



CAMDEN COUNTY

NORTH CAROLINA • USA

Boundless Opportunities.

PLANNING BOARD

January 20, 2021

7:00 PM

Regular Meeting

Historic Courtroom

Courthouse Complex

Agenda

**Camden County Planning Board
Regular Meeting
January 20, 2021, 7:00 PM
Historic Courtroom, Courthouse Complex**

- ITEM I. Call to Order & Welcome**
- ITEM II. Consideration of Agenda**
- ITEM III. Consideration of Minutes from December 16, 2020**
PB Minutes - 12-16-2020
- ITEM IV. Old Business**
- ITEM V. New Business**
Avery Shores - Rezoning Request - Avery Family Rev Trust
- ITEM VI. Information from Board and Staff**
- ITEM VII. Consider Date of Next Meeting - February 17, 2021**
- ITEM VIII. Adjourn**



CAMDEN COUNTY

NORTH CAROLINA • USA

Boundless Opportunities.

Camden County Planning Board AGENDA ITEM SUMMARY SHEET

Minutes

Item Number:

Meeting Date:

January 20, 2021

Submitted By:

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

Item Title

PB Minutes - 12-16-2020

Attachments:

pbminutes_12162020 (PDF)

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – December 16, 2020

Camden County Planning Board

Regular Meeting

December 16, 2020 7:00 PM

Historic Courtroom, Courthouse Complex

Camden, North Carolina

MINUTES

The regular meeting of the Camden County Planning Board was held on December 16, 2020 in the Historic Courtroom, Camden, North Carolina. The following members were present:

CALL TO ORDER & WELCOME

Planning Board Members, Staff, and Others Present:

Attendee Name	Title / Organization / Representing	Status	Arrived
Calvin Leary	Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Absent	
Rick McCall	Board Member	Absent	
Ray Albertson	Board Member	Present	6:50 PM
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
Dan Porter	Planning Director	Present	6:45 PM
Amy Barnett	Planning Clerk	Present	6:35 PM

CONSIDERATION OF AGENDA

Motion to Approve Agenda As Presented

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

CONSIDERATION OF MINUTES - OCTOBER 21, 2020

Motion to Approve Minutes from 10-21-20 As Written

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

Attachment: pbminutes_12162020 (2886 : PB Minutes - 12-16-2020)

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OLD BUSINESS - None

NEW BUSINESS

A. Amendments to Camden County Code of Ordinances

Dan Porter described the amendments, which are attached to these minutes as “Attachment A”. About a year ago, the NC General Assembly passed a new law regarding land use regulations for both cities & counties. In the past, chapter 153(A) was the chapter related to county land use regulations and chapter 160(A) was the regulations for municipalities. Over about a 3 or 4 year period, the Bar Association, the School of Government, the NC Chapter of American Planners Association, homebuilders, and some developers as well met and hashed out a new law, chapter 160(D). For the most part, there were no changes to the regulations specifically related to these laws, they were just combined into one chapter versus two. In those places where there were differences between the city and county regulations, 160(D) spells that out, and is specific in those section’s paragraphs.

There were some subsequent changes where, over time the courts have had to rule on certain issues, where the land use law was too vague. Those court decisions were codified and are included in the new law, 160(D)

Improvements to the regulations have been made in a few places, not many, mostly it was just re-organization, combination, and bringing the law up to date with what the court rulings have been.

These changes were supposed to have been adopted by cities and counties by the end of 2020, but due to the pandemic, the deadline for adoption was extended to July 1, 2021.

The School of Government put together a couple of books, several workshops, ongoing consulting programs, webinars, and etc. One of the books contained a cross reference index which contained locations of codes in the old law and where the equivalent codes were located in the new law. This was used to look up references to 153(A) and tell where that language was located in 160(D).

The first part of this amendment, referred to as Article III, is a table showing the old code locations in 153(A), the new code locations in 160(D), and the page in Camden’s ordinance where the code reference is located. The old code references are being deleted and the new reference being added to replace the old.

There were a couple of references to 153(A) which were not land use regulations which have been left as 153(A), so those are not included in this amendment.

Mr. Porter asked if the board had any questions about this first part. Hearing none, he continued on to the second part of the amendment, referred therein as Article IV.

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The second part of this amendment, the School of Government has gone through 160(D) and has identified all the things that local jurisdictions must make changes to, if not already present in the ordinances, and they've also made several suggested changes. The suggested changes included some miscellaneous changes having to do with appeals processes, what can be appealed, information regarding the processes of the courts and making decisions, etc.

When the last revisions to the Camden UDO were adopted, in February of 2020, this process was already under way and both the Planning Director as well as the consultant from Codewright Planners LLC were privy to these changes and had the opportunity to contribute in a few places.

The second part of this amendment includes those items that were not caught in the revisions that must be made to Camden's ordinance. The suggested items have been left out of this amendment, they may be brought up at a later date. Only those items needed to bring Camden's ordinance into compliance with the NC General Statutes are included here for consideration.

At this time, Mr. Porter then went through the changes, and explained what each one is.

Article III

This amendment is in regards to a new law put in place by the NC General Assembly which combines GS 153 and GS 160(A) into GS 160(D). There were no specific changes to the laws, only combining the two into one. Used to be separate GS for cities and for counties, 160(D) combines it such that the GS's are combined for both of them in one GS.

The deadline for local regulations to reflect the changes in GS references is July 1, 2021. The amendment simply replaces the GS references with the appropriate references to GS 160(D).

Article IV

Chapter 151 Section 1.5.2(E):

[NO DEVELOPMENT UNTIL COMPLIANCE WITH THIS ORDINANCE:
No Improvement to Subdivided Land]

Deletes language relating to phases of minor subdivisions, and minor subdivisions don't have phases.

Chapter 151 Section 2.2.7(C)(3):

[PUBLIC MEETINGS AND HEARINGS: Quasi-Judicial Public Hearings, Conflicts of Interest]

Section is deleted in order to combine conflicts of interest language into one entire section same as it is combined in the General Statutes (see Chapter 151 Section 11.8).

Chapter 151 Section 2.3.8(C)(2)(b):

[DEVELOPMENT AGREEMENTS: Development Agreement Procedure, Application Submittal]

Adds language to allow, and requires, a development agreement to be considered concurrently with zoning map or text amendments affecting development property, sketch plan, preliminary plat, or site plan or other development approval required under zoning regulations. Previously, development agreements and the above items had to be voted upon separately, with the development agreement being voted upon prior to preliminary plat. Combined efforts such as this are advertised at the same time, public hearing held on both at same time, and voted upon concurrently.

Nathan Lilley asked what would happen if there was disagreement with the development agreement when they are voted upon at the same time. He asked if the development agreement was not agreed with, does that mean the whole thing would be denied.

Dan Porter responded that since the development agreement is basically related to the general provisions and infrastructure for a project and its something that the developer volunteers what he is being obligated to, and the county has to agree with those obligations, and vice versa. Mr. Porter added that the county cannot require a developer to sign a development agreement, but the developer can ask the county to sign a development agreement, and county and developer can either agree to it or not. It does become a negotiation of sorts, with a bit of give and take.

A development agreement extends the period of time that a project can be vested. Vesting the project with a development agreement locks the rules and regulations that are in place at the time the approval is given for 20 years. Unless state or federal law changes, any changes to local law are not applicable or enforceable to a project that has a development agreement approved and in place. This is one reason why developers ask for a development agreement, so they don't get halfway through their project and the rules change on them making them change their processes.

Chapter 151 Section 2.3.9(C)(2)(c):

[EXEMPT SUBDIVISION: Subdivision Exemption Review Procedure, Application Submittal]

With regards to exempt subdivisions, application submittal: removes section requiring evaluation from Albemarle Regional Health Services pertaining to on site waste water systems. Camden has, for a period of time, required submissions for building permits on exempt subdivisions to also obtain perk tests and obtain septic permits prior to a building permit being issued. NC Courts have said that an exempt subdivision is exempt from subdivision regulations, so this can no longer be required. Other requirements, which a project would have to meet, that are not part of the subdivision regulations can still be required, such as the need for stormwater plans, etc. Stormwater plans are in the section under Environmental Regulations and so can be required of an exempt subdivision since they are not part of subdivision regulations. Things that cannot be required are for the exempt subdivision are perk tests, septic permits, access to roads, or hookup to county water, etc.

Chapter 151 Section 2.3.15(G)

[INTERPRETATION: Appeal]

Removes a mistake in the language, and adds the correction (deletes “on a floodplain development permit” and adds “of an administrative interpretation”).

Also adds (1) & (2) which clarifies the specifics with regard to any person with standing to submit an appeal, as required by GS160(D).

Chapter 151 Section 2.3.20(D)(1)(a):

[PRELIMINARY PLAT: Preliminary Plat Review Standards]

Removes the requirement that a preliminary plat be sealed by a licensed professional land surveyor, registered professional landscape architect, or licensed professional engineer. Also clarifies that the required certifications' language required on a preliminary plat do not have to be signed.

Prior to the Feb 4, 2019 UDO Update, a preliminary plat was more of a set of construction plans. After that date, the preliminary plat became more of a concept plan which is not specific enough to require the need for them to be signed and sealed. Construction plans will still have to be signed and sealed when they are submitted.

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Chapter 151 Section 2.3.24(C)(2)(c):

[TRANSFER PLAT: Transfer Plat Procedure, Application Submittal]

Adds requirement for deed restriction on a Transfer Plat such that on a transfer of land plat, transferring land from one immediate family member to another, that the land cannot be sold for a period of 5 years or until the child (if transfer is to a child) is 18 years old, whichever time period is greater, from the date of recordation at the Camden County Register of Deeds.

This deed restriction regarding sale of the property was in the old UDO but was inadvertently left out of the new UDO.

Chapter 151 Section 2.3.25(C)(4)(c):

[UDO TEXT AMENDMENT: Text Amendment Procedure, Review by Planning Board]

Changes requirement of Planning Board commenting on consistency with adopted policy guidance such that a written recommendation to the governing board addressing plan consistency is now required. Relates to comprehensive plan and any other officially adopted applicable plan, and other matters as deemed appropriate by the Planning Board.

Chapter 151 Section 2.3.25(C)(6)(d):

[UDO TEXT AMENDMENT: Text Amendment Procedure, Review & Decision by Board of Commissioners]

Replaces language in current (d)(1) through (7) with a simple paragraph which relates to Plan Consistency and the requirement for the Board of Commissioners, in making its decision, to approve a brief written statement on whether or not its action is consistent with an adopted comprehensive plan. Also requires that if the action is *inconsistent* with the adopted plan, then it has the effect of automatically amending any Future Land Use Map (FLUM) in the approved plan such that no request or application to amend said FLUM shall be required. Board of Commissioners no longer has to consider each of the 7 items listed in the current (d)(1) through (7) separately, now the Board can do one brief written statement which addresses consistency as a whole.

Attachment: pbminutes_12162020 (2886 : PB Minutes - 12-16-2020)

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Chapter 151 Section 2.3.25(C)(6)(F):

[UDO TEXT AMENDMENT: Text Amendment Procedure, Review & Decision by Board of Commissioners]

Adds a requirement for a “Statement of Reasonableness” with regard to adopting or rejecting any petition for an amendment. Such statement may consider, among other factors:

- Size, physical conditions and other attributes of property to be rezoned
- Benefits/detriments to landowners and adjacent property owners, and surrounding community
- Relationship between current actual and permissible development, and development permissible if amendment is approved
- Reason the action taken is in best interest of public
- Any change in conditions which warrant the amendment

With regards to Chapter 151 Section 2.3.25(C)(4)(c), (C)(6)(d), and (C)(6)(F) above, the motion to approve or deny an agenda item which relates to these may be one motion and the consistency statement and statement of reasonableness may be included in the motion to approve or deny. No longer has to be separate motions.

Chapter 151 Section 2.3.27(B)(5)(a) through (c):

[VESTED RIGHTS DETERMINATION: Applicability, Permit Choice]

Adds language stating that if a law or rule changes after an applicant submits an application for development, and the application is complete, but before the development application is approved, then the applicant has the choice of whether to follow the old rules or the new rules. Additionally if the applicant chooses to follow the old rules, they need not wait for the new rules to be ratified before they can act on their development permit. Applies to all development permit approvals issued by the State and/or local government.

The one thing that the applicant cannot do is to use some of the old rules and some of the new rules, applicant must choose either to use all of the old rules or all of the new rules.

Attachment: pbminutes_12162020 (2886 : PB Minutes - 12-16-2020)

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Chapter 151 Section 2.3.27(E)(3) and (4):

[VESTED RIGHTS DETERMINATION: Effect]

Number 3 adds language stating that establishment of a vested right under this section doesn't preclude, change, or impair the ability of the county to adopt and enforce development regulation provisions with regard to non-conforming situations or uses. Legal non-conforming uses stay legal non-conforming uses.

Number 4 adds language stating that a vested right under this section is not a personal right, it runs with the land such that all owners, current and future, are entitled to such rights.

Chapter 151 Section 2.3.27(F)(1)(c):

[VESTED RIGHTS DETERMINATION: Expiration]

Vested rights can either expire or be terminated for a certain number of reasons.

This changes the language to read that an evidentiary hearing, and not just a public hearing, shall be held upon findings by the Board of Commissioners with regards to expiration of vested rights. The hearing must be a quasi-judicial evidentiary hearing, where persons are sworn in, and only factual evidence presented at that specific hearing can be considered. No ex parte communication is allowed.

Chapter 151 Section 2.3.30(B)(6)(c):

[ZONING MAP AMENDMENT: Zoning Map Amendment Procedure, Review by Planning Board]

Adds language that states that the written recommendation to the governing board needs to address plan consistency with any adopted comprehensive plan, along with any other officially adopted plan(s) which may be applicable, and any other matters deemed appropriate.

Attachment: pbminutes_12162020 (2886 : PB Minutes - 12-16-2020)

Chapter 151 Section 2.3.30(B)(7)(d):

[ZONING MAP AMENDMENT: Zoning Map Amendment Procedure, Board of Commissioners Review & Decision]

Zoning Map Amendment Procedure, Board of Commissioners review and Decision:

Replaces language in current (d)(1) through (7) with a simple paragraph which relates to Plan Consistency and the requirement for the Board of Commissioners, in making its decision, to approve a brief written statement on whether or not its action is consistent with an adopted comprehensive plan. Also requires that if the action is *inconsistent* with the adopted plan, then it has the effect of automatically amending any Future Land Use Map (FLUM) in the approved plan such that no request or application to amend said FLUM shall be required. Board of Commissioners no longer has to consider each of the 7 items listed in the current (d)(1) through (7) separately, now the Board can do one brief written statement which addresses consistency as a whole.

Chapter 151 Section 2.3.30(B)(7)(e):

[ZONING MAP AMENDMENT: Zoning Map Amendment Procedure, Board of Commissioners Review & Decision]

Adds a requirement for a “Statement of Reasonableness” with regard to adopting or rejecting any petition for an amendment. Such statement may consider, among other factors:

- Size, physical conditions and other attributes of property to be rezoned
- Benefits/detriments to landowners and adjacent property owners, and surrounding community
- Relationship between current actual and permissible development, and development permissible if amendment is approved
- Reason the action taken is in best interest of public
- Any change in conditions which warrant the amendment

With regards to Chapter 151 Section 2.3.30(B)(6)(c), (B)(7)(d), and (B)(7)(e) above, the motion to approve or deny an agenda item which relates to these may be one motion and the consistency statement and statement of reasonableness may be included in the motion to approve or deny. No longer has to be separate motions.

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Chapter 151 Section 2.3.30(B)(7)(f):

[ZONING MAP AMENDMENT: Zoning Map Amendment Procedure, Board of Commissioners Review & Decision]

This was numbered (e), with the addition of (d) in the above section, this item was renumbered and amended as described below:

Modifications to county code which are considered to be inconsistent with the CAMA and / or Comprehensive Plan , but are nonetheless adopted, such plans are deemed to be amended once approved by the Board of Commissioners. Such changes to CAMA plan are sent to NC Division of Coastal Management for re-certification.

Chapter 151 Section 9.8.5(B)

[REVOCAION OF PERMITS]

This is something the courts have required, but has not been part of the law until now. Mr. Porter stated, as an example, if a developer has a special use permit which states they must do several things for their permit to remain valid, and they fail to do one or more of those things, then Camden can issue a stop work order, and the permit can be revoked. Since the developer had to go through a quasi-judicial process to get the permit issued, then they must also go through a quasi-judicial process for the permit to be revoked. This means, it has to be advertised, and a quasi-judicial hearing has to be held.

Chapter 151 Table 10.3: Definitions

[TERM: SUBDIVISION]

Adds language further defining “Subdivision” as NOT including “The division of land into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the North Carolina General Statutes.”

This is added as #5 under the paragraph which starts ' A “Subdivision” shall not include the following: '

Chapter 151 Section 11.5.3(C):

[PLANNING BOARD, Rules of Procedure]

Adds language requiring all Planning Board members to take an oath of office as required by NC GS 160D-309.

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Chapter 151 Section 11.6.2(1) and (2):

[BOARD OF COMMISSIONERS, Conflict of Interest]

Section deleted. Conflict of interest language for Board of Commissioners and any appointed boards has been combined into section 11.8.

Chapter 151 Section 11.8(A) through (F):

[AUTHORITIES: CONFLICT OF INTEREST]

(A) through (C):

Conflict of interest language for Board of Commissioners, any appointed boards, and administrative staff has been combined into one section in this section. In situations comprising a conflict of interest, no board or staff member shall participate in any decision thereto. Conflict of interest as it is written in this section is any matter “where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact” on the board or staff member. Additionally, such board or staff members shall not vote or participate in any zoning or text amendment for any land owner who is of a close family, business, or other associated relation.

(C) (1) through (3):

With regards to Administrative Staff decisions, if a conflict of interest exists, then the decision shall be assigned to the staff member’s supervisor or other staff member as designated by development regulation or other ordinance. Unless a staff member is the owner of the land or building involved, he/she is not allowed to hold a financial interest or be employed by any business with a financial interest in development subject to the regulations under this chapter. No staff member, other individual, or contractor providing staff support is allowed to perform any work that is inconsistent with his/her duties or the interest of local government.

(D)

With regard to Quasi-Judicial decisions, no board member is allowed to participate or vote on quasi-judicial matters that would violate affected persons’ constitutional rights to an impartial decision maker. Due process must be followed, having a fixed opinion on a quasi-judicial matter, undisclosed ex parte communications, close familial-business / other associated relationship with the affected person, or a financial interest in the outcome is not allowed on the part of decision makers.

(E)

If anyone objects to a board member’s participation on a quasi-judicial matter, and that member does not recuse him/her self, then the board hearing the matter shall vote on whether or not to recuse that member.

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(F)

Close familial relationship as the term is used in this section means a spouse, parent, child, brother, sister, grandparent, or grandchild, and also includes step, half, and in-law relationships.

At this time, Mr. Porter asked if the board had any questions about any of these amendments.

Cathleen Saunders asked about Section 2.3.9(C)(2)(c), specifically the deleted language regarding evaluation from Albemarle Regional Health Services for waste water systems. She asked if it is possible to approve a building permit for a house on such property without the requirement of a septic permit. Mr. Porter replied that the applicant would have to show they have some way to handle septic / wastewater.

At this time, Chairman Calvin Leary asked if there were any further questions. Hearing none, he called for a motion.

Motion to Approve the aforementioned Amendments to Camden County Code of Ordinances as Presented.

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

INFO FROM BOARD AND STAFF

A. Possibility of Combining Planning Board and BOA such that same members serve on both boards

Dan Porter spoke about possibility of combining the Planning Board and the Board of Adjustment (BOA) such that the same persons serve on both boards. Mr. Porter indicated that the Board of Adjustment has not met in over 4 years. He added that many other Boards of Adjustments and Planning Boards in the state of NC are combined in this manner, and that it is an option if the Planning Board wants to take on this role. He described the makeup of the BOA, 5 voting members with 2 alternates.

Nathan Lilley asked if the BOA would be put in a position of hearing an appeal of a PB decision. Mr. Porter said that since the Planning Board is a recommending board, and that the decisions are ultimately made by the Board of Commissioners, that any appeal would be of a decision made by the commissioners.

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Mr. Porter further explained the kinds of cases that the Board of Adjustment typically would hear.

Ray Albertson asked if there would be legal help in the form of the county attorney. Mr. Porter stated that if the case calls for it, the attorney can be asked to be present. Mr. Porter went on to explain that an appeal has to relate to the land and not the personal circumstances of the person appealing, and that this has to be provable by the appellant. Mr. Porter also said that the BOA is a quasi judicial board and that anyone who speaks has to be sworn in same as any court case.

Nathan Lilley asked what quasi-judicial means. Mr. Porter explained that it means a case / hearing that is heard by an appointed board where all persons who speak must be sworn in to tell the truth, and that only factual evidence can be considered. Mr. Porter went on to compare the types of decisions made by different bodies in order to further describe what quasi judicial means:

- Administrative decisions are made by staff and are a yes/no type of decision
- Legislative decisions can be based on opinions, procedures, policies
- Quasi Judicial decisions are heard by a board who is acting as a court of sorts in evidentiary proceedings. Only facts presented as evidence can be considered and those facts must be presented under oath at the meeting. Only evidence presented at the meeting can be considered. Sometimes, letters presented by other agencies can be accepted as facts. Further there can be no “ex parte communication”, meaning that the appellant cannot speak with any board members before the case is heard, nor can board members discuss among themselves before the meeting.

Cathleen Saunders observed that the onus is on the applicant to prove their side of the matter.

Nathan Lilley asked if there was a way to appeal a decision of the Board of Adjustment. Mr. Porter responded that it can be appealed to the NC Supreme Court.

Mr. Porter stated that before combining Planning Board and BOA, he would have to speak with the Board of Commissioners first. His purpose in discussing this tonight was to find out if the Planning Board members would be interested in serving as BOA. This may be brought back up at a later date.

B. 2021 Planning Board Meeting Schedule

Attachment: pbminutes_12162020 (2886 : PB Minutes - 12-16-2020)

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CONSIDER DATE OF NEXT MEETING - JANUARY 20, 2021

ADJOURN

Motion to Adjourn

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

*Chairman Calvin Leary
Camden County Planning Board*

ATTEST:

*Amy Barnett, Clerk
Camden County Planning Department*

See Next Page For Beginning of Attachment

Attachment: pbminutes_12162020 (2886 : PB Minutes - 12-16-2020)

Ordinance No. 2020-XX-XX

**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, 2020 and subsequently amended, and as otherwise incorporated into the Camden County Code.

Article II. Construction

- A. For the purposes of this Ordinance the Table in Article III relates strictly to changes in the General Statute citations from either 160A or 153A to the new General Statute 160D which combines the previous statutes. The table shows the page that the citation occurs, the citation deleted and the citation added.**
- B. For purposes of this Ordinance, Article IV relates to substantive changes required by the new General Statute 160D 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 (*italics*) and underlined.**

Article III. Amend Chapter 151 as amended of the Camden County Code as follows:

Page	From (Deletion)	To (addition)
1-4	Chapter 153A, Article 18 (Planning and Regulation of Development	Chapter 160 D (Local Planning and Development Regulation);
	160D	160D
	153A	160D
1-5	153A-340	160D-903
1-6	160A and 153A-340	160D605
	160A-383	160D-701
1-12	153A-344	160D-108
2-9	Section 153A-323, as well as Sections 160A-364, 160A-384, and 160A-388	160D-601,602
2-20	160A-393	160D-1402

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2-21	153A-357	160D-1110
2-22	153A-374 or 160A-434	160D1114
2-24	153A-374 or 160A-434	160D1114
2-25	153A-349.1 through 153A-349.13 and 160A-400	160D-Article 10
2-26	153A-349 through 349.13	160D – Article 10
	153A-344.1(e)	160D-1007
2-29	153A-395	160D-802
	153A-335	160D-802
2-53	160A-393	160D-1403
2-56	160A-393	160D-1402
2-66	160A-393	160D-1402
2-67	153A-344 or 160A-385	160D-108
4-39	160A-400.51	160D-935
4-40	160A-400.51	160D Article 9 Part 3
6-8	153A-331	160D-804
	153A-331	160D-804
6-9	153A-331	160D-804
	160A-422 & 153A-362	160D-403
	160A-175 & 153A324	160D-106
10-23 Bona Fide farm	153A-340	160D-903
10-24	160A-400.5	160D Article 9 part 3
10-25	160A-400.5	160D Article 9 part 3
	153A	160D
10-27	160A-400.51	160D Article 9 part 3
10-28	153A-344.1 & 160A-358.1	160D-1110
	153A-344.1 & 160A-358.	160D-1110
10-34	160A	160D
10-39	160A-385	160D-108
	160A-400.51	160D Article 9 part 3
10-43	160A-400.51	160D Article 9 part 3
	160A-400.51	160D Article 9 part 3
10-44	153A-471	160D
10-45	160A-385	160D-108
11-6	153A-321;160A-361;160A-387	160D-301
11-8	153A-340.h	160D-107
	153A-345.1; 160A-388	160D-302
11-10	153A-345.1; 160A-388	160D-406

Article IV Amend Chapter 151 as amended of the Camden County Code which shall read as follows

1.5.2 NO DEVELOPMENT UNTIL COMPLIANCE WITH THIS ORDINANCE

E. No Improvement to Subdivided Land

Improvements to subdivided land shall not be undertaken until approval of a preliminary plat for all or the active phase of a major subdivision or a minor subdivision approval for all or the active phase of a minor subdivision.

2.2.7 PUBLIC MEETINGS AND HEARINGS

C.

3. Conflicts of Interest

~~A review authority member shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to: a member having a fixed opinion prior to hearing the matter that is not susceptible to change; undisclosed ex parte communications; a close familial, business, or other associational relationship with an affected person; or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall, by majority vote, rule on the objection~~

2.3.8 DEVELOPMENT AGREEMENTS

A. Purpose and Intent

B. Applicability

C. Development Agreement Procedure

1. Pre-Application Conference

Applicable (see Section 2.2.2, Pre-Application Conference).

2. Application Submittal

a. Applicable (see Section 2.2.4, Application Submittal).

b. **The development agreement may, by ordinance, be incorporated, in whole or in part, into any development regulation adopted by the local government. A development agreement may be considered concurrently with a zoning map or text amendment affecting the property and development subject to the development agreement: a sketch plan or preliminary plat required under a subdivision regulation; or a site plan or other development approval required under a zoning regulation.** Applications for a development agreement shall be approved prior to review of any applications for development that will be subject to the development agreement.

2.3.9 EXEMPT SUBDIVISION

C. Subdivision Exemption Review Procedure

2. Application Submittal

- a. Applicable (see Section 2.2.4, Application Submittal).
- b. An application for exempt subdivision determination may be filed by the UDO Administrator, the Planning Board, the BOC, a landowner, or a contract purchaser.
- c. ~~Except for subdivisions where all lots shall be served by a central wastewater system, applications for an subdivision exemption shall include an evaluation from Albemarle Regional Health Services indicating that an on-site wastewater system may be used on each lot included in the subdivision.~~

2.3.15 INTERPRETATION

G. Appeal

Appeal of a decision ~~on a floodplain development permit~~ ***of an administrative interpretation*** shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.3.5, Appeal.

1. **Any person who has standing under G.S. 160D 405 or the local government may appeal an administrative decision to the Board of Adjustment.**
2. **An appeal is taken by filing a notice of appeal with the UDO Administrator within 30 days of receipt of the written interpretation.**

2.3.20 PRELIMINARY PLAT

D. Preliminary Plat Review Standards

1. An application for a preliminary plat shall be approved, provided:
 - a. The preliminary plat is prepared ~~and sealed~~ by a licensed professional land surveyor, registered professional landscape architect, or licensed professional engineer;
 - b. The preliminary plat complies with the applicable standards in Section 47-30 of the North Carolina General Statutes;
 - c. The preliminary plat includes all required certifications (***unsigned***);

2.3.24 TRANSFER PLAT

C. Transfer Plat Procedure

2. Application Submittal

- a.
- b.
- c. **Application shall be accompanied by a deed with the following DEED RESTRICTION: "In accordance with Article 151.2.3.24 of the Camden County Unified Development Ordinance, property cannot be sold for a period of five (5) years or until the child's 18th birthday (whichever is greater) from date of recording."**

2.3.25 UDO TEXT AMENDMENT

C. Text Amendment Procedure

- 1.
- 2.
- 3.

4. Review by Planning Board

- a. Applicable (see Section 2.2.8, Review by Planning Board and Section 2.2.7, Public Meetings and Hearings).
- b. The Planning Board, following review during a public meeting, shall make a recommendation on an application in accordance with Section 2.3.25.D, Text Amendment Review Standards.
- c. The Planning Board shall comment on whether or not the text amendment is consistent with the County's adopted policy guidance **The written recommendation to the governing board shall address plan consistency with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable, and other matters as deemed appropriate by the planning board.**

5.

6. Review and Decision by Board of Commissioners

- a. Applicable (see Section 2.2.9, Action by Review Authority, and Section 2.2.7, Public Meetings and Hearings).
- b. The Board of Commissioners, after the conclusion of a legislative public hearing, shall decide the application in accordance with Section 2.3.25.D, Text Amendment Review Standards.
- c. The decision shall be one of the following:
 1. Adoption of the text amendment as proposed;
 2. Adoption of a revised text amendment;
 3. Denial of the text amendment; or
 4. Remand of the text amendment application to the Planning Board for further consideration.
- d. ~~In making its decision, the Board of Commissioners shall adopt a written statement including each of the following:~~
 1. ~~Whether the text amendment application is approved, denied, or remanded; and~~
 2. ~~The degree to which the text amendment application is or is not consistent with the County's adopted policy guidance; and~~
 3. ~~The ways in which the text amendment application is or is not consistent with the County's adopted policy guidance; and~~
 4. ~~Whether approval of the text amendment application also amends or does not amend the County's adopted policy guidance; and~~
 5. ~~If the adopted policy guidance is amended as part of the application approval, a description of the change in conditions to meet the development needs of the County that were taken into account as part of the approval; and~~
 6. ~~An explanation of why the action taken by the Board of Commissioners is reasonable; and~~
 7. ~~An explanation of why the action taken by the Board of Commissioners is in the public interest.~~

d. Plan Consistency.

In making its decision, the Board of Commissioners shall approve a brief written statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. If the amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land use map in the approved plan and no additional request or application for a plan amendment shall be required.

- e. In cases where the BOC determines that adopted policy guidance is modified in accordance with the approval of a UDO text amendment, the County shall transmit the revised policy guidance to the NC Division of Coastal Management for re-certification.
- f. **Statement of reasonableness.**
When adopting or rejecting any petition for an amendment, the Board of Commissioners shall approve a brief statement explaining the reasonableness of the proposed amendment. The statement may consider, among other factors:
 1. **Size, physical conditions and other attributes of the area proposed to be rezoned;**
 2. **The benefits and detriments to the landowners, the neighbors, and the surrounding community;**
 3. **The relationship between the current actual and permissible development, and the development permissible under the proposed amendment;**
 4. **Why the action taken is in the public interest; and**
 5. **Any changed conditions warranting the amendment.**

2.3.27. VESTED RIGHTS DETERMINATION

A. Purpose and Intent

The purpose for the vested rights determination procedure section is to establish a clear procedure for an applicant to request vesting or protection from changes in this Ordinance that take place after approval of the application but prior to completion of an approved site-specific development plan in accordance with State law.

B. Applicability

1. A vested right may be established, in accordance with Section 160D-108 of the North Carolina General Statutes, and this section.
- 2.
- 3.
- 4.
5. **Permit Choice**
 - a. **If a permit applicant submits a permit for any type of development, an application made in accordance with local regulation is submitted for a development approval required pursuant to this Chapter and a rule-or ordinance-development regulation changes between the time the permit application was submitted and a permit decision is made, the permit applicant may choose which version of the rule or ordinance development regulation will apply to the permit application.**
 - b. **If the development permit applicant chooses the version of the rule or ordinance applicable at the time of the permit application, the development permit applicant shall not be required to await the outcome of the amendment to the rule, map, or ordinance prior to acting on the development permit.**
 - c. **This section applies to all development permit approvals issued by the State and by local governments. The duration of vested rights created by development approvals are as set forth in subsection (d) of North Carolina General Statute 160D-108.**

E. Effect

1. A vested rights determination shall be approved prior to issuance of a building permit.
2. The establishment of a vested right shall not preclude the application of overlay zoning district provisions that impose additional requirements but do not affect the allowable type and intensity of use, or through ordinances that are general in nature and are applicable to all property subject to land use regulation by the County, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes.
3. **Notwithstanding any provision of this section, the establishment of a vested right under this section shall not preclude, change or impair the authority of the county to adopt and enforce development regulation provisions governing non-conforming situations or uses.**
4. **A vested right obtained under this section is not a personal right, but shall attach to and run with the applicable property. After approval of a vested right under this section, all successors to the original landowner shall be entitled to exercise such rights.**

F. Expiration

1. A vested right determination shall expire and become null and void:
 - a)
 - b)
 - c) Upon a finding by the Board of Commissioners after notice and a public hearing **an evidentiary hearing**, that:

2.3.30. ZONING MAP AMENDMENT**A.****B. Zoning Map Amendment Procedure****6. Review by Planning Board**

- a. Applicable (see Section 2.2.8, Review by Planning Board, and Section 2.2.7, Public Meetings and Hearings).
- b. The Planning Board, following review during a public meeting, shall make a recommendation on an application in accordance with Section 2.3.30.C, Zoning Map Amendment Review Standards.
- c. **The written recommendation to the governing board shall address plan consistency with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable, and other matters as deemed appropriate by the planning board**

7. Board of Commissioners review and Decision

- a.
 - b.
 - c.
 - d. ~~In making its decision, the Board of Commissioners shall adopt written statement including each of the following:

 1. ~~Whether the zoning map amendment application is approved, denied, or remanded; and~~
 2. ~~The degree to which the zoning map amendment is or is not consistent with the County's adopted policy guidance; and~~
 3. ~~The ways in which the zoning map amendment is or is not consistent with the County's adopted policy guidance; and~~
 4. ~~Whether approval of the zoning map amendment amends or does not amend the County's adopted policy guidance; and~~
 5. ~~If the adopted policy guidance is amended as part of the application approval, a description of the change in conditions to meet the development needs of the County that were taken into account as part of the approval; and~~
 6. ~~An explanation of why the action taken by the Board of Commissioners is reasonable; and~~
 7. ~~An explanation of why the action taken by the Board of Commissioners is in the public interest~~~~
- d. ~~Whether approval of the zoning map amendment amends or does not amend the County's adopted policy guidance; and If the amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land use map in the approved plan and no additional request or application for a plan amendment shall be required.~~**
- e. ~~Statement of reasonableness~~**
When adopting or rejecting any petition for an amendment, the Board of Commissioners shall approve a brief statement explaining the reasonableness of the proposed amendment. The statement may consider, among other factors:
1. **Size, physical conditions and other attributes of the area proposed to be rezoned;**
 2. **The benefits and detriments to the landowners, the neighbors, and the surrounding community;**
 3. **The relationship between the current actual and permissible development; and the development permissible under the proposed amendment;**
 4. **Why the action taken is in the public interest; and**
 5. **Any changed conditions warranting the amendment.**
- e. **f.** In cases where the BOC determines that adopted **CAMA** policy guidance is modified in accordance with the approval of a planned development application, the County shall transmit the revised policy guidance to the NC Division of Coastal Management for re-certification.

9.8.5. REVOCATION OF PERMITS

- A. The County may, in its sole discretion, initiate a process to revoke a prior development approval or permit in response to a violation of this Ordinance.
- B. **The County shall follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval**
- C. The UDO Administrator or the Building Inspector, as appropriate, may initiate the revocation process by notifying the permit holder in writing, at least ten days prior to the commencement of revocation proceedings, stating the reason for the proposed revocation.
- D. Permits or certificates may be revoked, in accordance with Section 160D-1115 of the North Carolina General Statutes, for any of the following:
 - 1. Any substantial departure from the approved application, plans, or specifications;
 - 2. Refusal or failure to comply with the requirements of State or local laws; or
 - 3. For making false statements or misrepresentations in securing the permit, certificate, or approval.
- E. Any permit or certificate mistakenly issued in violation of an applicable State or County law may also be revoked by the appropriate authority.

TABLE 10.3: DEFINITIONS

ABUTTING LAND

For the purpose of public notice, abutting land is the condition of two parcels of land having a common property line or boundary, including cases where two or more parcels of land adjoin at a corner, ~~but not~~ including cases where parcels of land are separated by a street or alley.

SUBDIVISION

As used in this ordinance means all divisions of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition provided, however, that any subdivision document or plat to be recorded pursuant to such exclusions shall have the notation of "No Approval Required" and the signature of the UDO Administrator or his designated agent before filing in the office of the Camden County Register of Deeds.

A "Subdivision" shall not include the following:

- 1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown in this Ordinance.
- 2. The division of land into parcels greater than ten acres where no street right-of-way dedication is involved.
- 3. The public acquisition by purchase of strips of land for the widening or opening of streets.
- 4. The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way or easement dedication is involved and where the resultant lots equal or exceed the standards set forth in this Ordinance
- 5. **The division of land into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the North Carolina General Statutes.**

11.5. PLANNING BOARD

11.5.3. RULES OF PROCEDURE

A.

B.

C. Oath of Office

All members appointed to boards under this Article shall, before entering their duties, qualify by taking an oath of office as required by GS 160D-309.

11.6. BOARD OF COMMISSIONERS

11.6.2 CONFLICT OF INTEREST

1. A Board member shall not participate in or vote on any matter that has a direct, substantial, and readily identifiable financial impact on them or an immediate family member.
2. If an objection is raised to a member's participation and that member does not recuse himself or herself, then the remaining members shall by majority vote rule on the objection.

11.8. CONFLICT OF INTREST

A. Governing board. A governing board member shall not vote on legislative decisions regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A governing board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

B. Appointed boards. Members of appointed boards shall not vote on advisory or legislative decisions regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

C. Administrative staff. No staff member shall make a final decision on an administrative decision required by this Chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship.

- 1. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.**
- 2. No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this Chapter unless the staff member is the owner of the land or building involved.**
- 3. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is**

inconsistent with his or her duties or with the interest of the local government, as determined by the local government.

- D. Quasi-judicial decisions. A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.
- E. Resolution of Objection. If an objection is raised to a board member's participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection.
- F. Familial relationship. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

Adopted by the Board of Commissioners for the County of Camden this _____ day of _____ 2021.

County of Camden

Tom White, Chairman
Board of Commissioners

ATTEST:

[Seal]

Karen Davis
Clerk to the Board

Attachment: pbminutes_12162020 (2886 : PB Minutes - 12-16-2020)



CAMDEN COUNTY

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Camden County Planning Board AGENDA ITEM SUMMARY SHEET

New Business

Item Number:

Meeting Date: January 20, 2021

Submitted By: Amber Curling,
Planning & Zoning
Prepared by: Amy Barnett

Item Title Avery Shores - Rezoning Request - Avery Family Rev Trust

Attachments: 1_20210121_AveryShores_Rezoning_StaffReport (PDF)
2_ZoningMapAmendmentApplication (PDF)
3_SitePlan (PDF)
4_Zoning Comparision PD & WL to SR (PDF)
5_NeighborhoodMeetingInformation (PDF)
6_Deed (PDF)

Avery Family Revocable Trust (applicants are Steve Bradshaw & Preston Avery), have applied for a rezoning of parcels located off One Mill Road and Riggs Road in the Shiloh Township. Request is to rezone 2 parcels, first one from Planned Development (PD) to Suburban Residential (SR), and second one from Working Lands (WL) to Suburban Residential (SR) with a fragment of Rural Residential (RR) to Suburban Residential (SR).

STAFF REPORT

**UDO 2020-12-14
Zoning Map Amendment**

PROJECT INFORMATION

File Reference: UDO 2020-12-14
Project Name: Avery Shores
PIN: 03-8971-00-21-2552
03-8971-00-30-0834

Applicant: Avery Family Rev. Trust
Address: 102 Avery Dr
Shiloh, NC 27974
Phone: 252-455-1028
Email: sbrad11@gmail.com

Agent for Applicant: Self
Address:
Phone:
Fax:
Email:

Current Owner of Record: Applicant

Meeting Dates:
12/9/2020 **Neighborhood Meeting**
1/21/2021 **Planning Board Meeting**

Application Received: 12/10/2020
By: Amber Curling, Planning

Application Fee paid: \$1440.00 Ck# 1

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included:

- A. Rezoning Application
- B. Deed
- C. GIS Aerial, Current zoning, Comprehensive Plan Future Land Use and CAMA Land Use Plan Suitability Maps
- D. Neighborhood Meeting Comments
- E. Zoning Comparison PD & WL to SR

REQUEST: Zoning Map Amendment from Planned Development, Working Lands, and Rural Residential to Suburban Residential.

Rezone two parcels; first parcel 03-8971-00-30-0834-0000 of approximately 52 acres from Planned Development (PD) and second parcel 03-8971-00-21-2552-0000 of approximately 37 acres from Working Lands (WL) and a Rural Residential fragment (RR) to Suburban Residential (SR). All parcels are located off One Mill Rd and Riggs Rd in the Shiloh Township.

Rezoning from the following Zoning District:

Planned Development (PD) Purpose Statement (Article 151.3.6.3)

The Planned Development (PD) district is established and intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other County goals and objectives by:

- Reducing or diminishing inflexibility or uniform design that sometimes results from the strict application of zoning and development standards designed primarily for individual lots;
- Allowing greater freedom in selecting the means of providing access, open space, and design amenities;
- Allowing greater freedom in providing a well-integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;
- Providing for efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and
- Promoting quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site’s natural and man-made features, such as trees, estuaries, shorelines, special flood hazard area, and historic features.

Working Lands (WL) Purpose Statement Article 151.3.5.2)

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.

Rezoning to the following Zoning District:

Suburban Residential (SR) Purpose Statement (Article 151.3.5.5)

The Suburban Residential (SR) district is the County’s primary district for suburban residential neighborhoods located along primary roadways, shoreline areas, and in locations bordering rural areas. The district has a one-acre minimum lot area requirement, which is the basic threshold size for lots with on-site wastewater systems. Use of the conservation subdivision configuration is optional for residential subdivisions. While the district allows single-family detached homes, mobile homes on individual lots are prohibited. Nonconforming mobile homes may remain but may not be expanded or replaced with another mobile home. The district accommodates equestrian uses, utilities, as well as various neighborhood-supporting institutional uses such as parks, schools, and public safety facilities. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the suburban nature of the district

SITE DATA

Size of Lots: Approximately 52 and 37 acres for an approximate total of 89 acres
Flood Zone: AE
Zoning District(s): Planned Development (PD), Working Lands (WL) and Rural Residential (RR)
Existing Land Uses: Farmland

Adjacent Zoning & Uses:

	North	South	East	West
Zoning	Working Lands (WL)	Neighborhood Residential (NR)	Working Lands (WL)	Pasquotank River
Use & size	Wetlands & Farmland	Residential Lots, Woods, Farmland	Residential Lots, Wetlands & Farmland	NA

Proposed Use(s) – The proposed use is to develop 61 waterfront lots, creating the Conservation Subdivide of Avery Shores.

Description/History of property: The vacant property is located in southern portion of Shiloh off Riggs Road and One Mill Road. Majority of the property has been used as farmland; the remaining is wetlands and woods.

INFRASTRUCTURE & COMMUNITY FACILITIES

Water: Water lines are located adjacent to property along One Mill Road and Riggs Road

Sewer: Not available.

Fire District: Shiloh Fire District.

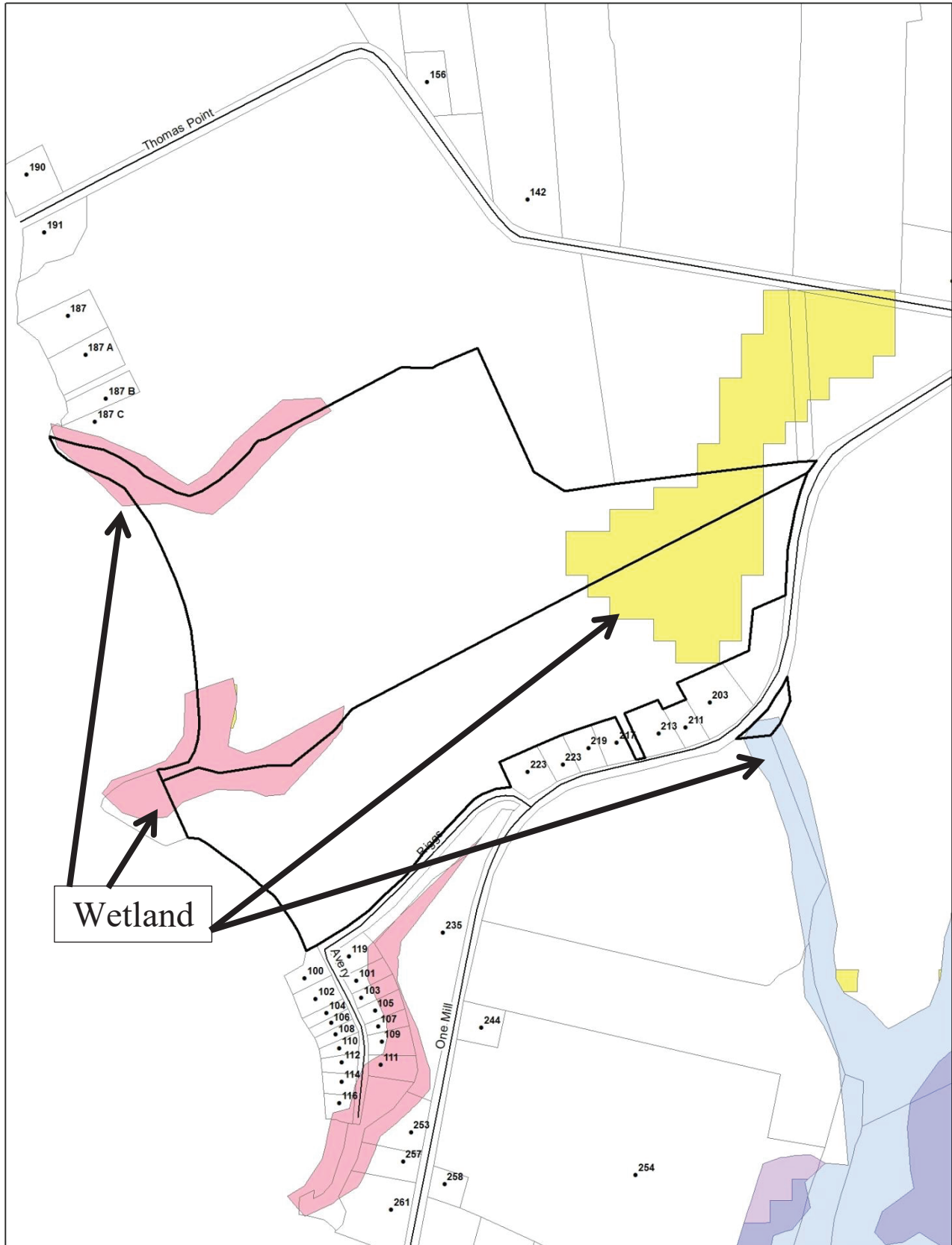
Schools: Proposed zoning will have an impact on Schools.

Traffic: Proposed zoning will have impact on Traffic. A Traffic Impact Analysis required at development stage.

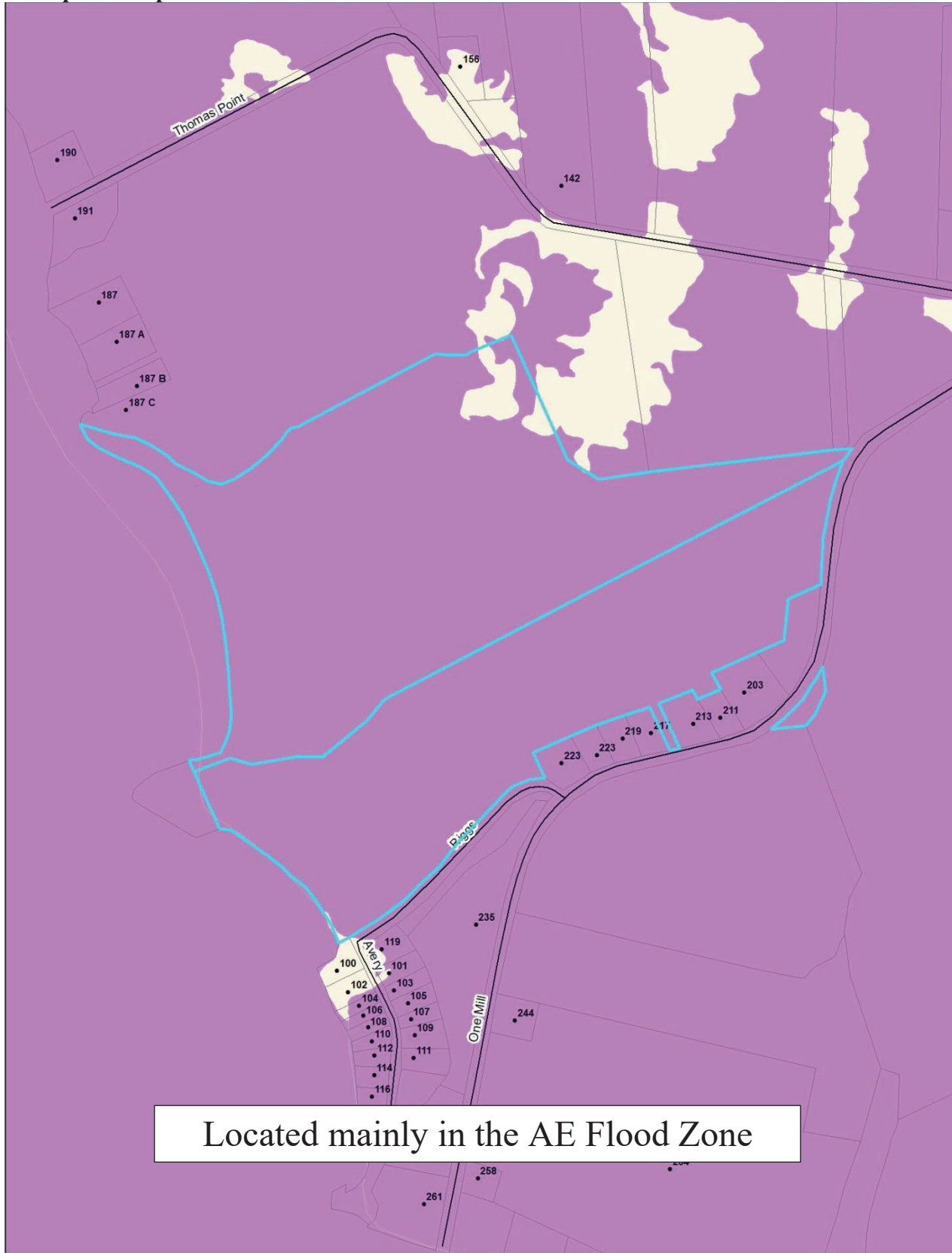
PROJECT LOCATION: Vicinity Map: Shiloh Township



Wetlands Map

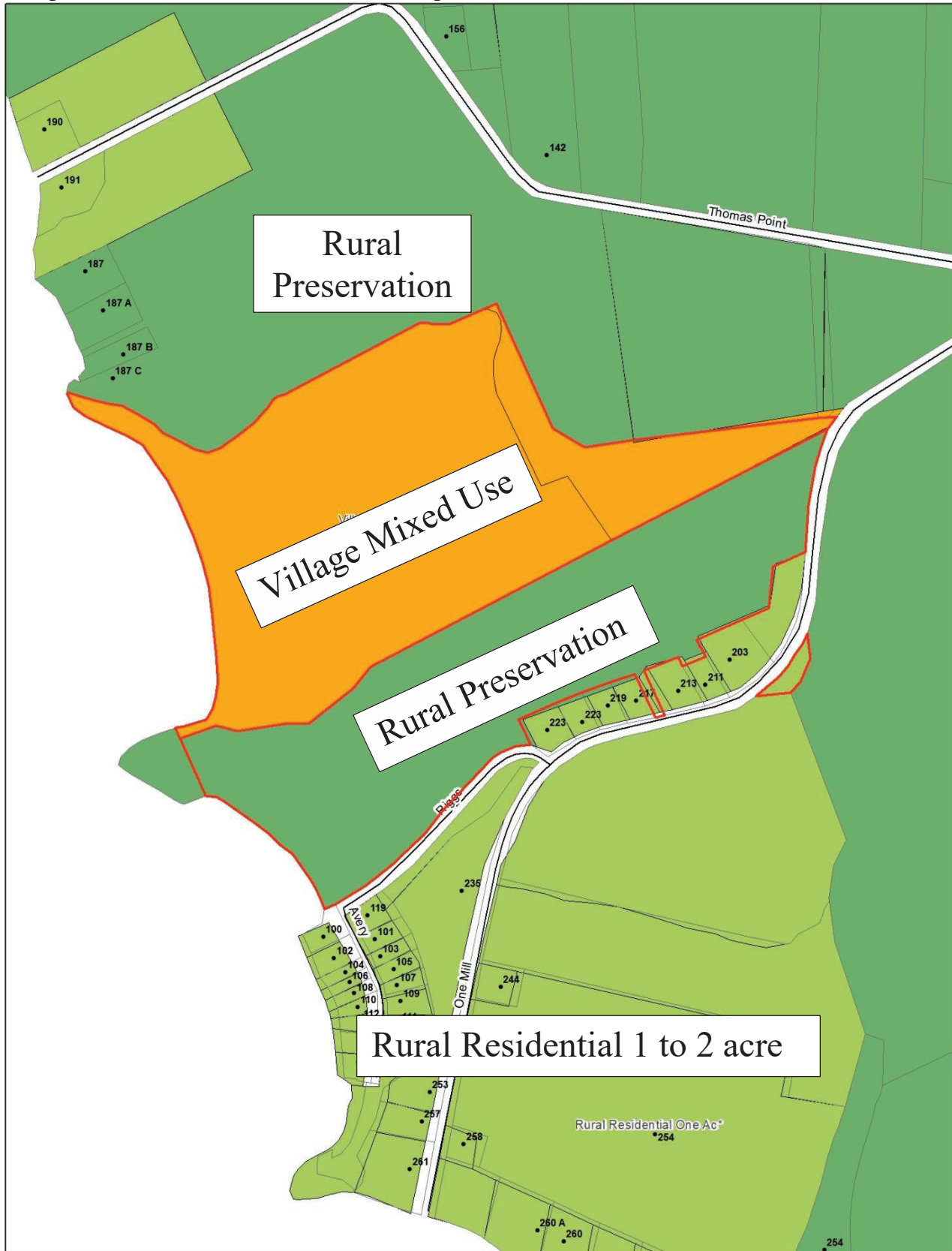


Floodplain Map



Located mainly in the AE Flood Zone

Comprehensive Plan Future Land Use Map





Shiloh 1 mile Buffer

Proposed Avery Shores

The goal when reviewing a project for 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

Summary

CONSISTENCY with PLANS and MAPS

2035 Comprehensive Plan

Consistent Inconsistent

The County’s Comprehensive Future Land Use Map (Adopted 2012) shows the current Planned Development Zoning Parcel to be Village Mixed Use. Village Mixed use areas include moderate to higher density mixed use including residential, commercial, and recreational uses. The Working Lands are shown on the Future Land Use map as Rural Preservation. Rural Preservation promotes the continued use of working lands and protection of environmentally sensitive lands from more intense development.

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 Conservation. Small areas on the water are identified as Low Density Residential. Conservation is designated to provide for effective long term management of significant limited or irreplaceable areas.

Comprehensive Transportation Plan

The Camden County Comprehensive Transportation Plan does not identify any roads as needing improvement or recommended for improvement south of Wharf Rd on Hwy 343 south.

-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?

In Camden County 0.63% is zoned as Planned Development, 72.95% is zoned as Working Lands and 1.79% of the property is zoned as Suburban Residential.

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

There is very limited waterfront property left to be developed.

3. Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?

The range of uses between Planned Development, Working Lands and Suburban Residential are similar. Planned Development may allow for commercial development not allowed in other two districts and the proposed density is established upon approval of Masterplan. Suburban Residential allows for higher density than Working Lands. 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?

The proposed zoning uses will have an impact on all public facilities. The Preliminary Plat Application will require a Development Impact Statement. The Development Impact Statement is determined by the Physical Analysis, Housing Market Analysis Water Analysis, Sewer Analysis, Fiscal Analysis and Traffic Analysis.

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

The proposed zoning uses will have an impact on all public services. The specific service and to what extent the impact will be projected during the development approval process of the property, using recommendations from the Technical Review Committee.

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

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?

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

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

The request does not raise serious legal questions.

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

Yes the proposed development includes areas of environmental concern. Concerns are flood zone AE, wetlands, and the waterfront. The development process will include the required documentation for Federal, State and County; (CAMA permit, NCDEQ Erosion & Sediment Control permit, NCDEQ Stormwater permit, Approved County drainage plan, and any other appropriate approvals.)

Recommendations:

Planning Staff recommends approval of the Rezoning Application (UDO 2020- 12-14) of the Avery parcels on One Mill Rd and Riggs Road from Planned Development, Working Lands, and Rural Residential to Suburban Residential. This recommendation is based on the 2035 Comprehensive Plan which identifies: (1) 52 acres as Village Mixed Use with an appropriate specific use as moderate and higher density residential uses (up to 14 dwellings units per acre); (2) 37 acres as Rural Preservation with appropriate uses of farms and forestry sites.

Zoning Change Application Questions

The UDO requires the Board to consider principal issues when considering an application for a zoning change. Please respond to each issue in the space provided below or on a separate sheet.

(A) How will the proposed zoning change enhance the public health, safety, or welfare?

Down grading of the current PUD zoning for the northern parcel to Suburban Residential will greatly reduce the amount of residential density while the rezoning of the southern parcel from Working Lands to Suburban Residential, will provide continuity with the adjacent residential pockets along One Mill Road and Avery Drive. The combination of reduced density, potential for conservation areas and the development of shoreline property, will contribute to a lower impact development with less demand on infrastructure while highlighting higher valued property.

(B) Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?

In keeping with the Suburban Residential zone's Purpose Statement, primary placement of such neighborhoods is to be along areas such as primary roads, shoreline area and bordering on rural areas. The parcels proposed for rezoning have over 2,000 linear feet of shoreline combined on the Pasquotank River, much of which can be developed.

(C) For proposals to re-zone to non-residential districts along major arterial roads:

(1) Is this an expansion of an adjacent zoning district of the same classification?

(2) What extraordinary showing of public need or demand is met by this application?



**Camden County, North Carolina
Principal Use Table, District Comparison**

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

Attachment: 4_Zoning Comparison PD & WL to SR (2887 : Avery Shores - Rezoning Request - Avery Family Rev Trust)

**Camden County, North Carolina
Principal Use Table, District Comparison**

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

Attachment: 4_Zoning Comparison PD & WL to SR (2887 : Avery Shores - Rezoning Request - Avery Family Rev Trust)

**Camden County, North Carolina
Principal Use Table, District Comparison**

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

Attachment: 4_Zoning Comparison PD & WL to SR (2887 : Avery Shores - Rezoning Request - Avery Family Rev Trust)

**Camden County, North Carolina
Principal Use Table, District Comparison**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	PD	SR
RECREATION/ENTERTAINMENT, OUTDOOR			
<i>Major</i>		A	
<i>Minor</i>		A	
<i>Firing Range</i>			
<i>Water-Related Uses</i>		A	
RETAIL SALES			
<i>Flea Market</i>		A	
<i>Grocery Store</i>		A	
<i>Major</i>		A	
<i>Minor</i>		A	
STORAGE, COMMERCIAL			
<i>Major</i>		A	
<i>Minor</i>		A	
TELECOMMUNICATIONS			
<i>Antenna Collocation (on a Building)</i>		A	
<i>Antenna Collocation (on a Tower)</i>		A	
<i>Small Wireless Facility</i>		A	
<i>Telecommunications Tower, Freestanding</i>		A	
<i>Telecommunications Tower, Stealth</i>		A	P
VEHICLE ESTABLISHMENT			
<i>Major</i>		A	
<i>Minor</i>		A	
VISITOR ACCOMMODATIONS			
<i>Bed and Breakfast</i>		A	
<i>Campground</i>		A	
<i>Hotel or Motel</i>		A	
Industrial			
EXTRACTIVE INDUSTRY			
<i>All</i>			
INDUSTRIAL SERVICES			
<i>Contractor Service</i>		A	
<i>Crabshedding</i>			
<i>Fuel Oil or Bottled Gas Distributor</i>			
<i>General Industrial Service and Repair</i>		A	
<i>Heavy Equipment Sales, Rental, or Service</i>		A	
<i>Research and Development</i>		A	

Attachment: 4_Zoning Comparison PD & WL to SR (2887 : Avery Shores - Rezoning Request - Avery Family Rev Trust)

**Camden County, North Carolina
Principal Use Table, District Comparison**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited		PD	SR
MANUFACTURING AND PRODUCTION				
<i>Manufacturing, Heavy</i>			A	
<i>Manufacturing, Light</i>			A	
POWER GENERATION				
<i>Solar Array</i>			A	S
<i>Wind Energy Conversion Facility</i>			A	
WAREHOUSE AND FREIGHT MOVEMENT				
<i>All</i>			A	
WASTE-RELATED SERVICES				
<i>Incinerator</i>				
<i>Land Application of Sludge/Septage</i>				
<i>Landfill</i>				
<i>Public Convenience Center or Transfer Station</i>				
<i>Recycling Center</i>			A	
<i>Salvage or Junkyard</i>				
<i>Waste Composting Facility</i>				
WHOLESALE SALES				
<i>Major</i>			A	
<i>Minor</i>			A	

Attachment: 4_Zoning Comparison PD & WL to SR (2887 : Avery Shores - Rezoning Request - Avery Family Rev Trust)

**Camden County, North Carolina
Principal Use Table, District Comparison**

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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			
<i>Agri-Education/ Agri-Entertainment</i>	P			
<i>Distribution Hub for Agriculture Products</i>	P			
<i>Equestrian Facility</i>	P		S	
<i>Farm Machinery Sales, Rental, or Service</i>	S			
<i>Farmers Market</i>	P			
<i>Roadside Market</i>	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>				
<i>Pocket Neighborhood</i>				
<i>Quadraplex</i>				
<i>Single-Family Attached</i>				
<i>Single-Family Detached</i>	P		P	
<i>Triplex</i>				
<i>Upper Story Residential</i>				
GROUP LIVING				
<i>Dormitory</i>				
<i>Family Care Home</i>	P		P	
<i>Group Home</i>	S			
<i>Rooming House</i>	S			

Attachment: 4_Zoning Comparison PD & WL to SR (2887 : Avery Shores - Rezoning Request - Avery Family Rev Trust)

**Camden County, North Carolina
Principal Use Table, District Comparison**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	WL	SR
Institutional			
COMMUNITY SERVICES			
<i>Community Center</i>			
<i>Cultural Facility</i>			
<i>Library</i>			
<i>Museum</i>			
<i>Senior Center</i>			
<i>Youth Club Facility</i>			
DAY CARE			
<i>Adult Day Care Center</i>			
<i>Child Care Center</i>		P	
EDUCATIONAL FACILITIES			
<i>Major</i>			
<i>Moderate</i>		S	
<i>Minor</i>		P	S
GOVERNMENT FACILITIES			
<i>Government Office</i>		P	
<i>Government Maintenance, Storage, or Distribution Facility</i>		S	
HEALTH CARE FACILITIES			
<i>Drug or Alcohol Treatment Facility</i>			
<i>Hospital</i>			
<i>Medical Treatment Facility</i>		S	
INSTITUTIONS			
<i>Assisted Living Facility</i>			
<i>Club or Lodge</i>		S	
<i>Halfway House</i>			
<i>Nursing Home</i>			
<i>Psychiatric Treatment Facility</i>			
<i>Religious Institution</i>		S	
PARKS AND OPEN AREAS			
<i>Cemetery</i>		S	S
<i>Community Garden</i>		P	P
<i>Park, Public or Private</i>		P	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	SR
PUBLIC SAFETY			
<i>Police, Fire, or EMS Facility</i>		S	S
<i>Correctional Facility</i>			
<i>Security Training Facility</i>			
TRANSPORTATION			
<i>Airport</i>		S	
<i>Helicopter Landing Facility</i>		S	
<i>Passenger Terminal, Surface Transportation</i>			
UTILITIES			
<i>Utility, Major</i>		P	S
<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	
<i>Minor</i>		P	
EATING ESTABLISHMENTS			
<i>Restaurant, Major</i>			
<i>Restaurant, Minor</i>			
<i>Bar, Nightclub, or Dance Hall</i>			
OFFICES			
<i>Major</i>			
<i>Minor</i>			
PARKING, COMMERCIAL			
<i>All</i>			
PERSONAL SERVICES			
<i>Major</i>			
<i>Minor</i>			
RECREATION/ENTERTAINMENT, INDOOR			
<i>Major</i>			
<i>Minor</i>			

Attachment: 4_Zoning Comparison PD & WL to SR (2887 : Avery Shores - Rezoning Request - Avery Family Rev Trust)

**Camden County, North Carolina
Principal Use Table, District Comparison**

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<i>Major</i>			S	
<i>Minor</i>			S	
<i>Firing Range</i>			S	
<i>Water-Related Uses</i>			S	
RETAIL SALES				
<i>Flea Market</i>				
<i>Grocery Store</i>				
<i>Major</i>				
<i>Minor</i>				
STORAGE, COMMERCIAL				
<i>Major</i>				
<i>Minor</i>				
TELECOMMUNICATIONS				
<i>Antenna Collocation (on a Building)</i>				
<i>Antenna Collocation (on a Tower)</i>			P	
<i>Small Wireless Facility</i>			P	
<i>Telecommunications Tower, Freestanding</i>			S	
<i>Telecommunications Tower, Stealth</i>			P	P
VEHICLE ESTABLISHMENT				
<i>Major</i>				
<i>Minor</i>				
VISITOR ACCOMMODATIONS				
<i>Bed and Breakfast</i>			P	
<i>Campground</i>			S	
<i>Hotel or Motel</i>				
Industrial				
EXTRACTIVE INDUSTRY				
<i>All</i>			S	
INDUSTRIAL SERVICES				
<i>Contractor Service</i>				
<i>Crabshedding</i>				
<i>Fuel Oil or Bottled Gas Distributor</i>				
<i>General Industrial Service and Repair</i>				
<i>Heavy Equipment Sales, Rental, or Service</i>				
<i>Research and Development</i>				

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**Camden County, North Carolina
Principal Use Table, District Comparison**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited		WL	SR
MANUFACTURING AND PRODUCTION				
<i>Manufacturing, Heavy</i>				
<i>Manufacturing, Light</i>				
POWER GENERATION				
<i>Solar Array</i>			S	S
<i>Wind Energy Conversion Facility</i>			S	
WAREHOUSE AND FREIGHT MOVEMENT				
<i>All</i>				
WASTE-RELATED SERVICES				
<i>Incinerator</i>				
<i>Land Application of Sludge/Septage</i>				
<i>Landfill</i>				
<i>Public Convenience Center or Transfer Station</i>			S	
<i>Recycling Center</i>			S	
<i>Salvage or Junkyard</i>				
<i>Waste Composting Facility</i>			S	
WHOLESALE SALES				
<i>Major</i>				
<i>Minor</i>				

Attachment: 4_Zoning Comparison PD & WL to SR (2887 : Avery Shores - Rezoning Request - Avery Family Rev Trust)



1805 West City Drive
Unit E
Elizabeth City, NC 27909

P 252.621.5030
F 252.562.6974
www.timmons.com

November 23, 2020

RE: Proposed Rezoning

To Whom It May Concern:

You are receiving this notice because you own property near a parcel of land proposed for rezoning. The proposed rezoning will result in one parcel being rezoned from Planned Development and another parcel from Working Lands to both being rezoned to Suburban Residential.

A community meeting has been scheduled for Wednesday, December 9, 2020 at 6:00 pm in the upstairs courtroom of the Historic Camden County Courthouse. At the meeting, the project will be presented to the community and you will have an opportunity to provide comments to the applicant and Camden County.

If you are unable to attend the meeting or would like to discuss the project prior to the meeting, please feel free to contact me at the phone number above.

Sincerely,

Jason Mizelle, PLS

Parcel Proposed for Rezoning



ABODE OF CAMDEN, INC
187 THOMAS POINT ROAD
SHILOH, NC 27974

AKBJ, LLC
1381 S HWY 343
SHILOH, NC 27974

MARSHALL BURGESS
1051 CHESWICK ROAD
RICHMOND VA 23235

JOHN & BRENDA COCHRAN
187 A THOMAS POINT ROAD
SHILOH, NC 27974

LINDA & ROBERT DENNY
217 ONE MILL ROAD
SHILOH, NC 27974

DEMPSEY FORBES
235 ONE MILL ROAD
SHILOH, NC 27974

REGGIE FORBES
213 ONE MILL ROAD
SHILOH, NC 27974

WILLARD FORBES
C/O THELMA FORBES
2012 STERLING POINT DRIVE
PORTSMOUTH VA 23703

PATRICIA & JAMES HUMBLET
106 AVERY DRIVE
SHILOH, NC 27974

SAMUEL LEARY, JR
1151 WHITBURN TERRACE
CHESAPEAKE VA 23322

MELISSA MACKAY &
GREGORY GRANLUND
119 RIGGS ROAD
SHILOH, NC 27974

BONNIE RIGGS
223 ONE MILL ROAD
SHILOH, NC 27974

DWIGHT RIGGS &
NANCY SWAIN
700 ELDERBERRY COURT
CHESAPEAKE VA 23320

WILLIAM C. SARGENT JR
2213 TULLS COVE RD
WINTERVILLE, NC 28590

WILLIAM M. SARGENT
203 ONE MILL ROAD
SHILOH, NC 27974 6227

NICHOLAS & CRYSTAL WILLIAMS
211 ONE MILL ROAD
SHILOH, NC 27974

C/O AMBER CURLING
CAMDEN COUNTY PLANNING DEPARTMENT
PO BOX 74
CAMDEN, NC 27921

STEVEN BRADSHAW
102 AVERY DRIVE
SHILOH, NC 27974



1805 West City Drive
Unit E
Elizabeth City, NC 27909

P 252.621.5030
F 252.562.6974
www.timmons.com

COMMUNITY MEETING REPORT FOR AVERY FAMILY TURST

Project: Rezoning 88.8-Acres on Riggs Road
Facilitator: Jason Mizelle – Timmons Group
Date & Time: December 9, 2020 @ 6:00 PM
Location: Historic Camden Court House

In preparation for the Community Meeting, eighteen notices were mailed out notifying the adjoining property owners & the County Staff about the meeting. Five Camden residents attended, most of whom resided along the One Mill Road side of the project. Also, in attendance were Amber Curling of the Camden County Planning Department, Steve Bradshaw & Preston Avery (applicants) as well as Jason Mizelle of Timmons Group.

I opened the meeting with an explanation of the rezoning process and what specifically the applicants were looking to do with the property, if approved. Having the meeting early in the review process gives the developer and the design professionals time to analyze comments, address concerns and possibly make changes. I explained that we were at the very beginning of the process and there was a long way to go in order to see a project like this to fruition.

Steve Bradshaw, one of the applicants, then reviewed in detail the thought process behind the type of development being sought and why the change from the PUD & Working Lands designations to Suburban Residential was more befitting of the property and its proximity to the water.

Much of the question and answers with those in attendance centered around the timing of the project and when construction might commence. It was relayed that the project would likely not start construction for a year and even then it would be phased construction.

Other items discussed were in relation to some of the current property use encroachments of the residences along One Mill Road and that it was the applicants desire to convey that portion of the parcel that would make up the area in use, so as to have those residents not have to relocate or modify any improvements made. It was explained that the sliver of land in question was not being included in our project limits or calculations.

Mr. Bradshaw reviewed the concept plan in further detail to highlight the areas adjacent to the residents in attendance parcels and to discuss the hopes that the inclusion of canal connections to the river would aid in some of the drainage woes that were currently occurring in that area.

The meeting was concluded at 7:00 pm as there were no further questions or discussion.

Respectfully submitted,

Jason A. Mizelle, PLS
Timmons Group

Cc Camden County Planning



TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS.

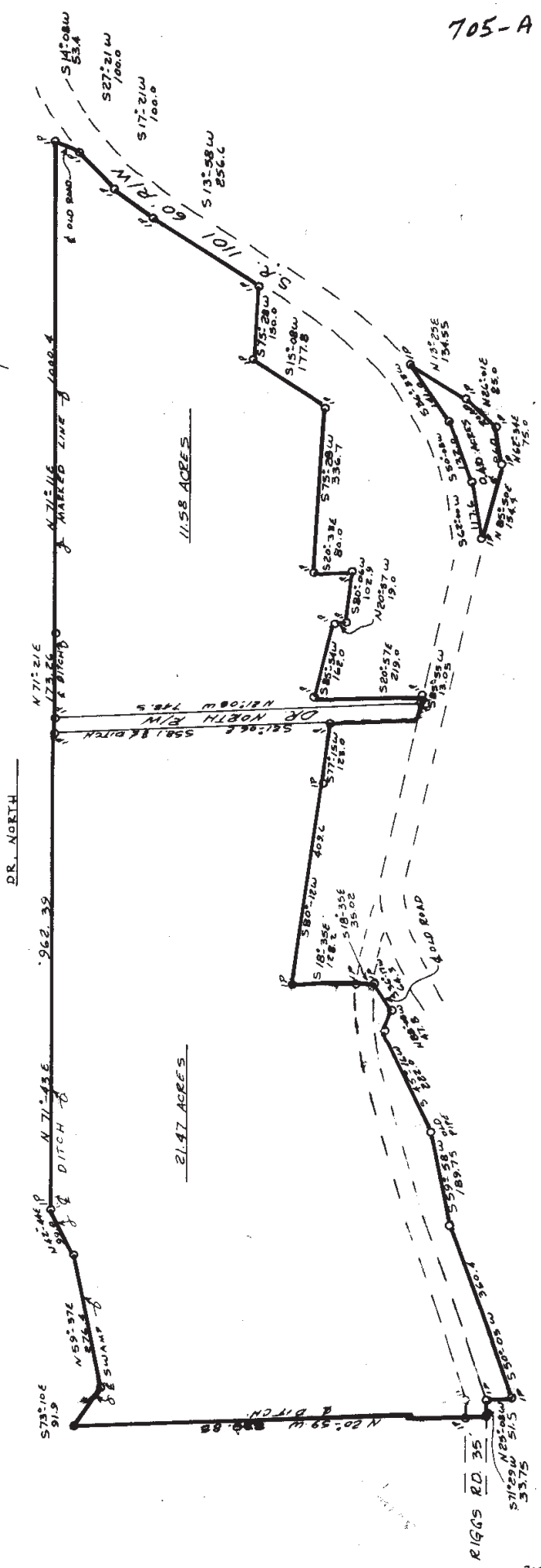
Timmons Group Sign-In Sheet

Camden County Community Meeting
Avery Shores

December 9, 2020
6:00PM

Name (Printed)	Phone Number	Email	Address
Amber Y Curling	252 3301919	acurling@camdenccourts.gov	Planning Dept
Crystel - Nicholas Williams	252-339-5629	codrops@gmail.com	211 ONE MILL ROAD SHILOH NC
Steven Bradshaw	252-455-1028	sbroad11@gmail.com	102 Avery Drive.
DAUGHT RIGGS	757-678-3636	driggs9496@aol.com	700 ELDERBERRY COURT. CHEESAPEAKE, VA. 23320.
Preston Avery	208 841-8459	preston208@msn.com	250 VACCINI, EAGLE, ID 83614 100 AVERY DR, SHILOH, NC
JASON Mizelle	252-621-5028	jason.mizelle@timmons.com	1805 W. City Dr. Unit E EZ, NC 27909
Bonnie Riggs	252-339-4875	rainbowchaser51@yahoo.com	223 One-Mex Rd Shiloh, NC 27974
Camille Sargent	936 4757		219 one Mill Rd 27974 Shiloh NC

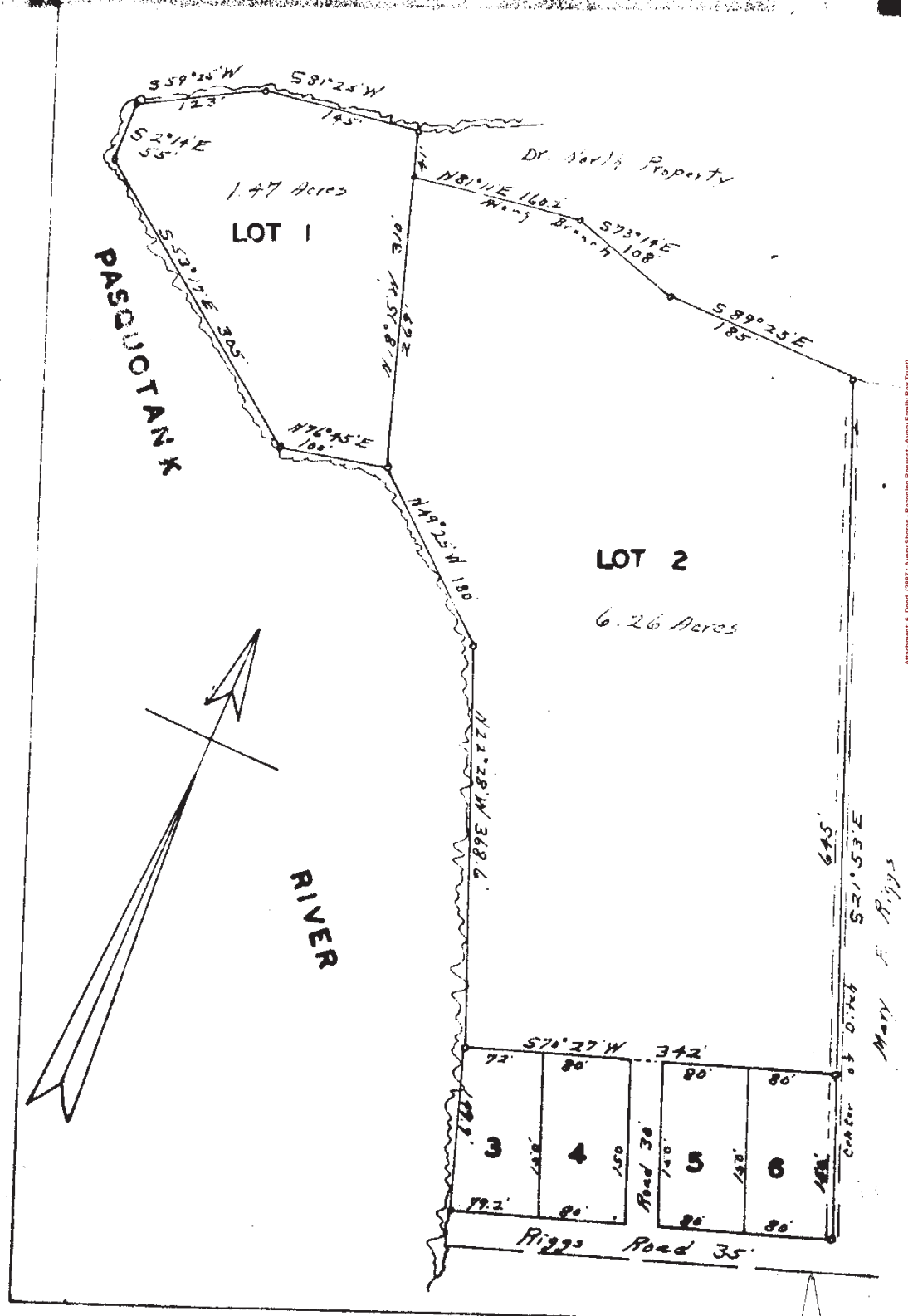
PRESTON AVERY
CAMDEN COUNTY, NORTH CAROLINA
SCALE 1 INCH = 200 FEET NOV. 24, 1970
P. H. Williams
REG. SURVEYOR



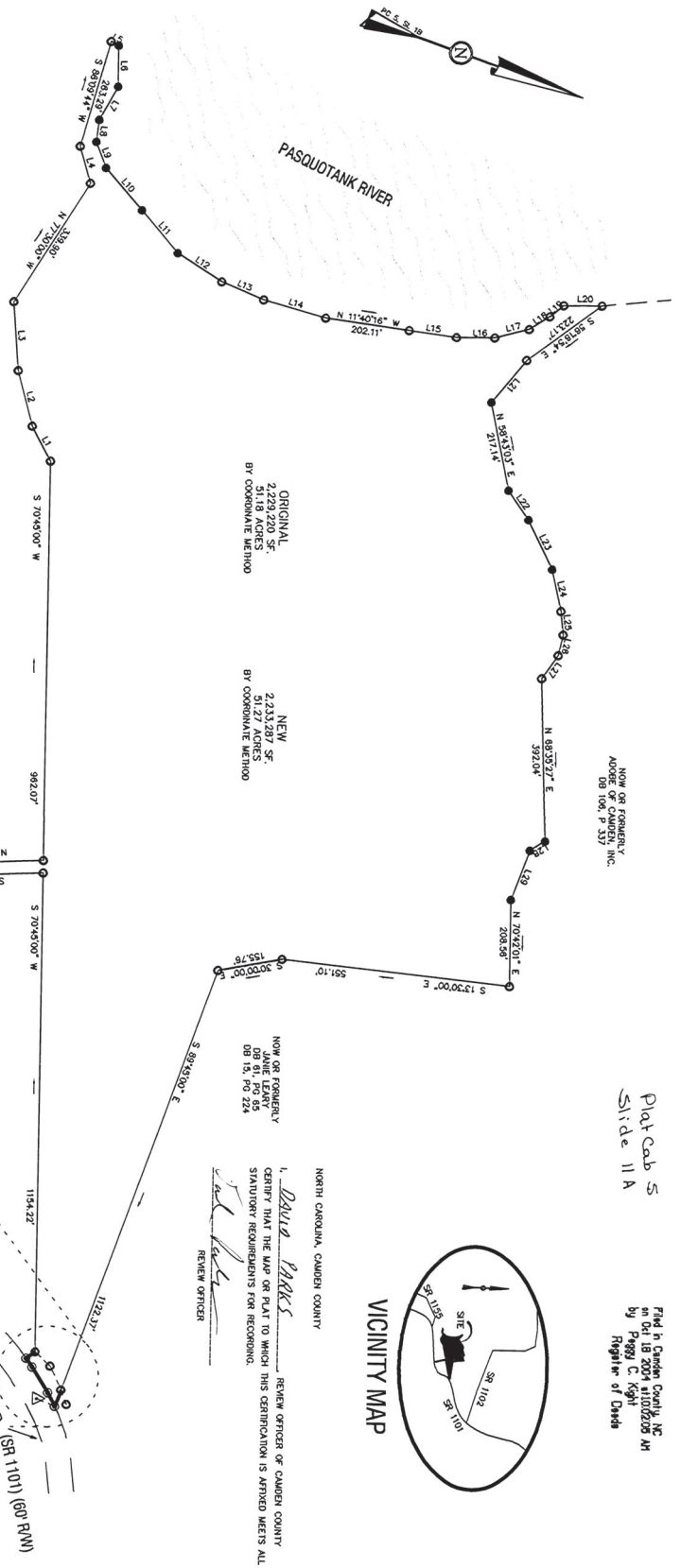
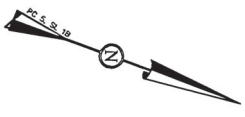
705-A

MARY F. RIGGS
 CAMDEN COUNTY, NORTH CAROLINA
 SCALE 1 INCH = 100 FEET DEC. 4, 1963
S. Elmer Williams REG. SURVEYOR

Camden, NC Deed No. 44 Attachment 306



Attachment 6, Deed (2887) Avery Shores - Rezoning Request - Avery Family Rev Trust



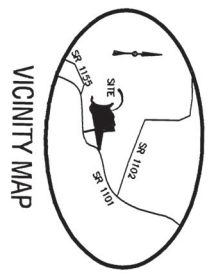
NOW OR FORMERLY
CAMPEN, INC.
DB 55, PG 704

ORIGINAL
2,229,220 SF
51.18 ACRES
BY COORDINATE METHOD

NEW
2,233,087 SF
51.27 ACRES
BY COORDINATE METHOD

NOW OR FORMERLY
PRESTON AGENCY
DB 55, PG 704

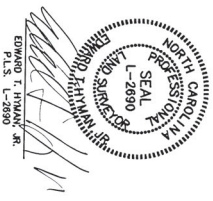
NOW OR FORMERLY
Dana Parks
DB 61, PG 65
DB 15, PG 224
REVIEW OFFICER OF CAMDEN COUNTY
CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL
STATUTORY REQUIREMENTS FOR RECORDING.



Plot Cab 5
Slide 11 A

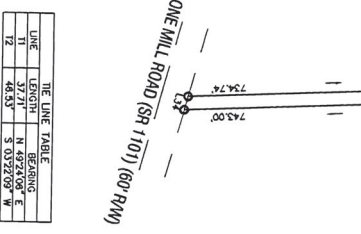
Field in Camden County, NC
on 08/18/2004
by
Ricky C. Edwards
Register of Deeds

I, EDWARD T. HYMAN, JR. CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL FIELD LAND SURVEY MADE UNDER MY SUPERVISION; THAT THE DEED ERROR OF NO MORE THAN ONE HUNDREDTH (1/100) OF AN INCH IN ANY LINE OR POINT ON SAID PROPERTY IS RECORDED IN O.B. SEE, 'P. NOTE : THAT THE ACCURACY OF THIS MAP WAS VERIFIED BY ME AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-20, WITH THE NECESSARY PROFESSIONAL SIGNATURE, HERE NUMBER, AND SEAL, THIS 29 DAY OF JULY, 2004.



Field and recorded in the Office of Register of Deeds, Camden County, North Carolina, at 10:02 AM on 08/18/2004 by Edward T. Hyman, Jr., Registered Professional Surveyor of North Carolina, License No. L-2690.

LINE	LENGTH	BEARING
L1	393.64	S 42°10'00" W
L2	138.80	S 55°30'00" W
L3	33.96	S 44°45'00" W
L4	33.96	S 44°45'00" W
L5	30.84	N 07°39'45" E
L6	39.11	N 70°48'15" E
L7	53.29	N 26°48'00" E
L8	47.23	N 50°16'34" E
L9	133.86	N 29°30'59" E
L10	133.86	N 29°30'59" E
L11	109.97	N 03°13'22" E
L12	109.97	N 03°13'22" E
L13	136.72	N 11°33'32" W
L14	136.02	N 11°33'32" W
L15	98.36	N 92°23'15" W
L16	98.36	N 92°23'15" W
L17	42.84	S 10°51'27" W
L18	132.00	S 10°51'27" W
L19	86.80	S 30°13'07" E
L20	132.00	N 44°13'07" E
L21	132.00	N 44°13'07" E
L22	132.00	N 44°13'07" E
L23	132.00	N 44°13'07" E
L24	132.00	N 44°13'07" E
L25	51.48	N 83°13'07" E
L26	51.48	N 83°13'07" E
L27	67.98	S 74°46'37" E
L28	42.84	S 10°51'27" E
L29	42.84	S 10°51'27" E
L30	36.28	S 43°11'48" W
L31	72.46	S 38°41'48" W
L32	26.16	S 34°23'32" W
L33	11.41	S 35°20'12" W
L34	11.41	S 35°20'12" W



LINE	LENGTH	BEARING
L15	109.97	N 03°13'22" E
L16	109.97	N 03°13'22" E
L17	42.84	S 10°51'27" W
L18	42.84	S 10°51'27" W

LEGEND

- ▲ EXISTING PER MAIL SETBACK
- BOUNDARY LINE
- RIGHT OF WAY LINE
- PROPERTY EXTENSION

GRAPHIC SCALE
(IN FEET)
1 inch = 500 ft.



NOTE: AREA WITHIN INSET IS SUBJECT OF SURVEY FOR NORTH-SHERT FAMILY LIMITED RECORDED IN PC 5, SL 1B.

1

RECOMINATION SURVEY

OF PARCEL AS RECORDED IN PC 5, SL 1B FOR
RICKY EDWARDS
SHILOH TOWNSHIP
CAMDEN COUNTY
NORTH CAROLINA

DATE: 07/28/2004
CHECKED: ETH
SCALE: 1" = 200'
DRAWING #: 040456

DRAWN: RWJ
APPROVED: ETH
PROJECT #: 040456
SHEET #: 1 OF 1

Hyman & Robey, PC
Land & Consulting
Surveyors
150 A US HWY 158 E
Camden, North Carolina 27921
(252) 338-2913 (252) 355-1888

NORTH CAROLINA

CAMDEN COUNTY

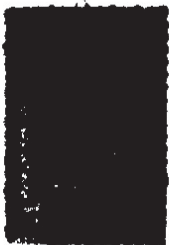
THIS DEED, made this the 28th day of January, 1971, by Mary Florence Riggs, (Widow of Jason Riggs, Sr.) Unmarried, Grantor, to Preston Avery, Grantee;

WITNESSETH:

That the Grantor in consideration of Ten Dollars and other valuable considerations to her paid by the Grantee, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does bargain, sell and convey unto the Grantee, his heirs and assigns, those certain tracts or parcels of land in Shiloh Township, Camden County, North Carolina, described as follows:

FIRST TRACT: Beginning at an iron pipe situated on the North side of the Riggs Road in the center of the ditch which divides the lands described herein from other lands owned by Preston Avery; thence North 20° 59' West 830.85 feet down the center of said ditch; thence binding the lands of Dr. E. H. North: South 73° 10' East 91.9 feet, North 59° 37' East 276.4 feet, North 42° 44' East 99 feet to an iron pipe, thence North 71° 43' East 962.39 feet along the center of a ditch and out of the ditch to an iron pipe situated in the Western boundary of the Dr. North right of way; thence South 21° 6' East 558.1 feet along the center of a ditch beside the Dr. North right of way to an iron pipe; thence South 77° 15' West 175 feet to an iron pipe; thence South 80° 12' West 409.6 feet to an iron pipe; thence South 18° 35' East 128.2 feet to an iron pipe in the Northern boundary of the Riggs Road; thence South 18° 35' East 35.02 feet to an iron pipe in the Southern boundary of Riggs Road; thence South 36° 17' West 64.3 feet; thence North 88° 8' West 47.8 feet; thence South 45° 16' West 222 feet to an old pipe; thence South 59° 58' West 189.75 feet; thence South 50° 5' West 360.4 feet to an iron pipe; thence North 25° 8' West 51.5 feet to an iron pipe in the Riggs Road; thence South 71° 29' West 33.75 feet along the Riggs Road; thence North 20° 59' West 35 feet crossing the Riggs Road to an iron pipe situated in the Northern boundary of Riggs Road, being the point of beginning, and being 21.47 acres.

SECOND TRACT: Beginning at an iron pipe situated in the Northern boundary of State Road 1101 which pipe is 13.05 feet North 85° 55' East from the Dr. North right of way as delineated on the plat hereinafter referred to; thence South 85° 55' West 13.05 feet binding State Road 1101 to the Dr. North right of way; thence North 21° 6' West 742.5 feet binding the Dr. North right of way to an iron pipe; thence binding the lands of Dr. E. H. North: North 71° 21' East 173.26 feet, North 71° 11' East 1000.4 feet along a marked line to an iron pipe; thence South 14° 8' West 53.4 feet to an iron pipe situated in the Western boundary of State Road 1101; thence binding State Road 1101 South 27° 21' West 100 feet to an iron pipe, South 17° 21' West 100 feet to an iron pipe, South 13° 58' West 256.6 feet to an iron pipe; thence



Stamp
\$20.00

E. RAY ETHERIDGE
ATTORNEY AT LAW
ELIZABETH CITY, N. C.

