

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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**Camden County Planning Board**  
**Regular Meeting**  
**September 18, 2019 7:00 PM**  
**Historic Courtroom, Courthouse Complex**  
**Camden, North Carolina**

**MINUTES**

*The regular meeting of the Camden County Planning Board was held on September 18, 2019 in the Historic Courtroom, Camden, North Carolina. The following members were present:*

**Planning Board Members Present:**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Calvin Leary	Chairman	Absent	
Fletcher Harris	Board Member	Present	6:50 PM
Rick McCall	Board Member	Absent	
Ray Albertson	Board Member	Absent	
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

**Staff Present:**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Dan Porter	Planning Director	Present	6:45 PM
Dave Parks	Permit Officer	Present	6:40 PM
Amy Barnett	Planning Clerk	Present	6:35 PM

**Others Present:**

<b>Attendee Name / Address</b>	<b>Title / Company</b>	<b>Meeting Section</b>
Waverly Sawyer	Applicant	New Business, #1

**CALL TO ORDER & WELCOME**

Vice Chairman Steven Bradshaw called the meeting to order at 7:00 PM.

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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22 **CONSIDERATION OF AGENDA**

23 *Motion to Approve Agenda As Presented*

24	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
25	<b>MOVER:</b>	Cathleen M. Saunders, Board Member
26	<b>SECONDER:</b>	Fletcher Harris, Board Member
27	<b>AYES:</b>	Harris, Bradshaw, Saunders, Lilley
28	<b>ABSENT:</b>	Leary, McCall, Albertson

29 **CONSIDERATION OF MINUTES - JULY 17, 2019**

30 *Motion to Approve 7-17-19 Minutes As Written*

31	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
32	<b>MOVER:</b>	<b>Fletcher Harris, Board Member</b>
33	<b>SECONDER:</b>	<b>Nathan Lilley, Board Member</b>
34	<b>AYES:</b>	<b>Harris, Bradshaw, Saunders, Lilley</b>
35	<b>ABSENT:</b>	<b>Leary, McCall, Albertson</b>

36 **OLD BUSINESS**

37  
38 None.

39  
40 **NEW BUSINESS**

41 **A. *UDO 2019-09-01 Rezoning Request Waverly Sawyer - WL to HC***

42  
43 Dan Porter described this agenda item and went over the staff report as incorporated herein  
44 below:

45  
46 -----  
47 **STAFF REPORT**  
48 **UDO 2019-09-01**  
49 **ZONING MAP AMENDMENT**

50  
51 **PROJECT INFORMATION**

52  
53 **File Reference:** UDO 2019-09-01  
54 **Project Name:** N/A  
55 **PIN:** 01-8907-00-43-8620 /  
56 01-8907-00-65-3412  
57  
58 **Applicant:** Waverly Sawyer  
59 **Address:** 117 Havenwood Drive, Camden, NC  
60 **Phone:** (252) 202-2882  
61 **Email:**  
62

# CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 18, 2019

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63 **Agent for Applicant:**

64 **Address:**

65 **Phone:**

66 **Email:**

67

68 **Current Owner of Record:** Applicant

69

70 **Meeting Dates:**

71 9/16/2019 Neighborhood

72 9/18/2019 Planning Board

73

74 **Application Received:** 9/4/2019

75 **By:** Dave Parks, Permit Officer

76

77 **Application Fee paid:** \$650.00 Check #7219

78

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

80

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

82 **A.** Rezoning Application

83 **B.** Deed

84 **C.** GIS Aerial, Current zoning, Comprehensive Plan Future Land Use, CAMA

85 Future Land Use and Suitability map, and Floodplain Maps

86 **D.** Zoning Comparison WL and HC

87

88 **REQUEST:** Rezone approximately 10 acres (9 acres of farm and one acre of land  
89 where the office of Sawyer & Associates exists) at and adjacent to 872 N. 343  
90 from Working Lands (WL) to Highway Commercial (HC).

91

92 **From:** Working Lands (WL) Article 151.3.5.2 (Purpose Statement)

93

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

111

112 **To:** Highway Commercial (HC) Mixed Use - Article 151.3.5.6 (Purpose  
113 Statement)

114

115 The Highway Commercial district is applied to lots along the County's major  
116 roadways (e.g., US 158, US 17, NC 34, and NC 343) and is intended for  
117 automobile-oriented commercial development as well as large floorplate  
118 commercial uses and uses that require or generate truck traffic. The

# CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 18, 2019

---

119 district also accommodates agricultural and institutional uses as well as  
120 higher density residential uses with a special use permit. New development in  
121 the HC district is grouped and configured to ensure regular lateral vehicular  
122 and pedestrian access along major transportation routes as a means of  
123 establishing a well-connected transportation system. New development is  
124 configured to maintain high visual quality along the major roadway, or is  
125 fully screened from view. Sufficient spacing and screening is included along  
126 lot lines shared with adjacent residential zoning districts to ensure  
127 compatibility. New commercial and multi-family developments in the district  
128 are subject to the design standards in Article 151.5: Development Standards.

129  
130 **MAPS SHOW:**

131  
132 **Vicinity Map:** Located in South Mills Township between 868 and 892 Hwy 343 N.  
133 **CAMA Land Suitability:** Moderate  
134 **Comprehensive Plan Future Land Use Map:** Rural Preservation  
135 **CAMA Future Land Use Map:** Low Density Residential  
136 **Zoning Map:** Working Lands District  
137 **Floodplain Map:** Zone X

138  
139 **SITE DATA**

140  
141 **Lot size:** One acre lot with existing business and 9 acres of an  
142 approximately 300 acre tract  
143 **Flood Zone:** X  
144 **Zoning District(s):** Working Lands (WL)  
145 **Existing Land Uses:** Existing Commercial Office building/farmland  
146  
147 **Adjacent Zoning & Uses:**

	North	South	East	West
<b>Zoning</b>	Working Lands (WL)/Neighborhood Residential (NR)	Working Lands (WL)	Working Lands	Rural Residential (RR)/Neighborhood Residential (NR)
<b>Use &amp; size</b>	Church/Housing	Farmland	Farmland	Housing/Farmland

149  
150 **Proposed Use(s):** Commercial.

151  
152 **Description/History of property:** There is an existing Legal Non-conforming  
153 commercial office use on the one acre lot (Office of Sawyer and Associates)  
154 with the other 9 acres adjacent to it being in farm use.

155  
156 The existing office use has been in place for an estimated 20 years. Mr.  
157 Sawyer desires to use or lease the office to a tenant for use as a retail  
158 establishment which is not a permissible use with the existing zoning.

159  
160 **ENVIRONMENTAL ASSESSMENT**

161  
162 **Streams, Creeks, Major Ditches:**

163  
164 **Distance & description of nearest outfall:** It appears the property drains to  
165 the south along Highway 343 to a culvert under Highway 343 which flows west  
166 out to the Pasquotank River. Property located in the Watershed that address  
167 impervious surfaces and water quality.  
168

# CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 18, 2019

---

169 **INFRASTRUCTURE & COMMUNITY FACILITIES**

170  
171 **Water:** South Mills water lines are located adjacent to property  
172 along North 343.  
173 **Sewer:** Lines are adjacent but currently not in use.  
174 **Fire District:** South Mills Fire District.  
175 **Schools:** N/A.  
176 **Traffic:** Generation of traffic will be at development stage.

177  
178 **PLANS CONSISTENCY**

179  
180 **CAMA Land Use Plan Policies & Objectives: Both Consistent & Inconsistent.**

181  
182 The CAMA Land Use Plan was adopted by the Camden County Board of  
183 Commissioners on April 4, 2005.

184  
185 The proposed zoning change is inconsistent in that the Future Land Use  
186 Maps has property identified as **Low Density Residential**.

187  
188 The proposed zoning change is consistent with policies P.22 and P.23 for  
189 commercial/industrial as Policies 22 and 23 state "Camden County supports  
190 industrial development along major thoroughfares and that are accessible  
191 to water/sewer.

192  
193 **2035 Comprehensive Plan: Inconsistent.**

194  
195 The proposed zoning change is inconsistent with Comprehensive Plan  
196 (Adopted 2012) **Future Land Use Map as it shows the property designated as**  
197 **Rural Preservation.**

198  
199 **Comprehensive Transportation Plan: Consistent.** Property abuts Highway  
200 343.

201  
202 **Other Plans officially adopted by the Board of Commissioners: N/A**

203  
204  
205 **FINDINGS REGARDING ADDITIONAL REQUIREMENTS:**

206  
207 **Will the proposed zoning change enhance the public health, safety or welfare?**

208 Yes. **Reasoning:** If the 10 acre property were to be developed as a  
209 commercial center it could result in increased jobs and taxes for the  
210 county..

211  
212 **Is the entire range of permitted uses in the requested classification more**  
213 **appropriate than the range of uses in the existing classification? No.**

214 **Reasoning:** The range of uses in existing classification are more appropriate  
215 at this time. The 2035 Comprehensive Plan overall strategy is to focus  
216 commercial growth in and around the village centers and maintain the rural  
217 character of the lands away from the villages.

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

---

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

220 **Is this an expansion of an adjacent zoning district of the same**  
221 **classification? No. Reasoning:**

222  
223 **What extraordinary showing of public need or demand is met by this**  
224 **application? None at this time due to the location of property.**  
225 **Reasoning:**  
226

227 **Will the request, as proposed cause serious noise, odors, light, activity, or**  
228 **unusual disturbances? Yes. Reasoning:** There are uses permitted in the  
229 Highway Commercial zoning that could cause noise, odors, light, activity or  
230 increased traffic.  
231

232 **Does the request impact any CAMA Areas of Environmental Concern? No.**  
233 **Reasoning:** Property is outside any CAMA Areas of Environmental Concern.  
234

235 **Does the county need more land in the zoning class requested? Yes.**  
236 **Reasoning:** In the appropriate location in and around village centers.  
237

238 **Is there other land in the county that would be more appropriate for the**  
239 **proposed uses? Yes. Reasoning:** Based on the location and surrounding uses  
240 the property is located too far out from where the county visions these types  
241 of uses at this time.  
242

243 **Will not exceed the county's ability to provide public facilities: No.** The  
244 proposed zoning uses will have an impact on all public facilities, how much  
245 and what facilities will be determined at the development of the property.  
246

- 247 **Schools -**
- 248 **Fire and Rescue -**
- 249 **Law Enforcement -**
- 250 **Parks & Recreation -**
- 251 **Traffic Circulation or Parking -**
- 252 **Other County Facilities -**

253  
254 **Is This A Small Scale "Spot" Rezoning Request Requiring Evaluation Of**  
255 **Community Benefits? No. If Yes (regarding small scale spot rezoning) -**  
256 **Applicants Reasoning:**  
257

	<b>Personal Benefits/Impact</b>	<b>Community Benefits/Impact</b>
<b>With rezoning</b>		
<b>Without rezoning</b>		

258

# CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 18, 2019

---

259 **STAFF COMMENTARY:**

260  
261 Planning Staff makes the following recommendations for either approval or  
262 denial:

263  
264 **Approval:**

265  
266 **Consistency Statement:**

267  
268 The proposed zoning change is consistent with policies P.22 and P.23  
269 for commercial/industrial as Policies 22 and 23 state "Camden County  
270 supports industrial development along major thoroughfares and that are  
271 accessible to water/sewer. Sewer lines are adjacent to property, but  
272 are not active.

273  
274 **Application:**

275  
276 Recommend approval of Rezoning Application (UDO 2019-09-01) for Waverly  
277 Sawyer to rezone parcels (10 acres total) from Working Lands (WL) to  
278 Highway Commercial (HC).

279  
280 **Denial:**

281  
282 **Consistency Statement:**

283  
284 The proposed zoning change is inconsistent with the CAMA Plan (adopted  
285 April 4, 2005 as Future Land Use Map has property identified as Low  
286 Density Residential and Comprehensive Plan Future Land Use Maps as map  
287 has property identified as Rural Preservation.

288  
289 **Application:**

290  
291 Recommend denial of Rezoning Application (UDO 2019-09-01) for Waverly  
292 Sawyer to rezone parcels (10 acres total) from Working Lands (WL) to  
293 Highway Commercial (HC).

294  
295 **Recommendation:** Staff would like to discuss with Planning Board at meeting.

296  
297 -----

298  
299 Mr. Waverly Sawyer spoke briefly regarding his request:

- 300
- 301 • Wants to convert existing real estate sales & construction offices into commercial space for retail sales
  - 302 • Reason for request is so he can lease the building for commercial retail uses
  - 303 • Request if for a 10 acre parcel in order to avoid spot zoning
  - 304 • Existing real estate sales office is an existing commercial site
- 305

306 In addition to staff report information, Mr. Porter added:

- 307
- 308 • Staff felt it wise to request rezoning for a larger area to avoid spot zoning issues
  - 309 • Existing real estate sales office is a legal non-conforming use, having been in place for an estimated 20 years, surrounding land is farmland
  - 310 • Mr. Sawyer desires to lease the property for use as a retail sales establishment which is not permissible in the working lands zone.
- 311

## CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 18, 2019

---

312 Mr. Porter (continued):

- 313 • Property drains to the south along Hwy 343, to a culvert under North Hwy 343, and out
- 314 to the Pasquotank River
- 315 ○ Culvert is in vicinity of Mr. Sawyers property
- 316 • Property is located in the watershed which addresses impervious surfaces
- 317 • There is a water intake location on the west side of the Pasquotank River for Elizabeth
- 318 City (which isn't being used at present) for use of the potable water supply, which makes
- 319 it a watershed protection area for a certain distance around that site which deals with
- 320 impervious surfaces, and that certain distance reaches into Camden County. So Camden
- 321 is regulated by that.
- 322 • Property is served by South Mills Water, and there are sewer lines adjacent to the
- 323 property, but will be shut down soon due to an impending new treatment plant project.
- 324 • There are no sewer connections between Scotland Road and South Mills Village
- 325

326 Vice Chairman Steven Bradshaw asked if the sewer lines could be reactivated in the future. Mr.

327 Porter responded that it could be reactivated, the lines are there and it is a forced main which

328 forces flow all the way up to Keeter Barn Road. Since there are no connections between

329 Scotland Road and South Mills Village, there is no reason to leave the lines active.

330

331 Mr. Porter continued going over the Staff Report.

- 332 • Went over infrastructure information
- 333 • Went over Plans
  - 334 ○ CAMA Future Land Use Map: Low Density Residential (LDR)
  - 335 ■ In terms of zoning, LDR is Working Lands zoning district, previously the
  - 336 General Use District, which carries a minimum lot size of 5 per lot
  - 337 ○ Comprehensive Plan Future Land Use Map: Rural Preservation
  - 338 ○ Consistent AND Inconsistent with CAMA Plan
  - 339 ○ Inconsistent with 2035 Comprehensive Plan
  - 340 ○ Consistent with Comprehensive Transportation Plan
  - 341

342 Dave Parks passed out copies of the Advanced Core CAMA Land Use Plan Executive Summary

343 and went over a few key items:

- 344 • Policies - Commercial/Industrial
  - 345 ○ P.22 Camden County supports industrial development which will be located
  - 346 adjacent to and/or with direct access to major thoroughfares.
  - 347 ○ P.23 Camden County supports the development of industrial sites that are
  - 348 accessible to county water and sewer services.
  - 349

350 Mr. Porter read over the Findings Regarding Additional Requirements (see staff report above).

- 351 • Showed a map delineating the core village area setback for South Mills, which is a 1 mile
- 352 buffer around the South Mills Core Village. The property sits about 3 miles from the
- 353 core village of South Mills, and 2 miles from the buffer.
- 354 • Although outside of any CAMA Areas of Environmental Concern, it is located inside the
- 355 aforementioned watershed area in which impervious surfaces are regulated. Such
- 356 regulations are about the same as those in the Drainage Manual.



## CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 18, 2019

---

357 Mr. Porter went over the Staff Commentary:

- 358     • Instead of writing consistency statements for both Approval and Denial then choosing  
359        which ever one applies, propose that both are used as the consistency statement and the  
360        board then votes to either Approve or Deny based on which ever part of the consistency  
361        statement applies to the decision being made.

362

363 Cathleen Saunders asked about the neighborhood meeting. Dave Parks responded saying that  
364 there was a neighborhood meeting held on Monday, September 16, 2019. Three neighbors  
365 showed up. Mr. Sawyer explained what it was he was hoping to do, there were no comments or  
366 opposition from those present.

367

368 Nathan Lilley asked if there was any way to grandfather commercial uses into the property since  
369 it was built so long ago. Mr. Porter replied:

- 370     • Initial thought was that the use was abandoned, and if you abandon a use for over 6  
371        months, especially if it's a legal non-conforming use, then current zoning standards must  
372        be observed going forward.
- 373     • Mr. Sawyer informed staff that the water and electricity had not been turned off, and that  
374        he used the building as his real estate office from time to time. At present, it is being  
375        used for a real estate office and that use is grandfathered.
- 376     • A commercial retail use is not an office use.
- 377     • In the Table of Permissible Uses, there are classifications for several different types of  
378        offices, and also for different types of retail establishments.
- 379     • Commercial retail is a different type of use from what its current use is.
- 380     • An office use is grandfathered, and if Mr. Sawyer were to desire to put another office  
381        there, that would be fine, but the type of use which is grandfathered does not include  
382        retail and so for that use type, a rezoning would be needed.
- 383     • Rezoning is the only option to be able to place a retail use at that property. Variances  
384        cannot be done either, because it is illegal to grant a variance for a use type as that is a  
385        zoning issue and not an interpretation issue.

386

387 Vice Chairman Steven Bradshaw observed that there are only so many places in the county  
388 which have the infrastructure of sewer lines along major thoroughfares. Mr. Bradshaw believes  
389 that the plans need revising because of the availability of infrastructure.

390

391 Mr. Porter responded that the general statutes require that if a decision is made that is  
392 inconsistent with the adopted Land Use Plan then the Land Use Plan must be changed. And so,  
393 when a recommendation is made that is inconsistent with the map, then the recommendation to  
394 change / update the map must be included with the decision. When a request is inconsistent with  
395 the CAMA Plan, there is a complicated process to get that updated.

396

397 Nathan Lilley asked how the areas for update are decided on for updating the Land Use Plan  
398 and/or CAMA Plan. Mr. Porter responded that it would be up to whatever the recommending  
399 body wants to do. That said, there are areas along Hwy 343 where clusters of commercial use  
400 zoning might make sense.

401

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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402 Mr. Porter added that when there are laws such as the UDO, if there are 2 or more segments of  
403 law that are applicable, and are related, but are different, the courts would require the most  
404 specific segment of law to be used in an interpretation.

405  
406 Vice Chairman Steven Bradshaw asked if there were any further questions or comments.

407  
408 Mr. Sawyer added that the person who is wanting to lease the property from him for retail will  
409 also be involved in 4H community events and so it could be a benefit to the community.

410  
411 Mr. Bradshaw asked if there were any further comments, hearing none, he entertained a motion  
412 for the consistency statement.

413  
414 ***Consistency Statement:***

415  
416 ***“The proposed zoning change is consistent with policies P.22 and P.23 for***  
417 ***commercial/industrial as Policies 22 and 23 state “Camden County supports industrial***  
418 ***development along major thoroughfares and that are accessible to water/sewer.”***  
419 ***Sewer lines are adjacent to property, but are not active.***

420  
421 ***The proposed zoning change is inconsistent with the CAMA Plan (adopted April 4,***  
422 ***2005) as Future Land Use Map has property identified as Low Density Residential and***  
423 ***Comprehensive Plan Future Land Use maps has property identified as Rural***  
424 ***Preservation.”***

425  
426 ***Motion to Approve Consistency Statement:***

427	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
428	<b>MOVER:</b>	<b>Steven Bradshaw, Board Member</b>
429	<b>SECONDER:</b>	<b>Fletcher Harris, Board Member</b>
430	<b>AYES:</b>	<b>Harris, Bradshaw, Saunders, Lilley</b>
431	<b>ABSENT:</b>	<b>Leary, McCall, Albertson</b>

432  
433 ***Motion to Approve UDO 2019-09-01 Rezoning Request Waverly Sawyer - WL to HC***  
434 ***based on Policies 22 and 23 as referenced in the Consistency Statement and given that***  
435 ***the infrastructure is already in place:***

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

441

442 **B. Ordinance 2019-08-01 Amendments to UDO**

443 Dan Porter described this ordinance containing amendments to the Unified Development  
444 Ordinance. The text of the ordinance is incorporated herein below, pages 11 through 26 of these  
445 minutes.

446

---

447 **Ordinance No. 2019-08-01**

448 **An Ordinance**

449 **Amending the Camden County**  
450 **Unified Development Ordinance**

451 **Camden County, North Carolina**

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

454 **Article I: Purpose**

455 The purpose of this Ordinance is to amend the Camden County Unified Development Ordinance  
456 of Camden County, North Carolina, which was originally adopted by the County Commissioners  
457 on December 15, 1997 and subsequently revised on February 4, 2019.

458 **Article II. Construction**

459 **For purposes of this Ordinance, underlined words (underline) shall be considered as**  
460 **additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be**  
461 **considered deletions to existing language. New language of proposed ordinance shall be**  
462 **shown in italics (*italics*) and underlined. **Additionally, all changes to ordinance language****  
463 **shall be highlighted bright yellow.**

464 **Article III. Amend Chapter 151 as amended of the Unified Development which shall**  
465 **read as follows:**

466

**CHAPTER 151: UNIFIED DEVELOPMENT**

467 **2.3.10 EXPEDITED SUBDIVISION**

---

468 **C. Expedited Subdivision Procedure**

469 **4. Review Standards**

470 **a.** An expedited subdivision shall be approved if the application complies  
471 with the following:

472 **1.** The expedited subdivision plat is on a sheet or sheets suitable for  
473 recording with the Camden County Register of Deeds;

474 **2.** The expedited subdivision plat is prepared and sealed by a licensed  
475 professional land surveyor or licensed professional engineer;

476 **3.** The expedited subdivision plat complies with all applicable  
477 standards in this Ordinance and Section 47-30 of the North  
478 Carolina General Statutes;

479 **4.** The expedited subdivision plat includes all required certifications;

- 480                   5.     The applicant has secured all required State and federal permit  
481                    approvals;
- 482                   6.     All lots have been certified by Albemarle Regional Health Services  
483                    (ARHS) as capable of accommodating the wastewater generated  
484                    from the proposed use, in cases when the lot(s) is not served by a  
485                    centralized wastewater system;
- 486                   7.     All lots in the expedited subdivision comply with the applicable  
487                    dimensional requirements for the zoning district where located;
- 488                   8.     The lot is served by a NCDOT-maintained roadway, **or** a right-of-  
489                    way constructed to and maintained in accordance with NCDOT  
490                    standards, **or a minimum 45' easement**; and
- 491                   9.     No land included in an expedited subdivision application shall  
492                    have been the subject of an expedited subdivision application  
493                    approval within the preceding ten years.
- 494

495   **2.3.20     PRELIMINARY PLAT**

---

496

497   **A. Purpose and Intent**

- 498           1.     The purpose for the preliminary plat procedure is to establish a fair, consistent,  
499            and predictable procedure for the review of requests to divide land into a series of  
500            lots for development or sale in ways that promote the health, safety, and welfare  
501            of the citizens of Camden County. The intent of these standards is to ensure:
- 502           2.     Orderly growth and development;
- 503           3.     Coordination of transportation and utility networks;
- 504           4.     Coordination between capital improvement expenditures and the location of  
505            development;
- 506           5.     Preservation of open space for purposes of recreation or natural resource  
507            protection;
- 508           6.     Protection from flooding, damaging sedimentation, and decreased surface water  
509            quality; and
- 510           7.     Distribution of population in ways that supports infrastructure investment and  
511            diminishes the impact of traffic and overcrowding.

512   **B. Applicability**

513           Divisions of land that do not qualify as an exempt subdivision (see Section 2.3.9,  
514           Exempt Subdivision), expedited subdivision (see Section 2.3.10, Expedited  
515           Subdivision), minor subdivision (see Section 2.3.18, Minor Subdivision), or transfer  
516           plat (see Section 2.3.24, Transfer Plat) shall be reviewed and decided as a preliminary  
517           plat in accordance with these standards. Figure 2.3.20.B: Preliminary Plat, shows a  
518           typical hypothetical preliminary plat.

519

520  
521  
522  
523  
524  
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**C. Preliminary Plat Review Procedure**

**1. Pre-Application Conference**

- a. Applicable (see Section 2.2.2, Pre-Application Conference).
- b. Except for subdivisions where all lots shall be served by a central wastewater system, applications for an preliminary plat shall include an evaluation from Albemarle Regional Health Services indicating that an on-site wastewater system may be used on each lot included in the subdivision.

**2. Neighborhood Meeting**

Applicable (see Section 2.2.3, Neighborhood Meeting).

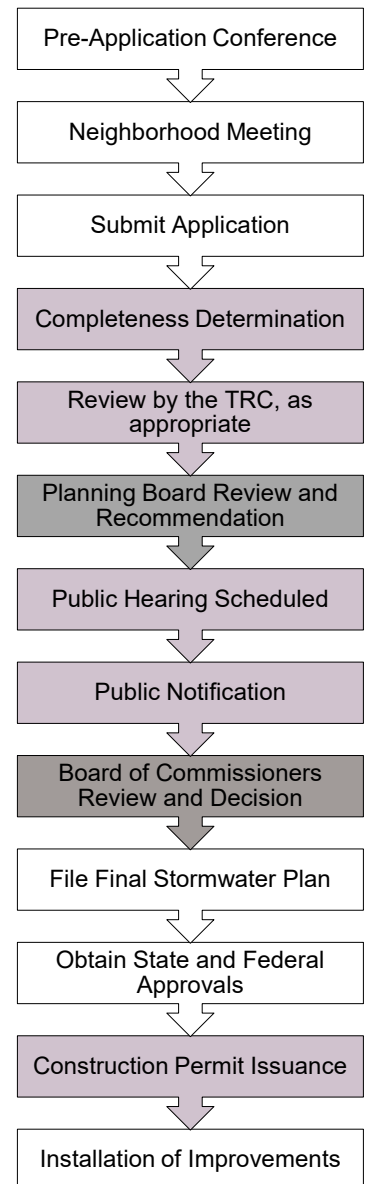
**3. Application Submittal**

- a. Applicable (see Section 2.2.4, Application Submittal).
- b. A preliminary plat shall be prepared by a licensed professional surveyor, registered professional landscape architect, or licensed professional engineer.
- c. A preliminary plat application shall include either a conceptual or final stormwater management plan prepared in accordance with the standards in Section 7.1, Stormwater Management.
- d. Concurrent submittal of a preliminary plat application and a final plat application is prohibited except in cases where there are no extensions of public right-of-way or public utilities.
- e. In cases where a preliminary plat is part of a larger phased development, the application materials shall illustrate all various stages and phases of the development as well as the schedule for completion of public and private improvements associated with the development.

**4. Staff Review and Action**

- a. Applicable (see Section 2.2.5, Staff Review and Action).
- b. The UDO Administrator shall review the application and may submit it to the Technical Review Committee, as appropriate, for further technical review.
- c. The UDO Administrator shall prepare a staff report and The UDO Administrator shall prepare a staff report and provide a recommendation in accordance with Section 2.3.20.D, Preliminary Plat Review Standards.

**FIGURE 2.3.20.C:  
PRELIMINARY PLAT  
PROCEDURE**

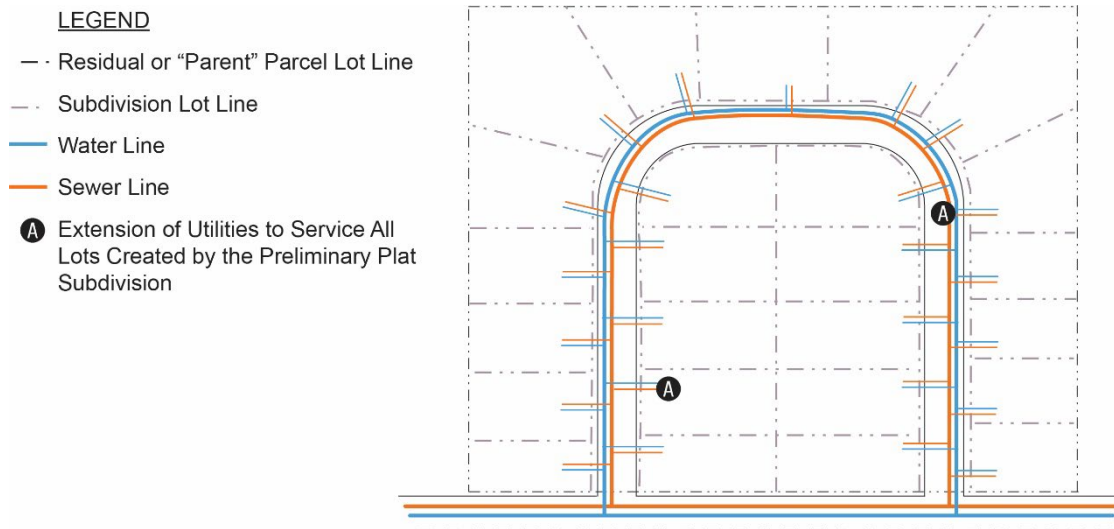


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**5. Review by Planning Board**

- a. Applicable (see Section 2.2.8, Review by Planning Board, and Section 2.2.7, Public Meetings and Hearings).
- b. The Planning Board, following review during a public meeting, shall make a recommendation on an application in accordance with Section 2.3.20.D, Preliminary Plat Review Standards.

**D. FIGURE 2.3.20.B: PRELIMINARY PLAT**



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**6. Public Notice**

Applicable (see Section 2.2.6, Public Notice).

**7. Review and Decision by Board of Commissioners**

- a. Applicable (see Section 2.2.9, Action by Review Authority).
- b. The Board of Commissioners, after the conclusion of a legislative public hearing, shall review and decide the application in accordance with Section 2.3.20.D, Preliminary Plat Review Standards. The decision shall be the one of the following:
  - 1. Approval of the preliminary plat as proposed;
  - 2. Approval of a revised preliminary plat; or
  - 3. Denial of the preliminary plat.

**8. Approval to Proceed**

Following approval of a preliminary plat by the Board of Commissioners, approval of the final stormwater plan, and issuance of all required state and federal approvals, the applicant may proceed with an application for a fill permit Construction Permit, to undertake land disturbing activities, ~~or for a building permit to install public utilities in cases where no fill permit is required.~~ Final plats shall be reviewed and decided by the UDO Administrator in accordance with Section 2.3.12, Final Plat.

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**D. Preliminary Plat Review Standards**

1. An application for a preliminary plat shall be approved, provided:
  - a. The preliminary plat is prepared and sealed by a licensed professional land surveyor, registered professional landscape architect, or licensed professional engineer;
  - b. The preliminary plat complies with the applicable standards in Section 47-30 of the North Carolina General Statutes;
  - c. The preliminary plat includes all required certifications;
  - d. All lots have been certified by Albemarle Regional Health Services as capable of accommodating the wastewater generated from the proposed use, in cases when the lot(s) is not served by a centralized wastewater system;
  - e. The preliminary plat is in substantial conformance with all applicable requirements in ARTICLE 151.6, Subdivision Requirements;
  - f. The preliminary plat complies with all standards and conditions of any applicable permits and development approvals;
  - g. All lots shall be served by a NCDOT-maintained roadway or a right-of-way constructed to and maintained in accordance with NCDOT standards;
  - h. The name of the subdivision shall not duplicate or be similar to the name of an existing subdivision in Camden County or Pasquotank County;
  - i. In cases where land subject to a preliminary plat is located within an AEC, approved preliminary plats shall bear a certification from the NC Division of Coastal Management certifying compliance with all AEC requirements; and
  - j. The preliminary plat complies with all other applicable requirements in this Ordinance and the County Code of Ordinances.
2. Preliminary plats of land located within the special flood hazard area shall comply with the standards in Section 3.8.3, Special Flood Hazard Area Overlay (SFHA), and include the following statement:

*“Use of land within a floodplain or a special flood hazard area is substantially restricted by Camden County.”*
3. If the preliminary plat is required to provide a connection to a public water supply system, the plat shall include the following statement:

*“The developer is required to install all water lines and related improvements.”*

**E. Conditions of Approval**

Applicable (see Section 2.2.10, Conditions of Approval).

**F. Effect**

1. Approval of a preliminary plat authorizes an applicant to file for all required State and federal permits as well as submittal of final stormwater plans, construction drawings, a **fill permit, Construction Permit**, and/or a final plat.
2. Approval of a preliminary plat shall not constitute the approval for recording a subdivision with the Camden County Register of Deeds, or approval for the conveyance of lots.

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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**G. Amendment**

Applicable (see Section 2.2.16, Amendment).

**H. Expiration**

**1. Generally**

An approved preliminary plat shall be valid for two years from the date of approval.

**2. Extension**

- a. An applicant may request an extension of a preliminary plat approval in writing to the UDO Administrator at least 30 days prior to expiration.
- b. Extension requests shall be reviewed and decided by the Board of Commissioners.
- c. A preliminary plat may be extended once for a maximum duration of one year.

**I. Appeal**

- 1. Appeal of a decision on a preliminary plat shall be subject to review by the District 1 Superior Court by proceedings in the nature of certiorari and in accordance with Section 160A-393 of the North Carolina General Statutes.
- 2. Petitions for review must be filed with the Clerk of Court within 30 days of the date the decision is filed in the office of the appropriate review authority and delivered by personal delivery, electronic mail, or first-class mail to the applicant, landowner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective.



**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

661 **Article 3.5.3 – Rural Residential (RR) District**

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663 **RURAL RESIDENTIAL (RR) DISTRICT**

<h1 style="margin: 0;">RR</h1> <h2 style="margin: 0;">Rural Residential</h2>		Purpose Statement	
		<p>The Rural Residential (RR) district is established to accommodate low density residential neighborhoods and supporting uses on lots near bona fide farms and agricultural areas in the rural portion of the County. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity or negatively impact the rural character of the County. One of the primary tools for character protection is the requirement to configure residential subdivisions of more than five lots as conservation subdivisions. The conservation subdivision approach seeks to minimize the visibility of new residential development from adjacent roadways through proper placement and screening. The district accommodates several differing agricultural uses and single-family detached homes. It also allows supporting uses like educational facilities, parks, public safety facilities, and utilities. District regulations discourage uses that interfere with the development of residential dwellings or that are detrimental to the rural nature of the district.</p>	
Dimensional Requirements			
#	STANDARD TYPE	REQUIREMENTS FOR TRADITIONAL DEVELOPMENT	REQUIREMENTS FOR CONSERVATION SUBDIVISIONS [1]
<i>A</i>	Minimum Development Size (acres)	N/A	10
<i>B</i>	Maximum Residential Density (units/acre)	0.5	1
<i>C</i>	Minimum Lot Area (acres)	2	1
<i>D</i>	Minimum Lot Width (feet) [2]	125	60
<i>E</i>	Maximum Lot Coverage (% of lot area) [3]	24	72
<i>F</i>	Minimum Open Space (% of development size) [4]	None	50
<i>G</i>	Minimum Front Setback (feet)	50	20
<i>H</i>	Minimum Corner Side Setback (feet)	50	20
<i>I</i>	Minimum Interior Side Setback (feet)	25	10
<i>J</i>	Minimum Rear Setback (feet)	25	15
<i>K</i>	Minimum Distance Between Buildings, Front-to-Back (feet) [5]	20	10
<i>L</i>	Minimum Distance Between Buildings, Side-to-Side (feet) [5]	15	5
<i>M</i>	Minimum Accessory Building Setback (feet)	10	3

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

<b>N</b>	<del>Minimum Setback from Agricultural Activity (feet) [6]</del>	<del>50</del>	<del>50</del>
<b>O</b>	Maximum Building Height (feet)	35 [7]	35

**NOTES:**

- [1] Residential developments of five or more lots shall be configured as a conservation subdivision in accordance with the standards in Section 6.5, Conservation Subdivision.
- [2] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.
- [3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.
- [4] Applied to residential subdivisions and nonresidential developments.
- [5] Applied in cases where there are two or more principal buildings on the same lot.
- [6] ~~Setback is applied from the perimeter of agricultural activity occurring on the same or an adjacent lot.~~
- [7] Maximum building height may be increased to 50 feet for agricultural or agricultural-related uses.

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665 **3.5.4 – Suburban Residential**

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667 **SUBURBAN RESIDENTIAL (SR) DISTRICT**

<h1 style="margin: 0;">SR</h1> <h2 style="margin: 0;">Suburban Residential</h2>		<b>Purpose Statement</b>	
		<p>The Suburban Residential (SR) district is the County’s primary district for suburban residential neighborhoods located along primary roadways, shoreline areas, and in locations bordering rural areas. The district has a one-acre minimum lot area requirement, which is the basic threshold size for lots with on-site wastewater systems. Use of the conservation subdivision configuration is optional for residential subdivisions. While the district allows single-family detached homes, mobile homes on individual lots are prohibited. Nonconforming mobile homes may remain but may not be expanded or replaced with another mobile home. The district accommodates equestrian uses, utilities, as well as various neighborhood-supporting institutional uses such as parks, schools, and public safety facilities. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the suburban nature of the district.</p>	
<b>Dimensional Requirements</b>			
#	STANDARD TYPE	REQUIREMENTS FOR TRADITIONAL DEVELOPMENT	REQUIREMENTS FOR CONSERVATION SUBDIVISIONS
<i>A</i>	Minimum Development Size (acres)	N/A	10
<i>B</i>	Maximum Residential Density (units/acre)	1	2
<i>C</i>	Minimum Lot Area (acres)	1	0.5
<i>D</i>	Minimum Lot Width (feet) [2]	125	60
<i>E</i>	Maximum Lot Coverage (% of lot area) [3]	24	72
<i>F</i>	Minimum Open Space (% of development size) [4]	None	50
<i>G</i>	Minimum Front Setback (feet)	25	20
<i>H</i>	Minimum Corner Side Setback (feet)	25	20
<i>I</i>	Minimum Interior Side Setback (feet)	10	10
<i>J</i>	Minimum Rear Setback (feet)	10	10
<i>K</i>	Minimum Distance Between Buildings, Front-to-Back (feet) [5]	15	10
<i>L</i>	Minimum Distance Between Buildings, Side-to-Side (feet) [5]	10	5
<i>M</i>	Minimum Accessory Building Setback (feet)	10	3

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

<b>N</b>	Minimum Setback from Agricultural Activity (feet) [6]	50	50
<b>O</b>	Maximum Building Height (feet)	35	35

**NOTES:**

[1] Residential developments of five or more lots may be configured as a conservation subdivision in accordance with the standards in Section 6.5, Conservation Subdivision.

[2] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.

[3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.

[4] Applied to residential subdivisions and nonresidential developments.

[5] Applied in cases where there are two or more principal buildings on the same lot.

[6] **Setback is applied from the perimeter of agricultural activity occurring on the same or an adjacent lot.**

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669 **4.3.10 PRINCIPAL USE TABLE**

<b>TABLE 4.3.10: PRINCIPAL USE TABLE</b>															
"P"= Permitted    "S"= Permitted with Special Use Permit    "."= Prohibited															
USE CATEGORY Use Type Description	RESIDENTIAL						COMMERCIAL					IND.		ADDITIONAL STANDARD S (151.4)	
	CP	WL	RR	SR	NR	VR	CC	VC	MX	HC	MC	LI	HI		PD
<b>Manufactured Home</b> A dwelling on its own lot constructed after June 15, 1976 that is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported on its own chassis. It bears a valid seal indicating conformance with the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of its construction.	.	P	.	.	P	.	.	.	.	.	.	.	.	A	<u>4.4.2.D</u>
<b>Manufactured Home or Mobile Home Park</b> A site where two or more manufactured or mobile homes are located on individual leaseholds or other divisions of land under common ownership. The park may include additional accessory uses such as recreation facilities, shared laundry facilities, storage, and parking.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

<p><b>Mobile Home</b> A factory-built dwelling on its own lot constructed prior to June 15, 1976, to State code standards, not those adopted by the US Department of Housing and Development on June 15, 1976.</p>	·	·	S	·	·	·	·	·	·	·	·	·	·	·	4.4.2.E
<p><b>Multi-Family</b> A dwelling comprised of five or more dwelling units that share common vertical walls or horizontal floors/ceilings (or both) that are not on individual lots. Examples include apartments and condominiums.</p>	·	·	·	·	·	·	S	P	S	S	·	·	A	4.4.2.F	

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<p><b>EDUCATIONAL FACILITIES</b> The Educational Facilities Use Category includes use types such as public and private schools at the elementary, middle, or high school level that provide state-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification. Accessory uses at schools include offices, play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care. Accessory uses at colleges or universities include offices, dormitories, food service, laboratories, health and sports facilities, theaters, meeting areas, athletic fields, parking, maintenance facilities, and supporting commercial. <u>Uses also include studio's (such as dance, martial arts, ect.).</u></p>															
<p><b>Major</b> A public or private institution for post-secondary education operating in buildings owned or leased by the institution and engaged in classroom instruction, residential units, administrative offices, and other functions which further the educational mission of the institution.</p>	·	·	·	·	·	S	S	S	S	S	S	·	A	4.4.3.B	
<p><b>Moderate</b> An educational institution that provides secondary education such as a high school or a middle school. Accessory uses may include offices, play areas, cafeterias, sports facilities, and bus parking areas.</p>	·	S	·	·	S	P	P	P	P	S	·	·	A		
<p><b>Minor</b> An educational institution that provides elementary education such as an elementary or nursery school as well as a small-scale secondary education facility limited to 75 students or less. Accessory uses may include offices, play areas, cafeterias, sports facilities, and bus parking areas.</p>	·	P	S	S	P	P	P	P	P	P	S	·	·	A	

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673 **Article 4.4.2 – Residential Uses**

674 **D. Manufactured Homes**

675 **1. Standards Applied to All Manufactured Homes**

676 New manufactured homes shall comply with the following standards:

- 677 **a.** It shall be located on an individual lot;
- 678 **b.** It shall be occupied only as a single family dwelling;
- 679 **c.** It shall be set up in accordance with the standards established by the North  
680 Carolina Department of Insurance and the most current version of the State of  
681 North Carolina Regulations for Manufactured/Mobile Homes;
- 682 **d.** It shall comply with the latest wind loading requirements for Camden County;
- 683 **e.** It shall maintain a minimum width of 16 feet;
- 684 **f.** It shall be oriented with the longest axis parallel to the lot frontage, to the  
685 maximum extent practicable;
- 686 **g.** Towing apparatus, wheels, axles, and transporting lights shall be removed;
- 687 **h.** It shall include a continuous, permanent masonry foundation or masonry  
688 curtain wall of solid brick or brick veneer, unpierced except for required  
689 ventilation and access, installed under the perimeter;
- 690 **i.** It shall include stairs, entrance platforms, ramps, or other means of entrance  
691 and exit that are installed or constructed in accordance with the standards set  
692 by the State Building Code. They shall be attached firmly to the primary  
693 structure and anchored securely to the ground;
- 694 **j.** It shall maintain exterior siding comparable in composition, appearance, and  
695 durability to the exterior siding commonly used in standard residential  
696 construction, which consists of one or more of the following:
- 697 1. Vinyl or aluminum lap siding (whose reflectivity does not exceed that  
698 of flat white paint);
- 699 2. Cedar or other wood siding;
- 700 3. Stucco siding;
- 701 4. Brick or stone siding;
- 702 **k.** It shall maintain a roof pitch with a minimum vertical rise of 3 feet for each 12  
703 feet of horizontal run;
- 704 **l.** It shall include a roof finished with a Class C or better roofing material that is  
705 commonly used in standard residential construction;
- 706 **m.** It shall provide an eave projection of no less than 6 inches, which may include  
707 a gutter;
- 708 **n.** It shall comply with all applicable standards in Section 3.8.3, Special Flood  
709 Hazard Area Overlay (SFHA) when located in a floodplain or other area  
710 subject to the flood damage protection standards in this Ordinance; and
- 711 **o.** Manufactured homes are not permitted ~~within the NR district~~ on lots located  
712 within 5,280 linear feet from the perimeter boundary of a village center or  
713 within a village center designated in the County's adopted policy guidance.  
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716 **E. Mobile Homes**

717 **1. General**

718 A mobile home shall comply with the following standards:

- 719 **a.** No mobile home may be parked for storage on any lot, tract, or parcel, except in  
720 HC, LI, or HI districts, or in a lawfully-established mobile home storage site  
721 subject to a temporary storage permit issued by the UDO Administrator.
- 722 **b.** A storage site for a mobile home shall be completely surrounded by a visually  
723 opaque wall or fence of at least eight feet in height.
- 724 **c.** Except for lawfully-established mobile home sales uses, no mobile home may be  
725 stored in any district for more than three months.
- 726 **d.** Mobile homes may not be used as storage structures.
- 727 **e.** Except for mobile homes being temporarily stored, a mobile home shall be  
728 anchored and tied down or otherwise secured according to the manufacturer's  
729 standards of the State Department of Insurance, and all applicable requirements of  
730 this Ordinance.
- 731 **f.** No attached structures shall be permitted which exceed 100 square feet nor may  
732 the total of all accessory buildings in individual ownership exceed 100 square feet  
733 per mobile home unit.
- 734 **g.** Two or more mobile homes shall not be joined or connected together as one  
735 dwelling nor may a mobile home be attached to any accessory building.
- 736 **h.** ~~Mobile homes are not permitted within the RR district on lots located within~~  
737 ~~5,280 linear feet from the perimeter boundary of a village center designated in the~~  
738 ~~County's adopted policy guidance. *Existing Mobile homes located within the*~~  
739 ~~*County can only be re-located into a valid Mobile Home Park. Mobile homes*~~  
740 ~~*located outside the County are prohibited.*~~

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**5.14.11 SIGN STANDARDS IN COMMERCIAL DISTRICTS**

Signs on lots in the commercial districts other than the MX district shall comply with the requirements in Table 5.14.11: Sign Standards in Commercial Districts.

<b>TABLE 5.14.11: SIGN STANDARDS IN COMMERCIAL DISTRICT</b>				
<b>TYPE OF SIGN</b>	<b>MAXIMUM FACE AREA [1] [2]</b>	<b>MAXIMUM HEIGHT</b>	<b>MAXIMUM NUMBER OF SIGNS PER LOT</b>	<b>ADDITIONAL STANDARDS [3]</b>
<b>Wall Sign on Front Façade</b>	Greater of: <b>1.5</b> sf per linear foot of wall frontage, or 5% of wall area	Below the top of the roof, soffit, eave or parapet, whichever is highest	No limit	Wall signs shall not project more than 12 inches outwards from the wall
<b>Wall Sign on Side or Rear Façade fronting a street</b>	½ sf per liner foot of wall frontage			

**A** Maximum Front Façade Sign Face Area Calculation  
 Greater of:  
 20 Linear Feet of Wall Frontage = **20 sf**  
 or  
 Front Façade Wall Area = 20' x 25' = 500 sf  
 Maximum Sign Face Area = 500 sf x .05 = **25 sf**

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### 6.1.5 ACCESS TO LOTS

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**A. Every Lot Must Maintain Access**

**1. Generally**

Except for lots within bona fide farms, lots created in accordance with Section 2.3.24, Transfer Plat, or lots created through an expedited subdivision (see Section 2.3.10, Expedited Subdivision), all lots intended to contain a building or structure shall abut a street designed, built, and maintained to state road standards, including minimum density standards.

**2. Lots in Bona Fide Farms, Transfer Plats, Exempt Subdivisions, or Expedited Subdivisions**

- a. Lots established after February 4, 2019 in a bona fide farm, transfer plat, exempt subdivision, or expedited subdivision that are not required to abut a street designed, built, and maintained to state road standards, including density, but shall maintain some form of access with a minimum width of 45 feet and maintained to afford a reasonable means of ingress and egress for emergency vehicles.
- b. Accessways not built to state standards may serve a maximum of up to three lots. Accessways serving more than three lots shall be designed, built, and maintained to state road standards.

**B. Access on Lots Abutting Major Arterial Streets**

**1.** The standards in this subsection shall apply to lots abutting the following arterial streets:

- a. US 17;
- b. US 158;
- c. NC 34; and
- d. NC 343.

**2.** In cases where a tract or site abutting a listed major arterial street is proposed for a subdivision (whether residential or otherwise), in the creation of 3 or more lots including residual, then all lots created shall maintain sufficient frontage on a different street, either pre-existing or created as part of the subdivision, so that direct access to lots need not be provided by a listed major arterial street.

**3.** The final plat creating the subdivision shall indicate a notation that driveway access to a major arterial or minor collector street is limited and shall be provided by a different street.

**4.** In the event a site or tract is unable to comply with the access limitations in this subsection, an applicant may seek a variance in accordance with Section 2.3.26, Variance.

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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- 787 **C. Marginal Access Streets**  
788 1. Where a tract of land to be subdivided adjoins an arterial street, the subdivider  
789 may be required to provide a marginal access street parallel to the arterial street or  
790 reverse frontage on a minor street for the lots to be developed adjacent to the  
791 arterial street.  
792 2. Where reverse frontage is established, private driveways shall not have direct  
793 access to the arterial street, and a 25-foot-wide non-access buffer zone on the side  
794 of the lot abutting the arterial street shall be provided.  
795 3. A ten-foot-wide non-access buffer zone may be approved if the vegetation creates  
796 a year-round opaque screen or a six-foot-tall opaque fence is provided.  
797 4. The non-access buffer zone may be counted toward the open space set-aside  
798 requirement or may be counted as a portion of each individual lot.  
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800 **10.3 DEFINITIONS**

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<b>SUBDIVISION, MAJOR</b>	A subdivision of land that includes <i>the creation of</i> five or more lots. <del>.(including the residual parcel) or that involves extension of public streets, public water, public sewer, or other public utility.</del>
<b>SUBDIVISION, MINOR</b>	A subdivision of land that includes up to five lots (including the residual parcel) <del>with no extension of public streets, public water, public sewer, or other public utility.</del>

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806 Adopted by the Board of Commissioners for the County of Camden this     day of     , 2019.

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809 County of Camden

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815 Tom White, Chairman  
816 Board of Commissioners

817 ATTEST:

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820 \_\_\_\_\_  
821 Karen Davis  
822 Clerk to the Board

[SEAL]

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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825 Mr. Porter went over each change individually with discussion as summarized below:

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<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>1</b>	<b>2.3.10 Expedited Subdivision C.4.a.8</b>
<b>(changes are highlighted)</b>	<b>8.</b> The lot is served by a NCDOT-maintained roadway, <del>or</del> a right-of-way constructed to and maintained in accordance with NCDOT standards, <u>or a minimum 45' easement;</u> and

828

829 Discussion:

830

831 Vice Chairman Steven Bradshaw asked why it was a 45' easement, why not a 60'.

832

833 Mr. Porter responded:

834

- 45' is pushing the limit;
- 45' is the minimum that is needed for a NCDOT road or for safety equipment;
- 60' is standard in a subdivision, which is different from this;
- This is an Expedited Subdivision which carries different regulations;
- This is to bring Camden Code consistent with state law.

835

836

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839

840 Nathan Lilley asked what if a piece of property is a flag lot that has less than 45' access. Does  
841 this mean that the flag portion of the flag lot cannot be used as an easement?

842

843 Dave Parks responded that according to this code, the flag portion would not be able to be used  
844 on its own as an easement if it were less than 45'.

845

846 Steven Bradshaw observed that if the flag lot were owned by the same person as owns a potential  
847 expedited subdivision whose property is being divided out of the flag lot, then the flag portion  
848 would not be an easement if it were owned by the same person.

849

850 Mr. Parks added that if the subdivided lot were to be sold, then the adjacent property owner  
851 would need to grant an easement that would add to the flag portion to bring the total to 45' for  
852 easement to gain access to the subdivided lot.

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**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

855

Change #	UDO Section, Paragraph, Item #
2	2.3.20 Preliminary Plat C.8
(changes are highlighted)	<p><b>8. Approval to Proceed</b>                      Following approval of a preliminary plat by the Board of Commissioners, approval of the final stormwater plan, and issuance of all required state and federal approvals, the applicant may proceed with an application for a <del>fill permit</del> <i>Construction Permit</i>, to undertake land disturbing activities, <del>or for a building permit to install public utilities in cases where no fill permit is required.</del> Final plats shall be reviewed and decided by the UDO Administrator in accordance with <u>Section 2.3.12, Final Plat.</u></p>

856

857 Discussion:

858

859 Mr. Porter stated that this change removed the requirement for a fill permit from the Preliminary  
 860 Plat process which authorizes the approval to proceed. A fill permit is a requirement the is a part  
 861 of the construction permit process, so instead of saying that the applicant may proceed with  
 862 application for a fill permit, the phrase "construction permit" is substituted. Also, since  
 863 construction permit covers all cases of construction regardless of whether a fill permit is required  
 864 or not, so the phrase "or for a building permit to install public utilities in cases where no fill  
 865 permit is required." is removed.

866

867

Change #	UDO Section, Paragraph, Item #
3	2.3.20 Preliminary Plat F.1
(changes are highlighted)	<p><b>F. Effect</b>                      Approval of a preliminary plat authorizes an applicant to file for all required State and federal permits as well as submittal of final stormwater plans, construction drawings, a <i>fill permit, Construction Permit</i>, and/or a final plat.</p>

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869 Discussion:

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871 Mr. Porter stated that this change is basically for the same reason as change #2, just in a different  
 872 place in the UDO.

873

874

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

875

<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>4</b>	<b>3.5.3 Rural Residential (RR) District, Dimensional Requirements &amp; Footnotes</b>
<b>(changes are highlighted)</b>	See Below:

876

<b>Dimensional Requirements</b>			
<b>#</b>	<b>STANDARD TYPE</b>	<b>REQUIREMENTS FOR TRADITIONAL DEVELOPMENT</b>	<b>REQUIREMENTS FOR CONSERVATION SUBDIVISIONS [1]</b>
<b>N</b>	<del>Minimum Setback from Agricultural Activity (feet) [6]</del>	50	50
<b>NOTES:</b> <del>[6] Setback is applied from the perimeter of agricultural activity occurring on the same or an adjacent lot.</del>			

877

<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>5</b>	<b>3.5.4 Suburban Residential (SR) District, Dimensional Requirements &amp; Footnotes</b>
<b>(changes are highlighted)</b>	See Below:

878

<b>Dimensional Requirements</b>			
<b>#</b>	<b>STANDARD TYPE</b>	<b>REQUIREMENTS FOR TRADITIONAL DEVELOPMENT</b>	<b>REQUIREMENTS FOR CONSERVATION SUBDIVISIONS</b>
<b>N</b>	<del>Minimum Setback from Agricultural Activity (feet) [6]</del>	50	50
<b>NOTES:</b> <del>[6] Setback is applied from the perimeter of agricultural activity occurring on the same or an adjacent lot.</del>			

879

880 Discussion:

881

882 Mr. Porter stated that changes # 4 and # 5 strike the dimensional requirement of a minimum  
 883 setback from agricultural activity and also strikes the footnote related to setback applied to  
 884 perimeter of agricultural activity on the same or adjacent lot. This is because subdivisions  
 885 already have requirements for a 50 foot buffer. This language is being removed because it is  
 886 redundant to have it here and in the section for farmland compatibility standards. It only needs  
 887 to be in one place as it is applied via farmland compatibility.

888

889

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

890

<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>6</b>	<b>4.3.10 Principal Use Table, Mobile Home</b>
<b>(changes are highlighted)</b>	See Below:

891

<b>TABLE 4.3.10: PRINCIPAL USE TABLE</b>															
"P"= Permitted "S"= Permitted with Special Use Permit "."= Prohibited															
USE CATEGORY Use Type Description	RESIDENTIAL						COMMERCIAL					IND.		ADDITIONAL STANDARD S (151.4)	
	CP	WL	RR	SR	NR	VR	CC	VC	MX	HC	MC	LI	HI		PD
<b>Mobile Home</b> A factory-built dwelling on its own lot constructed prior to June 15, 1976, to State code standards, not those adopted by the US Department of Housing and Development on June 15, 1976.	.	.	S	.	.	.	.	.	.	.	.	.	.	.	<u>4.4.2.E</u>

892

893

Discussion:

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Mr. Porter stated that this change relates to mobile homes constructed prior to June 15 1976. To make a distinction between Mobile Homes and Manufactured Homes, he added that manufactured homes are factory built HUD homes which were constructed to the standards adopted by the US Department of Housing and Urban Development on June 15, 1976. Mobile Homes built prior to that date were built to state code standards and not to any national standards. This change disallows such Mobile Homes which were built prior to the aforementioned date which were not constructed to HUD standards.

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**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

904

<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>7</b>	<b>3.4.10 Principal Use Table, Educational Facilities, Top Definition</b>
<b>(changes are highlighted)</b>	See Below:

905

<b>EDUCATIONAL FACILITIES</b>
The Educational Facilities Use Category includes use types such as public and private schools at the elementary, middle, or high school level that provide state-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification. Accessory uses at schools include offices, play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care. Accessory uses at colleges or universities include offices, dormitories, food service, laboratories, health and sports facilities, theaters, meeting areas, athletic fields, parking, maintenance facilities, and supporting commercial. <u>Uses also include studio's (such as dance, martial arts, etc.).</u>

906

907

Discussion:

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Mr. Porter stated that this change adds a use type to the definition of an Educational Facility:

910

Studios for Education of Dance, Martial Arts, etc.

911

912

<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>8</b>	<b>4.4.2 Residential Uses, D.1.o</b>
<b>(changes are highlighted)</b>	<b>o.</b> Manufactured homes are not permitted <del>within the NR district</del> on lots located within 5,280 linear feet from the perimeter boundary of a village center <u>or within a village center</u> designated in the County's adopted policy guidance.

913

<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>9</b>	<b>4.4.2 Residential Uses, E.1.h</b>
<b>(changes are highlighted)</b>	<b>h.</b> <del>Mobile homes are not permitted within the RR district on lots located within 5,280 linear feet from the perimeter boundary of a village center designated in the County's adopted policy guidance. Existing Mobile homes located within the County can only be re-located into a valid Mobile Home Park. Mobile homes located outside the County are prohibited.</del>

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Discussion:

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Mr. Porter stated that these changes both deal with similar issues and will be considered together.

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## CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 18, 2019

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919 Mr. Porter added the following:

- 920 • When the ordinance was originally written, manufactured housing was restricted to not  
921 being allowed in the NR district if it was within 1 mile of a village center or inside the  
922 village center. The ordinance did not say this for the other zoning districts.
- 923 • There is a lot of land zoned WL in the village centers and buffer surrounding same.
- 924 • As ordinance is right now, manufactured housing is not restricted in the other districts  
925 meaning that if a property owner wanted to place a manufactured home inside the buffer  
926 or in the village center, they would be allowed as long as the property was not zoned NR.
- 927 • Recommending to leave the Table of Permissible Uses alone, and restrict placement of  
928 manufactured homes (singlewide, doublewide, triplewide, etc.) such that they cannot be  
929 located anywhere within the buffer surrounding the core villages or inside the core  
930 villages.
- 931 • Change # 9 does the same thing but with the RR district, it doesn't mention the other  
932 districts thereby leaving a loophole where mobile homes would be allowed in other  
933 districts.
- 934 • Want to restrict placement of mobile homes such that existing uses can continue, but if  
935 owners wanted to relocate them inside the county, they can only be relocated into a valid  
936 mobile home park.
- 937 • The way change # 9 is worded needs to be reworded because Camden doesn't regulate  
938 anything that is outside the county. Suggest rewording to "Existing Mobile homes  
939 located within the County can only be re-located into a valid Mobile Home Park. Mobile  
940 homes located outside the county are prohibited from being re-located into Camden  
941 County."

942  
943 Dave Parks added the following:

- 944 • Referred to the definition of Mobile Home in the Category/Use Type Description listed  
945 as part of change # 6, and reminded the board of the distinction between Mobile and  
946 Manufactured (built prior to / after 1976 respectively, and standards they are built to).
    - 947 ○ Definition does not make the distinction between singlewide, doublewide, or  
948 triplewide
  - 949 • According to the Permissible Use Table, Manufactured Homes (those constructed after  
950 June 15, 1976) can only be placed in the WL and NR districts
  - 951 • Modular Homes are built to State Building Code Standards same as Site Built Houses and  
952 are allowed in all residential zoning districts without restriction
  - 953 • Always being asked if a singlewide or doublewide can be placed on property
  - 954 • Key zone for manufactured housing is WL (Working Lands, formerly General Use)
  - 955 • There is a need for a clear definition of the following, and where they can and cannot be  
956 located in the county:
    - 957 ○ Singlewide Homes
    - 958 ○ Doublewide Homes
    - 959 ○ Manufactured Homes
- 960



**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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961 Cathleen Saunders asked if property owners could get a Special Use Permit for construction of  
962 one of these types of homes.

963

964 Dave Parks responded:

965 • Property owners used to be able to apply for a variance through the Board of Adjustment,  
966 but that option was removed many years ago.

967 • Proper zoning negates the need for special use permits. Even if they were allowed via  
968 special use permit, it would have to go before the Board of Commissioners in addition to  
969 Planning Board and there is a strong possibility that they would deny it based on zoning.

970

971 Nathan Lilley commented that sometimes a singlewide or doublewide is all that some property  
972 owners can afford. 5 acre minimum lot sizes in WL makes it more expensive than it should be  
973 for a financially challenged family to afford.

974

975 Mr. Parks added that singlewides and doublewides are allowed on bonafide farms.

976

977 Steven Bradshaw commented that there should be equal treatment under the law regarding these.

978

979 Nathan Lilley commented that if a manufactured home is located on a bonafide farm, and the  
980 property owner wants to sell the property it would create issues with selling the property if it  
981 ceases to be a bonafide farm.

982

983 Fletcher Harris stated that this part of the change (permissible location of manufactured housing)  
984 needed to be revisited with a full board.

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986 Mr. Porter & Mr. Parks agreed to bring this part back to the board at the next meeting.

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**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

989

<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>10</b>	<b>5.14.11 Sign Standards in Commercial Districts</b>
<b>(changes are highlighted)</b>	See Below:

990

<b>TABLE 5.14.11: SIGN STANDARDS IN COMMERCIAL DISTRICT</b>				
<b>TYPE OF SIGN</b>	<b>MAXIMUM FACE AREA [1] [2]</b>	<b>MAXIMUM HEIGHT</b>	<b>MAXIMUM NUMBER OF SIGNS PER LOT</b>	<b>ADDITIONAL STANDARDS [3]</b>
<b>Wall Sign on Front Façade</b>	Greater of: <b>1.5</b> sf per linear foot of wall frontage, or 5% of wall area	Below the top of the roof, soffit, eave or parapet, whichever is highest	No limit	Wall signs shall not project more than 12 inches outwards from the wall
<b>Wall Sign on Side or Rear Façade fronting a street</b>	½ sf per linear foot of wall frontage			

**A** Maximum Front Façade Sign Face Area Calculation  
 Greater of:  
 20 Linear Feet of Wall Frontage = 20 sf  
 or  
 Front Façade Wall Area = 20' x 25' = 500 sf  
 Maximum Sign Face Area = 500 sf x .05 = 25 sf

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Discussion:

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Mr. Porter explained this change:

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- The discussions on signs when the UDO was being developed focused almost entirely on pole signs.

996

- The initial recommendation for wall signs was that the maximum face area be 1.5 square feet per linear foot of wall frontage. Somehow that got reduced to 1 square foot per linear foot prior to adoption.

997

- This was never revisited prior to the UDO adoption, and it was adopted at 1 square foot.

998

- Recommending it be changed to what was originally recommended, 1.5 square feet per linear foot of wall frontage.

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**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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1005

<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>11</b>	<b>6.1.5 Access To Lots, B.2</b>
<b>(changes are highlighted)</b>	<b>2.</b> In cases where a tract or site abutting a listed major arterial street is proposed for <u>a</u> subdivision (whether residential or otherwise), <u>in the creation of 3 or more lots including residual</u> , then all lots created shall maintain sufficient frontage on a different street, either pre-existing or created as part of the subdivision, so that direct access to lots need not be provided by a listed major arterial street.

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Discussion:

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Mr. Porter explained this change:

1010

- As the ordinance reads before this change, if a piece of property is subdivided into 2 or more lots, all the lots must front on a street other than a major arterial street/road/highway/etc. As it’s currently written, this means that in order to subdivide property, a street must be built and the lots must face the built street so that their street frontage is not the major arterial street that they may be adjacent to.

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- This might make sense for highways like Hwy 17 or US 158, but it doesn’t make sense for Hwy 34 or Hwy 343

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- The UDO does provide for property owners seeking to subdivide can seek a variance to the ordinance as it is currently written in order to subdivide without having to build a street.

1018

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- Recommending that the procedure remain the same for minor subdivision as long as it is for 1 or two lots. If a property owner wants to do a minor subdivision of 2 lots, the proposed change would exempt them from having to build a separate street.

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- The recommended change is that anyone wanting to subdivide 3 or more lots must build a street to NCDOT standards

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Nathan Lilley asked for clarification sake with regard to the proposed change “If a property is subdivided into 4 lots on Hwy 343, a separate street must be built?” Mr. Porter replied that was correct.

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Vice Chairman Steven Bradshaw commented that the number of driveways on NC Hwy 343 creates a great deal of school traffic with busses constantly stopping to pick up students. He added that development along highways needs to be undertaken in such a way as to keep the driveways off of the highways, concentrating development into subdivisions for example. He further added that if a developer owns a large amount of land that they should “bite the bullet” and build a road and create a subdivision with an internal roadway.

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Dave Parks spoke briefly about the subdivision known as “The Fairfax” and the way the internal roads were done. Mr. Porter added that if 4 lots plus 1 residual are subdivided out of a piece of property then that is a major subdivision, and all major subdivisions have to have internal roads, but minor subdivisions are what are a problem with the way the code is written.

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**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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1042 Vice Chairman Steven Bradshaw stated that he was against this change because property owners  
1043 are already allowed to apply for a variance to address the regulation should there be a situation  
1044 where they cannot comply with it as it is currently written. He added that his main concern is the  
1045 possibility that a property owner who owns a large amount of land could subdivide out a few lots  
1046 this year, build on them without having to create roads, then come back next year and do the  
1047 same thing, and on and on.

1048  
1049 Dave Parks stated that the change would allow for 1 or 2 lot minor subdivisions without the  
1050 requirement to build a road, but if 3 or more lots then a road built to NCDOT standards would be  
1051 required.

1052  
1053 A hypothetical scenario was discussed where a property owner owned a large amount of land  
1054 fronting a major highway but the parcel was not deep enough to create an internal road. Mr.  
1055 Parks stated that in such an event, that property owner should not be required to build a road.  
1056 The proposed change would allow that property owner to subdivide 2 lots maximum without  
1057 having to build a road and without having to get a variance, any more than 2 lots and a variance  
1058 would be needed to subdivide land and keep the road frontage along a major arterial road.

1059  
1060 Cathleen Saunders stated that she likes the way that the change is written because it restricts it to  
1061 2 lots maximum without having to build a road, but 3 or more and it's required.

1062  
1063 Mr. Porter added that the streets, if required, must be to NCDOT standards, private streets are not  
1064 allowed.

1065  
1066 Steven Bradshaw stated a desire to consider this change separate from the rest.  
1067

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**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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<b>Change #</b>	<b>UDO Section, Paragraph, Item #</b>
<b>12</b>	<b>10.3 Definitions</b>
<b>(changes are highlighted)</b>	See Below:

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<b>SUBDIVISION, MAJOR</b>	A subdivision of land that includes <i>the creation of</i> five or more lots. <del>(including the residual parcel) or that involves extension of public streets, public water, public sewer, or other public utility.</del>
<b>SUBDIVISION, MINOR</b>	A subdivision of land that includes up to five lots (including the residual parcel) <del>with no extension of public streets, public water, public sewer, or other public utility.</del>

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Discussion:

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Mr. Porter explained change # 12

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- Change # 12 is related to change # 11.
- The way the ordinance is currently written, any subdivision of 5 or more lots including the residual which is required to have an internal roadway is by definition a major subdivision and is subject to the process for major subdivisions.
- If # 11 is approved, a minor subdivision of 4 lots with one residual would be required to have a separate road, away from the major arterial.
- Without change # 12, that 4 lot with one residual subdivision with an internal road would be subject to the requirements of major subdivisions.
- Change # 12 would make it so that a subdivision of up to 5 lots (4 lots with 1 residual) with an internal roadway would by definition be a minor subdivision, and any subdivision that includes *the creation of 5* or more lots would by definition be a major subdivision.

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Cathleen Saunders asked what kind of drainage requirements are there for minor subdivisions.

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Mr. Porter stated that all subdivisions with the exception of 1 lot minor subdivisions must submit a stormwater plan. If the subdivision is 3 lots or more it is required to be reviewed by the Stormwater Engineer.

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1092

Vice Chairman Steve Bradshaw withdrew his objection to Change # 11, and asked if there was any further discussion. Hearing none, he called for a motion.

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**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 18, 2019

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1095 *Motion to Approve Ordinance 2019-08-01 Amendments to UDO, with the following*  
1096 *modifications:*

- 1097     • *Remove Change # 8 from this ordinance pending further review and*  
1098         *consideration.*  
1099     • *Reword Change # 9 to “Existing Mobile homes located within the County can*  
1100         *only be re-located into a valid Mobile Home Park. Mobile homes located*  
1101         *outside the county are prohibited from being re-located into Camden County.”*

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

1102  
1103 **INFORMATION FROM BOARD AND STAFF**

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1105  
1106  
1107  
1108 None.

1109  
1110  
1111 **NEXT MEETING - OCTOBER 16, 2019**

1112  
1113 **ADJOURN**

1114  
1115 *Motion to Adjourn*

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

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1121 The meeting adjourned at 8:40 PM.

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*Chairman Calvin Leary*  
1126 *Camden County Planning Board*

1127 *ATTEST:*

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*Amy Barnett, Clerk*  
1132 *Camden County Planning Department*