



CAMDEN COUNTY

NORTH CAROLINA • USA

Boundless Opportunities.

PLANNING BOARD

June 23, 2021

7:00 PM

Regular Meeting

Historic Courtroom

Courthouse Complex

Agenda

Camden County Planning Board
Regular Meeting
June 23, 2021, 7:00 PM
Historic Courtroom, Courthouse Complex

- ITEM I. **Call to Order & Welcome**
- ITEM II. **Consideration of Agenda**
- ITEM III. **Consideration of Minutes from March 17, 2021**
PB Minutes March 17, 2021
- ITEM IV. **Old Business**
- ITEM V. **New Business**
- Item A. Rezoning Request - Keeter Barn Landing LLC*
Rezoning Request - Keeter Barn Landing LLC
- Item B. Text Amendments to Camden County Code of Ordinances*
Text Amendment to Camden County Code of Ordinances
- ITEM VI. **Information from Board and Staff**
- ITEM VII. **Consider Date of Next Meeting - July 21, 2021**
- ITEM VIII. **Adjourn**



CAMDEN COUNTY

NORTH CAROLINA • USA

Boundless Opportunities.

Camden County Planning Board AGENDA ITEM SUMMARY SHEET

Minutes

Item Number:

Meeting Date:

June 23, 2021

Submitted By:

Amy Barnett, Planning Clerk
Planning & Zoning
Prepared by: Amy Barnett

Item Title

PB Minutes March 17, 2021

Attachments:

pbminutes_03172021 (PDF)

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – March 17, 2021

Camden County Planning Board

Regular Meeting

March 17, 2021 7:00 PM

Historic Courtroom, Courthouse Complex

Camden, North Carolina

MINUTES

The regular meeting of the Camden County Planning Board was held on March 17, 2021 in the Historic Courtroom, Camden, North Carolina. The following members were present:

CALL TO ORDER & WELCOME

Planning Board Members Present:

Attendee Name	Title	Status	Arrived
Calvin Leary	Chairman	Present	6:50 PM
Rick McCall	Board Member	Present	6:50 PM
Ray Albertson	Board Member	Present	6:50 PM
Steven Bradshaw	Board Member	Present	6:50 PM
Nathan Lilley	Board Member	Present	6:50 PM

Planning Staff Present:

Attendee Name	Title	Status	Arrived
Dan Porter	Planning Director	Present	6:45 PM
Amy Barnett	Planning Clerk	Present	6:35 PM
Amber Curling	Zoning Officer	Present	6:35 PM

Others Present:

Attendee Name / Address	Title / Company	Meeting Section
Sean Robey	Engineer for Applicant Eastern Carolina Engineering, PC	New Business

CONSIDERATION OF AGENDA

Motion: Approve Agenda as Presented

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ray Albertson, Board Member
SECONDER:	Steven Bradshaw, Board Member
AYES:	Leary, McCall, Albertson, Bradshaw, Lilley
ABSENT:	None

Attachment: pbminutes_03172021 (3029 : PB Minutes March 17, 2021)

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – March 17, 2021

CONSIDERATION OF MINUTES FROM March 17, 2021

Motion: Approve Minutes from 3-17-2021 As Written

RESULT:	PASSED [UNANIMOUS]
MOVER:	Steven Bradshaw, Board Member
SECONDER:	Ray Albertson, Board Member
AYES:	Leary, McCall, Albertson, Bradshaw, Lilley
ABSENT:	None

OLD BUSINESS

None

NEW BUSINESS

Major Commercial Site Plan - Southeastern Equipment Co.

Amber Curling, Zoning Administrator, described this agenda item and went over the Staff report (Attachment A).

- A correction to the neighborhood meeting date in the Staff Report from March 3rd to March 2nd
- Southeastern Equipment is represented by Sean Robey from Eastern Carolina Engineering
- Neighborhood Meeting was held March 2, 2021, there was no public attendance
- Request is approval of a Major Commercial Site Plan for Southeastern Equipment to be located at 2000 Eco Park Blvd in the Camden Commerce Park
- Property is 15 acres in size and located in South Mills Township
- The parcel and adjacent properties are located in zoning districts Planned Development, Highway Commercial, Light Industrial and Rural Residential
- Current Property Use is Vacant
- Adjacent Property Uses Commercial Business, Woods, County Spray Field and Pond
- The parcel located in Flood Zone X.
- Water and sewer lines are located adjacent to property along Eco Park Blvd.
- Parcel is in the South Mills Fire District
- Will have no impact on schools
- Impact on traffic is unknown

Attachment: pbminutes_03172021 (3029 : PB Minutes March 17, 2021)

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – March 17, 2021

- Staff recommends approval of the Major Commercial Site Plan Application with the recommendations stated in the Staff Report (Attachment A):
 - Add Pin Number to plans and Dumpster screening
 - State Stormwater Management Permit and
 - State Erosion & Sediment Control Permit
 - County Stormwater Management Plan Approval with Operation and Maintenance Agreement
 - South Mills Water Association approval of water connection
 - Camden County Public Works Approval of sewer connection
 - Updated set of plans showing with any/all changes from recommendations and Planning Board requirements.

Ms. Curling showed larger image maps depicting the site and proposed building. Ms. Curling then asked if there were any questions regarding the Staff Report. Hearing none she yielded the floor to Sean Robey Engineer for Southeastern Equipment Site, who spoke briefly about the proposed Major Commercial Site Plan.

Sean Robey with Eastern Carolina Engineering

- Identified the owners Bryan Smith and Mr. Malott of Southeastern Equipment present
- Relocating business from Chesapeake, Virginia to Camden
- Sales, Rental, and Storage Business
- Driveway will be extended
- Discussed Stormwater Management Plan and bordering Pond
- Sewer on site
- Water will be extended across Eco Park Blvd

Dan Porter requested to expand on Building Details.

- Sean Robey stated a Metal Building with parking on west side

Dan Porter asked about catch basins

- Sean Robey stated stormwater would drain into two central catch basins

Dan Porter inquired about future building

- Sean Robey stated this would be Phase 1 and undetermined about Phase 2

Dan Porter stated Stormwater Management Plan is under review from the County Engineer McAdams.

Attachment: pbminutes_03172021 (3029 : PB Minutes March 17, 2021)

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – March 17, 2021

At this time, Chairman Calvin Leary asked if there were any further questions or comments. Hearing none, he entertained a motion.

Motion: Approve Major Commercial Site Plan for UDO 2021-03-06 Southeastern Equipment Co. Major Commercial Site Plan with recommendations of staff

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ray Albertson, Board Member
SECONDER:	Steven Bradshaw, Board Member
AYES:	Leary, McCall, Albertson, Bradshaw, Lilley
ABSENT:	None

INFORMATION FROM BOARD AND STAFF

- Calvin Leary stated this would be Dan Porters last meeting. Members thanked him.
- Dan Porter Reciprocated Sentiments

ADJOURN

Motion to Adjourn

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ray Albertson, Board Member
SECONDER:	Nathan Lilley, Board Member
AYES:	Leary, McCall, Albertson, Bradshaw, Lilley
ABSENT:	None

The meeting adjourned at 7:14 PM.

*Chairman Calvin Leary
Camden County Planning Board*

ATTEST:

*Amy Barnett, Clerk
Camden County Planning Department*

Minutes prepared by Amber Curling, Zoning Officer

STAFF REPORT
UDO # 2021-03-06
Major Commercial Site Plan
for Southeastern Equip. Co.

PROJECT INFORMATION

File Reference: UDO # 2021-03-06
Project Name: Southeastern Equip. Co
2000 Eco Park Blvd
PIN: 01-7072-00-60-9320-7072

Applicant: Southeastern Equip. Co
Address: 2506 S. Military Hwy
Chesapeake, VA 23320

Phone: 757-545-3600
Email: bsmith@secva.net

Agent for Applicant:
Eastern Carolina Engineering, PC
Sean C Robey
Address: P.O. Box 128
Camden County , NC 27921

Phone: 252-335-1888
Email: sean@easterncarolina.com

Current Owner of Record: Southeastern Equip.

Meeting Dates:
March 3, 2021 **Neighborhood Meeting**
March 17, 2021 **Planning Board Meeting**

Application Received: March 3, 2021
By: Amber Curling, Planning

Application Fee paid: \$200.00 And Check 14015
Stormwater Fee: Pending
Completeness of Application: See below

Documents received:

- A.** Major Site Plan Application Complete
- B.** Commercial Site Plan/Construction Plan Complete
- C.** Pending-DEQ - Stormwater Permit
- D.** Pending-DEQ - Erosion and Sediment Control Plan Permit
- E.** Pending-Public Works Approval of sewer connection
- F.** Pending-South Mills Water Association approval of water connection
- G.** Vicinity Aerial Map
- H.** Pending-County Approval Stormwater Management Plan with Operation and Maintenance Agreement
- I.** Neighborhood Meeting Comments

Attachment: pbminutes_03172021 (3029 : PB Minutes March 17, 2021)

REQUEST: Approval of Major Commercial Site Plan Application for Southeastern Equipment located at 2000 Eco Park Blvd.

Description/Location:

The application is for Southeastern Equipment Major Commercial Site Plan located in the Camden Commerce Park off Highway 17 at 2000 Eco Park Blvd. The 15 acres (approximately) is in the South Mills Township. The parcel ID number is **PIN:** 01-7072-00-60-9320-7072.

Vicinity Map



Attachment: pbminutes_03172021 (3029 : PB Minutes March 17, 2021)

SITE DATA

Size of Lot: Approximately 15 acres
Flood Zone: X
Zoning District(s): Planned Development
Existing Land Uses: Vacant

Adjacent Zoning & Uses:

	South West	North East	North West	South East
Zoning	Planned Development	Light Industrial and Rural Residential	Highway Commercial	Highway Commercial
Use & size	Pond, Commercial Business	Woods	Woods	County Spray Field Trees

INFRASTRUCTURE & COMMUNITY FACILITIES

Water: Water line located along Eco Park Blvd will need to be extended to property
Sewer: Sewer lines are located adjacent to property along Eco Park Blvd
Fire District: South Mills Fire District.
Schools: No impact on schools.
Traffic: Unknown

PLANNING STAFF SUMMARY: If approved Planning Staff recommends the following:

1. Add Pin Number to plans
2. Add Dumpster screening to plan
3. County Stormwater Management Plan Approval with Operation and Maintenance Agreement
4. South Mills Water Association approval of water connection
5. Camden County Public Works Approval of sewer connection
6. Updated set of plans showing these items and any required by Planning Board if needed

Attachment: pbminutes_03172021 (3029 : PB Minutes March 17, 2021)



CAMDEN COUNTY

NORTH CAROLINA • USA

Boundless Opportunities.

Camden County Planning Board AGENDA ITEM SUMMARY SHEET

New Business

Item Number:

Meeting Date:

June 23, 2021

Submitted By:

Amber Curling,
Planning & Zoning
Prepared by: Amy Barnett

Item Title

Rezoning Request - Keeter Barn Landing LLC

Attachments:

Keeter Barn Landing LLC Rezoning Request (PDF)



Zoning Map Amendment Application

OFFICIAL USE ONLY:UDO Number: 2021-05-033Date Filed: 05/25/2021Amount Paid: \$970.00Received By: AYCCheck # 1 000 6**Contact Information****APPLICANT**

Name: Keeter Barn Landing, LLC
 Address: 1545 North Road Street
Elizabeth City, NC 27909
 Telephone: 252-4207-5027
 Fax: _____
 Email: sales@sicarioproperties.com

PROPERTY OWNER

Name: Same
 Address: _____
 Telephone: _____
 Fax: _____
 Email: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER:

Owner**Property Information**

Physical Street Address: Keeter Barn Road, South Mills, NC
 Location: 41.75 acres east of the intersection of U.S. Hwy. 17
 Parcel ID Number(s): 017080003074050000
 Total Parcel(s) Acreage: 41.75 Acres
 Existing Land Use of Property: Agriculture

Request

Current Zoning of Property: VR Proposed Zoning District: SR
 Total Acreage for Rezoning: 41.75 Are you rezoning the entire parcel(s): Yes No
 Metes and Bounds Description Provided: Yes No
 Community Meeting, if applicable: Date Held: 5-5-2021; Location: Camden Co. Courthouse

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.


 Property Owner(s)/Applicant

5/27/21
 Date

Note: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants, a signature is required for each.

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

Zoning Change Application Questions

The UDO requires the Board to consider principal issues when considering an application for a zoning change. Please respond to each issue in the space provided below or on a separate sheet.

(A) How will the proposed zoning change enhance the public health, safety, or welfare?

Rezoning of the property from Village Residential to Suburban Residential will greatly reduce the allowable residential density and reduce the potential uses of the property in a manner that will reduce potential impacts on traffic and the amount of infrastructure needs/users of the South Mills water system and reduce the potential number of residences to be served by Fire, EMS & Sheriff Dpt.

(B) Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?

In keeping with the Suburban Residential zone's Purpose Statement, primary placement of such neighborhoods is to be along areas such as primary roads, shoreline area and bordering on rural areas. The parcel proposed for rezoning sits just outside of the Core Village in an area that is rural and abuts a major highway in U.S. Highway 17.

(C) For proposals to re-zone to non-residential districts along major arterial roads:

(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?

Keeter Barn Landing LLC

PO Box 176
Moyock NC 27958

To Whom it may concern,

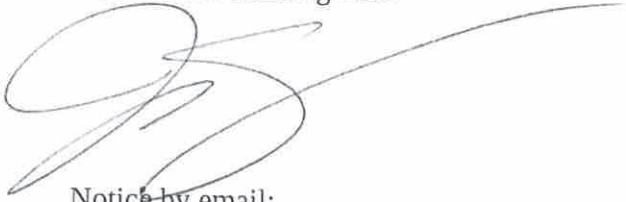
June 4, 2021

Please accept this letter as authorization for Jason Mizelle to act as an authorized representative concerning any action on planning for Keeter Barn Landing before the Camden County Planning Board, Camden County Planning Dept and The Camden County Board of Commissioners.

Thank you in advance for your attention to this matter.

Kind Regards,

Joseph Coppersmith
Managing Member
Keeter Barn Landing LLC



Notice by email:
Jason Mizelle
Amber Curling

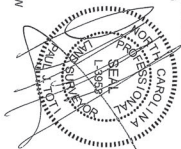
Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

CERTIFICATE OF ACCURACY

I, PAUL J. TOIT, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY ME. DETAILED DESCRIPTIONS OF BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS PLOTTED FROM INFORMATION PROVIDED TO THE SURVEYOR. THE POSITIONING ACCURACY STANDARDS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS FOR GEODETIC NETWORKS AT THE 2-CENTIMETERS ACCURACY CLASSIFICATION (95% CONFIDENCE) USING RTK. THAT THIS PLAT MEETS THE REQUIREMENT OF G.S. 47-30 SECTION F-1-21.2 AS AMENDED.

1. PAUL J. TOIT, P.S. 3963, ALSO CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING:
 - 1) CLASS OF SURVEY CLASS: A
 - 2) POSITIONAL ACCURACY: 2 CENTIMETERS
 - 3) TYPE OF GPS FIELD PROCEDURE: RTK
 - 4) TYPE OF GPS PROCESSING: REAL TIME
 - 5) DATUM/EPOCH: NAD83 AND 98 EPOCH 2010
 - 6) PUBLISHED/FIXED CONTROL USER: WNS
 - 7) GROUND MODEL: GRID 728
 - 8) GROUND CONTROL POINT NUMBER: 200899173
 - 9) UNITS: US SURVEY FEET

I, PAUL J. TOIT, ALSO CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND DOES NOT CREATE A NEW STREET OR CHANGE IN EXISTING STREET.



NORTH CAROLINA, CAMDEN COUNTY

I, **PAUL PARKER**, REVIEW OFFICER OF CAMDEN COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER: *Paul Parker*



NOTES:

- 1) OWNER: BANFF LUTHER, 201 FOLLY ROAD SUITE 25313, FAYETTEVILLE, NC 28426
- 2) BASED UPON GRAPHIC PLOTTING ONLY, THE PROPERTY DELINEATED ON THIS PLAT DOES NOT REPRESENT AN ACTUAL SURVEY. THIS PLAT IS BASED ON THE 3770800X COMMUNITY TO DO 3700Z2 PANEL 780 DATED FEBRUARY 21, 2018. THE PROPERTY LIES WITHIN ZONE 17N. THEREIN, FLOOD INFORMATION WAS OBTAINED FROM THE FLOOD RISK INFORMATION SYSTEM <http://ris.nc.gov/fis>, DECEMBER 17, 2018.
- 3) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS, ENCUMBRANCES OR RESTRICTIONS THAT AFFECT THE SUBJECT PROPERTY.
- 4) THIS PROPERTY IS CURRENTLY ZONED "HC" AND IS SUBJECT TO ALL SETBACK AND ZONING REQUIREMENTS SET FORTH BY CAMDEN COUNTY AND ANY COVENANTS OF RECORD.
- 5) AREA BY COORDINATE METHOD, ALL COORDINATES SHOWN ARE GRID. ALL DISTANCES ARE HORIZONTAL GROUND.

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	DIRECTION
C1	1286.38'	3655.17'	207.16207°	648.88'	1279.68'	N 38° 09' 31" W

LINE TABLE

LINE	LENGTH	DIRECTION
L1	59.46'	N 17° 57' 22" W
L2	34.51'	N 9° 48' 05" E
L3	62.13'	S 49° 47' 04" E

LEGEND

- ▲ SET MAG NAIL
- RAW MONUMENT (MKN)
- IRON ROD FOUND (RRF)
- IRON ROD SET (IRS)
- CALCULATED POINT
- UTILITY POLE
- TELECOMMUNICATIONS PEDESTAL
- PROPERTY LINE
- PROPERTY EXTENSION
- OVERHEAD UTILITIES
- EXISTING DITCH LINE
- EDGE OF PAVEMENT
- RAW FENCE



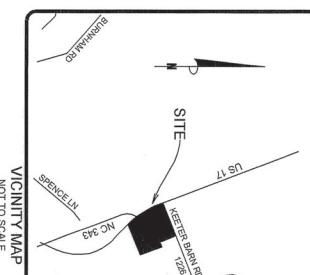
NC 343 NORTH
RW PER MONUMENTS

KEETER BARN ROAD, SR 1206
40' WIDE OF WAY 2.5' S. 88'

1,818,885 SF.
41,751 ACRES
07196800350740250000

HERBERT MULLEN
N.F.
D.B. 184, PG. 178
071968004699720000

CAMDEN COUNTY
N.F.
D.B. 168, PG. 502
P.C. 4, SL. 52A
071968004888000000



BOUNDARY SURVEY FOR BANFF F. LUTHER AND HOLLY A. LUTHER
SOUTH MILLS TOWNSHIP
CAMDEN COUNTY
NORTH CAROLINA

DRAMAN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1"=150'
DRAWN BY: [Signature]
DATE: 2018/12/16

SHEET NUMBER: 1 OF 1



Doc No: 209774
 Recorded: 08/03/2020 04:19:56 PM
 Fee Amt: \$26.00 Page 1 of 5
 Excise Tax: \$1,260.00
 Camden County North Carolina
 Tammie Krauss, Register of Deeds
 BK **394** PG **462 - 466 (5)**

Space Above This Line For Recording Data

NORTH CAROLINA GENERAL WARRANTY DEED

Prepared by W. Brock Mitchell, Attorney
 Return to Hornthal, Riley, Ellis & Maland, LLP
HREM File No. 32118-1.WBM

334-21004 8-3-2020
 \$630,000.00 / \$6,300.00

Excise Tax: \$1,260.00
 Transfer Tax: \$6,300.00

Tax Parcel: 01-7080-00-30-7405

State of North Carolina, County of Camden

THIS GENERAL WARRANTY DEED made this 31st day of July, 2020, by and between **Keeter Barn, LLC, a North Carolina limited liability company**, whose mailing address is 205 North Water Street, Elizabeth City, North Carolina 27909 (hereinafter referred to as "Grantor"), and **Keeter Barn Landing, LLC, a North Carolina limited liability company** whose mailing address is 1545 North Road Street, Elizabeth City, North Carolina 27909 (hereinafter referred to as "Grantee");

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has given, granted, bargained, sold, and conveyed, and by these presents does hereby give, grant, bargain, sell, and convey unto said Grantee, Grantee's successors and assigns, all of that certain piece, parcel, or tract of land situate, lying and being in South Mills Township, Camden County, State of North Carolina, and being more particularly described as follows:

See Exhibit A attached hereto.

Per N.C.G.S. §105-317.2, the property does not include the primary residence of Grantor.

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

TO HAVE AND TO HOLD the above described lands and premises, together with all appurtenances thereunto belonging, or in any way appertaining, unto the Grantee, Grantee's successors and assigns forever.

AND GRANTOR COVENANTS to and with Grantee, Grantee's heirs, successors, administrators, and assigns, that Grantor is lawfully seized in fee simple of the Property, and has full right and power to convey the same to Grantee in fee simple; that the Property is free from any and all encumbrances, except as set forth herein; and Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, with the exception of the following:

Ad valorem taxes for the current year (prorated through the date of Settlement); utility easements; and unviolated covenants, conditions or restrictions that do not materially affect the value of the Property.

IN WITNESS WHEREOF, the Grantor has duly executed and sealed this document, this the day and year first above written.

**[REMAINDER OF PAGE INTENTIONALLY BLANK –
SIGNATURE(S) ON FOLLOWING PAGE(S)]**

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

Keeter Barn, LLC, a North Carolina limited liability company

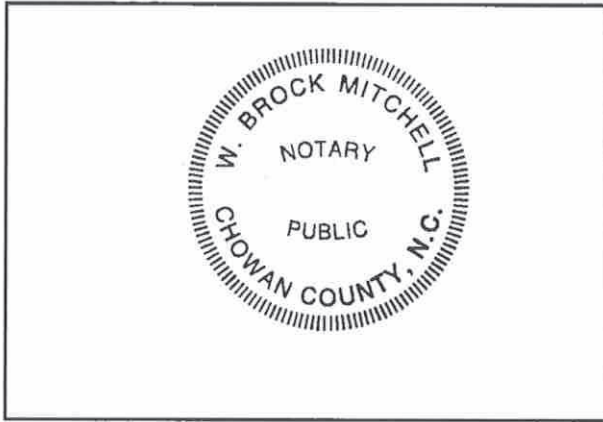
By: 
Chad Williams, Member/Manager

State of North Carolina, County of Pasquotank

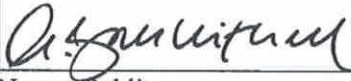
I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Chad Williams, a Member/Manager of Keeter Barn, LLC, a North Carolina limited liability company

Date: July 31, 2020.



Notary seal or stamp must appear within this box.


Notary Public
Type or Print Name: W. Brock Mitchell
My Commission Expires: October 23, 2022

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

Keeter Barn, LLC, a North Carolina limited liability company

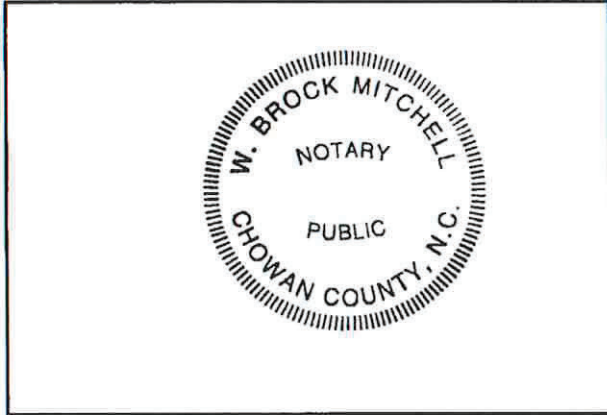
By: 
Alexander Underhill, Member/Manager

State of North Carolina, County of Pasquotank


I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Alexander Underhill, a Member/Manager of Keeter Barn, LLC, a North Carolina limited liability company

Date: July 31, 2020.



Notary seal or stamp must appear within this box.


Notary Public
Type or Print Name: W. Brock Mitchell
My Commission Expires: October 23, 2022

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

EXHIBIT A

BEGINNING AT A POINT marked by a found iron rod set in the southern right of way margin of Keeter Barn Road (S.R. 1226 – 60' R/W [referencing Plat Cabinet 5, Slide 53B, of the Camden County Public Registry]), which found iron rod marks the northwest corner of that property, now or formerly, owned by Camden County (referencing Deed Book 221, Page 8, and Plat Cabinet 5, Slide 53B, of the Camden County Public Registry – PIN: 017080034111860000); thence from said found iron rod and **POINT OF BEGINNING** and running away from Keeter Barn Road along the center of a ditch South 22° 58' 40" East 653.40 feet to a found iron rod (bent), which found iron rod (bent) marks the southwest corner of that property, now or formerly, owned by Camden County (referencing Deed Book 221, Page 8, and Plat Cabinet 5, Slide 53B, of the Camden County Public Registry – PIN: 017080034111860000); thence cornering and running away from the center of said ditch and along the center of another ditch North 67° 08' 23' East 200.00 feet to a found iron rod (bent); thence cornering and running away from the center of said ditch and along the center of another ditch South 22° 58' 41" East 798.91 feet to a set iron rod (N: 1000168.66'; and E: 2784730.56'); thence cornering and running away from the center of said ditch South 67° 39' 02" West 1,149.87 feet to a found iron rod (bent) (N: 999731.37'; and E: 2783668.96'); thence running South 67° 39' 02" West 11.16 feet to a calculated point set in the eastern right of way margin of U.S. Highway 17 (R/W Per Monuments Ref. NCDOT Proj. #6.803143), which calculated point marks the northwest corner of that property, now or formerly, owned by Camden County (referencing Deed Book 168, Page 502, and Plat Cabinet 4, Slide 51A, of the Camden County Public Registry – PIN: 017989004936000000); thence cornering and running along the following courses and distances: running north-northwest along a curve (Curve Data: Radius is 3,635.72'; Delta is 20° 16' 20"; Tangent is 649.98'; Chord is 1,279.68'; and Direction is North 35° 09' 31" West) a distance of 1,286.38 feet to a R/W Monument; thence running North 23° 50' 05' West 191.67 feet to a R/W Monument, which R/W Monument marks the point of intersection of the eastern right of way margin of U.S. Highway 17 (R/W Per Monuments Ref. NCDOT Proj. #6.803143) with the southern right of way margin of Keeter Barn Road (S.R. 1226 – 60' R/W [referencing Plat Cabinet 5, Slide 53B, of the Camden County Public Registry]); thence cornering and running along the southern right of way margin of Keeter Barn Road (S.R. 1226 – 60' R/W [referencing Plat Cabinet 5, Slide 53B, of the Camden County Public Registry]) North 67° 08' 23" East 1,233.84 feet to the found iron and **POINT OF BEGINNING**, containing 41.751 acres, and being more particularly described and delineated on that plat entitled in part, "Boundary Survey For Banff F. Luther and Holly A. Luther," dated December 18, 2018, prepared by Paul J. Toti, Professional Land Surveyor, which plat is recorded in Plat Cabinet 8, Slide 159, of the Camden County Public Registry, and which plat is incorporated herein by reference.

STAFF REPORT

**UDO 2021-05-033
Zoning Map Amendment
For Keeter Barn Landing LLC.**

PROJECT INFORMATION

File Reference: 2021-05-033
Project Name: Keeter Barn Landing LLC.
Rezoning
PIN: 01-7080-00-30-7405-0000

Applicant: Keeter Barn Landing, LLC.
Address: 1545 North Road Street
Elizabeth city, NC 27909

Phone: 252-207-5027
Email: sales@sicarioproperties.com

Agent for Applicant: Same as Owner
Address:

Phone:
Fax:
Email:

Current Owner of Record:
Keeter Barn Landing LLC

Meeting Dates:
May 5, 2021 **Neighborhood Meeting**
June 16, 2021 **Planning Board Meeting**

Application Received: 5/25/2021
By: Amber Curling, Planning

Application Fee paid: \$970.00 Ck#: 10006

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included: (All Documents in Pkg)

- A.** Rezoning Application
- B.** Consent Letter
- C.** Site Plan
- D.** Deed
- E.** GIS Aerial, Current zoning, Comprehensive Plan Future Land Use and CAMA Land Use Plan Suitability Maps
- F.** Neighborhood Meeting Comments
- G.** Zoning Comparison VR & SR

REQUEST: Keeter Barn Landing, LLC is requesting a Zoning Map Amendment from Village Residential Zoning District to Suburban Residential Zoning District.

Proposed Use(s) – The proposed use is to develop into a subdivision. However, any use permitted for Suburban Residential in the UDO and Article 151.4.3.10 Principle Use Table will be allowed.

Description/History of property: The property is located in South Mills on the south east corner of Keeter Barn Road and US Hwy 17. The parcel ID number for the approximately 41.75 acres is 01-7080-00-30-7405-0000. The property is being used as farmland in the South Mills Township. The property was previously rezoned from Highway Commercial to Village Residential with UDO 2019-03-04 and Ordinance 2019-03-01. This application is to request rezoning of the property from the Village Residential Zoning District to Suburban Residential Zoning District.

Zoning Map Amendment from the Village Residential Zoning District:

Village Residential (VR) Purpose Statement (Article 151.3.5.6)

The Village Residential (VR) district is established to accommodate a wide range of residential and institutional use types at modest densities on lots within and adjacent to designated village centers. The district allows duplexes, live/work units, single-family attached, and single-family detached dwellings, but does not allow mobile homes, manufactured homes, or conservation subdivisions. As a means of creating compact, functional neighborhoods, the district also allows a wide variety of institutional uses, including community centers, day care, schools, assisted living, religious institutions, parks, and utilities. Lots served by public sewer may have reduced minimum lot sizes and building height is measured from the base flood elevation. District regulations are intended to support the County’s investment in infrastructure by encouraging the development of compact, vibrant neighborhoods with a variety of house sizes and types that are located in close proximity to complementary institutional uses. Low density development comprised of uniform building types or styles is discouraged.

Zoning Map Amendment to Suburban Residential Zoning District:

Suburban Residential (SR) Purpose Statement (Article 151.3.5.5)

The Suburban Residential (SR) district is the County’s primary district for suburban residential neighborhoods located along primary roadways, shoreline areas, and in locations bordering rural areas. The district has a one-acre minimum lot area requirement, which is the basic threshold size for lots with on-site wastewater systems. Use of the conservation subdivision configuration is optional for residential subdivisions. While the district allows single-family detached homes, mobile homes on individual lots are prohibited. Nonconforming mobile homes may remain but may not be expanded or replaced with another mobile home. The district accommodates equestrian uses, utilities, as well as various neighborhood-supporting institutional uses such as parks, schools, and public safety facilities. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the suburban nature of the district.

SITE DATA

Size of Lot: Approximately 41.75 acres
Flood Zone: X
Zoning District(s): Village Residential
Existing Land Uses: Farmland

Adjacent Zoning & Uses:

	North	South	East	West
Zoning	Rural Residential	Highway Commercial (HC)	Highway Commercial (HC)	NA
Use	Residential Lots	Residential Lots, Woods, Farmland	South Mills Fire Station	US 17 Highway

INFRASTRUCTURE & COMMUNITY FACILITIES

Water: Water lines are located adjacent to property
Sewer: Sewer lines are located adjacent to property
Fire District: South Mills Fire District.
Schools: Proposed zoning will have an impact on Schools.
Traffic: Proposed zoning will have impact on Traffic. A Traffic Impact Analysis

A Development Impact Analysis is required at preliminary plat development stage which includes:

- Physical Analysis
- Housing market Analysis
- Water & Sewer Impact Analysis
- Fiscal Analysis
- Traffic Analysis

Comprehensive Transportation Plan

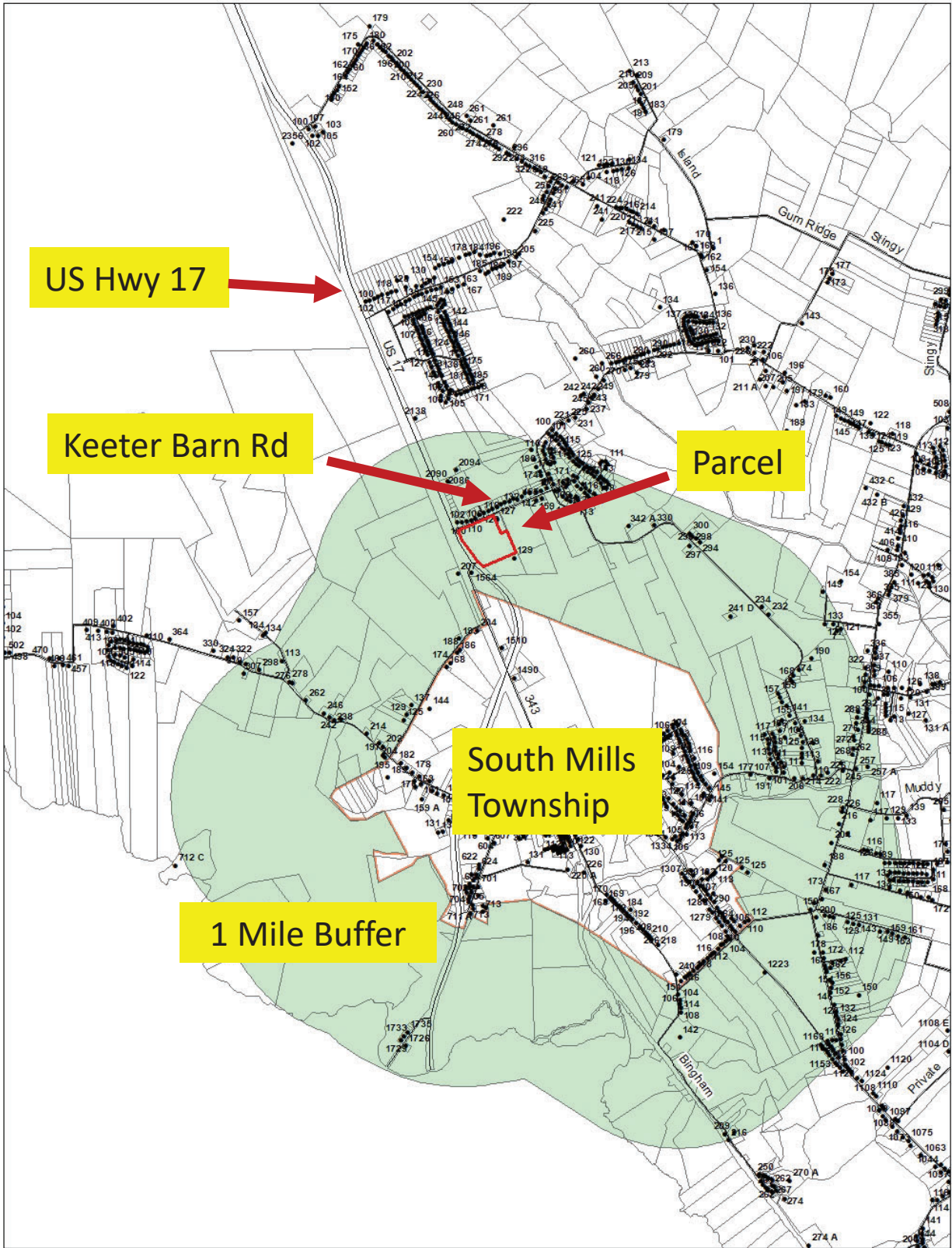
Consistent Inconsistent

Property abuts Keeter Barn Road and US Hwy 17

Other Plans officially adopted by the Board of Commissioners

NA

Vicinity Map:

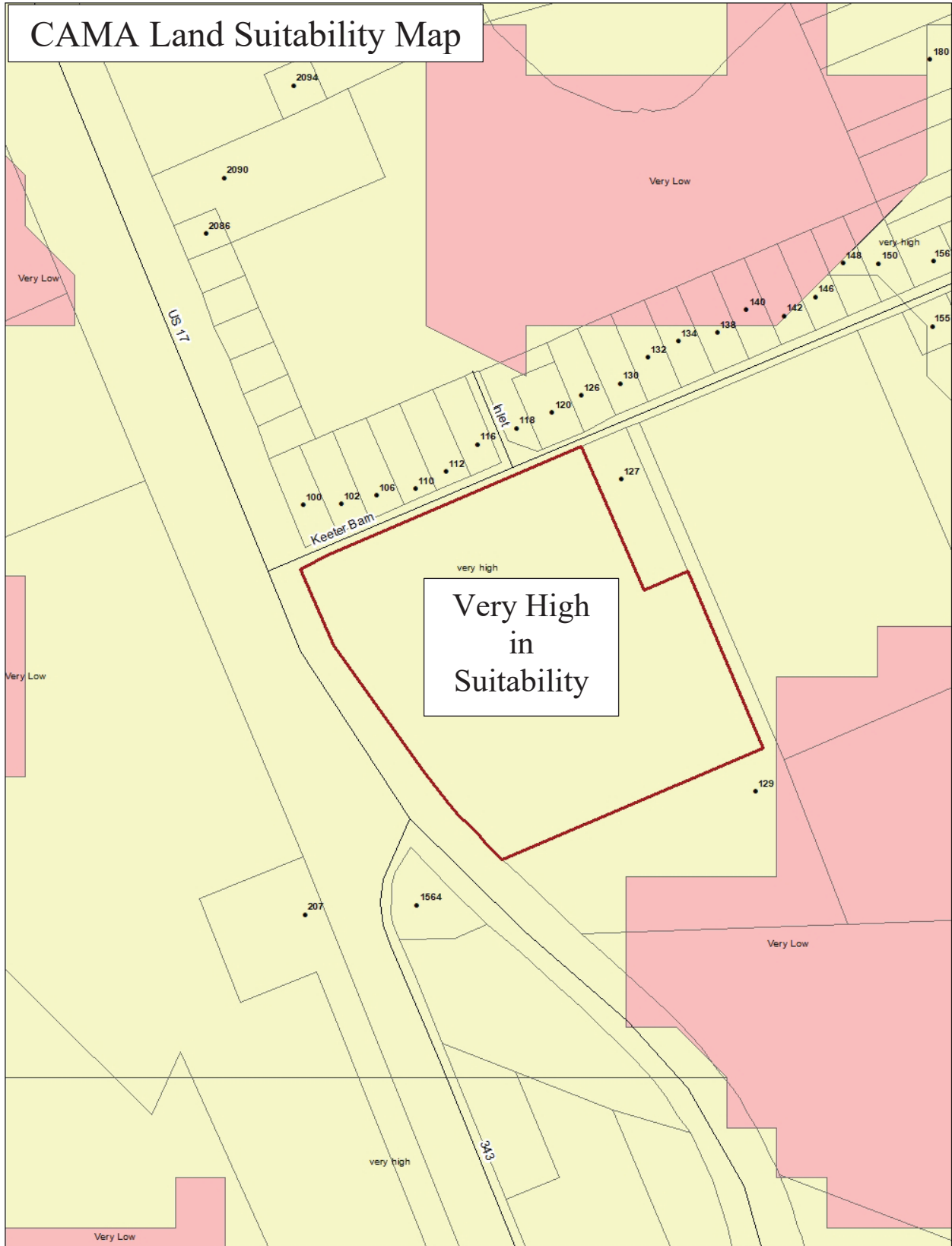


Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

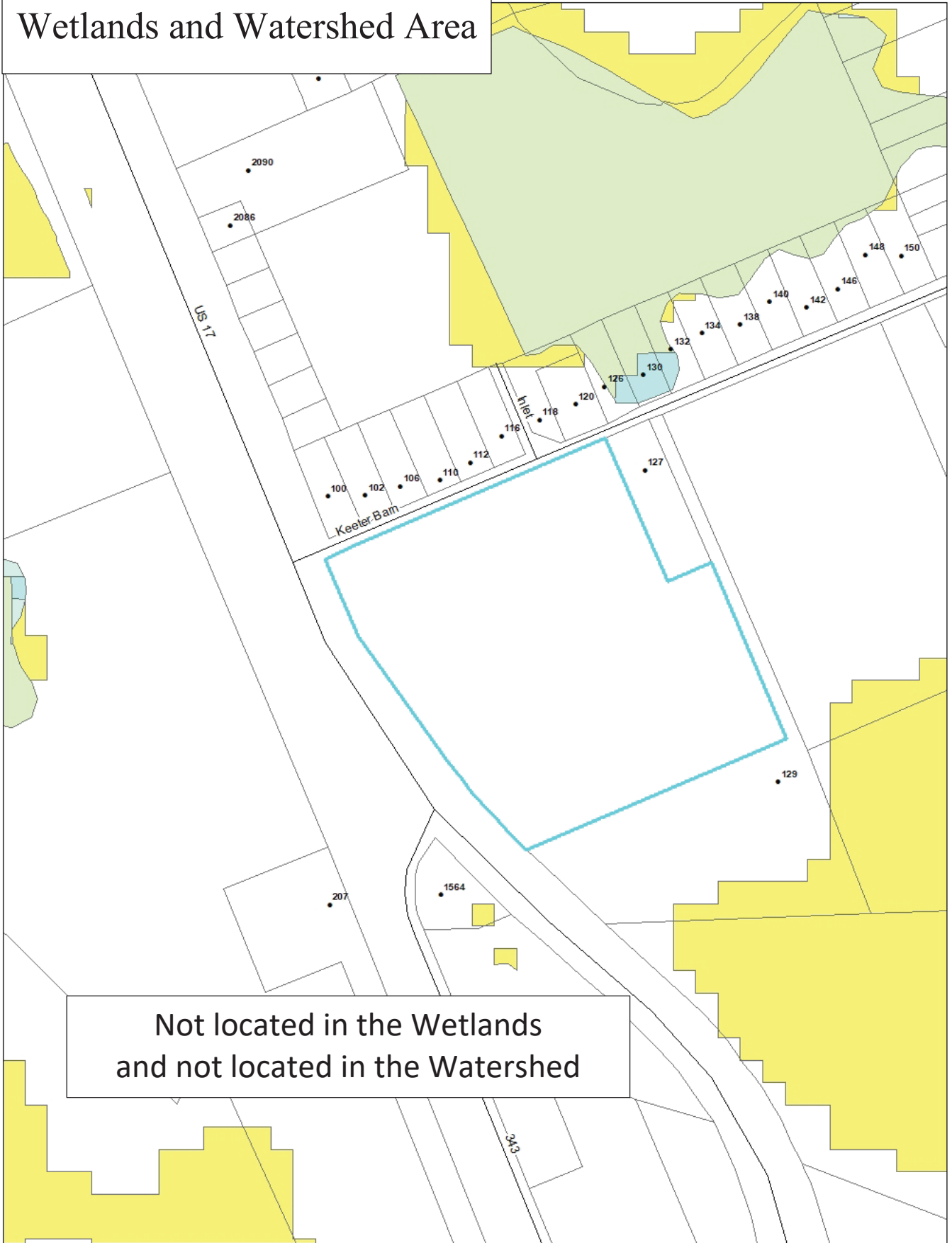
Zoning Map:



CAMA Land Suitability Map

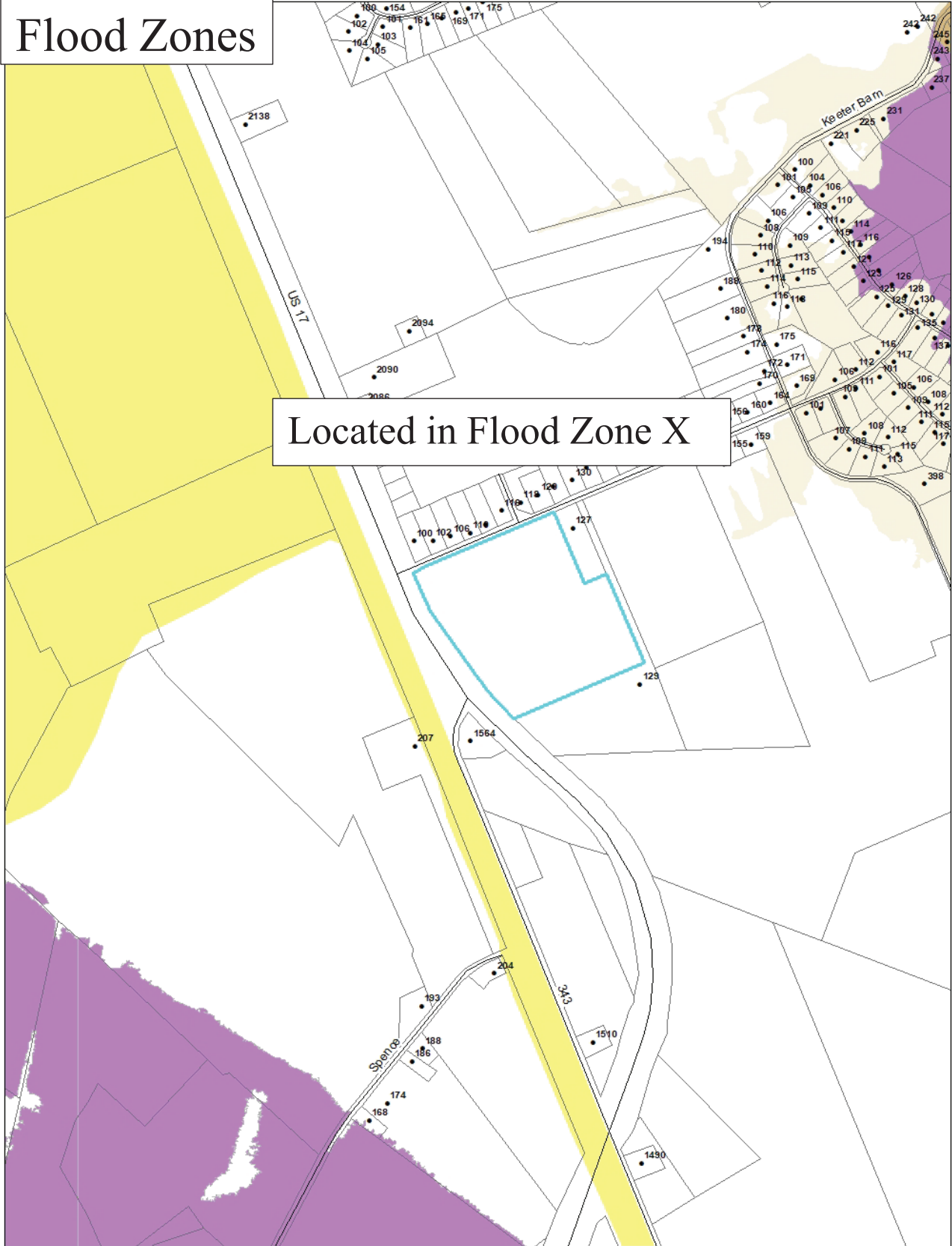


Wetlands and Watershed Area



Not located in the Wetlands
and not located in the Watershed

Flood Zones



Located in Flood Zone X

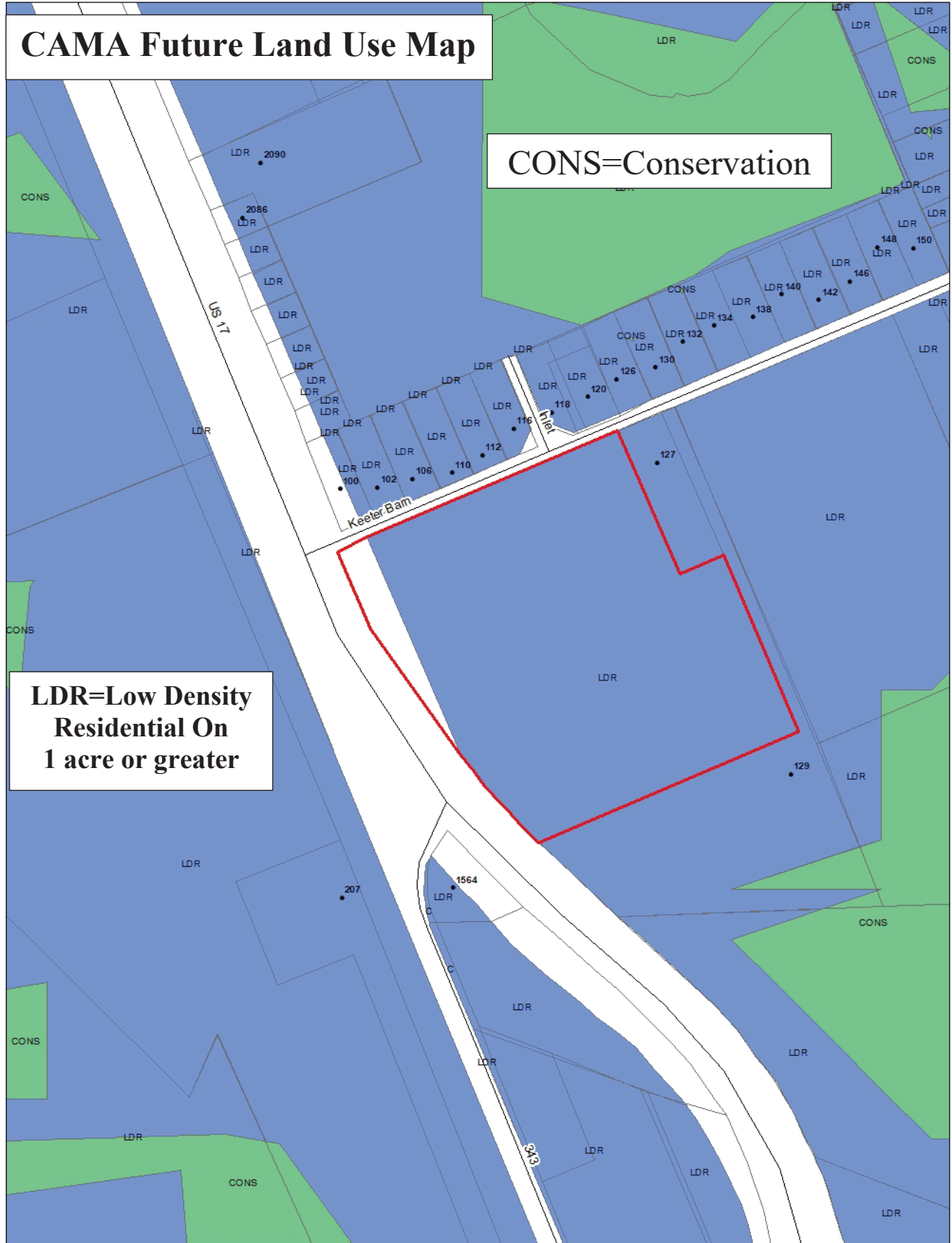
Drainage It appears the property drains to Joyce Creek. Stormwater Management Plan will be submitted with Development Plans

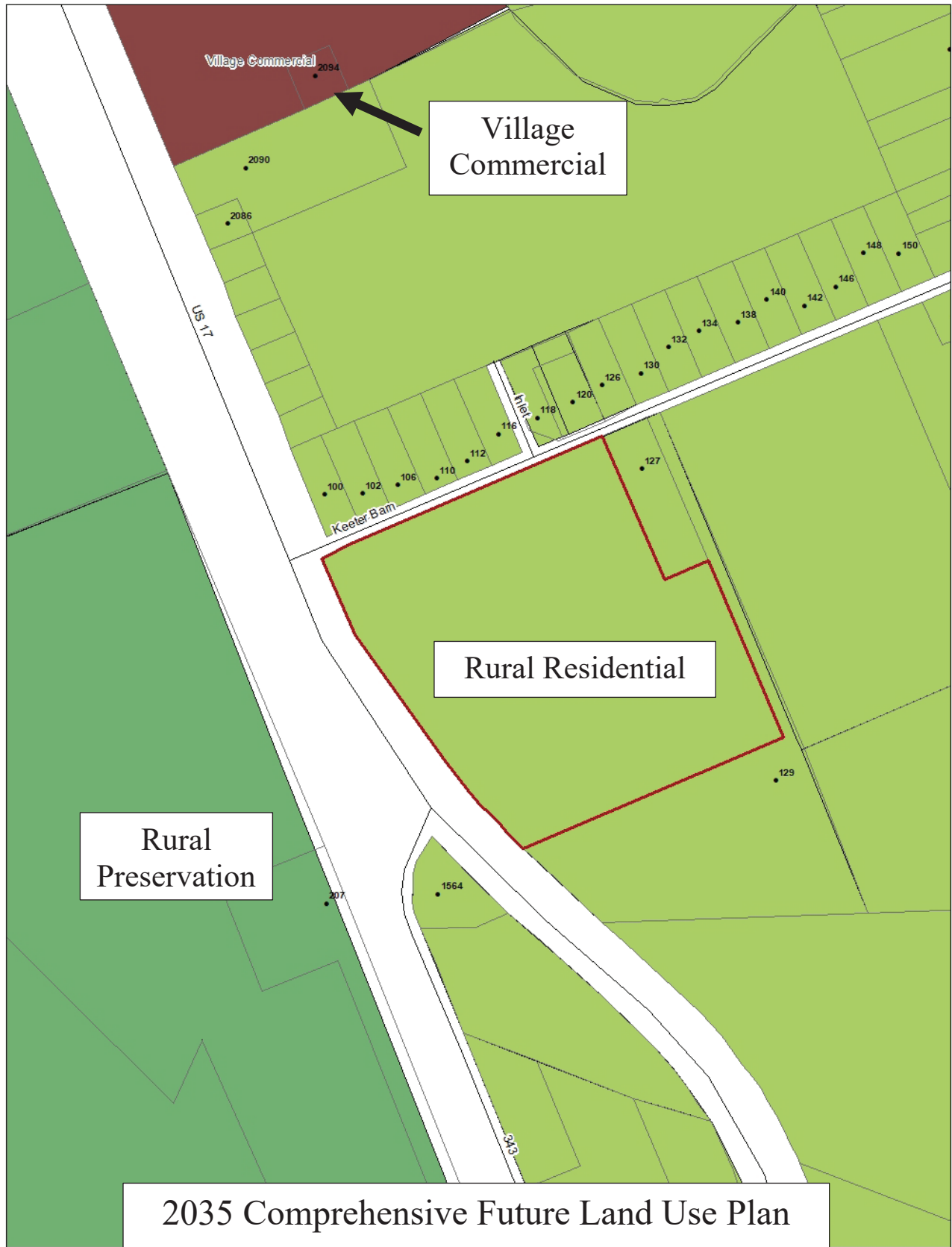


CAMA Future Land Use Map

CONS=Conservation

LDR=Low Density Residential On 1 acre or greater





Aerial Map



Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

Goal when Reviewing of Zoning Regulations in accordance with the Camden County Land Use Plans is to make sure the project is designed to:

- to lessen congestion in the streets;
- to secure safety from fire, panic, and other dangers;
- to promote health and the general welfare;
- to provide adequate light and air;
- to prevent the overcrowding of land;
- to avoid undue concentration of population; and
- to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements

SPECIFIC CAMA LAND USE QUESTIONS FOR THE PLANNING BOARD TO CONSIDER:

1. Does Camden County need more land in the zoning class requested?

In Camden County 0.63% is zoned Village Residential and 1.79% is zoned Suburban Residential. In the South Mills Township 0.35% is zoned Village Residential and 2.05% is zoned Suburban Residential.

2. Is there other land in the county that would be more appropriate for the proposed uses?

Suburban Residential would work well in many areas.

3. Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?

CAMA Future Land Use Map identifies the property as Low Density Residential

4. Will the request have serious impact on traffic circulation, parking space, sewer and water services, other utilities?

The proposed rezoning uses will not impact any public facilities more than current the zoning. The Preliminary Plat Application will require a Development Impact Statement. The Development Impact Statement is determined by the Physical Analysis, Housing Market Analysis Water Analysis, Sewer Analysis, Fiscal Analysis and Traffic Analysis.

5. Will the request have an impact on other county services, including police protection, fire protection or the school system?

The proposed rezoning uses will not impact any services more than current the zoning. The proposed zoning uses will have an impact on all public services. The specific service and to what extent the impact will be projected during the development approval process of the property, using recommendations from the Technical Review Committee.

6. Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?

All permitted uses in the requested zoning classification should not lessen the enjoyment or use of any adjacent properties.

7. Will the request, as proposed cause serious noise, odors, light, activity, or unusual disturbances?

All uses permitted in the requested zoning classification should not cause any serious noise, odors, light activity, or unusual disturbances.

8. Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?

The request does not raise serious legal questions.

9. Does the request impact any CAMA Areas of Environmental Concern?

No, the parcel of property in question does not include any areas of environmental concern.

Summary and Recommendations

CONSISTENCY with PLANS and MAPS

2035 Comprehensive Plan

Consistent Inconsistent

The County’s Comprehensive Future Land Use Map, adopted in 2012 by the Camden County Board of Commissioners, shows the property as identified as One to Two Acre Rural Residential. The Comprehensive Plan Rural Residential areas are intended to serve as a buffer between rural preservation areas and more intense development.

CAMA Land Use Plan Policies & Objectives:

Consistent Inconsistent

The proposed zoning change is consistent with the CAMA Land Use Plan, adopted by the Camden County Board of Commissioners on April 4, 2005. The CAMA Future Land Use Maps has the property identified as Conservation as Low Density Residential.

Planning Staff Recommendation:

Planning Staff recommends approval of the zoning map amendment application (UDO 2021- 05-33) of the Keeter Barn Landing LLC parcel on Keeter Barn Rd and US Hwy 17 from Village Residential to Suburban Residential.



1805 West City Drive
Unit E
Elizabeth City, NC 27909

P 252.621.5030
F 252.562.6974
www.timmons.com

April 20, 2021

RE: Proposed Rezoning

To Whom It May Concern:

You are receiving this notice because you own property near a parcel of land proposed for rezoning. The proposed rezoning will result in the parcel being rezoned from Village Residential to Suburban Residential.

A community meeting has been scheduled for Wednesday, May 5, 2021 at 6:00 pm in the upstairs courtroom of the Historic Camden County Courthouse. At the meeting, the project will be presented to the community and you will have an opportunity to provide comments to the applicant and Camden County.

If you are unable to attend the meeting or would like to discuss the project prior to the meeting, please feel free to contact me at the phone number above.

Sincerely,

Jason Mizelle, PLS

Parcel Proposed for Rezoning



HALE CATHERINE L
116 KEETER BARN ROAD
SOUTH MILLS NC 27976

BAKER JOHN LEE
100 KEETER BARN RD
SOUTH MILLS NC 27976 9527

MOSS CHARLES SR. &
ROSEBUD
110 KEETER BARN ROAD
SOUTH MILLS NC 27976

HAGLER GLENDA
112 KEETER BARN RD.
SOUTH MILLS NC 27976

CAMPBELL CHARLES
106 KEETER BARN RD
SOUTH MILLS NC 27976

MORRELL JOSEPH H JR
2413 MEIGGS ROAD
CHESAPEAKE VA 23323

NULL KENNETH R
130 KEETER BARN ROAD
SOUTH MILLS NC 27976

WILLIAMS WILLIAM F JR
225 CULPEPPER ROAD
SOUTH MILLS NC 27976

GUAIARDO GREGORY
102 KEETER BARN ROAD
SOUTH MILLS NC 27976

MCPHERSON C.L. HEIRS
P.O. BOX 86
SHILOH NC 27974

MULLEN H.T.
101 E ELIZABETH STREET
ELIZABETH CITY NC 27909

MULLEN HERBERT TAYLOR
101 E ELIZABETH STREET
ELIZABETH CITY NC 27909

STAFFORD KATHLEEN A.
104 GADWELL DR
CURRITUCK NC 27929

CAMDEN COUNTY
P.O. BOX 190
CAMDEN NC 27921

KEETER BARN LANDING LLC
1545 NORTH ROAD STREET
ELIZABETH CITY NC 27909



1805 West City Drive
Unit E
Elizabeth City, NC 27909

P 252.621.5030
F 252.562.6974
www.timmons.com

COMMUNITY MEETING REPORT FOR KEETER BARN LANDING

Project: Rezoning 41.75-Acres on Keeter Barn Road
Facilitator: Jason Mizelle – Timmons Group
Date & Time: May 5, 2021 @ 6:00 PM
Location: Historic Camden Court House

In preparation for the Community Meeting, sixteen notices were mailed out notifying the adjoining property owners & the County Staff about the meeting. No Camden residents or County Staff attended. In attendance was Jason Mizelle of Timmons Group and Joey Coppersmith of Keeter Barn Landing (applicant). We waited until 7pm to make sure no one came in late. Since no residents attended, there was no presentation.

We did receive one phone call prior to the meeting on Monday, April 26th from Mr. Jerry Hagler of 112 Keeter Barn Road. Mr. Hagler inquired about what the rezoning was for. I relayed to him that that the purpose was to “down-zone” the property to a less dense, more applicable zoning that would promote a conservation subdivision. Mr. Hagler expressed his desire to see something commercially oriented on the property, but also relayed concerns over traffic. I let hm know that the proposed rezoning would not enable commercial development, but it would greatly lessen the potential traffic impact that either a commercial business or a larger, more dense subdivision might create. We briefly discussed drainage within the Keeter Barn Road area and what we had observed during the November 12th storm event (10yr event) and how that played a role in our determination to seek a rezoning. Mr. Hagler had no further questions.

No other inquiries were made from residents by phone or email.

Respectfully submitted,

Jason A. Mizelle, PLS
Timmons Group

Cc Camden County Planning

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)



Timmons Group Sign-In Sheet
 Camden County Community Meeting
 Keeter Barn Landing Subdivision
 May 5, 2021
 6: 00PM

Name (Printed)	Phone Number	Email	Address
Jason Mizelle (TIMMONS GROUP)	252-621-5028	jason.mizelle@timmons.com	1805 W. City Dr., UNIT 6, BURLINGAME
Joey Eggersmith (Keeter Barn Land)	252-207-5027	sales@sicarioproperties.com	P.O. Box 176, Moyock, NC 27958

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
Agricultural			
AGRICULTURE/HORTICULTURE			
<p>The Agriculture/Horticulture Use Category is characterized by general agricultural activities taking place on lands that are not bona fide farms in as identified in Section 1.5.4, Exemptions. The range of uses includes the cultivation and production of orchard, garden, or nursery crops on a small or large scale, the production of field grown crops, specialty crops, flowers, fruit, grapes, market gardening, nursery stock, nuts, ornamental plants, sod, vegetables, and similar horticultural uses. The use category also includes agronomy, biotechnical agriculture (including education parks for biotechnical agriculture or a demonstration farm), and similar uses, but does not include the keeping of livestock or other animal husbandry uses. Accessory uses may include offices, storage areas, and repair facilities related to agriculture uses.</p>			
<p><i>All Agriculture/ Horticulture Uses</i> <i>See use category definition.</i></p>			P
ANIMAL HUSBANDRY			
<p>The Animal Husbandry Use Category is characterized by the commercial and non-commercial propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals. Examples of Animal Husbandry Use Types include the raising and production of cattle (beef and dairy), pigs, mules, ducks, horses, goats, poultry, sheep, and similar livestock or domesticated animals. Animal husbandry also includes commercial apiaries, aquaculture, and fisheries. Breeding and rearing of animals typically thought of as household pets (e.g., dogs, cats, small rodents, etc.) is not animal husbandry.</p>			
<p><i>Animal Husbandry Uses (excluding stockyards and slaughterhouses)</i> <i>See use category definition.</i></p>			
<p><i>Stockyard/Slaughterhouse</i> <i>A site where livestock is stored and butchered for food or products.</i></p>			
AGRICULTURAL SUPPORT			
<p>The Agricultural Support Use Category includes use types that provide support and services to uses directly engaged in agricultural, horticultural, and animal husbandry activities. Agricultural support uses are related to agricultural activities, but may not be proximate to or directly involved with agricultural production.</p>			
<p><i>Agricultural Research Facility</i> <i>A facility for the investigation, testing, and demonstration of agricultural products and processes, including biotechnical agriculture, veterinary, soil, plant, and animal sciences.</i></p>			
<p><i>Agri-Education/ Agri-Entertainment</i> <i>Agri-education facilities are used for the investigation, testing, or demonstration of, or for training or educating persons in, products and processes related to agriculture, horticulture, or animal husbandry, including biotechnical agriculture, veterinary, soil, plant, and animal sciences. Agri-entertainment events and activities allow for recreation, entertainment and tourism in conjunction with an agricultural use. Examples include wineries, petting zoos, hay rides, and corn mazes.</i></p>			
<p><i>Distribution Hub for Agriculture Products</i> <i>A commercial establishment where farmers can deliver agricultural products for pick-up by wholesalers or firms involved in processing of agricultural products, but not delivery directly to consumers.</i></p>			
<p><i>Equestrian Facility</i> <i>A facility associated with the keeping of horses or ponies as domesticated animals or pets. Such uses include stalls, feeding areas, paddocks, haylofts, corrals, and other similar outdoor exercise/instruction/performance areas.</i></p>			S
<p><i>Farm Machinery Sales, Rental, or Service</i> <i>An establishment engaged in the sale, rental, and/or service of equipment normally or routinely used on farms and in gardens, and related parts, tools and accessories, but not non-farm equipment or materials.</i></p>			

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Farmers Market</i> A use which includes the sale of horticulture or agriculture products, including nursery stock, perennial, annuals, bulbs, mulch, compost, dried flowers, Christmas trees and greens, fresh produce, honey, cider, and similar agriculture products by more than one vendor. The use may or may not include a permanent building.</p>			
<p><i>Roadside Market</i> A permanent retail establishment engaged in the retail sale or resale of agricultural products and seafood produced on site or in adjacent waters.</p>			

Residential

HOUSEHOLD LIVING USES

Household living includes use types that provide for the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Accessory uses commonly associated with household living are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles.

<p><i>Bungalow Court</i> A series of between two and 12 single-family detached homes configured as a cohesive development that incorporates smaller lot sizes, reduced setbacks, shared access-ways, and where each home complies with the residential design guidelines in this Ordinance.</p>		P	
<p><i>Duplex</i> A single structure comprised of two dwelling units that share common vertical walls or horizontal floors/ceilings. The dwelling units may be on their own lots or on a single lot.</p>		P	
<p><i>Live/Work Dwelling</i> A structure or portion of a structure combining a dwelling unit with an integrated nonresidential ground-level workspace typically used by one or more residents of the dwelling.</p>		P	
<p><i>Manufactured Home - Const After 6-15-1976</i> A dwelling on its own lot constructed after June 15, 1976 that is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported on its own chassis. It bears a valid seal indicating conformance with the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of its construction.</p>			
<p><i>Manufactured Home or Mobile Home Park</i> A site where two or more manufactured or mobile homes are located on individual leaseholds or other divisions of land under common ownership. The park may include additional accessory uses such as recreation facilities, shared laundry facilities, storage, and parking.</p>			
<p><i>Mobile Home - Const Prior to 6-15-1976</i> A factory-built dwelling on its own lot constructed prior to June 15, 1976, to State code standards, not those adopted by the US Department of Housing and Development on June 15, 1976.</p>			
<p><i>Multi-Family</i> A dwelling comprised of five or more dwelling units that share common vertical walls or horizontal floors/ceilings (or both) that are not on individual lots. Examples include apartments and condominiums.</p>			
<p><i>Pocket Neighborhood</i> A cohesive development of at least four but no more than 12 single-family detached dwellings, each on their own lot, located around a common open space and served by either on-street, on-site, or shared off-street parking. Each home fronts the common open space, and is configured with a front porch and windows on the front facade.</p>		P	
<p><i>Quadraplex</i> A single structure comprised of four individual dwelling units that share common vertical walls or horizontal floors/ceilings located on a single lot.</p>			

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Single-Family Attached</i> A dwelling unit that is physically attached to one or more dwelling units, each on its own lot. Individual lots may or may not be surrounded by a larger tract that incorporates shared parking, recreation feature, or access. The larger tract may or may not be owned in common by the landowners of individual lots. Examples include townhouses, patio homes, and row houses.</p>	S	
<p><i>Single-Family Detached</i> A dwelling containing one dwelling unit that is occupied by one family and that is not physically attached to any other principal structure on an individual lot. This term includes modular homes. For regulatory purposes, this term does not include manufactured dwellings, recreational vehicles, or other forms of temporary or portable housing.</p>	P	P
<p><i>Triplex</i> A single structure comprised of three dwelling units that share common vertical walls or horizontal floors/ceilings located on a single lot.</p>		
<p><i>Upper Story Residential</i> A dwelling unit located on a floor above a nonresidential use.</p>		
<p>GROUP LIVING Group Living includes use types that provide for the residential occupancy of a building by a group. The occupancy of the building may be larger than found in Household Living. Tenancy is arranged on a monthly or longer basis. Generally, group living development has a common eating area for residents. The residents may receive care, training, or treatment. Accessory uses may include recreational facilities, dining facilities, and parking of vehicles for occupants and staff.</p>		
<p><i>Dormitory</i> A residential facility established directly or indirectly in association with a college, business college, trade school, or university for the purpose of housing students registered and attending the institution. Typically, it includes bedrooms with shared bathrooms and other shared living spaces. A private dormitory may contain food preparation and eating facilities primarily for the use of its occupants.</p>		
<p><i>Family Care Home</i> A home for six or fewer persons that provides room and board, personal care, and habilitation services in a family environment for the residents, who have a temporary or permanent physical, emotional, or mental disability (including, but not limited to, mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments, but not including mentally ill persons who are dangerous to others as defined in North Carolina General Statutes Section 122C-3(11)b.)</p>	P	P
<p><i>Group Home</i> A home for seven or more persons that provides room and board, personal care, and habilitation services for the residents, who have a temporary or permanent physical, emotional, or mental disability.</p>		
<p><i>Rooming House</i> A dwelling that provides rental accommodations to tenants in up to five individual rooms for periods of one week or longer. The dwelling is accessed by a shared entry with a common kitchen. Meals may be provided to the tenants.</p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
Institutional			
COMMUNITY SERVICES			
<p>The Community Services Use Category includes use types of a public, charitable, non-profit, or for-profit nature that provide a local service to people of the community. Generally, such uses provide ongoing continued service on-site or have employees at the site on a regular basis. Community centers or facilities that have membership provisions that are open to the general public (for instance, any senior citizen could join a senior center) are included in the Community Services Use Category. The use type may provide special counseling, education, or training of a public, nonprofit, or charitable nature. Accessory uses may include offices, meeting, food preparation, parking, health, and therapy areas; and athletic facilities. Parks are not considered Community Services; they are classified as Parks and Open Areas.</p>			
<i>Community Center</i> <i>A public building to be used as a place of meeting, recreation, or social activity and not operated for profit.</i>		S	
<i>Cultural Facility</i> <i>Establishments such as zoological gardens, conservatories, planetariums, or other similar uses of an historic, educational, or cultural interest, which are not operated for profit.</i>		S	
<i>Library</i> <i>A public facility for the use, but not sale, of literary, historical, scientific, musical, artistic, or other reference materials.</i>			
<i>Museum</i> <i>A building serving as a repository for a collection of natural, scientific, historical, or literary curiosities or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the limited retail sale of goods, services, or products such as prepared food to the public.</i>			
<i>Senior Center</i> <i>A facility typically for use by citizens of 62 years of age, or older, dedicated to the provision of services, activities, or facilitation of interaction between older citizens and the community at large. Such centers may be publicly or privately-owned, but are not operated for a profit.</i>		P	
<i>Youth Club Facility</i> <i>A boys' club, a girls' club, or any other non-profit facility that is not a school but which provides entertainment, recreation, crafts, tutorials or other quality of life enhancements for minors.</i>		S	
DAY CARE			
<p>The Day Care Use Category is characterized by use types that provide care, protection, and supervision for children or adults on a regular basis away from their primary residence, and typically for less than 24 hours per day. Care can be provided during daytime or nighttime hours. Accessory uses include offices, food preparation, recreation areas, and parking. The Day Care Use Category does not include incidental child care within a primary residence, drop-in or short term day care provided in connection with employment or shopping center, recreational facility, religious institution, hotel, or other principal use, where children are temporarily cared for while parents or guardians are employed part-time or temporarily occupied on the premises or in the immediate vicinity.</p>			
<i>Adult Day Care Center</i> <i>A program operated in a structure other than a single-family dwelling that provides group care and supervision on a less than 24-hour basis, and in a place other than their usual place of abode, to adults 18 years or older who may be physically or mentally disabled, and which is certified or approved to operate by the State of North Carolina.</i>		S	

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Child Care Center</i> A commercial or non-profit use licensed by the State where, at any one time, three or more children under the age of 13 receive child care in a building other than a residence on a regular basis from persons other than their guardians, full-time custodians, or persons related to them by blood, marriage, or adoption. Such uses may also involve the provision of educational services in preparation for elementary school. This definition does not include incidental child care, cooperative arrangements among parents, or drop-in or short-term child care provided while parents work part-time or participate in other activities on the premises.</p>	P	
<p>EDUCATIONAL FACILITIES</p> <p>The Educational Facilities Use Category includes use types such as public and private schools at the elementary, middle, or high school level that provide state-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification. Accessory uses at schools include offices, play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care. Accessory uses at colleges or universities include offices, dormitories, food service, laboratories, health and sports facilities, theaters, meeting areas, athletic fields, parking, maintenance facilities, and supporting commercial.</p>		
<p><i>Major</i> A public or private institution for post-secondary education operating in buildings owned or leased by the institution and engaged in classroom instruction, residential units, administrative offices, and other functions which further the educational mission of the institution.</p>		
<p><i>Moderate</i> An educational institution that provides secondary education such as a high school or a middle school. Accessory uses may include offices, play areas, cafeterias, sports facilities, and bus parking areas.</p>	S	
<p><i>Minor</i> An educational institution that provides elementary education such as an elementary or nursery school as well as a small-scale secondary education facility limited to 75 students or less. Accessory uses may include offices, play areas, cafeterias, sports facilities, and bus parking areas.</p>	P	S
<p>GOVERNMENT FACILITIES</p> <p>The Government Facilities Use Category includes use types that provide for the general operations and functions of local, state, or federal governments. Accessory uses include maintenance, storage (indoor and outdoor), fueling facilities, satellite offices, and parking areas.</p>		
<p><i>Government Office</i> An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to, employment offices, public assistance offices, or motor vehicle licensing and registration services.</p>		
<p><i>Government Maintenance, Storage, or Distribution Facility</i> A facility housing government shops, maintenance and repair centers, equipment, and outdoor storage yards.</p>		
<p>HEALTH CARE FACILITIES</p> <p>The Health Care Facilities Use Category includes use types that provide medical or surgical care and treatment to patients as well as laboratory services. Hospitals and medical treatment facilities offer overnight care, as well as outpatient care. Accessory uses include offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities, housing for staff or trainees, and limited accommodations for family members. The Health Care Facilities Use Category does not include: Uses that involve provision of residential care for the elderly or disabled, which are classified as Institutions; or Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol, or drug problems, where patients are residents and participants in a program, which are considered Institutions.</p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Drug or Alcohol Treatment Facility</i> Inpatient facility which provides care for persons with drug and/or alcohol dependency problems and which may include outpatient follow-up care to the facility's patients.</p>		
<p><i>Hospital</i> An institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to human patients and injured persons, that is licensed by state law to provide facilities and services in surgery, obstetrics, or general medical practice. Such institutions may include in-patient medical or surgical care for the sick or injured and related facilities such as laboratories, out-patient departments, training facilities, central services facilities, and staff offices that are an integral part of the facilities.</p>		
<p><i>Medical Treatment Facility</i> A small-scale facility which may or may not be located in a converted dwelling or residence where patients are admitted for examination and treatment by one or more physicians, dentists or psychologists. Patients may or may not receive care or lodging overnight. Such facilities may include sleeping rooms for care workers and members of patient's families.</p>	S	
<p>INSTITUTIONS The Institutions Use Category includes use types that provide a variety of facilities, including buildings that provide meeting areas for religious activities, civic or fraternal club activities, housing and care for the elderly, and housing related to treatment programs or post-incarceration. Accessory uses include school facilities, limited medical treatment facilities, kitchens/cafeterias, recreation areas, offices, meeting rooms, parking, and staff residences.</p>		
<p><i>Assisted Living Facility</i> A building, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, health care assistance, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or proprietor. Accessory uses may include dining rooms and infirmary facilities for intermediate or skilled nursing care solely for the use of the occupants residing in the principal facility.</p>	S	
<p><i>Club or Lodge</i> A building and related facilities owned and operated by a corporation, association, or group of individuals established for fraternal, social, educational, recreational, or cultural enrichment of its members and primarily not for profit, and whose members meet certain prescribed qualifications for membership and pay dues.</p>	S	
<p><i>Halfway House</i> A licensed home for not more than nine juveniles or adult persons on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling is provided to assist residents back into society, enabling them to live independently.</p>		
<p><i>Nursing Home</i> Any facility or any identifiable component of any facility in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of two or more non-related individuals, including facilities known by varying nomenclature or designation such as rest homes, convalescent homes, skilled care facilities, intermediate care facilities, extended care facilities and infirmaries. This does not include the home or residence of any individual who cares for or maintains only persons related to him or her by blood or marriage.</p>		
<p><i>Psychiatric Treatment Facility</i> Inpatient facility which provides care for persons with psychiatric problems and which may include outpatient follow-up care to the facility's patients.</p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Religious Institution</i> A structure or place in which worship, ceremonies, rituals, and education are held, together with its accessory buildings and uses (including buildings used for educational and recreational activities), operated, maintained, and controlled under the direction of a religious group. Religious institutions include churches, mosques, synagogues, and temples. Accessory uses may include school facilities, parking, caretaker's housing, pastor's housing, and group living facilities such as convents.</p>	S	
<p>PARKS AND OPEN AREAS The Parks and Open Areas Use Category includes use types that focus on open space areas largely devoted to vegetative landscaping or outdoor recreation and that tend to have few structures. Accessory uses may include club houses, restrooms, recreational structures, statuary, fountains, maintenance facilities, concessions, parking, and columbaria and mausoleums (as accessory to cemeteries). The Parks and Open Areas Use Category does not include private golf courses; they are classified as Recreation/Entertainment, Outdoor.</p>		
<p><i>Cemetery</i> Institutional or for profit uses intended for the burial of the dead and dedicated for cemetery purposes. This use type may include a mausoleum or columbarium (a structure or vault lined with recesses for cinerary urns), but does not include a crematory or a private cemetery.</p>	S	S
<p><i>Community Garden</i> A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person.</p>	P	P
<p><i>Park, Public or Private</i> Land used for recreation, exercise, sports, education, rehabilitation, or similar activities, or a land area intended to enhance the enjoyment of natural features or natural beauty, specifically excluding commercially operated amusement parks.</p>	P	S
<p>PUBLIC SAFETY The Public Safety Use Category is characterized by use types that provide public safety services to the general public.</p>		
<p><i>Police, Fire, or EMS Facility</i> A facility for the provision of local rapid response emergency services such as firefighting and mobile medical emergency services, including areas for the storage and maintenance of emergency vehicles, and equipment and facilities for the housing and feeding of emergency personnel while on duty.</p>	S	S
<p><i>Correctional Facility</i> A facility for persons serving a sentence after being found guilty of a criminal offense. Such uses may include cafeterias, housing for facility staff, outdoor storage and maintenance areas, recreational areas, agricultural facilities, and facilities for the production of goods or materials produced for sale.</p>		
<p><i>Security Training Facility</i> A facility located on at least 3,500 contiguous acres which provides the following services; explosives training, driver training (including vehicle maintenance facility to support driver training activities), training operations utilizing fixed and rotary wing aircraft (including parachute operations and training, airstrip and supporting aviation structures, and parachute landing zones), towers that are 100' tall or less that are used in connection with security training, dining facilities, commercial retail and lodging areas, and office, clerical, research and services related to security training operations and services.</p>		
<p>TRANSPORTATION The Transportation Use Category includes use types that provide for the landing and takeoff of airplanes and helicopters, including loading and unloading areas. This use category also includes passenger terminals for surface transportation. Accessory uses include freight handling areas, concessions, offices, parking, maintenance, and fueling facilities. Transit route facilities such as bus stops, bus shelters, and park-and-ride facilities are classified as Utilities.</p>		
<p><i>Airport</i> Any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.</p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<i>Helicopter Landing Facility</i> <i>An area, either on ground level or elevated on a structure, licensed or approved for the landing and takeoff of helicopters and which may include auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.</i>			
<i>Passenger Terminal, Surface Transportation</i> <i>A facility that receives and discharges passengers and at which facilities and equipment required for their operation are provided. Examples include terminals for bus, trolley, taxi, railroad, shuttle van, or other similar vehicular services.</i>			
UTILITIES The Utilities Use Category includes both major utilities, which are infrastructure services that provide regional or community-wide service, and minor utilities, which are infrastructure services that need to be located in or near the neighborhood or use type where the service is provided. Wireless telecommunications towers also are a type of utility. Services may be publicly or privately provided. Accessory uses may include parking and control, offices, monitoring, storage areas, or data transmission equipment. Landfills, recycling and salvage centers, and waste composing uses are considered Waste-Related Services.			
<i>Utility, Major</i> <i>Infrastructure services providing regional or community-wide service that normally entail the construction of new buildings or structures such as water towers, waste treatment plants, potable water treatment plants, solid waste facilities, wind energy conversion systems, and electrical substations.</i>		S	S
<i>Utility, Minor</i> <i>Infrastructure services that need to be located in or near the neighborhood or use type where the service is provided. Examples of Minor Utilities include water and sewage pump stations, storm water retention and detention facilities, telephone exchanges, and surface transportation uses such as park-and-ride facilities.</i>		P	P
Commercial			
ADULT AND SEXUALLY-ORIENTED BUSINESSES (See Chapter 154 of the Camden County Code of Ordinances for definitions).			
<i>All Adult and Sexually-Oriented Businesses</i> <i>(See Chapter 154 of the Camden County Code of Ordinances for definitions.)</i>			
ANIMAL CARE The Animal Sales, Services, and Care Use Category is characterized by uses related to the provision of medical services and treatment to animals, including veterinary services, animal hospitals and the boarding of animals related to the provision of these services. Examples include animal shelters, animal grooming, kennels (outdoor and indoor), animal hospitals, and veterinary clinics.			
<i>Major</i> <i>Animal care uses that include outdoor kennels, runs, or exercise areas.</i>			
<i>Minor</i> <i>Animal care uses that do not include outdoor kennels, runs, or exercise areas.</i>			
EATING ESTABLISHMENTS The Eating Establishments Use Category includes use types that prepare and sell food and beverages for immediate or direct on- or off-premise consumption. Accessory uses may include bars or cocktail lounges associated with the establishment, decks and patios for outdoor seating, drive-through facilities, facilities for live entertainment or dancing, customer and employee parking areas, and valet parking facilities.			
<i>Restaurant, Major</i> <i>An eating establishment that sells alcohol for on-site consumption or includes a drive-through.</i>			

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<i>Restaurant, Minor</i> <i>An eating establishment that does not sell alcohol or includes a drive-through.</i>		
<i>Bar, Nightclub, or Dance Hall</i> <i>An establishment primarily devoted to the sale of alcoholic beverages for on-site consumption, where the sale of food is incidental. Activities may include dancing or other forms of entertainment (including live performances that are not considered adult entertainment uses) such as billiard tables, darts, and karaoke.</i>		
OFFICES The Office Use Category includes use types that provide for activities that are conducted in an office setting and generally focus on business, professional, or financial services. Accessory uses may include cafeterias, day care facilities, recreational or fitness facilities, parking, supporting commercial, or other amenities primarily for the use of employees in the business or building. Example use types include business and sales offices (such as lenders, banks, brokerage houses, tax preparers, and real estate agents), and professional services (such as doctors, lawyers, accountants, engineers, or architects).		
<i>Major</i> <i>An office use of 3,000 square feet of floor area or more, or where clients or patrons regularly receive services on-site.</i>		
<i>Minor</i> <i>An office use of less than 3,000 square feet of floor area or where clients or patrons do not receive services on-site.</i>		
PARKING, COMMERCIAL The Commercial Parking Use Category includes use types that provide free-standing parking lots and structures that are not accessory to a specific principal use. A fee may or may not be charged. A parking facility that provides both accessory parking for a specific principal use and regular fee parking for people not connected to the principal use is also classified as Commercial Parking. Accessory uses may include small shelters for parking attendants.		
<i>All</i> <i>See use category definition.</i>		
PERSONAL SERVICES An establishment meeting frequent or recurrent service needs of a personal nature, including the repair of small personal items such as shoes, watches, jewelry, and clothing. Examples include laundromats, massage therapy and day spas, laundry and dry-cleaning pick-up and drop-off establishments, banks, savings and loans, credit unions, photography studios, funeral homes and crematoriums, mailing or packaging services, photocopy services, screen printer, barber/beauty shops, and tanning and nail salons.		
<i>Major</i> <i>A personal services establishment with 1,500 square feet of floor area or more.</i>		
<i>Minor</i> <i>A personal services establishment with less than 1,500 square feet of floor area.</i>		
RECREATION/ENTERTAINMENT, INDOOR The Indoor Recreation/Entertainment Use Category includes use types that are privately owned and provide recreation or entertainment activities in an enclosed structure or structures. Accessory uses may include offices, concessions, snack bars, parking, and maintenance facilities. Example use types include country clubs, indoor commercial recreation uses (including bowling alleys, game rooms, dancehalls, and skating rinks), and theaters (including cinemas, screening rooms, and stages).		
<i>Major</i> <i>Indoor recreation/entertainment uses with 2,500 square feet of floor area or more, or where the use is expected to generate more than 200 vehicle trips per day according to the Institute of Transportation Engineer's most recent trip generation rate manual.</i>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Minor</i> Indoor recreation/entertainment uses with less than 2,500 square feet of floor area, or where the use is expected to generate less than 200 vehicle trips per day according to the Institute of Transportation Engineer's most recent trip generation rate manual.</p>		
<p>RECREATION/ENTERTAINMENT, OUTDOOR The Outdoor Recreation/Entertainment Use Category includes use types that are large, generally commercial, and provide continuous recreation or entertainment-oriented activities that primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting. Accessory uses may include concessions, parking, and maintenance facilities. Example use types include privately-owned arenas, amphitheaters, or stadiums, outdoor commercial recreation uses (including private golf driving ranges and privately-owned miniature golf facilities; go-cart racing; race tracks; drive-in movie theaters; privately-owned outdoor commercial tourist attractions; and privately-owned active sports facilities such as ball fields, courts, and archery ranges), athletic facilities, private golf courses, and outdoor swimming pools (private).</p>		
<p><i>Major</i> Outdoor recreation/entertainment uses that involve the operation of machinery by patrons or that have the potential to generate significant amounts of noise while in operation.</p>		
<p><i>Minor</i> Outdoor recreation/entertainment uses do not involve the operation of machinery by patrons or that do not have the potential to generate significant amounts of noise while in operation. Uses engaged in the discharge of firearms are firing ranges.</p>		
<p><i>Firing Range</i> A commercial establishment configured for the purpose of shooting at targets by rifles, pistols, shot guns, or archery. Firing ranges do not include uses with hunting leases or involved in the operation of air rifles (e.g., paintball establishments). Accessory uses include a club house, ammunition sales, and repair services.</p>		
<p><i>Water-Related Uses</i> Commercial establishments engaged in providing access to waterways for persons and equipment for the purposes of leisure pursuits. Water-related uses also include marinas. Boat slips and boat ramps that are publically owned are Recreation and Open Area uses.</p>		
<p>RETAIL SALES The Retail Sales Use Category includes use types involved in the sale, lease, or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale, concessions, ATM machines, outdoor display/sales areas, gasoline sales, and parking. Use types within this use category have been categorized based on their intensity, scale, and function.</p>		
<p><i>Flea Market</i> A market held in an open area or structure where individual sellers offer goods for sale to the public. Such sellers may set up temporary stalls or tables for the sale of their products. Such sales may involve new and/or used items and may include the sale of fruits, vegetables, and other edible items. A farmer's market, where food items predominate, is different than a flea market. This also differs from a garage sale or yard sale that is conducted on a residentially developed lot by members of a household, or civic groups selling primarily donated items.</p>		
<p><i>Grocery Store</i> An establishment for the retail sale of fresh or prepared foods for consumption primarily off-premises. Accessory uses include the sales of prepared food for on-site consumption, sale of seasonal items (like Christmas trees), and drive-up grocery loading services.</p>		
<p><i>Major</i> Retail uses with 1,000 square feet of floor area or more, or where the use is expected to generate more than 100 vehicle trips per day according to the Institute of Transportation Engineer's most recent trip generation rate manual.</p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Minor</i> Retail uses with less than 1,000 square feet of floor area or more, or where the use is expected to generate no more than 100 vehicle trips per day according to the Institute of Transportation Engineer's most recent trip generation rate manual.</p>		
<p>STORAGE, COMMERCIAL A storage building or buildings that are divided into sections or compartments for the storage of business or personal items on a temporary or long-term basis.</p>		
<p><i>Major</i> Commercial storage establishment that allows storage of goods, materials, or personal property indoors and outdoors.</p>		
<p><i>Minor</i> Commercial storage establishment that allows storage of goods, materials, or personal property indoors only.</p>		
<p>TELECOMMUNICATIONS The Telecommunications Use Category involves use types engaged in the provision of wireless communications services, including transmission, reception, or broadcasting. Example uses include wireless telecommunication facilities, antennas (including dish antennas), radio and television broadcasting studios and equipment, and similar uses. Accessory uses include offices, repair areas, employee parking, equipment storage, and mobile broadcasting equipment.</p>		
<p><i>Antenna Collocation (on a Building)</i> The placement of wireless telecommunications antenna(s) and associated equipment on or in a building other than a single-family attached or detached structure. This includes the placement of equipment on water tanks or other similar structures, but not on an existing telecommunication tower or electrical transmission tower.</p>	P	
<p><i>Antenna Collocation (on a Tower)</i> The placement of wireless telecommunications antenna(s) and associated equipment on an existing telecommunications tower or electrical transmission tower. This use type includes "eligible facilities" as identified in the North Carolina General Statutes.</p>	P	
<p><i>Small Wireless Facility</i> The placement of antenna(s) and equipment of a specified maximum size on existing electrical poles, telephone poles, traffic signal mast arms, or other similar vertical projections within rights-of-way or outside rights-of-way on land within a nonresidential zoning district.</p>	P	
<p><i>Telecommunications Tower, Freestanding</i> A structure erected on the ground and used primarily for the support of antennas for wireless telephone, and similar communication purposes and utilized by commercial, governmental, or other public or quasi-public users. The term includes microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term does not include private home use of satellite dishes and television antennas, or amateur radio operators as licensed by the FCC.</p>		
<p><i>Telecommunications Tower, Stealth</i> A freestanding telecommunications tower that is configured to fully conceal wireless telecommunications equipment and appear as a tree, flag pole, clock tower, or other vertical projection. Stealth telecommunication towers are not considered as freestanding telecommunication towers for the sake of collocation or accommodation of small wireless facilities.</p>	P	P
<p>VEHICLE ESTABLISHMENT The Vehicle Establishment Use Category includes use types involving the direct sale; rental; storage; and servicing of automobiles, trucks, motorcycles, recreational vehicles, and other consumer motor vehicles intended to transport persons or goods over land, whether for recreation, commerce, or personal transport. Accessory uses may include offices, sales of parts, maintenance facilities, parking, outdoor display, and vehicle storage.</p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category	"P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<i>Major</i> <i>Establishments engaged in vehicle sales, rental, storage, towing, and major repair such as transmission, engine repair, bodywork, and repainting.</i>			
<i>Minor</i> <i>Establishments that are primarily engaged in washing cars, tire sales, minor repair such as diagnostic work, lubricating, wheel alignment and inspections, but no vehicle sales or rental.</i>			
VISITOR ACCOMMODATIONS			
The Visitor Accommodations Use Category includes use types that provide lodging units or space for short-term stays of less than 30 days for rent, lease, or interval occupancy. Accessory uses may include pools and other recreational facilities, limited storage, restaurants, bars, supporting commercial, meeting facilities, offices, and parking.			
<i>Bed and Breakfast</i> <i>A private residence, typically a single-family detached structure engaged in the renting of one or more rooms on a daily basis to tourists, vacationers, or business people where the provision of meals is limited to guests only.</i>		S	
<i>Campground</i> <i>Any area, place, parcel or tract of land on which two or more campsites are occupied or intended for occupancy or facilities established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of campsites and facilities is granted gratuitously, or by rental fee, lease or conditional sale, or by covenants, restrictions and easements. Campground includes but not limited to, a travel camp, recreational camp, family campground, camping resort, recreational vehicles park and camping community. A campground does not include a summer camp, migrant labor camp or park for manufactured homes, or a construction camp, or storage area for unoccupied camping units.</i>			
<i>Hotel or Motel</i> <i>A building or group of buildings in which sleeping accommodations are offered to the public and intended for temporary occupancy on an overnight or short term basis. Accessory uses may include restaurants, bars, offices, and onsite recreational facilities. Some rooms may include in-room kitchen, dining, and laundry facilities.</i>			
Industrial			
EXTRACTIVE INDUSTRY			
The Extractive Industry Use Category includes use types involving the extraction, removal, or basic processing of minerals, liquids, gases, or other natural resources (including gravel, sand, clay, or topsoil). Such uses also include quarrying, well operation, mining, or other procedures typically done at an extraction site. Accessory uses include offices, limited wholesale sales, security or caretakers quarters, outdoor storage, and maintenance facilities.			
<i>All</i> <i>See use category definition.</i>			
INDUSTRIAL SERVICES			
The Industrial Services Use Category includes use types involving the repair or servicing of industrial, business, or consumer machinery equipment, products, or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include limited retail or wholesale sales, offices, parking, warehousing, and outdoor storage. Contractors and others who perform services off-site are included in the Offices Use Category if equipment and materials are not stored outside and no fabrication, services, or similar work is carried on at the site.			
<i>Contractor Service</i> <i>Offices for building, heating, plumbing, or electrical contractors, and related storage facilities.</i>			

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Crabshedding</i> An operation in the crab harvesting industry that involves the controlled shedding or molting of blue crabs to produce the more commercially valuable soft-shelled form. Soft crab shedding systems are designed to put near-molt crabs in a controlled environment, so they can efficiently be harvested during the period that the shell is soft. Accessory uses include indoor or outdoor storage of crab pots.</p>		
<p><i>Fuel Oil or Bottled Gas Distributor</i> An establishment that distributes fuel oil or bottled gases such as propane or liquid petroleum for compensation.</p>		
<p><i>General Industrial Service and Repair</i> Establishments engaged in the repair or servicing of agriculture, industrial, business, or consumer machinery, equipment, products, or by-products. Firms that provide these services do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include retail sales, offices, parking, and storage.</p>		
<p><i>Heavy Equipment Sales, Rental, or Service</i> An establishment engaged in the display, sale, leasing, servicing, or rental of heavy equipment of 12,000 or more pounds gross vehicular weight (GVW). The use may also consist of a vehicle or series of vehicle that service or repair heavy equipment on-site.</p>		
<p><i>Research and Development</i> A business that engages in research, or research and development, of innovative ideas in technology-intensive fields. Examples include research and development of computer software, information systems, communication systems, transportation, geographic information systems, multi-media and video technology. Development and construction of prototypes may be associated with this use.</p>		
<p>MANUFACTURING AND PRODUCTION The Manufacturing and Production Use Category includes use types involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. The use category also includes custom industries (establishments primarily engaged in the on-site production of goods by use of hand tools and small scale equipment). Goods are generally not displayed or sold on site, but if so, such sales are a subordinate part of total sales. Relatively few customers come to the manufacturing site. Accessory uses may include retail or wholesale sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, fueling facilities, security and caretaker's quarters. Manufacturing of goods to be sold primarily on-site and to the general public is classified as Retail Sales if the manufacturing area does not exceed 35 percent of the development's gross floor area.</p>		
<p><i>Manufacturing, Heavy</i> The manufacture or compounding process of raw materials. These activities may involve outdoor operations as part of their manufacturing process.</p>		
<p><i>Manufacturing, Light</i> The mechanical transformation of predominantly previously prepared materials into new products, including assembly of component parts and the creation of products for sale to wholesale or retail markets or directly to consumers. Such uses are wholly confined within an enclosed building, do not include processing of hazardous gases and chemicals, and do not emit noxious noise, smoke, vapors, fumes, dust, glare, odor, or vibration.</p>		
<p>POWER GENERATION The Power Generation Use Category includes use types, whether institutional in nature or for profit, engaged in the production and short term storage of electrical power for use by other forms of development in different locations. Accessory uses include offices, equipment buildings, maintenance and repair facilities, and fencing or other security measures.</p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p><i>Solar Array</i> Two or more solar collectors or photovoltaic panels configured as a principal use and intended to capture energy from sunlight, convert it to electricity, and save or deliver the electricity for off-site use.</p>	S	S
<p><i>Wind Energy Conversion Facility</i> A utility comprised of one or more towers each including a turbine with a series of two or more blades that produce energy when driven by the wind.</p>		
<p>WAREHOUSE AND FREIGHT MOVEMENT The Warehouse and Freight Movement Use Category includes use types involving the storage or movement of goods for themselves or other firms or businesses. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Accessory uses include offices, truck fleet parking, outdoor storage, and maintenance areas. Use types that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related Services.</p>		
<p><i>All</i> See use category definition.</p>		
<p>WASTE-RELATED SERVICES The Waste-Related Services Use Category includes use types that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. This use category also includes use types that receive wastes from others. Accessory uses may include offices, outdoor storage, recycling of materials, and repackaging and trans-shipment of by-products. The Waste-Related Services Use Category does not include wastewater treatment plants and potable water treatment plants; these are classified as Utilities.</p>		
<p><i>Incinerator</i> A facility that burns refuse at high temperatures to reduce the volume of waste.</p>		
<p><i>Land Application of Sludge/Septage</i> The deposition of industrial processes or treated waste on land intended expressly for that purpose.</p>		
<p><i>Landfill</i> An area of land or an excavation used for disposal of solid waste.</p>		
<p><i>Public Convenience Center or Transfer Station</i> A publicly-owned and operated facility for the purposes of collection of trash and waste for relocation to a sorting facility or permanent long term storage location.</p>		
<p><i>Recycling Center</i> A facility engaged solely in the storage, processing, resale, or reuse of recyclable and recovered materials.</p>		
<p><i>Salvage or Junkyard</i> An establishment where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, and the like, are brought, sold, exchanged, baled, packed, disassembled, stored, or handled, including used lumber and building material yards, house-wrecking yards, heavy equipment wrecking yards, and yards or places where salvaged house wrecking or structural steel materials are stored, handled, and sold.</p>		
<p><i>Waste Composting Facility</i> Uses where organic solid wastes are composted using composting technology. Accessory uses may include offices and repackaging and transshipment of by-products.</p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)

**Camden County, North Carolina
Principal Use Table, District Comparison
Conservation & Protection Vs. Working Lands**

Use Class / Main Category / Category "P"=Permitted, "S"=Special Use Permit, Blank=Prohibited	VR	SR
<p>WHOLESALE SALES</p> <p>The Wholesale Sales Use Category includes use types involving the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or taking of orders and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer. Accessory uses may include offices, product repair, warehouses, minor fabrication services, outdoor storage, and repackaging of goods.</p>		
<p><i>Major</i></p> <p><i>A wholesale use located in a building of more than 7,000 square feet of gross floor area, or that includes outdoor storage.</i></p>		
<p><i>Minor</i></p> <p><i>A wholesale use located in a building of 7,000 square feet of gross floor area or less that does not include outdoor storage.</i></p>		

Attachment: Keeter Barn Landing LLC Rezoning Request (3028 : Rezoning Request - Keeter Barn Landing LLC)



CAMDEN COUNTY

NORTH CAROLINA • USA

Boundless Opportunities.

Camden County Planning Board AGENDA ITEM SUMMARY SHEET

Item Number:

Meeting Date:

June 23, 2021

Submitted By:

Morgan Potts,
Planning & Zoning
Prepared by: Amy Barnett

Item Title

Text Amendment to Camden County Code of Ordinances

Attachments:

Ordinance No. 2021-07-01

**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 Chapter 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on January 1, 1998, and subsequently revised February 4, 2019 and subsequently amended, and as otherwise incorporated into the Camden County Code.

Article II. Construction

- A. For the purposes of correcting minor typographical errors and inconsistencies observed within Section 5.14 “Sign Standards in Commercial Districts”, and the related visual representation in the UDO.**
- B. For the purposes of this Ordinance the Table in Article III relates strictly to changes in the General Statute citations from either 160A or 153A to the new General Statute 160D which combines the previous statutes. The table shows the page that the citation occurs, the citation deleted and the citation added.**
- C. For purposes of this Ordinance, Article IV relates to substantive changes required by the new General Statute 160D in which 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 Chapter 151 as amended of the Camden County Code follows:

Section	From (Deletion)	To (addition)
1.13.6, 1	143-755	160D
1.13.6, 2	143-755	160D
151.2	2.3.37 Vested Rights Determination	PERMIT CHOICE AND VESTED RIGHTS
1-5	153A-340	160D-903
1-6	160A and 153A-340	160D605
	160A-383	160D-701

Planning Staff has identified multiple inconsistencies and errors in the visual reference of “Sign Standards in Commercial Districts”, Section 5.14. Planning staff proposes the following corrections be recommended for approval to the Board of Commissioners:

5.14.11. SIGN STANDARDS IN COMMERCIAL DISTRICTS

1. Pg. 5-68; Table 0: Sign Standards in Commercial District: Example A, top: 20 Linear Feet of Wall Frontage = 20 sf
RECOMMENDED CORRECTION: 30 to match the math in “Maximum Face Area”
2. Pg. 5-68: Insert Header above second example (see mark up). **RECOMMENDED CORRECTION: “Type of Sign/Maximum Face Area/Maximum Height/Maximum Number of Signs Per Lot/Additional Standards”.**
3. Pg. 5-68: Window Sign, Column 5: ~~“May be substituted for some or all of allowable wall sign area”~~. **RECOMMENDED CORRECTION: Remove entirely. Confusing verbiage.**
4. Pg. 5-68: Table 0: Sign Standards in Commercial District: Example A, bottom:
RECOMMENDED CORRECTION: Remove entirely. Confusing correct example to 50% for consistency. Total should be 42.
5. Pg. 5-69: “Table 0”. **RECOMMENDED CORRECTION: Correct to Table 1.**
6. Pg. 5-69, “Projecting Sign, Column 5: “Additional Standards”: “No portion of the sign may be located within three feet of the **curb and gutter** or street paving”
RECOMMENDED CORRECTION: Addition of curb and gutter.
7. Pg. 5-69: Bottom Footer: **RECOMMENDED CORRECTION: Remove; duplicate.**
8. Pg. 5-70: “Table 0”. **RECOMMENDED CORRECTION: Correct to Table 2.**

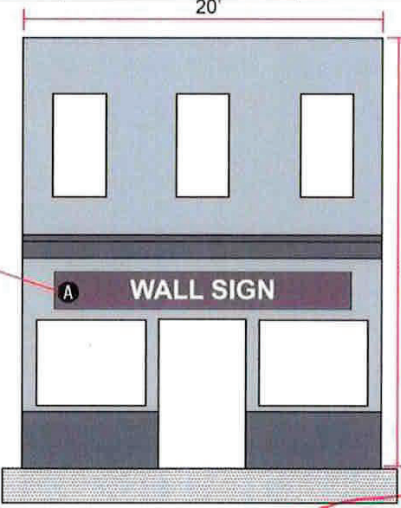
ARTICLE 151.5 Development Standards

5.14 Signage

5.14.11 Sign Standards in Commercial Districts

5.14.11. SIGN STANDARDS IN COMMERCIAL DISTRICTS

Signs on lots in the commercial districts other than the MX district shall comply with the requirements in Table 0: Sign Standards in Commercial Districts.

TABLE 0: SIGN STANDARDS IN COMMERCIAL DISTRICT				
TYPE OF SIGN	MAXIMUM FACE AREA [1] [2]	MAXIMUM HEIGHT	MAXIMUM NUMBER OF SIGNS PER LOT	ADDITIONAL STANDARDS [3]
Wall Sign on Front Façade	Greater of: 1.5 sf per linear foot of wall frontage, or 5% of wall area	Below the top of the roof, soffit, eave or parapet, whichever is highest	No limit	Wall signs shall not project more than 12 inches outwards from the wall
Wall Sign on Side or Rear Façade fronting a street	½ sf per linear foot of wall frontage			
<p><i>Doesn't Match</i></p> <p>A Maximum Front Façade Sign Face Area Calculation Greater of: 20 Linear Feet of Wall Frontage = 20 sf or Front Façade Wall Area = 20' x 25' = 500 sf Maximum Sign Face Area = 500 sf x .05 = 25 sf</p> <p>1.5' WALL SIGN 16'</p> <p>1.5 per 20' or 1 per 20'</p>  <p><i>Remove</i></p>				
Window Sign	50% of total window and glass door area	Top of ground floor window or door	No limit	May be substituted for some or all of allowable wall sign area
<p><i>Needs Heading</i></p> <p><i>Is it 25% or 50%</i></p> <p>A Maximum Sign Face Area Calculation Total Window Area: 3 @ 3' x 4' + 2 @ 6' x 4' = 84 sf Maximum Sign Face Area = 84 sf x .25 = 21 sf</p> <p>4' WINDOW SIGN 5'</p> <p>3' 4' 6' 4'</p> <p><i>change to None</i></p>				

ARTICLE 151.5 Development Standards

5.14 Signage

5.14.11 Sign Standards in Commercial Districts

Table 0?

TABLE 0: SIGN STANDARDS IN COMMERCIAL DISTRICT

TYPE OF SIGN	MAXIMUM FACE AREA [1] [2]	MAXIMUM HEIGHT	MAXIMUM NUMBER OF SIGNS PER LOT	ADDITIONAL STANDARDS [3]
Projecting Sign	12 sf per side	Below the roof, soffit, or parapet [4]	1	No portion of the sign may be located within three feet of the street paving
<p>A Maximum Sign Face Area 12' per side</p> <p>B 3' Minimum Distance to Street Paving</p> <p>C 8' Minimum Clearance</p>				
Awning Sign	In accordance with wall sign standards	Awnings on ground floor only	1	None
<p>Sign Copy Area on Ground Floor Awning Only</p> <p>Signage on Awning Face Counted as Wall Signage</p>				
Freestanding Sign 10' or more from ROW	64 sf total	15 feet above adjacent roadway grade	1	Freestanding signs shall include a vertical skirt with a minimum width at least 25% of the width of the sign face width
Freestanding Sign 10' or more from ROW serving a multi-building use	2-6 tenants: 88 sf; 7-14 tenants: 112 sf; 15+ tenants: 136 sf	20 feet above adjacent roadway grade	1 per street frontage	

What add to curb side gutter in consideration?

Page Break

Remove on next page

ARTICLE 151.5 Development Standards

5.14 Signage

5.14.11 Sign Standards in Commercial Districts

TABLE 0: SIGN STANDARDS IN COMMERCIAL DISTRICT

TYPE OF SIGN	MAXIMUM FACE AREA [1] [2]	MAXIMUM HEIGHT	MAXIMUM NUMBER OF SIGNS PER LOT	ADDITIONAL STANDARDS [3]
Freestanding Sign less than 10' from ROW	48 sf total	12 feet above adjacent roadway grade	1 per lot	Signs shall not be closer than 5 feet from the street right-of-way
Freestanding Sign less than 10' from ROW serving a multi-building use	2-6 tenants: 68 sf; 7-14 tenants: 88 sf; 15+ tenants: 108 sf	15 feet above adjacent roadway grade	1 per street frontage	Freestanding signs shall include a vertical skirt with a minimum width at least 25% of the width of the sign face width
<p>LEGEND</p> <ul style="list-style-type: none"> A Maximum Sign Face Area 64 sf B 5' Minimum Distance from Street Right-of-Way C 20' Maximum Height 				
Monument Sign	50 sf per side	6 feet above grade	2	Signs shall be located at least five feet from a lot line and at least ten feet from the street right-of-way
<p>LEGEND</p> <ul style="list-style-type: none"> A Maximum Sign Face Area 50 sf per side B 6' Maximum Height Above Grade C 5' Minimum Distance from Lot Line D 10' Minimum Distance from Street Right-of-Way 				
Portable Sign	24 inches by 36 inches	4 feet above grade	2	Signs shall be located at least five feet from a lot line and at least ten feet from the street right-of-way

Need Heading

1.13. VESTED RIGHTS

1.13.6 PROCESS TO CLAIM VESTED RIGHT

- A. A landowner seeking to claim a vested right shall submit information to substantiate their claim of vesting status along with an application for a determination in accordance with Section 2.3.27, Vested Rights Determination Procedure
- B. Appeal of a decision on a determination application may be filed with the Board of Adjustment in accordance with Section 2.3.5, Appeal.

1.13.7 EFFECT OF A VESTED RIGHT

- A. Development approvals that have an established vested right in accordance with Section 160D-108 of the North Carolina General Statutes and this section shall preclude any action by the County that would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property authorized by the development approval, except where a change in State or federal law occurs and has a retroactive effect on the development or use.
- B. Except when subject to sub-section C below, amendments to this Ordinance shall not be applicable to any of the following development approvals after they are vested:
 - 1. Building or uses of land for which a development permit application has been submitted and approved in accordance with this Ordinance and Section 160D-108 of the North Carolina General Statutes;
 - 2. Subdivisions of land for which a subdivision application has been submitted and approved in accordance with this Ordinance and Section 160D-108 of the North Carolina General Statutes;
 - 3. A site-specific vesting plan approved in accordance with this Ordinance and Section 160D-108.1 of the North Carolina General Statutes;
 - 4. A multi-phase development approved in accordance with this Ordinance and Section 160D-108 of the North Carolina General Statutes; and
 - 5. A vested right established by the terms of an approved development agreement in accordance with this Ordinance and Article 10 of Chapter 160D of the North Carolina General Statutes.
- C. Amendments to this Ordinance shall apply to vested development approvals if:
 - 1. A change to State or federal law occurs and has a retroactive effect on the development or use;
 - 2. There is written consent to be subject to the amendment by the landowner;
 - 3. The development approval expires; or
 - 4. The development is not undertaken or completed in accordance with the approval.

1.13.8 DURATION

Vested rights shall commence upon approval of a development application and shall continue through the maximum duration periods established in this section.

A. BUILDING PERMITS

The issuance of a building permit establishes a vested right to development for a period of six months, as long as the building permit complies with the terms and conditions of approval of that building permit.

B. DEVELOPMENT APPROVALS

Except for building permits, site-specific vesting plans, development agreements, and multi-phase developments, any development approval under this Ordinance shall be vested from changes in this Ordinance for a period of one year from the date of approval, provided the development subject to the approval complies with all applicable terms and conditions.

C. SITE SPECIFIC VESTING PLANS

1. Camden County shall provide for rights to be vested for a period at minimum two years but not to exceed five years where warranted in light of all relevant circumstances, including, but not limited to, the size and phasing of development, the level of investment, the need for the development, economic cycles, and market conditions or other considerations. These determinations are in the sound discretion of Camden County and shall be made following the process specified for the particular form of a site-specific vesting plan involved in accordance with subsection (C) of this section.

2. Site-specific vesting plans meeting the definition of a multi-phase development shall be vested in accordance with Section 1.13.7.D, Multi-Phase Developments.

D. MULTI-PHASE DEVELOPMENTS

1. A multi-phase development plan that occupies at least 25 acres of land area, is subject to a master plan that depicts the types and intensities of all uses as part of the approval, and includes more than one phase shall be considered as a multi-phase development plan that is granted a vested right to develop for a period of seven years from the date of approval of the first site plan associated with the development.

2. Vesting shall commence upon approval of the site plan for the first phase of the development.

3. The vested right shall remain in affect provided the development does not expire and provided it complies with all the applicable terms and conditions of the approval.

E. DEVELOPMENT AGREEMENTS

A development agreement shall be vested in accordance with the vesting term identified in the development agreement.

1.13.9 TERMINATION

A. Vested rights established in accordance with this Ordinance shall run with the land.

B. In no instance shall vesting status extend beyond the maximum duration for the type of development application approval identified in Section <>, Duration.

C. In no instance shall the vesting status of a development approval continue after the development approval expires or if the development approval is revoked for failure to comply with the terms of the approval or of this Ordinance.

D. In no instance shall the vesting status of a development approval continue after it is determined that the development approval was based upon intentional inaccurate information or material misrepresentations.

E. In no instance shall vested rights continue if the Board of Commissioners finds, after a duly noticed public hearing, that natural or man-made hazards resulting from the development would result in a serious threat to public health, safety, or welfare if the development were to be continued or completed.

F. In the event of commenced but uncompleted work associated with a development approval, vested rights shall expire within 24 months of the discontinuance of work. This 24 month period shall not include the time associated with work stoppage resulting from an appeal or litigation.

1.13.10 LIMITATIONS

A. The establishment of a vested right does not preclude the County's application of overlay zoning district requirements or other development regulations that do not affect the type of land use, its density, or intensity.

B. A vested right shall not preclude the application of changes to building, fire, plumbing, electrical, or mechanical codes made after the development approval where a vested right was established.

2.3.24 TRANSFER PLAT

C. Transfer Plat Procedure

2. Application Submittal

c. Administrator shall review copy of proposed deed for a statement: **DEED RESTRICTION** Deed drawn up with the following restriction: "In accordance with Article 151.2.3.24 of the Camden County Unified Development Ordinance, property cannot be sold for a period of five (5) years or until the child's 18th birthday (whichever is greater) from date of recording."

E. Effect

2. Land subject to a transfer plat shall be titled under the immediate family member's name for a period of at least five years or until the immediate family member reaches the age of 18 (whichever is greater).

2.3.27. **VESTED RIGHTS DETERMINATION**

PERMIT CHOICE AND VESTED RIGHTS

A. Purpose and Intent

The purpose for the vested rights determination procedure section is to establish a clear procedure for an applicant to request vesting or protection from changes in this Ordinance that take place after approval of the application but prior to completion of an approved site-specific development plan in accordance with State law.

This section is intended to implement Section 160D-108 of the North Carolina General Statutes, and in this section.

B. Applicability

1. A vested right may be established, in accordance with Section 453A-344.4 **160D-108** of the North Carolina General Statutes, and this section.
2. A vested rights determination shall be limited to development included in a site-specific development plan. For the purposes of this section, a site-specific development plan may be one of the following development approvals:
 - a. Special use permits;
 - b. Preliminary plats;
 - c. Planned developments; or
 - d. Major site plans for nonresidential development.

2. A vested rights determination shall be limited to the following:

- a. A valid building permit**
- b. Site Specific Plans**
- c. Development Approvals**
- d. Multi-phase Developments**
- e. Development Agreements**

3. An application for a vested rights determination shall be processed concurrently or after the approval of a special use permit, preliminary plat, planned development, or major site plan for nonresidential development. **valid building permit, site specific plan, development approval, multi-phase development or a development agreement.**
4. Nothing shall limit an applicant from filing an application for a vested rights determination on a particular development application after construction has commenced.

C. Permit Choice

1. **If a development permit applicant submits a permit application for any type of development and a rule or ordinance is amended, including an amendment to any applicable land development regulation, between the time the development permit application was submitted and a development permit decision is made, the development permit applicant may choose which adopted version of the rule or ordinance will apply to the permit and use of the building, structure, or land indicated on the permit application.**

2. **If the development permit applicant chooses the version of the rule or ordinance applicable at the time of the permit application, the development permit applicant shall not be required to await the outcome of the amendment to the rule, map, or ordinance prior to acting on the development permit. If an applicable rule or ordinance is amended after the development permit is wrongfully denied or after an illegal condition is imposed, as determined in a proceeding challenging the permit denial or the condition imposed, the development permit applicant may choose which adopted version of the rule or ordinance will apply to the permit and use of the building, structure, or land indicated on the permit application.**
3. **Any provision of the development permit applicant's chosen version of the rule or ordinance that is determined to be illegal for any reason shall not be enforced upon the applicant without the written consent of the applicant.**

C. D.

Vested Rights Determination Procedure

1. Pre-Application Conference
 - a. Required (see Section 2.2.2, Pre-Application Conference).
2. Application Submittal
 - a. Applicable (see Section 2.2.4, Application Submittal).
 - b. Applications may be initiated by the landowner or any person who may submit an application in accordance with Section 2.2.4.A, Authority to File Applications.
3. Staff Review
 - a. Applicable (see Section 2.2.5, Staff Review and Action).
 - b. The UDO Administrator shall review the application, prepare a staff report, and provide a recommendation in accordance with Section 2.3.27. D, Vested Rights Determination Review Standards.
4. Public Notice
 - a. Applicable (see Section 2.2.6, Public Notice).
5. Board of Commissioners Review and Decision
 - a. Applicable (see Section 2.2.9, Action by Review Authority, and Section 2.2.7, Public Meetings and Hearings).
 - b. The Board of Commissioners, after the conclusion of a legislative public hearing, shall decide the application in accordance with Section 2.3.27.D, Vested Rights Determination Review Standards. c. The decision shall be one of the following: 1. Approval of the vested rights determination as proposed; 2. Approval of a revised vested rights determination; or 3. Denial of vested rights determination.

D. E.

Vested Rights Determination Review Standards

A vested rights determination shall be approved if:

1. The vested rights determination is for an approved site-specific development plan;
2. The development is valid and unexpired; and
3. Any required variances have been obtained.

E. F.

Effect

1. A vested rights determination shall be approved prior to issuance of a building permit.
2. The establishment of a vested right shall not preclude the application of overlay zoning district provisions that impose additional requirements but do not affect the allowable type and intensity of use, or through ordinances that are general in nature and are applicable to all property subject to land use regulation by the County, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes.

3. Notwithstanding any provision of this section, the establishment of a vested right under this section shall not preclude, change or impair the authority of the county to adopt and enforce development regulation provisions governing non-conforming situations or uses.
4. A vested right obtained under this section is not a personal right, but shall attach to and run with the applicable property. After approval of a vested right under this section, all successors to the original landowner shall be entitled to exercise such rights.

F. G. Amendment

Amendment of vested rights determination may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

F. H. Expiration

1. A vested right determination shall expire and become null and void:
 - a. At the end of the applicable vesting period; or
 - b. If a building permit application for the development subject to the determination is not submitted within two years of the approval of the vested rights determination associated with a special use permit, preliminary plat, or major site plan, or five years of the approval of a vested rights determination associated with a planned development; or
 - c. Upon a finding by the Board of Commissioners after notice and an evidentiary hearing, that:
 - i. Natural or man-made hazards on or in the immediate vicinity of the land, if uncorrected, would pose a serious threat to the public health, safety, and welfare if the project were to proceed as contemplated;
 - ii. The landowner or landowner's representative intentionally supplied inaccurate information or made material misrepresentations which affected the approval of the site specific development plan;
 - iii. The landowner failed to comply with any condition imposed upon the establishment of the site specific development plan or vested rights determination; or
 - d. Upon payment to the affected landowner of compensation for all costs, expenses, and other losses incurred by the landowner, including but not limited to, all fees paid in consideration of financing, and all architectural, planning, marketing, legal, and other consultant fees incurred after approval of the determination by the County, together with interest at the legal rate until paid. Compensation shall not include any diminution in the value of the land which is caused by such action; or
 - e. With the written consent of the affected landowner.
2. Upon enactment or promulgation of a State or federal law or regulation that precludes development as contemplated in the site-specific development plan, the Board of Commissioners may modify the affected provisions of the determination by ordinance, if after conducting a hearing, it finds the changed conditions created by the change in the State or federal law have a fundamental effect on the site specific development plan.

G. I. Appeal

1. Appeal of a decision on a planned development shall be subject to review by the District 1 Superior Court.
2. Petitions for review must be filed with the Clerk of Court within 30 days of the date the decision is filed in the office of the appropriate review authority and delivered by personal delivery, electronic mail, or first class mail to the applicant, landowner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective.

