

**Camden County Planning Board
Regular Meeting
January 17, 2024; 7:00 PM
Camden County Library - Board Room
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Planning board was held on January 17, 2024 in the boardroom Camden County Library in Camden, North Carolina.

ITEM 1. CALL TO ORDER & WELCOME

The meeting was called to order by Chairman Steven Bradshaw at 7:00 PM. Also Present: Vice-Chairman Nathan Lilley, Board Members Lee Powell, Roger Lambertson, Tom White, Ray Albertson, and David Bundy.

Administration Staff Present: Planning Director Amber Curling, Clerk to the Boards Karen Davis and Macey Carver.

ITEM II. CONSIDERATION OF AGENDA

Motion to approve the Agenda as presented.

RESULT:	PASSED [7-0]
MOVER:	Tom White
SECONDER:	Steven Bradshaw
AYES:	Steven Bradshaw, Nathan Lilley Lee Powell, Roger Lambertson, Tom White, Ray Albertson, and David Bundy

ITEM III. CONSIDERATION OF MINUTES

Motion to approve minutes from October 18, 2023 as written.

RESULT:	PASSED [7-0]
MOVER:	Nathan Lilley
SECONDER:	Steven Bradshaw
AYES:	Steven Bradshaw, Nathan Lilley Lee Powell, Roger Lambertson, Tom White, Ray Albertson, and David Bundy

ITEM IV. OLD BUSINESS

None.

ITEM V. NEW BUSINESS

A. Zoning Map Amendment UDO 2024-02-103-Smith and LaFlamme

- Planning Director Amber Curling presented the Staff Report (incorporated herein after as Attachment A) which included the following:
- An Application for a Zoning Map Amendment has been submitted by Brian Smith. The application is to rezone the 10-acre parcel from Rural Residential (RR) and Neighborhood Residential (NR) to only Rural Residential. The application package includes the Rezoning Application, the Deed, the Neighborhood Meeting Information and Plat. The Application is generally complete.
- A Neighborhood Meeting was held on September 26, 2023. A second meeting was held November 24, 2023. Neighbors attended the September meeting. no attendance at the November 24th meeting. There are some concerns and questions from neighbors.
- The property is located on the north west corner of Upton Road and Seymour Drive in the Courthouse Core Village. Currently the parcel is vacant land. The surrounding property uses are Residential lots, Farmlands, Wetlands, Woods and Religious Institutions.
- The parcel approximately 10.08 total acres with is Zoned as approximately 5 acres Rural Residential Zoning District and approximately 5 acres Neighborhood Residential Zoning District.
- The current Zoning District to be changed is Neighborhood Residential (NR) which 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. Agricultural uses are limited in order to preserve the district's neighborhood character.
- The proposed Zoning District is the Rural Residential (RR). The district is established to accommodate low density residential neighborhoods and supporting uses on lots near bona fide farms and agricultural areas in the rural portion of the County. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity or negatively impact the rural character of the County. The district accommodates several differing agricultural uses and homes. District regulations discourage uses that interfere with the development of residential dwellings or that are detrimental to the rural nature of the district.
- According to the CAMA Land Suitability Plan the property is Very High, Moderate and Very Low in Land Suitability.

- According to the Wetlands Map the property has some Wetlands. The majority being Managed Pines.
- The property is not located in Watershed. Flood Zones X, Shaded X and AE are located on the property.
- The County's Comprehensive Future Land Use Plan identifies the parcel as Rural Residential District One to Two Acre lots of residential. The intention, of these areas, is to serve as a buffer between rural preservation areas and more intense development. The proposed zoning map amendment is inconsistent with the County's Comprehensive Future Land Use Plan because the location to serve as a buffer between rural preservation areas and more intense development, should not be located within the Courthouse Core Village.
- The proposed zoning change is inconsistent with the CAMA Future Land Use Maps which identifies the majority of property as Medium Density Residential and Low Density Residential. With a very small area on the property identified as Conservation. Medium Density Residential is designated by a mixture of single-family dwelling types in relatively close proximity to a core village. This district is intended to restrict the encroachment of incompatible business uses in established residential areas.
- Water lines are located adjacent to the property along Upton Road and Seymour Drive. Sewer is not available. The property is served by the South Camden Fire District. And Staff finds that the proposed zoning change will have minimal impact on Schools and Traffic.
- Board members asks about Special Use Permit Application details.
- Amber Curling explains the applicant is also applying for a Special Use Permit. The Public Hearing for the Special Use Permit Application will be placed on the Board of Commissioners Agenda. It is not reviewed by the Planning Board. The Special Use Permit is dependent on the Text Amendment being approved.

B. Text Amendment UDO 2024-02-103-Smith and LaFlamme

- Planning Director Amber Curling presented the Staff Report (incorporated herein after as Attachment B) which included the following:
- Ordinance No. 2024-02-02 is a proposed text amendment to the Unified Development Ordinance submitted by Brian Smith. Mr. Smith is proposed text amendment is to 151.4 Use Regulations of the Unified Development Ordinance or the UDO. The specific sections in 151.4.5 Accessory Uses is 151.4.5.4 of the Table of Allowable Locations and 151.4.5.5 Standards for Specific Accessory Uses.
- The proposed text amendment is to add Sawmill as an Accessory Use permitted in the Rural Residential Zoning District to the Table 4.5.4 Common Accessory Use

Table. Standards for Specific Accessory Uses to include specifics about a Sawmill as an Accessory Use with the following specific language: .1. Mobile or Portable Sawmill: A sawing or cutting machine used to turn logs into lumber, whether trailered or truck-mounted; Capable of easily being moved, set up and operated on a site; Not attached or fixed in location. 2. Stationary Sawmill: A fixed structure mounted on a foundation for the purpose of turning logs into lumber; Includes the entire operational area: log sorting yard (s), milling machine (s), sorting area (s), storage area (s), administration area (s), maintenance (s).

- Amber Curling confirms the applicants Text Amendment was for a Sawmill to be permitted with a Special Use Permit.
- Discussion with the Board about the split zoning of property and confirmation all 10 acres would be zoned Rural Residential if approved.
- Mr. Brian Smith presents information about the rezoning and text amendment application. Mr. Smith states that for his property to be zoned half and half just does not make any sense and he wants one zoning district not two zoning districts for his parcel. Mr. Smith discusses the confusion with two zoning districts and the permitted uses allowed in one zoning district but not the other.
- Chair Bradshaw asks for example of a conflicting use.
- Mr. Smith gives animals, farm stands, and parking of heavy trucks/trailers.
- Discussion of uses continues between Mr. Smith and Chair Bradshaw between accessory uses and principal uses establishing some differences in the Neighborhood and Rural Residential Zoning Districts.
- Mr. Smith continued stating this plan came about from us sitting down with the County Manager, Erin Burke. The request of a change to the UDO is essentially for some standard in Camden to allow a sawmill or disallow. There is nothing that I have seen that is written that states that you cannot have a sawmill. He states all the applications may not be approved and the text amendment would benefit someone else however it was submitted for clarity.
- Mr. Smith does not agree with the Staff Findings. He does not understand the value of Land Use Plans.
- Roger Lambertson and Mr. Smith discuss location of sawmill on property. Mr. Smith states ideal location towards rear of property not front.
- Nathan Lilley states it would make sense to rezone the whole thing to rural residential to restrict building.
- Discussion continues about the 1-acre parcel owned by Camden County, the parcel leased by Mediacom and sunflowers being grow on the 10-acre parcel.
- Chair Bradshaw commented about the need for the County to revisit the current zoning districts and develop zoning district consist with the Core Village Plan.

- Chair Bradshaw states to his understanding the intended uses of the property are permitted with the current zoning and he does not see a compelling reason to rezone it. This does not include rezoning for the sawmill.

Public Comments for Zoning Map Amendment

- Lindsey Smith (Laflamme) states that the property is a Bona Fide Farm they have animals and are not required to go by the zoning laws as long as what they are doing is farm related. They have a tax-exempt form with an ID number. Her confusion is where the non-farm related things/activities are permitted due to split zoning.
- Mike Gall is a retired neighbor. He is upset about the amount of large trucks and mud on the street from property in the Core Village with commercial contracts.
- Amber Curling clarifies who receives notices and when.
- Catherine Carabine an Isaac Court neighbor expressed concern about health, safety and well being of children with noisy activities affecting air quality.
- Eldon Young a neighbor states who was not informed of all the applications or meetings. He contacted neighbors to hold a meeting and discuss the applications. He would prefer rezoning not be approved.
- Tommy Harrison asks Mrs. Smith (LaFlamme), about due diligence when property was bought. Discussion continues - Was it sold as a farm? Was it on your agents remarks? Was the property residential? and Potential subdividing?
- Amber Curling clarifies the following the Planning Board Members make a recommendation to the Board of Commissioners. The meeting will take place on February 5th, 2024 at 7:00 pm. The notification letters will be sent out tomorrow, 01/18/2024 notifying all neighbors within 300 ft of the property about the Public Hearing.
- Board Members discuss the rezoning to approve or deny application.

Motion to deny zoning map amendment.

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| <ul style="list-style-type: none"> • RESULT: PASSED [6-1] • MOVER: Tom White • SECONDER: Steven Bradshaw • AYES: Steven Bradshaw, Nathan Lilley Lee Powell, Roger Lambertson, Tom White, and Ray Albertson • NAYES: David Bundy |
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Public Comments for the Text Amendment to the UDO

- Chair and Members discuss text amendment.
- David Hicks, a neighbor, discusses being familiar with sawmilling process and it does not belong in residential neighborhood.

- Roger Lambertson then asks, do we have a sawmill in the county? & gets responses from the public stating that yes, there are multiple.
- Tommy Harrison discusses the continuous noise from the Smith's portable sawmill on property. He feels the use will lessen the value and enjoyment of property. He is opposed to text amendment.
- Eldon Young speaking for Isaac Ct group opposed to text amendment. The trucks and other equipment are a problem for the road as well as being noise. He feels the sawmill use should not be permitted in the Core Village area.
- Chair Steve Bradshaw and Roger Lambertson discuss appropriate places or situations in the County allowing sawmills.
- Chair Steve Bradshaw states, disapproving this text amendment doesn't mean that someone can't have a portable sawmill. Continuous use of a sawmill is manufacturing lumber which is a business. I don't personally think that any of the residential areas should have a sawmill located in them.

Motion to deny the text amendment.

- **RESULT:** PASSED [7-0]
- **MOVER:** Steven Bradshaw
- **SECONDER:** Tom White
- **AYES:** Steven Bradshaw, Nathan Lilley Lee Powell, Roger Lambertson, Tom White, Ray Albertson, and David Bundy

ITEM VI. INFORMATION FROM BOARD AND STAFF

None.

ITEM VII. CONSIDER DATE OF NEXT MEETING

The next meeting is scheduled for May 15, 2024.

ITEM VIII. ADJOURN

Motion to adjourn.

- | | |
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| RESULT: | Passed [7-0] |
| MOVER: | Ray Albertson |
| SECONDER: | Steven Bradshaw |
| AYES: | Steven Bradshaw, Nathan Lilley Lee Powell, Roger Lambertson, Tom White, Ray Albertson, and David Bundy |

Include Attachment A -Staff report rezoning amendment

Include Attachment B Staff Report – text amendment

Attachment A

Staff Finding of the Facts Report

**UDO 2023-10-85
Zoning Map Amendment
Ordinance 2023-02-01**

PROJECT INFORMATION

File Reference: 2023-10-85
Project Name: Parcel NW corner Upton
Road and Seymour Drive
PIN: 02-8934-02-56-8337-0000

Applicant: Brian Smith
Address: 202 McPherson Road
South Mills, NC 27976
Phone: 804-386-7811
Email: bcsmith53@hotmail.com

Agent for Applicant: Owner
Address: same as above
Phone: same as above
Email: same as above

Current Owner of Record: Brian Smith and
Lindsey M. LaFlamme

Meeting Dates:
November 24, 2023 **Neighborhood Meeting**
January 17, 2023 **Planning Board Meeting**

Application Received: October 12, 2023
By: Amber Curling, Planning

Application Fee paid: \$650.00

Completeness of Application: Application is
generally complete

**Documents received upon filing of application
or otherwise included:**

- A.** Rezoning Application
- B.** Neighborhood Meeting Comments
- C.** Neighborhood Meeting Notification Letter
- D.** Deed
- E.** Plat

REQUEST: The request is for a zoning map amendment from Rural Residential and Neighborhood Residential Zoning Districts to Rural Residential Zoning District only.

Description: The parcel identified by parcel ID number 02-8934-02-56-8337-0000 is, located on the north west corner of Upton Road and Seymour Drive in the Courthouse Township and Courthouse Core Village. The parcel approximately 10.08 total acres with approximately 5 acres Rural Residential and approximately 5 acres Neighborhood Residential.

Zoning Map Amendment from the Rural Residential and Neighborhood Residential Zoning Districts to only the Rural Residential Zoning District:

Rural Residential (RR) Purpose Statement (Article 151.3.5.3)

The Rural Residential (RR) district is established to accommodate low density residential neighborhoods and supporting uses on lots near bona fide farms and agricultural areas in the rural portion of the County. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity or negatively impact the rural character of the County. 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. The district accommodates several differing agricultural uses and single-family detached homes. It also allows supporting uses like educational facilities, parks, public safety facilities, and utilities. District regulations discourage uses that interfere with the development of residential dwellings or that are detrimental to the rural nature of the district.

Rezoning from the following Zoning District:

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 10 acres

Flood Zone: **Most of parcel is X**

Zoning District(s): Rural Residential (RR) and Neighborhood Residential (NR)

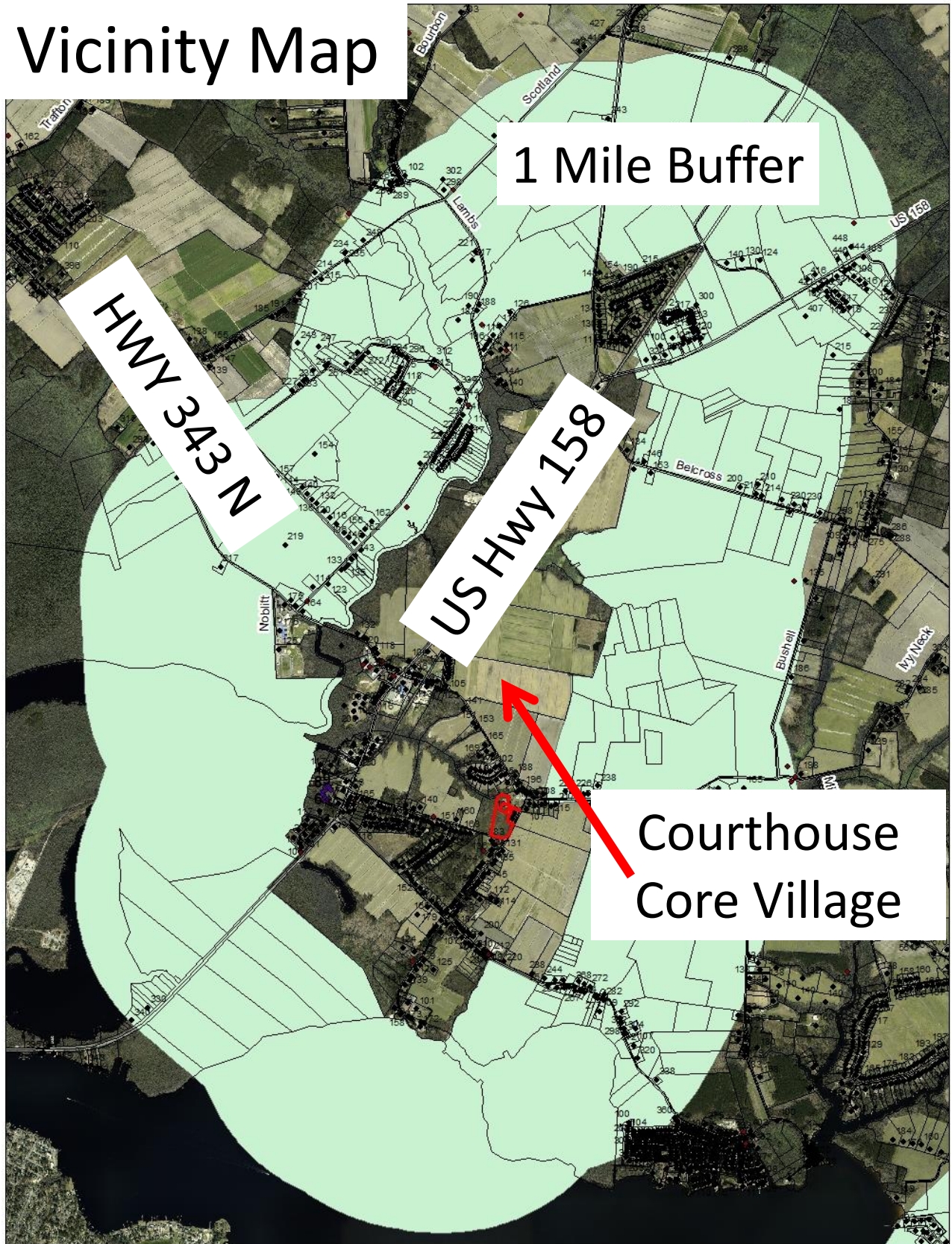
Existing Land Uses: Vacant

Adjacent Zoning & Uses:

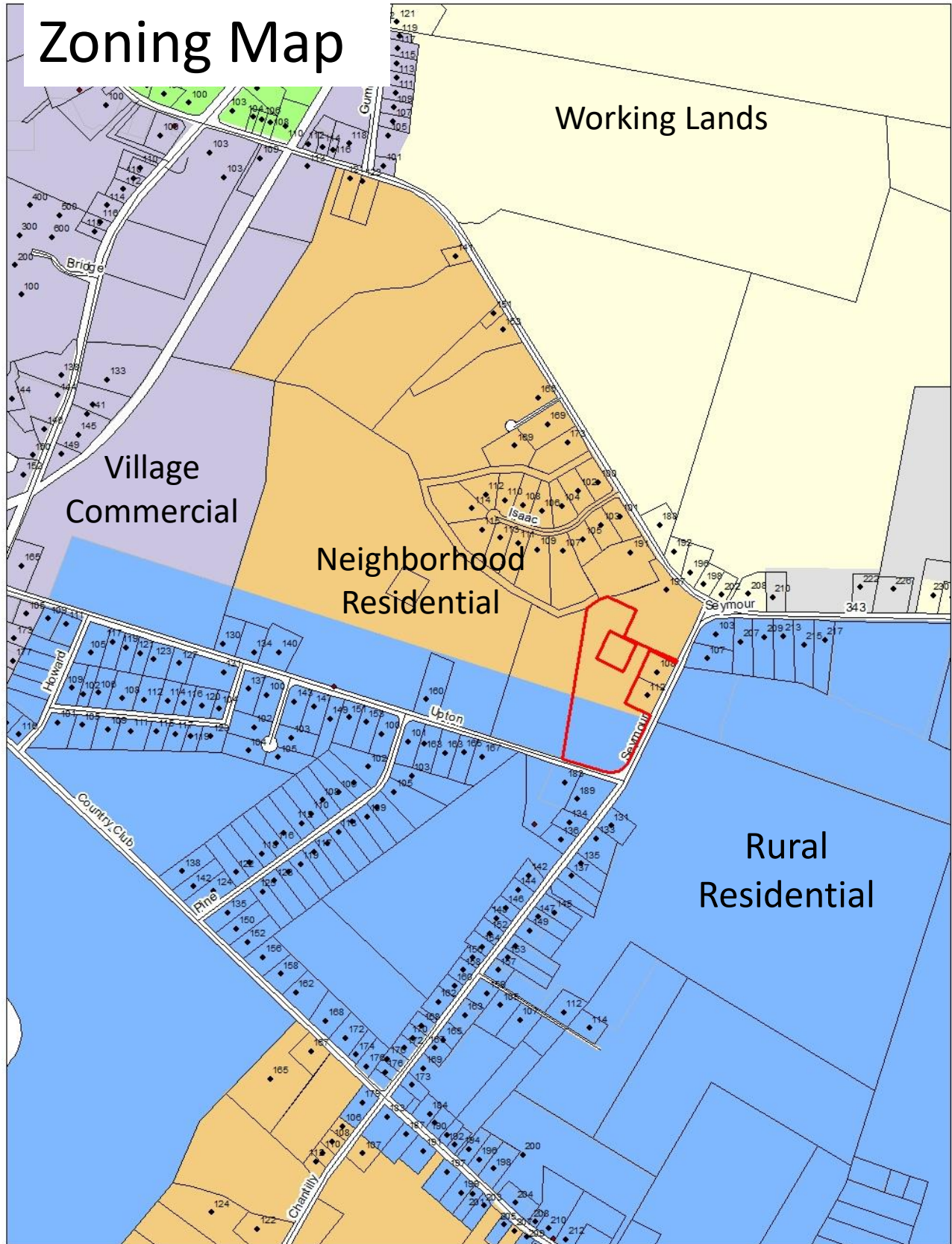
	North	South	East	West
Zoning	Neighborhood Residential (NR)	Rural Residential (RR)	Rural Residential (RR)	Rural Residential (RR and Neighborhood Residential (NR)
Use	Wetlands, Residential Lots and Church	Residential Lots	Residential Lots, & Farmland	Open Space Wetlands Vacant Property

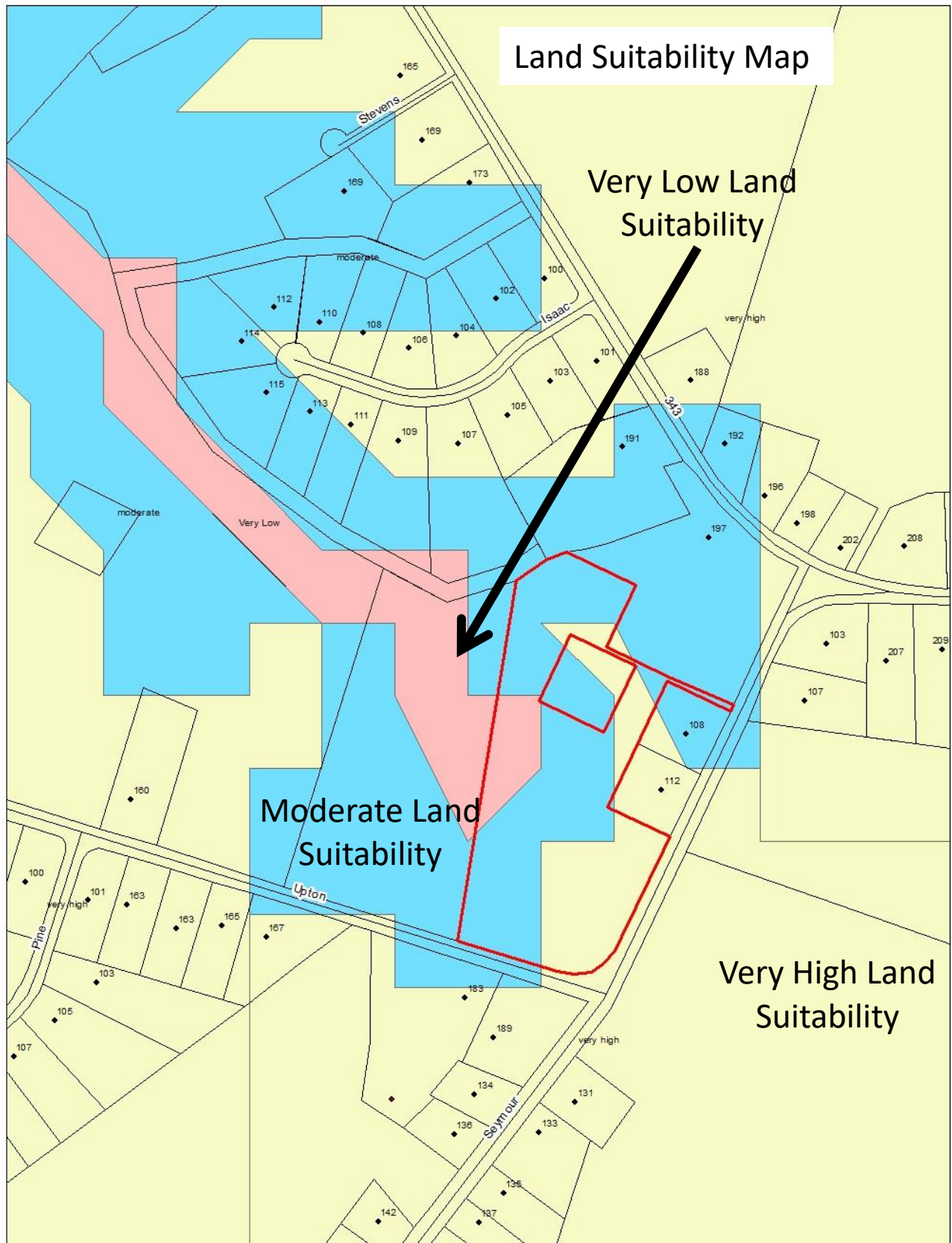
Proposed Use(s) – manufacturing and production of wood with sawmill and sales of products

Vicinity Map

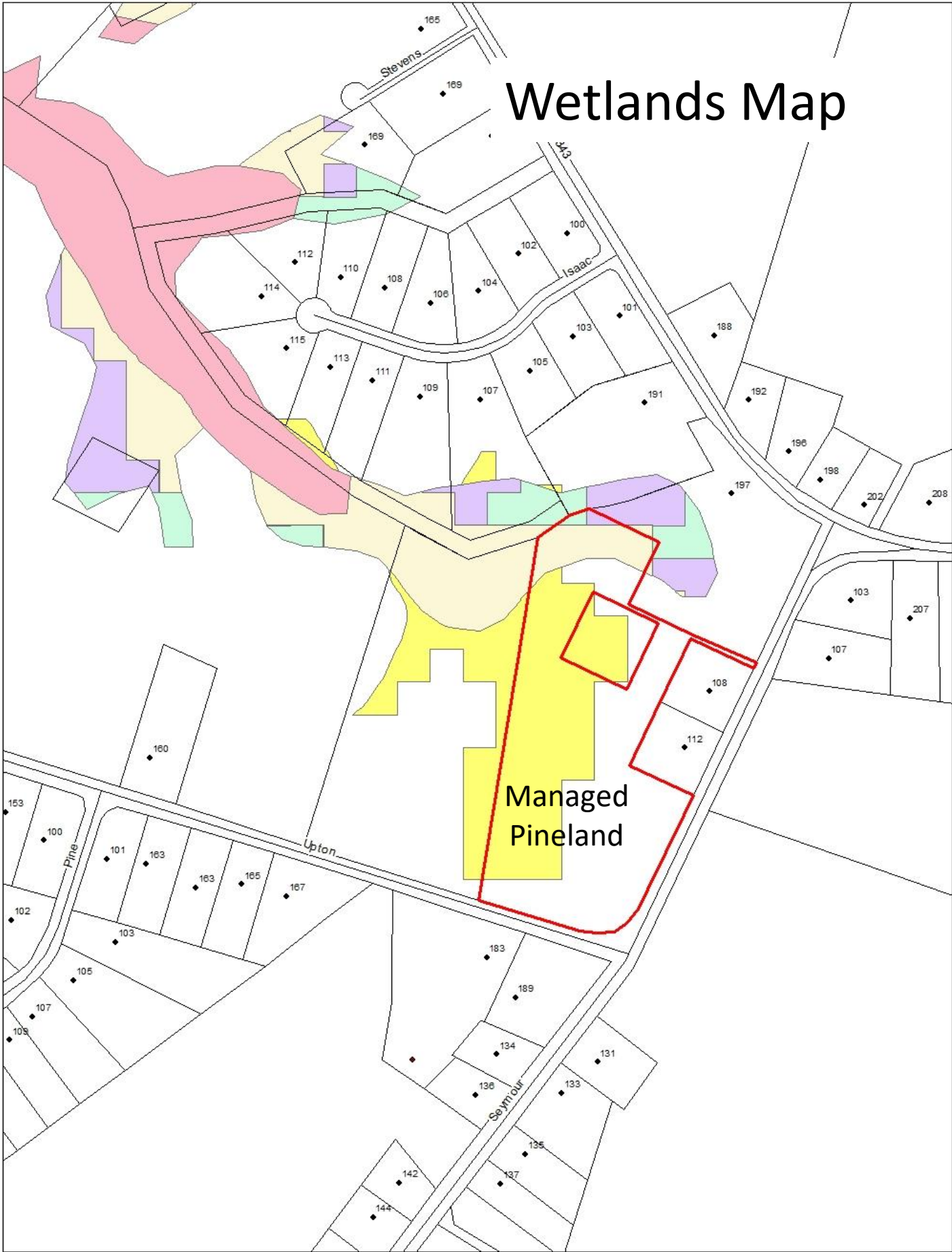


Zoning Map





Wetlands Map

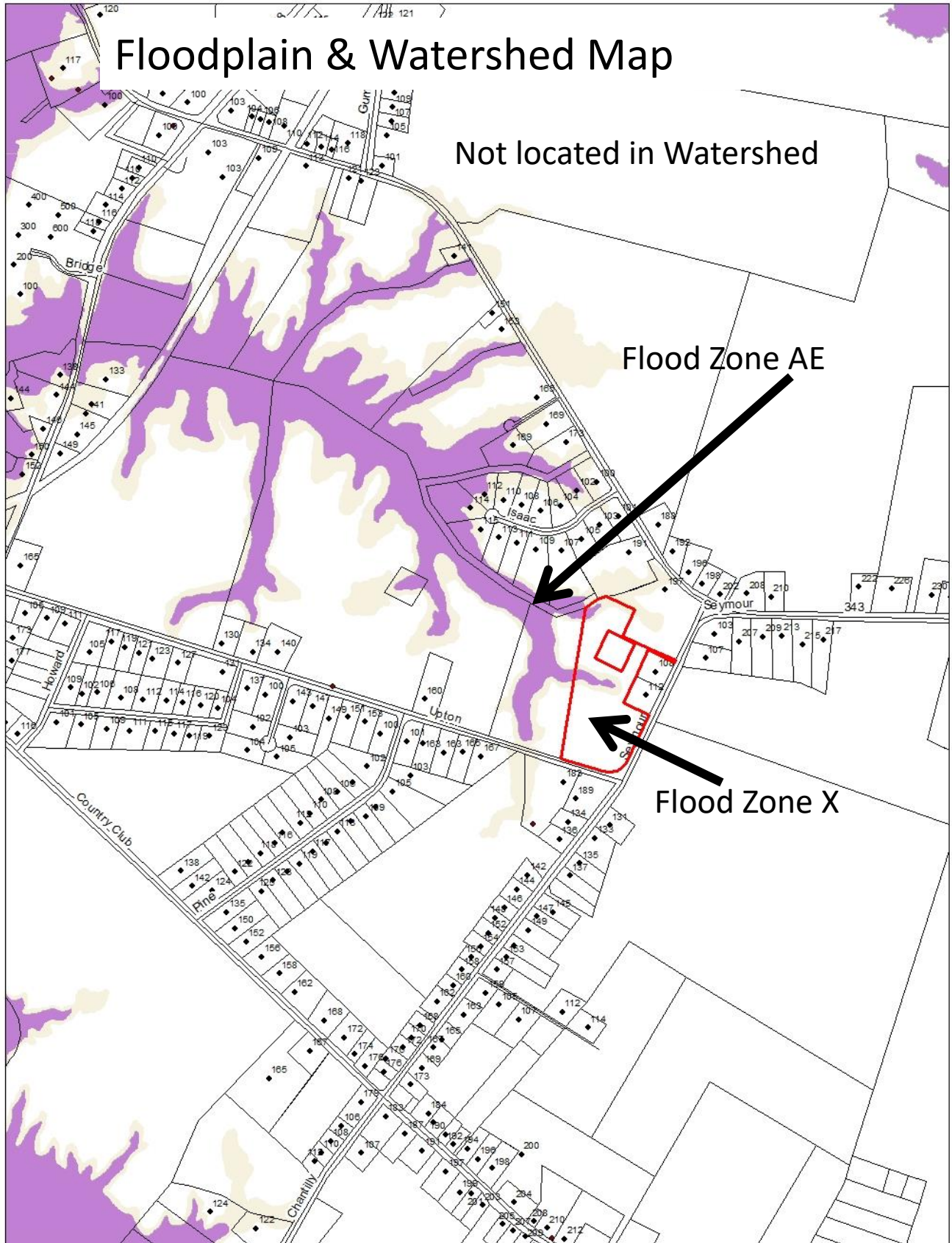


Floodplain & Watershed Map

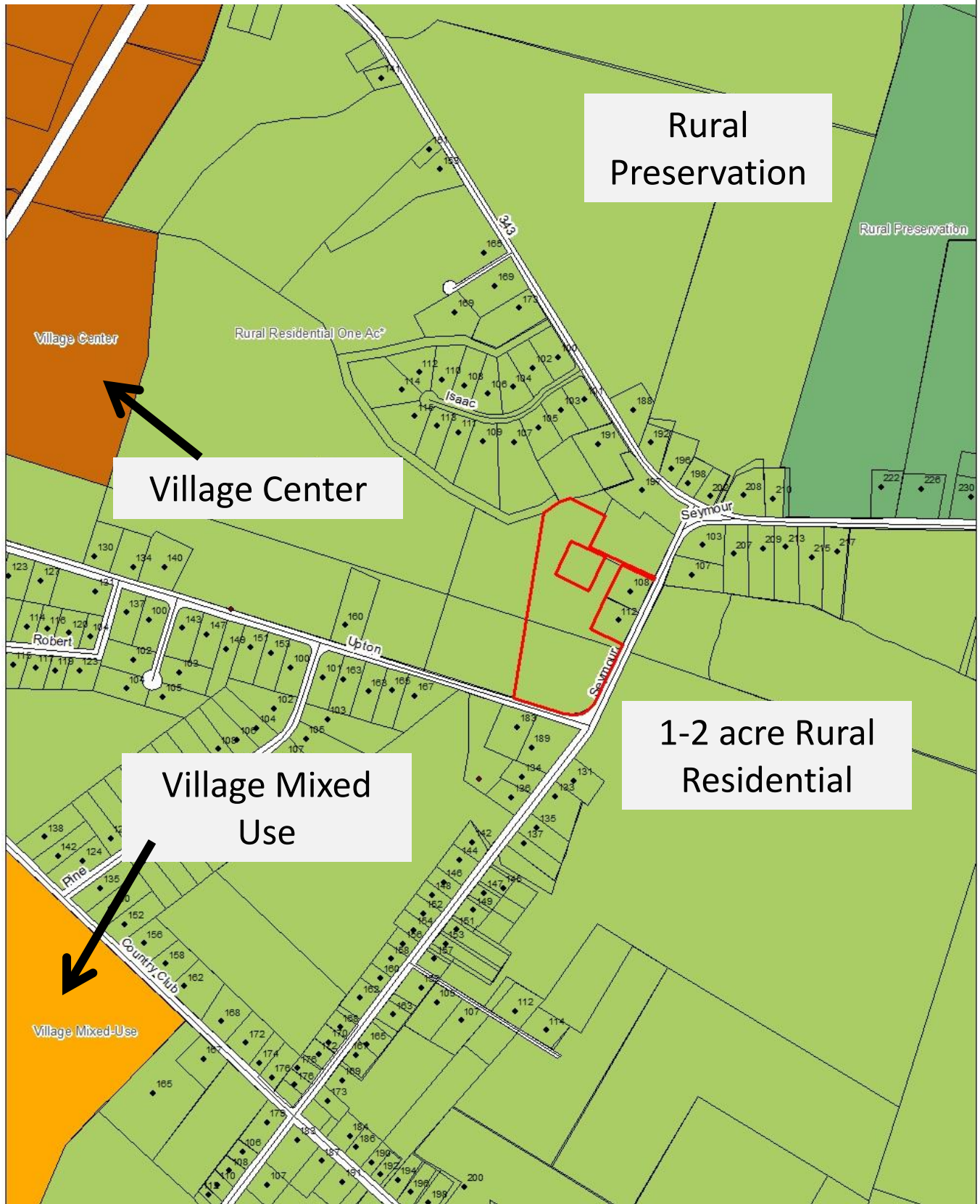
Not located in Watershed

Flood Zone AE

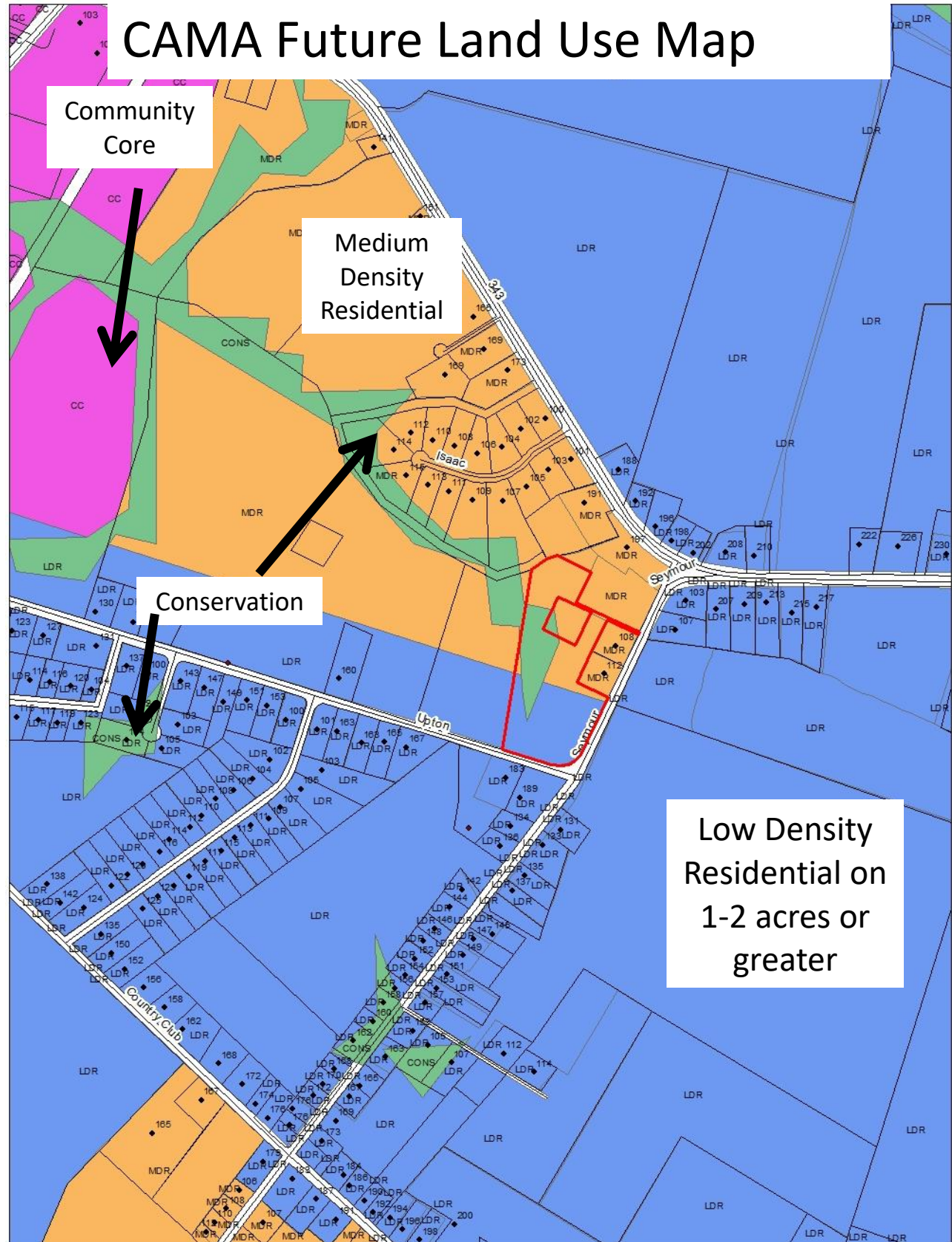
Flood Zone X



2035 Comprehensive Future Land Use Plan



CAMA Future Land Use Map



Water lines on Upton Road and Seymour Drive



INFRASTRUCTURE & COMMUNITY FACILITIES

Water: Water lines are located adjacent to property along Upton Road and Seymour Drive

Sewer: Not available.

Fire District: South Camden Fire District.

Schools: Proposed zoning will no impact on Schools.

Traffic: Proposed zoning should no impact 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 Maps has the majority of property identified as Medium Density Residential and Low Density Residential. Conservation with a small area on the property is identified as Conservation. The most restrictive, Medium Density Residential designated by a mixture of single-family dwelling types in relatively close proximity to core village. The district is intended to restrict the encroachment of incompatible business uses in established residential areas. designated to provide for effective long-term management of significant limited or irreplaceable areas.

2035 Comprehensive Plan

Consistent ☒

Inconsistent ☐

The County's Comprehensive Future Land Use Map (Adopted 2012) identifies the parcel as Rural Residential District One to Two Acre lots of residential areas as a buffer between rural preservation areas and more intense development.

Comprehensive Transportation Plan

Consistent ☒

Inconsistent ☐

Property abuts Seymour Drive and Upton Road.

Other Plans officially adopted by the Board of Commissioners

None.