

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – March 16, 2016

**Camden County Planning Board
Regular Meeting
March 16, 2016, 7:00 PM
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Planning Board was held on March 16, 2016 in the Historic Courtroom, Camden, North Carolina. Board Member Attendance was as follows:

I. CALL TO ORDER & WELCOME

Attendee Name	Title	Status	Arrived
Rodney Needham	Chairman	Present	6:50 PM
Calvin Leary	Vice Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Present	6:50 PM
Patricia Delano	Board Member	Present	6:50 PM
Michael Etheridge	Board Member	Absent	
Rick McCall	Board Member	Present	6:50 PM
Ray Albertson	Board Member	Present	6:50 PM

Staff Present:

Attendee Name	Title	Status	Arrived
Dan Porter	Planning Director	Present	6:55 PM
Dave Parks	Permit Officer	Present	6:45 PM
Amy Barnett	Planning Clerk	Present	6:35 PM

2. Also Present List

Also present was Camden County Sheriff Tony Perry.

II. CONSIDERATION OF AGENDA

1. Motion to Approve Agenda: As Presented

RESULT:	PASSED [UNANIMOUS]
MOVER:	Calvin Leary, Vice Chairman
SECONDER:	Patricia Delano, Board Member
AYES:	Needham, Leary, Harris, Delano, McCall, Albertson
ABSENT:	Etheridge

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III. CONSIDERATION OF MINUTES FROM 12-16-15

1. Motion to Approve Planning Board Minutes - 12-16-15 As Written

RESULT:	PASSED [UNANIMOUS]
MOVER:	Fletcher Harris, Board Member
SECONDER:	Calvin Leary, Vice Chairman
AYES:	Needham, Leary, Harris, Delano, McCall, Albertson
ABSENT:	Etheridge

IV. COMMENTS FROM THE PUBLIC

None

V. OLD BUSINESS

None

VI. NEW BUSINESS

A. Ordinance No. 2016-03-01, Table of Permissible Uses

1. Ordinance No. 2016-03-01, Table of Permissible Uses, Outdoor Firing Range - Law Enforcement Only

Ordinance No. 2016-03-01

An Ordinance
Amending the Camden County
Code of Ordinances

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend chapter 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

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Article II: Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

Article III: Amend Chapter 151 as amended of the Camden County Code which shall read as follows:

CHAPTER 151: UNIFIED DEVELOPMENT

§ 151.334 TABLE OF PERMISSIBLE USES.

USE#	DESCRIPTION	R-1	R-2	R-3	CCD	NCD	HC	MC	GUD	I-1	I-2
6.310	Outdoor Firing Range - Law Enforcement Only Subject to § 151.347 (S <i>N</i>)								<i>S Z</i>	<i>S Z</i>	<i>S Z</i>

§ 151.347 SPECIFIC STANDARDS

(N) Outdoor Firing Range - Law Enforcement Only

- (1) Outdoor law enforcement shooting ranges shall be located on a site or parcel with area of at least ten acres.
- (2) No part of a shooting range shall be located within 200 feet of any property line and less than 2,000 feet from any residential dwelling or school (as measured from the firing line in the direction of the line of fire).
- (3) Shooting range facilities shall be constructed, at a minimum to include the following protective barriers:
 - (a) Backstops with a minimum height of twenty (20) feet.
 - (b) Side berms or walls with a minimum height of eight (8) feet.
 - (c) Firing line covers of overhead safety baffles for rifle fire only.
- (4) Range shall be enclosed by a six (6) foot fence with a lockable gate at the entrance.
- (5) Weapons types are restricted to pistol, rifle, or shotgun. The use of explosives or any target that detonates is prohibited.

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- (6) Hours of operations shall be 9:00 AM to 8:00 PM, Monday through Thursday. The discharge of weapons or shooting activities shall not occur on Friday through Sunday.
- (7) Range shall be utilized by duly sworn law enforcement personnel only.
- (8) No individuals under the age of 18 are permitted on the range during any practice or qualification of firearms unless such individual is participating in a Camden County School approved function, properly supervised by Camden County law enforcement personnel.
- (9) No Trespassing Signs shall be posted along range fence lines every 150 feet.
- (10) The operators of the shooting range shall provide proof of accident and liability insurance coverage. A minimum coverage of \$1,000,000 per individual and \$2,000,000 in the aggregate shall be maintained.
- (11) An approved use permit for the outdoor shooting range shall be inspected annually.

Adopted by the Board of Commissioners for the County of Camden this day of
April, 2016.

County of Camden

P. Michael McLain, Chairman
Board of Commissioners

ATTEST:

Angie Wooten
Clerk to the Board

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Dan Porter described this proposed ordinance:

- A few months ago, an amendment to the UDO was made which allowed shooting ranges for law enforcement only in general use districts
- At that time, the standards that were applied to shooting ranges related specifically to those that the county already had on the books, which require that the range be designed in such a manner that it either complies with the military manual or the National Rifle Association's handbook
- Sheriff made the choice to follow the military manual
- Military manual requires that the entire surface danger zone for the firing range be owned by the same owner as the owner of the range itself
- The surface danger zone is about 1.5 to 2 miles in all directions, which is a pretty strict standard
- The property the Sheriff was looking at will not comply with that requirement
- At the time, it was recommended that there be a special use permit with a waiver of the requirement for the ownership of the surface danger zone.
- County Attorney reviewed this and determined that the Board of Commissioners would not be able to waive the ownership requirement.
- The previously submitted proposed ordinance was then pulled from the Board of Commissioners agenda so that staff could look into the legal issues associated with it
- Staff has come up with an amendment to that amendment for law enforcement only shooting ranges with a specific set of standards
- Staff compared this to other counties and the way that they handle law enforcement shooting ranges
- Currituck County's law enforcement shooting range is an administrative approval / zoning permit and they consider it a "Public Safety Training Facility". Pasquotank is much the same.
- Staff wants to be able to accommodate the Sheriff with a shooting range, but feel that it does need some standards.
- The amendment before the Planning Board this evening is one that would allow law enforcement only shooting range to be approved with a zoning permit if it meets certain standards.

At this time, Dave Parks read through the specific standards (see pages 3 and 4 of these minutes).

Patricia Delano asked for clarification of standard number 8. Specifically she wanted to know who the responsible parties would be at the range during any school approved functions. Dave Parks responded that there would be duly sworn officers present during all such functions.

Dan Porter added that the Sheriff's Office could loan out the range to other agencies, but that there would have to be a qualified Camden County officer present at the range during its use.

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Rick McCall asked for clarification regarding standards 7 and 8. He stated that these two standards seem to be in conflict one with the other. Dan Porter stated in response that as long as duly sworn law enforcement officers from the Camden Sheriff's Office are present, that others may use the range. Others who use the range would have their own supervisors present, but there would also be a Camden County Sheriff's officer present at all times during the range's usage.

Dan Porter stated that standard number 7 could be re-worded to read "...law enforcement only, except as provided for in standard number 8 below...".

Dan Porter asked Sheriff Tony Perry about the shooting teams that the Camden High School and the Cooperative Extension Service has... Mr. Porter has concerns with the phrase "school function"... he suggested that standard number 8 be reworded to replace that phrase with something like "organized shooting team, supervised by qualified law enforcement agent of Camden County".

Mr. McCall then asked about the age limit, 18 years of age. Calvin Leary stated that the rest of that statement takes care of the age limit... "unless such individual is participating in a Camden County School approved function, properly supervised by Camden County law enforcement personnel."

Mr. Porter restated for clarification the changes to 7 and 8 as requested by the Board:

- #7 Range shall be utilized by duly sworn law enforcement personnel only, except as provided in standard #8 below.
- #8 No individuals under the age of 18 are permitted on the range during any practice or qualification of firearms unless such individual is participating in an organized county approved function properly supervised by Camden County law enforcement personnel.

Rick McCall stated that the previously proposed ordinance had wording to the effect of "no children". Mr. Porter stated in response that the County Attorney had suggested an age limit because of the definition / interpretation of what is considered a child.

Patricia Delano commented that hunting licenses can not be obtained until an individual is 16 years of age, and to get the license a safety course must first be completed. She is also concerned about the age limit issue.

Dan Porter re-iterated that the way the standard reads (with the changes as suggested), it is "No individuals under the age of 18 are permitted on the range during any practice or qualification of firearms *unless* such individual is participating in an organized county approved function properly supervised by Camden County law enforcement personnel."

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Patricia Delano asked how the types of guns allowed on the range would be controlled. She wanted to know if personal weapons would be allowed on the range or if the weapons used had to be of law enforcement origin or in the case of the shooting team from the high school, provided by the shooting team.

Mr. Porter responded saying that the types of guns allowed are controlled by the specific standards, and that the standard could be further defined to read "no automatic weapons" or something of the like.

Mr. Porter also added that the range would not be allowed to be used for any kind of concealed carry classes.

Sheriff Tony Perry added that in regards to the shooting teams, the teams have their own guns but they are not owned by the members, they are owned by the team. The members of the shooting team will not be bringing their own guns.

Rick McCall suggested that the wording "non-law enforcement use only as approved by the Camden County Sheriff" be added.

Mr. Porter stated that in the previous proposed ordinance there was a requirement that the policy and procedures manual of the Sheriff's office had to be followed. He suggested that the requirement could be added as another of the specific standards. He suggested as an additional standard "All activities shall be governed by the Camden County Sheriff's Office Policy and Procedure Manual."

Chairman Rodney Needham commented regarding standard #4... he stated that the type of fence needs to be specified (chain link, razor wire, etc.).

Dave Parks continued reading the rest of the standards.

Chairman Rodney Needham commented that standard #11 needed to be reworded to state that it is the range that must be inspected annually and not the permit for the range. As #11 is written, it states that the permit must be inspected.

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At this time, Chairman Rodney Needham asked if there were any further questions or discussions from the Board. Hearing none, he entertained a motion:

1. Motion to Approve with Changes

RESULT:	PASSED [UNANIMOUS]
MOVER:	Calvin Leary, Vice Chairman
SECONDER:	Fletcher Harris, Board Member
AYES:	Needham, Leary, Harris, Delano, McCall, Albertson
ABSENT:	Etheridge

VII. INFORMATION FROM BOARD AND STAFF

None

VIII. CONSIDER DATE OF NEXT MEETING - APRIL 20, 2016

No Discussion

IX. ADJOURN MEETING

1. Motion to Adjourn March 16, 2016 Meeting

Meeting adjourned at 7:27 PM.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ray Albertson, Board Member
SECONDER:	Fletcher Harris, Board Member
AYES:	Needham, Leary, Harris, Delano, McCall, Albertson
ABSENT:	Etheridge

Date: _____

Approved: _____
Chairman Rodney Needham

Attested: _____
Amy Barnett, Planning Clerk