

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – October 16, 2019

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:

Attendee Name	Title	Status	Arrived
Calvin Leary	Chairman	Present	6:40 PM
Fletcher Harris	Board Member	Absent	
Rick McCall	Board Member	Absent	
Ray Albertson	Board Member	Absent	
Steven Bradshaw	Board Member	Present	6:50 PM
Cathleen M. Saunders	Board Member	Present	6:50 PM
Nathan Lilley	Board Member	Present	6:50 PM

Staff Members Present:

Dan Porter	Planning Director	Present	6:40 PM
Dave Parks	Permit Officer	Present	6:30 PM
Amy Barnett	Planning Clerk	Present	6:39 PM

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

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – October 16, 2019

26 **CONSIDERATION OF MINUTES - SEPTEMBER 18, 2019**

27 *Motion to Approve 9-18-19 Minutes As Written*

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

33 **OLD BUSINESS**

34 A. *Manufactured Housing - Placement Within County - Discussion*

35
36 Dan Porter reminded the board of the origins of this agenda item. At the September 2019
37 meeting of the Planning Board, proposed changes to the UDO were presented. Among
38 those changes were changes to allowed locations for manufactured housing. At the
39 board's direction, the placement of manufactured housing was pulled from the proposed
40 ordinance pending further review and discussion.

41
42 Dave Parks added the following:

- 43 • In the Permissible Uses Table, manufactured housing is allowed in both the
44 Working Lands (WL) and Neighborhood Residential (NR) districts.
- 45 • Showed a GIS Map to the board which indicates locations of WL lands, color
46 code for WL (formerly General Use - GUD) district is yellow.
- 47 • Referred to statistics provided by GIS Technician regarding number of lots
48 whereupon manufactured housing could be placed within the county in the WL
49 and NR districts:
 - 50 ○ Neighborhood Residential (2 AC or less lots)
 - 51 ■ Gross Total = 349
 - 52 ■ Within 1 mile buffer = 85
 - 53 ■ Outside of buffer = 264
 - 54 • # in Camden Point = 125
 - 55 ■ Net total (gross total - 1 mile buffer - Camden Point) = 139
 - 56 ○ Working Lands (5 AC or less lots)
 - 57 ■ Gross Total = 470
 - 58 ■ Within 1 mile buffer = 66
 - 59 ■ Outside of buffer = 404
 - 60 • # in Camden Point = 168
 - 61 ■ Net total (gross total - 1 mile buffer - Camden Point) = 236
- 62 • Showed maps depicting the 1 mile buffer around each township's core village area
- 63 • South Mills Township has lots of Rural Residential (RR) and Working Lands
64 (WL) on the outside of the 1 mile buffer around the core village.
 - 65 ○ There is no Neighborhood Residential (NR) outside the buffer.
- 66 • Courthouse Township has lots of Working Lands (WL) outside the buffer, same
67 with Shiloh Township.

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – October 16, 2019

- 68 • The easy solution would be to disallow in Working Lands, then if property
69 owners wanted to place a manufactured home, they could apply for a rezoning.
70 ○ Could result in spot zoning.

71
72 Nathan Lilley asked if the Special Use Process could be used to allow property owners to
73 place manufactured housing on lots where it is not zoned for it. Dave Parks responded
74 saying that the County used to do that through Conditional Use Permits which went
75 before the Board of Adjustments. A Special Use Permit must go before Planning Board
76 and Board of Commissioners, and has the potential for creating situations where not all
77 applicants will be treated the same. Could be seen as unfair from one SUP to another.

78
79 Dan Porter stated the following:

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

94
95 Vice Chairman Steven Bradshaw asked if it could be changed back to the way it was.
96 Dan Porter explained the reason for the change, that the move to outside the core villages
97 was to decentralize smaller types of housing in favor of creating more possibilities for
98 commercial uses inside the core villages.

99
100 Cathleen Saunders suggested allowing manufactured housing only in the Neighborhood
101 Residential zoning district, removing it from Working Lands. She also noted that it was
102 difficult to make decisions regarding whether to allow people to place affordable housing
103 on land when they request it where it is not zoned for it, as such is the case with a
104 rezoning for the purpose of being able to place a manufactured dwelling.

105
106 Dave Parks added, with regard to Conditional Use Permits and Board of Adjustment, that
107 the proceedings for such are quasi judicial in nature.

108
109 Cathleen Saunders asked what quasi judicial meant. Mr. Porter explained that quasi
110 judicial means that testimony must be fact based, and any decisions must be based on
111 facts, not feelings.

112

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – October 16, 2019

113 Nathan Lilley asked if existing manufactured housing in the county would be affected by
114 this ordinance change, and if property owners would be able to replace existing
115 manufactured housing with another unit. Mr. Parks responded that it would not be
116 affected, that it would be what is called a legal non-conforming use. If the use were to be
117 abandoned, property owners would have 6 months wherein they could either continue the
118 use, replace the unit with one which has the same size footprint (i.e. replace single for
119 single, double for double). If the use were not continued or replaced inside of that 6
120 month time period, then the land must be brought up to current code, wherein the use
121 would not be allowed.

122
123 Vice Chairman Steven Bradshaw asked regarding the statistics which were presented
124 with regard to the Working Lands district, noting that there is far more WL land than the
125 statistics showed. Mr. Porter explained that lots with 1 acre or less were looked at.

126
127 Mr. Bradshaw recommended not allowing manufactured housing in Working Lands
128 district, and added that property owners could apply for a rezoning if they wanted to
129 located one there. He also stated his opinion that singlewides should not be allowed
130 anywhere in the county.

131
132 Mr. Parks replied stating that singlewide manufactured homes are affordable housing,
133 and for young people just starting out, may be the only affordable housing available to
134 them. Mr. Parks added that he would not recommend prohibiting singlewides.

135
136 Mr. Porter stated that there is probably case law somewhere regarding prohibition of
137 singlewides, and that if the board wants to prohibit, he can try to find the case law.

138
139 Mr. Bradshaw stated that prohibiting singlewides was just an opinion, not a part of any
140 motion, that manufactured housing, regardless of size, should only be allowed in the NR
141 district.

142
143 Mr. Parks stated that the only other issue with regard to manufactured housing is a design
144 issue, skirting around the dwelling, and suggested the following:

- 145 • Distinguish housing by type of skirting
 - 146 ○ Vinyl skirting for singlewides
 - 147 ○ Brick for doublewides

148
149 After a brief discussion, it was decided to leave this the way the new UDO calls for it,
150 brick as skirting around all manufactured housing.

151

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – October 16, 2019

152 At this time, Chairman Calvin Leary asked if there were any further questions or
153 comments regarding this agenda item, hearing none he called for a motion.

154
155 ***Motion to remove Working Lands district from allowed districts for placement of***
156 ***Manufactured Housing***

157	RESULT:	PASSED [UNANIMOUS]
158	MOVER:	Steven Bradshaw, Board Member
159	SECONDER:	Cathleen M. Saunders, Board Member
160	AYES:	Leary, Bradshaw, Saunders, Lilley
161	ABSENT:	Harris, McCall, Albertson

162 **NEW BUSINESS**

163 A. Accessory Dwellings - Discussion

164
165 Nathan Lilley led the discussion of this agenda item, stating the following:
166

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

180
181 Vice Chairman Steven Bradshaw noted that the key word "heated" would have an impact
182 on the total square footage of any accessory dwelling. It could cause the gross total sqft
183 to actually be more than 1200 sqft. For example, a garage is not heated space, if a single
184 car garage were added to an accessory dwelling it could add 400-600 additional sqft to
185 the gross total sqft.

186
187 Dave Parks spoke briefly regarding the history of how accessory dwellings came about.
188 At first, conditional use permits were being issued for placement of singlewide homes
189 which were to be used for living space for family members such as caring for an elderly
190 parent, etc. Later, accessory apartments on land where a principal residence exists were
191 added to the allowable uses to accommodate situations such as caring for a parent or
192 housing a family member. Size limitations were placed at 800 SqFt or 40% of principal
193 structure whichever was greater with 800 SqFt being the maximum. As time progressed,
194 this type of housing became what is now known as an accessory dwelling.

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – October 16, 2019

195 Mr. Parks added that the question of size needs to consider how large an accessory
196 dwelling can be before it's considered to be just another dwelling, then the problem of
197 having 2 dwellings on one lot comes into play.

198
199 Mr. Lilly stated that some of the other UDO's he looked at dealt with the size of an
200 accessory dwelling as a function of the size of the land.

201
202 Mr. Parks commented that if the size is determined by acreage of land it's to be placed on,
203 it would not be fair across the board because those with larger tracts of land would be
204 allowed to build larger units than those with smaller tracts.

205
206 Mr. Porter stated that with the requirements as they are, it's not so much a limitation on
207 the size as where they are located. If the acreage is less than 2 acres, then the accessory
208 structure has to be behind the principal structure (house). If the acreage is greater than 2
209 acres, it can be in the front. At the time the new UDO was developed, it was discussed
210 making the maximum 50% of the principal structure or 1000 SqFt whichever was
211 greatest. This would have opened the door to the possibility of larger accessory
212 dwellings when based on the principal structure's size.

213
214 Mr. Lilly stated that the intent of his suggested amendment is to be less restrictive but
215 still restrictive enough to prevent placement of units sized such that they would be
216 considered a whole house in and of themselves.

217
218 Mr. Porter stated that there are some houses in the county that meet or exceed 4000 SqFt.
219 If the size of the accessory dwelling is based on 50% of the principal structure, then the
220 accessory dwelling could be up to 2000 SqFt which in essence would be 2 houses on the
221 same lot and that is not what the ordinance is designed to do, it's designed to allow an
222 accessory dwelling. Mr. Porter stated that there needs to be some kind of reasonable
223 maximum in place.

224
225 Mr. Lilly added that the other features of the lot would have to be able to support the
226 accessory dwelling (septic system, setbacks, etc.).

227
228 Cathleen Saunders asked how stormwater would be regulated. Mr. Parks responded that
229 a site plan would be required and that impervious surfaces would be looked at. Mr.
230 Porter added that impervious surfaces would be a limiting factor to the size allowed for
231 an accessory dwelling.

232
233 Vice Chairman Steven Bradshaw added:

- 234 • Accessory dwellings are not meant to allow 2 houses on the same lot
- 235 • Intended to assist an economic need, make it easier for family members to help
236 each other
- 237 • Not talking huge house, maximum is 2 bedrooms
- 238 • Recommend 300 minimum SqFt, and take out the percentage of principal
239 structure and go with simple 1200 Sqft maximum.

240

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – October 16, 2019

241 Dave Parks stated that lot size will then dictate the size of the structure based on
242 impervious surfaces. Mr. Lilly asked if the 300 min / 1200 max was heated space, and
243 that a single car garage added on would not count. Mr. Parks stated that was correct, that
244 it would be living area.

245
246 After a brief discussion regarding what to change in the ordinance, Chairman Calvin
247 Leary called for a motion.

248
249 ***Motion to change UDO 4.5.5.A.2.a. to read "An accessory dwelling unit shall have a***
250 ***heated floor area of at least 300 square feet, but shall not exceed 1200 square feet."***

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

256 **INFORMATION FROM BOARD AND STAFF**

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

261 **CONSIDER DATE OF NEXT MEETING - NOVEMBER 20, 2019**

262 **ADJOURN**

263 ***Motion to Adjourn***
264

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

270 Meeting adjourned at 7:39 PM.

271
272

273 *Chairman Calvin Leary*
274 *Camden County Planning Board*

275 *ATTEST:*

276
277

278 *Amy Barnett, Clerk*
279 *Camden County Planning Department*