

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

MINUTES

The regular meeting of the Camden County Planning Board was held on October 20, 2021 in the Historic Courtroom, Camden, North Carolina. The following 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
Steven Bradshaw	Vice Chairman	Present	6:50 PM
Ray Albertson	Board Member	Present	6:50 PM
Nathan Lilley	Board Member	Present	6:50 PM
Amber Curling	Planning Director	Present	6:30 PM
Amy Barnett	Planning Clerk	Present	6:35 PM
Ricky Edwards	Applicant for Rezoning Request, New Business #1	Present	6:45 PM

CONSIDERATION OF AGENDA

Motion to Approve Agenda as Presented

RESULT:	PASSED [UNANIMOUS]
MOVER:	Nathan Lilley, Board Member
SECONDER:	Steven Bradshaw, Vice Chairman
AYES:	Leary, Albertson, Bradshaw, Lilley
ABSENT:	None

CONSIDERATION OF MINUTES – JUNE 23, 2021

Motion to Approve Minutes as Written

RESULT:	PASSED [UNANIMOUS]
MOVER:	Nathan Lilley, Board Member
SECONDER:	Ray Albertson, Board Member
AYES:	Leary, Albertson, Bradshaw, Lilley
ABSENT:	None

OLD BUSINESS

None.

NEW BUSINESS

Item 1: Rezoning Request, Ricky Edwards

Planning Director Amber Curling went over the staff report for this agenda item, incorporated herein after as “Attachment A”. Highlights are below:

- This is for 4 parcels
- Total of 40-59,000 square feet
- Neighborhood meeting was held on October 5, 2021
- Neighbors were in support of this rezoning, and many wanted to include their properties in the rezoning.
- Located in Shiloh Township off of Sandy Hook Road
- Surrounding uses include Residential, Farmland, Woods, and a few Businesses
- Surrounding zoning includes Village Commercial (current zoning of property under consideration) and Neighborhood Residential
- Definitions of Village Commercial and Neighborhood Residential were read into the record (see Attachment A).
- CAMA Land Suitability is very high
- Located in flood zone X, Not in watershed, wetlands, or floodplain.
- Inconsistent with the CAMA Land Use Plan as the property is identified as Community Core which is designed to help meet social, shopping, and employment, and some housing needs of the County’s rural residents in a village type environment.
- Inconsistent with the 2035 Comprehensive Plan as the property is identified as Crossroads Commercial
- There is no sewer hook-up, parcels will have to be on septic systems
- Water hookup is adjacent

- There are no recommended road improvements to be made
- Doesn't seem to violate any specific land use

At this time, Ms. Curling introduced Mr. Ricky Edwards, who spoke briefly about his request.

Ricky Lee Edwards, Shiloh, NC

- Land was rezoned to commercial back when the county did a county wide rezoning
- Wants land changed back to residential
- Did not know until recently that it was commercial

Steven Bradshaw observed that there are houses all up and down the road that this is on. Mr. Edwards concurred; adding that across the road is Needham's nursing home. Ms. Curling added that there is some business in the area but not much and showed on a map where those were located.

Chairman Calvin Leary asked if there were any further questions or comments. Hearing none, he entertained a motion.

Motion to Approve UDO 2021-10-12, Rezoning Request, Ricky Edwards as presented by staff

RESULT:	PASSED [UNANIMOUS]
MOVER:	Nathan Lilley, Board Member
SECONDER:	Steven Bradshaw, Vice Chairman
AYES:	Leary, Albertson, Bradshaw, Lilley
ABSENT:	None

There was a brief discussion after the above vote regarding whether or not the board should or could rezone the entire strip of roadway. Ms. Curling noted that the taxation on commercial versus residential is about \$40 higher with commercial. Consensus seemed to be to look into this for a future agenda item.

Item 2. Amending Camden County Code of Ordinances

Planning Director Amber Curling described this agenda item, incorporated herein after as "Attachment B".

Ms. Curling stated that this is water hookup provision that the General Assembly changed and was overlooked in the last set of ordinance changes to bring our ordinances into agreement with the general statutes. The change to the ordinances is basically that the infrastructure fees will be due at building permit for all hookups to water systems, be they for South Camden Water & Sewer, or for South Mills Water Association.

There was a brief discussion regarding how subdivisions running new lines for hookup will be handled and who the burden of cost for those improvements will fall on.

Nathan Lilley asked if this was a state mandated thing. Ms. Curling answered that it was. Steven Bradshaw observed that if it is a state mandated thing, that the board has no choice but to approve the change. Chairman Leary entertained a motion.

Motion to Approve Amendment to Camden County Code of Ordinances regarding Potable Water Systems as presented by staff

RESULT:	PASSED [UNANIMOUS]
MOVER:	Steven Bradshaw, Vice Chairman
SECONDER:	Nathan Lilley, Board Member
AYES:	Leary, Albertson, Bradshaw, Lilley
ABSENT:	None

INFORMATION FROM BOARD AND STAFF

CONSIDER DATE OF NEXT MEETING – NOVEMBER 17, 2021

ADJOURN

Motion to Adjourn

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ray Albertson, Board Member
SECONDER:	Nathan Lilley, Board Member
AYES:	Leary, Albertson, Bradshaw, Lilley
ABSENT:	None

*Chairman Calvin Leary
Camden County Planning Board*

ATTEST:

*Amy Barnett, Clerk
Camden County Planning Department*

STAFF REPORT

**UDO 2021-10-012
Zoning Map Amendment**

PROJECT INFORMATION

File Reference: UDO 2021-10-012
Project Name: Rezoning on Sandy Hook Rd
PIN: Various

Application Received: October 6, 2021
By: Amber Curling, Planning

Application Fee paid: \$650.00

Applicant: Ricky Lee Edwards
Address: 226 Milltown Rd
Shiloh, NC 27974

Completeness of Application: Application is generally complete

Phone: 252-331-7564
Email: NA

Documents received upon filing of application or otherwise included:

- A. Rezoning Application
- B. Deed
- C. Neighborhood Meeting Comments
- D. Zoning Comparison VC to NR

Agent for Applicant: NA
Address:

Phone:
Fax:
Email:

Current Owner of Record: Applicant

Meeting Dates:
October 5, 2021 **Neighborhood Meeting**
October 20, 2021 **Planning Board Meeting**

REQUEST: Zoning Map Amendment from Village Commercial Zoning District to Neighborhood Residential Zoning District.

DESCRIPTION: Rezone of four parcels; first parcel 03-8973-00-22-4200.0000 of approximately 1.33 acres, second parcel 901 Sandy Hook Rd 03-8973-00-22-6302.0000, third parcel 903 Sandy Hook Rd 03-8973-00-22-6159.0000 and fourth parcel PIN 905 Sandy Hook Rd 03-8973-00-22-6088.0000 from Village Commercial (VC) to Neighborhood Residential (NR). The parcels are located in the Shiloh Township on Sandy Hook Road. The property has been used as farmland and residential homes

Rezoning from the Village Commercial Zoning District (Article 151.3.6.3)

The Village Commercial district intended to foster high quality, compact, pedestrian-oriented development on lots within designated village centers. Development in the VC district is human-scaled and designed to promote visual interest for pedestrians. Ground-level retail and personal services that promote pedestrian activity along the street are highly encouraged and large, monolithic, automobile-oriented developments are prohibited. New development in the district is located close to the street, provides passers-by with clear views into the building’s ground floor, and fosters sidewalk dining, outdoor seating, and interaction among pedestrians. The district requires urban-style open space (greens, seating areas, plazas, pocket parks, roof gardens, etc.) to be included as a part of new development. In addition to commercial uses, the district allows a variety of moderate-density residential development. New commercial, mixed-use, and multi-family developments in the district are subject to the design standards in ARTICLE 151.5 DEVELOPMENT STANDARDS.

Rezoning to the Neighborhood Residential Zoning District (Article 151.3.5.5)

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

SITE DATA

Size of Lots: The 4 lots are between 40,000 -59,000 square feet
Flood Zone: X
Zoning District(s): Village Commercial (VC)
Existing Land Uses: Farmland Residential Lots
Proposed Use(s) – Residential

Adjacent Zoning & Uses:

	North	South	East	West
Zoning	Village Commercial (VC) & Neighborhood Residential (NR)	Village Commercial (VC) Neighborhood Residential (NR)	Neighborhood Residential (NR)	Village Commercial (VC)
Use & size	Residential Lots & Farmland	Residential Lots, Woods, Farmland	Farmland	Business & Farmland

MAPS for Clarification

Vicinity Map: Shiloh Township – Located on Sandy Hook Rd.



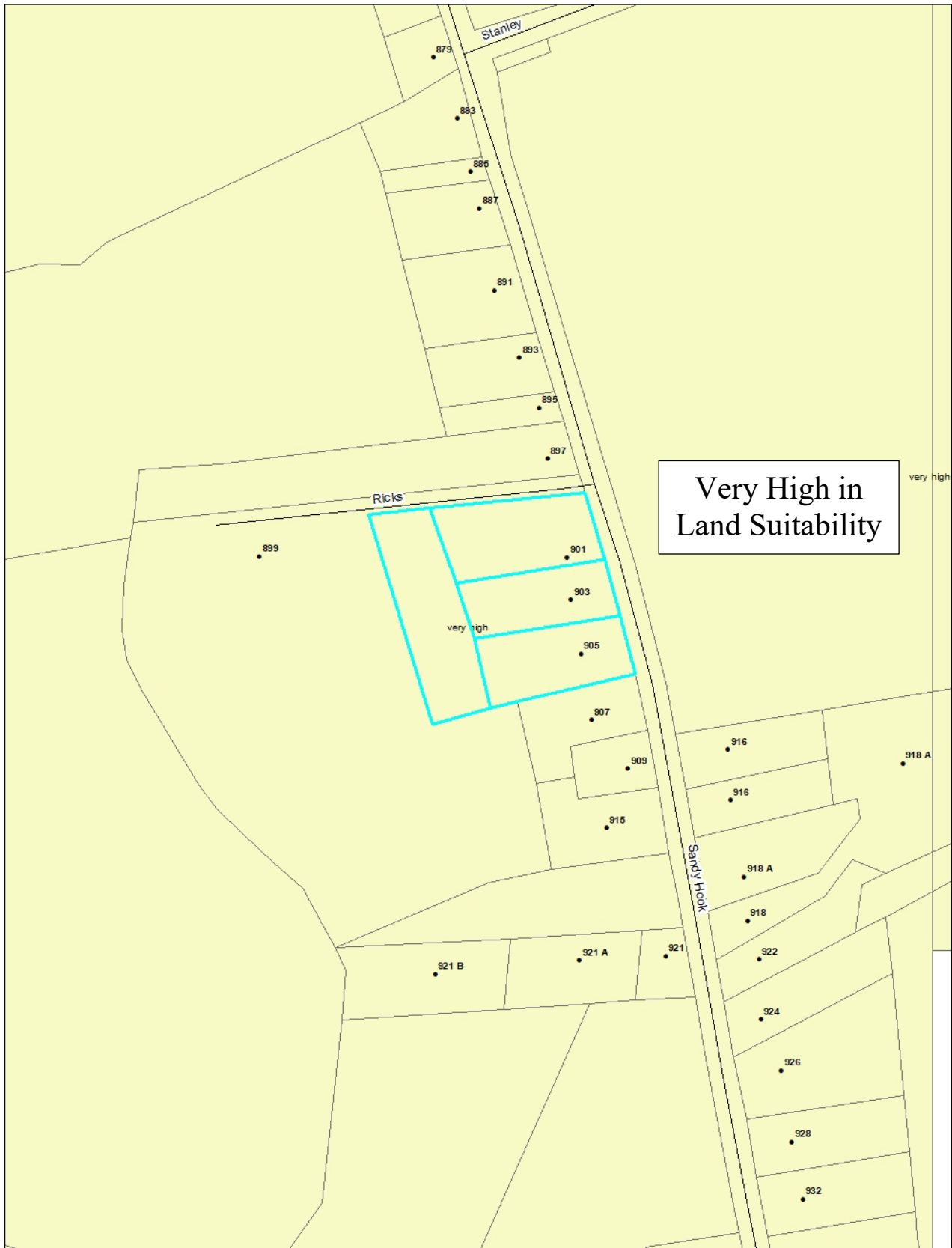
DRAFT

Zoning Map:



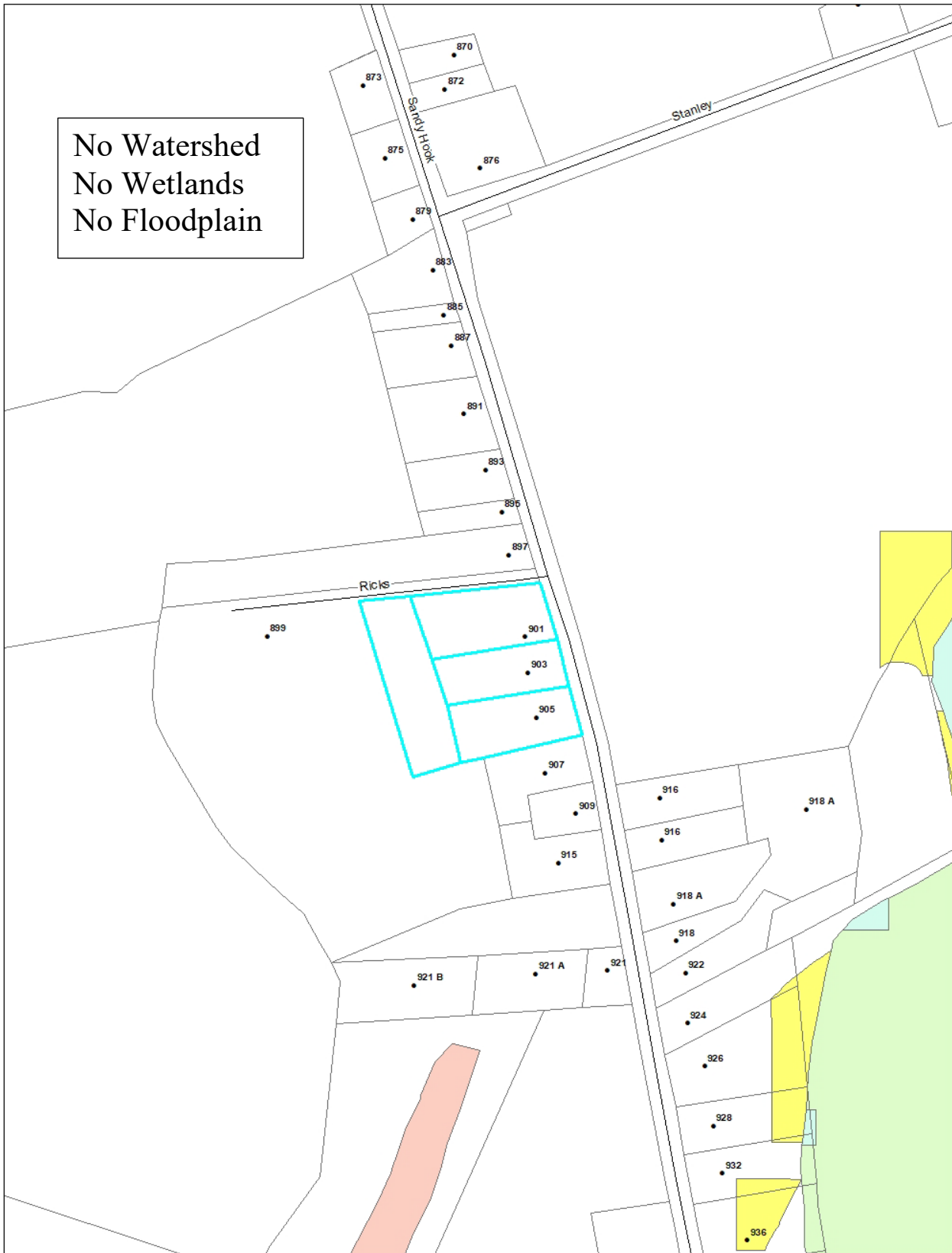
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CAMA Land Suitability:



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Watershed, Wetlands, and Floodplain Map



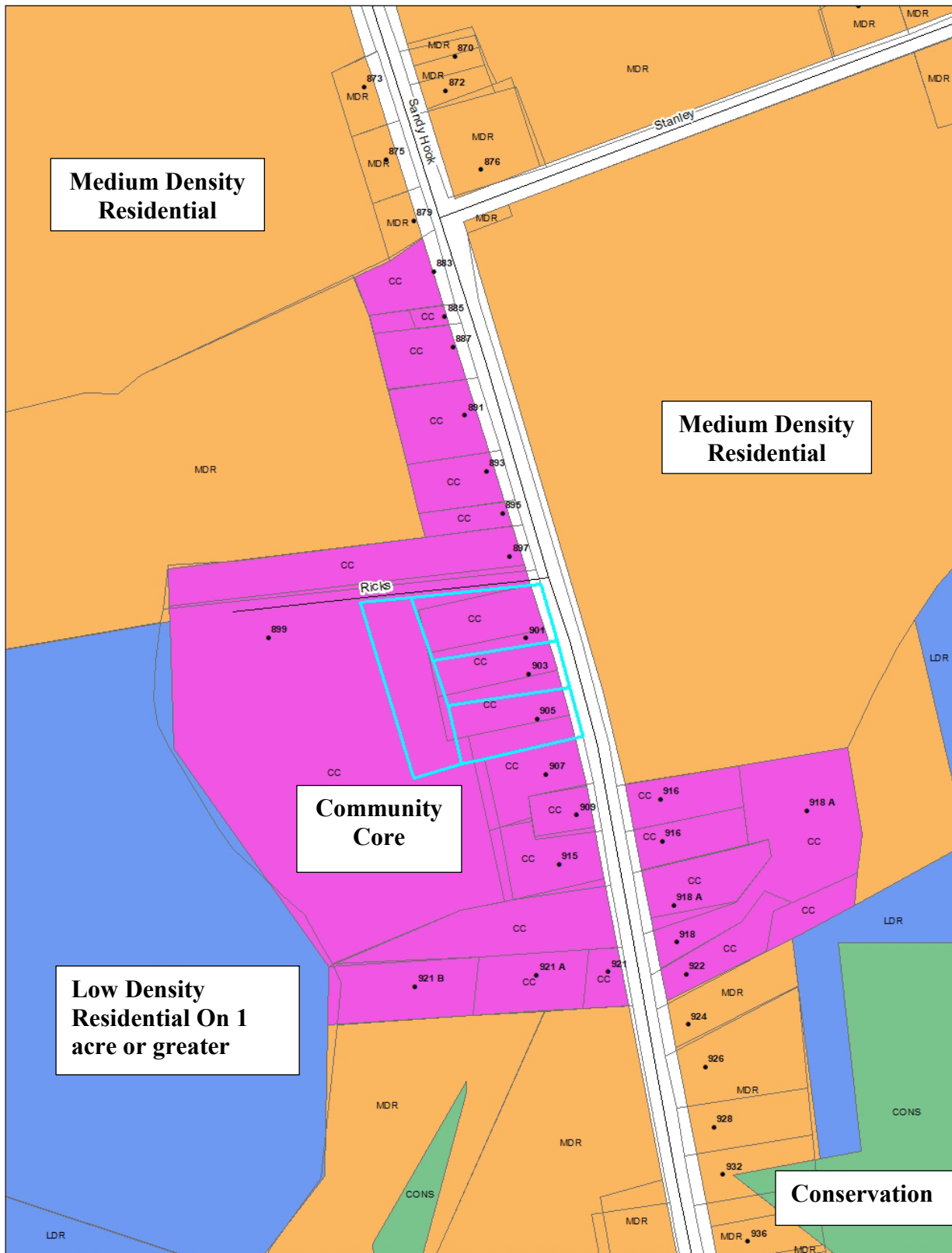
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Comprehensive Plan Future Land Use Map



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CAMA Future Land Use Map



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INFRASTRUCTURE & COMMUNITY FACILITIES

Water: Water lines are located adjacent to property along Sandy Hook Road

Sewer: Not available.

Fire District: Shiloh Fire District.

Schools: Proposed zoning should not have an impact on Schools.

Traffic: Proposed zoning should not have impact on Traffic

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 0.26% is zoned as Village Commercial and 3.08% is zoned as Neighborhood Residential.

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

The surrounding properties are mainly residential homes and farmland.

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

Three of the parcels are being used as residential and the fourth parcel is being used as farmland. The surrounding properties are mainly residential. The proposed uses of the four parcels are residential. The difference is between the existing Commercial zoning district and the proposed Residential zoning district.

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

The proposed zoning uses should not impact public facilities. Three of the 4 properties have water meters currently.

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

The proposed zoning uses should not have an impact on any public services.

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?

The proposed development includes no areas of environmental concern.

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

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

CONSISTENCY with PLANS and MAPS

-
- **CAMA Land Use Plan Policies & Objectives:**
- **Consistent** **Inconsistent**
- The CAMA Land Use Plan was adopted by the Camden County Board of Commissioners on April 4, 2005. The proposed zoning change is inconsistent in that the CAMA Future Land Use Maps has the majority of property identified as shows the current Village Commercial Zoning District Parcels to be Community Core. The Community Core district is designed to provide the core commercial use in the County's three villages (Camden, Shiloh, and South Mills) to help meet social, shopping, and employment, and some housing needs of the County's rural residents in a village type environment.
-
- **2035 Comprehensive Plan**
- **Consistent** **Inconsistent**
- The County's Comprehensive Future Land Use Map (Adopted 2012) shows the parcel to be Crossroads Commercial. The Crossroads Commercial. District is intended to provide commercial uses that serve proximate rural residences.
-
- **Comprehensive Transportation Plan**
-
- **Consistent** **Inconsistent**
-
- Property abuts Sandy Hook Rd
-
- **Other Plans officially adopted by the Board of Commissioners -**
N/A

Summary

The requested zoning change is inconsistent with the CAMA Future Land Use Map and inconsistent with the Comprehensive Future Land Use Map that identifies the parcels as Community Core and Crossroads Commercial.



CAMDEN COUNTY

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Camden County Planning Board AGENDA ITEM SUMMARY SHEET

New Business

Item Number: 5.2

Meeting Date: October 20, 2021

Submitted By: Morgan Potts,
Planning & Zoning
Prepared by: Amy Barnett

Item Title Amendments to Camden County Code of Ordinances Zoning
Text Amendment to Comply with NCGS 162A-213

Attachments: Planning Board 10-20-21 DRAFT (PDF)

In January 2021, the General Assembly approved changes to the N.C. General Statutes that modified when public utilities can collect capacity and tap fees. The previous version (G.S. 162A-213 (a) (1)) allowed the collection of these fees at the time a subdivision was platted. This placed the burden on the developer to pay the fees up front and collect them from the builder or the home buyer. This is what Camden County's U.D.O. currently states (6.2.7 B. a. 2.).

The new statute (G.S. 162A-213 (a) (1)) adopted January 1, 2021 states that the fees are not to be collected until the building permit is drawn. If the permit is for another water provider's territory (i.e. South Mills Water Association) the builder must provide proof that the fees are paid.

The UDO must be amended to comply with the NCGS 162A-213.

DRAFT

EXISTING UDO LANGUAGE

6.2.7.POTABLE WATER SYSTEMS

B. Connection to County Water Supply System

1. Major Subdivisions
 - a. Procedure
 2. All water system connection fees shall be paid by the developer for each lot required to be connected to the County water system, prior to the submission of final approval.

PROPOSED UDO LANGUAGE

6.2.7.POTABLE WATER SYSTEMS

B. Connection to County Water Supply System

1. Major Subdivisions
 - a. Procedure
 2. All water system connection fees shall be paid **at the time of application for a building permit.**

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