Camden County Planning Board
Regular Meeting
October 16, 2019 7:00 PM
Historic Courtroom, Courthouse Complex
Camden, North Carolina

MINUTES

The regular meeting of the Camden County Planning Board was held on October 16, 2019 in the Historic Courtroom, Camden, North Carolina. The following members were present:

CALL TO ORDER & WELCOME

Planning Board Member Attendance:

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calvin Leary</td>
<td>Chairman</td>
<td>Present</td>
<td>6:40 PM</td>
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<tr>
<td>Fletcher Harris</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Rick McCall</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Ray Albertson</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Steven Bradshaw</td>
<td>Board Member</td>
<td>Present</td>
<td>6:50 PM</td>
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<tr>
<td>Cathleen M. Saunders</td>
<td>Board Member</td>
<td>Present</td>
<td>6:50 PM</td>
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<tr>
<td>Nathan Lilley</td>
<td>Board Member</td>
<td>Present</td>
<td>6:50 PM</td>
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Staff Members Present:

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<th>Attendee Name</th>
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<tr>
<td>Dan Porter</td>
<td>Planning Director</td>
<td>Present</td>
<td>6:40 PM</td>
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<tr>
<td>Dave Parks</td>
<td>Permit Officer</td>
<td>Present</td>
<td>6:30 PM</td>
</tr>
<tr>
<td>Amy Barnett</td>
<td>Planning Clerk</td>
<td>Present</td>
<td>6:39 PM</td>
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CONSIDERATION OF AGENDA

Motion to Approve Agenda As Amended

Amendment: At the request of board member Nathan Lilley, add Accessory Dwellings discussion to New Business

RESULT: PASSED [UNANIMOUS]

MOVER: Steven Bradshaw, Board Member
SECONDER: Cathleen M. Saunders, Board Member
AYES: Leary, Bradshaw, Saunders, Lilley
ABSENT: Harris, McCall, Albertson
CONSIDERATION OF MINUTES - SEPTEMBER 18, 2019

Motion to Approve 9-18-19 Minutes As Written

RESULT: PASSED [UNANIMOUS]
MOVER: Steven Bradshaw, Board Member
SECONDER: Nathan Lilley, Board Member
AYES: Leary, Bradshaw, Saunders, Lilley
ABSENT: Harris, McCall, Albertson

OLD BUSINESS

A. Manufactured Housing - Placement Within County - Discussion

Dan Porter reminded the board of the origins of this agenda item. At the September 2019 meeting of the Planning Board, proposed changes to the UDO were presented. Among those changes were changes to allowed locations for manufactured housing. At the board's direction, the placement of manufactured housing was pulled from the proposed ordinance pending further review and discussion.

Dave Parks added the following:
- In the Permissible Uses Table, manufactured housing is allowed in both the Working Lands (WL) and Neighborhood Residential (NR) districts.
- Showed a GIS Map to the board which indicates locations of WL lands, color code for WL (formerly General Use - GUD) district is yellow.
- Referred to statistics provided by GIS Technician regarding number of lots whereupon manufactured housing could be placed within the county in the WL and NR districts:
  - Neighborhood Residential (2 AC or less lots)
    - Gross Total = 349
    - Within 1 mile buffer = 85
    - Outside of buffer = 264
      - # in Camden Point = 125
    - Net total (gross total - 1 mile buffer - Camden Point) = 139
  - Working Lands (5 AC or less lots)
    - Gross Total = 470
    - Within 1 mile buffer = 66
    - Outside of buffer = 404
      - # in Camden Point = 168
    - Net total (gross total - 1 mile buffer - Camden Point) = 236
- Showed maps depicting the 1 mile buffer around each township's core village area
- South Mills Township has lots of Rural Residential (RR) and Working Lands (WL) on the outside of the 1 mile buffer around the core village.
  - There is no Neighborhood Residential (NR) outside the buffer.
- Courthouse Township has lots of Working Lands (WL) outside the buffer, same with Shiloh Township.
• The easy solution would be to disallow in Working Lands, then if property owners wanted to place a manufactured home, they could apply for a rezoning.
  o Could result in spot zoning.

Nathan Lilley asked if the Special Use Process could be used to allow property owners to place manufactured housing on lots where it is not zoned for it. Dave Parks responded saying that the County used to do that through Conditional Use Permits which went before the Board of Adjustments. A Special Use Permit must go before Planning Board and Board of Commissioners, and has the potential for creating situations where not all applicants will be treated the same. Could be seen as unfair from one SUP to another.

Dan Porter stated the following:
• Singlewides and Doublewides are not an option for Village Residential (VR) district.
• As it stands at this moment, manufactured housing is allowed anywhere within the Working Lands (WL) district regardless of the buffer. With regard to the Neighborhood Residential zoning district, only outside of the buffer can manufactured housing be placed as the current ordinance is written. Purpose of proposed changes is to close this loophole with regard to WL, in an attempt to keep manufactured housing outside the 1 mile buffer around core villages.
• When the UDO was re-written, the idea of decentralization was prevalent with regard to this type of housing.
• Prior to the New UDO, manufactured housing was not allowed in the General Use District (now Working Lands).
• Idea was to move this type of housing use outside of the core villages where the use could be spread out.

Vice Chairman Steven Bradshaw asked if it could be changed back to the way it was. Dan Porter explained the reason for the change, that the move to outside the core villages was to decentralize smaller types of housing in favor of creating more possibilities for commercial uses inside the core villages.

Cathleen Saunders suggested allowing manufactured housing only in the Neighborhood Residential zoning district, removing it from Working Lands. She also noted that it was difficult to make decisions regarding whether to allow people to place affordable housing on land when they request it where it is not zoned for it, as such is the case with a rezoning for the purpose of being able to place a manufactured dwelling.

Dave Parks added, with regard to Conditional Use Permits and Board of Adjustment, that the proceedings for such are quasi judicial in nature.

Cathleen Saunders asked what quasi judicial meant. Mr. Porter explained that quasi judicial means that testimony must be fact based, and any decisions must be based on facts, not feelings.
Nathan Lilley asked if existing manufactured housing in the county would be affected by this ordinance change, and if property owners would be able to replace existing manufactured housing with another unit. Mr. Parks responded that it would not be affected, that it would be what is called a legal non-conforming use. If the use were to be abandoned, property owners would have 6 months wherein they could either continue the use, replace the unit with one which has the same size footprint (i.e. replace single for single, double for double). If the use were not continued or replaced inside of that 6 month time period, then the land must be brought up to current code, wherein the use would not be allowed.

Vice Chairman Steven Bradshaw asked regarding the statistics which were presented with regard to the Working Lands district, noting that there is far more WL land than the statistics showed. Mr. Porter explained that lots with 1 acre or less were looked at.

Mr. Bradshaw recommended not allowing manufactured housing in Working Lands district, and added that property owners could apply for a rezoning if they wanted to located one there. He also stated his opinion that singlewides should not be allowed anywhere in the county.

Mr. Parks replied stating that singlewide manufactured homes are affordable housing, and for young people just starting out, may be the only affordable housing available to them. Mr. Parks added that he would not recommend prohibiting singlewides.

Mr. Porter stated that there is probably case law somewhere regarding prohibition of singlewides, and that if the board wants to prohibit, he can try to find the case law.

Mr. Bradshaw stated that prohibiting singlewides was just an opinion, not a part of any motion, that manufactured housing, regardless of size, should only be allowed in the NR district.

Mr. Parks stated that the only other issue with regard to manufactured housing is a design issue, skirting around the dwelling, and suggested the following:

- Distinguish housing by type of skirting
  - Vinyl skirting for singlewides
  - Brick for doublewides

After a brief discussion, it was decided to leave this the way the new UDO calls for it, brick as skirting around all manufactured housing.
At this time, Chairman Calvin Leary asked if there were any further questions or comments regarding this agenda item, hearing none he called for a motion.

**Motion to remove Working Lands district from allowed districts for placement of Manufactured Housing**

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**NEW BUSINESS**

_A. Accessory Dwellings - Discussion_

Nathan Lilley led the discussion of this agenda item, stating the following:

- Current UDO says that Accessory Dwellings are not to exceed 40% of the principal structure.
- There have been several situations where this is not enough in terms of square footage for creation of an accessory dwelling.
- Looked at other counties which have different requirements based on the acreage of the land whereupon the principal residence is located.
- Lot layouts can be a limiting factor for the placement of an accessory dwelling, especially for flag lots.
- Would like to increase the maximum square footage allowed for accessory dwellings.
- Suggested to change UDO 4.5.5.A.2.a. to read "An accessory dwelling unit shall have a heated floor area of at least 300 square feet, but shall not exceed 1200 square feet, or 50% of the heated or air conditioned area of the home associated with the principal structure whichever is larger."

Vice Chairman Steven Bradshaw noted that the key word "heated" would have an impact on the total square footage of any accessory dwelling. It could cause the gross total sqft to actually be more than 1200 sqft. For example, a garage is not heated space, if a single car garage were added to an accessory dwelling it could add 400-600 additional sqft to the gross total sqft.

Dave Parks spoke briefly regarding the history of how accessory dwellings came about. At first, conditional use permits were being issued for placement of singlewide homes which were to be used for living space for family members such as caring for an elderly parent, etc. Later, accessory apartments on land where a principal residence exists were added to the allowable uses to accommodate situations such as caring for a parent or housing a family member. Size limitations were placed at 800 SqFt or 40% of principal structure whichever was greater with 800 SqFt being the maximum. As time progressed, this type of housing became what is now known as an accessory dwelling.
Mr. Parks added that the question of size needs to consider how large an accessory dwelling can be before it's considered to be just another dwelling, then the problem of having 2 dwellings on one lot comes into play.

Mr. Lilly stated that some of the other UDO's he looked at dealt with the size of an accessory dwelling as a function of the size of the land.

Mr. Parks commented that if the size is determined by acreage of land it's to be placed on, it would not be fair across the board because those with larger tracts of land would be allowed to build larger units than those with smaller tracts.

Mr. Porter stated that with the requirements as they are, it's not so much a limitation on the size as where they are located. If the acreage is less than 2 acres, then the accessory structure has to be behind the principal structure (house). If the acreage is greater than 2 acres, it can be in the front. At the time the new UDO was developed, it was discussed making the maximum 50% of the principal structure or 1000 SqFt whichever was greatest. This would have opened the door to the possibility of larger accessory dwellings when based on the principal structure's size.

Mr. Lilly stated that the intent of his suggested amendment is to be less restrictive but still restrictive enough to prevent placement of units sized such that they would be considered a whole house in and of themselves.

Mr. Porter stated that there are some houses in the county that meet or exceed 4000 SqFt. If the size of the accessory dwelling is based on 50% of the principal structure, then the accessory dwelling could be up to 2000 SqFt which in essence would be 2 houses on the same lot and that is not what the ordinance is designed to do, it's designed to allow an accessory dwelling. Mr. Porter stated that there needs to be some kind of reasonable maximum in place.

Mr. Lilly added that the other features of the lot would have to be able to support the accessory dwelling (septic system, setbacks, etc.).

Cathleen Saunders asked how stormwater would be regulated. Mr. Parks responded that a site plan would be required and that impervious surfaces would be looked at. Mr. Porter added that impervious surfaces would be a limiting factor to the size allowed for an accessory dwelling.

Vice Chairman Steven Bradshaw added:
- Accessory dwellings are not meant to allow 2 houses on the same lot
- Intended to assist an economic need, make it easier for family members to help each other
- Not talking huge house, maximum is 2 bedrooms
- Recommend 300 minimum SqFt, and take out the percentage of principal structure and go with simple 1200 Sqft maximum.
Dave Parks stated that lot size will then dictate the size of the structure based on impervious surfaces. Mr. Lilly asked if the 300 min / 1200 max was heated space, and that a single car garage added on would not count. Mr. Parks stated that was correct, that it would be living area.

After a brief discussion regarding what to change in the ordinance, Chairman Calvin Leary called for a motion.

Motion to change UDO 4.5.5.A.2.a. to read "An accessory dwelling unit shall have a heated floor area of at least 300 square feet, but shall not exceed 1200 square feet."

RESULT: PASSED [UNANIMOUS]
MOVER: Nathan Lilley, Board Member
SECONDER: Steven Bradshaw, Board Member
AYES: Leary, Bradshaw, Saunders, Lilley
ABSENT: Harris, McCall, Albertson

INFOGRAPHIC FROM BOARD AND STAFF

Dave Parks suggested that members of Planning Board may benefit from sitting in on Board of Commissioner meetings wherein public hearings are held on items which have previously gone before the Planning Board.

CONSIDER DATE OF NEXT MEETING - NOVEMBER 20, 2019

ADJOURN

Motion to Adjourn

RESULT: PASSED [UNANIMOUS]
MOVER: Nathan Lilley, Board Member
SECONDER: Steven Bradshaw, Board Member
AYES: Leary, Bradshaw, Saunders, Lilley
ABSENT: Harris, McCall, Albertson

Meeting adjourned at 7:39 PM.

Chairman Calvin Leary
Camden County Planning Board

ATTEST:

Amy Barnett, Clerk
Camden County Planning Department