

# **Camden County Board of Commissioners**

**November 16, 2018 – 8:30 AM**

**Public Hearing - Unified Development Ordinance**

**Historic Courtroom, Courthouse Complex**

**Camden, North Carolina**

## **MINUTES**

### **CALL TO ORDER**

Chairman Riggs reconvened the Camden County Board of Commissioners and Public Hearing in reference to the Unified Development Ordinance at 8:30 AM on November 16, 2018. Also Present: Vice Chairman Tom White, Commissioners Ross Munro and Randy Krainiak.

Staff Present: County Manager Ken Bowman, Clerk to the Board Karen Davis, Planning Director Dan Porter, and Zoning Officer Dave Parks.

Dan Porter continued with his presentation to the Board.

#### 6.2.3 I.b. Connectivity Index Score Calculation

The connectivity index was initially just a reference to its use and was not defined and shown graphically when the draft was reviewed by the Planning Board. The details were included in the draft in June and prior to the joint work sessions. It is the standard method of calculating connectivity and should be included as is presented.

The public comment associated with 6.2.3 was withdrawn. No action was taken on this item.

#### 6.2.6 Sidewalks

##### A. Location

##### 1. One Side of the Street

- a. Sidewalks shall be required on one side of the street in the VR, VC, MX, NR, and HC districts, except that no sidewalks shall be required when the majority of lots in a subdivision exceed two acres in area or there are no existing sidewalks connections within 500 linear feet of the subdivision.

##### Public Comment

Do we really need sidewalks on lots an acre in size? NR is 40k square feet.

##### Staff Response:

The sidewalk requirements are new and were discussed with the review committee. It was not a key issue discussed during work sessions. Staff's primary concern is to require sidewalks in the higher density areas. The requirement in the NR district (which is a transitional district between very low and high density housing) is to accommodate and encourage walking in residential neighborhood.

**Motion to require sidewalks in higher density subdivisions.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Tom White, Vice Chairman
<b>AYES:</b>	White, Krainiak, Riggs, Munro
<b>ABSENT:</b>	Meiggs

3.1.3 Maximum Density May Be Increased

Unless otherwise indicated in this Ordinance, the maximum density for a zoning district may be increased beyond the amount listed in Residential Districts and Commercial Districts, in accordance with the standards, incentives, and procedures in Sustainability Incentives.

Public Comment:

Steven Bradshaw: Board consensus seemed to agree with higher density in areas where water and sewer are available and in areas without availability of sewer as long as Health Department approval can be obtained. This is not included in the dimensional requirements tables for residential zoning districts. Section 3.1.3 Maximum Density May Be Increased could be modified to include this board consensus.

Staff Recommendation:

Revise 3.1.3 as follows:

- A. Maximum residential density allowed with connection to sewer may also be achieved with on-site septic systems if approved by the Camden County Health Department.
- B. Unless otherwise indicated in this Ordinance, the maximum density for a zoning district may be increased beyond the amount listed in Residential Districts and Commercial Districts, in accordance with the standards, incentives, and procedures in Sustainability Incentives.

**It was decided by consensus to approve 3.1.3 with no changes.**

5.1.1 Multifamily Residential Design Standards

D. Design Requirements

1. Maximum Building Length – Individual multifamily buildings shall be configured so that no single building exceeds a maximum length of 100 linear feet in any direction.

Public Comment:

The maximum building length for multifamily units at 100' is too short. We have buildings over 400' in length.

Staff Response:

The objective of this standard is to soften the visual impact of large buildings in small compact development areas. Follow-up research indicates that several multifamily templates do in fact exceed 100 feet in length.

Staff recommendation

Increase the maximum building length to 250 feet.

**Commissioner Ross Munro made a motion to increase building length of multifamily residential design standards to 250 feet.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Ross Munro, Commissioner
<b>AYES:</b>	White, Krainiak, Riggs, Munro
<b>ABSENT:</b>	Meiggs

2. Building Orientation and Entryways – All buildings with shared entrances shall be oriented so that a primary entrance(s) faces the street. In the case of corner lots, the primary entrance(s) shall face the street from which the building derives its street address.

Public Comment:

You have the primary entrances facing streets. What if the building is adjacent to the street or drive lane and you wanted the access to the buildings facing inward to the parking lot? You may also want to add alleys and parking lots. You have noted that all common open spaces and play grounds be clearly visible from all dwelling units. This is difficult if not impossible to provide. What if units are facing streets, etc.?

Staff Response:

The purpose of this standard is to minimize the visual impact building rears or rear yards from the traveling public. The standard does not apply to interior buildings of multi-building developments. Staff recommendation is to leave this standard as is with perhaps some flexibility in cases where buildings are completely screened with opaque landscaped buffering.

Staff Recommendation:

Leave as is.

**Motion: If the rear of a building faces the street an opaque buffer (Type A) must be provided.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Tom White, Vice Chairman
<b>AYES:</b>	White, Krainiak, Riggs, Munro
<b>ABSENT:</b>	Meiggs

Steven Bradshaw: Mr. Bradshaw referred to the requirement that the common open space of the playgrounds be visible from all dwelling units. He recommended that the word ‘visible’ be stricken.

**Motion to remove the requirement of the common open spaces and playgrounds be clearly visible from all dwelling units.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Ross Munro, Commissioner
<b>AYES:</b>	White, Krainiak, Riggs, Munro
<b>ABSENT:</b>	Meiggs

5.1.2 Commercial Design Standards

D. Design Requirements

1. Building Orientation – The primary entrance shall be architecturally and functionally designed on the front façade facing the primary public street.

Public Comment:

The primary entrance is again required to face the primary public street. No alley or parking lot noted. This doesn't work well for all building applications. What if you have buildings facing inward to parking areas? You are also restricting buildings to be parallel to the front lot line and street. This again is not practical in all applications. Not sure why you would want to limit this

Staff Response:

The purpose of this standard is to minimize the visual impact building rears or rear yards from the traveling public. The standard does not apply to interior buildings of multi-building developments. Staff recommendation is to leave this standard as is with perhaps some flexibility in cases where buildings are completely screened with opaque landscaped buffering.

Staff recommendation

Leave as is.

**It was decided by consensus that 5.1.2 Commercial Design Standards be tabled to a later date.**

3.5.4 Suburban Residential

STANDARD TYPE	REQUIREMENTS FOR TRADITIONAL DEVELOPMENT	REQUIREMENTS FOR CONSERVATION SUBDIVISIONS
Minimum Development Size (acres)	N/A	10
Maximum Residential Density (units/acre)	1	1
Minimum Lot Area (acres)	2	1

NOTES: Residential developments of five or more lots shall be configured as a conservation subdivision in accordance with the standards in Conservation Subdivision.

Public Comments:

- This is the converted R 3-1 district which is allowed minimum lot size of 1 acre. Do not recall requiring conservation subdivision for this district. At this maximum density and minimum lot sizes the actual yield of lots is reduced from current levels. This is not the case of the larger lot size WL and RR districts where the yield is either higher or equal to current zoning.
- Remove this requirement. 1-acre lots are fine for any of this type of developments. If the developer wants to use the conservation subdivision then the lots should be reduced to .5 acre.

Staff Response:

The requirement for minimum lot size of 2 acres for traditional development is a mistake.

Staff Recommendation:

The table should reflect a 1-acre minimum lot size for traditional development and 0.5 acre for conservation subdivision with health department approval of septic system or connection to public sewer.

**It was decided by consensus to approve 3.5.4 Suburban Residential (SR) District requirements as presented and recommended by staff.**

3.5.6 Village Residential (VR) District

STANDARD TYPE	REQUIREMENT		
	SINGLE-FAMILY DETACHED	ALL OTHER RESIDENTIAL	NON-RESIDENTIAL
Minimum Open Space (% of development area)	5		3

3.6.2 Crossroads Commercial (CC) District

STANDARD TYPE	REQUIREMENT	
	NONRESIDENTIAL DEVELOPMENT	RESIDENTIAL AND MIXED-USE DEVELOPMENT
Minimum Open Space (% of development area)	3	5

3.6.3 Village Commercial (VC) District

STANDARD TYPE	REQUIREMENT		
	RESIDENTIAL DEVELOPMENT	MIXED-USE DEVELOPMENT	NONRESIDENTIAL DEVELOPMENT
Minimum Open Space (% of development area)	None		

### 3.6.4 Mixed use (MX) District

STANDARD TYPE	REQUIREMENT		
	RESIDENTIAL DEVELOPMENT	MIXED-USE DEVELOPMENT	NONRESIDENTIAL DEVELOPMENT
Minimum Open Space (% of development area)	None		

### 3.6.5 Highway Commercial (HC) District

STANDARD TYPE	REQUIREMENT	
	RESIDENTIAL DEVELOPMENT	NONRESIDENTIAL AND MIXED-USE
Minimum Open Space (% of development area)	5	3

#### Public Comment:

Do the above open space requirements meet the objectives of previous discussions with committees, Planning Board and Board of Commissioners? Recollection is that in general the objective was to minimize open space requirements in subdivisions where lot size results in large back yards and open space is not therefore not used or needed, and to require more open space in districts that have smaller lots, mixed uses, and commercial village areas to encourage common greens, plazas, etc. Board consensus seemed to agree with higher density in areas where water and sewer are available, and in areas without availability of sewer as long as Health Department approval can be obtained. I see no reductions in Residential Districts. These areas need a complete review. Example: Open space. SR more than 5 lots require 50% open space and 1-acre lots. VR can go down to 4 times the density (10K sq. ft.) and only requires 5%. So people in the county require 10 times the open space as those in the village?

#### Staff Response:

The current open space requirement for residential subdivision is 5%. Multifamily and mixed use development requires 15%. There are currently no open space requirements for commercial districts.

There was considerable discussion about lowering open space requirements for subdivisions with 1 acre or larger lot sizes because they are large enough for individual recreation equipment. The proposed open space for WL, RR, is 50% for conservation subdivisions. SR districts remains at 5%. Stormwater ponds and required buffers are credited toward open space and are very likely to satisfy this 5 percentage.

One for consideration is whether in the higher density districts listed above, does 5% open space for residential components and 3% for commercial components provides enough open space for accommodating common active or urban type spaces to create the village-like environment?

The 0.0% requirement in mixed use and village commercial districts is a conundrum to staff. Although there are no notes that refer to the 0.0% open space the only explanation is that it was discussed with some board of committee that made the recommendation. Neither staff nor

consultant would recommend 0.0 % and in fact the table 7.5.6 Allowable Features in Open Space Set-Asides states that for these districts 100% of the required open space be of an urban nature.

Staff Recommendation: Change open space requirements.

- WL, RR Districts  
50% for conservation subdivisions  
0.0 % for traditional subdivisions
- SR Districts  
50% for conservation subdivisions  
0.0 % for traditional subdivisions
- VR, CC, VC, MX Districts  
15% Open space - should result in more than stormwater and buffers infrastructure
- HC Districts  
5% open space - stormwater and buffer likely to achieve this percentage

**Motion to approve District Requirements as presented and recommended by staff.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Tom White, Vice Chairman
<b>AYES:</b>	White, Krainiak, Riggs, Munro
<b>ABSENT:</b>	Meiggs

### 2.3.23 Transfer Plat

B. Applicability – The standards in this section shall apply to the conveyance of a single lot from one family member to another immediate family member.

Staff Recommendation:

The proposed ordinance does not include the current requirement that transfers from grandparents to grandchildren requires that grandparents must have owned the property for at least 10 years prior to transfer.

Recommend including this requirement in proposed ordinance.

### 10.3 Definitions

Immediate Family – Family members within two degrees of kinship (i.e. spouse, parent, sister, brother, child, grandparent and grandchild).

Staff Recommendation:

Current ordinance does not include transfers between siblings. Recommend removing brother and sister from definition of immediate family.

**Motion to keep the current requirements with the limitations as they are in the existing UDO.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Clayton Riggs, Chairman
<b>AYES:</b>	White, Krainiak, Riggs, Munro
<b>ABSENT:</b>	Meiggs

Article 151.5 Development Standards

Public Comment – Steven Bradshaw:

1. Board of Commissioners and Planning Board 7/25/18 joint meeting minutes state:

112 - It was decided by consensus of the group to allow staff to complete the issues of Parking and

113 - Landscaping and send the proposed changes to the group for feedback.

The Parking and Landscaping requirements were not consolidated and returned to the Boards. I reviewed the parking area and did find some things had been added. This review still needs to be accomplished.

Staff Response:

An email was sent to all work session members on August 2<sup>nd</sup> requesting feedback regarding the attachment “UDO Leftovers” addressing several specific landscaping and parking and other issues along with recommendations. Two responses regarding minor subdivisions were received and are included in this report above.

**Motion to table parking and landscaping requirements to a later date.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Ross Munro, Commissioner
<b>AYES:</b>	White, Krainiak, Riggs, Munro
<b>ABSENT:</b>	Meiggs

Dan Porter presented the following recommendations that came as a result of his meeting with the individuals from the sign industry:

- Mixed Use District
  - ♦ Monument Signs – Match wording to graphic with maximum height of 3.5 feet in Village compact areas.
- Highway Commercial District
  - ♦ Monument Signs - Match the graphic to the wording with maximum height of 6 feet.
  - ♦ Freestanding Signs – Recommendation:
    - 75 square feet per side
    - Max height – 20 feet
    - Multi-tenant
      - 2-6 tenants – 100 square feet per side
      - 7-14 tenants – 150 square feet per side
      - 15 plus tenants – 175 square feet per side
      - Maximum height – 25 feet

#### 5.14.14 Off-Premise Signage

##### B. General Standards

All off-premise signage in the County shall comply with Section 19A NCAC 2E.0202 and 2E.0203 of the North Carolina Administrative Code, as amended (the current State DOT Outdoor Advertising Manual), the requirements of the State Building Code, and the following:

1. No off-premise sign may be located within 500 feet of any other off-premise or ~~on-premise sign~~.
2. No off-premise sign may have a sign size greater than 800 square feet.
3. Off-premise signage shall be erected so that all parts of the structure shall ***not*** be within 15 feet from the edge of the nearest public street or right-of-way.
4. The bottom of an off-premise sign shall be at least 12 feet above grade.
5. The height of an off-premise sign shall not exceed 35 feet, except that an additional temporary advertising display may extend above the sign up to a height of 50 feet for a period of up to six months.
6. All off-premise signs shall have framing using pressure-treated wood, MDO plywood panels, ***metal*** or similar-looking materials.
7. Signs shall not obscure or otherwise interfere with the effectiveness of an official sign, signal or device, or obstruct or interfere with the driver's view of approaching, merging or intersecting traffic.

Staff does not support removing existing language on #1 above.

**It was decided by consensus to table Sign Standards to a later date.**

**Motion to come out of Public Hearing.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Ross Munro, Commissioner
<b>AYES:</b>	White, Krainiak, Riggs, Munro
<b>ABSENT:</b>	Meiggs

With no further matters for discussion Chairman Riggs adjourned the meeting of the Board of Commissioners at 10:00 AM.

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Clayton D. Riggs, Chairman

ATTEST:

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Karen M. Davis  
Clerk to the Board