

Jeff Wenzel
Mayor

Pamala Hall
Mayor Pro Tem

Rena Bragg
Councilmember

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Heather Reynolds
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TOWN OF HOLLY RIDGE PLANNING BOARD MEETING MINUTES September 20th, 2022 6:30 P.M.

Call to Order

The meeting was called to order at 6:30 PM. Members present were Nicholas Tripp, Dave Mosey, Anna Gaskins and Emily Hedrick. Also present was Nathan Rhue and Marsha-Gray Kircher from the Community Development Department. Applicant Wesley Wooten from Penslow, LLC was also in attendance, accompanied by Chris Buffalino.

Invocation and Pledge of Allegiance

Board paused for a moment of silence. Dave Mosey led the Pledge of Allegiance.

Adoption of Agenda (Additions and/or Deletions)

A motion was made by *Anna Gaskins* and seconded by *Nicholas Tripp* to adopt the agenda as is. *All Agreed.*

Adoption of Minutes

A motion was made by *Nicholas Tripp* and seconded by *Emily Hardin* to adopt the minutes from Planning Board Meeting held on August 23rd, 2022. *All Agreed.*

New Business

Zoning Ordinance Text Amendments – Wesley Wooten – Penslow, LLC

Presented by Nathan Rhue – zoning text amendment request submitted by Wesley Wooten with Penslow, LLC for an amendment of Section 7-4-12 related to indoor and outdoor firing/shooting ranges. Currently outdoor ranges are permitted within Open Area Recreational (OAR), Light Industrial (LI) and Rural Agriculture (RA), which is found in Section 7-3-26. There are supplemental requirements which are found in Section 7-4-12.

Nathan Rhue explained that the request is to add another section at 7-4-12 (B), to add a number 3 – to require a minimum of 100 acres for outdoor firing and shooting ranges. Also, this request is to remove the requirement of a special use permit from the RA district. This would allow this use to be permitted by right. The supplemental requirements would still have to be followed and applied, though the approval would be at a staff level.

Nathan Rhue mentioned that the applicant provided an explanation for the amendment, which is site specific. The applicant has property outside of the corporate limits of the Town and is hoping to annex in the future. As far as the text amendment is concerned, the Board should consider this amendment for application within all of the jurisdiction of Holly Ridge. Nathan Rhue explained that as submitted the text amendment would be Section 7-4-12

(B) (3) Minimum area. Each outdoor shooting range facility shall be located on a minimum of one hundred (100) acres.

Nathan Rhue explained that Staff has taken this opportunity to clarify some other items in the supplemental information. The first of these being Section 7-4-12 (C) requires that all shooting facilities shall be designed, constructed, and operated in strict compliance with National Rifle Association standards, and then states a specific range source book. Locating the document was difficult. Staff would like to make a modification to this by removing the specific range manual and adding *most recent version of the NRA Range Source Book*. This would stay current as new versions of the range book become available. The second item being in Section 7-4-12 (H) adding the verbiage *along with a certificate signed by a licensed design professional attesting that all requirements of this section have been met*. This verbiage provides additional clarity.

Nathan Rhue mentioned that Staff recommends this amendment be approved. With any modifications from a submitted request, the applicant would also have to agree to the Staff's modifications – per a recent change in Chapter 160D, this is now a requirement. Staff recommend approval because it would allow a minimum area to ensure compliance with protective measures which are found within the supplemental requirements such as shot fall areas, buffering, sound mitigation efforts etc. The defined minimum area requirement would also limit this particular use into areas more apt for either low-density residential uses and/or those uses found within those areas designated as open space, such as nature trails, forestry, and agricultural uses.

Nathan Rhue explained that the removal of the special use permit requirement would allow for more expeditious consideration for development to start for such a use. The request is consistent with the comprehensive land use plan because RA does allow for uses surrounding agriculture, forestry, education, or recreation. The use would also serve to advance public safety by setting minimum areas requirements.

Chairman Dave Mosey asked for clarification – if this is approved, an applicant would not have to go through the Planning Board with a site plan. Nathan Rhue responded that is correct, it would be seen more as a particular use. This would be done at a staff level, with all supporting documents coming before staff, ensuring that all requirements have been met. It is done more from a zoning perspective and would not be brought before the board. Nathan Rhue reminded the board that this is pertaining only to the RA district that the special use permit be removed and has nothing to do with indoor firing ranges/shooting ranges – outdoor only.

Nicholas Tripp asked why the specific number of 100 acres. Applicant Weston Wooten addressed the board. Weston Wooten explained that they have a unique opportunity here from the military base and some conservation land on the outskirts of the RA district to give the residents a unique opportunity to have a first-class shooting range. This area needs that, the closest one being in Brunswick County. Wesley Wooten mentioned that with the amount of growth in the area, this would be a service to the citizens, to be able to help residents of Holly Ridge and prevent people shooting in their backyards. This 100-acre limit in the RA district would mitigate any kind of conflict with any neighbors. This text amendment allows them to ask to be part of Holly Ridge.

Wesley Wooten mentioned that Police Chief Sorg has been very supportive and wrote a letter explaining what a great asset this would be for police training and teach gun safety to citizens of Holly Ridge and Onslow County.

Nicholas Tripp asked why a text amendment for all RA properties over 100 acres versus a special use permit for what the applicant is looking to do. The request is anything for over 100 acres can have a shooting range. Applicant Wesley Wooten responded that there are very limited pieces of property like that in Holly Ridge where that could happen. We need to ask for it this way for the annexation to work. Police Chief Sorg does not believe that it would be a burden on them to annex it in.

Nicholas Tripp asked for clarification that this needs to be done so this can be annexed into Town. Nathan Rhue responded that he was not sure if that was a deal breaker, but that even though that this is site specific, this needs to be looked at from a Town wide perspective. Nathan Rhue explained that this is for any outdoor range, regardless of if it is in OAR, RA, or LI.

Nicholas Tripp stated that 100 acres seems like a lot, for a shooting range, why not 50 acres, or 40 acres.

Chris Buffalino explained that if the applicant wants to come into the Town, the Police Chief does not want a firing range within city limits for safety. In discussions, it was stated that this would need to be large, need to be contained and safe. The reason of the size to make it so it was forced to be safe. Wesley Wooten explained that the 100 acres limits this to a very few parcels.

Nicholas Tripp stated that was a concern of his, that it limits other people from having gun ranges in Holly Ridge. Anna Gaskins stated how many gun ranges in Holly Ridge going to have.

Nathan Rhue explained that as with any text amendment, you may feel that it is too much, but as it currently sits there is not a minimum, so anyone could have a gun range on a 5-

acre lot, a 10-acre lot, that is located in OAR, RA and LI. There is RA lots in Town limits, and if they prove that they meet the supplemental requirements, could apply for a special use permit and if granted would be afforded the special use permit and open an outdoor firing range without so much acreage.

Chris Buffalino explained that he did not want to submit for a text amendment that would cause a problem in the future, but such a large size would prevent someone from opening one of these right behind a residential neighborhood.

Nicholas Tripp asked if the 100-acre number was picked because of this specific property or was any research done between buffering etc. Wesley Wooten responded that they have contracted with a range service called Total Range Solutions, that designs gun ranges for federal installations and law enforcement agencies and the piece of property that they are looking at would be required to mitigate sound. Chris Buffalino explained that after talking with staff and other entities, safety was the number one concern. Wesley Wooten mentioned that this is something that is needed, people need a place to learn and there is such a large wonderful military presence, retired military, a facility like this would be well served.

Anna Gaskins asked if there are any current gun ranges in Town. Nathan Rhue responded the closest one is in Brunswick County, besides the one that the Police Department uses. Anna Gaskins asked if this would alleviate that current range. Nathan Rhue responded that it would still exist, as anything that is existing would stay, but any new outdoor ranges would need to comply with this, if approved.

Dave Mosey mentioned that there are certain limitations in terms of what the public can use on a firing range. The Police Department would have other needs such as rapid fire, etc. Nicholas Tripp mentioned that he vaguely remembers a request came through at one point for an outdoor range.

Chairman Dave Mosey asked if there were any additional questions from the board. There were none.

Nathan Rhue asked the applicant if they have any issues with the additional amendment modifications as presented by Staff. There were no concerns, they were in agreement.

A motion was made by *Anna Gaskins* and seconded by *Emily Hardin* that the Town of Holly Ridge Planning Board hereby recommends adoption of the proposed amendments of Chapter 7 of the Town's Code of Ordinances- Chapter 7: Zoning Regulations to the Town Council and finds that (i) it is consistent with the Town's 2019 Comprehensive Land Use Plan because the minimum acreage requirement would place such uses within low-density and open space areas which uses would include agriculture and forestry activities as well as educational and recreational opportunities in more qualified open space as indicated on page 5-9 and 5-10 of the Land Use Plan and (ii) that it is in the public interest because it will advance the public health, safety, and/or welfare of the Town of Holly Ridge by requiring such uses to be located in a minimal area to which adequate safety and sound efforts are more readily able to be met. *All Agreed.*

Persons wishing to address the Board

There were none.

Board Member Questions or Concerns

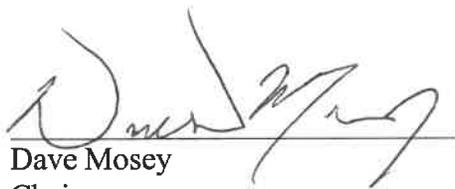
Nicholas Tripp asked how it went with the Town Council from the last Planning Board meeting. Nathan Rhue explained that Town Council were looking more at the retail establishments such as microbreweries and ABC stores – having these within the Industrial district would not be appropriate as far as retail – these were removed from the list of permitted uses – it was modified as far as the overlay district to not include the lots that are adjoining US Hwy 17 that would be defined as Camp Davis Industrial Park. These lots would not be considered part of the overlay.

Staff Updates

Nathan Rhue reminded the board members of the upcoming training sessions. Currently attempting to get parcel ID numbers for the lots in Camp Davis Industrial Park phase 2 in preparation for selling.

Adjourn

A motion was made by *Anna Gaskins* and seconded by *Nicholas Tripp* to adjourn the meeting at 6:57 PM. *All Agreed.*



Dave Mosey
Chairman



Marsha-Gray Kircher
Community Development Department