

**Camden County Planning Board
Minutes
July 18, 2012, 7:00pm
Historic Courtroom
Camden County Courthouse Complex**

Members Present:	Absent:
Chairman Rodney Needham	Vice Chairman Calvin Leary
Ray Albertson	Fletcher Harris
David Bundy	
Michael Etheridge	
John Aydlett	

Call to Order & Welcome

Chairman Rodney Needham called to order the July 18, 2012 meeting at 7:03 PM.

Others Present at Meeting

STAFF PRESENT

Name:	Title:
Dan Porter	Director of Planning
Dave Parks	Permit Officer/Flood Administrator
Amy Barnett	Planning Clerk/Clerk to the Board

OTHERS PRESENT (in order of appearance)

Name:	Residence:	Purpose:	Meeting Section:
Steve Dail	South Mills, NC	Applicant, Rezoning	New Business #2
Richard Browner	Dances Bay Rd, Elizabeth City, NC	Agent for Applicant, Sketch Plan, Shipyard Landing	New Business #3
Darrell Mills	Billets Bridge Rd, Camden, NC	Voice Concerns with Sketch Plan, Shipyard Landing	New Business #3

Consideration of Agenda

Michael Etheridge made a motion to approve the agenda as presented. John Aydlett seconded the motion. The motion passed with Chairman Rodney Needham, Members Ray Albertson, David Bundy, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

Consideration of Minutes: June 20, 2012

John Aydlett made a motion to approve the minutes from the June 20, 2012 meeting as written. Michael Etheridge seconded the motion. The motion passed with Chairman Rodney Needham, Members Ray Albertson, David Bundy, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

Comments from the Public

None

Old Business

None

New Business

New Business, Item #1

Amendment to the Camden County Code of Ordinances

Ordinance No. 2012-07-01

**An Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

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

Article I: Purpose

The purpose of this Ordinance is to amend the Article 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II: Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

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

CHAPTER 151: UNIFIED DEVELOPMENT

§ 151.244 MAINTENANCE OF DEDICATED AREAS UNTIL ACCEPTANCE.

(A) All facilities and improvements with respect to which the owner makes an offer of dedication to public use shall be maintained by the owner until the offer of dedication is accepted by the appropriate public authority.

(B) The developer of any development containing streets intended for public dedication shall post a cash bond to guarantee that the streets will be properly maintained until the offer of dedication is accepted by the State Department of Transportation.

- (1) This maintenance guarantee may be combined with any provided under §151.242.
- (2) The amount of the security shall generally constitute ~~15%~~ 30% of the cost of the improvements. The developer shall provide information sufficient to determine the cost of the improvements.

(C) The Board may relieve the developer of the requirements of this section if it determines that a property owner's association has been established for the development and that this association has assumed and is capable of performing the obligations set forth in division (A) above.

Adopted by the Board of Commissioners for the County of Camden this _____ day of _____, 2012.

County of Camden

Sandra Duckwall, Chairman
Board of Commissioners

ATTEST:

Ashley Honaker
Clerk to the Board

Dan Porter described this ordinance:

- Small change, administrative type of change
- Some time ago, the amount of the security bond for new road maintenance until such road(s) could be accepted by NCDOT was changed from 15% to 30%, but was not changed in all places in the code. This ordinance corrects that omission. (In original proposed ordinance change, the numbers were 15% was crossed out and 125% was placed as the change. This was an error, 125 should have been 30.)

Hearing no comments or questions from the board, Chairman Needham entertained a motion. John Aydlett made a motion to approve the proposed amendment to the Camden County Code of Ordinances with corrections as stated by staff. Ray Albertson seconded the motion. The motion passed with Chairman Rodney Needham, Members Ray Albertson, David Bundy, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

New Business, Item #2
UDO 2012-06-22, Steve Dail, Rezoning Request
174 Spence Lane, HC to GUD

Findings of Facts

UDO 2012-06-22
Zoning Map Amendment

1. **Name of Applicant:** Steve Dail
2. **Agent for Applicant:**
3. **Address of Applicant:** P. O. Box 386
South Mills, NC 27976
4. **PIN:** 01-7989-00-36-1006 & 01-7989-00-26-3276
5. **File Reference:** UDO 2012-06-22
6. **Street Address of Property:** 174 Spence Lane
7. **Location of Property:** South Mills Township
8. **Flood Zone:** X
9. **Zoning District(s):** Highway Commercial (HC)
10. **General Description of the Proposal:** Request rezone properties from Highway Commercial (HC) to General Use District (GUD)
11. **Date Application Received by County:** June 28, 2012
12. **Received by:** David Parks, Permit Officer
13. **Application fee paid:** \$650.00 Check #68-894/514
14. **Completeness of Application:** Application is complete.
15. **Documents received upon filing of application or otherwise included:**
 - A. Rezoning Application
 - B. GIS Ariel / Current Zoning / Future Land Use Map
 - C. Copy of Deed
 - D. Table of Permissible Use (Article 151.334) comparison Highway Commercial (HC) vs. General Use District (GUD)
16. **Adjacent Property Uses:**
 - A. Predominant: Agriculture Farmland
 - B. Other: Some Residential
17. **Existing Land Uses:** Agriculture
18. **Lot Size:** Approximately 27 acres
19. **Findings Regarding Additional Requirements (Article 151.585).**
 - A. How will the proposed zoning change enhance the public health, safety, or welfare? The proposed zoning change will enhance the public welfare in not having to expand current infrastructure to support uses in existing zoning classification.
 - B. Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification? The requested uses in the requested zoning classification are more appropriate as there is no infrastructure (i.e. water or sewer) adjacent to the property and the road is not sufficient to support the traffic generated by Highway Commercial uses.
 - C. For proposals to re-zone to non-residential districts along major arterial roads: N/A
 - (1) Is this an expansion of an adjacent zoning district of the same classification?
 - (2) What extraordinary showing of public need or demand is met by this application?
 - D. Conformity with the Plans:
 - (1) Land Use Plan - Consistent with the plan as Future Land Use maps has land identified as Low Density Residential (Consistent with the requested zone of General Use District (GUD)).
 - (2) Policy 23 states the county supports commercial development which will be accessible to water and sewer services. Currently nearest water is 1500 feet from property with no anticipated expansion from South Mills Water Association and sewer is not located
 - (3) Other Plans officially adopted by the Board of Commissioners. None

Staff recommends approval to rezone properties to General Use District as the requested zoning is consistent with the Land Use Plan in that the Future Land Use Maps has the property as Low Density Residential consistent with the requested zoning.

Policy 23 states the county supports commercial development that is accessible to both water and sewer services. Currently nearest water is 1500 feet from property with no anticipated expansion from South Mills Water Association and sewer is not located.

Dave Parks described this Request for Rezoning:

- Requested rezoning is to rezone 174 Spence Lane from Highway Commercial (HC) to General Use District (GUD).
- Mr. Parks showed maps of the area wherein this request is located.
- Staff recommends approval as the intended uses are in line with the allowed uses in the Table of Permissible Uses.
- Requested Rezoning is also consistent with the Land Use Plan, and Policy 23 states that the county supports commercial development that is accessible to both water and sewer services. As there is no infrastructure for this at this time, staff feels that General Use District is a more appropriate zoning designation.
- Future Land Use Map shows the property being low density residential which is consistent with the General Use District.

Hearing no comments or questions from the board, Chairman Needham entertained a motion to approve or deny the requested zoning change.

Michael Etheridge made a motion to approve the requested zoning change of 174 Spence Lane from Highway Commercial to General Use District. David Bundy seconded the motion. The motion passed with Chairman Rodney Needham, Members Ray Albertson, David Bundy, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

John Aydlett made a motion to adopt the following consistency statement in relation to the aforementioned approval of rezoning: "The requested rezoning is consistent with the Land Use Plan, Future Land Use Map, and Policy 23 for the reasons listed in the findings of facts" [findings of facts listed above]. Ray Albertson seconded the motion. The motion passed with Chairman Rodney Needham, Members Ray Albertson, David Bundy, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

New Business, Item #3
UDO 2012-04-12, Sketch Plan for Shipyard Landing

UDO 2012-04-12
Sketch Plan
Shipyard Landing

1. **Name of Applicant:** Elsie G. Hollowell-Pugh
2. **Agent for Applicant:** Dick Browner
3. **Address of Agent:** 131 Dances Bay Road
Elizabeth City, NC 27909
4. **PIN:** 02-8916-00-81-4029
5. **Name(s) of Current Owner(s) of Record:** Elsie G. Hollowell-Pugh
6. **Street Address of Property:** 172 Shipyard Road
7. **Location of Property:** Shipyard Road, Courthouse Township
8. **Flood Zone:** X/AE
9. **Zoning District (s):** Basic Residential (R-3-1)
10. **Is a Zoning Change Required for the Proposed Use?** No
11. **General Description of the Proposal:** Sketch Plan for 20 lot Major Residential Subdivision - Shipyard Landing
12. **Date Application Received by County:** April 17, 2012
13. **Did the Applicant participate in a pre-application Conference?** Yes
14. **Received by:** David Parks, Permit Officer
15. **Application fee paid:** \$3,750.00 by check #508
16. **Completeness of Application:** Application is generally complete.
17. **Proposal to be completed in Phases:** Possible.
 - A. If yes, are phases shown on Sketch Plat? No.
18. **Was the Applicant given a list of agencies constituting the Technical Review Staff?** Yes. TRC meeting held May 9, 2012.
 - A. Technical Review Staff (Sketch Plan Approval)
 - (a) South Camden Water & Sewer District - **Approved**
 - (b) Camden County Health Dept - **Approved**
 - (c) South Camden Fire Department - **Approved**
 - (d) Sheriff's Office - **Approved**
 - (e) Camden Post Master - **Did not provide input**
 - (f) Camden County Conservationist - **Approved. Off-site drainage easements if needed.**
 - (g) Superintendent of Camden County Schools / Transportation. **Approved with comments. Bus shelters needed and design cul-de-sacs for larger school buses.**
 - (h) NCDOT - **Approved. At the request of an adjacent property owner, NCDOT has placed a caution sign for her autistic child and will relook at the speed limit on the road.**
 - (i) Parks & Recreation: **N/A (applies to subdivisions of 40 or more lots)**
19. **Documents received upon filing or otherwise included:**
 - A. Land Use/Development Application
 - B. Deed
 - C. Letter for Agent
 - D. Copy of Power of Attorney
 - E. Letter from Albemarle Regional Health Services
 - F. Developmental Impact Statement
 - G. 10 Copies of Sketch Plan
20. **Adjacent Property Uses:**
 - A. **Predominant:** Agriculture
 - B. **Other:** Woodland
21. **Existing Land Uses:** Farmland
22. **Lots:**
 - A. **Total Proposed:** 20 lots
 - B. **Average size:** 1 acre (43,560 sf)
23. **Streets:**
 - A. **Are all streets designed to be placed under State system?** Yes
 - B. **Are proposed streets named?** Yes.
 - C. **Street names:** Grayson Court, Holden Court, and Churchhill Drive
 - D. **Have street names been approved by EMS?**

24. **Required Open Space:** 1.65 Acres (50% has to be suitable for development).
- A. **Is open space proposed?** Yes 2.19 acres.
 - B. **Will property owner restrictive covenants be needed?** Yes.
25. **Utilities:**
- A. **Does the application include a letter or certificate from the District Health Department regarding septic tanks?** Yes.
 - B. **Does the applicant propose the use of public sewage systems?** No. Septic
 - C. **Does the applicant propose the use of public water systems?** Yes, with South Camden Water & Sewer District
 - D. **Distance from existing public water supply system:** Adjacent to property.
 - E. **Is the area within a five-year proposal for the provision of public water?** N/A
 - F. **Is the area within a five-year proposal for the provision of public sewage?** No.
26. **Landscaping:**
- A. **Is any buffer required?** Yes. Article 151.232 (N)
 - B. **Will trees be required along dedicated streets UDO Article 151.156?** Landscaping Plan required for buffer area and along dedicated streets.
27. **Findings Regarding Additional Requirements:**
- A. **Endangering the public health and safety:** Proposed subdivision does not appear to endanger the public health and safety.
 - B. **Injure the value of adjoining or abutting property:** The application does not appear to injure the value of adjoining or abutting property.
 - C. **Harmony with the area in which it is located:** Property currently zoned for proposed use.
 - D. **Conformity with the Plans:**
 - 1. **Land Use Plan:**
 - Proposed subdivision is located outside the Core Area of Courthouse Township.
 - Land suitability map reflects high to moderate suitability.
 - Policy 9 states the county supports greater residential densities in areas that are accessible to water and/or sewer services.
 - Policy 11 states the county supports regulating growth to coincide with the provision of public facilities and services. County water runs adjacent to property.
 - Development pays respect to the environment by setting aside large portion of property as open space.
 - Promotes active living.
 - 2. **Thoroughfare Plan:** Yes
 - 3. **Other plans officially adopted by the Board of Commissioners:** N/A - None
 - E. **Will not exceed the county's ability to provide public facilities:**
 - 1. **Schools:** Approved with recommendations. Student generation: 8.8 students.
 - 2. **Fire and Rescue:** Approved.
 - 3. **Law Enforcement:** Approved.
 - Other County Facilities:** None
 - F. **Other:**

Neighborhood meeting held May 2, 2012 at 7:00 PM at the Senior Center. Adjacent property owners attended with concerns on:

- No speed limit signs posted on Shipyard Road (neighbor states speed limit is 55 MPH). At TRC meeting NCDOT stated they will look at.
- Property owner states she has an autistic child and wanted to know the possibility of placing a sign on road. Brought up at TRC meeting and since NCDOT has placed a caution sign on road indicating Autistic child in area.

Staff recommends approval of Sketch Plan for Shipyard Landing with the following recommendations:

- Submit developmental impact statement.
 - Wetland delineation mapped and recorded prior to preliminary plat.
-

Dave Parks described this sketch plan:

- The rezoning for this property took place later part of last year, and was approved to go from R-3-2 down to R-3-1.
- Mr. Richard Browner is present to speak on behalf of the applicant.

Richard Browner

Agent for Applicant, Mrs. Hollowell-Pugh

Dances Bay Rd, Elizabeth City, NC

- Board of Commissioners approved rezoning last year.
- Technical Review Committee has been held since the rezoning.
 - Comments from TRC are in board packets
- Neighborhood Meeting has also been held.
- Originally, the plan was for 24 lots, but after reviewing the open space requirements with the TRC, this was reduced to 20 lots.
- There is also a wetlands delineation report in the board packet
- Albemarle Regional Health Department has looked at the size of the lots and feels septic tank approval should be no problem

Dave Parks continued describing the Sketch Plan:

- As per the requirements of the Ordinance, Technical Review Committee has reviewed this at a meeting held on May 9, 2012
 - Various agencies approved the sketch plan...
 - Sewer & Water stated there is sufficient water
 - Superintendent of Schools approved with conditions: Bus Shelters & Cul-de-Sacs large enough for buses to turn around.
- There was a neighborhood meeting on May 2, 2012
- Staff recommends approval with the Findings of Facts data

PUBLIC COMMENTS regarding this sketch plan:

Darrell Mills

Billet's Bridge Road

Owns property in Shipyard Landing

Mr. Mills listed several concerns:

- Flooding
 - When it floods, roads are impassible even to emergency vehicles
 - May need "High Water" signs
 - Would need bridge(s) for areas that are very low lying otherwise would be impassible during times of flooding / high tide.
- Gas Lines
 - Lines exist, but at this time, residents in the area cannot connect to natural gas. If development goes through, it would be a good idea for the development to have access to natural gas. And if the development gets access to natural gas, at that time it would be beneficial if it were made available to the other residents and future residents along Shipyard Landing.
- Safety
 - Speed limits on Shipyard Road - worried about children riding their bikes and other pedestrians. Current speed limit is 55 mph (as reported by Mr. Mills).
- School Bus Turn-Arounds
 - If the development does go in, there would have to be large enough cul-de-sacs for school buses to be able to turn around.
 - (Mr. Parks mentioned that this was discussed at the TRC meeting and NCDOT is aware of this and working toward solution).
- Sidewalks needed in development for the children the development will likely bring in.
- Soil Analysis
- Historic Property - Millford House
 - Would like to see historic area kept up
 - Wants buffers to separate historic area from development area
- Roads
 - Should be built to NCDOT standards and accepted as soon as possible
- Wants issues to be disclosed to all future lot owners

Mr. Richard Browner stated that he was in agreement with everything that Mr. Mills spoke about.

- Roads will be built to NCDOT standards
 - Mentioned need for permit to raise wetlands area to conform to minimum flood elevations for NCDOT standards for roads.
- Will be increasing size of cul-de-sacs
- Will be including shelter for school children to wait for buses
- Natural Gas - wants it too, will be looking into this
- Will be landscaping lots 16, 17, and 18 to provide buffer for historic Millford House

- Per the request of one of the neighbors, a sign indicating that there is an autistic child in the area is up, and also NCDOT is aware of the speed limit issue.
- Regarding soil analysis, Albemarle Regional Health has looked at the soils, and does not anticipate any problems... there are no indications that individual lots won't be approved for septic systems.
- Need to get permit for wetlands delineation in order to modify a drainage way

Dan Porter mentioned that preliminary plat and special use permit would be the next step for this development, that this meeting was for sketch plan which is for the concept. Preliminary plat will have conditions placed on it in order to minimize impacts, etc.

Mr. Mills questioned concerning the soil analysis: Mr. Mills wanted to know if letters from Albemarle Regional Health were on file. Dave Parks responded saying there was a letter from Albemarle Regional Health regarding the preliminary evaluation of the property.

Dan Porter spoke about information contained within the findings of facts, specifically in the Conformity with the Plans section which speaks of the Land Suitability Map, Policies of the County which supports residential development in areas that are accessible to water and/ or sewer services and other public facilities. County water runs adjacent to the property.

This information would need to be included as part of a consistency statement should the board decide to approve this sketch plan.

At this time, Chairman Rodney Needham called for a motion. The board made no motion. As there was no motion, there was no vote to approve or deny the sketch plan.

Mr. Porter stated that the sketch plan would still go to the Board of Commissioners, but it would go without a recommendation from the Planning Board.

***New Business, Item #4
Camden County Comprehensive Plan***

Dan Porter gave a brief presentation on the final draft of the Camden County Comprehensive Plan. The plan is available online at:

<http://camdencountync.besavvy2.egovlink.com/Planning/camdencomprehensiveplan/Plan 7-23-12 PRD.pdf>

Camden County Comprehensive Plan Steering Committee will meet regarding the final draft on August 6, 2012 at Noon, then later that night the plan will go before the Board of Commissioners.

Mr. Porter also gave a brief presentation on "Gateway to the Wild", a draft document prepared by John Manuel. It too is available online at:

<http://camdencountync.besavvy2.egovlink.com/Planning/camdencomprehensiveplan/Gateway to the Wild DRAFT 7-23-2012.pdf>

Information from Board and Staff

None

Consider Date of Next Meeting - August 15, 2012

Adjournment

At 8:08 pm, Ray Albertson made a motion to adjourn the meeting. Michael Etheridge seconded the motion. The motion passed with Chairman Rodney Needham, Members Ray Albertson, David Bundy, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

Date: _____

Approved: _____
Chairman Rodney Needham

Attested: _____
Amy Barnett, Planning Clerk