

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – June 19, 2019

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**Camden County Planning Board  
Regular Meeting  
June 19, 2019, 7:00 PM  
Historic Courtroom, Courthouse Complex  
Camden, North Carolina**

**MINUTES**

*The regular meeting of the Camden County Planning Board was held on June 19, 2019 in the Historic Courtroom, Camden, North Carolina. The following members were present:*

**CALL TO ORDER & WELCOME**

Planning Board Members Present:

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Calvin Leary	Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Present	6:50 PM
Rick McCall	Board Member	Absent	
Ray Albertson	Board Member	Present	6:50 PM
Steven Bradshaw	Board Member	Present	6:50 PM
Cathleen M. Saunders	Board Member	Present	6:50 PM
Nathan Lilley	Board Member	Present	6:50 PM

16  
17  
18  
19

Staff Present

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Dan Porter	Planning Director	Present	6:40 PM
Amy Barnett	Planning Clerk	Present	6:30 PM

Others Present

<b>Attendee Name/Address</b>	<b>Title/Company</b>	<b>Meeting Section</b>
Ken Bowman, Camden NC	Applicant, Camden County Manager	New Business, #1
Joe Howell, US Navy Northwest Annex, Chesapeake, VA	Representing Captain J.P. Kline of the US Navy, Commanding Officer US Navy Northwest Annex	New Business #1

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21 **CONSIDERATION OF AGENDA**

22

23 *Motion To Approve Agenda As Presented*

24

25	RESULT:	PASSED [UNANIMOUS]
26	MOVER:	Steven Bradshaw, Board Member
27	SECONDER:	Fletcher Harris, Board Member
28	AYES:	Leary, Harris, Albertson, Bradshaw, Saunders, Lilley
29	ABSENT:	McCall

30

31

32 **CONSIDERATION OF MINUTES FROM APRIL 17, 2019**

33

34 *Motion To Approve April 17, 2019 Minutes As Written*

35

36	RESULT:	PASSED [UNANIMOUS]
37	MOVER:	Fletcher Harris, Board Member
38	SECONDER:	Steven Bradshaw, Board Member
39	AYES:	Leary, Harris, Albertson, Bradshaw, Saunders, Lilley
40	ABSENT:	McCall

41

42

43 **OLD BUSINESS**

44

45 There was no Old Business to consider.

46

47

48 **NEW BUSINESS**

49

50 *Item #1 - UDO 2019-05-28 Rezoning US 17 and McPherson Rd*

51

52 Planning Director Dan Porter described this agenda item and went over some of the staff report  
53 as incorporated herein below:

54

55 -----  
56 **STAFF REPORT**  
57 **UDO 2019-05-28**  
58 **Zoning Map Amendment**

59

60 **PROJECT INFORMATION**

61

61	<b>File Reference:</b>	UDO 2019-05-28
62	<b>Project Name:</b>	N/A
63	<b>PIN:</b>	01-7071-00-67-6843-0000
64		
65	<b>Applicant:</b>	Camden County
66	<b>Address:</b>	117 N. 343 Camden, NC
67	<b>Phone:</b>	(252) 338-1919
68	<b>Email:</b>	

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69 **Agent for Applicant:**

70 **Address:**

71 **Phone:**

72 **Email:**

73

74 **Current Owner of Record:** Applicant

75

76 **Meeting Dates:**

77 05/29/2019 Neighborhood Meeting

78 06/19/2019 Planning Board

79

80 **Application Received:** 05/16/2016

81 **By:** David Parks, Permit Officer

82

83 **Application Fee paid:** N/A

84

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

86

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

88 **A.** Rezoning Application

89 **B.** GIS Aerial, existing zoning, Comprehensive Plan/CAMA Plan future land  
90 use maps, and CAMA Land Use Plan Suitability Maps

91 **C.** Table of Permissible Use comparison.

92 **D.** U.S. Highway 17 Corridor Plan

93 **E.** Neighborhood meeting comments.

94 **F.** Liaison Officer Navy Support Activity letter

95

96 **REQUEST:**

97 Rezone approximately 260 acres from Working Lands (WL) to Highway Commercial  
98 (HC) on property located at the intersections of U.S. 17 and McPherson Road.

99

100 **From:** Working Lands (WL). The Working Lands (WL) district is established to  
101 accommodate agriculture, agriculturally related uses, and limited forms  
102 residential development at very low densities in rural portions of the  
103 County. The district is primarily intended to preserve and protect bona fide  
104 farms and resource lands for current or future agricultural use as well as to  
105 protect the rural character of the area. One of the primary tools for  
106 character protection is the requirement to configure residential subdivisions  
107 of more than five lots as conservation subdivisions. The conservation  
108 subdivision approach seeks to minimize the visibility of new residential  
109 development from adjacent roadways through proper placement and screening,  
110 and allows farmers to capture a portion of the land's development potential  
111 while continuing to farm. Conservation subdivisions allow a portion of a  
112 tract or site to be developed with single-family detached homes while the  
113 balance of the site is left as conservation or agricultural land. The  
114 district also accommodates a wide range of agricultural and agricultural-  
115 related uses like "agri-tourism" as well as service and support uses to the  
116 rural community, including day care, educational uses, public safety  
117 facilities, parks, and utility features.

118

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119 **To:** Highway Commercial (HC). The Highway Commercial district is applied to  
120 lots along the County's major roadways (e.g., US 158, US 17, NC 34, and NC  
121 343) and is intended for automobile-oriented commercial development as well  
122 as large floorplate commercial uses and uses that require or generate truck  
123 traffic. The district also accommodates agricultural and institutional uses  
124 as well as higher density residential uses with a special use permit. New  
125 development in the HC district is grouped and configured to ensure regular  
126 lateral vehicular and pedestrian access along major transportation routes as  
127 a means of establishing a well-connected transportation system. New  
128 development is configured to maintain high visual quality along the major  
129 roadway, or is fully screened from view. Sufficient spacing and screening is  
130 included along lot lines shared with adjacent residential zoning districts to  
131 ensure compatibility. New commercial and multi-family developments in the  
132 district are subject to the design standards in Article 151.5 - Development  
133 Standards.

134  
135 **Maps Show:**

136 **Vicinity Map** - Property Located in South Mills Township, US 17 & McPherson  
137 Road

138 **Current Zoning** - Planned Development (PD)

139 **Comprehensive Plan Future Land Use Map** - Mixed Use Employment

140 **CAMA Future Land Use Map** - Low Density Residential

141 **CAMA Land Suitability Map** - Very High

142  
143 **SITE DATA**

144  
145 **Lot Size:** Approximately 260 Acres

146 **Flood Zone:** X

147 **Zoning District(s):** Working Lands (WL)

148 **Existing Land Uses:** Farmland/Sewer Plant Spray Field

149  
150 **Adjacent Zoning & Uses:**

151 -----

	North	South	East	West
<b>Zoning</b>	Planned Development (PD)	Rural Residential Planned Unit Development (PUD)	Rural Residential (RR)	Working Lands (WL)
<b>Use &amp; Size</b>	Camden Commerce Park	Camden Plantation	Farmland	Dismal Swamp

158 -----

159  
160  
161  
162  
163  
164 **Proposed Use(s): Commercial Uses.**

165  
166 Description of Property: Majority of property being farmed with the portion  
167 to the East being used as a Sewage Treatment Facility holding pond/spray  
168 field.

169  
170 **ENVIRONMENTAL ASSESSMENT**

171  
172 Streams, Creeks, Major Ditches: Property drains into the Dismal Swamp Canal.  
173 Distance & description of nearest outfall: Less than 1 mile.  
174

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175 **INFRASTRUCTURE & COMMUNITY FACILITIES**

176  
177 Water Water lines are located adjacent to property along US 17 and  
178 McPherson Road  
179 Sewer Sewer runs along US 17  
180 Fire District South Mills Fire District off Keeter Barn Road located  
181 approximately 3 miles from property  
182 Schools Proposed uses in requested zoning will not impact schools  
183 Traffic Traffic impact analysis will be required upon development of  
184 property  
185

186 **PLANS CONSISTENCY**

187  
188 **CAMA Land Use Plan Policies & Objectives** - *Inconsistent*; the proposed zoning  
189 change is inconsistent with the CAMA Land Use Plan as Future Land Use Maps  
190 has it designated as Low Density Residential. Plan will need to be amended.  
191

192 **2035 Comprehensive Plan** - *Consistent*; Consistent with Comprehensive Plan  
193 (Adopted 2012) as Future Land Use Maps reflect land as Mixed Use Employment.  
194 To have Mixed Use Employment, water and sewer is preferred which both are  
195 adjacent to this parcel.

196  
197 **Comprehensive Transportation Plan** - *Consistent*; Property abuts US 17 and  
198 McPherson Road. Property also does not have direct access to US 17.

199  
200 **Other Plans officially adopted by the Board of Commissioners** - N/A  
201

202 **FINDINGS REGARDING ADDITIONAL REQUIREMENTS**

203  
204 **Will the proposed zoning change enhance the public health, safety, or**  
205 **welfare?** Yes; **Reasoning:** The proposed zoning change will enhance the  
206 public welfare as proposed zoning change will encourage commercial  
207 development along a major corridor providing a needed tax base and employment  
208 opportunities.  
209

210 **Is the entire range of permitted uses in the requested classification more**  
211 **appropriate than the range of uses in the existing classification?** Yes;  
212 **Reasoning:** Requested uses are more appropriate due to the location of the  
213 property and infrastructure available (water & sewer). The eastern portion  
214 of the property serves as the County's sewage Treatment Plant affluent  
215 holding pond / Spray Fields.  
216

217 **For Proposals to re-zone to non-residential districts along major arterial**  
218 **roads:**

219  
220 **Is this an expansion of an adjacent zoning district of the same**  
221 **classification?** No; **Reasoning:** The property abuts county owned  
222 Commercial Park directly to the north which is zoned as a Planned  
223 Development (PD).  
224

225 **What extraordinary showing of public need or demand is met by this**  
226 **application?** Yes; **Reasoning:** The need for commercial development,  
227 employment opportunities, and tax base.  
228

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229 **Will the request, as proposed, cause serious noise, odors, light, activity,**  
230 **or unusual disturbances? Yes; Reasoning:** Some uses could cause some noise,  
231 odors, light, activity, or unusual disturbances. Buffering will be addressed  
232 at permit issuance for the use which should mitigate some of the issues.

233  
234 **Does the request impact any CAMA Areas of Environmental Concern? No;**  
235 **Reasoning:** Property is outside any CAMA Areas of Environmental Concern.  
236 Property located outside the 100 year floodplain.

237  
238 **Does the County need more land in the zoning class requested? Yes;**  
239 **Reasoning:** In appropriate areas where location of property and  
240 infrastructure (water & sewer) is available. Property abuts US 17 and there  
241 is water and sewer available to the site.

242  
243 **Is there other land in the County that would be more appropriate for the**  
244 **proposed uses? No; Reasoning:** The property along US 17 and the future I-87  
245 corridor is one of the most appropriate and marketable properties in the  
246 County. The geographic location of the property to the Hampton Roads MSA  
247 enables prospective investment to capitalize upon synergistic business  
248 opportunities, interstate arterial routes, workforce compliment, and the Port  
249 of Virginia. The property is also within the boundaries of Foreign Trade  
250 Zone #20 which offers significant value to entities engaged in global trade.

251  
252 **Will not exceed the County's ability to provide public facilities: No;**  
253 **Schools - N/A;**  
254 **Fire and Rescue -** Level of impact would be determined upon the type and size  
255 of the business attracted to the site;  
256 **Law Enforcement -** Minimal impact;  
257 **Parks & Recreation -** No impact;  
258 **Traffic Circulation or Parking -** Depends on type and size of business;  
259 **Other County Facilities -** No.

260  
261 **Is this a Small Scale "Spot" Rezoning request requiring evaluation of**  
262 **Community Benefits? No; If Yes (regarding small scale spot rezoning),**  
263 **Applicant's Reasoning: N/A.**

264  
265 **STAFF COMMENTARY / RECOMMENDATION:**

266  
267 The original intended use of this parcel was for utilization of the County's  
268 Waste Water Treatment Facility to spray the affluent from the plant on trees.  
269 Technology at the time required 1 acre of land to every 100 gallons of  
270 affluent. New technology and possible partnership with the development  
271 community has diminished the amount of land required for handling affluent.  
272 Staff feels that the current highest and best use of the property due to its  
273 location (abuts US 17/Interstate 87) and availability of infrastructure  
274 (water/sewer) is commercial uses proposed under requested zoning (Highway  
275 Commercial).

276  
277 **Consistency Statement:** The requested zoning is consistent with Camden  
278 County's Comprehensive Plan as it has property identified as Mixed-Use  
279 Employment which uses are permitted in the Highway Commercial Zoning  
280 District.

281  
282 Staff recommends approval of the rezoning as the uses in the proposed zoning  
283 classification are more appropriate than that of the existing zoning  
284 classification.

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285 At this time, Dan Porter introduced County Manager Ken Bowman, who is representing Camden  
286 County as applicant, and he spoke regarding this rezoning request:

- 287 • Rezoning request is primarily due to prime location.
- 288 • County owned, prime property along US 17, adjacent to the Commerce Park, that can be  
289 developed.
- 290 • Commerce Park has its first company locating there during the past year.
- 291 • Processes underway to widen the Commerce Park road(s), putting underground utilities  
292 in place, and timbering is in the initial phases.
- 293 • Since the processes began, there has been more interest in the properties in the  
294 Commerce Park.
- 295 • On the left side of the road leading into the Commerce Park is the Commerce Park itself,  
296 on the right side is the 260 acres for which rezoning request is being made.
- 297 • There is an established company who is interested in property in the area of the Park that  
298 would afford them closer access to the Ports of VA, and locating there is contingent on  
299 the zoning of the land.
- 300 • Think it is a good idea to go ahead and rezone this entire parcel so that as companies who  
301 have interest in the land begin to investigate their options, the zoning will be there for  
302 highway commercial uses.
- 303 • Will give the County the ability to market the land better.
- 304 • Have interest in both the Commerce Park and the parcel under consideration here.  
305 Having the land properly zoned is very important to commercial developers when  
306 evaluating property for potential commercial sites. If property is already zoned for the  
307 use an applicant proposes, they are not at the mercy of any boards to get it rezoned.
- 308 • Will not be proposing a move for the spray field or lagoon, they will stay in place, and  
309 may be adding a filtration pond adjacent to the lagoon some time in the future.
- 310 • Without the rezoning, there are not a lot of options for the land. Rezoning for highway  
311 commercial would allow the best use of the land.

312  
313 Dan Porter went over the definitions of Working Lands (WL) and Highway Commercial (HC).  
314 Mr. Porter then continued going over the staff report.

- 315 • Went over the adjacent uses, North, South, East, and West of the property, which are  
316 summarized in the staff report herein above.
- 317 • Went over the various maps included in the staff report, and summarized herein above.
- 318 • High suitability according to the CAMA Land Use Plan.
- 319 • Water and Sewer are both available in the vicinity along Hwy 17.
- 320 • Located in South Mills Fire District
- 321 • While Working Lands zoning would have some impact on schools, Highway Commercial  
322 will not have any impact on schools.
- 323 • Any development will likely require a traffic impact analysis. Will have to take into  
324 consideration the limited access to US 17, which is via the entrance to the Commerce  
325 Park, and McPherson Road.
- 326 • NCDOT will not allow any new curb cuts along US 17.
- 327 • Proposed zoning is inconsistent with the CAMA Land Use Plan, as the plan calls for the  
328 land to be low density residential.

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- 346
- Proposed zoning is consistent with the 2035 Comprehensive Plan as the Future Land Use Maps reflect the land as being Mixed Use Employment.
  - Went over the Findings Regarding Additional Requirements, which are included herein above.
  - Property is one of the most marketable properties in Camden County. Proximity to Hampton Roads, and the Ports of VA make this a very valuable location for potential commercial businesses. Also is within the boundaries of Foreign Trade Zone # 20, which offers significant value to entities engaged in global trade.
  - One change in the staff report:
    - "Will not exceed the county's ability to provide public facilities"
      - Staff report as presented answered this as a "No", however without knowing in advance the companies which would locate there, there is no way to know what the impacts would actually be as far as Fire & Rescue and Law Enforcement are concerned. Also, any development which is commercial in nature is sure to have increased traffic flow.
      - Staff now feels there could be an impact and would like to change this to a "Yes" answer.

347 Steven Bradshaw pointed out that the impacts would also be evaluated when a company comes  
348 in for a Special Use Permit. Mr. Bradshaw stated his opinion that this should be considered at  
349 that point and not at rezoning. Mr. Porter responded saying that the question of public facilities  
350 is one of the questions on the rezoning application, and so has to be included.

351

352 Nathan Lilly asked if the spray field would need to be expanded should the area be fully  
353 developed, both commercial properties and the adjacent residential properties. Mr. Porter  
354 responded saying that with the development in the area, the need for increasing sewer treatment  
355 is there, however technologies have improved significantly to the point that the amount of land  
356 required to treat it is much less than it used to be and the level of treatment is also greatly  
357 improved which potentially reduces the limitations imposed by DENR regulations.

358

359 Steven Bradshaw asked if Camden Plantation would have its own sewer system. Mr. Porter  
360 responded saying that Camden Plantation has proposed their own system, but that they would  
361 work with the County in any way possible to help build the county's system. The first 109 units,  
362 as already proposed, will be hooked up to the county's sewer system.

363

364 Dan Porter read the Staff Commentary / Recommendation from the Staff Report incorporated  
365 herein above, noting that staff is recommending approval.

366

367 Cathleen Saunders asked for clarification regarding NCDOT's not allowing curb access along US  
368 17. Mr. Porter replied saying that NCDOT has not been allowing additional curb access on US  
369 17 at least since he has worked with the county, which is in excess of 12 years. Ms. Saunders  
370 asked if there was access via the Commerce Park roads so that access would not have to be via  
371 the residential roadways. Mr. Porter stated that with the exception of a minor bridge/culvert at  
372 the very back of the Commerce Park, there is currently not access in that manner, but that the  
373 plan would be to run a road through the 260 acre parcel to the Commerce Park.

374



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375 Mr. Porter stated that with any development along US 17 in the area, there would need to be  
376 ability to interconnect the properties of the Commerce Park and the 260 acres under  
377 consideration here.

378  
379 Nathan Lilly asked if McPherson Road would be considered an access point. Mr. Porter stated  
380 that it would be an access point for the southern portion of the property. He added that the entry  
381 road into the Commerce Park would be the access point for the northern portion of the property.  
382

383 At this point, Chairman Calvin Leary asked if there were any further questions or comments  
384 from the board. Hearing none, he opened the floor to public comment.  
385

386 *Joe Howell, Representing Captain J.P. Kline of the US Navy, Commanding Officer US Navy*  
387 *Northwest Annex, Chesapeake, VA*

- 388 • Representing the US Navy's Northwest Annex, ROTHHR Radar facility
- 389 • Referred to a letter which was sent to Dan Porter regarding Navy request to be consulted  
390 on development on the property under consideration. Copy of which was included in  
391 board packet and copy of which is available at the Planning Department.
- 392 • Commercial and industrial uses have the potential to create electro-magnetic interference  
393 (EMI) which could interfere with the mission of the ROTHHR Radar. Specifically uses  
394 which include such activities as use of high frequency transmitters, welding, electrical  
395 systems that are normally attributed to industrial / manufacturing type of operations.
- 396 • If this rezoning is approved, it would allow for those types of activities to be permitted  
397 uses.
- 398 • ROTHHR has a detection monitoring mission with respect to illegal activities. Its  
399 detection footprint extends all the way down to the Caribbean, Central, and South  
400 America.
- 401 • Would like to have language added into the rezoning such that the Navy would be  
402 consulted on any development so that the possibility of frequency interference can be  
403 mitigated or avoided. Consultation would allow the Navy to research and determine if a  
404 proposed commercial use would have any detrimental effect on the ROTHHR.
- 405 • Goal of consultation would be to curtail EMI effects which might impede the mission of  
406 the ROTHHR.
- 407 • Beyond consultation, Navy could offer mitigation opportunities such as recommendations  
408 relating to the orientation of certain elements so that the effects are limited or avoided,  
409 recommendations of certain building materials, filters, and so on.

410  
411 Fletcher Harris asked what the distance was for needing to consult on potential EMI due to  
412 operations at the Commerce Park and the property under consideration. Mr. Howell responded  
413 that it was about 4-5 miles.

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414 Steven Bradshaw asked if this was a change from the request made by the Navy when the  
415 Commerce Park was created. Mr. Porter replied saying that it was basically the same request.

416  
417 Mr. Porter stated that he understands and appreciates the importance of the mission of the  
418 ROTH. Mr. Porter added the following:

- 419 • Zoning cannot be conditional, language cannot be added to zoning.
- 420 • Any future development has to come before the Planning Board and Board of  
421 Commissioners. The request by the Navy would be best served to be addressed at that  
422 point.
- 423 • State law requires that any time there is a rezoning or development within 5 miles of any  
424 military installation that the military branch owning the installation be afforded an  
425 opportunity for comment.

426  
427 Steven Bradshaw commented that it is better for developers to know beforehand that there might  
428 be an issue with the location depending on the type of business they want to pursue. Mr. Howell  
429 commented that he wants to work with the county on this and be able to comment and offer  
430 recommendations to any developers in order to limit the effects to the ROTH.

431  
432 At this time, Chairman Calvin Leary asked if there were any further questions or comments from  
433 the public. Hearing none, he entertained a motion.

434  
435 *Motion to Approve UDO 2019-05-28 Rezoning Property Located at Corner of US 17 and*  
436 *McPherson Road*

437	
438	<b>RESULT:</b> PASSED [UNANIMOUS]
439	<b>MOVER:</b> Steven Bradshaw, Board Member
440	<b>SECONDER:</b> Ray Albertson, Board Member
441	<b>AYES:</b> Leary, Harris, Albertson, Bradshaw, Saunders, Lilley
442	<b>ABSENT:</b> McCall

443

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444 **INFORMATION FROM BOARD AND STAFF**

445  
446 There was no Information from Board and Staff to present.  
447

448  
449 **CONSIDER DATE OF NEXT MEETING - JULY 17, 2019**

450  
451 **ADJOURN**

452  
453 *Motion to Adjourn June 19, 2019 Planning Board Meeting*  
454

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Ray Albertson, Board Member
<b>SECONDER:</b>	Fletcher Harris, Board Member
<b>AYES:</b>	Leary, Harris, Albertson, Bradshaw, Saunders, Lilley
<b>ABSENT:</b>	McCall

460  
461 Meeting Adjourned at 7:30 PM.

462

463

464

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466

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*Chairman Calvin Leary  
Camden County Planning Board*

467 *ATTEST:*

468

469

470

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471 *Amy Barnett, Planning Clerk*