

STAFF REPORT

UDO 2019-09-01 Zoning Map Amendment

PROJECT INFORMATION

File Reference: UDO 2019-09-01
Project Name: N/A
PIN: 01-8907-00-43-8620 /
01-8907-00-65-3412

Applicant: Waverly Sawyer
Address: 117 Havenwood Dr.
Camden, NC
Phone: (252) 202-2882
Email:

Agent for Applicant:
Address:
Phone:
Email:

Current Owner of Record: Applicant

Meeting Dates:

9/16/2019 **Neighborhood**
9/18/2019 **Planning Board**

Application Received: 9/4/2019
By: Dave Parks, Permit Officer

Application Fee paid: \$650.00 Check #7219

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included:

- A. Rezoning Application
- B. Deed
- C. GIS Aerial, Current zoning, Comprehensive Plan Future Land Use, CAMA Future Land Use and Suitability map, and Floodplain Maps
- D. Zoning Comparison WL and HC

REQUEST: Rezone approximately 10 acres (9 acres of farm and one acre of land where the office of Sawyer & Associates exists) at and adjacent to 872 N. 343 from Working Lands (WL) to Highway Commercial (HC).

From: Working Lands (WL) Article 151.3.5.2 (Purpose Statement)

The Working Lands (WL) district is established to accommodate agriculture, agriculturally-related uses, and limited forms residential development at very low densities in rural portions of the County. The district is primarily intended to preserve and protect bona fide farms and resource lands for current or future agricultural use as well as to protect the rural character of the area. One of the primary tools for character protection is the requirement to configure residential subdivisions of more than five lots as conservation subdivisions. The conservation subdivision approach seeks to minimize the visibility of new residential development from adjacent roadways through proper placement and screening, and allows farmers to capture a portion of the land's development potential while continuing to farm. Conservation subdivisions allow a portion of a tract or site to be developed with single-family detached homes while the balance of the site is left as conservation or agricultural land. The district also accommodates a wide range of agricultural and agricultural-related uses like "agri-tourism" as well as service and support uses to the rural community, including day care, educational uses, public safety facilities, parks, and utility features.

To: Highway Commercial (HC) Mixed Use – Article 151.3.5.6 (Purpose Statement)

The Highway Commercial district is applied to lots along the County's major roadways (e.g., US 158, US 17, NC 34, and NC 343) and is intended for automobile-oriented commercial development as well as large floorplate commercial uses and uses that require or generate truck traffic. The district also accommodates agricultural and institutional uses as well as higher density residential uses with a special use permit. New development in the HC district is grouped and configured to ensure regular lateral vehicular and pedestrian access along major transportation routes as a means of establishing a well-connected transportation system. New development is configured to maintain high visual quality along the major roadway, or is fully screened from view. Sufficient spacing and screening is included along lot lines shared with adjacent residential zoning districts to ensure compatibility. New commercial and multi-family developments in the district are subject to the design standards in Article 151.5: Development Standards.

PROJECT LOCATION:

Vicinity Map: South Mills Township



SITE DATA

Lot size: One acre lot with existing business and 9 acres of an approximately 300 acre tract
Flood Zone: X
Zoning District(s): Working Lands (WL)
Existing Land Uses: Existing Commercial Office building/farmland

Adjacent Zoning & Uses:

	North	South	East	West
Zoning	Working Lands (WL)/Neighborhood Residential (NR)	Working Lands (WL)	Working Lands	Rural Residential (RR)/Neighborhood Residential (NR)
Use & size	Church/Housing	Farmland	Farmland	Housing/Farmland

Proposed Use(s): Commercial.

Description/History of property: There is an existing Legal Non-conforming commercial office use on the one acre lot (Office of Sawyer and Associates) with the other 9 acres adjacent to it being in farm use.

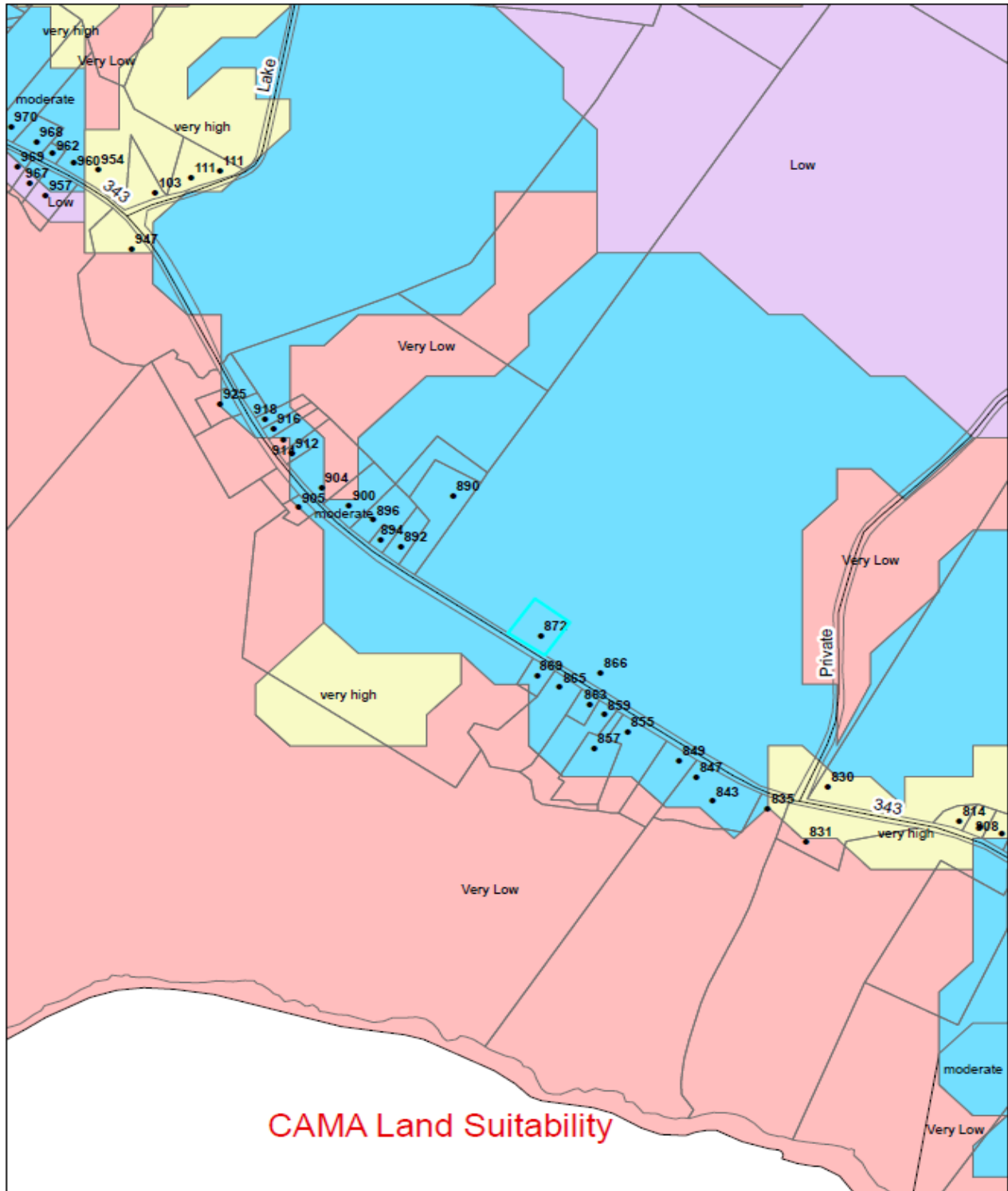
The existing office use has been in place for an estimated 20 years. Mr. Sawyer desires to use or lease the office to a tenant for use as a retail establishment which is not a permissible use with the existing zoning.

ENVIRONMENTAL ASSESSMENT

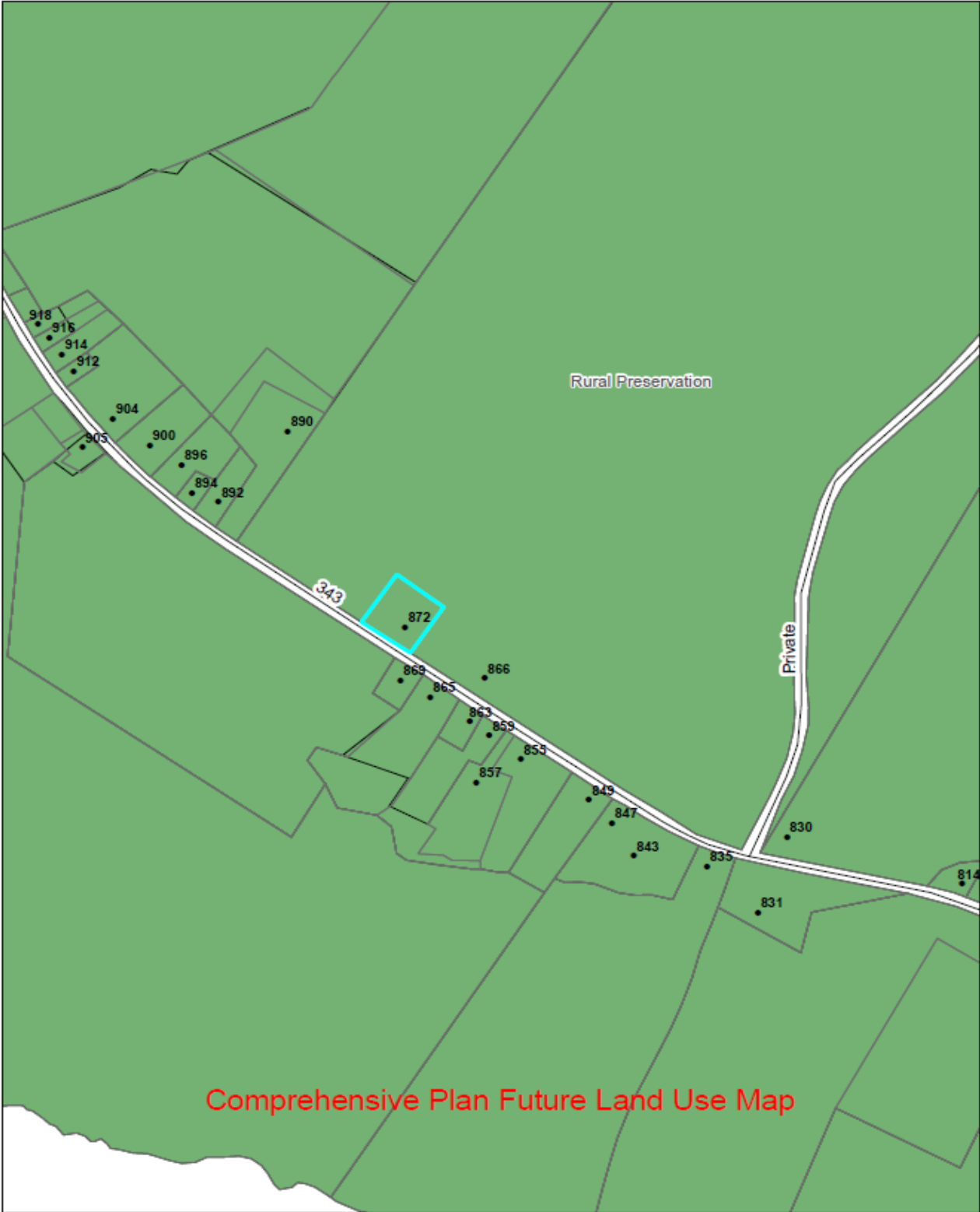
Streams, Creeks, Major Ditches:

Distance & description of nearest outfall: It appears the property drains to the south along Highway 343 to a culvert under Highway 343 which flows west out to the Pasquotank River. Property located in the Watershed that address impervious surfaces and water quality.

CAMA Land Suitability: Moderate



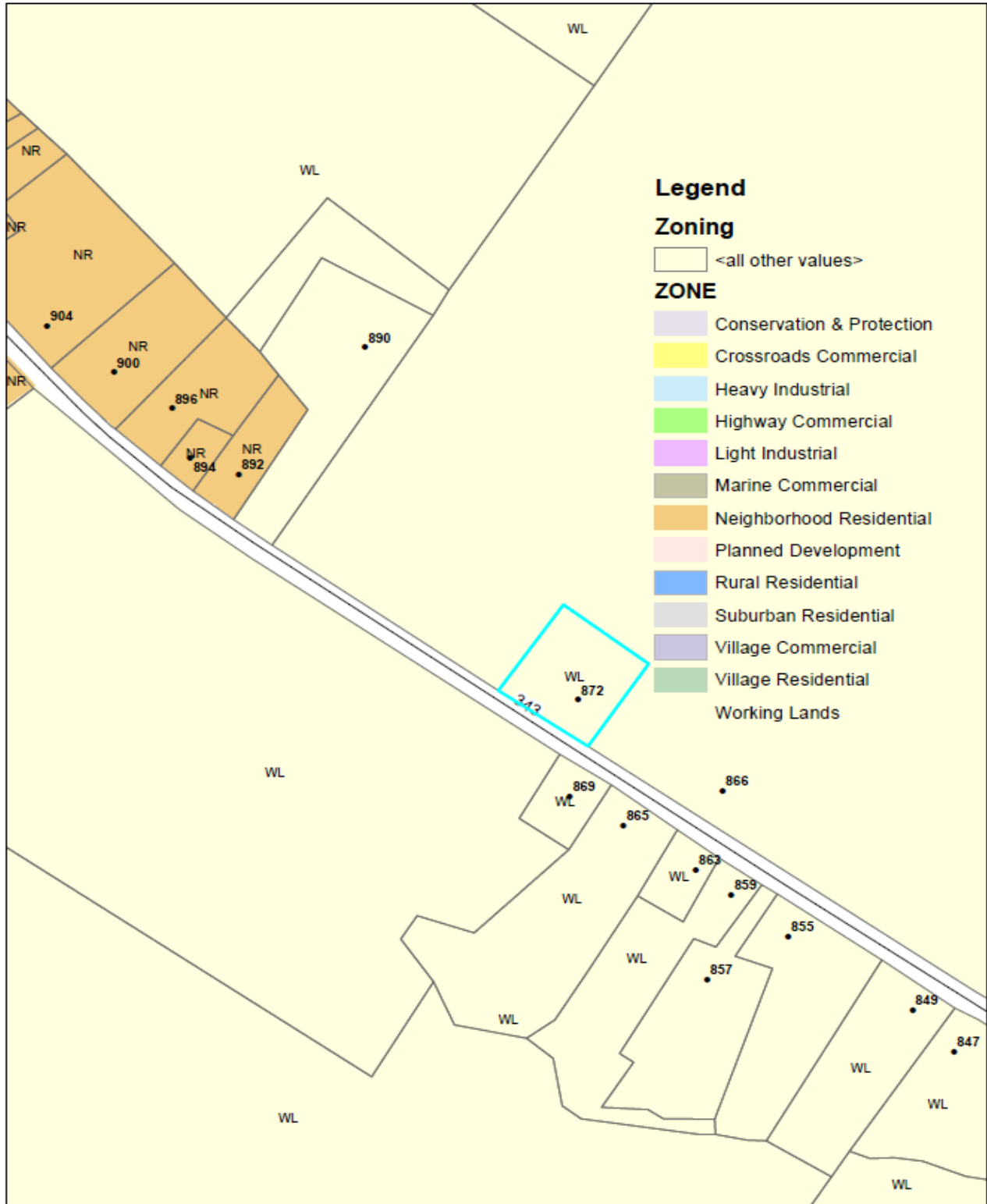
Comprehensive Plan Future Land Use Map: Rural Preservation



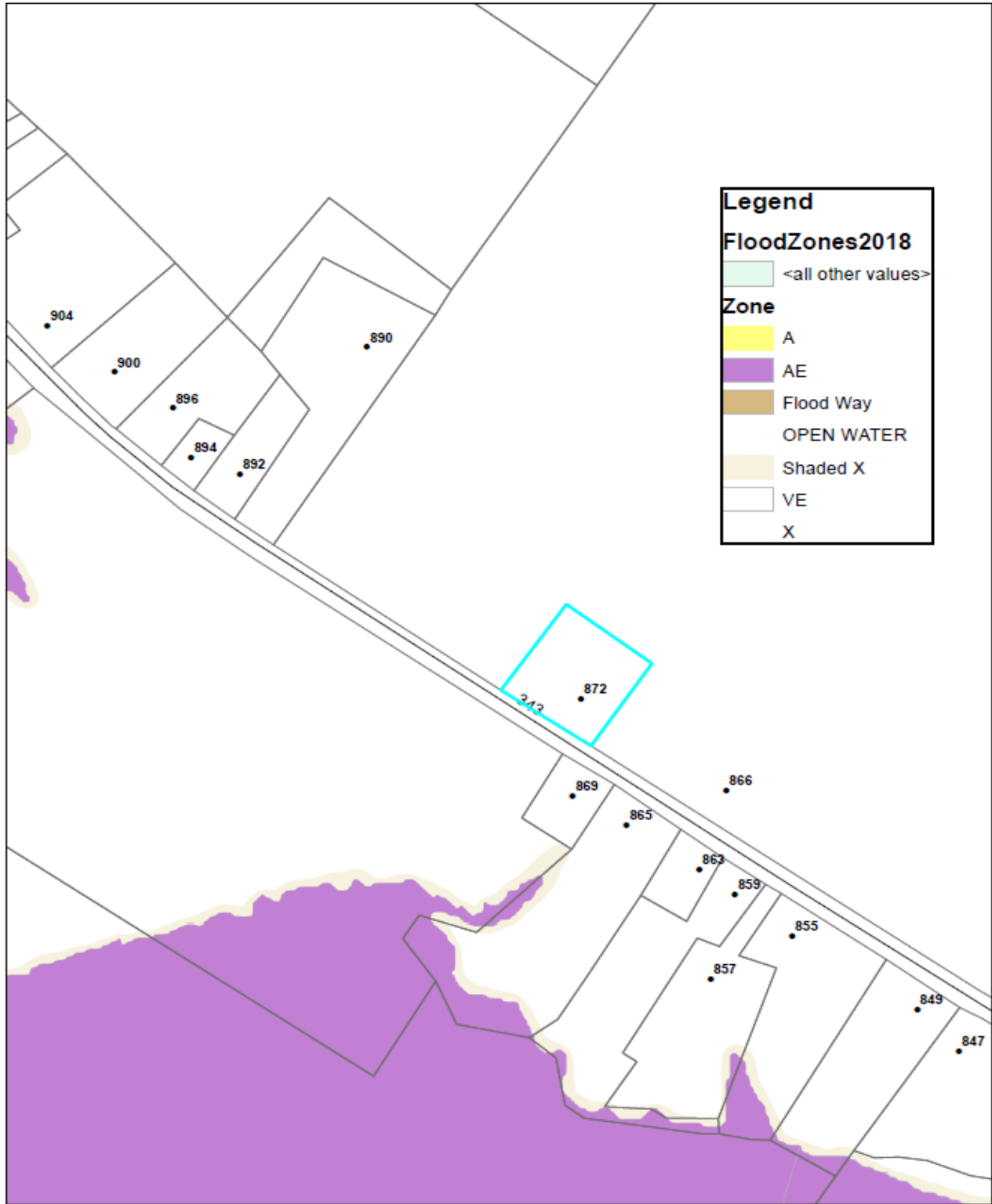
CAMA Future Land Use Map: Low Density Residential



Zoning Map: Working Lands District



Floodplain Map: X



INFRASTRUCTURE & COMMUNITY FACILITIES

Water: South Mills water lines are located adjacent to property along North 343.

Sewer: Lines are adjacent but currently not in use.

Fire District: South Mills Fire District.

Schools: N/A.

Traffic: Generation of traffic will be at development stage.

PLANS CONSISTENCY

CAMA Land Use Plan Policies & Objectives:

Consistent Inconsistent

The CAMA Land Use Plan was adopted by the Camden County Board of Commissioners on April 4, 2005.

The proposed zoning change is inconsistent in that the Future Land Use Maps has property identified as **Low Density Residential**.

The proposed zoning change is consistent with policies P.22 and P.23 for commercial/industrial as Policies 22 and 23 state “Camden County supports industrial development along major thoroughfares and that are accessible to water/sewer.

2035 Comprehensive Plan:

Consistent Inconsistent

The proposed zoning change is inconsistent with Comprehensive Plan (Adopted 2012) **Future Land Use Map as it shows the property designated as Rural Preservation**.

Comprehensive Transportation Plan:

Consistent Inconsistent

Property abuts Highway 343.

Other Plans officially adopted by the Board of Commissioners:

N/A

FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

Yes No **Will the proposed zoning change enhance the public health, safety or welfare?**

Reasoning: If the 10 acre property were to be developed as a commercial center it could result in increased jobs and taxes for the county..

Yes No **Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?**

Reasoning: The range of uses in existing classification are more appropriate at this time.

The 2035 Comprehensive Plan overall strategy is to focus commercial growth in and around the village centers and maintain the rural character of the lands away from the villages.

For proposals to re-zone to non-residential districts along major arterial roads:

Yes No **Is this an expansion of an adjacent zoning district of the same classification?**

Reasoning:

Yes No **What extraordinary showing of public need or demand is met by this application?** None at this time due to the location of property.

Reasoning:

Yes No **Will the request, as proposed cause serious noise, odors, light, activity, or unusual disturbances?**

Reasoning: There are uses permitted in the Highway Commercial zoning that could cause noise, odors, light, activity or increased traffic.

Yes No **Does the request impact any CAMA Areas of Environmental Concern?**

Reasoning: Property is outside any CAMA Areas of Environmental Concern.

Yes No **Does the county need more land in the zoning class requested?**

Reasoning: In the appropriate location in and around village centers.

Yes No **Is there other land in the county that would be more appropriate for the proposed uses?**

Reasoning: Based on the location and surrounding uses the property is located too far out from where the county visions these types of uses at this time.

Yes No **Will not exceed the county’s ability to provide public facilities:**

The proposed zoning uses will have an impact on all public facilities, how much and what facilities will be determined at the development of the property.

Schools –

Fire and Rescue –

Law Enforcement –

Parks & Recreation –

Traffic Circulation or Parking –

Other County Facilities –

Yes No **Is This A Small Scale “Spot” Rezoning Request Requiring Evaluation Of Community Benefits?**

If Yes (regarding small scale spot rezoning) – Applicants Reasoning:

	Personal Benefits/Impact	Community Benefits/Impact
With rezoning		
Without rezoning		

STAFF COMMENTARY:

Planning Staff makes the following recommendations for either approval or denial:

Approval:

Consistency Statement:

The proposed zoning change is consistent with policies P.22 and P.23 for commercial/industrial as Policies 22 and 23 state “Camden County supports industrial development along major thoroughfares and that are accessible to water/sewer. Sewer lines are adjacent to property, but are not active.

Application:

Recommend approval of Rezoning Application (UDO 2019-09-01) for Waverly Sawyer to rezone parcels (10 acres total) from Working Lands (WL) to Highway Commercial (HC).

Denial:

Consistency Statement:

The proposed zoning change is inconsistent with the CAMA Plan (adopted April 4, 2005 as Future Land Use Map has property identified as Low Density Residential and Comprehensive Plan Future Land Use Maps as map has property identified as Rural Preservation.

Application:

Recommend denial of Rezoning Application (UDO 2019-09-01) for Waverly Sawyer to rezone parcels (10 acres total) from Working Lands (WL) to Highway Commercial (HC).

Recommendation: Staff would like to discuss with Planning Board at meeting.