



CAMDENCOUNTY
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PLANNING BOARD

June 19, 2019

7:00 PM

Regular Meeting

Historic Courtroom

Courthouse Complex

Agenda

**Camden County Planning Board
Regular Meeting
June 19, 2019, 7:00 PM
Historic Courtroom, Courthouse Complex**

ITEM I. Call to Order & Welcome

ITEM II. Consideration of Agenda

ITEM III. Consideration of Minutes from April 17, 2019

Planning Bd Minutes - May 15, 2019

ITEM IV. Old Business

ITEM V. New Business

Item 1. UDO 2019-05-28 Rezoning US 17 and McPherson Rd

UDO 2019-05-28 Rezoning US 17 and McPherson Rd

ITEM VI. Information from Board and Staff

ITEM VII. Consider Date of Next Meeting - July 17, 2019

ITEM VIII. Adjourn



Camden County Planning Board AGENDA ITEM SUMMARY SHEET

Minutes

Item Number:

Meeting Date: June 19, 2019

Submitted By: Amy Barnett, Planning Clerk
Planning & Zoning
Prepared by: Amy Barnett

Item Title Planning Bd Minutes - May 15, 2019

Attachments: pbmins_04172019 (PDF)

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – April 17, 2019

Camden County Planning Board**Regular Meeting****April 17, 2019 7:00 PM****Historic Courtroom, Courthouse Complex****Camden, North Carolina****MINUTES**

The regular meeting of the Camden County Planning Board was held on April 17, 2019 in the Historic Courtroom, Camden, North Carolina. The following members were present:

I. CALL TO ORDER & WELCOME

Chairman Calvin Leary called the meeting to order at 7:00 PM.

Planning Board Members Present:

Attendee Name	Title	Status	Arrived
Calvin Leary	Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Present	6:50 PM
Rick McCall	Board Member	Present	7:03 PM
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:

Attendee Name	Title	Status	Arrived
Dan Porter	Planning Director	Present	6:40 PM
Dave Parks	Permit Officer	Present	6:30 PM
Amy Barnett	Planning Clerk	Present	6:30 PM

Others Present:

Attendee Name / Address	Title / Company	Meeting Section
Aaron Pippen, 262 Sleepy Hollow Road, Camden NC	Adjacent Property Owner	Old Business # A, Sleepy Hollow Estates
Sean Robey, 154 US 158 E, Camden NC	Eastern Carolina Engineering, Agent for Applicant	New Business # A, WAO Garage

Attachment: pbmins_04172019 (2423 : Planning Bd Minutes - May 15, 2019)

CAMDEN COUNTY PLANNING BOARD

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II. CONSIDERATION OF AGENDA***Motion to Approve Agenda As Presented***

Rick McCall arrived to the meeting late, after the agenda was voted upon.

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

III. CONSIDERATION OF MINUTES - MARCH 20, 2019***Motion to Approve March 20, 2019 Minutes As Written***

Rick McCall arrived to the meeting late, after the minutes were voted upon.

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

INTRODUCTION OF NEW BOARD MEMBER

Planning Director Dan Porter introduced Nathan Lilley of Camden, NC, newest member of the Planning Board.

IV. OLD BUSINESS***Old Business - UDO 2019-02-18 Preliminary Plan Phase 2 Sleepy Hollow Estates***

Dan Porter described this Old Business item. This item was heard at the March 20, 2019 meeting of the Camden County Planning Board. At that meeting, adjacent property owners spoke of property line disputes between their property lines and the developer's property. It was decided by the Board to table this item until such time as the disputes had been cleared up. Staff consulted with County Attorney John Morrison who advised in writing that property line disputes are a matter for the courts and not governmental boards such as the Planning Board or Board of Commissioners. Dan Porter summarized the letter which Attorney Morrison wrote:

- Property line disputes are between property owners
- Planning Board, Board of Commissioners, and Planning Staff do not have the right to intervene in such disputes
- Property line disputes are a matter for the courts
- If a developer decides to proceed, he does so at his own risk, even if he knows that at some point in the future the property lines may be disputed in court

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- From letter: "Although this may seem surprising to the public, it makes common sense upon even brief reflection. If the Planning Board or the Board of Commissioners had the authority to stop development because of title concerns, any citizen could make an objection and bring development to a halt."

Chairman Calvin Leary stated that considering the advice of the County Attorney on this, and since the reason for tabling this item was due to property line disputes, all discussion was handled at the prior meeting. Chairman Leary also stated that there shall be no further discussion except one person who called him at his residence. Chairman Leary had promised Aaron Pippen 5 minutes worth of time to speak.

Aaron Pippen, 262 Sleepy Hollow Road, Camden, NC; Adjacent Property Owner

- Stated he spoke with the person who wrote the UDO and he said that as long as association with a bona fide farmer who is farming your piece of property can be shown, then that is what it was written for.

Rick McCall asked if that person was present. Dan Porter stated that he was not, and further stated that the person referenced was the consultant on the UDO.

Dan Porter passed out a handout which was an excerpt of the North Carolina General Statutes which define what the State of North Carolina considers to be a Bona Fide Farm.

Chairman Leary asked for confirmation that this was covered at the last meeting. Mr. Porter stated it was but that he didn't have the legal reference at that meeting.

Mr. Porter read from NCGS §153A-340(b)(2):

"For Purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

- A farm sales tax exemption certificate issued by the Department of Revenue
- A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to G.S. 105-277.3.
- A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- A forest management plan."

Mr. Porter stated that none of the 4 criteria listed above are on record for the adjacent property in question and that it does not qualify as a bona fide farm.

Mr. Pippen asked Mr. Porter to read the County Ordinance relating to this matter.

Attachment: pbmins_04172019 (2423 : Planning Bd Minutes - May 15, 2019)

CAMDEN COUNTY PLANNING BOARDRegular Meeting – April 17, 2019

100 After handing out a copy of the ordinance to the Board members, Mr. Porter read from the
101 Farmland Compatibility Standards in the UDO, section 5.5.2 Applicability:

102
103 "Except where exempted by Section 5.5.3, Exemptions, the standards in this section shall
104 apply to all major subdivisions, planned developments, special use permits, or site plans
105 on lots or tracts of five acres in area or greater proposed adjacent to a bona fide farm or
106 agricultural use associated with a bona fide farm."
107

108 Mr. Pippen keyed on this section contending that his property is "associated with a bona fide
109 farm" if a farmer who is a bona fide farmer and who owns and operates a bona fide farm is
110 farming his property.
111

112 Chairman Leary stated that having none of the 4 criteria required by the State of North Carolina,
113 the adjacent property can not be considered a bona fide farm.
114

115 Mr. Pippen stated his belief that the 4 criteria are what constitutes a bona fide farm, he contends
116 that his property is an *associated use* of a bona fide farm and not a bona fide farm itself.
117

118 Steven Bradshaw asked what was the point of this discussion. Mr. Pippen stated that the point
119 was to obtain a 50 foot buffer between his property and the proposed development. He further
120 contended that the "one who wrote the UDO" said that if the property is a bona fide farm or
121 associated with a bona fide farm that a 50 foot buffer should be applied.
122

123 Rick McCall again asked if that person was present. He further stated that the reason he asks this
124 is because at the last meeting Mr. Pippen referred to information given to him by the
125 Superintendent of Schools, but the Superintendent was not present to clarify statements made in
126 his name. The same holds true of the person Mr. Pippen refers to as the "one who wrote the
127 UDO".
128

129 Steve Bradshaw stated for clarification sake that the UDO was a collaborative effort, not written
130 by any one individual, the Planning Board and Board of Commissioners among others all had a
131 hand in it's writing, and have intimate knowledge of it's contents.
132

133 At this time, Chairman Leary stated that Mr. Pippen's 5 minutes were up. Mr. Pippen questioned
134 why the time limit was applied. Chairman Leary stated that at the beginning of this agenda
135 item's discussion he had stated that there was to be no further discussion except the information
136 from the County Attorney relating to the property lines and the 5 minutes he was allowing for
137 Mr. Pippen to speak because he had promised such earlier in the week via a phone conversation
138 with Mr. Pippen.
139

140 At this time, Chairman Leary entertained a motion on this agenda item.

Attachment: pbmins_04172019 (2423 : Planning Bd Minutes - May 15, 2019)

CAMDEN COUNTY PLANNING BOARD

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Motion to Approve UDO 2019-02-18 Preliminary Plan Phase 2 Sleepy Hollow Estates

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

V. NEW BUSINESS***UDO 2019-03-06 Commercial Site Plan - WAO Garage***

Dan Porter introduced this agenda item and went over which site plans are administrative approvals and which ones come before the Planning Board according to the newly revised UDO which was adopted February 4, 2019.

- Major Site Plans (both commercial and residential development) go before Planning Board
- Minor Site Plans are administrative
- Commercial Site Plan for WAO Garage is the first major site plan to be considered under the new UDO.

**Commercial Site Plan
WAO Garage
UDO 2019-03-06**

PROJECT INFORMATION

File Reference: UDO 2019-03-06
Project Name: WAO Garage
PIN: 01-7072-00-50-0728-0000
Applicant: Coastal Custom Homes, LLC
 Randall Finck
Address: P. O. Box 16215
 Chesapeake, VA
Phone: (757) 334-6586
Agent for Applicant: Eastern Carolina Engineering
Address: 154 U.S. 158 East
 Camden, NC 27921
Phone: (252) 335-1888
Email:
Current Owner of Record: Same as applicant
Application Received: 2/6/2019
By: Dave Parks, Permit Officer
Application Fee Paid: \$25.00, Check # 2879
Storm Water Review Fee: N/A

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Completeness of Application: Application is generally complete**Documents received upon filing of application or otherwise included:**

- A. Land Use Application
- B. commercial Site Plan
- C. Construction Drawings
- D. DENR Stormwater Permit SW7110609
- E. DENR E & S Control Plan No. Camde-2019-005
- F. Technical Review Committee inputs

Meeting Dates:**Technical Review:** Comments provided by email**Planning Board:** April 17, 2019

REQUEST: Commercial Site Plan - WAO Garage - Automobile Restoration.
 (Reference Camden's UDO Administrative Manual Article 3.4.2; Camden UDO
 Article 151.2.3.16 - Major Site Plan Procedures).

PROJECT LOCATION:**Street Address:** 200 Opportunity Drive - Camden Commerce Park**Location Description:** Off U.S. 17 in South Mills Township**SITE DATA****Lot Size:** Approximately 6 acres**Flood Zone:** Zone X**Zoning District(s):** Base Zoning; Planned Development (PD)**Adjacent Property Uses:** Farming to North. Rest of lot surrounded by Commerce Park.**Streets:** Shall be dedicated to public under control of NCDOT.**Landscaping:** Landscaping Plan provided**Buffering:** Farmland buffer provided to the North - Article 151.5.5**ENVIRONMENTAL ASSESSMENT****Streams, Creeks, Major Ditches:****Distance & description of nearest outfall:** 25 acre pond adjacent to property.**TECHNICAL REVIEW STAFF COMMENTS**

1. South Camden Water & Sewer. Approved
2. South Mills Fire Department. See attached comments.
3. Postmaster Elizabeth City. No response. Community Mailboxes?
4. Sheriff's Office. Approved.
5. Camden Soil & Water Conservationist. Approved.
6. Pasquotank EMS. No response.
7. South Mills Water. No response.

PLANNING STAFF RECOMMENDATION: Planning Staff recommends approval of
 Commercial Site Plan for WAO Garage with the following recommendations:

1. The County should respond back to South Mills Fire Department on their request for a dry hydrant.
-

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At this time, Mr. Porter introduced Mr. Sean Robey of Eastern Carolina Engineering who spoke regarding this agenda item.

Sean Robey, Eastern Carolina Engineering

- Randy Finck, WAO Garage, is first tenant for the Commerce Park
- Mr. Finck wants to partner with the school system for internships to give students the opportunity to gain experience working in the garage working on vehicles
- Mr. Finck wants to operate a car restoration business to restore cars back to their original conditions.
- The lot for construction of Mr. Finck's business is on the north end of the commerce park. Location is between the two proposed roads and backs up to the pond.
- The roads in the park are built only to a certain point, will need to be extended.
- The site plan represents only about 30% of the total land / tract that Mr. Finck has purchased.
- An existing project will extend some roads and infrastructure.

Dan Porter spoke briefly regarding a photocopy image in the board packet which shows the road and the needed extension of Opportunity Drive. Opportunity Drive stops at the first curve, plan is to build it out to the location of the property line.

Mr. Robey continued:

- Stormwater improvements will be going in, half on county property, half on Mr. Finck's property.
- If Mr. Finck decides to develop the rest of his property, additional stormwater improvements will be necessary.

Rick McCall asked if Mr. Finck was planning any other types of development in addition to the garage. Mr. Robey responded perhaps down the road there may be some storage, but a specific use was not specified.

Steven Bradshaw asked about the issue of dry hydrants. Dan Porter addressed this saying that the Fire Chief for South Mills has asked staff to consider dry hydrants on the pond for fire suppression purposes. It is unsure what the pressure on the lines would be like. It is unlikely that the pressure would support a standard fire hydrant, so a dry hydrant would be appropriate. Fire suppression is a requirement for any business which is to be located in the park. It would be the responsibility of the developer to provide for that, not the individual business, so it would fall to the county as the developer of the park as a whole to provide for that. In addition there is a hydrant right out front of Mr. Finck's property. His proposed building is not large enough to require a sprinkler system. Mr. Porter added that the fire department will hook up to or use whatever water supply is available.

Mr. Robey added that the hydrant mentioned above has not been able to be tested because the line has been turned off and will need to be put back in service. He added that the water will most likely have to be chlorinated and tested before its put back into service.

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Mr. Porter added the following information:

- The Commerce Park was developed as a Planned Unit Development (PUD)
- Mr. Porter mentioned design standards for the Commerce Park, standards which are part of Ordinance No. 2011-01-02, which is the rezoning ordinance which rezoned the park from Highway Commercial to Planned Unit Development back in 2011. These standards are part of a document which is registered with the Camden County Register of Deeds (Deed Book 293 Page 695) and incorporated herein by reference.
- In the new UDO there are specific standards with regard to the design standards of buildings. As this is a site plan and not a building plan under consideration here, such building standards are not yet required but will be required down the line prior to a commercial building permit.
- There are restrictive covenants for the Commerce Park
 - In addition to a conditional use permit, there is a Property Owners Association which has certain standards in their restrictive covenants
 - Most of the time, the restrictive covenants and the county's requirements are very similar, in this case there was one difference, parking requirements
 - Plan meets county's requirements in terms of number of spaces associated with a light industrial type of use
 - Covenants said only 25% can be located at the front of the property
 - Planning Board and Board of Commissioners cannot make a decision based on covenants since the County does not enforce covenants
 - Property Owners Association met and resolved this issue by doing away with the restriction of 25% mentioned above.
- Stormwater Plan - Conditionally Approved by Greg Johnson, Stormwater Engineer
 - County received letter saying that the Stormwater Plan submitted by the applicant does not appear to have any significant impact in terms of storm water runoff.
 - Stormwater will drain into the lake and should not affect the level of the lake.
 - The lake has an emergency outfall into a ditch which empties into the Dismal Swamp Canal.
 - Sean Robey has been asked to provide information regarding the rain water flow/drainage in the area.

Cathleen Saunders made a recommendation that the place holders on the site plan be updated with actual information prior to the final plan submittal. Such updates to include information regarding Register of Deeds information, deed book and page number, etc. Mr. Porter replied that it has been recorded, but were not on the plans for whatever reason. Mr. Robey stated it would be updated.

Attachment: pbmins_04172019 (2423 : Planning Bd Minutes - May 15, 2019)

CAMDEN COUNTY PLANNING BOARD

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Motion to Approve UDO 2019-03-06 Commercial Site Plan - WAO Garage with the conditions set forth by the Property Owner's Association Restrictive Covenants, and the Conditional Approval of the Stormwater Engineer, Greg Johnson.

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

VI. INFORMATION FROM BOARD AND STAFF

Dan Porter provided the following information to the Board:

- UDO Chapter 150, relating to Building Codes and Minimum Housing Codes is being reviewed / revised.
 - In attempting to enforce some of the County Ordinances relating to the above, it has been found that the County Ordinances and State Statutes are at odds with each other in some instances
 - Staff has been meeting with Building Inspector, County Manager, and County Attorney to review Ordinances and State Statutes for updates/inclusion into the County Ordinances
 - Does not have to come before the Planning Board, but will go before the Board of Commissioners for public hearing at some point in the future.
 - Hoping for May or June for public hearing before BOC
 - Copy can be provided to Planning Board if so desired.

VII. CONSIDER DATE OF NEXT MEETING - MAY 15, 2019

Attachment: pbmins_04172019 (2423 : Planning Bd Minutes - May 15, 2019)

CAMDEN COUNTY PLANNING BOARDRegular Meeting – April 17, 2019

VIII. ADJOURN***Motion to Adjourn***

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

Meeting adjourned at 7:43 PM.

*Chairman Calvin Leary
Camden County Planning Board*

ATTEST:

*Amy Barnett, Clerk
Camden County Planning Department*

Attachment: pbmins_04172019 (2423 : Planning Bd Minutes - May 15, 2019)



**Camden County Planning Board
AGENDA ITEM SUMMARY SHEET**

New Business

Item Number:

Meeting Date: June 19, 2019

Submitted By: Dan Porter, Planning Director
Planning & Zoning
Prepared by: Amy Barnett

Item Title UDO 2019-05-28 Rezoning US 17 and McPherson Rd

Attachments: UDO 2019-05-28 Rezoning US 17 and McPherson Rd
(PDF)

STAFF REPORT**UDO 2019-05-28****Zoning Map Amendment****PROJECT INFORMATION**

File Reference: UDO 2019-05-28
Project Name; N/A
PIN: 01-7071-00-67-6843

Applicant: Camden County

Address: 117 N. 343
 Camden, NC
Phone: (252) 338-1919
Email:

Agent for Applicant:

Address:
Phone:
Email:

Current Owner of Record: Applicant

Meeting Dates:

5/29/2019 Neighborhood Meeting
 6/19/2019 Planning Board

Application Received: 5/16/2019
By: David Parks, Permit Officer

Application Fee paid: N/A

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included:

- A. Rezoning Application
- B. GIS Aerial, existing zoning, Comprehensive Plan/CAMA Plan future land use maps, and CAMA Land Use Plan Suitability Maps
- C. Table of Permissible Use comparison.
- D. U.S. Highway 17 Corridor Plan
- E. Neighborhood meeting comments.
- F. Liaison Officer Navy Support Activity letter

REQUEST: Rezone approximately 260 acres from Working Lands (WL) to Highway Commercial (HC) on property located at the intersections of U.S. 17 and McPherson Road.

From: Working Lands (WL)

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)

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: Approximately 260 acres.
Flood Zone: X
Zoning District(s): Working Lands
Existing Land Uses: Farmland/Sewer Plant Spray Field

Adjacent Zoning & Uses:

	North	South	East	West
Zoning	Planned Development (PD)	Rural Residential/Planned Unit Development (PUD)	Rural Residential (RR)	Working Lands (WL)
Use & size	Camden Commerce Park	Camden Plantation	Farmland	Dismal Swamp

Proposed Use(s): Commercial Uses.

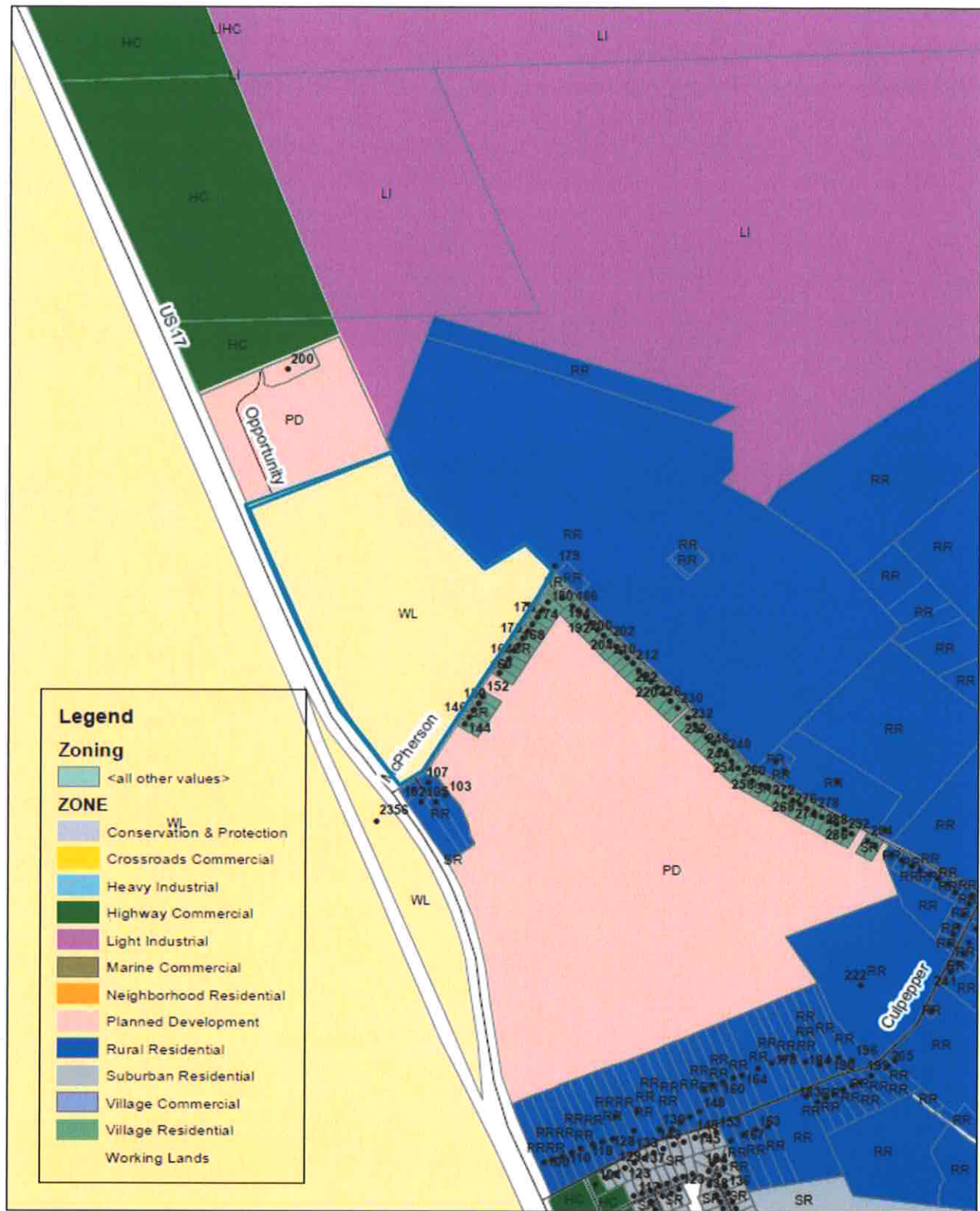
Description of property: Majority of property being farmed with the portion to the East being used as a Sewage Treatment Facility holding pond/spray field.

ENVIRONMENTAL ASSESSMENT

Streams, Creeks, Major Ditches: Property drains into the Dismal Swamp Canal.

Distance & description of nearest outfall: Less than 1 mile.

Current Zoning:

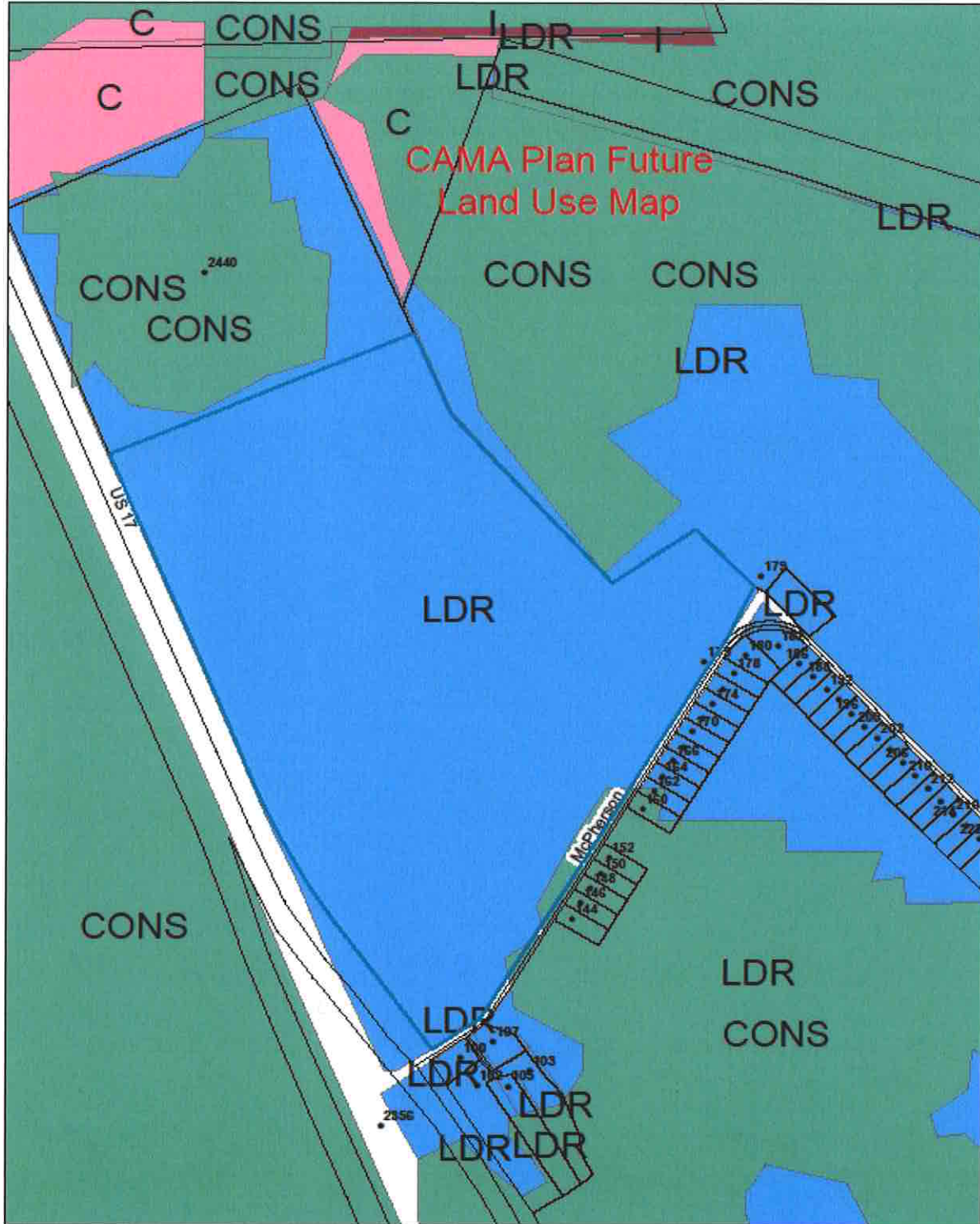


Comprehensive Plan Future Land Use Map

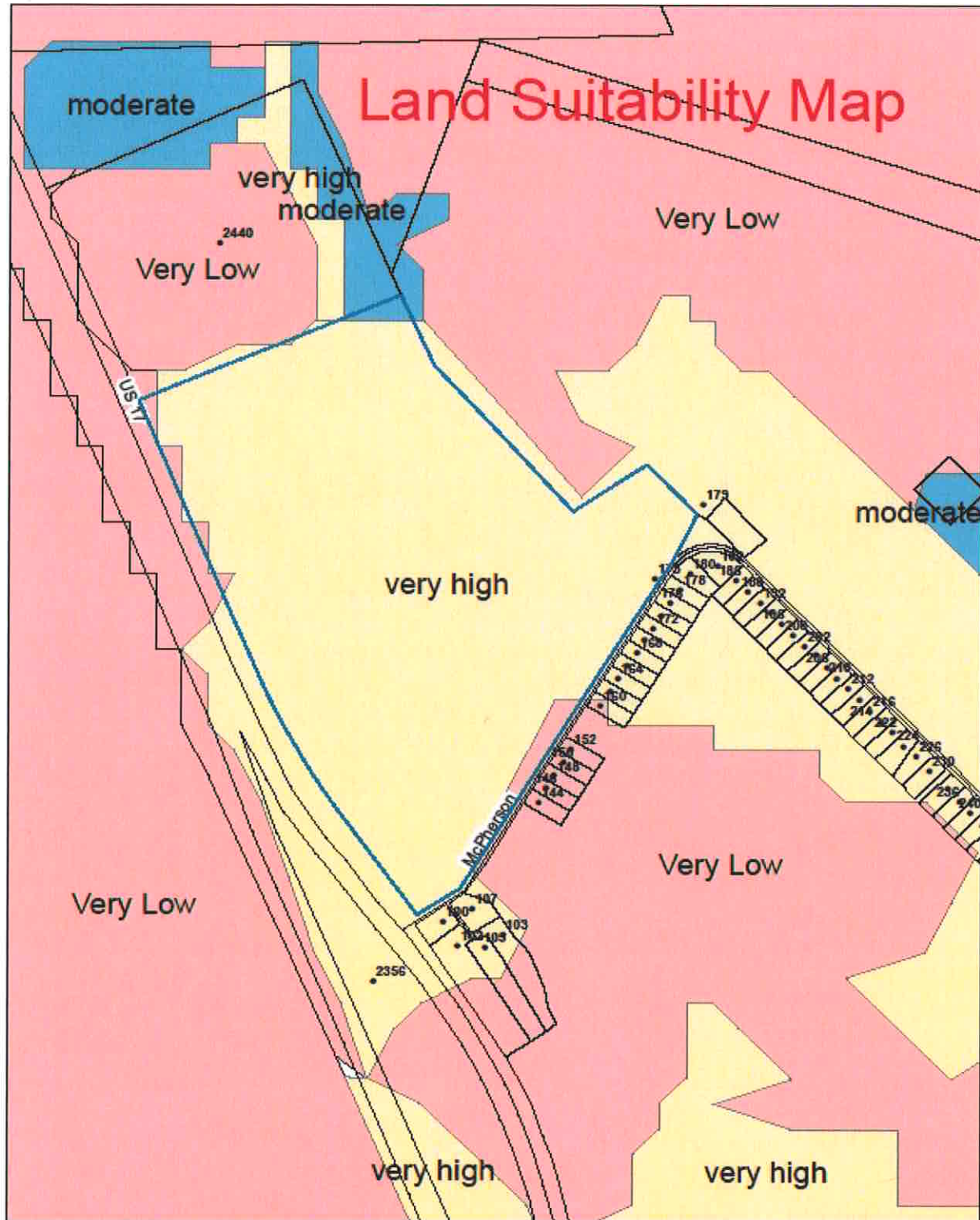


Attachment: UDO 2019-05-28 Rezoning US 17 and McPherson Rd (2424 : UDO 2019-05-28 Rezoning US 17 and McPherson Rd)

CAMA Future Land Use Map



CAMA Land Suitability Map:



Attachment: UDO 2019-05-28 Rezoning US 17 and McPherson Rd (2424 : UDO 2019-05-28 Rezoning US 17 and McPherson Rd)

INFRASTRUCTURE & COMMUNITY FACILITIES

Water	Water lines are located adjacent to property along U.S. 17 and McPherson Road.
Sewer	Sewer runs along U.S. 17.
Fire District	South Mills Fire District off Ketter Barn located approximately 3 miles from property.
Schools	Proposed uses in requested zoning will not impact schools.
Traffic	Traffic impact analysis will be required upon development of property.

PLANS CONSISTENCY

CAMA Land Use Plan Policies & Objectives:

Consistent ☐

Inconsistent ☒

The proposed zoning change is inconsistent with the CAMA Land Use Plan as Future Land Use Maps has it designated as Low Density Residential. Plan will need to be amended.

PLANS CONSISTENCY – cont.

2035 Comprehensive Plan

Consistent ☒

Inconsistent ☐

Consistent with Comprehensive Plan (Adopted 2012) as Future Land Use Maps reflect land as Mixed Use Employment. To have Mixed Use Employment, water and sewer is preferred which both are adjacent to this parcel.

PLANS CONSISTENCY – cont.

Comprehensive Transportation Plan

Consistent ☒

Inconsistent ☐

Property abuts U.S. 17 and McPherson Road. Property also does not have direct access to U.S 17.

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: The proposed zoning change will enhance the public welfare as proposed zoning change will encourage commercial development along a major corridor providing a needed tax base and employment opportunities.

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: Requested uses are more appropriate due to the location of the property and infrastructure available (water & sewer). The eastern portion of the property serves as the County's Sewage Treatment Plant affluent holding pond/Spray Fields.

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: The property abuts county owned Commercial Park directly to the north which is zoned as a Planned Development (PD)

Yes ☒ No ☐ **What extraordinary showing of public need or demand is met by this application?**

Reasoning: The need for commercial development, employment opportunities and tax base.

Yes ☒ No ☐

Will the request, as proposed cause serious noise, odors, light, activity, or unusual disturbances?

Reasoning: Some uses could cause some noise, odors, light activity, or unusual disturbances. Buffering will be addressed at permit issuance for the use which should mitigate some of the issues.

Yes ☐ No ☒

Does the request impact any CAMA Areas of Environmental Concern?

Reasoning: Property is outside any CAMA Areas of Environmental Concern. Property located outside the 100 year floodplain.

Yes ☒ No ☐

Does the county need more land in the zoning class requested?

Reasoning: In appropriate areas where location of property and infrastructure (water and sewer) is available. Property abuts U.S. 17 and there is water and sewer available to the site.

Yes ☐ No ☒

Is there other land in the county that would be more appropriate for the proposed uses?

Reasoning: The property along U.S. 17 and the future I87 corridor is one of the most appropriate and marketable properties in the County. The geographic location of the property to the Hampton Roads MSA enables prospective investment to capitalize upon synergistic business opportunities, interstate arterial routes, workforce compliment and the Port of Virginia. The property is also within the boundaries of Foreign Trade Zone #20 which offers significant value to entities engaged in global trade.

Yes ☐ No ☒ **Will not exceed the county's ability to provide public facilities:**

Schools – N/A

Fire and Rescue – Level of impact would be determined upon the type and size of the business attracted to the site.

Law Enforcement – Minimal impact.

Parks & Recreation – No impact

Traffic Circulation or Parking – Depends on type and size of business.

Other County Facilities – No.

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/RECOMMENDATION:

The original intended use of this parcel was for utilization of the County's Waste Water Treatment Facility to spray the affluent from the plant on trees. Technology at the time required 1 acre of land to every 100 gallons of affluent. New technology and possible partnership with the development community has diminished the amount of land required for handling affluent. Staff feels that the current highest and best use of the property due to its location (abuts U.S. 17/Interstate 87) and availability of infrastructure (water/sewer) is commercial uses proposed under requested zoning (Highway Commercial).

Consistency Statement: The requested zoning is consistent with Camden County's Comprehensive Plan as it has property identified as Mixed-Use Employment which uses are permitted in the Highway Commercial Zoning District.

Staff recommends approval of the rezoning as the uses in the proposed zoning classification are more appropriate than that of the existing zoning classification.



Zoning Map Amendment Application

OFFICIAL USE ONLY:

UDO Number: 2019-5-28

Date Filed: 5/16/19

Amount Paid: N/A

Received By: AP

Contact Information

APPLICANT

Name: Camden County

Address: 330 U.S. 158 East

Camden, NC 27921

Telephone: (252) 338-1919

Fax: (252) 333-1603

Email: cbauman@camdencountync.gov

PROPERTY OWNER

Name: Camden County

Address: 330 U.S. 158 East

Telephone: _____

Fax: _____

Email: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Property Information

Physical Street Address Not addressed

Location: Intersection of U.S. 17 and McPherson Road

Parcel ID Number(s): 01-7071-00-67-6843

Total Parcel(s) Acreage: Approximately 260 acres

Existing Land Use of Property: Agriculture and holding pond/spray fields for Sewer Plant affluent.

Request

Current Zoning of Property: Working Lands (WL) Proposed Zoning District: Highway Commercial (HC)

Total Acreage for Rezoning: _____ Are you rezoning the entire parcel(s): ☒ Yes ☐ No

Metes and Bounds Description Provided: ☒ Yes ☐ No

Community Meeting, if applicable: Date Held: 5/29/19; Location: South Mills Fire Station

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

[Signature]
Property Owner(s)/Applicant

17 May 19
Date

Note: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants, a signature is required for each.

Attachment: UDO 2019-05-28 Rezoning US 17 and McPherson Rd (2424 : UDO 2019-05-28 Rezoning US 17 and McPherson Rd)

Zoning Map Amendment Design Standards and Submittal Checklist

This table depicts the design standards of the site plan or map for a zoning map amendment application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

Zoning Map Amendment - Site Plan Design Standards and Submittal Checklist

Date Received: _____

Project Name: _____

Applicant/Property Owner: _____

Site Plan or Map Design Standards Checklist

Checkoff

1	Lot / Parcel Dimensions	
2	Zoning Designation	
3	All Existing Physical Features (structures, buildings, streets, roads, etc.)	
4	Location and Dimensions of Any Proposed Construction may be submitted.	

Zoning Map Amendment Submittal Checklist

Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

Zoning Map Amendment: Staff Checklist

Checkoff

1	Complete Zoning Map Amendment Application	
2	Application Fee (\$650 plus \$10 Per Acre Over 10 Acres)	
3	Community Meeting Written Summary, If Applicable	
4	Site Plan or Map	
5	Metes and Bounds Survey, If Applicable	
6	5 Copies of Plans or Maps	
7	5 Hard Copies of ALL Documents	
8	1 PDF Digital Copy of All Plans AND Documents (on CD, not email)	

Staff Use Only

Pre-Application Conference:

Held On: _____ Location: _____

Person(s) Present: _____

Comments: _____

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

5.1.a

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	WL	HC
Agricultural			
AGRICULTURE/HORTICULTURE			
<i>All Agriculture/ Horticulture Uses</i>		P	P
ANIMAL HUSBANDRY			
<i>Animal Husbandry Uses (excluding stockyards and slaughterhouses)</i>		P	
<i>Stockyard/Slaughterhouse</i>			
AGRICULTURAL SUPPORT			
<i>Agricultural Research Facility</i>		P	P
<i>Agri-Education/ Agri-Entertainment</i>		P	S
<i>Distribution Hub for Agriculture Products</i>		P	P
<i>Equestrian Facility</i>		P	S
<i>Farm Machinery Sales, Rental, or Service</i>		S	S
<i>Farmers Market</i>		P	P
<i>Roadside Market</i>		P	P
Residential			
HOUSEHOLD LIVING USES			
<i>Bungalow Court</i>			
<i>Duplex</i>			
<i>Live/Work Dwelling</i>		S	
<i>Manufactured Home</i>		P	
<i>Manufactured Home or Mobile Home Park</i>			
<i>Mobile Home</i>			
<i>Multi-Family</i>			S
<i>Pocket Neighborhood</i>			
<i>Quadraplex</i>			P
<i>Single-Family Attached</i>			S
<i>Single-Family Detached</i>		P	
<i>Triplex</i>			P
<i>Upper Story Residential</i>			P
GROUP LIVING			
<i>Dormitory</i>			S
<i>Family Care Home</i>		P	
<i>Group Home</i>		S	S
<i>Rooming House</i>		S	S

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Institutional			
COMMUNITY SERVICES			
<i>Community Center</i>			P
<i>Cultural Facility</i>			S
<i>Library</i>			P
<i>Museum</i>			P
<i>Senior Center</i>			P
<i>Youth Club Facility</i>			P
DAY CARE			
<i>Adult Day Care Center</i>			P
<i>Child Care Center</i>	P		P
EDUCATIONAL FACILITIES			
<i>Major</i>			S
<i>Moderate</i>	S		P
<i>Minor</i>	P		P
GOVERNMENT FACILITIES			
<i>Government Office</i>		P	P
<i>Government Maintenance, Storage, or Distribution Facility</i>		S	P
HEALTH CARE FACILITIES			
<i>Drug or Alcohol Treatment Facility</i>			S
<i>Hospital</i>			S
<i>Medical Treatment Facility</i>		S	P
INSTITUTIONS			
<i>Assisted Living Facility</i>			S
<i>Club or Lodge</i>		S	P
<i>Halfway House</i>			S
<i>Nursing Home</i>			S
<i>Psychiatric Treatment Facility</i>			S
<i>Religious Institution</i>		S	P
PARKS AND OPEN AREAS			
<i>Cemetery</i>		S	S
<i>Community Garden</i>		P	
<i>Park, Public or Private</i>		P	P

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Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	WL	HC
PUBLIC SAFETY			
<i>Police, Fire, or EMS Facility</i>		S	P
<i>Correctional Facility</i>			
<i>Security Training Facility</i>			
TRANSPORTATION			
<i>Airport</i>		S	
<i>Helicopter Landing Facility</i>		S	S
<i>Passenger Terminal, Surface Transportation</i>			S
UTILITIES			
<i>Utility, Major</i>		P	P
<i>Utility, Minor</i>		P	P
Commercial			
ADULT AND SEXUALLY-ORIENTED BUSINESSES			
<i>All Adult and Sexually-Oriented Businesses</i>			
ANIMAL CARE			
<i>Major</i>		S	P
<i>Minor</i>		P	P
EATING ESTABLISHMENTS			
<i>Restaurant, Major</i>			P
<i>Restaurant, Minor</i>			P
<i>Bar, Nightclub, or Dance Hall</i>			S
OFFICES			
<i>Major</i>			S
<i>Minor</i>			P
PARKING, COMMERCIAL			
<i>All</i>			P
PERSONAL SERVICES			
<i>Major</i>			P
<i>Minor</i>			P
RECREATION/ENTERTAINMENT, INDOOR			
<i>Major</i>			P
<i>Minor</i>			P

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RECREATION/ENTERTAINMENT, OUTDOOR			
<i>Major</i>		S	S
<i>Minor</i>		S	P
<i>Firing Range</i>		S	
<i>Water-Related Uses</i>		S	
RETAIL SALES			
<i>Flea Market</i>			S
<i>Grocery Store</i>			P
<i>Major</i>			P
<i>Minor</i>			P
STORAGE, COMMERCIAL			
<i>Major</i>			P
<i>Minor</i>			P
TELECOMMUNICATIONS			
<i>Antenna Collocation (on a Building)</i>			P
<i>Antenna Collocation (on a Tower)</i>		P	P
<i>Small Wireless Facility</i>		P	P
<i>Telecommunications Tower, Freestanding</i>		S	S
<i>Telecommunications Tower, Stealth</i>		P	P
VEHICLE ESTABLISHMENT			
<i>Major</i>			P
<i>Minor</i>			P
VISITOR ACCOMMODATIONS			
<i>Bed and Breakfast</i>		P	
<i>Campground</i>		S	S
<i>Hotel or Motel</i>			S
Industrial			
EXTRACTIVE INDUSTRY			
<i>All</i>		S	

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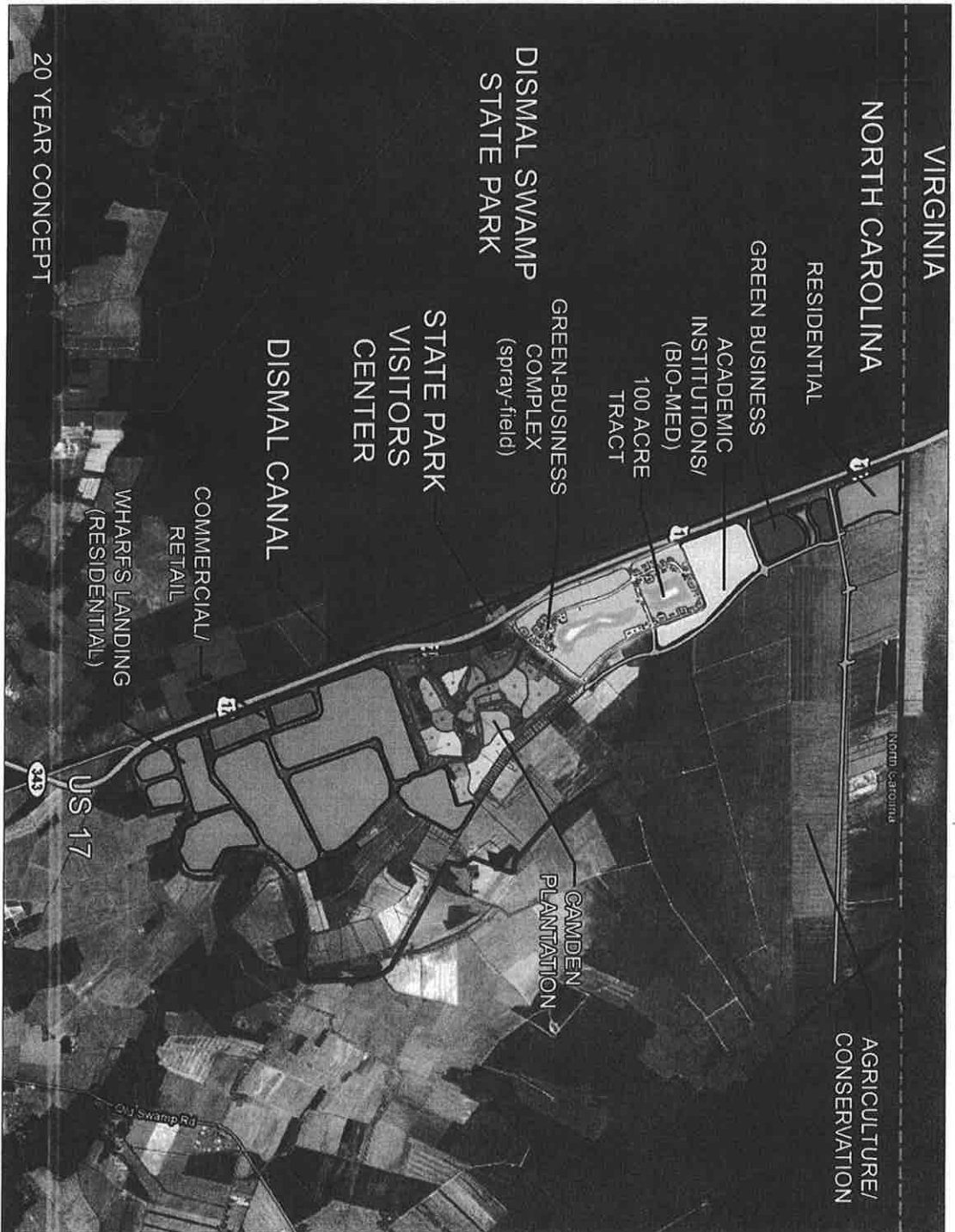
**Camden County, North Carolina
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Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	WL	HC
INDUSTRIAL SERVICES			
Contractor Service			P
Crabshedding			
Fuel Oil or Bottled Gas Distributor			
General Industrial Service and Repair			S
Heavy Equipment Sales, Rental, or Service			P
Research and Development			P
MANUFACTURING AND PRODUCTION			
Manufacturing, Heavy			
Manufacturing, Light			P
POWER GENERATION			
Solar Array		S	S
Wind Energy Conversion Facility		S	S
WAREHOUSE AND FREIGHT MOVEMENT			
All			P
WASTE-RELATED SERVICES			
Incinerator			
Land Application of Sludge/Septage			
Landfill			
Public Convenience Center or Transfer Station		S	P
Recycling Center		S	P
Salvage or Junkyard			
Waste Composting Facility		S	
WHOLESALE SALES			
Major			P
Minor			P

Attachment: UDO 2019-05-28 Rezoning US 17 and McPherson Rd (2424 : UDO 2019-05-28 Rezoning US 17 and McPherson Rd)

What could development look like in 20 to 30 years?



**Neighborhood Meeting
County US 17 Rezoning**

May 30, 2019

Meeting started at 6:00 PM and ended at approximately 7:30 PM. In attendance were County Manager (Ken Bowman), Planning Director (Dan Porter), Permit Officer (Dave Parks), and 10 adjacent property owners.

Mr. Porter

Opened meeting stating that the County Manager Ken Bowman was representing the County as applicant in the rezoning of the county owned 250 acre tract adjacent to McPherson Rd. The neighborhood meeting is the very first step in the rezoning process and typically the applicant presents the proposal and the county staff is only present to address procedural questions. In this case the county is both the applicant and the reviewing staff.

Mr. Bowman

- Confirmed that those present understood the property proposed to be rezoned.
- Stated that County has had interest in both the Commerce Park north of this property and some prospects were interested in larger property.
- The US 17 corridor is attractive due to its proximity to Hampton Roads and also because water and sewer infrastructure is available.
- The possible development of the 3000 to 4000 acre Frank Williams's property in just north of the Virginia state line will also create spill over interest for this property.
- The county has made significant investment in the infrastructure including the \$1.1 million replacement of the sewer pond liner and obtaining a grant to upgrade the WWTP.
- County has received interest from one major prospect for using all the property for warehouses but the County is more interested in business that will create jobs and taxes.

Barry Lindsay

168 McPherson

- Concerned that the farmer and resident currently using the count property should not be forced to abandon the property without consideration of their long standing attachment and use of the property.
- Mr. Bowman assured that development of would not occur overnight and could be phased in a manner to minimize negative impacts.

Mr. Porter

- Explained the rezoning process including the timing of the current request and that rezoning only affected what uses could be placed on the property. Any development would require additional applications, reviews, public hearings, and approvals by planning board and the board of commissioners.

William Stafford – 102 Lake Drive had several questions and concerns:

- Have there been any formal or informal inquiries for purchasing the property
- What is the status of the I 87 project and how will it impact any development of the property and when and how will citizens be able to make comments about the project.
- The county has made several promises in the past about buffering the neighborhood from first the spray field, and next the mega landfill, and even Camden Plantation but no action to create a buffer has taken place.
- Even though the county promotes to be supportive of small business and fiber optic line runs along US 17, high speed internet is not available to his small business. Mr. Porter noted that that fiber is a private company trunk line conduit to Virginia. Mr. Bowman noted that the County was working with and helped a company obtain a \$1.8 million grant to provide wireless service throughout the county

At this point there was a long extended discussion about the proposed NCDOT I 87 project related to several issue:

- The preliminary Feasibility study has been completed and show only “concepts” of the roadway but NCDOT assures that it is not a final design.
- Camden opposes Currituck County’s efforts to route the road eastward through Camden to Moyock with a major large interchange that would take the county’s property along with several other parcels surrounding McPherson. Camden Commissioners have gained state legislators’ support in this opposition.
- The timing of I 87 is unknown at this time but NCDOT will continue to seek public input. However it is critical that the public take proactive efforts to keep track of the project. Best method is to track the NCDOT website related to Camden County. The County will post a link on the Camden website to assist.
- Funding for the project is also an unknown. The I 87 project sections have to compete in the State Transportation Improvement Program (STIP) that includes all projects of all modes of transportation throughout the Region and State. With very little dollars appropriated for rural eastern North Carolina most funding goes to higher priority local projects like Old Swamp Road, US 158 widening, NC 343 south improvement.
- Without more information about the project we can’t stop development and wait for answers If and when the project materializes there will no doubt be takings of property through eminent domain and negotiations with impacted future property owners.

William & Vickie Stafford, Ellen Harvey, and Mrs. Bell

- Concerned about disturbing the rural surroundings and particularly with the Welcome Center and Dismal Swamp State Park directly across the highway.
- If development is inevitable the county should make sure it is developed correctly with adequate buffers and design standards
- Mr. Porter explained that new UDO regulation has better buffering requirements and additional requirements can be considered as the property is developed in a case by case basis.

- Mr. Bowman mentioned that the County might consider planting some buffering in advance of future development.

William Stafford – 102 Lake Drive

- Concerned about stormwater impacts of this development and other future development, not so much on his property but particularly on downstream properties. It alone is a serious concern that makes him oppose the proposed rezoning,.
- Mr. Porter explained the County's stormwater plan requirements and how they exceeded the state and most other counties' requirements. Every project must prepare stormwater improvement plan that is carefully reviewed, and must certify that the improvements have been constructed according to plans.
- Mr. Bowman added that the county has been able to get the Army Corps of Engineers and NCDOT to consider reinstalling large culverts as they widen US 158 west of Morgan's Corner to help drainage from the Dismal Swamp which will help alleviate flooding in the South Mills village.

Loretta Whitehurst

- Although not present due to medical condition, she called and asked that meeting notes include her opposition to the rezoning. She and her family own considerable land in the surrounding area that has been farmed for generations and she opposes any new development that reduces the rural farming culture of the county.

Others in attendance:

David Rudiger
Amanda Jochens

