery of messages is determined by variables
 - Breadth of the audience
 - Location of the incident/event
 - Severity/impact of the incident/event
- This chart is a starting point for determining the tools to be used recognizing that each communications message is unique



9. Approval Processes for Communication Materials

- All external communication materials must be reviewed and approved by the communications specialist.
- Sensitive or high-profile messages require additional approval from the Town Manager or an Assistant Town Manager.
- Materials produced to promote to explain projects will be reviewed by the Department Director prior to publishing.
- Emergency communications are exempt from standard review but must adhere to established protocols.

10. Protocols for Emergencies

- **Designated Spokesperson:** The Town Manager (or alternate if unavailable) will serve as the primary communicator.
- **Primary Platform:** The Town website, local media, and emergency alert systems will be used to disseminate critical information.
- **Coordination:** The communications specialist will coordinate with emergency services and other departments to ensure consistent messaging.
- **Frequency of Updates:** Provide regular updates as new information becomes available, prioritizing accuracy over speed.

11. Responding to Public Inquiries or Complaints

- **Two-Way Platforms (e.g., Town Social Media, Engage):** Monitor platforms each business day and respond to inquiries or specific complaints (when appropriate) within one business day.
- **Response Protocol:**
 1. Acknowledge the inquiry and provide an estimated timeline for resolution. If the website includes information that answers the inquiry, a link should be provided.
 2. Escalate complex issues and service complaints to the appropriate department for detailed responses.
 3. Document recurring concerns for inclusion in Town planning and communication strategies.
 4. Monitor general criticism and inform affected department, if appropriate. The Town does not respond to general criticism/dissatisfaction regarding decisions, policies, services, and similar.
- The Town generally does not respond to comments, posts, or articles about the Town that appear on social media platforms not managed by the Town. However, exceptions may be made if the content contains significant misinformation or inaccuracies that could mislead the public or has the potential to cause widespread concern, confusion, or harm to the community.**Professionalism:** All responses must remain courteous and factual, even in the face of criticism.

12. Social Media Comment Policy

The following statement will be updated annually to comply with State of North Carolina statute as well as accepted social media best practices. The statement will reside on the Town's website as well as placed within the Town's profile on each social media platform used by the Town.

The Town of Southern Pines uses social media to interact with residents, businesses and visitors about public issues related to our jurisdiction. Please note, the social media sites sponsored by the Town are moderated online discussion sites and subject to North Carolina Public Records Laws, and e-discovery laws and policies. All comments and content shared on our government-sponsored social media sites must pertain to items within the jurisdictional control or authority of our governmental unit. The Town of Southern Pines reserves the right to delete submissions that do not meet the purpose of this site as set out above. The following are examples of unacceptable social networking content and comments. Please note this list is not intended to be all-inclusive:

- 1. Any content or comments that do not relate to the Town of Southern Pines or the authority of the Town itself.*
- 2. Profane or obscene language or content as determined by the profanity filters offered through each social media platform. Such posts will result in the comment/content being blocked through the social media's profanity filter, which is not under the control of the Town.*
- 3. Content that promotes, fosters, or perpetrates discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, age or physical disability.*
- 4. Duplicate posts by the same author (the original post will be left intact assuming it follows the guidelines of acceptable comments or content).*
- 5. Solicitations of commerce and/or content that contains gratuitous links. Links or references to other relevant governmental webpages or official government sites are acceptable.*
- 6. Promotions or content related to political organizations of any type.*
- 7. Advocacy of illegal activity or those that compromise safety or security of the public.*
- 8. Infringement on copyrights or trademarks.*
- 9. Confidential or non-public information, including but not limited to any personally identifiable medical information and any content that violates the legal rights of the owner of said content.*

10. When individuals/accounts violate this policy, the Town will delete the unacceptable content or comment. After three violations of this policy, the individual/account will be blocked from the Town's social media page(s).

Please note that the opinions and comments expressed on this social media site do not reflect the opinions and positions of the Town of Southern Pines government, its elected or appointed officials, and/or employees. If you have any questions concerning the operation of our social media platforms and the moderated discussion rules, please e-mail us at webmaster@southernpines.net.

13. Public Records

All communications from the Town are subject to North Carolina Public Records Laws, and e-discovery laws and policies. The Town utilizes ArchiveSocial for real-time archiving of its website (www.southernpines.net) and social media platforms including all comments.

The Town of Southern Pines complies with the North Carolina General Statutes – specifically Chapter 132 “North Carolina Freedom of Information Act” and its addendum.

- Public Information Requests are handled by the Town Clerk. Public Information Requests are taken in writing by completing the form at <https://www.southernpines.net/DocumentCenter/View/20> and mailing the form to the Town Clerk at Administrative Services, Town of Southern Pines, 125 SE Broad Street, Southern Pines, North Carolina 28387.
- Complex media requests for information are also handled through the Public Information Request process. A media request will be judged by the Communications Specialist in consultation with a department head and a Town Manager or Assistant Town Manager.

14. Budget

Expenses are shared between the Information Technology Department for equipment and electronic services and the Administration Department for all other expenses. When costs are incurred on behalf of another department, the Department Director provides funding guidance and approval.

15. Review and Updates

This program description will be reviewed annually to ensure alignment with evolving communication needs and technologies.



“I DIDN’T KNOW! NO ONE TOLD ME.”

“
Are you signed up
for CodeRed?
”

- www.sopinesnc.info/codered
- Choose voice, text, email or all
- Update and confirm your info

“
Do you follow us on
social media?
”



/townofsouthernpines



southernpines_nc



Town-of-Southern-Pines

“
Did you check with
your employees?
”

- Our utilities crews go door to door
- They leave door hangers w/closure information

“
Do you follow our
closure page?
”



sopinesnc.info/closure

“
Did you see the
signs on the road?
”

- Big projects usually have reader boards/signs ahead of time
- Town places signs for paving work

“
Sometimes we
don’t know either!
”

- DoT owns most major roads
- Utility companies have rights
- Are not required to notify us



HOW DO OUR NOTIFICATIONS WORK?

INPUTS



TOSP Staff - for known projects, responsible supervisor notifies key staff via roadclosures@southernpines.net the week prior - usually on Friday. For emergent issues, staff notifies key staff via same group email distribution as soon as possible.



NCDOT - Town Engineer is notified via email by DoT. Engineer notified key staff via roadclosures@southernpines.net. *Note: DoT notifies TOSP roughly 35% of the time.*



Developers and Contractors - notify the Town 48 business hours prior to a closure or lane restriction for known events (ASAP for emergent issues) via Road Closure Form at <https://sopinesnc.info/ClosureForm>. Form goes to SPFD and forwarded to roadclosures@southernpines.net to key staff. For large, ongoing projects, TOSP Engineers work with contractors to time closures and lane restrictions. *Note: utilities companies are not required by law to notify the Town for work within their rights-of-way.*

OUTPUTS



Known road closures, lane restrictions, and planned utilities outages are added to the page at <https://sopinesnc.info/closures>. For closures of wide interest, a web banner is also created for the homepage at www.southernpines.net.



Known road closures, lane restrictions, and planned utilities outages are scheduled in CodeRed for the effected area. For closures of wide interest CodeRed notifications are scheduled for wide distribution and at times a CodeRed "all call." Notifications are normally scheduled for 48 hours in advance when possible.



Known road closures, lane restrictions, and planned utilities outages of wide interest are scheduled in ZenCity for publication on the three social media profiles for the Town. Notifications are normally scheduled 48 hours in advance when possible. Emergency or late notice closures are posted as soon as possible after staff is notified.



Town staff visit every resident and business expected to be effected by known road closures and planned utilities outages in advance of work to explain what is planned and to answer questions. Door hangers are placed when no one is home and with business staff if a manager or owner is not present.



Known road closures, lane restrictions, and planned utilities outages of Town-wide interest are sent to the Town's media list in the form of a press release.



Known road closures, lane restrictions, and planned utilities outages of large areas or major thoroughfares, Town Staff place signs in the effected area including pre-positioned barriers.



Road & Lane Closure Notifications

Non Emergency/Planned Closure

Requires 48 hour notification to the Town.

Contact 910-692-2720 two working days in advance and provide on-site POC information.

Roads will not be closed or restricted without prior approval of the Town.

Emergency/Un-planned Closure

Contact 910-692-2720 as soon as possible and provide on-site POC information. Do not call 911.

Required Information

- Road name and inclusive intersections. i.e. “S. Bennett between Morganton and Bell Ave.”
- Name of company closing the road
- Name, position, and cell phone for on-site company representative



Road & Lane Closure Notifications

Road :

between and

Closed Completely ☐

Lane Closure ☐

Date(s)

Company:

On Site POC:

POC Cell #:

SUBMIT



MEMO

To: Town Council
From: BJ Grieve, Planning Director

Date: January 28, 2025
Re: Phase 2 Comprehensive Plan Implementation Project Timelines.

On December 17, 2024 the Town Council approved a list of projects that make up Phase 2 of implementing the Southern Pines 2040 Comprehensive Plan. A copy of that list is attached to this memo.

I have assigned each of the projects to a member of our planning team and an approximate timeline has been created for each projects. Many of the projects are already underway with outreach and legal review.

I have assembled for Town Council all of the approximate project timelines into one chart showing when various phases of the projects are expected to be complete. A copy of this project timeline sheet is attached to this memo. Of particular interest to Town Council may be when to expect public hearings (yellow bars) at the end of each project.

Phase 2 Implementation Projects:

1. Protect/Enhance Community Character (Goal 3):
 - a. Parking Code Revisions (Policy 3.2, 3.9)
2. Expand housing options (Goal 7)
 - a. Promote Diversity of Housing (Policy 7.1)
 - b. Encourage more Workforce Housing (Policy 7.5)
3. Improve Transportation Options (Goal 8):
 - a. Apply for NCDOT Multimodal Planning Grant (March 2025)
 - b. Complete Streets Audit (Policy 5.3, 8.3)
4. Expand Local Business & Employment (Goal 9):
 - a. Accessory Commercial Units as small-business incubation. (Policy 9.4, 9.6)
5. UDO Cleanup
 - a. Sign Code Revisions (Policy 3.2, 3.11, 7.4)
 - b. Senate Bill 166 Updates
 - c. Remove Vestiges in UDO (ex. MRO, Chapter 6)
 - d. Add Watershed Credit Transfers to UDO

Approved by Town Council at December 17, 2024 Regular Meeting.

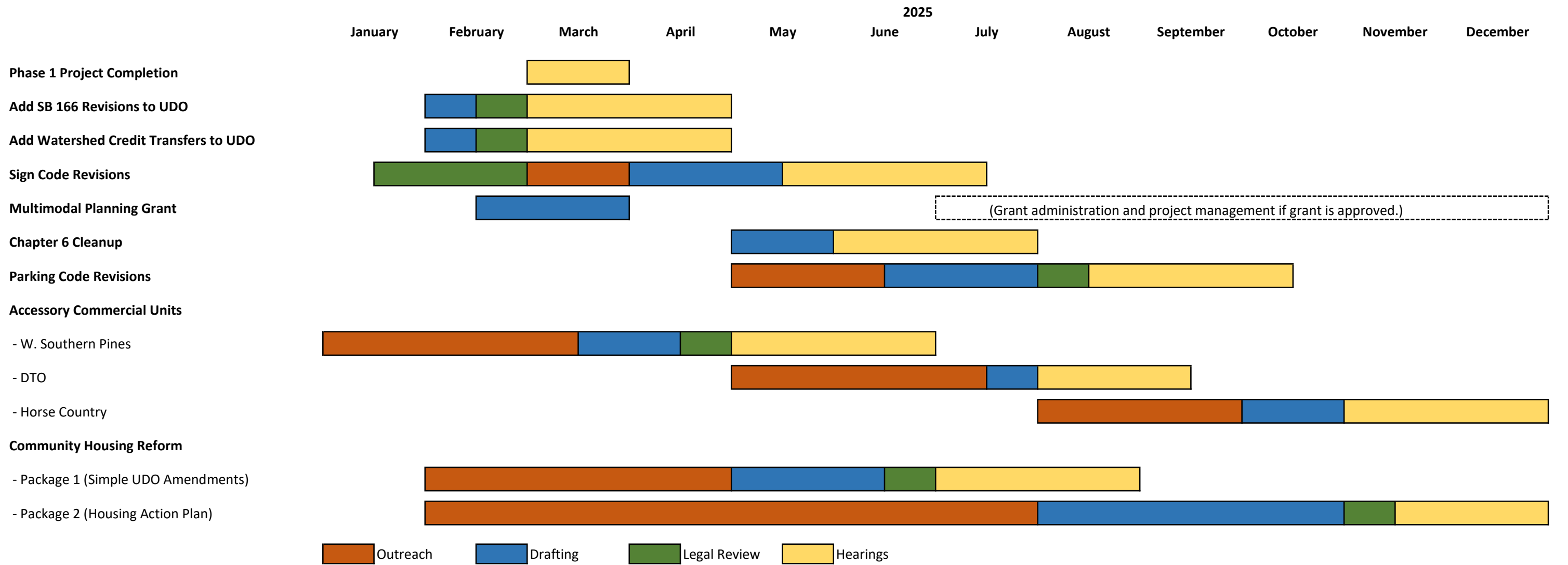



**Southern
Pines**

NORTH CAROLINA

2040 Comprehensive Plan

Adopted September 12, 2023



RESOLUTION BY THE MOORE COUNTY BOARD OF COUNTY COMMISSIONERS
REQUESTING THE NORTH CAROLINA GENERAL ASSEMBLY TO AMEND N.C. G.S. §113A-66
AS SHOWN IN THE ATTACHED EXHIBIT A

WHEREAS, the Moore County Board of Commissioners received public comments about the usefulness of the North Carolina Sedimentation Pollution Control Act (N.C. Gen. Stat. §113A-50, *et seq.*, hereafter "SPCA") and the desirability of allowing citizens to defend themselves against SPCA violations damaging their property; and

WHEREAS, the legislature passed the SPCA in 1973; and

WHEREAS, the SPCA addresses sedimentation in streams, lakes, and other waters of this State, as well as damage to private property, which constitute a major pollution problem, and provides minimal mandatory standards to minimize such pollution; and

WHEREAS, the SPCA (specifically, N.C. Gen. Stat. §113A-66) allowed private landowners injured by violations of the SPCA to obtain civil relief to redress their injuries, regardless of whether government entities charged with enforcing the SPCA had taken action; and

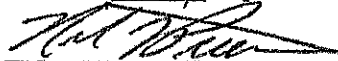
WHEREAS, the North Carolina Supreme Court opinion, Applewood Properties, LLC, et al. v. New South Properties, LLC, 366 N.C. 518, 742 S.E.2d 776 (2013), effectively eliminated the right of private landowners to obtain civil relief, unless a government entity enforcing the SPCA issues a notice of violation to the person or entity violating the SPCA; and

WHEREAS, this County, this State and this Nation have long recognized the right of its citizens to defend themselves; and

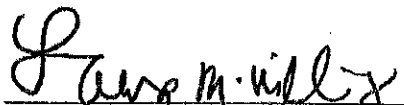
WHEREAS, citizens of Moore County deserve the right to defend themselves and their property from damage caused by violations of the SPCA.

NOW THEREFORE, the Moore County Board of Commissioners resolves that the North Carolina Sedimentation Pollution Control Act (N.C. Gen. Stat. §113A-50, *et seq.*) should be amended to restore the right of citizens damaged by violations or noncompliance of this Act to obtain civil relief under N.C. Gen. Stat. §113A-66, regardless of whether any government entity charged with enforcing this Act has taken action and respectfully suggests that legislation be passed amending N.C. Gen. Stat. §113A-66 as shown in the attached Exhibit A.

This the 5th day of September 2024.



Nick Picerno, Chair
Moore County Board of Commissioners



Laura Williams, Clerk to the Board
Moore County Board of Commissioners

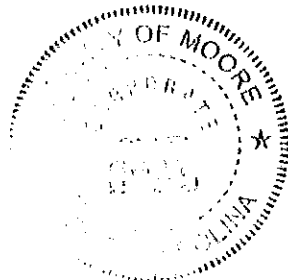


EXHIBIT A

West's North Carolina General Statutes Annotated

Chapter 113A. Pollution Control and Environment (Refs & Annos)

Article 4. Sedimentation Pollution Control Act of 1973 (Refs & Annos)

N.C.G.S.A. § 113A-66

§ 113A-66. Civil relief

Currentness

(a) Any person injured by either a violation of or noncompliance with this Article or any ordinance, rule, or order duly adopted by the Secretary or a local government, or by the initiation or continuation of a land-disturbing activity for which an erosion and sedimentation control plan is required other than in accordance with the terms, conditions, and provisions of an approved plan, may bring a civil action against the person alleged to be in violation (including the State and any local government), regardless of whether the Secretary, the Commission, a local government administering an erosion and sedimentation control plan approved under G.S. 113A-60, other enforcing agency or other approving authority has cited the person alleged to be in violation of or noncompliance with this Article or has sent notices of noncompliance to the person alleged to be in violation of or noncompliance with this Article. The action may seek any of the following:

- (1) Injunctive relief.
- (2) An order enforcing the law, rule, ordinance, order, or erosion and sedimentation control plan violated.
- (3) Damages caused by the violation or noncompliance.
- (4) Repealed by S.L. 2002-165, § 2.15, eff. Oct. 23, 2002.

If the amount of actual damages as found by the court or jury in suits brought under this subsection is five thousand dollars (\$5,000) or less, the plaintiff shall be awarded costs of litigation including reasonable attorneys fees and expert witness fees.

(b) Civil actions under this section shall be brought in the superior court of the county in which the alleged violations occurred.

(c) The court, in issuing any final order in any action brought pursuant to this section may award costs of litigation (including reasonable attorney and expert-witness fees) to any party, whenever it determines that such an award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require, the filing of a bond or equivalent security, the amount of such bond or security to be determined by the court.

(d) Nothing in this section shall restrict any right which any person (or class of persons) may have under any statute or common law to seek injunctive or other relief.

Credits

Added by Laws 1973, c. 392, § 17. Amended by Laws 1987 (Reg. Sess., 1988), c. 1000, § 6; S.L. 2002-165, § 2.15, eff. Oct. 23, 2002.

N.C.G.S.A. § 113A-66, NC ST § 113A-66

The statutes and Constitution are current through S.L. 2022-67 of the 2022 Regular Session of the General Assembly, subject to changes made pursuant to direction of the Revisor of Statutes. Some statute sections may be more current; see credits for details

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