



**CAMDENCOUNTY**  
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# **PLANNING BOARD**

**November 15, 2017**

**7:00 PM**

**Regular Meeting**

**Historic Courtroom**

**Courthouse Complex**

## **Agenda**

**Camden County Planning Board  
Regular Meeting  
November 15, 2017, 7:00 PM  
Historic Courtroom, Courthouse Complex**

**ITEM I. Call to Order & Welcome**

**ITEM II. Consideration of Agenda**

**ITEM III. Consideration of Minutes**

1. Minutes - August 16, 2017
2. Minutes - September 20, 2017

**ITEM IV. Comments from Public**

**ITEM V. Old Business**

**ITEM VI. New Business**

1. UDO 2017-10-02 Rezoning Glen A. Carey Jr.
2. UDO 2017-10-01 Camden Solar LLC

**ITEM VII. Info from Board and Staff**

**ITEM VIII. Consider Date of Next Meeting - December 20, 2017**

**ITEM IX. Adjourn**



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

Minutes

**Item Number:** 3.1

**Meeting Date:** November 15, 2017

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

**Item Title** Minutes - August 16, 2017

**Attachments:** pbmins\_08162017 (PDF)

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – August 16, 2017

**Camden County Planning Board  
Regular Meeting  
August 16, 2017, 7:00 PM  
Historic Courtroom, Courthouse Complex  
Camden, North Carolina**

**MINUTES**

*The regular meeting of the Camden County Planning Board was held on August 16, 2017 in the Historic Courtroom, Camden, North Carolina. The following members were present:*

**CALL TO ORDER & WELCOME**

Planning Board Members Present:

Attendee Name	Title	Status	Arrived
Calvin Leary	Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Absent	
Patricia Delano	Vice Chairman	Present	6:50 PM
Michael Etheridge	Board Member	Absent	
Rick McCall	Board Member	Present	6:50 PM
Ray Albertson	Board Member	Present	6:50 PM
Steven Bradshaw	Board Member	Absent	

Letter of Resignation Received: Dave Parks noted that Michael Etheridge had submitted a letter of resignation from the Planning Board. This opens a vacancy on the Planning Board. A volunteer from the Courthouse Township of Camden will be sought.

Staff Present:

Attendee Name	Title	Status	Arrived
Dan Porter	Planning Director	Present	6:50 PM
Dave Parks	Permit Officer	Present	6:50 PM
Amy Barnett	Planning Clerk	Present	6:30 PM

Also Present:

Attendee Name	Title	Purpose
Linda Nwadike	Representative, SunEnergy1	Speak Regarding Ordinance Amendments

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**CAMDEN COUNTY PLANNING BOARD**

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**CONSIDERATION OF AGENDA**

21 Dan Porter requested to switch Agenda Items 1 & 2 since Ms. Linda Nwadike was expected to  
 22 speak regarding the Amendment to County Ordinance §151.347(V), and she had not yet arrived.

**Motion to Approve Agenda as Amended**

24	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
25	<b>MOVER:</b>	Ray Albertson, Board Member
26	<b>SECONDER:</b>	Patricia Delano, Vice Chairman
27	<b>AYES:</b>	Leary, Delano, McCall, Albertson
28	<b>ABSENT:</b>	Harris, Etheridge, Bradshaw

**CONSIDERATION OF MINUTES - JULY 19, 2017****Motion to Approve July 19, 2017 Minutes as Written**

31	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
32	<b>MOVER:</b>	Patricia Delano, Vice Chairman
33	<b>SECONDER:</b>	Rick McCall, Board Member
34	<b>AYES:</b>	Leary, Delano, McCall, Albertson
35	<b>ABSENT:</b>	Harris, Etheridge, Bradshaw

**PUBLIC COMMENTS**

37 None.

**OLD BUSINESS**

39 None.

**NEW BUSINESS*****Item 1, UDO 2017-08-07, Rezoning 729 NC Hwy 343 North***

42 Dave Parks described this rezoning application and went over the staff report as incorporated  
 43 herein below:

44 -----  
 45 -----

**STAFF REPORT**

46 **UDO 2017-08-07**  
 47 **Zoning Map Amendment**

**PROJECT INFORMATION**

53	<b>File Reference:</b>	UDO 2017-08-07
54	<b>Project Name:</b>	N/A
55	<b>PIN:</b>	01-8916-00-08-2247

56

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**CAMDEN COUNTY PLANNING BOARD**

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57 **Applicant:** Camden County  
58 **Address:** 117 N. 343, Camden, NC  
59 **Phone:** (252) 338-1919  
60 **Email:**

61  
62 **Agent for Applicant:**  
63 **Address:**  
64 **Phone:**  
65 **Email:**

66  
67 **Current Owner of Record:** Gus W. McPherson, Jr.  
68

69 **Meeting Dates:**  
70 8/16/2017 Planning Board  
71

72 **Application Received:** 8/2/2017  
73 **By:** David Parks, Permit Officer  
74

75 **Application Fee paid:** N/A  
76

77 **Completeness of Application:** Application is generally complete  
78

79 **Documents received upon filing of application or otherwise included:**  
80 **A.** Rezoning Application  
81 **B.** Letter from owner  
82 **C.** Aerial of portion of property requested to be rezoned.  
83 **D.** Deed  
84 **E.** GIS Aerial, existing zoning, Comprehensive Plan future land use and CAMA  
85 Land Use Plan Suitability Maps  
86

87 **PROJECT LOCATION:**  
88

89 **Street Address:** Property located at 729 North 343.  
90 **Location Description:** South Mills Township  
91

92 **REQUEST:**  
93  
94 Rezone 1 acre containing house  
95

96 **From:** General Use District (GUD). The GUD, general use, district is  
97 established to allow opportunities for very low density residential  
98 development and bona fide farms, along with agricultural and related  
99 agricultural uses (e.g., timber, horticulture, silviculture and aquaculture.)  
100

101 **To:** Basic Residential (R3-1). The R3 Districts are designed to provide for  
102 low density residential development in areas that are adjacent to those areas  
103 primarily devoted to agriculture. Subdivision in the R3-1 district requires  
104 a minimum of one acre per lot.  
105

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**CAMDEN COUNTY PLANNING BOARD**

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**SITE DATA**

**Lot size:** Entire tract is approximately 73 acres. Area to be rezoned is 1 acre.

**Flood Zone:** Zone X

**Zoning District(s):** General Use District (GUD)

**Existing Land Uses:** Agriculture/Residential

**Adjacent Zoning & Uses:**

	North	South	East	West
<b>Zoning</b>	General Use District (GUD)	General Use District (GUD)	General Use District (GUD)	General Use District (GUD)
<b>Use &amp; Size</b>	Farm / Wood-land	Farm / Wood-land	Farm / Wood-land	Woodland

**Proposed Use(s):** The use already exists as residential.

**Description of property:** Property abuts Highway 343 North.

**ENVIRONMENTAL ASSESSMENT**

**Streams, Creeks, Major Ditches:** None.

**Distance & description of nearest outfall:** Pasquotank River is less than ½ mile to the west.

**MAPS SHOW:**

**Vicinity Map:** Property located at 729 N Hwy 343

**Portion of Property in Question:** 1 acre where upon the house and accessory structures sit.

**CAMA Land Suitability:** Moderate

**Comprehensive Plan / Future Land Use Map:** Rural Preservation

**CAMA Future Land Use Map:** Low Density Residential

**Zoning Map:** General Use District

**INFRASTRUCTURE & COMMUNITY FACILITIES:**

**Water:** Water lines are located adjacent to property along Highway 343

**Sewer:** Sewer lines located adjacent to property along Highway 343

**Fire District:** South Mills Fire District. Property located over 6 miles from Station off Main Street. Property located just over 5 miles from South Camden Fire Station on Sawyers Creek Road

**Schools:** Impact already exists.

**Traffic:** Staffs opinion is traffic will not exceed road capacities

**PLANS CONSISTENCY**

**CAMA Land Use Plan Policies & Objectives:** Inconsistent. The proposed zoning change is inconsistent with the CAMA Land Use Plan which was adopted by the Camden County Board of Commissioners on April 4, 2005 in that this is classified as spot zoning.

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163 **2035 Comprehensive Plan:** Inconsistent. Inconsistent with Comprehensive Plan  
 164 (Adopted 2012) as Future Land Use Maps reflect land identified as Rural  
 165 Preservation.

166  
 167 **Comprehensive Transportation Plan:** Consistent. Property abuts Highway 343  
 168 North.

169  
 170 **Other Plans officially adopted by the Board of Commissioners:** N/A  
 171

172 **FINDINGS REGARDING ADDITIONAL REQUIREMENTS:**  
 173

174 **Will the proposed zoning change enhance the public health, safety or welfare?**

175 No. **Reasoning:** The proposed zoning change will not enhance the public  
 176 health, safety, or welfare as it is classified as spot zoning.

177  
 178 **Is the entire range of permitted uses in the requested classification more  
 179 appropriate than the range of uses in the existing classification?** No.

180 **Reasoning:** The use as residential for this lot already exists and is  
 181 permissible in both zoning districts.

182  
 183 **For proposals to re-zone to non-residential districts along major arterial  
 184 roads:**

185  
 186 **Is this an expansion of an adjacent zoning district of the same  
 187 classification?** N/A. **Reasoning:** N/A  
 188

189 **What extraordinary showing of public need or demand is met by this  
 190 application?** N/A. **Reasoning:** N/A  
 191

192 **Will the request , as proposed cause serious noise, odors, light, activity,  
 193 or unusual disturbances?** No. **Reasoning:** All uses allowed in the requested  
 194 zoning classification should not cause any serious noise, odors, light  
 195 activity, or unusual disturbances.

196  
 197 **Does the request impact any CAMA Areas of Environmental Concern?** No.  
 198 **Reasoning:** Property is outside any CAMA Areas of Environmental Concern.  
 199

200 **Does the county need more land in the zoning class requested?** No.  
 201 **Reasoning:** Staff's opinion is that the requested zoning classification is  
 202 needed, but not in this area. Opinion is based on the County's Comprehensive  
 203 Plan.  
 204

205 **Is there other land in the county that would be more appropriate for the  
 206 proposed uses?** No. **Reasoning:** Proposed use already exists.  
 207

208 **Will not exceed the county's ability to provide public facilities:** No.

209 **Schools** - Impact already exists  
 210 **Fire and Rescue** - Minimal impact  
 211 **Law Enforcement** - Minimal impact  
 212 **Parks & Recreation** - Minimal impact  
 213 **Traffic Circulation or Parking** - N/A  
 214 **Other County Facilities** - No  
 215

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## CAMDEN COUNTY PLANNING BOARD

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216 **Is This A Small Scale "Spot" Rezoning Request Requiring Evaluation Of**  
 217 **Community Benefits? Yes. If Yes (regarding small scale spot rezoning) -**  
 218 **Applicants Reasoning:**

	Personal Benefits / Impact	Community Benefits / Impact
<b>With Rezoning</b>	Will allow owner to cut out house out of the farm. See Staff Commentary.	None.
<b>Without Rezoning</b>	See Staff Commentary	No Change.

229  
 230 **STAFF COMMENTARY:**

231  
 232 In 2015 staff talked to then the current property owner (Mrs. Williams) and  
 233 her attorney (Mr. Mullen) about information on subdividing the house out of  
 234 the farm for her son. I informed her that she could subdivided out an acre  
 235 of land as a deed of gift from a parent to a child and if she went through  
 236 the regular minor subdivision process and the current zoning on property  
 237 (GUD) minimum lot size would be 5 acres.

238  
 239 Prior to her passing she sold to Mr. Gus McPherson, Jr. what she believed was  
 240 everything but the house on one acre. Her attorney (Mr. Mullen) drew up the  
 241 deed (attached) which created an illegal subdivision as he gave a description  
 242 of the house lot containing +/- one acre of land as being exempt. Deed was  
 243 recorded in the Registry of Deeds. There was never any survey recorded  
 244 subdividing that one acre or deed transferring the property.

245  
 246 It is staffs opinion that since the survey/deed for the house lot was never  
 247 drawn up and recorded that the current owner Mr. Gus McPherson owns the house  
 248 and lot. Mr. McPherson wants to get this error corrected as Mrs. Williams'  
 249 son lives in the house and should be the rightful owner.

250  
 251 **STAFF RECOMMENDATION:**

252  
 253 Though this would definitely be spot zoning and not consistent with the  
 254 Comprehensive Plan or CAMA Land Use Plant staff recommends approval of the  
 255 rezoning as the situation was created at no fault of the previous/current  
 256 property owner and it is in the best interest of the public.

257 -----  
 258

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259 Items to note from Staff Report:

- 260
- Prior owner (Mrs. Williams) sold what she believed to be all but the house
  - 261 • Deed was drawn up and included a description of the house lot, +/- one acre, as being
  - 262 exempt from the sale
  - 263 • Deed was recorded in the Registry of Deeds
  - 264 • No survey was ever recorded subdividing the land
  - 265 • An illegal subdivision was created due to the way property was sold
  - 266 • Current owner, Mr. Gus McPherson, wants to get this error corrected as Mrs. Williams'
  - 267 son lives in the house and should be the rightful owner
  - 268 • Rezoning would be spot zoning, and is not consistent with either the Comprehensive Plan
  - 269 or the CAMA Land Use Plan
  - 270 • Situation was created at no fault of the current / previous property owner
  - 271 • Rezoning is the right thing to do, and staff recommends approval
  - 272 • Will require a survey later if approved in order to subdivide the house lot out of the rest
  - 273 of the land

274

275 Rick McCall asked for clarification sake, if only the +/- one acre that the house sits on is what is

276 being rezoned. Dan Porter replied that was correct.

277

278 Chairman Calvin Leary asked if there were any further comments or questions regarding this

279 item. Hearing none, he called for a motion:

280

281 **Consistency Statement:** *Requested zoning change is inconsistent with the CAMA*

282 *Land Use Plan as it is Spot Zoning. Requested zoning change is also inconsistent with*

283 *the Comprehensive Plan as it designates the property as Rural Preservation.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Delano, Vice Chairman
<b>SECONDER:</b>	Rick McCall, Board Member
<b>AYES:</b>	Leary, Delano, McCall, Albertson
<b>ABSENT:</b>	Harris, Etheridge, Bradshaw

289

290 **Motion to Approve UDO 2017-08-07, Rezoning 729 NC Hwy 343 North**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Delano, Vice Chairman
<b>SECONDER:</b>	Rick McCall, Board Member
<b>AYES:</b>	Leary, Delano, McCall, Albertson
<b>ABSENT:</b>	Harris, Etheridge, Bradshaw

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297

**CAMDEN COUNTY PLANNING BOARD**

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298 ***Item 2, Ordinance 2017-07-03, Amendment to County Code of Ordinances, §151.347 Specific***  
 299 ***Standards (V), Solar Facilities***

300

301 Dan Porter described this amendment as incorporated herein below:

302

303 -----

Ordinance No. 2017-07-03

304

305

An Ordinance

306

Amending the Camden County  
Code of Ordinances

307

308

309

Camden County, North Carolina

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311

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

312

313

**Article I: Purpose**

314

315

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 December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

316

317

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319

320

**Article II: Construction**

321

For purposes of this Ordinance, 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.

322

323

324

325

326

**Article III: Amend Chapter 151 as amended of the Camden County Code which shall read as follows:**

327

**CHAPTER 151: UNIFIED DEVELOPMENT**

328

**§151.347 SPECIFIC STANDARDS.**

329

(V) The following standards shall apply to all solar farms located in Camden County:

330

331

(9) A ~~proposed decommissioning plan~~ obligation shall be part of the lease between property owner and developer. The obligation shall be reviewed by County staff for compliance with standards listed below prior to signatures to be signed by party responsible for decommissioning and the landowner (if different) and recordation in the County's Registry of Deeds. ~~addressing the following shall be submitted at permit application.~~ Decommissioning Obligation shall include:

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345

- a. Removal of solar panels, buildings, cabling, electrical components, roads, and any other associated facilities down to 36 inches below grade.
- b. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
- c. Description of any agreement (e.g. lease) with landowner regarding decommissioning and acknowledgment by land owner, land owner may be held ultimately responsible for decommissioning.
- d. List the type of panels and material specifications being utilized at the site.
- e. The identification of the party currently responsible for decommissioning.

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CAMDEN COUNTY PLANNING BOARD

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- 358 ~~f. Estimated cost of removal prepared by a third party engineer.~~
- 359 g. Prior to issuance of the Building Permit, approved decommissioning ~~plan~~
- 360 obligation shall be recorded in the Camden County Registry of Deeds and
- 361 shall run with the land until decommissioning is completed.
- 362 h. ~~Decommissioning Plan and estimated cost of removal shall be updated every~~
- 363 ~~5 years or upon change of ownership and re-recorded in the County's~~
- 364 ~~Registry of Deeds.~~
- 365
- 366 (10) ~~Prior to approval of building permits applicant shall provide an~~
- 367 ~~automatically renewable guarantee in the form of a bond, cash escrow~~
- 368 ~~deposit, or an irrevocable letter of credit issued by a Federally chartered~~
- 369 ~~bank with a branch office in northeastern North Carolina, in favor of the~~
- 370 ~~county, which shall be drawn and paid in full in immediately available funds~~
- 371 ~~for an amount equal to the estimated removal cost of the solar facility in~~
- 372 ~~the event the owner fails to decommission the solar facility pursuant to the~~
- 373 ~~requirements of this section. The institution issuing the guarantee shall~~
- 374 ~~provide to the county a notice no less than 90 days in advance of any~~
- 375 ~~renewal, cancellation, termination or expiration of the guarantee.~~
- 376 Decommissioning Obligation shall be updated every 5 years or upon change of
- 377 ownership and re-recorded in the County's Registry of Deeds.
- 378
- 379 (11) The County shall periodically ~~request~~ require proof of the continuous
- 380 operation of the solar farm from the applicant/owner. The nature of
- 381 required evidence shall be determined as a condition of the special use
- 382 permit.
- 383
- 384 (12) The solar farm shall have 12 months to complete decommissioning of the
- 385 solar facility if no electricity is generated for a continuous period of 12
- 386 months. For the purpose of this section this 12-month period shall not
- 387 include delay resulting from force majeure. Failure to timely decommission
- 388 the site in accordance with the obligation shall result in all actions
- 389 available at law or in equity, including, but not limited to: Breach of
- 390 contract, specific performance, mandatory injunctions, fines, abatement,
- 391 nuisance, liens, assessments and judicial sale of the property.
- 392

393 Adopted by the Board of Commissioners for the County of Camden this \_\_\_\_ day of  
394 \_\_\_\_, 2017.

396 County of Camden

397  
398  
399  
400  
401 \_\_\_\_\_  
402 Clayton Riggs, Chairman  
403 Board of Commissioners

404 ATTEST:

405  
406  
407  
408 \_\_\_\_\_  
409 Karen Davis  
410 Clerk to the Board  
411 -----  
412  
413

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**CAMDEN COUNTY PLANNING BOARD**

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414 Dan Porter provided a brief history of the Solar Facility Ordinance:

- 415 • Reminded Board about the moratorium which was in place earlier this year on Solar  
416 Facilities
- 417 ○ Recall that the Board of Commissioners approved a Solar Facility Ordinance in  
418 May 2017, and also directed staff to bring amendments before them with regards  
419 to the site, locating, buffering, landscaping, setbacks, and so on.
- 420 ▪ At the time of submittal of the Ordinance in May 2017, recommendation  
421 was to prohibit Solar Facilities within a 1 mile buffer of each of the 3 core  
422 villages
- 423 ▪ Specific recommendations were made relative to changing setbacks,  
424 buffering, and landscaping, and the decommissioning plan
- 425 ▪ Previous Ordinance on Solar Facilities allowed facilities anywhere in the  
426 county.
- 427 ▪ Previous Ordinance required developers to put up a bond for the cost of  
428 decommissioning less the salvage value.
- 429 • Problem with this is that 3<sup>rd</sup> party engineers can certify that the  
430 salvage value is greater than the costs of decommissioning which  
431 effectively means no bond would be put in place.
- 432 ▪ Previous amendment to this ordinance recommended a location  
433 prohibition (not located within 1 mile of core villages) and a bond  
434 requirement without considering salvage value.
- 435 ▪ Public Hearing was held on May 15, 2017
- 436 • Several industry professionals were there and stated that Solar  
437 Facilities would likely never be decommissioned and questioned  
438 the need for a bond for something that would very likely never  
439 occur
- 440 • Board of Commissioners passed Ordinance 2017-05-01 with the  
441 following changes: No locations were prohibited. The specific  
442 standards proposed with regard to setbacks, landscaping, and  
443 heights were approved.
- 444 • Requirement for a decommissioning plan and bond were left in  
445 place, and directed staff to do research and to confer with County  
446 Attorney John Morrison regarding the need for the same.

448 Mr. Porter then described a potential scenario which could occur if a Solar Facility owner  
449 abandoned a Solar Facility without decommissioning:

- 450 • Obligation and salvage value are held by the property owner due to the lease
- 451 • If/when Solar Facility owner doesn't decommission, then property owner gets rights to  
452 the salvage value. If property owner doesn't decommission, County has a bond.
- 453 • County is holding the bond, but has no attachment / rights to the salvage value
- 454 ○ Executing the bond becomes a legal mess.
- 455

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456 Dan Porter, Potential Scenario (continued):

- 457 • Property owner faces possibility of being cited for a violation of the Special Use Permit
- 458 since it runs with the land.
- 459 • Property owner would then have to decommission or face a Code Enforcement Action /
- 460 Abatement and cost of such would become a Tax lien on the property.
- 461 • Ultimate solution to the problem is to treat non-decommissioning as a nuisance violation,
- 462 perform a Code Enforcement Action, and place a Tax lien on the property.
- 463

464 Mr. Porter added that Solar Companies say there is no need to decommission a facility if it is  
 465 producing electricity. Bond creates a burden on the Solar Facility owner in that they have to pay  
 466 bank interest on the bond each year.

467  
 468 Mr. Porter then went over the proposed amendments:

- 469 • §151.347(V)(9) changes the word "plan" to "obligation" and adds that the
- 470 decommissioning obligation shall be part of the lease
- 471 • §151.347(V)(9)(c) adds that the land owner acknowledges that he/she is aware that
- 472 he/she may be held ultimately responsible for decommissioning
- 473 • §151.347(V)(9)(f) cost of removal is stricken from ordinance
- 474 • §151.347(V)(9)(g) states that the obligation shall be recorded in the Camden County
- 475 Registry of Deeds, and that it runs with the land until decommissioning is completed.
- 476 ○ "Runs with the land" means that the obligation is the land owner's, and as such the
- 477 land owner will also have to sign for the permit
- 478 • §151.347(V)(10) removes the requirement of a bond, and what was §151.347(V)(9)(h) is
- 479 reworded and moved to (V)(10) to read "Decommissioning obligation shall be updated
- 480 every 5 years or upon change of ownership and re-recorded in the County's Registry of
- 481 Deeds."
- 482 ○ Each time the obligation is updated, it is to also include a list of the technology
- 483 types, and documentation thereto as technology changes and improves over time.
- 484 • §151.347(V)(11) changes the word "request" to "require" such that proof of continuous
- 485 operation is required on a periodic basis.
- 486 • §151.347(V)(12) adds that the County has the remedies specified, but not limited thereto,
- 487 should the obligation of decommissioning not be met as stated in (V)(12).
- 488

489 Rick McCall questioned the wording of §151.347(V)(9)(c), specifically "...land owner may be  
 490 held...". Mr. McCall recommended changing "may be" to "shall be".

491  
 492 Dan Porter commented that a Public Hearing on this amendment had been scheduled for  
 493 September 5, 2017, but that the Board of Commissioners had decided to postpone it in light of  
 494 recent related public input. The Board of Commissioners directed staff to keep it on the  
 495 Planning Board agenda. A public hearing will occur at some point in the future.

496  
 497 Dan Porter and Dave Parks both expressed a desire to see some buffer around the core village  
 498 areas such that a Solar Facility could not locate within so many miles of any core village area.

499

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500 At this time, Mr. Porter introduced Linda Nwadike, a representative of SunEnergy1 who spoke  
501 regarding this issue.

502

503 Linda Nwadike, SunEnergy1, 192 Raceway Drive, Mooresville, NC

- 504 • Regarding decommissioning:
- 505 ○ After a lease is up (ends), property owner can do 1 of 2 things:
    - 506 ▪ Tell the solar company to remove the equipment and leave
    - 507 ▪ Tell the solar company to leave the equipment in place if the facility is still
    - 508 producing and making money
  - 509 ○ Solar Facilities have been around since the 1950's and there have been no
  - 510 decommissioned facilities
  - 511 ○ If the facility is still producing, then the property owner is making money by the
  - 512 lease payments, the solar company is making money selling the energy to the
  - 513 power company, and the power company is making money in that they are saving
  - 514 resources that would have been used to create the energy. County also makes
  - 515 money in the form of Taxes on the land and equipment at the commercial rate
  - 516 vice the farmland rate. Why decommission if everyone is making money?
  - 517 ○ As technology changes and improves, the panels get more efficient, less efficient
  - 518 equipment gets swapped out and replaced.
  - 519 ○ If the solar company owns the land, then the issue of a lease is a non-issue.
  - 520 ○ Salvage value of the equipment is a lot of money as is the bond when considering
  - 521 the cost of decommissioning, considering that the facility may never be
  - 522 decommissioned.
    - 523 ▪ Would like the County to consider not requiring a bond for
    - 524 decommissioning
  - 525 ○ Solar companies are not involved in just one facility, they are involved in many.
  - 526 If they had to put up a bond for every facility they build and operate, that could
  - 527 effectively eliminate their revenue and drive them out of business.
  - 528 ○ There are many counties that do not require bonds

529

530 Dan Porter commented that if most counties in this region require bonds or have prohibitions, but  
531 Camden did not, then Camden would get all the solar facilities locating here.

532

533 Ms. Nwadike added the following:

- 534 • If more solar facilities come to Camden, there are 2 scenarios:
- 535 1. Dominion has to upgrade their lines and the developer has to pay the cost to
  - 536 maintain those lines. Costs involved are easily in the multi-million dollar range.
  - 537 2. Solar developer can build their own substation.
    - 538 ▪ Has to be for a huge capacity, greater than 60 or 80 mega watts, not for
    - 539 small 5MW facilities
  - 540 • The assertion that "all the solar facilities will come to Camden" if Camden doesn't require
  - 541 a bond is a very inaccurate statement. There is only so much capacity and the lines are
  - 542 maxing out, the power company can only take on so much. When the lines max out, then
  - 543 more substations, transformers, etc., will need to be built in order to sell the power to the
  - 544 power company.

545



**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – August 16, 2017

546 Vice Chairman Patricia Delano commented that she would like to see large developers such as  
 547 solar developers invest in and give back to the counties that they operate in by donating to and  
 548 supporting the many charitable organizations in the county. Ms. Nwadike replied that they do,  
 549 and they have made donations to Kids First, Sheriff's Foundation, Food Pantry, and more. She  
 550 added that SunEnergy1 wants to invest in the County and help out in any way they can. She also  
 551 added that they would like to know if they can make donations to help any County organizations  
 552 or the schools.

553  
 554 Dan Porter commented that SunEnergy1 is a great corporate citizen. Mr. Porter added that it's  
 555 hard to require impact fees without legal justification for them which makes donating for the  
 556 schools and other county run organizations difficult to justify.

557  
 558 Ms. Nwadike commented on the permit fees, stating that in her opinion and that of SunEnergy1,  
 559 the fees Camden charges are pretty low - building permit, per panel, and Special Use Permit fees  
 560 alike, and suggested the County look into raising such fees.

561  
 562 Dan Porter stated that the County can raise the building permit fees, but that the County must by  
 563 law be able to show a relationship between the cost of the permit(s) and the costs to the County  
 564 in terms of administrative and inspection costs. He added that all companies have to be treated  
 565 the same, and that holds true for Special Use Permits. The County doesn't have a "Solar  
 566 Facility" permit, Special Use Permits are required for any number of different land uses. The  
 567 same Special Use Permit fee charged for a Solar Facility is the same fee that is charged for a  
 568 subdivision. The General Statutes say that a County must justify the fees based on the cost of  
 569 providing the related services.

570  
 571 Rick McCall asked what types of revenues the County receives in relation to the operation of a  
 572 Solar Facility. Dan Porter replied that the County gets the following:

- 573 • Property tax on the land and on the equipment. The equipment is taxed as personal  
 574 property of the company.
- 575 • The land is taxed as commercial use, which is a higher rate than farm use.
- 576 • For a 5MW facility, the tax revenues are approximately \$10,000 per year
- 577 • There is an 80% personal property tax exemption which means that only 20% of their  
 578 equipment is actually taxed.

579  
 580 Ms. Nwadike stated that once a facility is under construction, that the company likes to utilize  
 581 local vendors to try to help the local economy.

582  
 583 Dan Porter suggested that Ms. Nwadike try to convince one of their suppliers of materials to  
 584 locate a business here in Camden.

585  
 586 Rick McCall asked if it was possible to require a percentage of the people hired by the company  
 587 for the facility to be local people. Dan Porter replied that was not possible, the employment laws  
 588 don't allow that.

589  
 590 Ms. Nwadike stated that they try to hire locally. They participate in job fairs, use local staffing  
 591 companies, and many other ways to advertise their open positions.



**CAMDEN COUNTY PLANNING BOARD**Regular Meeting – August 16, 2017

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592 Vice Chairman Patricia Delano observed that most of the positions are for the setup of the  
 593 facility and are temporary. After setup is done and the solar facility is up and running, those  
 594 positions are no longer needed, and a minimal amount of personnel are required to operate the  
 595 facility.

596  
 597 Ms. Nwadike stated that was correct and added that after setup is completed about 3 people are  
 598 required for maintenance of each facility. Persons hired for setup / construction are moved from  
 599 site to site to try to continue their employment as long as possible.

600  
 601 At this time Chairman Calvin Leary asked if there was any further discussion. Hearing none, he  
 602 called for a motion.

603 **Motion to Approve Amendments to County Ordinance §151.347(V) with the change**  
 604 **that §151.347(V)(9)(c) wording "may be" be changed to "shall be".**

605	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
606	<b>MOVER:</b>	Rick McCall, Board Member
607	<b>SECONDER:</b>	Patricia Delano, Vice Chairman
608	<b>AYES:</b>	Leary, Delano, McCall, Albertson
609	<b>ABSENT:</b>	Harris, Etheridge, Bradshaw

610 **INFORMATION FROM BOARD AND STAFF**

611 None.

612 **CONSIDER DATE OF NEXT MEETING - SEPTEMBER 20, 2017**

613

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – August 16, 2017

614 **ADJOURN**615 **Motion to Adjourn the August 16, 2017 Planning Board Meeting**

616	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
617	<b>MOVER:</b>	Ray Albertson, Board Member
618	<b>SECONDER:</b>	Rick McCall, Board Member
619	<b>AYES:</b>	Leary, Delano, McCall, Albertson
620	<b>ABSENT:</b>	Harris, Etheridge, Bradshaw

621

622 Meeting adjourned at 8:05 PM.

623

624

625

626

627

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*Chairman Calvin Leary*  
*Camden County Planning Board*

628

629

630 *ATTEST:*

631

632

633

---

*Amy Barnett*  
*Planning Clerk*

635

Attachment: pbmins\_08162017 (1866 : Minutes - August 16, 2017)



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

Minutes

**Item Number:** 3.2

**Meeting Date:** November 15, 2017

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

**Item Title** Minutes - September 20, 2017

**Attachments:** pbmins\_09202017 (PDF)

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

**Camden County Planning Board  
Regular Meeting  
September 20, 2017 7:00 PM  
Historic Courtroom, Courthouse Complex  
Camden, North Carolina**

**MINUTES**

*The regular meeting of the Camden County Planning Board was held on September 20, 2017 in the Historic Courtroom, Camden, North Carolina. The following members were present:*

**CALL TO ORDER & WELCOME**

Planning Board Members Present:

Attendee Name	Title	Status	Arrived
Calvin Leary	Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Present	6:50 PM
Patricia Delano	Vice Chairman	Present	6:50 PM
Rick McCall	Board Member	Late	7:10 PM
Ray Albertson	Board Member	Absent	
Steven Bradshaw	Board Member	Present	6:50 PM

Staff Members Present:

Attendee Name	Title	Status	Arrived
Dan Porter	Planning Director	Present	6:50 PM
Dave Parks	Permit Officer	Present	6:50 PM
Amy Barnett	Planning Clerk	Present	6:30 PM

Others Present:

Attendee Name	Title	Status	Arrived
Stephanie Jackson	Applicant for Rezoning	Present	6:50 PM

**CONSIDERATION OF AGENDA****Motion to Approve Agenda as Presented.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Steven Bradshaw, Board Member
<b>SECONDER:</b>	Fletcher Harris, Board Member
<b>AYES:</b>	Leary, Harris, Delano, Bradshaw
<b>ABSENT:</b>	McCall

Attachment: pbmins\_09202017 (1867 : Minutes - September 20, 2017)

**CAMDEN COUNTY PLANNING BOARD**Regular Meeting – September 20, 2017

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**26 CONSIDERATION OF MINUTES**

27 August minutes will be considered at next meeting.

**28 COMMENTS FROM PUBLIC**

29 None.

**30 OLD BUSINESS**

31 None.

**32 NEW BUSINESS****33 *Item 1: UDO 2017-08-19, Rezoning Application, Stephanie & Christopher Jackson***34  
35 Dave Parks described this rezoning request and reviewed the Staff Report as incorporated herein  
36 below:  
37  
38 -----

**STAFF REPORT  
UDO 2017-08-19  
Zoning Map Amendment**

**43 PROJECT INFORMATION:**

44  
45 **File Reference:** UDO 2017-08-19  
46 **Project Name:** N/A  
47 **PIN:** 01-7989-03-11-3920  
48  
49 **Applicant:** Christopher & Stephanie Jackson  
50 **Address:** 520 Main Street, South Mills, NC  
51 **Phone:** (252) 339-2821  
52 **Email:**  
53  
54 **Agent for Applicant:**  
55 **Address:**  
56 **Phone:**  
57 **Email:**  
58  
59 **Current Owner of Record:** Applicant  
60  
61 **Meeting Dates:**  
62 **Planning Board - 9/20/2017**  
63  
64 **Application Received:** 6/16/17  
65 **By:** David Parks, Permit Officer  
66  
67 **Application Fee paid:** \$650 Check #254  
68  
69 **Completeness of Application:** Application is generally complete  
70

Attachment: pbmins\_09202017 (1867 : Minutes - September 20, 2017)

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

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

- A. Rezoning Application
- B. Health Department Soil Evaluation
- C. Aerial of portion of property requested to be rezoned.
- D. Deed
- E. GIS Aerial, existing zoning, Comprehensive Plan future land use and CAMA Land Use Plan Suitability Maps

**PROJECT LOCATION:****Street Address:** Property located off Horseshoe Road.**Location Description:** South Mills Township**MAPS SHOW:**

- A. **Vicinity Map** - located at 163 Horseshoe Road, adjacent to 165 Horseshoe Road
- B. **CAMA Land Suitability** - Moderate
- C. **Comprehensive Plan Future Land Use Map** - Rural Preservation
- D. **CAMA Future Land Use Map** - Low Density Residential
- E. **Zoning Map** - Highway Commercial
- F. **Floodplain Map** - AE Flood Zone

**REQUEST:**

Rezone approximately 10 acres from Highway Commercial (HC) to Basic Residential (R3-1)

**From:** Highway Commercial (HC). The Highway Commercial district is designed to provide for and encourage the proper grouping and development of roadside uses which will best accommodate the needs of the motoring public along US 17, US 158 and NC 343. In addition, commercial uses served by large trucks and other intense commercial uses shall be encouraged to locate in these districts. These regulations are intended to control those aspects of development that affect adjacent residential land use, traffic flow and the capacity of the land to absorb development. Specifically prohibited in this district are uses which create a hazardous or noxious effect and junkyards.

**To:** Basic Residential (R3-1). The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-1 district requires a minimum of one acre per lot.

**SITE DATA:**

**Lot size:** Approximately 10 acres.  
**Flood Zone:** Shaded X/AE (100 year flood)  
**Zoning District(s):** Basic Residential (R3-2)  
**Existing Land Uses:** Agriculture

## CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 20, 2017

### Adjacent Zoning & Uses:

	North	South	East	West
<b>Zoning</b>	Basic	Basic	Residential (R3-2) (R2)	Basic
<b>Use &amp; Size</b>	Farmland / Some Housing	Tar Corner Subdivision	Farmland / Two Houses	Farmland

**Proposed Use(s):** Residential purposes.

**Description of property:** Property is adjacent to 165 Horseshoe Road.

### ENVIRONMENTAL ASSESSMENT:

**Streams, Creeks, Major Ditches:** Upper Pasquotank.

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

### INFRASTRUCTURE & COMMUNITY FACILITIES:

**Water:** Water lines are located adjacent to property along Horseshoe Road.

**Sewer:** Perc test provided.

**Fire District:** South Mills Fire District. Property located approximately 1 mile from Station on Halstead St.

**Schools:** Impact calculated at subdivision/building permit.

**Traffic:** Staffs opinion is traffic will not exceed road capacities.

### PLANS CONSISTENCY:

**CAMA Land Use Plan Policies & Objectives: Consistent.** The proposed zoning change is consistent with the CAMA Land Use Plan which was adopted by the Camden County Board of Commissioners on April 4, 2005 in that the Future Land Use Maps has area as Low Density Residential 1-2 acres or greater.

**2035 Comprehensive Plan: Inconsistent.** Inconsistent with Comprehensive Plan (Adopted 2012) as Future Land Use Maps reflect land as Rural Preservation.

**Comprehensive Transportation Plan: Consistent.** Property abuts Horseshoe Road.

**Other Plans officially adopted by the Board of Commissioners: N/A**

### FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

**Will the proposed zoning change enhance the public health, safety or welfare? Yes AND No. Reasoning:** The proposed zoning change will neither enhance nor hinder the public health, safety, or welfare. The infrastructure if there for residential development however sewer is unavailable (if needed ) for commercial development.

## CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 20, 2017

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175 Is the entire range of permitted uses in the requested classification more  
 176 appropriate than the range of uses in the existing classification? Yes AND  
 177 No. Reasoning: Could debate both sides based on infrastructure.

178  
 179 For proposals to re-zone to non-residential districts along major arterial  
 180 roads:

181  
 182 Is this an expansion of an adjacent zoning district of the same  
 183 classification? N/A; Reasoning:

184  
 185 What extraordinary showing of public need or demand is met by this  
 186 application? N/A; Reasoning:

187  
 188 Will the request, as proposed cause serious noise, odors, light, activity, or  
 189 unusual disturbances? No. Reasoning: All uses allowed in the requested  
 190 zoning classification should not cause any serious noise, odors, light  
 191 activity, or unusual disturbances.

192  
 193 Does the request impact any CAMA Areas of Environmental Concern? No.  
 194 Reasoning: Property is outside any CAMA Areas of Environmental Concern.

195  
 196 Does the county need more land in the zoning class requested? Yes.  
 197 Reasoning: Higher density development in areas identified in the CAMA Land  
 198 Use Plan provides needed roof tops to support commercial development.

199  
 200 Is there other land in the county that would be more appropriate for the  
 201 proposed uses? No. Reasoning: There are homes located adjacent to and near  
 202 the property.

203  
 204 Will not exceed the county's ability to provide public facilities: No.  
 205 Schools - The higher density would have an impact on the high school as  
 206 it is over capacity.  
 207 Fire and Rescue - Minimal impact.  
 208 Law Enforcement - Minimal impact.  
 209 Parks & Recreation - Minimal impact  
 210 Traffic Circulation or Parking - N/A  
 211 Other County Facilities - No.  
 212



## CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 20, 2017

213 **Is This A Small Scale "Spot" Rezoning Request Requiring Evaluation Of**  
 214 **Community Benefits? Yes.**

215  
 216 **If Yes (regarding small scale spot rezoning) – Applicants Reasoning:**  
 217

	Personal Benefits/Impact	Community Benefits/Impact
<b>With Rezoning</b>	Will allow owner to build their home on the land.	None.
<b>Without Rezoning</b>	Property owner will not be able to use the land in which they intended.	When sewer is available, will provide needed commercial development.

228  
 229 **STAFF COMMENTARY:**

230  
 231 This is another area where the CAMA Plan, Comprehensive Plan and Zoning Maps  
 232 are not consistent with each other. CAMA Plan has property identified as Low  
 233 Density Residential, Comprehensive Plan has land at Rural Preservation and  
 234 Zoning Map has property zoned Highway Commercial. There is no sewer  
 235 available at this time and there are 8 dwellings that surround the property.

236  
 237 **STAFF RECOMMENDATION:**

- 238  
 239 1. Staff [recommended] motion for the Consistency Statement is the  
 240 requested rezoning is both consistent and inconsistent with adopted  
 241 CAMA Land Use Plan and the Comprehensive Plan stated in Staff  
 242 Commentary.  
 243  
 244 2. Staff recommends  
 245

246  
 247 At this time, Ms. Stephanie Jackson, applicant for this rezoning request, provided the following  
 248 information:

- 249
  - She and her husband purchased the 10 acre tract of land located at 163 Horseshoe Road
  - Plans are to demolish the current home on the property and build new home
  - Need property to be rezoned in order to build residential dwelling on the property as it is currently zoned Highway Commercial.

253  
 254 Dave Parks noted that there is no staff recommendation in the Staff Report. There could be an  
 255 argument made either way for this rezoning. Current zoning on the property is Highway  
 256 Commercial (HC) and there are all kinds of residential zoning in the immediate area. The  
 257 rezoning request is inconsistent with the Comprehensive Plan as the Comprehensive Plan has the  
 258 area designated as Rural Preservation.

259  
 260 Steve Bradshaw commented that the zoning in the area is a mixed bag, with homes all along the  
 261 road in that area being different zoning designations on those properties and adjacent properties.  
 262 Dave Parks concurred with this assessment.  
 263

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

264 Dan Porter stated that the reason staff had no recommendation was that he wanted to discuss the  
 265 matter during the meeting instead. He stated that the R-3-2 in the area was once HC. He also  
 266 spoke about the South Mills core village area. He went on to say that there was no access to the  
 267 property which was zoned Highway Commercial except by Spence Lane. Much of the land in  
 268 the area is farmland and/or woodland. It is a mixed up area in terms of zoning designations.

269  
 270 Dave Parks then spoke about the Table of Permissible Uses for the requested zoning  
 271 classification versus the existing zoning classification. With the appropriate infrastructure, an  
 272 argument could be made for Highway Commercial. Argument for residential use, there are  
 273 adjacent residential uses within a closely compacted area.

274  
 275 Dan then spoke about the CAMA Future Land Use Map, which was adopted around 2004 / 2005.  
 276 He stated that it is as close to reasonable as it can be, showing a lot of commercial on the  
 277 Northern side of Horseshoe Road. Since the time this map was adopted, the commercial on the  
 278 other side of Horseshoe Road has been converted back to residential. From that standpoint, the  
 279 requested rezoning does conform with the CAMA Plan.

280  
 281 Steve Bradshaw expressed his opinion that this is a perfectly reasonable rezoning request.

282  
 283 Dave Parks continued going over the Staff Report as incorporated herein above. At the  
 284 conclusion of the Staff Report, Mr. Parks read the recommendation for consistency statement  
 285 which is included at the end of the report. Mr. Parks stated that there would need to be 2 motions  
 286 in order to approve the request: Consistency Statement and Motion to Approve.

287  
 288 Rick McCall asked if the UDO Update is compatible with this request. Dan Porter stated that the  
 289 UDO Update being worked on establishes zoning types, but does not specify where those zoning  
 290 boundaries are. Mr. Porter stated that the short answer is yes it is compatible, and that the UDO  
 291 Update process is not making any zoning changes to the zoning maps.

292  
 293 At this time, Chairman Calvin Leary asked if there were any further comments or questions.  
 294 Hearing none, the Chair entertained the following motions:

295  
 296 ***Consistency Statement: Requested rezoning is both consistent and inconsistent with***  
 297 ***the CAMA Land Use Plan and the Comprehensive Plan adopted by the county.***

298	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
299	<b>MOVER:</b>	Steven Bradshaw, Board Member
300	<b>SECONDER:</b>	Fletcher Harris, Board Member
301	<b>AYES:</b>	Leary, Harris, Delano, McCall, Bradshaw

302

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

303 *Motion to Approve Rezoning Request for 163 Horseshoe Road, Stephanie and*  
 304 *Christopher Jackson*

305	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
306	<b>MOVER:</b>	Rick McCall, Board Member
307	<b>SECONDER:</b>	Patricia Delano, Vice Chairman
308	<b>AYES:</b>	Leary, Harris, Delano, McCall, Bradshaw

309  
 310 Dave Parks mentioned that the owners at 159 Horseshoe Road, property which is directly  
 311 adjacent to the property being considered for rezoning here, would like to be included in the  
 312 rezoning.

313 *Motion to include 159 Horseshoe Road in this Rezoning*

314	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
315	<b>MOVER:</b>	Patricia Delano, Vice Chairman
316	<b>SECONDER:</b>	Rick McCall, Board Member
317	<b>AYES:</b>	Leary, Harris, Delano, McCall, Bradshaw

318 **INFO FROM BOARD AND STAFF**

319  
 320 Dan Porter reminded the Board of a workshop, regarding the Update of the UDO, to take place  
 321 September 26 at the Camden County Library in the Community Room.  
 322

323 **CONSIDER DATE OF NEXT MEETING - OCTOBER 18, 2017**

324

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

325 **ADJOURN**326 **Motion to Adjourn**

327	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
328	<b>MOVER:</b>	Fletcher Harris, Board Member
329	<b>SECONDER:</b>	Steven Bradshaw, Board Member
330	<b>AYES:</b>	Leary, Harris, Delano, McCall, Bradshaw

331  
 332 The meeting adjourned at 7:25 PM.

333  
 334  
 335  
 336  
 337  
 338

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*Chairman Calvin Leary  
 Camden County Planning Board*

339  
 340  
 341

342 *ATTEST:*

343  
 344  
 345  
 346

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347 *Amy Barnett*  
 348 *Planning Clerk*

Attachment: pbmins\_09202017 (1867 : Minutes - September 20, 2017)



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

New Business

**Item Number:** 6.1

**Meeting Date:** November 15, 2017

**Submitted By:** Dave Parks, Permit Officer  
Planning & Zoning  
Prepared by: Amy Barnett

**Item Title** UDO 2017-10-02 Rezoning Glen A. Carey Jr.

**Attachments:** UDO 2017-10-02 Rezoning Carey (PDF)

**Ordinance No. 2017-11-01**

**An Ordinance  
Amending the Camden County  
Zoning Map  
Camden County, North Carolina**

**Article I: Purpose**

The purpose of this Ordinance is to amend the Zoning Map of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 20, 1993, and subsequently amended.

**Article II. Amendment to Zoning Map**

The Official Zoning Map of Camden County, North Carolina, which was adopted on December 20, 1993, and subsequently amended, is hereby amended as follows:

The property currently shown in the Camden County Tax Assessor’s Office as PIN 01-7081-00-81-4060 is hereby re-zoned from Basic Residential (R3-2) to Basic Residential (R3-1).

**Article III. Penalty**

1. Violations of the provision of this Ordinance or failure to comply with any of its Requirements, including violations of any conditions and safeguards established in connection with grants of variances or Special Use or Conditional Use Permits, shall constitute a misdemeanor, punishable by a fine of up to five-hundred (\$500) dollars or a maximum thirty (30) days imprisonment as provided in G. S. 14-4.
2. Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or Special Use or Conditional Use Permits, shall also subject the offender to a civil penalty of one-hundred (\$100) dollars for each day the violation continues. If the offender fails to pay the penalty within ten (10) days after being cited for a violation, the penalty may be recovered by the county in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with Article 151.568 and did not take an appeal to the Board of Adjustment within the prescribed time.
3. This Ordinance may also be enforced by any appropriate equitable action.

- 4. Each day that any violation continues after notification by the administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.
- 5. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

**Article IV. Severability**

If any language in this Ordinance is found to be invalid by a court of competent jurisdiction or other entity having such legal authority, then only the specific language held to be invalid shall be affected and all other language shall be in full force and effect.

**Article V. Effective Date**

This Ordinance is effective upon adoption.

Adopted by the Board of Commissioners for the County of Camden this            day of 2017.

County of Camden

\_\_\_\_\_  
Clayton Riggs, Chairman  
Camden County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Karen Davis  
Clerk to the Board

(SEAL)

**Dave Parks**

**From:** Stephanie Humphries <shumphries@camdencountync.gov>  
**Sent:** Wednesday, October 04, 2017 12:24 PM  
**To:** Board of Commissioners  
**Cc:** kdavis@camdencountync.gov; Dan Porter; 'Dave Parks'; John Morrison  
**Subject:** Plan Consistency Statements

In response to the changing Legislation mentioned by Dan Porter at the end of Monday's meeting, I am providing both a synopsis below as well as this link to a more in depth explanation by the School of Government:

<https://canons.sog.unc.edu/a-statutory-modification-for-plan-consistency-statements/>

**When:**

Takes effect for *applications* for zoning amendments made on or after October 1, 2017

**Short answer:**

As of October, the Plan Consistency statement must take one of three forms:

1. A statement approving the proposed zoning amendment and describing its consistency with the plan
2. A statement rejecting the proposed zoning amendment and describing its inconsistency with the plan; or
3. A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

*"The Plan" is the UDO/zoning ordinances and subsequent amendments*

**Must include:**

A statement on plan consistency must be explicitly approved by the governing board at the time a zoning amendment decision is made. The statement must be more than a one-sentence conclusion. It must both describe plan consistency or inconsistency and it must explain the rationale of the decision. The statement is to take the form of one of the three options noted above.

**\*\*The statute does not address a fourth possibility – that the board finds the amendment consistent with the plan but decides to reject the amendment anyway. Prior case law allows this to happen and given the advisory nature of the plan, that is likely still permissible. But the fact that it is not listed as an option in the new statute does give some pause to consider whether it is implied that this is no longer permissible. After all, the amended statutes uses mandatory language, saying the governing board "shall adopt one of the following statements." To avoid a potential problem in this situation, it would be prudent for a governing board rejecting a zoning amendment that is consistent with its plan to concurrently amend the plan.**

**Explanation:**

"the statement does not need to be a long, complicated, legalistic document. The statement does not have to be supported by evidence in the record, as would be the case for a quasi-judicial decision. But it must be real, it must be approved by the board, and it must have a brief description of why the action is or is not consistent with the plan. Anything less risks judicial invalidation of the zoning amendment."

*Stephanie M. Humphries, MBA, CLGFO*  
 P.O. Box 190, 330 East Hwy. 158  
 Camden, N.C. 27921  
 Ph: 252-338-6363 x 107



[www.camdencountync.gov](http://www.camdencountync.gov)



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**STAFF REPORT**

**UDO 2017-10-02  
Zoning Map Amendment**

**PROJECT INFORMATION**

**File Reference:** UDO 2017-10-02  
**Project Name;** N/A  
**PIN:** 01-7081-00-81-4060

**Applicant:** Glen A. Carey, Jr.

**Address:** P.O. Box 211  
South Mills, NC  
**Phone:** (252) 333-8596  
**Email:**

**Agent for Applicant:**

**Address:**  
**Phone:**  
**Email:**

**Current Owner of Record:** Glen A. Carey, Jr.

**Meeting Dates:**

11/15/2017 **Planning Board**

**Application Received:** 10/2/2017  
**By:** David Parks, Permit Officer

**Project Address/Location:** Adjacent to 197 Sharon Church Road, South Mills

**Application Fee paid:** \$800 Check #18697

**Completeness of Application:** Application is generally complete

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

- A. Rezoning Application
- B. ARHS Perc Test.
- C. Deed
- D. GIS Aerial, existing zoning, Comprehensive Plan future land use and CAMA Land Use Plan Suitability Maps

**REQUEST:** Rezone approximately 25 acres from Basic Residential (R3-2) to Basic Residential (R3-1)

**From:** Basic Residential (R3-2)

**To:** Basic Residential (R3-1)

The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-2 district requires a minimum of two acres per lot.

The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-1 district requires a minimum of one acre per lot.

Vicinity Map:



**SITE DATA**

**Lot size:** Approximately 25 acres

**Flood Zone:** Zone X

**Zoning District(s):** Basic Residential (R3-2)

**Existing Land Uses:** Agriculture/Residential

**Adjacent Zoning & Uses:**

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Zoning</b>	Basic Residential (R3-2)	Basic Residential (R3-2)	Residential (R3-2) (R2)	Basic Residential (R3-2)
<b>Use &amp; size</b>	Woodland	Farmland	Farmland/Housing	Woods/Farmland

**Proposed Use(s):**

The Uses will remain the same; just the density change is requested from two to one acre.

**Description of property:**

Property abuts Sharon Church Road. Property has been in farm use for quite some time plus there currently exists 3 dwellings on property.

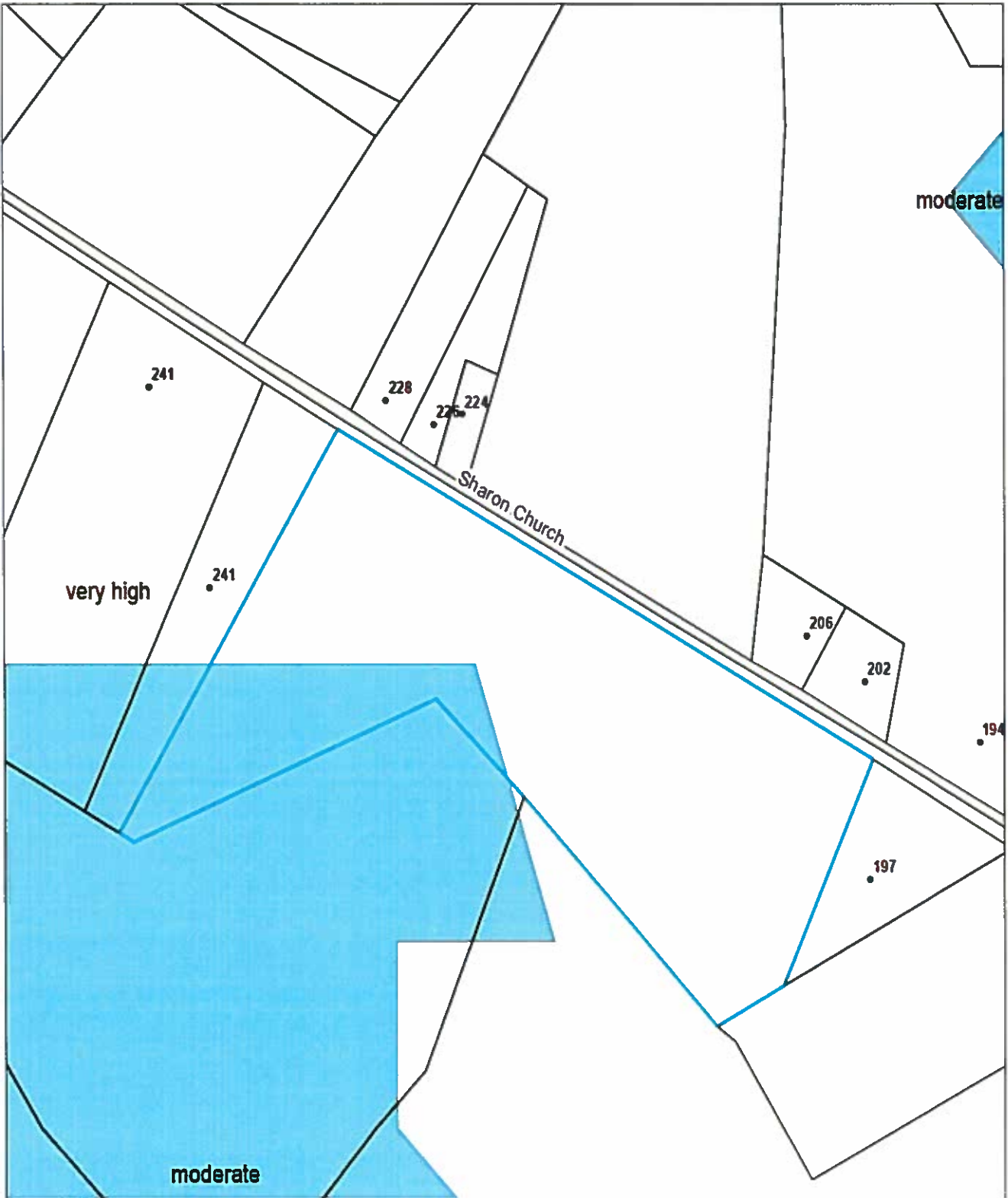
**ENVIRONMENTAL ASSESSMENT**

**Streams, Creeks, Major Ditches:** Mill Run Ditch.

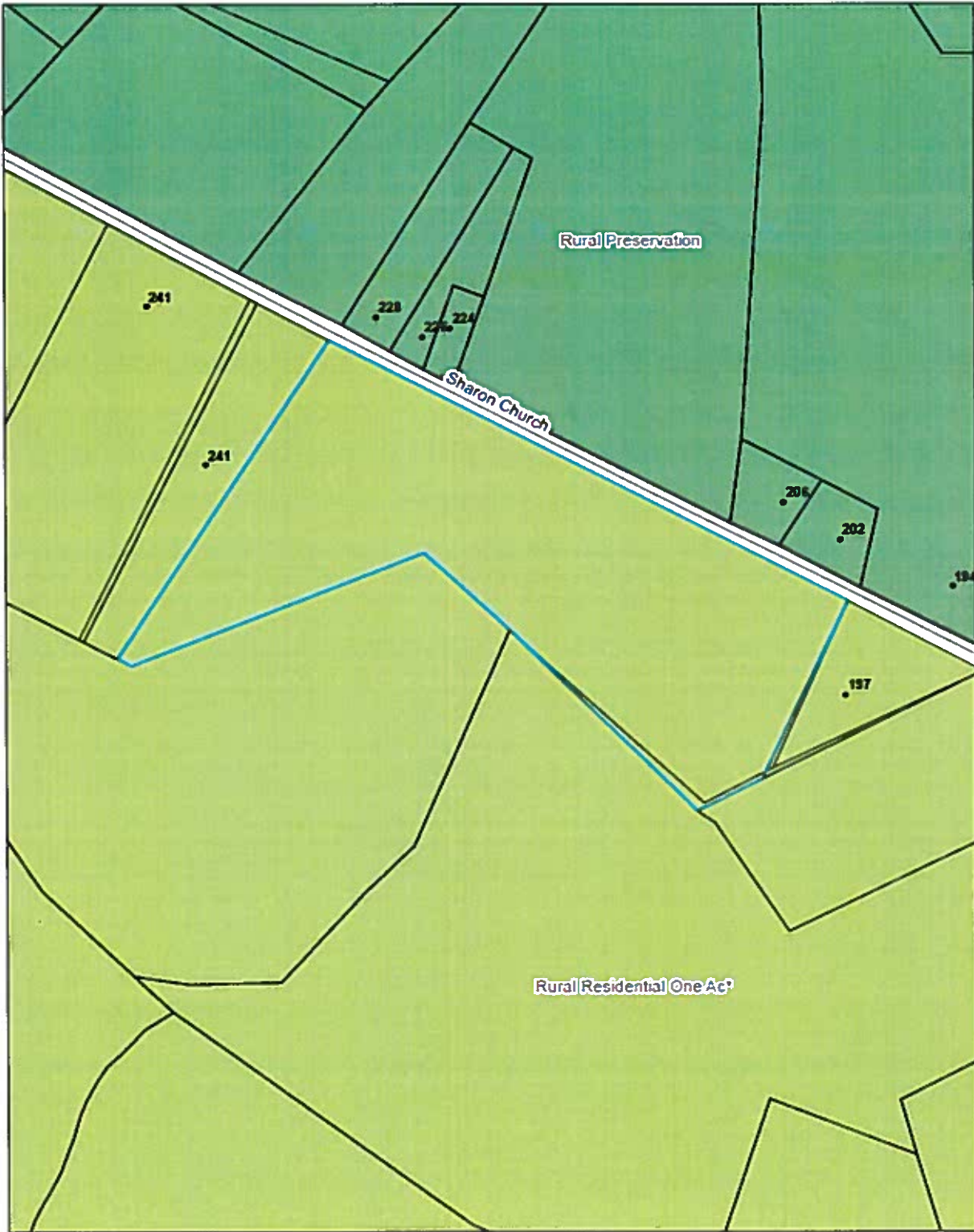
**Distance & description of nearest outfall:** Less than 1 mile.



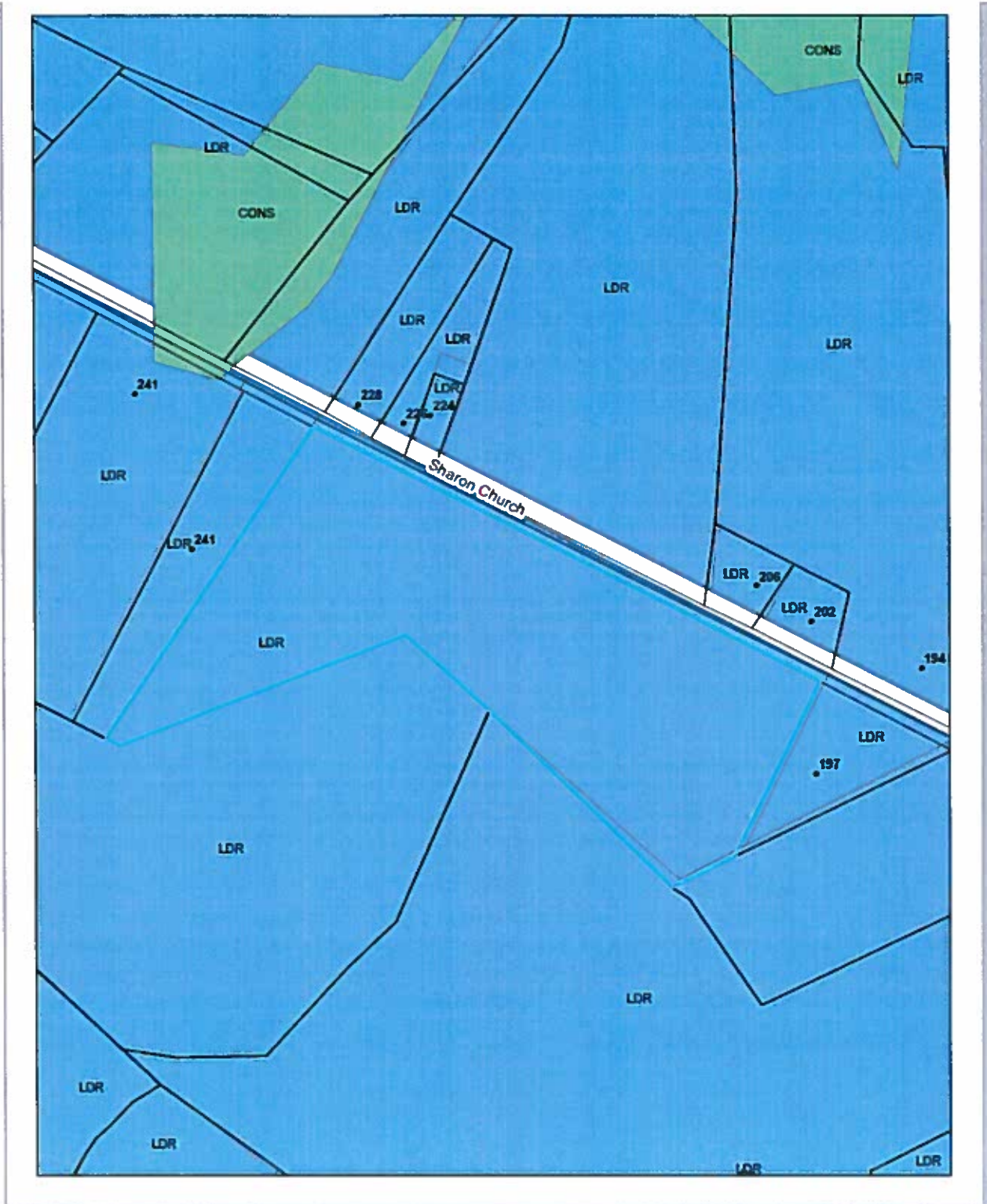
**CAMA Land Suitability:**



### Comprehensive Plan Future Land Use Map\

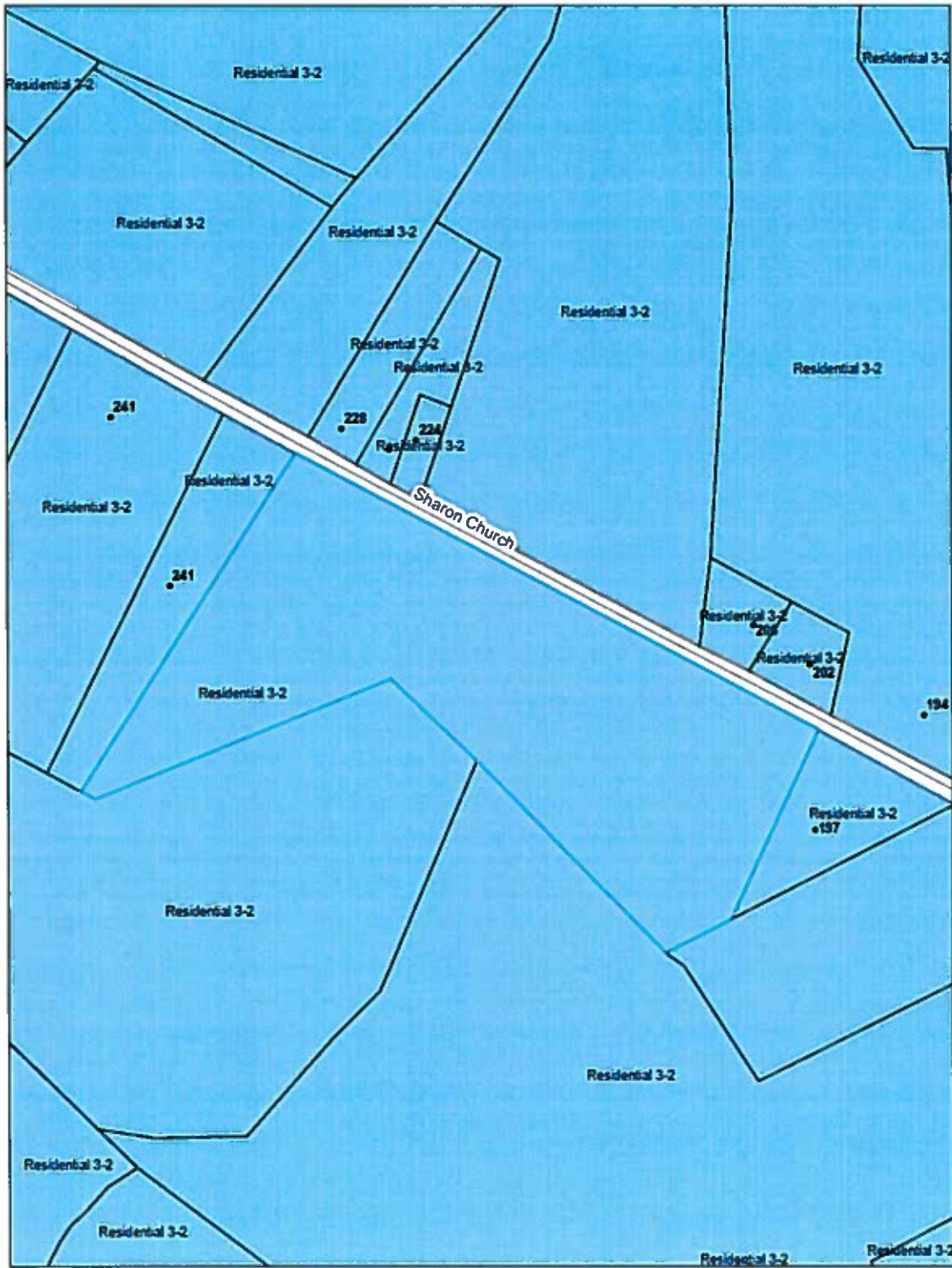


### CAMA Future Land Use Map





Zoning Map:





**INFRASTRUCTURE & COMMUNITY FACILITIES**

<b>Water</b>	Water lines are located adjacent to property along Sharon Church road.
<b>Sewer</b>	There are 3 dwellings on lot with septic systems.
<b>Fire District</b>	South Mills Fire District. Property located approximately 3 miles from Station on Keeter Barn Road.
<b>Schools</b>	Impact calculated at subdivision.
<b>Traffic</b>	Staffs opinion is traffic will not exceed road capacities.

**PLANS CONSISTENCY**

**CAMA Land Use Plan Policies & Objectives:**

**Consistent  Inconsistent**

The proposed zoning change is consistent with the CAMA Land Use Plan which was adopted by the Camden County Board of Commissioners on April 4, 2005 in that the Future Land Use Maps has area as Low Density Residential 1-2 acres or greater.

**PLANS CONSISTENCY – cont.**

**2035 Comprehensive Plan**

**Consistent  Inconsistent**

Consistent with Comprehensive Plan (Adopted 2012) as Future Land Use Maps reflect land identified as Rural Residential 1 acre lots.

**PLANS CONSISTENCY – cont.**

**Comprehensive Transportation Plan**

Consistent       Inconsistent

Property abuts Sharon Church Road.

**Other Plans officially adopted by the Board of Commissioners**

N/A

**FINDINGS REGARDING ADDITIONAL REQUIREMENTS:**

Yes       No       **Will the proposed zoning change enhance the public health, safety or welfare?**

**Reasoning:** The proposed zoning change will enhance the public health, safety, or welfare as the proposed change will allow for higher density residential development to support future commercial development providing a needed tax base for County residents.

Yes       No       **Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?**

N/A

**Reasoning:** The allowable uses in the R3 (Basic Residential) zoning will not change as the request is for higher density from two acres to one acre.

**For proposals to re-zone to non-residential districts along major arterial roads:**

Yes       No       **Is this an expansion of an adjacent zoning district of the same classification? N/A**

**Reasoning:**

Yes       No       **What extraordinary showing of public need or demand is met by this application? N/A**

**Reasoning:**

Yes  No  **Will the request , as proposed cause serious noise, odors, light, activity, or unusual disturbances?**

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

Yes  No  **Does the request impact any CAMA Areas of Environmental Concern?**

**Reasoning:** Property is outside any CAMA Areas of Environmental Concern.

Yes  No  **Does the county need more land in the zoning class requested?**

**Reasoning:** Higher density development in areas identified in the Comprehensive and CAMA plans provides needed roof tops to support commercial development.

Yes  No  **Is there other land in the county that would be more appropriate for the proposed uses?**

N/A

**Reasoning:** Proposed uses will not change.

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

**Schools** – The higher density would have an impact on the high school as it is over capacity. Owner desires to create a four lot minor subdivision and preserve the rest in farmland.

**Fire and Rescue** – Minimal impact.

**Law Enforcement** – Minimal impact.

**Parks & Recreation** – Minimal impact

**Traffic Circulation or Parking** – N/A

**Other County Facilities** – No.

Yes  No  **Is This A Small Scale "Spot" Rezoning Request Requiring Evaluation Of Community Benefits?**

**If Yes (regarding small scale spot rezoning) – Applicants Reasoning:**

	<b>Personal Benefits/Impact</b>	<b>Community Benefits/Impact</b>
<b>With rezoning</b>	Will allow owner to cut out a 4 lot minor subdivision of one acre lots.	Preservation of farmland and providing additional roof tops to support commercial development.
<b>Without rezoning</b>	Property owner will be wasting 4 acres of farm land under current zoning requiring two acre lot sizes.	No Change.

**STAFF COMMENTARY:**

The owner would like to do a 4 lot minor subdivision and preserve as much farm land as possible.

**STAFF RECOMMENDATION:****Consistency Statement:**

The requested Map Amendment is consistent with both the CAMA Land Use Plan and Comprehensive Plan as it allows for densities as low as one acre. Higher density provides more residential roof tops to support Commercial Development needed within designated areas of Camden County.

Staff recommends approval of Ordinance No. 2017-10-01/Rezoning Application 2017-10-02.



# Land Use/Development Application

County of Camden, North Carolina

Depending upon the type of proposal, the proposal may require a Zoning Permit, Conditional Use Permit, or Special Use Permit. This form is used as the start of application process. All applicants must submit a site plan (see "Minimum Site Plan Requirements") and a valid Health Department permit. Applicants for a Conditional Use Permit or Special Use Permit should review the "Requirements for Conditional Use Permit and Special Use Permit Applications".

Applicants for a subdivision must submit this form as their Special Use Permit application.

Please consult the Planning Office (1-252-338-1919) with any questions about your application.

Please Do Not Write in this Box	
PIN:	<u>01-7081-00-81-4060</u>
UDO#	<u>2017 - 10 - 02</u>
Date Received:	<u>10/4/2017</u>
Received by:	<u>DP</u>
Zoning District:	<u>R3-2</u>
Fee Paid \$	<u>800.00</u>

*pd ck # 18697*

PLEASE PRINT OR TYPE

Applicant's Name: Glen A. Carey, Jr

If the Applicant is acting as agent for another person (the "principal"), please give that person's name on the line below and submit a copy of the agency agreement/letter with this Application.

Applicant's Mailing Address: P.O. Box 211  
South Mills, NC 27976

Daytime Phone Number: ( 252 ) 333-8596

Street Address Location of Property: Located adjacent to 197 Sharon Church Road

General Description of Proposal: Request rezone 25 acres from Basic Residential (R3-2) to Basic Residential (R3-1)

*I swear or affirm that the foregoing information and all attachments hereto (now or subsequently provided as part of this application) are true and correct to the best of my knowledge.*

Signed: *Glen A. Carey Jr*

Dated: 10-2-17

*\* Information to be filled out by Planning Department*

\*Is the Property in a Watershed Protection area? No

\*Flood Zone (from FIRM Map): X

\*Taxes paid? yes X no

### Zoning Change Application Questions

The UDO requires the Board to consider to 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? (Article 151.585)

*Provides added residential density to support commercial development.*

(B) Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification? (Article 151.585)

*Uses will not change / higher density / 2 acres lots to 1 acre lots.*

(C) For proposals to re-zone to non-residential districts along major arterial roads (Article 151.586):

(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?

*N/A*

ALBEMARLE REGIONAL HEALTH SERVICES

241942

Applicant:

CAREY, GLENN AL  
P.O. BOX 211  
SOUTH MILLS, NC 27976

Owner:

CAREY, GLENN AL  
P.O. BOX 211  
SOUTH MILLS, NC 27976

Site Location:

201 SHARON CHURCH ROAD  
SOUTH MILLS, NC 27976

LOT 1

GPD: 480      LTAR: 0.300      Classification: Unsuitable

If unsuitable, the site may be reclassified to provisionally suitable with the following modification(s):

- \* Fill Area 60 ft. by 120 ft. with 18 in. of Sand
- \* Sand Backfill Trenches to a depth of 5 ft.

To obtain an Authorization to Construct:

- \* Submit a plat or scale drawing of the lot, showing location and dimensions of all property lines, proposed structures and driveways
- \* Submit a copy of deed or contract to purchase
- \* Sign legal documents agreeing to the inspection and maintenance requirements of the Albemarle Regional Health Services Management Entity
- \* Pay permit fee of \$225

Comments:

EHS:   
Swinney, David

Date: 08/09/2017

THIS APPROVAL WILL BECOME VOID AFTER 12 MONTHS AND A NEW APPLICATION WILL BE NECESSARY.

Bertie (252) 794-5303    Camden (252) 338-4460    Chowan (252) 482-1199    Currituck (252) 232-6603  
Gates (252) 357-1380    Pasquotank (252) 338-4490    Perquimans (252) 426-2100



ALBEMARLE REGIONAL HEALTH SERVICES

241944

Applicant:

CAREY, GLENN AL  
P.O. BOX 211  
SOUTH MILLS, NC 27976

Owner:

Site Location:

201 SHARON CHURCH ROAD  
SOUTH MILLS, NC 27976

LOT 2

GPD: 480      LTAR: 0.300      Classification: Unsuitable

If unsuitable, the site may be reclassified to provisionally suitable with the following modification(s):

- \* Fill Area 60 ft. by 120 ft. with 18 in. of Sand
- \* Sand Backfill Trenches to a depth of 5 ft.

To obtain an Authorization to Construct:

- \* Submit a plat or scale drawing of the lot, showing location and dimensions of all property lines, proposed structures and driveways
- \* Submit a copy of deed or contract to purchase
- \* Sign legal documents agreeing to the inspection and maintenance requirements of the Albemarle Regional Health Services Management Entity
- \* Pay permit fee of \$225

Comments:

EHS:   
Swinney, David

Date: 08/09/2017

THIS APPROVAL WILL BECOME VOID AFTER 12 MONTHS AND A NEW APPLICATION WILL BE NECESSARY.

Bertie (252) 794-5303    Camden (252) 338-4480    Chowan (252) 482-1199    Currituck (252) 232-6603  
Gates (252) 357-1380    Pasquotank (252) 338-4490    Perquimans (252) 426-2100

**ALBEMARLE REGIONAL HEALTH SERVICES**

241845

**Applicant:**

CAREY, GLENN AL  
P.O. BOX 211  
SOUTH MILLS, NC 27976

**Owner:**

CAREY, GLENN AL  
P.O. BOX 211  
SOUTH MILLS, NC 27976

**Site Location:**

201 SHARON CHURCH ROAD  
SOUTH MILLS, NC 27976

*LOT 3*

**GPD: 480      LTAR: 0.300      Classification: Unsuitable**

**If unsuitable, the site may be reclassified to provisionally suitable with the following modification(s):**

- \* Fill Area 120 ft. by 60 ft. with 18 in. of Sand
- \* Sand Backfill Trenches to a depth of 5 ft.

**To obtain an Authorization to Construct:**

- \* Submit a plat or scale drawing of the lot, showing location and dimensions of all property lines, proposed structures and driveways
- \* Submit a copy of deed or contract to purchase
- \* Sign legal documents agreeing to the inspection and maintenance requirements of the Albemarle Regional Health Services Management Entity
- \* Pay permit fee of \$225

**Comments:**

EHS:  *Revised 19/11*

Swinney, David

Date: 08/09/2017

**THIS APPROVAL WILL BECOME VOID AFTER 12 MONTHS AND A NEW APPLICATION WILL BE NECESSARY.**

Bertie (252) 794-5303    Camden (252) 338-4460    Chowan (252) 482-1199    Currituck (252) 232-6803  
Gates (252) 357-1380    Pasquotank (252) 338-4490    Perquimans (252) 426-2100

ALBEMARLE REGIONAL HEALTH SERVICES

241946

Applicant:

CAREY, GLENN AL  
P.O. BOX 211  
SOUTH MILLS, NC 27976

Owner:

CAREY, GLENN AL  
P.O. BOX 211  
SOUTH MILLS, NC 27976

Site Location:

201 SHARON CHURCH ROAD  
SOUTH MILLS, NC 27976

CC7 4

GPD: 480      LTAR: 0.300      Classification: Unsuitable

If unsuitable, the site may be reclassified to provisionally suitable with the following modification(s):

- \* Fill Area 60 ft. by 120 ft. with 18 in. of Sand
- \* Sand Backfill Trenches to a depth of 5 ft.

To obtain an Authorization to Construct:

- \* Submit a plat or scale drawing of the lot, showing location and dimensions of all property lines, proposed structures and driveways
- \* Submit a copy of deed or contract to purchase
- \* Sign legal documents agreeing to the inspection and maintenance requirements of the Albemarle Regional Health Services Management Entity
- \* Pay permit fee of \$225

Comments:

EHS:

 08/09/17  
Swinney, David

Date: 08/09/2017

THIS APPROVAL WILL BECOME VOID AFTER 12 MONTHS AND A NEW APPLICATION WILL BE NECESSARY.

Bertie (252) 794-5303    Camden (252) 338-4460    Chowan (252)482-1199    Currituck (252) 232-6603  
Gates (252) 357-1380    Pasquotank (252) 338-4490    Perquimans (252) 426-2100

~~Carey farms shop~~ Al Carey 252-333-8-



July 25 2017

- Streets
- Main Roads
- Addresses
- Parcels
- County Boundary

0 0.0325 0.065 0.13 mi

0 0.05 0.1 0.2 km

1:3,950

Map © HERE, DeLorme, Mapbox, TomTom, Swatch, Mapbox, and GIS user community  
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/SIPA, USDA, USGS, AeroGRID, IGN, and the GIS User Community





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

New Business

**Item Number:** 6.2

**Meeting Date:** November 15, 2017

**Submitted By:** Dave Parks, Permit Officer  
Planning & Zoning  
Prepared by: Amy Barnett

**Item Title** UDO 2017-10-01 Camden Solar LLC

**Attachments:** UDO 2017-10-01 Camden Solar LLC (PDF)  
Camden Solar Final Drawing (PDF)

**Ordinance No. 2017-07-03**

**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 December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

**Article II. Construction**

For purposes of this Ordinance, 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 which shall read as follows:**

**CHAPTER 151: UNIFIED DEVELOPMENT**

**§ 151.347 SPECIFIC STANDARDS.**

(V) The following standards shall apply to all solar farms located in Camden County:

- (1) The minimum lot size for all solar farms shall be five acres.
- (2) All structures related to the solar equipment (excluding fence) shall meet a minimum of 100-foot setback as measured from all property lines.
- (3) There shall be a 50-foot buffer ~~prior to the perimeter fence~~ starting at property lines that shields solar farm from routine view from public rights of way or adjacent residentially zoned property.
- (4) A Landscaping Plan shall be provided for the buffer area which ~~The buffer~~ shall consist of at least 2 canopy trees (minimum height at planting 8 feet), 4 understory trees and 25 shrubs for every 100 feet; such that the buffer will provide an opaque screening of the perimeter fencing. Any ground cover within the buffer and inside the facility including all grassy areas ~~The Maintenance of the buffer~~ shall conform to current Camden County Code Chapter 94 ~~UDO~~ standards and shall be binding to all successive grantees. All plantings shall be of a native species.

- (5) Maintenance requirements may be modified upon receipt of letter from NC Division of Wildlife approving a planting plan for the buffer and solar facilities as a native pollinator habitat.
- (6) Solar farms located within FEMA's 100-year flood shall elevate all electrical connections one foot above the base flood elevation (BFE).
- (7) All collectors shall be surrounded by a lockable minimum height six-foot fence located at a minimum 50 feet from property line.
- (8) Solar power electric generation structures shall not exceed a height of 15 feet.
- (9) ~~The~~ All solar farm equipment shall conform to the NAICS 221114 description of a ground mounted solar power energy system as well as any future amendments to said code. No solar panels that are non-recyclable and affect the health and safety of the public/wildlife shall be utilized.
- (10) ~~A proposed decommissioning plan/obligation shall be part of the lease between property owner and developer. The obligation shall be reviewed by County staff for compliance with standard listed below prior to signatures to be signed by the party responsible for decommissioning and the landowner (if different) and recordation in the County's Registry of Deeds. addressing the following shall be submitted at permit application. Decommissioning Plan/Obligation shall include:~~
- a. Removal of solar panels, buildings, cabling, electrical components, roads, and any other associated facilities down to 36 inches below grade.
  - b. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
  - c. Description of any agreement (e.g. lease) with landowner regarding decommissioning and acknowledgment by land owner, land owner shall be held ultimately responsible for decommissioning.
  - d. List the type of panels and material specifications being utilized- actually installed at the site.
  - e. The identification of the party currently responsible for decommissioning.
  - f. Estimated cost of decommissioning removal prepared by a third party engineer.
  - g. Prior to issuance of the Building Permit, approved decommissioning plan obligation shall be recorded in the Camden County Registry of Deeds and shall run with the land until decommissioning is completed.
  - h. ~~Decommissioning Plan and estimated cost of removal shall be updated every 5 years or upon change of ownership and re-recorded in the County's Registry of Deeds.~~
- (11) ~~Prior to approval of building permits applicant shall provide an automatically renewable guarantee in the form of a bond, cash escrow deposit, or an irrevocable letter of credit issued by a Federally chartered bank with a branch office in northeastern North Carolina, in favor of the county, which shall be drawn and paid in full in immediately available funds for an amount equal to the estimated removal cost of the solar facility in the event the owner fails to decommission the solar facility pursuant to the requirements of this section. The institution issuing the guarantee shall provide to the county a notice no less than 90 days in advance of any renewal, cancellation, termination or expiration of the guarantee. Decommissioning Obligation shall be updated every 5 years or upon change of ownership of the solar facilities or of land ownership, and re-recorded in the County's Registry of Deeds.~~

- (12) The County shall periodically ~~request~~ require proof of the continuous operation of the solar farm from the applicant/owner. The nature of required evidence shall be determined as a condition of the special use permit.
- (13) If no electricity is generated for a continuous period of 12 months the solar farm shall have 12 months to complete decommissioning of the solar facility ~~if no electricity is generated for a continuous period of 12 months~~. For the purpose of this section this 12-month period shall not include delay resulting from force majeure. Failure to timely decommission the site in accordance with the obligation shall result in all actions available at law or in equity, including, but not limited to: Breach of contract, specific performance, mandatory injunctions, fines, abatement, nuisance, liens, assessments and judicial sale of the property.

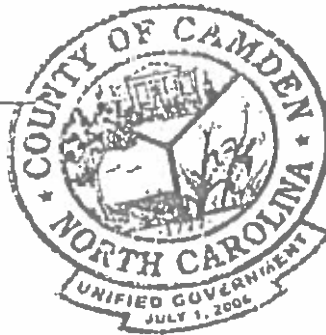
Adopted by the Board of Commissioners for the County of Camden this 3 day of OCT, 2017.

County of Camden

Clayton D. Riggs  
 Clayton Riggs, Chairman  
 Board of Commissioners

ATTEST:

Karen Davis  
 Karen Davis  
 Clerk to the Board





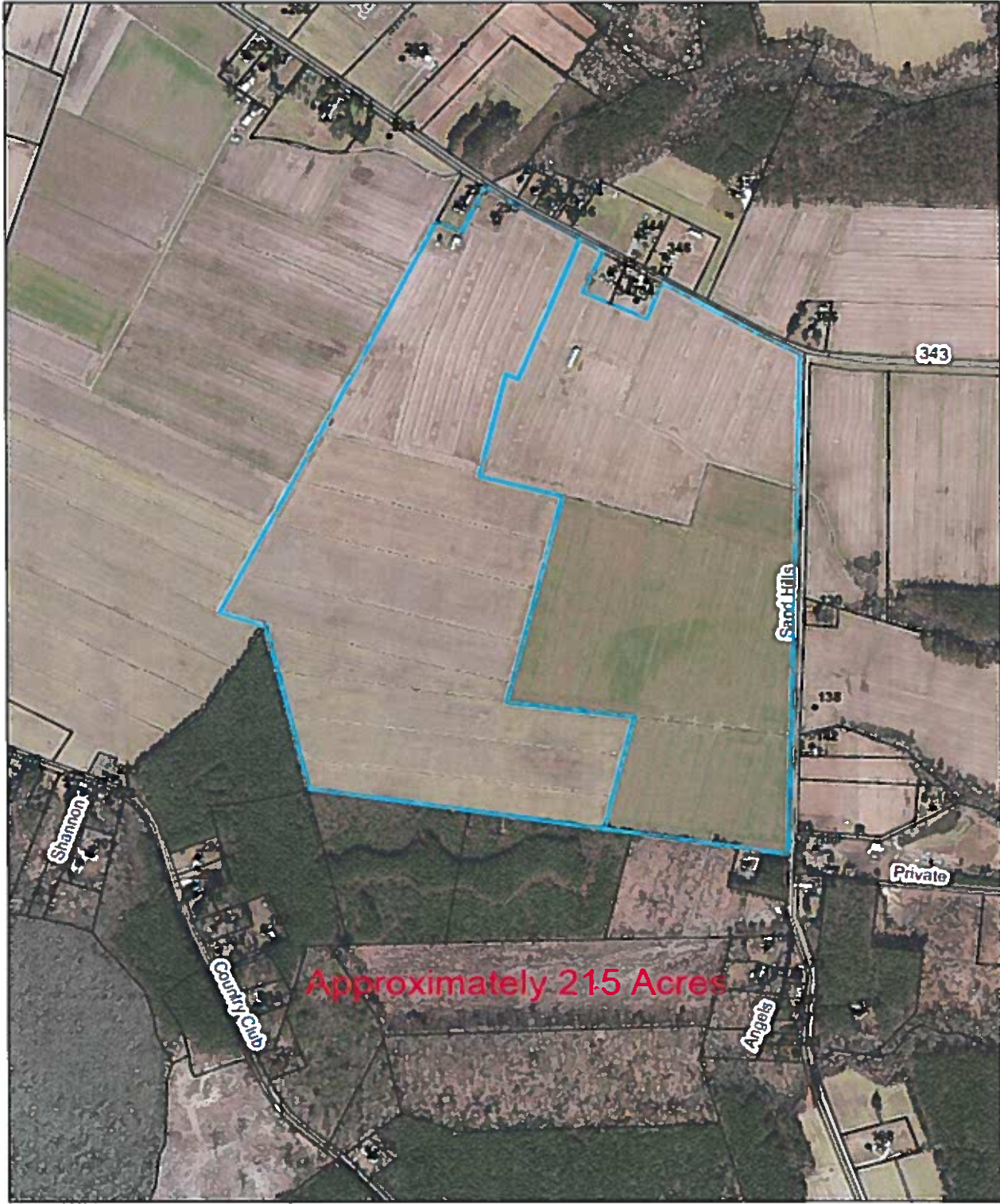
**STAFF FINDINGS OF FACTS  
SPECIAL USE PERMIT  
UDO-2017-10-01  
CAMDEN SOLAR LLC**

**PROJECT INFORMATION**

<b>File Reference:</b>	UDO 2017-10-01	7/19/2017	<b>Planning Board</b>
<b>Project Name;</b>	Camden Solar, LLC	<b>Application Received:</b>	6/7/17
<b>PIN:</b>	02-8944-00-02-2843 02-8944-00-12-6886	<b>By:</b>	David Parks, Permit Officer
<b>Applicant:</b>	CAMDEN SOLAR, LLC	<b>Application Fee paid:</b>	\$400
<b>Address:</b>	2035 Sunset Lake Rd Newark, DE 19702	<b>Completeness of Application:</b>	Application is generally complete
<b>Phone:</b>	(303) 202-3600	<b>Documents received upon filing of application or otherwise included:</b>	
<b>Email:</b>		<b>A.</b>	Land Use/Development Application
<b>Agent for Applicant:</b>	Jared Schoch, Heath McLaughlin, Mark Pearson	<b>B.</b>	Camden Solar Site Plan
<b>Phone:</b>		<b>C.</b>	Project Summary Letter
<b>Email:</b>		<b>D.</b>	Documentation of all requirements from NC State Utilities Commission
<b>Current Owner of Record:</b>	James L. Cartwright, Douglas Cartwright, and Martha Jackson	<b>E.</b>	Technical Review comments
<b>Meeting Dates:</b>		<b>F.</b>	Drainage Plan (approved by County Engineer)

**REQUEST:** Construction of a 20 MW AC Solar Facility. Camden County Code Article 151.334 Table of Permissible Uses (Use # 17.400); Specific Standards – Article 151.347(V).

Vicinity Map:



**PROJECT LOCATION:**

**Street Address:** Two parcels at South Highway 343 and Sand Hills Road  
**Location Description:** Courthouse Township

**SITE DATA**

**Lot size:** Two parcels - approximately 215 acres in size  
**Flood Zone:** X/AE  
**Zoning District(s):** Basic Residential (R3-2)  
**Existing Land Uses:** Farmland

**Adjacent Zoning & Uses:**

	North	South	East	West
<b>Zoning</b>	R3-2	R3-2	GUD	R3-2
<b>Use &amp; size</b>	Farmland	Farmland – Some Residential	Farmland – Some Residential	Woodland - One residential

**Proposed Use(s):** 20MW AC Solar Facility

**Description of property:**

Property is active farmland

**ENVIRONMENTAL ASSESSMENT**

**Streams, Creeks, Major Ditches:** Arnuse Creek to the South.

**Distance & description of nearest outfall:** ½ mile to Arnuse Creek

**INFRASTRUCTURE**

10" water line along 343 and a 4" line on Sand Hills Road.

**Traffic:** During construction phase there will be increased traffic along Highway 343 and Sand Hills.

**1. Utilities:**

- A. Does the application include a letter or certificate from the District Health Department regarding septic tanks?** Applicant requesting use of portable toilet during construction phase.
- B. Does the applicant propose the use of public sewage systems?** No
- C. Does the applicant propose the use of public water systems?** No.
- D. Distance from existing public water supply system:** Adjacent to property on Highway 343 and Sand Hills Road.

- E. Is the area within a five-year proposal for the provision of public water? Existing
- F. Is the area within a five-year proposal for the provision of public sewage? No

**2. Landscaping**

- A. Is any buffer required? Yes. Indicated on site plan.
- B. Is any landscaping described in application: Yes. Indicated on site plan

**3. Findings Regarding Additional Requirements:**

Yes  No

**Endangering the public health and safety?**

Staffs opinion is that application does not appear to endanger the public health and safety.

Yes  No

**Injure the value of adjoining or abutting property.**

Without any evidence to the contrary - staffs opinion is that application does not appear to injure the value of adjoining or abutting property.

Yes  No

**Harmony with the area in which it is located.**

Property zoned for proposed use. Comprehensive Plan Future Land Use Map has property identified as Rural Residential.

**EXCEED PUBLIC FACILITIES:**

Yes  No

**Schools:** Proposed development will not impact schools.

Yes  No

**Fire and rescue:** Request training after completed.

Yes  No

**Law Enforcement:** Request training after completed.



**Staff recommends approval of the Special Use Permit for Camden Solar, LLC with the following conditions:**

1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.
2. The applicant shall complete the development strictly in accordance with the approved plans contained in the file titled UDO 2017-10-01.
3. There shall be no land disturbing activity until County receives approved DENR E & S Control Plan and Stormwater Permit.
4. Applicant shall provide Camden County Planning Office proof of the continuous operation annually (no later than January 30th) or upon request of the county which shall not be unreasonable in the form a letter from the facility owner stating the facility has been operational during the previous year.
5. Upon completion of the installation of the solar farm, Camden Solar LLC shall provide training to Fire Marshall, South Camden Volunteer Fire Department and Sheriff's Office personnel as to the potential risks involved in case of an emergency inside the facility.
6. Applicant shall provide the Sheriff's Office with a key or combination to the entrance into the facility in case of an emergency. Sheriff's office shall contact owner prior to entry to ensure all power has been secured.
7. Hours of operations during construction phase shall be Monday – Saturday, dawn to dusk.
8. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect.



Land Use/Development Application  
County of Camden, North Carolina

Depending upon the type of proposal, the proposal may require a Zoning Permit, Conditional Use Permit, or Special Use Permit. This form is used as the start of the application process. All applicants must submit a site plan (see "Minimum Site Plan Requirements") and a valid Health Department permit. Applicants for a Conditional Use Permit or Special Use Permit should review the "Requirements for Conditional Use Permit and Special Use Permit Applications".

Applicants for a subdivision must submit this form as their Special Use Permit application.

Please consult the Planning Office, (252) 338-1919, with any questions about your application.

Office Use Only	
PIN:	02-8944-00-02-2843 02-8944-00-12-6886
UDO#	2017-10-01
Date Received:	10 / 2 / 17
Received by:	PP
Zoning District:	R3-2
Fee Paid \$	400.00 <sup>00</sup> / <sub>xx</sub>
Please Do Not Write In This Box	

PLEASE PRINT OR TYPE

Applicant's Name: CAMDEN SOLAR, LLC

If the Applicant is acting as agent for another person (the "principal"), please give that person's name on the line below and submit a copy of the agency agreement / letter with this Application.

Jared Schoch, Managing Member - (303) 913-2478

Applicant's Mailing Address: 2035 Sunset Lake Road, Suite B-2  
Newark, Delaware 19702

Daytime Phone Number Heath McLaughlin - (321) 202-3600

Street Address Location of Property: (299 & 345) NC Hwy 343 S, Camden, NC 27921

General Description Of Proposal Special Use Permit Application for Solar Farm

I swear or affirm that the foregoing information and all attachments hereto (now or subsequently provided as part of this application) are true and correct to the best of my knowledge.

Signed: Jared Schoch

Dated: September 5, 2017

Flood Zone?  X  
 A  
 AE  
 AEFW

Located in Watershed Protection Area?  Yes  
 No

Taxes Paid?  Yes  
 No

Application for Special Use Permit Request

CAMDEN SOLAR, LLC

Owner's Authorization for Agent

NOTE: IF THE APPLICANT REQUESTING DEVELOPMENT APPROVALS OR PERMITS FOR A PARTICULAR PIECE OF PROPERTY IS NOT THE ACTUAL OWNER OF THE PROPERTY, THE ACTUAL OWNER MUST COMPLETE THIS FORM. IF THE PERSON WHO IS REQUESTING THE APPLICATION IS THE OWNER, PLEASE DISREGARD THIS FORM.

James & Ann Cartwright - 919 Selby Road
I am (We are) the owner(s) of the property located at Elizabeth City, NC 27909

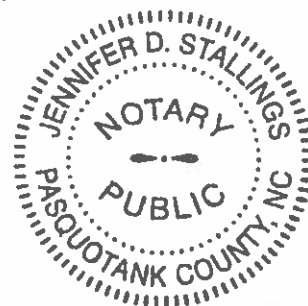
I (WE) HEREBY AUTHORIZE Camden Solar, LLC TO ACT ON MY/OUR BEHALF to appear with my consent before the Camden County Board of Commissioners and Planning Board in order to request approval(s) for development and/or use of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, or other action pursuant to one or more of the following:

- [ ] Rezoning Request [ ] Administrative Appeal
[ ] Conditional Use District Rezoning [x] Special Use Permit
[ ] Zoning Variance [ ] Non-Zoning Variance

I authorize you to advertise and present this matter in my name as the owner of the property. If there are any questions, you may contact me at address 919 Selby Road, Elizabeth City, NC 27909 or by telephone at (252) 331-5130 .

BY: [Signature]
Signature of Owner James Cartwright (252) 331-5130
Print Name Telephone Number
[Signature] + Ann Cartwright
Signature of Owner Ann Cartwright
Print Name Telephone Number

Sworn to and subscribed before me, this the 25th day of October, 2017.
Notary Public Jennifer Stallings County of Pasquotank
State of North Carolina
My commission expires: 10/14/22

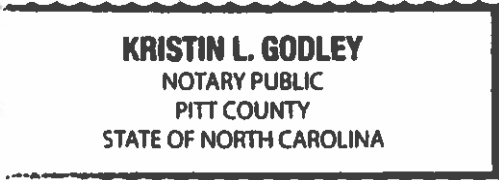


I authorize you to advertise and present this matter in my name as the owner of the property. If there are any questions, you may contact me at address 360 Cooper Street, Winterville NC 28590 or by telephone at (252) 756-6697.

BY: Martha Jackson  
 Signature of Owner  
Martha Jackson (252) 756-6697  
 Print Name Telephone Number

Douglas Jackson  
 Signature of Owner  
Douglas Jackson  
 Print Name Telephone Number

Sworn to and subscribed before me, this the 18<sup>th</sup> day of October, 2017.  
 Notary Public Kristin L. Godley County of Pitt  
 State of NC  
 My commission expires: June 23, 2019



Application for **Use Permit Request**  
**CAMDEN SOLAR, LLC**  
 Owner's Authorization for Agent

NOTE: IF THE APPLICANT REQUESTING DEVELOPMENT APPROVALS OR PERMITS FOR A PARTICULAR PIECE OF PROPERTY IS NOT THE ACTUAL OWNER OF THE PROPERTY, THE ACTUAL OWNER MUST COMPLETE THIS FORM. IF THE PERSON WHO IS REQUESTING THE APPLICATION IS THE OWNER, PLEASE DISREGARD THIS FORM.

James & Ann Cartwright - 919 Selby Road  
 I am (We are) the owner(s) of the property located at Elizabeth City, NC 27909.

I (WE) HEREBY AUTHORIZE Camden Solar, LLC TO ACT ON MY/OUR BEHALF to appear with my consent before the \_\_\_\_\_ County Board of Commissioners and Planning Board in order to request approval(s) for development and/or use of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, or other action pursuant to one or more of the following:

- |  |  |
|--|--|
| <input type="checkbox"/> Rezoning Request                  | <input type="checkbox"/> Administrative Appeal |
| <input type="checkbox"/> Conditional Use District Rezoning | <input checked="" type="checkbox"/> Use Permit |
| <input type="checkbox"/> Zoning Variance                   | <input type="checkbox"/> Non-Zoning Variance   |
- Parcel 028944000228430000

I authorize you to advertise and present this matter in my name as the owner of the property. If there are any questions, you may contact me at address 919 Selby Road, Elizabeth City, NC 27909 or



Application for Special Use Permit Request

CAMDEN SOLAR, LLC

Owner's Authorization for Agent

NOTE: IF THE APPLICANT REQUESTING DEVELOPMENT APPROVALS OR PERMITS FOR A PARTICULAR PIECE OF PROPERTY IS NOT THE ACTUAL OWNER OF THE PROPERTY, THE ACTUAL OWNER MUST COMPLETE THIS FORM. IF THE PERSON WHO IS REQUESTING THE APPLICATION IS THE OWNER, PLEASE DISREGARD THIS FORM.

Douglas & Kathryn Cartwright - 347 South Highway 343

I am (We are) the owner(s) of the property located at Camden, NC 27921

I (WE) HEREBY AUTHORIZE Camden Solar, LLC TO ACT ON MY/OUR BEHALF to appear with my consent before the Camden County Board of Commissioners and Planning Board in order to request approval(s) for development and/or use of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, or other action pursuant to one or more of the following:

- [ ] Rezoning Request [ ] Administrative Appeal
[ ] Conditional Use District Rezoning [X] Special Use Permit
[ ] Zoning Variance [ ] Non-Zoning Variance

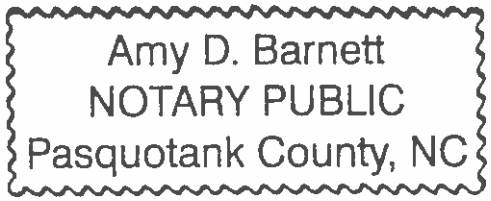
I authorize you to advertise and present this matter in my name as the owner of the property. If there are any questions, you may contact me at address 347 South Highway 343, Camden NC 27921 or by telephone at (252) 335-2027.

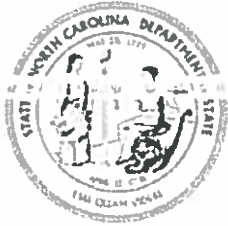
BY: Douglas Cartwright Signature of Owner
Douglas Cartwright (252) 335-2027

Print Name Telephone Number
Kathryn Cartwright Same as above
Signature of Owner
Kathryn Cartwright
Print Name Telephone Number

Sworn to and subscribed before me, this the 12th day of October, 2017.
Notary Public Amy D. Barnett County of Camden
State of North Carolina

My commission expires: Oct 17, 2017
Amy D. Barnett
Notary Signature





*Elaine F. Marshall*  
**Secretary**

North Carolina  
**DEPARTMENT OF THE  
SECRETARY OF STATE**  
PO Box 29622 Raleigh, NC 27626-0622 (919)814-5400

Account  
Login  
Create  
Site  
Account

**Click Here To:**

[View Document Filings](#) [File an Annual Report](#) [Amend a Previous Annual Report](#)  
[Print a Pre-Populated Annual Report form](#)

**Corporate Names**

**Legal:** CAMDEN SOLAR LLC

**Limited Liability Company Information**

**SosId:** 1630822  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Foreign  
**Date Formed:** 10/13/2017  
**Fiscal Month:** January  
**State of Incorporation:** DE  
**Registered Agent:** NC Corporate Connection, Inc.

**Corporate Addresses**

**Reg Office:** 176 Mine Lake Court, Ste. 100  
Raleigh, NC 27615  
**Reg Mailing:** 176 Mine Lake Court, Ste. 100  
Raleigh, NC 27615

**Company Officials**

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

**DOCKET NO. SP-8831, SUB 0**

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

In the Matter of		
Application of Camden Solar, LLC, for a	)	
Certificate of Public Convenience and	)	ORDER ISSUING CERTIFICATE
Necessity to Construct a 20-MW Solar	)	
Facility in Camden County, North Carolina	)	

**BY THE COMMISSION:** On December 16, 2016, Camden Solar, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to G.S. 62-110.1(a) for construction of a 20-MW<sub>AC</sub> solar generating facility to be located at the southwest corner of the intersection of NC Highway 343 South and Sand Hills Road (Route 1132), Camden, Camden County, North Carolina. The Applicant plans to sell the electricity to Dominion Energy North Carolina (DENC).

Contemporaneously with the application, the Applicant filed a registration statement for a new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a new renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with G.S. 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On January 4, 2017, the Commission issued an Order Requiring Publication of Notice.

On February 17, 2017, the State Clearinghouse filed comments. Because of the nature of the comments, the cover letter indicated that no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On March 17, 2017, the Applicant filed a certificate of service stating that a copy of the Application and the related public notice were provided to DENC on January 18, 2017.

Also on March 17, 2017, the Applicant filed an affidavit of publication from the Daily Advance (Elizabeth City, North Carolina) stating that the publication of notice was completed on February 11, 2017. No complaints have been received.

On May 25, 2017, the Applicant filed a letter stating that it intends to use the North Carolina Renewable Energy Tracking System to track RECs or use a tracking system in another state that participates in PJM Interconnection, LLC.

On July 17, 2017, the Applicant withdrew its registration statement.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on July 31, 2017. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of G.S. 62-110.1(a) and Commission Rule R8-64.

After careful consideration, the Commission finds good cause to approve the application and issue the attached certificate for the proposed solar photovoltaic electric generating facility.

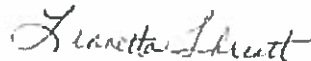
IT IS, THEREFORE, ORDERED as follows:

1. That the application of Camden Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Camden Solar, LLC, for the 20-MW<sub>AC</sub> solar generating facility to be located at the southwest corner of the intersection of NC Highway 343 South and Sand Hills Road (Route 1132), Camden, Camden County, North Carolina; and
3. That withdrawal of the registration statement is hereby accepted.

ISSUED BY ORDER OF THE COMMISSION.

This the 1<sup>st</sup> day of August, 2017.

NORTH CAROLINA UTILITIES COMMISSION



Linnetta Threatt, Acting Deputy Clerk

Chairman Edward S. Finley, Jr., and Commissioner Daniel G. Clodfelter did not participate in this decision.

## APPENDIX A

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. SP-8831, SUB 0

Camden Solar, LLC  
7131 Gateway Court  
Manassas, Virginia 20109

is hereby issued this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
PURSUANT TO G.S. 62-110.1

for a 20-MW<sub>AC</sub> solar photovoltaic electric generating facility

located

at the southwest corner of the intersection of NC Highway 343 South and  
Sand Hills Road (Route 1132), Camden, Camden County, North Carolina,

subject to all orders, rules, regulations and conditions  
as are now or may hereafter be lawfully made  
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 1<sup>st</sup> day of August, 2017.

NORTH CAROLINA UTILITIES COMMISSION



Linnetta Threatt, Acting Deputy Clerk

## CAMDEN SOLAR, LLC

### Special Use Permit Application Camden County, NC

#### Project Overview:

Camden Solar, LLC is the Applicant for a 20 mega-watt solar farm proposed for construction on two farm parcels zoned Residential 3-2 and currently in use for agricultural crop harvesting. In aggregate the two farm parcels under lease option represent approximately +/- 219 acres in total size. The eastern parcel is approx. +/- 108 acres and is owned by Douglas V. Cartwright and Martha C. Jackson identified by PIN #: 028944001268860000 with 911 address (345 Hwy 343 South) near the intersection of Hwy 343 South and Sand Hills Road. The adjacent parcel to the west represents approx. +/- 111 acres and is owned by James L. Cartwright and identified by PIN #: 028944000228430000 with 911 address (299 Hwy 343 South).

The 20 mega-watt (AC) solar power facility is designed to operate as a ground-mount solar photovoltaic system utilizing a single-axis tracker rack or fixed-tilt racking and piling system optimized for clean energy power generation during daylight hours. Depending on final solar module procurement with a target name plate output of 340 Watts per panel, the projected number of solar photovoltaic modules would be approximately 82,500. For the purpose of security a 6' high chain link fence with 1' of three strand barbed wire would encircle the solar photovoltaic system and site access would be limited during construction and system operations and maintenance on site.

All construction materials and equipment will meet federal, state, and county code requirements and electrical power generation equipment will be UL certified. The two parcels identified will also be surveyed for environmental conditions and any major improvements approved by NC DEQ and US Army Corp. of Engineers as required prior to start of construction. In addition to site development, construction, and operations, the Applicant is committed to satisfy and adhere to Camden County UDO Ordinance No. 2017-05-01 and UDO Amendment Ordinance 2017-07-03 as approved by the Board of Commissioners with specific standards adopted to control and regulate solar farm construction and operation in Camden County, North Carolina.

#### CHAPTER 151 UNIFIED DEVELOPMENT

##### § 151.310 GENERAL.

Site plans shall be required from applicants prior to issuance of any permit (building, zoning, conditional use permit, floodplain development permit, special use permit, variance) by the county.

- **20 Mega-Watt Camden Solar, LLC - Site Plan enclosed:**
  - **See Albemarle & Associates Exhibits: A, B, & C**



## Camden Solar, LLC Decommissioning Plan

### Introduction

Camden County Ordinance No 2017-07-03 Chapter 151 contains decommissioning obligations for solar projects. The Applicant/Owner shall have 12 months to complete decommissioning of the solar facility if no electricity is generated for a continuous period of 12 months (not including delay resulting from force majeure). This facility decommissioning plan outlines the process and major activities required to decommission the facility in compliance with the Camden County Ordinance.

### Decommissioning process and major activities

Camden Solar, LLC shall be responsible for the solar project decommissioning. At the solar facility end of useful life, or as required by Camden County ordinances, Camden Solar, LLC will obtain the necessary permits and secure an appropriately licensed contractor to decommission the facility. Decommissioning will include the major activities below in compliance with Camden County requirements:

- 1.1 Removal of solar panels, buildings, cabling, electrical components, roads, and any other associated facilities down to 36 inches below grade. ✓
- 1.2 Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored. ✓
- 1.3 Description of any agreement (e.g. lease) with landowner regarding decommissioning and acknowledgement by land owner, land owner may be held ultimately responsible for decommissioning.
- 1.4 List the type of panels and material specifications being utilized at the site. Material specifications will be provided with Construction Plan prior to start of construction
- 1.5 The identification of the party currently responsible for decommissioning.
- 1.6 Prior to issuance of the Building Permit, approved decommissioning plan obligation shall be recorded in the Camden County Registry of Deeds and shall run with the land until decommissioning is completed.

An appropriately licensed contractor will be secured for decommissioning activities. Erosion and sediment control best management practices shall be installed as required by the authority having jurisdiction. The facility shall be de-energized and disconnected from the grid in coordination with the interconnecting utility. System components shall be disassembled and removed in the appropriate procedure to maintain personnel safety as solar panels remain energized when exposed to sun light. Fencing shall be maintained until the end of decommissioning for security and safety. Materials shall be staged on site and removed from the site by the appropriately licensed contractors as necessary. All materials shall be taken to or disposed of by approved recyclers in compliance with all local, state, or federal regulations.





### Recycled and Salvaged materials

The vast majority of system components consists of recyclable materials. Solar panels have a thirty to fifty-year useful life and may be re-used or resold for other projects. Where solar panel manufacturers offer recycling programs, the solar panels shall be disposed removed in coordination with the manufacturers program. Solar panels consist mainly of glass, silicone, and aluminum and may be recycled if dysfunctional or no manufacturer program exists.

Trackers and foundation steel, copper and aluminum conductors, and all other respective recyclable materials will be recycled by an approved recycler.

Inverter stations, combiner boxes, foundation concrete and other miscellaneous materials may not be recycled or may not have disposal programs in place. Any hazardous or non-recyclable materials will be disposed of by appropriately licensed contractors in compliance with local, state, and federal rules and regulations.

### Site restoration

The site shall be restored in compliance with Camden County ordinances and the site lease. Coordination with the land owner may require some site improvements to remain, as outlined in the county ordinances. All other improvements will be removed and the site will be restored and re-seeded in compliance with Camden County ordinances.

### Schedule

The decommissioning process in its entirety is expected to take 6 – 12 months maximum. Approximately 3 – 6 months will be spent planning, securing the necessary permits, identifying recycling facilities and appropriate disposal facilities for non-recyclable materials, and contracting with the appropriately licensed contractors. Activities on site are expected to take 3 – 6 months maximum.

## Memorandum

To: Dan Porter, Planning Director  
From: Greg Johnson, Drainage Engineer  
Date: October 15, 2017  
Re: Camden Solar  
Plan and Calculations Review



I received a drainage submittal package from Mike Morway with Albemarle & Associates dated October 13, 2017. This is a revised submittal based upon a phone conversation with Mr. Morway on Oct 9. I also inspected the site on Oct 7 and photographs taken then are attached. The boundary of the project extends to the natural ridge line. The upstream end of ditches begins at the edge of the project and flow toward Sand Hill Road and Highway 343. I have little concern about increases in the design stormwater elevation because of the ridge. Additionally, Mr. Morway demonstrated that the probable runoff from the project will decrease because the existing crop field has a SCS curve number of 85 and the proposed condition will emulate meadow/grassland with a curve number of 71. This reduction also complies with the County criteria to reduce the curve number by 4 after development.

Mr. Morway provided a hydraulic analysis of the proposed culverts on the project. The proposed culverts are under maintenance roads throughout the project. His calculations show a reasonable flow rate based upon SCS peak flow rate calculation methods. These flow rates are coordinated with NCDOT which proposes to upgrade road culverts under Sand Hill Road. There is some hydraulic loss through the culverts but because of the proposed culvert sizes the loss is minor, a couple of tenths of a foot of loss. This is a reasonable loss, nothing excessive.

Based upon the review and the factors cited I recommend that the project be accepted with a condition. I ask that the culvert lengths be noted on the plans. If you have any questions concerning these comments, please call me.

Respectively submitted

A handwritten signature in cursive script that reads 'C. Gregory Johnson'.

C. Gregory Johnson, P.E.  
(757) 353-8695  
3536 W. Coral Key  
Virginia Beach, VA 23452-4404

**Dave Parks**

**From:** Kirk Jennings <kirkjennings@centurylink.net>  
**Sent:** Thursday, October 19, 2017 8:37 PM  
**To:** Dave Parks  
**Subject:** Re: Proposed Solar Farm

Dave

Just like with the other solar farms, the only thing that we ask is for a brief training on the facility so we know how to respond in the event of an emergency situation.

Thanks  
Kirk

Sent from my iPhone

On Oct 18, 2017, at 4:15 PM, Dave Parks <[dparks@camdencountync.gov](mailto:dparks@camdencountync.gov)> wrote:

Attached is the proposed site plan for a 20 MW Solar Farm (approximately 200 acres) located at South 343 and Sand Hills Road. Please provide any inputs as soon as possible.

Sincerely,

David Parks, CFM  
Permit Officer  
Camden County

<08270A - C201 Site Plan 2017-10-09 s.pdf>

**Dave Parks**

**From:** Chris Carver <ccarver@cityofec.com>  
**Sent:** Monday, October 23, 2017 11:29 AM  
**To:** Dave Parks  
**Subject:** Re: Proposed Solar Farm

Dave,

I don't see any issues with this site.

*Chris Carver  
Deputy Chief of Administration/Fire Marshal  
Elizabeth City Fire Department  
PO Box 347  
Elizabeth City, NC 27907  
252-338-3913 Office  
252-340-0343 Cell*

On Wed, Oct 18, 2017 at 4:15 PM, Dave Parks <[dparks@camdencountync.gov](mailto:dparks@camdencountync.gov)> wrote:

Attached is the proposed site plan for a 20 MW Solar Farm (approximately 200 acres) located at South 343 and Sand Hills Road. Please provide any inputs as soon as possible.

Sincerely,

David Parks, CFM

Permit Officer

Camden County

**Dave Parks**

**From:** Tony Perry <tperry@camdencountync.gov>  
**Sent:** Friday, October 20, 2017 3:00 PM  
**To:** 'Dave Parks'  
**Subject:** RE: Proposed Solar Farm

No comments.

*Sheriff Tony Perry*

Camden County Sheriff's Office  
PO Box 57, 117 North NC343,  
Camden, NC 27921  
Office: 252-338-5046  
Fax: 252-335-4300

*"The only thing necessary for the triumph of evil is for good men to do nothing."*  
Edmund Burke

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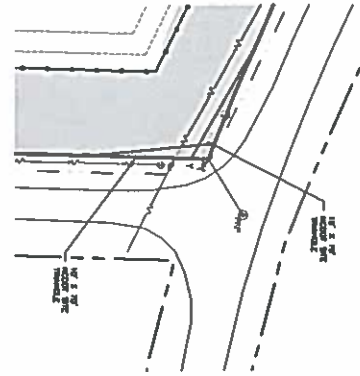
**From:** Dave Parks [<mailto:dparks@camdencountync.gov>]  
**Sent:** Wednesday, October 18, 2017 4:16 PM  
**To:** 'Tony Perry'; [ccarver@cityofec.com](mailto:ccarver@cityofec.com); [kirkjennings@centurylink.net](mailto:kirkjennings@centurylink.net)  
**Cc:** Dan Porter  
**Subject:** Proposed Solar Farm

Attached is the proposed site plan for a 20 MW Solar Farm (approximately 200 acres) located at South 343 and Sand Hills Road. Please provide any inputs as soon as possible.

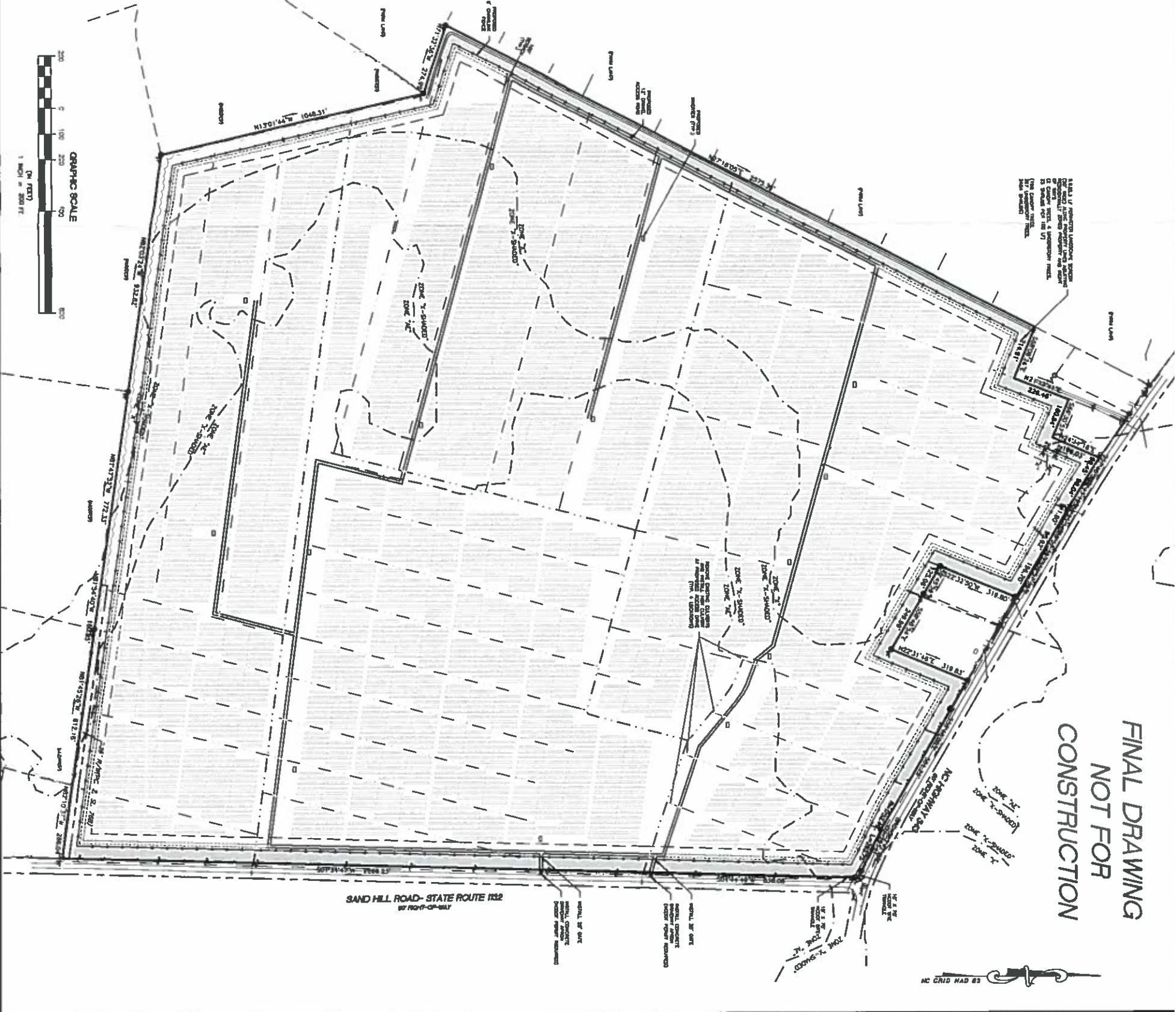
Sincerely,

David Parks, CFM  
Permit Officer  
Camden County





SCALE: 1" = 200'  
1" = 200'  
GRAPHIC SCALE



- SITE NOTES**
- OWNER: JAMES L. CARMICHAEL  
19 SAND HILL ROAD  
CAMDEN, NC 28202
  - OWNER: DOUGLAS V. CARMICHAEL AND MARLA C. JACKSON  
347 NC 343 SOUTH  
CAMDEN, NC 28221
  - DEVELOPER: CAMDEN SOLAR, LLC  
2028 SUNSET LANE ROAD, SUITE B-2  
NEWARK, NC 28702
  - CAMDEN SOLAR, LLC INTENDS TO DEVELOP THIS 217.80 ACRE SOLAR ENERGY FARM IN CAMDEN COUNTY. THE FARM IS BEING DESIGNED AND CONSTRUCTED BY CAMDEN SOLAR, LLC. THE PROPERTY IS BEING LEASED FROM THE CARMICHAEL OWNERS.
  - THE BOUNDARY, TOPOGRAPHIC INFORMATION AND FLOOD HAZARD BOUNDARIES HAVE BEEN PROVIDED BY J.A. BULLION LAND SURVEYING. THE SITE LOCATION HAS BEEN PROVIDED BY TOWNSHIP (P.W. 0285), AREA 1.
  - LEASE AREA 1 - 4,624,342.00 SF (110,782 ACRES)  
PARCELS OF PW 0285-4000228-00000  
LEASE AREA 2 - 4,687,212.50 SF (107,149 ACRES)  
PARCELS OF PW 0285-4001268-000000
  - ALL CONSTRUCTION DEERS AND DESIGN SHALL BE REMOVED FROM ALL PROPERTIES TO BE SURVEYED. THE EXISTING SURFACE CHARACTERISTICS ARE MAINTAINED.
  - SUPPORT COLUMN LOCATIONS SHALL MAINTAIN 15' OUTSIDE FROM THE TOP OF DITCH BANK.
  - UPON COMPLETION OF SETBACKS OR RESTRICTIONS OF SOLAR PANEL HEIGHTS, THE SITE SHALL BE PERMANENTLY RESTORED.
- CONTRACT:**  
AREA OF SITE: 9,311,554.50 SF (217,800 ACRES)  
GRAVEL ACCESS ROAD: 2,130.00 SF  
INTERIM PAVES: 5,194,250 SF (119,743)
- LEGEND**
- ROUND ROUGH NEIGH
  - ROUND ROUGH PER
  - ROUND HILL
  - DEGRADED POINT
  - WATER BENCH
  - CONDUIT APPROXIMATE
  - UNDERSOUNDING CABLE MARKER
  - PROPERTY LINE / LEASE AREA LINE
  - RIGHT-OF-WAY LINE
  - RIGHT-OF-WAY BUFFER
  - CONCRETE
  - CENTER EX. DITCH
  - CENTER EX. BLUE LINE DITCH
  - WIRE FENCE
  - EDGE OF ASPHALT PAVEMENT
  - PROPOSED 12' DRIVEWAY
  - PROPOSED ASPHALT PAVED ROAD
  - 100' SETBACK LINE
  - PROPOSED SECURITY FENCE
  - PROPOSED 57' BUFFER
  - PROPOSED OLAYER
- 100' STRUCTURE SETBACK  
100' SETBACK  
100' BUFFER  
50.0' 50.0'
- RIGHT-OF-WAY PROPERTY LINE  
RIGHT-OF-WAY BUFFER  
ON LEASE AREA LINE
- PROPOSED CAMPUS TREE (2 INCHES PER 100 LF)
  - PROPOSED LANDSCAPE (4 INCHES PER 100 LF)
  - PROPOSED SHADE (23 TREES PER 100 LF)

PROJ NO. 08270A <b>C201</b> 1" = 200' SCALE	DATE: 08/18/2017 SURVEYED: SEE NOTES DESIGNED: MAM DRAWN: PCA CHECKED: MAM FILE: 08270A	<b>SITE PLAN</b> <b>CAMDEN SOLAR, LLC</b> <b>NC 343 AND SAND HILLS ROAD</b> CAMDEN      COURTHOUSE TOWNSHIP      CAMDEN COUNTY      NORTH CAROLINA	<b>REVISIONS</b> NO.      DATE      DESCRIPTION 1      7/28/17      100' SETBACK	<p>Abemarle &amp; Associates, Ltd          115 West 8th Street          P.O. Box 3089          848 Davd Hill, NC 27848          Phone: (252) 441-2113          Fax: (252) 441-0285          www.AbemarleAssociates.com          Cert. of Licensure No. C-1027</p> <p>This document is the property of Abemarle &amp; Associates, Ltd. All rights reserved. Any unauthorized use or reliance is prohibited.</p> <p><b>Abemarle &amp; ASSOCIATES, LTD</b>          Engineering - Environmental - Land Planning</p>
	<p align="center"><b>FINAL DRAWING NOT FOR CONSTRUCTION</b></p>			