

**Camden County Planning Board
Regular Meeting
July 20, 2022; 7:00 PM
Board Room in the New Camden County Library
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Planning board was held on July 20, 2022 in the Board Room in New Camden County Library Camden, North Carolina.

ITEM 1. CALL TO ORDER & WELCOME

The meeting was called to order by Chairman Calvin Leary at 7:00 PM. Also Present: Vice-Chairman Steven Bradshaw, Board Members Nathan Lilley and Ray Albertson. Board Member Lee Powell was absent. Staff Present: Planning Director Amber Curling, Permit Clerk Trisha Sabo and Clerk Karen Davis.

ITEM II. Oath of Office

New Board Member Wayne “Roger” Lambertson sworn to office by Karen Davis for Planning Board.

Calvin Leary suggestion for election for officers.

For Chairman: Steven Bradshaw

RESULT:	PASSED [5-0]
MOVER:	Nathan Lilley
SECONDER:	Ray Albertson
AYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson, Wayne “Roger” Lambertson
ABSENT:	Lee Powell

For Vice Chairman: Nathan Lilley

RESULT:	PASSED [5-0]
MOVER:	Steven Bradshaw
SECONDER:	Calvin Leary
AYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson, Wayne “Roger” Lambertson,
ABSENT:	Lee Powell

Calvin Leary announced that tonight would be his last meeting.

ITEM III. CONSIDERATION OF AGENDA

Motion to approve the agenda as presented.

RESULT:	PASSED [5-0]
MOVER:	Nathan Lilley
SECONDER:	Ray Albertson
AYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson, Wayne “Roger” Lambertson
ABSENT:	Lee Powell

ITEM IV. CONSIDERATION OF MINUTES

1. Meeting Minutes – March 16, 2022 & April 20, 2022

RESULT:	PASSED [4-0]
MOVER:	Calvin Leary
SECONDER:	Nathan Lilley
AYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson,
ABSENT:	Lee Powell

ITEM V. OLD BUSINESS

None.

ITEM VI. NEW BUSINESS

1. Sawyer Rezoning Request

Waverly Sawyer has requested a map amendment for approximately 10 acres from the Highway Commercial (HC) zoning district to the Neighborhood Residential (NR) zoning district. The 10 acres consist of an approximately 1-acre parcel at 872 NC Hwy 343 N and approximately 9 acres from an adjoining parcel to the north west. Both parcels are located in South Mills Township. The neighborhood meeting was held on April 12, 2022. A public hearing will be held on August 1, 2022.

The proposed zoning change is inconsistent with the CAMA Future Land Use Map. The CAMA Future Land Use Maps has the majority of property identified as Low Density Residentials. The proposed zoning change is inconsistent with the County’s Comprehensive Future Land Use Map which identifies the parcels as Rural Preservation.

Request: Waverly Sawyer is requesting a Zoning Map Amendment per Article 151.2.3.30 of the Unified Development Ordinance for a total of 10 acres from Highway Commercial (HC) to Neighborhood Residential (NR) zoning district.

Location Description: The 10 acres consist of an approximately 1-acre parcel at 872 NC Hwy 343 N and approximately 9 acres from an adjoining parcel to the north west. The parcel ID for 872 Hwy 343 N is 01-8907-00-43-8620-0000. The parcel ID of the approximately 9-acre parcel is 01-8907-00-65-3412-0000. Both parcels are located in South Mills Township.

Rezoning from Highway Commercial Zoning District (151.3.6.5):

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.

Rezoning to Neighborhood Residential Zoning District (151.3.5.5)

The Neighborhood Residential (NR) district serves as a transition district from the rural and suburban portions of the County to areas proximate to village centers and major commercial corridors. The district is intended to accommodate single-family detached homes in a neighborhood setting at moderate densities. Mobile and manufactured homes on individual lots, conservation subdivisions, and agricultural uses are limited in order to preserve the district's neighborhood character. Manufactured homes are not allowed on lots within 5,280 linear feet of a village center boundary. The district's 40,000-square-foot minimum lot area may be reduced when lots are within one mile of a designated village center boundary and served by public sewer. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the district's single-family detached neighborhood character.

SITE DATA

Size of Lots: Approximately 1 acre and 9 acres for a total of approximately 10 acres

Flood Zone: X

Zoning District(s): Highway Commercial (HC)

Existing Land Uses: 1-acre Office/Retail property and 9 acres is farmland

Adjacent Zoning & Uses:

	Northeast	Northwest	Southwest	Southeast
Zoning	Working Lands (WL)	Working Lands (WL)	Working Lands (WL)	Working Lands (WL)
Use	Farmland	Church and Residential Lots	Farmland Residential Lot	Farmland

Proposed Use(s) – The proposed use is residential development.

History of property:

Ordinance No. 2019-10-01 rezoned the 10 acres from Working Lands to Highway Commercial. The purpose of this rezoning was due to existing business and future plan. The 1-acre site was previously used as a business, but is currently vacant. The 9-acres site is part of a larger parcel which has been used as farmland and would need to be subdivided.

Goal when Reviewing of Zoning Regulations in accordance with the Camden County Land Use Plans is to make sure the project is designed to:

- to lessen congestion in the streets;
- to secure safety from fire, panic, and other dangers;
- to promote health and the general welfare;
- to provide adequate light and air;
- to prevent the overcrowding of land;
- to avoid undue concentration of population; and
- to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements

INFRASTRUCTURE & COMMUNITY FACILITIES

Water: Water lines are located adjacent to property along Hwy 343 N

Sewer: Sewer line located adjacent to property along Hwy 343 N

Fire District: South Mills Fire District

Schools: Proposed rezoning may have an impact on Schools

Traffic : Proposed rezoning may have on traffic

CONSISTENCY with PLANS and MAPS

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 CAMA Future Land Use Map has the property identified as Low Density Residential (on lots 1 acre or greater). Neighborhood Residential (NR) zoning permits a minimum lot area of 40,000 square feet, which is less than 1 acre.

2035 Comprehensive Plan

Consistent ☐

Inconsistent ☒

The County's Comprehensive Future Land Use Map (Adopted 2012) shows the parcel to be Rural Preservation. Rural Preservation promotes the continued use of working lands and protection of environmentally sensitive lands from more intense development. The Plan also states Rural Preservation to be very low residential use with a maximum density of one dwelling unit per 5-acres. The Neighborhood Residential (NR) zoning permits a minimum lot size of 40,000 square feet, which is less than 1-acre in area.

Comprehensive Transportation Plan

Consistent ☒

Inconsistent ☐

Property abuts NC Hwy 343 N

Other Plans officially adopted by the Board of Commissioners

N/A

SPECIFIC CAMA LAND USE QUESTIONS FOR THE PLANNING BOARD TO CONSIDER:

1. Does Camden County need more land in the zoning class requested?

Yes ☒ No ☐

Reasoning: In the appropriate location Neighborhood Residential (NR) zoning district works well. Neighborhood Residential 3.08% Camden 1.69% South Mills 2.47% Courthouse 5.97% Shiloh

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

Yes ☒ No ☐

Reasoning: There is other land in the County which is currently zoned as Neighborhood Residential (NR) or which could be rezoned as such and not be in conflict with the CAMA Future Land Use Plan or the 2035 Comprehensive Plan.

3. Is the request in accordance with the Camden County land use plan?

Yes ☐ No ☒

Reasoning: The request is not in accordance with the Comprehensive and CAMA Future land use plans. The Zoning Comparison included in the package identifies specific uses for each zoning district.

4. Will the request have serious impact on traffic circulation, parking space, sewer and water services, other utilities?

Yes ☐ No ☐

Reasoning: The proposed zoning uses will have an impact on all public services. The specific service and to what extent of the impact will be determined during the development approval process of the property.

5. Will the request have an impact on other county services, including police protection, fire protection or the school system?

Yes ☒ No ☐

Reasoning: The proposed zoning uses will have an impact on all public services. The specific service and to what extent of the impact will be determined during the development approval process of the property.

6. Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?

Yes ☐ No ☒

Reasoning: All permitted uses in the requested zoning classification should not lessen the enjoyment or use of any adjacent properties.

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

Yes ☐ No ☒

Reasoning: All uses permitted in the requested zoning classification should not cause any serious noise, odors, light activity, or unusual disturbances.

8. Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?

Yes ☐ No ☒

Reasoning: There does not appear to be any serious legal concerns related to spot zoning, hardship, or violation or precedents.

9. Does the request impact any CAMA Areas of Environmental Concern?

Yes ☐ No ☒

Reasoning: The request does not impact a CAMA Area of Environmental Concern.

Summary

The proposed zoning map amendment is inconsistent with the 2005 CAMA Future Land Use Plan which has the property identified as Low Density Residential (on 1-2 acre lots).

The proposed zoning map amendment is inconsistent with the 2012 County's Comprehensive Future Land Use Map which has the property identified as Rural Preservation.

Motion to deny the Sawyer Rezoning Request with the recommendations from staff.

RESULT:	DENIED [5-0]
MOVER:	Steven Bradshaw
SECONDER:	Ray Albertson
NAYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson, Wayne “Roger” Lambertson
ABSENT:	Lee Powell

Nathan Recommendation: Leave the 1acre lot as Neighbor Residential (NR) and the 9 acres back to Working Lands (WL). Neighbor Residential (NR) can be subdivided into more lots.

Motion to Approve the recommendations from staff for Sawyer Rezoning Request.

RESULT:	PASSED [4-1]
MOVER:	Nathan Lilley
SECONDER:	Ray Albertson
AYES:	Nathan Lilley, Calvin Leary, Ray Albertson, Wayne “Roger” Lambertson
NAYES:	Steven Bradshaw
ABSENT:	Lee Powell

Meeting Date: July 20, 2022
Attachments: Text Amendments
Submitted By: Planning Department
Item Title: **Text Amendments to Camden County, NC Code of Ordinances**

Summary:

The attached proposed text amendments to the Camden County Ordinances is divided into three sections as follows:

The first section is a text amendment to the Unified Development Ordinance 151.3.8 to comply with FEMA 2020 model Ordinance updates.

The second section is a proposed text amendment to the Unified Development Ordinance 151.3.8 stormwater Management Plan Requirements and Stormwater Drainage Design Manual drainage plan requirements.

The third section is a proposed Wastewater Text Amendment to Update Unified Development Ordinance and Sewer Use Ordinance. The change is necessary to comply with the Camden County Future Land Use Plans.

A public hearing is set for August 1, 2022

Ordinance No. 2022-08-02
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 January 1, 1998, and

subsequently revised February 4, 2019 and subsequently amended, and as otherwise incorporated into the Camden County Code.

Article II: Construction

For purposes of this Ordinance, Article III relates to substantive changes required by the new General Statute 162A-213 in which underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics, underlined, and highlighted (*italics*).

Article III:

Part 1:

Amending Camden County Code of Ordinances, specifically Chapter 151 Article 3.8.3 Special Flood Hazard Area Overly as follows:

151.3.8.3.C.4.b Certification Requirements

b. An Elevation Certificate (FEMA Form 81-31, as amended) or Floodproofing Certificate (FEMA Form 81-65, as amended) is required after the reference level is completed. Within ten calendar days of establishment of the reference level elevation, or floodproofing, by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, or floodproofed elevation, whichever is applicable in relation to mean sea level. Elevation certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the ten-day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project. (*Optional at the discretion of Building Inspector or Flood Administrator*)

151.3.8.3.D.2.h Accessory Structures

8. Accessory structures, *not larger than one story, that are* over 150 square feet and up to 1,000 ~~600~~ square feet or less with a value of less than \$15,000 may be permitted below the base flood elevation as defined in Section 10.3, Definitions, provided they satisfy the criteria outlined above.
9. Accessory structures greater than 4,000 ~~600~~ square feet shall meet the elevation requirements as defined in Section 10.3, Definitions, or flood proofing requirements set forth in Section 3.8.3.C.2.c.
- 10.

Motion to Approve the Text Amendments Part 1 – Text Amendment to the Unified Development Ordinance 151.3.8 to comply with FEMA 2020 model ordinance updates.

RESULT:	PASSED [5-0]
MOVER:	Calvin Leary
SECONDER:	Nathan Lilley
AYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson, Wayne “Roger” Lambertson
ABSENT:	Lee Powell

Part 2:

Amending Camden County Code of Ordinances, specifically Chapter 151 Article 151.3.8.3. Special Flood Hazard Area Overly and the Camden County Stormwater Drainage Design Manual Specifically Section 9 Floodplain and Floodway Management as follows:

151.3.8.3 Special Flood Hazard Area Overly

151.3.8.3.5 Duties and Responsibilities of the Floodplain Administrator

- o. Excavation and filling in the ~~floodplain areas~~ *Special Flood Hazard Areas*, areas noted as AE in the FIRM maps, may be allowed at the approval of the county. Cut and fill for new development in the floodplain ~~will only may~~ be acceptable if the net volume available within the floodplain remains the same (<https://msc.fema.gov/portal/advanceSearch>). The volumes will be judged from one-foot contour to the next. No credit will be provided for excavation below the normal water elevation of the creek or below the ground

water table, whichever is higher. The Engineer will provide the areas and volumes at one-foot contour intervals for the existing conditions and demonstrate through volume calculations that the proposed condition equals or provides more storage volume for the development. The calculation and demonstration shall begin at the normal elevation, or invert elevation, and proceed by even one-foot increments to the FIRM reported base flood elevation for the immediate area. The cut and fill within the floodplain area must take place within the general confines of the development or within 500 feet of the river station shown on the FEMA maps.

- q. ***As an alternative to Item o of this Section, new developments which lie within a floodplain may fill beyond the balance limitations as provided by Item o if they subject their parcel and development to the Stormwater Management Plan Review process prescribed by Table 7.1.3 in this Ordinance and a Drainage Stormwater Study is performed in accordance with Division 7 of the County's Stormwater Drainage Design Manual. The Drainage Stormwater Study in this instance must show, the post development 100-year discharge rate is held to the pre-development discharge rate and that the hydraulic grade lines are not increased at any point immediately upstream or downstream of the development. This alternative will only be acceptable after a preapplication meeting with the County's Stormwater Engineer, County Planning Director or their designee, and the applicant or their design engineer and an appropriately scope of analysis is agreed to.***

Division 9 Floodplain and Floodway Management

2. Excavation and filling in the floodplain areas, areas noted as AE in the FIRM maps, may be only be allowed with FEMA approval. Cut and fill for new development in the floodplain will only be acceptable if the net volume available with <https://msc.fema.gov/portal/advanceSearch> ***in the floodplain remains the same or based on methods discussed in Section 6.*** The volumes will be judged from one-foot contour to the next. No credit will be provided for excavation below the normal water elevation of the creek or below the ground water table, whichever is higher. The engineer will provide the areas and volumes at one-foot contour intervals for the existing conditions and demonstrate through volume calculations that the proposed condition equals or provides more storage volume for the development. The calculation and demonstration shall begin at the normal elevation, or invert elevation, and proceed by even one foot increments to the FIRM reported base flood elevation for the immediate area. The cut and fill within the floodplain area must take place within the general confines of the development or within 500' of the river station shown on the FEMA maps.

6. ***As an alternative to Item 2, new developments which lie within a floodplain may fill beyond the balance limitations as provided by Item 2 if they subject their parcel and development to the Stormwater Management Plan Review process prescribed by Table 7.1.3 in this Ordinance and a Drainage Stormwater Study is performed in accordance with Division 7 of this Manual. The Drainage Stormwater Study in this instance must show, the post development 100-year discharge rate is held to the pre-development discharge rate and that the hydraulic grade lines are not increased at any point immediately upstream or downstream of the development (within the boundaries of the parcels included in the development site). To use this alternative means of compliance, the applicant must hold a preapplication meeting with the County's Stormwater Engineer and County Planning Director and develop an approved scope of analysis.***

We did have David Andy Deel from Deel Engineering PCCC and Mark Bissell from BPG talked on this motion.

Motion to Approve the Text Amendments Part 2 – Text Amendment to the Unified Development Ordinance stormwater management Plan Requirements and Drainage Design Manual drainage plan requirements.

RESULT:	PASSED [5-0]
MOVER:	Calvin Leary
SECONDER:	Ray Albertson
AYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson, Wayne "Roger" Lambertson
ABSENT:	Lee Powell

Part 3:

Amending Camden County Code of Ordinances, specifically Chapter 151 Article 2.3.18, 2.3.20, 6.2.7, 6.5.2 and Chapter 52.015 as follows:

151.2.18 Minor Subdivision

B. Applicability

1. Subdivisions of land that include up to five lots (including the residual parcel) (see Figure 2.3.18.B: Minor Subdivision) shall be reviewed in accordance with the standards in this section.
2. All lots that are adjacent to an existing public water supply line **and/or wastewater system** lines prior to approval of a minor subdivision shall connect to the public systems as part of the establishment of the minor subdivision. However, connection to the public water systems for one or more lots shall not require the subdivision to be reviewed as a preliminary plat.

C. Minor Subdivision Procedure

6. Minor Subdivision Review Standards

- a. A minor subdivision shall be approved if the application complies with the following:

8. All lots (including the parent parcel) bordering an existing public water supply system water line **and/or wastewater system sewer line** shall connect to the public water supply system as part of the minor subdivision;
- b. Minor subdivisions of land located within the special flood hazard area shall comply with the standards in Section 3.8.3, Special Flood Hazard Area Overlay (SFHA), and include the following statement:
"Use of land within a floodplain or a special flood hazard area is substantially restricted by Camden County."
- c. If the minor subdivision is required to provide a connection to a public water supply system **and/or wastewater system**, the plat shall include the following statement:
"The developer is required to install all wastewater and/or water lines and related improvements."

151.2.3.20 Preliminary Plat

3. If the preliminary plat is required to provide a connection to a public water supply system **and wastewater system**, the plat shall include the following statement:
*"The developer is required to install all **wastewater and** water lines and related improvements."*

151.6.2 Required Infrastructure

151.6.2.2 Generally

151.6.2.2.3. Sanitary Sewage System

- a. In cases of **When** development being **is required to be** served by a public or central private sewage systems, the subdivider or developer shall install all sewer lines in accordance with the standards in this Ordinance, the procedures manual, and other State or federal requirements.
- b. Sanitary sewage lines, including pump stations and treatment facilities shall be dedicated to the County for maintenance and operation. Sewer lines serving individual lots or uses prior to their connection to the central collection system shall not be the responsibility of the County.

151.6.5. Conservation Subdivision

6.5.2 Applicability

3. Where Prohibited

- a. The conservation subdivision option is not available for use in the NR, VR, or MX districts.
- b. Suburban Residential Zoning District will not have individual septic systems due to the decrease in the Dimensional Requirements specifically the Minimum Lot Area, from 1 acre to 0.5 acre.**

Chapter 52 Sewer Use

USE OF PUBLIC SEWERS

§ 52.015 REQUIREMENT OF SEWER USE.

C. New construction, either subdivision or single lot, residential or commercial, with access to public sanitary sewer system under District jurisdiction, shall be required to connect their sanitary wastewater drain to the system and such wastewater shall be discharged into a public sanitary sewer, subject to the provisions of § 52.125. The owner shall install at his expense a suitable building sewer or collecting sewer.

as applicable, and shall install any other facilities necessary to connect the building sewer or collecting sewer to the public sewer at an access point provided by the district. The owner of real property shall make application and connection to the public sanitary sewer in accordance with the provisions of this section and §§ 52.105 through 52.112 of this chapter.

Motion to Approve the Text Amendments Part 3 – Wastewater text Amendment to update the Unified Development Ordinance and Sewer Use Ordinance.

RESULT:	PASSED [5-0]
MOVER:	Nathan Lilley
SECONDER:	Calvin Leary
AYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson, Wayne “Roger” Lambertson
ABSENT:	Lee Powell

ITEM VII. INFORMATION FROM BOARD AND STAFF

None.

ITEM VIII. CONSIDER DATE OF NEXT MEETING

The next meeting is scheduled for August 20, 2022.

ITEM VIII. ADJOURN

Motion to adjourn.

RESULT:	PASSED [5-0]
MOVER:	Nathan Lilley
SECONDER:	Ray Albertson
AYES:	Nathan Lilley, Steven Bradshaw, Calvin Leary, Ray Albertson, Wayne “Roger” Lambertson
ABSENT:	Lee Powell

There being no further matters for discussion Chairman Bradshaw adjourned the meeting at 8:00 PM.

ATTEST:

Steven Bradshaw, Chairman
Camden County Planning Board

Patricia Sabo
Permit Clerk