

**Camden County Planning Board
Minutes**

February 21, 2007

7:00pm

Upstairs Courtroom
Camden County Courthouse

Chairman James Burnham
Vice Chairman Rodney Needham
Members Terri Griffin, Ray Albertson,
Michael Etheridge, Calvin Leary, and John Aydlett

Also attending: Camden County Planning Director Dan Porter, Flood Administrator Dave Parks, and Planning Secretary Lori Tuss

Call to Order & Welcome

At 7:02 PM Chairman James Burnham called the February 21, 2007 Regular Planning Board Meeting to order.

Consideration of Agenda

Chairman Burnham called for consideration of the agenda. Staff requested that a new item, Stormwater Management, be placed as Item # 2 and that Major Map Amendments Ordinance No. 2007-03-03 be listed as Item # 3 on the agenda under New Business. In addition, the special award recognition for Robert Woodrow has been cancelled. Mr. Woodrow will receive a special plaque in recognition for his years of service. The staff will be delivering it to him personally.

With no further amendments, Michael Etheridge made a motion to approve the agenda as amended. John Aydlett seconded the motion. The motion passed with Chairman James Burnham, Vice Chairman Rodney Needham, members Terri Griffin, Ray Albertson, Calvin Leary, Michael Etheridge, and John Adylett voting aye; none voting no; none absent; none not voting.

Consideration of January 17, 2007 Regular Meeting Minutes

Planning Secretary, Lori Tuss, stated that an error in recording was brought to her attention. The minutes listed Terri Griffin as present when in fact Mrs. Griffin was unable to attend the meeting. Mr. Dan Porter was incorrectly listed as attending as well. The corrections have been noted prior to the meeting. Calvin Leary made a motion to approve the minutes as amended. Michael Etheridge seconded the motion. The motion passed with Chairman James Burnham, Vice Chairman Rodney Needham, members Terri Griffin, Ray Albertson, Calvin Leary, Michael Etheridge, and John Adylett voting aye; none voting no; none absent; none not voting.

Staff informed the Planning Board that all future approved minutes beginning January 2007 will be forwarded to the Board of Commissioners and placed in their board packets for their information.

New Business

Item #1) Rezoning Application- Tark & Associates Inc. UDO 2007-01-17

Staff presented the rezoning application for Tark & Associates Inc. Having reviewed the application and finding no objections, Michael Etheridge made a motion to approve the application as recommended by the staff in the finding of facts. Terri Griffin seconded the motion. The motion passed with Chairman James Burnham, Vice Chairman Rodney Needham, members Terri Griffin, Ray Albertson, Calvin Leary, Michael Etheridge, and John Adylett voting aye; none voting no; none absent; none not voting.

The following is an ordinance to be presented to the Commissioners:

Ordinance No. 2007-03-02

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

Article I: Purpose

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

Article II. Amendment to Zoning Map

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

The properties currently shown in the Camden County Tax Assessor's Office as Parcel Identification Numbers (PIN) 02-8936-00-87-9859 is hereby re-zoned from Basic Residential (R3-2) to Highway Commercial (HC).

Article III. Penalty

1. Violations of the provision of this Ordinance or failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with grants of variances or Special Use or Conditional Use Permits, shall constitute a misdemeanor, punishable by a fine of up to five-hundred (\$500) dollars or a maximum thirty (30) days imprisonment as provided in G. S. 14-4.
2. Any act constituting a violation of the provisions of this Ordinance or a failure to

comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or Special Use or Conditional Use Permits, shall also subject the offender to a civil penalty of one-hundred (\$100) dollars for each day the violation continues. If the offender fails to pay the penalty within ten (10) days after being cited for a violation, the penalty may be recovered by the county in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with Article 151.568 and did not take an appeal to the Board of Adjustment within the prescribed time.

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

Article IV. Severability

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

Article V. Effective Date

This Ordinance is effective upon adoption.

Adopted by the Board of Commissioners for the County of Camden this day of
2007.

County of Camden

Jeff Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Murgia
Clerk to the Board

(SEAL)

New Business

Item# 2) Storm Water Management

The following is a proposed ordinance for your consideration and if approved, will be sent to the Board of Commissioners:

Ordinance No. 2007-03-03

**A Proposed 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

DRAINAGE, EROSION CONTROL AND STORMWATER MANAGEMENT

~~§ 151.400 NATURAL DRAINAGE SYSTEM UTILIZED TO EXTENT FEASIBLE.~~ DRAINAGE

~~— (A) To the extent practicable, all development shall conform to the natural contours of the land and natural and pre-existing man-made drainage ways shall remain undisturbed.~~

~~— (B) To the extent practicable, lot boundaries shall be made to coincide with natural and pre-existing man-made drainage ways within subdivisions to avoid the creation of lots that can be built upon only by altering the drainage ways.~~

~~(Ord. passed 12-15-97)~~

(A) Stormwater Drainage. Each residential/non residential subdivision or commercial site plan shall provide adequate storm drainage for all areas in the subdivision. A combination of storage and controlled release of stormwater run-off is required. The release rate of stormwater from all developments shall not

exceed the 10-year stormwater run-off from the area in its natural state (post-development vs. pre-development). All free flowing storm drainage systems shall be designed to accommodate the run-off generated by a 10-year design storm or North Carolina Department of Transportation (NCDOT) standards if more restrictive. The following information must be provided:

- _____ (1) Elevation survey of entire tract with topo lines at one (1) foot intervals.
 - _____ (2) All culvert inverts (including driveway culverts).
 - _____ (3) Direction of flows.
 - _____ (4) Downstream analysis (cross-sections) of drainage way to outlet (creek, stream, river, etc.).
 - _____ (5) Stormwater storage analysis (storing the differential between the outlet ditch capacity at bank full and the 100-year storm event throughout the proposed development area) and show minimum lot elevations.
 - _____ (6) Drainage calculations for drainway design within boundaries of proposed subdivision and off-site, if appropriate.
 - _____ (7) Show total pre-development and post-development run-off in CFS (cubic feet per second) volume leaving development area.
 - _____ (8) Along all existing drainage ways within proposed development areas, swales (minimum 6:1 side slopes) are preferred over traditional ditches. Maintenance easements the width of the swale shall be centered over the swale.
 - _____ (9) If swales are not utilized, then all ditches and canals will require minimum of 30 feet of open space from the top of bank on one side or the other (maintenance area).
 - _____ (10) Developer will be responsible for upgrading drainage system to outlet (upgrade and outlet to be determined by the Pasquotank Soil and Water Conservation Office) subject to obtaining permission from all property owners adjacent to the watercourse outlet.
- _____ (B) Plans must address maintenance of the drainage system and who will be the responsible party to ensure proper maintenance is performed on the drainage system. The plan will be reviewed and inspected by County Technical Staff members.

Adopted by the Board of Commissioners for the County of Camden this _____ day of _____, 2007

County of Camden

Jeff Jennings, Chairman
Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

New Business

Item #3 Major Map Amendments Ordinance No. 2007-03-03
An Ordinance Amending the Camden County Zoning Map

The following proposed amendment to the Camden County Zoning Maps were presented by the staff for discussion and possible action by the Planning Board in order to send as a recommendation for approval by the Board of Commissioners in March 2007:

Ordinance No. 2007-03-01

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

Article I: Purpose

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

Article II. Amendment to Zoning Map

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

The properties currently shown in the Camden County Tax Assessor's Office as Parcel Identification Numbers (PIN) see attachment "A" are hereby re-zoned to Residential Mixed Use (R4X).

Article III. Penalty

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

notice of violation in accordance with Article 151.568 and did not take an appeal to the Board of Adjustment within the prescribed time.

8. This Ordinance may also be enforced by any appropriate equitable action.
9. Each day that any violation continues after notification by the administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.
10. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

Article IV. Severability

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

Article V. Effective Date

This Ordinance is effective upon adoption.

Adopted by the Board of Commissioners for the County of Camden this day of
2007.

County of Camden

Jeff Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Murgia
Clerk to the Board

(SEAL)

Note:

A complete list of homeowners was given to the Planning Board members. The list will be forwarded to the Board of Commissioners for review along with the proposed amendment.

VI. Information from Board and Staff

The Staff is planning on holding public meetings in each of the townships in Camden County to discuss the rezoning issues UDO # 2007-03-03 Major Map Amendments proposed by Camden County Planning Department. A meeting in the

South Mills Township will be held at the Ruritan Club on March 6, 2007 at 7:00PM. A public meeting for Courthouse and Shiloh Township has not yet been set officially.

Consider Date of Next Meeting – March 21, 2007

Adjournment

Date: _____

Approved: _____

Chairman James Burnham

Attested: _____

Planning Secretary, Lori Tuss