

# Camden County Board of Commissioners

November 14, 2018 – 8:30 AM

Public Hearing - Unified Development Ordinance

Closed Session

Historic Courtroom, Courthouse Complex

Camden, North Carolina

## MINUTES

The Camden County Board of Commissioners held a Public Hearing on the Unified Development Ordinance on November 14, 2018 in the Historic Courtroom, Camden, North Carolina.

### CALL TO ORDER

The meeting was called to order by Chairman Clayton Riggs at 8:30 AM. Also Present: Vice Chairman Tom White, Commissioners Garry Meiggs, Ross Munro and Randy Krainiak.

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

### Invocation and Pledge of Allegiance

Vice Chairman Tom White gave the invocation and led in the Pledge of Allegiance.

### CONSIDERATION OF AGENDA

**Motion to approve the agenda as presented.**

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

### ITEM 1. PUBLIC HEARING

**Motion to go into Public Hearing for the Unified Development Ordinance.**

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

Planning Director Dan Porter began by presenting the following:

#### Introduction Remarks

- Thank You.
- Here we are at this public hearing for consideration of an updated and revised Camden county Unified Development Ordinance.
- The process has been very thorough with considerable opportunity for public and stake holder input.
- It has taken a bit longer than planned but generally for good reason.
- The first order of business is to make sure we all understand the order of business that will result the most effective and efficient public hearing and consideration.

#### **Presentation format**

1. Open Public Hearing on September 2018 Adoption Draft of the Camden County Unified Development ordinance (UDO)
2. Short presentation of new flood maps and Chapter 151.3.8.3
3. Public comments on Flood Maps and Chapter
4. Consideration and vote on flood plain maps and related UDO Sections
5. History of UDO project
6. Streamlined Review of Unified Development Ordinance
7. Other public comments
8. Consideration of approval/adoption and effective date
9. Final logistics

Zoning Officer and Floodplain Manager Dave Parks presented the Floodplain Maps and included the following information:

- Process to adopt the Preliminary FIRMS (to be effective December 21, 2018) took longer than Camden's Unified Development Ordinance update.
- Preliminary maps will remove over 900 structures from the flood plain. Several of properties are adjacent to the Pasquotank River.
- The Base Flood Elevations in these areas were lower in these areas.
- Since the Pre-FIRMS were considered (about 3 years ago) and the public meetings held, to date staff has received approximately over 3,000 phone calls on the Preliminary FIRMS ranging from: when are they going to be adopted; is my property being removed from the floodplain, to flood insurance questions.
- For those being removed from the floodplain, staff has always informed property owners that they should consider carrying flood insurance.
- If Hurricane Florence would have shifted north instead of south Camden, along with other counties, would have experienced catastrophic flooding whether you were located in the flood zone or not.
- Camden County is doing its part in assisting in lowering its citizens' insurance premiums by its participation in the Community Rating System (CRS). It is how Camden County sets up and regulates their floodplain regulations. Initially municipalities start out as a rating of 10 and under the CRS program you get points for different levels of enforcement (i.e. how many elevations certificates you require during the construction of a dwelling, open space, Freeboard). Camden received enough points to go from a rating of 10 to a rating of 7, thus saving flood insurance policy holders 15% on their premiums.
- Camden currently has a one-foot freeboard that applies to new residential structures (Freeboard is defined as "The additional amount added to the BFE to account for uncertainties in the determination of flood elevations"). There is no freeboard in place for commercial structures. Adjacent municipalities have adopted a 2-foot freeboard to provide that added protection for its citizens. Increased freeboard would also account for additional points with CRS to achieve a class 6 rating.
- The freeboard would not apply to non-residential accessory structures (i.e. detached garages, sheds, etc). Current ordinance language states that accessory structures less than 1000 sf, owner can either elevate the slab/first floor to the BFE or provide adequate flood vents (1 square inch per square foot). Accessory structures over 1000 sf, the slab/first floor has to be elevated to the BFE.
- Staff would recommend that the Board of Commissioners consider today or a later date that the freeboard be increased to 2 feet on residential dwellings with a one-foot freeboard on commercial structures. Request for consideration in the adoption of the maps or at a later date.
- Based on an email Mr. Parks handed out from Randy Mundt of NC Department of Public Safety after reviewing the floodplain language, they are recommending adding and deleting some definitions. Staff would request that the Board include these changes as part of the adoption of the Floodplain regulation portion of the ordinance and FIRM.

Chairman Riggs opened the floor for public comment concerning the floodplain maps.

Steven Bradshaw of 102 Avery Drive, Shiloh, addressed the board.

Mr. Bradshaw questioned the purpose of the black lines on the map. Mr. Parks responded that the black lines represent property lines. Mr. Bradshaw also asked about requirements of agricultural buildings over 1,000 square feet. Mr. Parks responded that agricultural buildings are exempt from building code but not exempt from floodplain regulations per FEMA requirements.

Lois Brown of 243 N. 34, Camden, addressed the board.

Ms. Brown questioned the regulations in regard to handicap accessibility for houses located in a floodplain. Mr. Parks explained that it depends on when the structure was built.

**Motion to recess the Public Hearing to consider UDO – Part 1, floodplain maps.**

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

**Motion to approve the preliminary floodplain maps with an effective date of December 21, 2018 to include the ordinance language as listed in Article 3.8.3 and 10.3 Definitions and to include the additional definitions presented by staff.**

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

**Motion to require 2-foot freeboard on newly constructed residential structures located in a floodplain.**

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

Chairman Riggs reconvened the Public Hearing for UDO Part 2.

Dan Porter continued the Public Hearing which included the following:

**Brief History**

- Each meeting of Planning Board and/or Board of Commissioners was legally advertised.
- Public forums had additional special block advertising.
- Evaluation reports and draft chapters were posted on web site and emailed to board members and list of stakeholders with request for feedback.
- Every final review committee meetings were minimum 2 hours of chapter by chapter discussion.
- Project spanned 3 county managers and 1 interim manager.

February 2015

Request for proposals

**Objectives**

- Remove or amend outdated standards and continue to rely on the best provisions of the previous UDO
- Create clear procedures that are easily administered, easy to read and understand for all users including citizens, public officials, county staff, and developers
- Provide graphics, illustrations, examples and commentaries to supplement written regulations
- Include innovative approaches to foster a sustainable and economically viable community
- Create development regulations that balance the intensity of growth patterns with the provision of infrastructure and county services
- Rely on performance or incentive-based regulations that encourage creativity in design
- Be accessible and easily maintained on the county website
- Develop regulations that will support the goals of the Camden County 2035 Comprehensive Plan which are:

*Produce a land use pattern that will be primarily rural in character with high quality and economically productive development in targeted locations in the core village areas and along main road corridors, which are served by public utilities.*

*Enhance its pastoral character by ensuring that new development within targeted development areas is designed to fit the context of core village areas in the manner of an American rural village. Development in areas outside of targeted development locations will continue to be developed at a rural scale and provide opportunities for low and very low density residential development, small-scale rural crossroads commercial development, and working lands operations.*

*Promote a diverse and balanced economy that provides new business opportunities to employ citizens and provide goods and services, and that will generate new revenues to fund high-quality government facilities and services.*

*Support a destination for outdoor and recreational enthusiasts that will offer recreational amenities and visitor services to support a new tourism economy.*

*Have a transportation system that is coordinated with land use patterns, and that provides an acceptable level of service to support economic development and a high quality of life.*

*Preserve and protect natural resources and working lands to maintain the function of natural systems, to continue to provide viable opportunities for agricultural and forestry operations, to provide opportunities for residents and visitors to commune with nature, and provide new economic development opportunities related to eco-tourism, outdoor recreation, and renewable energy sources*

*Provide infrastructure and community facilities in a fiscally responsible manner that is consistent with the future land use map, economic development opportunities, and local demand for services.*

### **A VERY TALL ORDER**

#### 2015

July	Executed Contract
July – September	Reconnaissance visit and stakeholder interviews
September	Commissioners work session

#### 2016

January	Complete review of existing code
June	Annotated Outline
August	Evaluation and assessment report
September 8	Public forum
September 20	Public forum
October	Commissioners work session
November	Commissioners work session
Interim period	Writing draft document

#### 2017

May	Courthouse village work session
Interim period	Merging, Editing, and Writing draft document

#### 2018

January	Established select review committee Commissioner, SMWA representative, Developer, Contractor, Manager, Staff, Consultant, Planning Board member
Feb	Review committee meeting
March	Review committee meeting
April	Review committee meeting
May	Review committee meeting
June	Review committee meeting
June	Planning Board Review meeting
July	Commissioners work session
July	Joint Planning Board and Commissioners work session
July	One-on-one meeting sign industry representatives One-on-one Planning Board member Final Joint Planning Board and Commissioners work session
September	Draft UDO posted to web site
October	Final draft updated to web site Advertised in Daily Advance
November	Advertised in Daily Advance
November	Public Hearing

After going over the history of the UDO revision, Mr. Porter reviewed the following points:

- It is the request of staff that the effective date of the revised UDO be January 1, 2019.

#### Chapter 1 Highlights

- No development until compliance with this ordinance.
- Transitional Provisions
- Review of Zoning District Translation

#### Chapter 2 Highlights

- Specific Review Procedures Summary Table
- Building Permits
- Certificates of Occupancy
- Interpretation
- Minor Site Plan
- Minor Subdivision
- Preliminary Plat
- Transfer Plat
- Watershed Protection Permit

#### Chapter 3 Highlights

- General Zoning Districts Established
- Working Lands (WL) District
- Rural Residential (RR) District
- Neighborhood Residential (NR) District
- Village Residential (VR) District
- Crossroads Commercial (CC) District
- Watershed Protection Overlay

#### Chapter 4 Highlights

- Principal Use Table
- Residential Uses
- Accessory Structures
- Common Accessory Use Table
- Temporary Uses

#### Chapter 5 Highlights

- Multi-Family Residential Design Standards
- Commercial Design Standards
- Residential Design Guidelines
- Farmland Compatibility Standards
- Parking Table
- Parking Lot Cross-Access
- Landscaping
- Lighting
- Signage

#### Chapter 6 Highlights

- Fire Protection
- Maintenance Warranties
- Homeowners' or Property Owners' Associations
- Conservation Subdivision

#### Chapter 7 Highlights

- Stormwater Management
- Tree Protection
- Open Space Set-Aside
- Sustainable Development Incentives

## Chapter 8 Highlights

- Nonconformities

## Chapter 9 Highlights

- Enforcement

## Chapter 10 Highlights

- Table of Abbreviations
- Rules of Measurement

## Chapter 11 Highlights

- Authorities

Chairman Riggs recessed the public hearing for a five-minute break.

After the recess Chairman Riggs reconvened the public hearing.

Chairman Riggs recognized Dan Porter in continuation of the public hearing. Mr. Porter then introduced the Public Comment Report. It is the recommendation of staff to go through the public comments one by one and make a decision on each one.

Chairman Riggs opened the floor for public comment.

Steven Bradshaw addressed the board. Mr. Bradshaw is a member of the Planning Board. His comments included the following:

- Not all decisions made during the revision process were included in the UDO.
- Was the Board of Commissioners made aware of the decisions of the Planning Board in regard to the UDO revision process?
- Did the Board of Commissioners receive regular updates on the revision process?
- Mr. Bradshaw did not receive requested updates during the revision process.
- The Board of Commissioners and Planning Board were not well-represented during the revision process.

Dan Porter continued his presentation with the following:

### 5.14.11 Sign Standards in Commercial Districts

#### Public Comment Report:

- Both wall signs and free standing signs are critical for businesses to attract customers and should be allowed additional sign face square feet.
- Free-standing pole signs should not be permitted at all.

#### Staff Response:

Staff generally agrees with the proposed standards, particularly in the mixed use and residential districts. It is recommended that for commercial districts the sign face standards be slightly increased. The recommendations are based significant research following the thorough discussion during the PB/BOC work sessions, specifically a joint research report Street Graphics and the Law written by two experts recognized by both the American Planning Association and the Sign Industry.

#### Recommendation for Commercial District:

- Increase allowable wall sign face to 1.5 square foot per 1 linear foot façade
- Increase allowable free standing sign face to 100 square feet (50 per side)
- Up to 6 tenants      150 sq. ft. (75 per side)
- 7-14 tenants      200 sq. ft. (100 per side)

- 15 plus tenants 250 sq. ft. (125 per side)
- Increase height limitation to 20 feet

Steven Bradshaw addressed the Board. His issue with the signage is where it conflicts with the landscaping requirements.

Roger Ambrose of Ambrose Signs addressed the Board. His comments included the following:

- Supports sign regulation.
- Billboards – allow to maintain what they currently have; construction materials to include wood and steel.
- Differentiate sign heights for all types of signs and adjust landscaping requirements accordingly.
- Freestanding Signs – height versus highway speed.
- Right-of-way issues and setbacks.

After discussion, Chairman Riggs instructed Mr. Porter to meet with individuals in the sign industry and report to the Board within 10 days with a recommendation.

The consensus of the Board is to table Sign Standards in Commercial Districts.

#### 2.3.19 Minor Subdivisions B. Applicability

Subdivisions of land that include up to five lots (including the residual parcel) with no extension of public streets, public water, public sewer, or other public utility are minor subdivisions and shall be reviewed in accordance with the standards in this section. Should the county allow minor subdivisions (5 lots or less) to be developed with a private street built to state standards – or require approval through the major subdivision process?

Public Comments:

- If developer wants to build to state standards then they should be allowed. Also if they want to install a 6-inch water main that taps to the houses, should not require a Major. Wouldn't it be better to allow one tap on the main than 4? Leak testing and isolation are easier and future growth can be allowed with less modification. Also, as your consultant said several times, if the road and water are up to standards then the county will not be required to pay for it later.
- We should still allow the water main and road. It just will not be turned over to DOT until, if ever, it reaches the requirements.
- I would say no that they would need to build road to state standards. We know the problems that occur in keeping the road up and if the property is resold they may not get along.

Staff Response:

NCDOT Subdivision Manual house requirements for accepting roads to the state system are:

- There must be at least two occupied residences for each one-tenth of a mile. A minimum of four occupied homes is required for the addition of roads less than two-tenths of a mile in length. If four occupied homes are not served, it will be treated as a private drive. An exception may be made if the cul-de-sac is fully developed, serves at least four platted lots, and has four occupied homes that abut the road. A minimum of two homes must have primary access to the cul-de-sacs.
- Subdivision Access Roads must provide ingress and egress for at least five occupied residences for roads less than one mile in length and an average of five occupied residences per mile for roads over one mile in length.

Recommendation:

1. If road or utility extension is needed the subdivision should be approved through the major subdivision process. If not, large tracts of land can be subdivided through the

minor abbreviated process multiple times resulting in a major subdivision not subject to the scrutiny and approval of the more public process.

2. Any road should be built to NCDOT design, construction, and density for acceptance to the state system.
3. Minor subdivisions should continue to require stormwater plans – with the exception of splitting out one lot from a larger tract.
4. Minor subdivision stormwater plans for subdivisions that result in 3 or more lots should be reviewed by the county engineer – or at a minimum those that are included in Special Flood Hazard Zone.

Steve Bradshaw addressed the Board with the following comments:

- In a minor subdivision, a cul-de-sac is a better idea. It is safer for the children and better for traffic.
- Supports stormwater recommendation.
- Issue of consistency within the UDO in regard to the requirement of HOA's to be responsible for open space, stormwater, taxes, liability insurance.

Chairman Riggs is in agreement with staff recommendations 2, 3, and 4.

**Motion to approve the following:**

- Any road should be built to NCDOT design, construction, and density for acceptance to the state system.
- Minor subdivisions should continue to require stormwater plans – with the exception of splitting out one lot from a larger tract.
- Minor subdivision stormwater plans for subdivisions that result in 3 or more lots should be reviewed by the county engineer – or at a minimum those that are included in Special Flood Hazard Zone.

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

**Motion to approve the following:**

- All Minor subdivisions will be processed administratively.

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

**Motion to recess the public hearing until 1:00 PM and go into Closed Session to discuss an economic development prospect.**

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

Chairman Clayton Riggs reconvened the meeting of the Board of Commissioners and the public hearing at 1:00 PM. Commissioner Munro left the meeting during recess.



**Motion that Commissioner Munro be excused from the meeting.**

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

Dan Porter continued with his presentation of the following:

**6.1.6 Access to Public Waters**

A subdivider shall not usurp, abolish, or restrict public access to Albemarle Sound, Pasquotank River, North River, or other water body where public access has been historically provided.

Public Comment:

- Eliminate requirement unless county can provide list of specific access points. If you don't have a list then it can't be that big of an issue that it needs to be in the UDO. I live on the water and have LOTS of issues with people coming onto my land. Don't want to sign a blank check on water access.
- There is a difference between existing homes and new development. Having to set aside access to the river for all the people who live in the county is very important. It's our greatest asset.

Staff Recommendation:

Leave as is.

This is a requirement for new development only. If there is a debate regarding “historically public access” the issue will be resolved during public hearing process, or in the case of a minor subdivision, as an appeal to the Board of Adjustment of the Administrator’s decision.

Steven Bradshaw addressed the Board with the following comments:

- Mr. Bradshaw lives at Avery Shores. Individuals have not been allowed to be on the property for over 20 years; does not want a blank check on access to water.

**After some discussion the motion was made to eliminate Section 6.1.6 Access to Public Waters.**

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

**5.9.5 Plant Material**

Canopy Tree Size

1. Canopy trees shall have a minimum height at maturity of 40 feet and a minimum crown width of 30 feet.
2. All canopy trees shall have a minimum caliper size of two inches at planting.
3. Evergreen trees shall be a minimum of six feet in height at planting.

Staff Recommendation:

Leave as is.

- Canopy trees add variety to the landscaping.
- Without the taller trees the upper end performance of an opaque buffer cannot be achieved.
- If canopy trees are replaced with understory trees, more trees will be required to achieve center line separation performance standard resulting in increased costs.

Public Comment:

Steven Bradshaw: Eliminate all requirements for canopy trees with minimum of 40 tall at maturity and replace with understory trees. Canopy trees have a minimum crown width of 30 feet and a height of 40 feet. With number of trees required, they will be crowded. Understory trees have a height of 25 to 40 feet, which should be fine landscaping and also allows for shorter trees if below utility lines. I also like the drought tolerant wording. Not asking to reduce number of trees, just to use a tree that fits landscaping better.

**It was decided by consensus to table 5.9.5 Plant Material to a later date.**

#### 4.4 K Visitor Accommodations

Consider adding weekly rentals.

Consider adding Airbnb's.

Staff Recommendation:

Leave as is until weekly and Airbnb rentals become an issue and amend in future if need be. These can be a very controversial issue and delay the adoption of the proposed UDO.

**It was decided by consensus to table 4.4 K Visitor Accommodations.**

#### 1.11.3 Approved Applications C

Portions of developments, including subdivisions, reserved as future development sites where no lot lines are shown on a preliminary plat, site plan, PD master plan, or other plan of development shall comply with the provisions of this Ordinance.

Public Comment:

Previously approved Planned Unit Developments appear to have the ability to stay under their existing master plan with minor changes. Are there items that may not be specifically addressed in writing on the previously approved master plan that we want to document within the UDO (i.e. dimensional standards - maximum density, allowable impervious coverage within the development, setbacks, height restrictions, etc.)? I've seen some older masterplans (other counties) that have been approved without some of this documentation specifically written on the plan and it could come into question what consists of a 'minor' change. Documenting some of the current PUD restrictions might help with arguments down the line.

Staff Response:

The County has only one approved Planned Unit Development Master Plan and detailed standards of the project are well documented in the recorded Master Plan Conditional Use Permit and Development agreement. Since they have established a vested right, amendments will follow procedures of the UDO in force at the time of the project's approval.

Steve Bradshaw: What happens to the land that is currently zoned Planned Unit Development?

Mr. Porter stated that there are two locations where land is zoned for a Planned Unit Development. However, there have been no master plans submitted for them. These items will be addressed during the consideration of the master plan.

**No action was taken on 1.11.3 Approved Applications.**

#### 2.2.3 Neighborhood Meetings 6. Staff Attendance

County staff may, but are not required, to attend a neighborhood meeting. Staff members shall not act as facilitators or become involved in discussion about a development proposal though they may provide information about County requirements or procedures.

Public Comment:

If County staff is not required to attend neighborhood meetings, should there be a requirement for the meetings to be recorded? It seems like there may be an opportunity for he said/she said and if an unbiased third party is not present, things could be misconstrued.

Staff Response:

If the UDO requires recording it poses many questions regarding audio vs. video and transcripts. Proposed UDO will include language that states for applications involving Special Use Permits the Neighborhood Meeting is for information exchange only and any notes and/or discussion is not to be considered as evidence at the public hearing.

**Motion to approve 2.2.3 Neighborhood Meeting as presented.**

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

2.3.12 Final Plat E 2. Acceptance of Public Infrastructure

Public Comment:

Would recommend requiring Driveway Culvert Certification's after construction of a single family or commercial development. This would require a LS or PE to certify that the driveway culvert has been installed with positive flow. Sometimes contractors don't always double-check the size/elevations to match the plan if plan as built isn't required. Currituck County has a good example form for this if it is something you want to include. I can provide a copy if you would like to consider this.

Staff response

Culvert certifications are required for building permit and certificate of occupancy.

**It was decided by consensus to approve 2.3.12 Final Plat E 2. Acceptance of Public Infrastructure as presented.**

3.6.20 Crossroads Commercial

K	Min. Distance Between Buildings, Front-to-Back (feet) [4]	0 [5]	10
L	Minimum Distance Between Buildings, Side-to-Side (feet) [4]	0 [5]	10

Public Comment:

In reference to principal building setbacks, we are allowing a 0'-5' building setback between principal buildings for nonresidential. Typically a minimum of 10' of separation would be required to meet the IFC. Is the intent here for larger buildings that are subdivided into separate uses via fire walls (i.e. one building with multiple retail stores)? We should confirm that we aren't contradicting anything within the IFC with allowing <10' separation, though it may just be the way I read 0' separation as one principal building.

Staff Response:

All major residential and non-residential development is subject to technical review, including review by the Elizabeth City Fire Marshall's Office. This should turn up any IFC issues.

**It was decided by consensus to approve 3.6.20 Crossroads Commercial as presented.**

3.6.3 Village Commercial

Public Comment:

In reference to mixed use development building height, we are allowing >35' maximum building height. It is my understanding that any structure where the eave to the grade plane is greater than 30' would require aerial fire apparatus access. I'm not sure about Camden's Fire ability, but this is something we might want to run by the fire marshal.

Staff Response:

Camden fire chiefs have previously recommended 35 feet maximum height.

**It was decided by consensus to keep 3.6.3 Village Commercial as presented.**

#### 3.6.8 Heavy Industrial

Public Comment:

Same comment in reference to Height, though there may be site features in HI that the 35' height shouldn't apply to.

Staff response

Same response

**It was decided by consensus to keep 3.6.8 Heavy Industrial as presented.**

#### 4.4.4 K2. Camper Lots

Public Comment:

Are there time limit requirements, minimum lot sizes, or setbacks we would want to include here? I'd think we would want a time limit to keep from a permanent residence being placed on a camper lot instead of the zoning appropriate mobile home development.

Staff Response:

Proposed draft includes minimum lot size of 300 square feet. Time limits may be difficult to enforce and would rather not encourage new mobile home development.

**It was decided by consensus to keep 4.4.4 Camper Lots as presented.**

#### 5.7.8 On-Site Pedestrian Walkway

Public Comment:

Should an exception be included for redevelopment (i.e. historical buildings) as long as an ADA accessible route to the building is provided or is this only applicable to new pedestrian access?

Staff Response:

There are no existing sidewalks so would only apply to new sidewalks.

**It was decided by consensus to keep 5.7.8 On-Site Pedestrian Walkway as presented.**

#### 6.2.9 Fire Protection

Public Comment:

I'd recommend a minimum of 8" waterline for all proposed subdivisions that aren't exempt (or largest possible) due to available water constraints. The main leg of a hydrant is typically 6" and needed fire flow throughout the system is going to be hard to maintain if an 8" main line isn't provided. Though I understand this may be an issue in parts of the county where you only have 6" or smaller main lines, but we don't want new infrastructure that can't meet fire flow demands. Currituck County is currently trying to retroactively fix this issue as they previously required 6" lines.

Staff Response:

Staff agrees that this is a worthy goal. However, few main water lines in the South Camden Water and Sewer District and even fewer of those in the South Mills Water Association District are 8-inch lines and would necessitate a long-term expensive capital improvement program.

**Chairman Riggs made a motion to require 8-inch lines for any new major subdivision that has pass-through water flow and one that's at the end of the line for 6-inch per engineer.**

**After some discussion, Chairman Riggs amended his motion to require major subdivisions to require 8-inch water lines whenever they are on a system that is a pass-through water**

**system. If they are at the end of the water mains they are only required to have 6 inches. Minor subdivisions are exempt from the 8-inch requirement.**

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

Section 6.2.9 Fire Protection B. Dry Hydrants

In cases where fire hydrants are required by Section (A) above but the public water supply is insufficient to provide adequate water flow for firefighting, dry hydrants shall be required.

Public Comment:

From our meetings it was the consensus that new development will be built with 6" piping even if the county piping was smaller.

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

*Chad Meadows reviewed Fire Hydrants current approach and proposed key changes from the previous discussion with the Board of Commissioners which was that all new major subdivisions would be required to install 6-inch lines and fire hydrants, even if the fire hydrants were just flushing hydrants. No changes were decided upon by the group.*

Is this what covers this requirement? I find it hard to see the intents of the Board of Commissioners and Planning Board in this section.

Recommendation:

Each new subdivision shall be built with a minimum of six-inch lines and fire hydrants within the development even when served by a public water system or a private/public central water system that is insufficient to provide adequate water flow for firefighting.

Staff Response:

6.2.9 A) 1. – In conjunction with 6.2.9 B accomplishes this.

However, the wording could be clearer and stronger per the recommendation above.

Dan Porter referred to Section 6.2.9 Fire Protection and made the following recommendations:

- Amend Subheading C to state: *Fire Protection in Developments Not Served by the Public Water Supply System **Designed to Provide Adequate Fire Protection.***
- Amend Subheading B to state: *In cases where fire hydrants are required by Section (A) above but the public water supply is insufficient to provide adequate water flow for firefighting, dry hydrants **and flushing hydrants** shall be required.*

Steven Bradshaw: If you put in something that's not adequate once the larger main comes down, who is going to be responsible for replacing the pencil hydrants with regular fire hydrants? They should be fire hydrants configured or identified as flushing hydrants.

Dan Porter explained that if the county refers in any way, shape or form to a flushing hydrant as being a fire hydrant the state will not approve.

**Motion to approve 6.2.9 Fire Protection B. Dry Hydrants with recommendations as presented and amended.**

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

**Motion to excuse Commissioner Krainiak from the meeting for an appointment.**

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

Commissioner Krainiak left the meeting at 2:30 PM.

5.1.2 Commercial Design Standards

D. Design Requirements Subject to these standards shall be designed in accordance with the following:

5. Fenestration

Buildings subject to these standards shall be configured so that building facades facing public streets shall include a window or functional general access doorway at least every 20 feet along the façade (see Figure <>, Commercial Fenestration). False or display casements are an allowable alternative, as approved by the UDO Administrator.

Public Comment:

Side elevations should also have fenestration standards. Currituck County has side elevation design standards. Several new buildings have been constructed to these standards and are attractive to passing vehicles as the side elevation is what is most visible along a rural highway. Increased development along the US 17 corridor will demonstrate the need for side elevation fenestration standards that measure up to our neighboring counties' aesthetics for new construction.

Staff Response:

Staff agrees with this recommendation. The issue was discussed during the latest joint work session when another Camden resident made a presentation related to requiring excellence in architectural aesthetics.

**It was decided by consensus to table 5.1.2 Commercial Design Standards to a later date.**

5.5.4 Compatibility Standards - Development subject to the standards in this section shall comply with the following compatibility standards:

A. Vegetated Buffer

1. Development subject to these standards shall provide a 50-foot-wide vegetated buffer between building lots in the development and an existing agricultural use (see Figure<>, Vegetated Buffer). The buffer shall:
  - a. Remain undisturbed for a minimum distance of 25 feet from the edge of the agricultural use or boundary of the agricultural activity.
  - b. Include at least 16 aggregate caliper inches of canopy trees for every 100 linear feet of buffer length.
  - c. Include at least 16 aggregate caliper inches of understory trees for every 100 linear feet of buffer length.
  - d. Include at least 30 evergreen shrubs planted three feet on-center for every 100 linear feet of buffer length.
  - e. Incorporate existing or planted vegetation, configured in a staggered fashion, so as to create two or more rows of trees within the buffer.
  - f. Incorporate a berm, drainage ditch, or any combination.
2. Nothing shall limit the placement of a required stormwater facility or best management practice within a required buffer provided the minimum buffer width is maintained.
3. In cases where a required buffer includes a water feature or stormwater management facility, the required vegetation may be shifted to another portion of the buffer or located in an alternate location that provides screening or separation between the proposed development and the agricultural use.

Public Comment

Steven Bradshaw: I reviewed the minutes from the Board of Commissioners and Planning Board joint meeting July 18, 2018 and found that the Board of Commissioners and Planning Board inputs were ignored. The minutes state: Consensus to Mr. Porter’s questions was that there does need to be a 50 foot buffer and that it can be vegetative, open space, or stormwater ditch / linear pond.

This is not what made it into the draft UDO; this did:

- a. Vegetative requirements tripled; increase from 15 to 32 caliper inches (from 8 to 16 trees). Current requirement is 2 trees per 100 feet) and added 33 shrubs.
- b. The buffer used as a pond supplanted by staff adding that the required vegetation may be shifted to another portion of the buffer or located in an alternate location

I recommend the UDO state:

Development subject to the standards in this section shall comply with the following compatibility standards:

- A. Development subject to these standards shall provide a 50-foot-wide buffer between building lots in the development and an existing agricultural use. Options for the buffer include:
  - 1. Vegetated, Landscaped to developer’s desire. (Note that it is hard to require exact landscaping when it could just be open land)
  - 2. Open space
  - 3. Stormwater ditch / linear pond.

Staff Response:

Paragraphs C & D were added following the discussion of Farmland Compatibility during the latest joint work session. They were added to provide standards for the vegetative buffer plantings. The minutes of that work session indicate a consensus that there does need to be a 50-foot buffer and that it can be vegetative, open space, or stormwater ditch / linear pond.

The current requirement is 2 rows of trees at least 10 feet tall with 2-inch caliper measured at 4 feet above grade and a minimum spacing of 50 feet. The result is 4 large trees (8 caliper inches) per 100 feet.

The proposed 16 caliper inches of canopy trees and 16 inches of understory trees result in 16 trees per 100 feet but much smaller younger with caliper measured at 6 inches above grade. The 30 shrubs are additional.

Staff’s reasoning for not including the open space option is that if it is included few, if any, developers will plant a buffer at all and the 50-foot strip may or may not be maintained.

**Motion to require 8 understory trees and 8 shrubs per 100 feet; 2-inch minimum caliper, 6 inches above the ground.**

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

**Motion: In cases where the buffer includes a water feature or some water management feature, the water feature replaces the tree requirement.**

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

At this time Chairman Riggs recessed the public hearing to reconvene on Friday, November 16, 2018 at 8:30 AM.

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Clayton D. Riggs, Chairman

ATTEST:

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Karen M. Davis  
Clerk to the Board