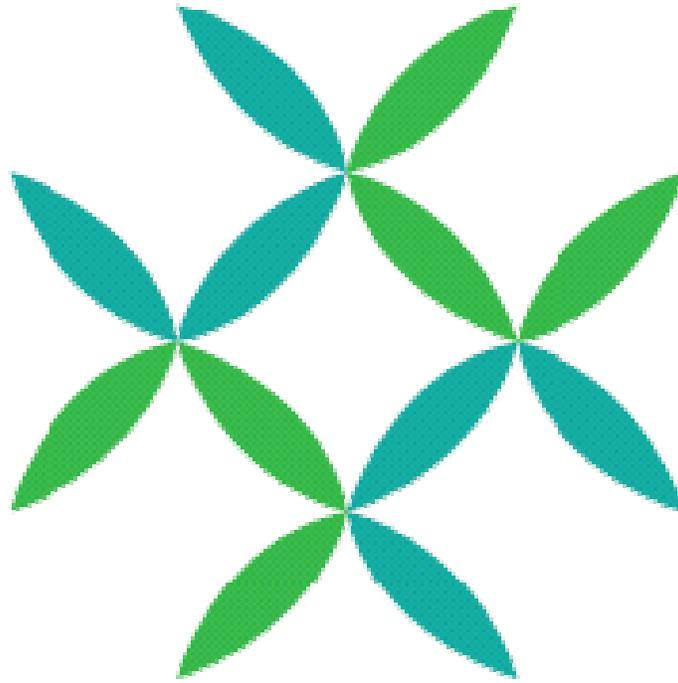


**CAMDEN COUNTY**  
**Planning Board Meeting**  
**April 20, 2016, 7:00 PM**



**Camden County**  
**NEW ENERGY. NEW VISION.**

**Camden County Courthouse**  
**Historic Courtroom**  
Courthouse Complex



RODNEY NEEDHAM  
Chairman  
CALVIN LEARY  
Vice Chairman  
RAY ALBERTSON  
MIKE ETHERIDGE  
PATRICIA DELANO  
FLETCHER HARRIS  
RICK MCCALL



**Camden County**  
NEW ENERGY. NEW VISION.

MICHAEL RENSHAW  
County Manager  
DAN PORTER  
Planning Director  
AMY BARNETT  
Planning Clerk

# Camden County Planning Board

**Meeting Agenda, Wednesday, April 20, 2016, 7:00 PM**  
Historic Courtroom, Camden County Courthouse

**I. CALL TO ORDER & WELCOME**

**II. Consideration of Agenda**.....(Page i to ii)

1. Motion to Approve Agenda: As Presented | As Amended

**III. Consideration of Minutes from 3-16-16**.....(Page 1 to 10)

1. Minutes from 3-16-16
  - a. Motion to Approve Minutes: As Written | As Amended | As Corrected

**IV. Comments from the Public**

**V. Old Business**

**VI. New Business**.....(Page 11 to 34)

1. *Rezoning, Pudding Ridge of South Mills LLC - Herb Mullen / Tracy Swain, Property adjacent to 330 Pudding Ridge Rd, South Mills Township*
  - a. Discussion
  - b. Motion to Approve or Deny

**VII. Information from Board and Staff**

**VIII. Consider Date of Next Meeting - May 18, 2016**

**IX. Adjourn Meeting**

1. Motion to Adjourn April 20, 2016 Meeting



**CAMDEN COUNTY  
PLANNING BOARD  
AGENDA ITEM SUMMARY SHEET**

**Item Number:** III.  
**Meeting Date:** April 20, 2016  
**Attachments:** 1  
**Submitted by:** Planning Clerk

**ITEM TITLE:** Minutes:  
1. March 16, 2016

**SUMMARY:**

**For review and possible approval**

**RECOMMENDATION:**

**For your review and possible approval.**

<b>MOTION MADE BY:</b>	
R. Needham	_____
C. Leary	_____
R. Albertson	_____
M. Etheridge	_____
P. Delano	_____
F. Harris	_____
R. McCall	_____
<b>NO MOTION</b>	_____
<b>VOTE:</b>	
R. Needham	_____
C. Leary	_____
R. Albertson	_____
M. Etheridge	_____
P. Delano	_____
F. Harris	_____
R. McCall	_____
<b>ABSENT</b>	_____
<b>RECUSED</b>	_____



**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – March 16, 2016

**Camden County Planning Board  
Regular Meeting  
March 16, 2016, 7:00 PM  
Historic Courtroom, Courthouse Complex  
Camden, North Carolina**

**MINUTES**

*The regular meeting of the Camden County Planning Board was held on March 16, 2016 in the Historic Courtroom, Camden, North Carolina. Board Member Attendance was as follows:*

**I. CALL TO ORDER & WELCOME**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Rodney Needham	Chairman	Present	6:50 PM
Calvin Leary	Vice Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Present	6:50 PM
Patricia Delano	Board Member	Present	6:50 PM
Michael Etheridge	Board Member	Absent	
Rick McCall	Board Member	Present	6:50 PM
Ray Albertson	Board Member	Present	6:50 PM

**Staff Present:**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Dan Porter	Planning Director	Present	6:55 PM
Dave Parks	Permit Officer	Present	6:45 PM
Amy Barnett	Planning Clerk	Present	6:35 PM

2. Also Present List

Also present was Camden County Sheriff Tony Perry.

**II. CONSIDERATION OF AGENDA**

1. Motion to Approve Agenda: As Presented

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Calvin Leary, Vice Chairman
<b>SECONDER:</b>	Patricia Delano, Board Member
<b>AYES:</b>	Needham, Leary, Harris, Delano, McCall, Albertson
<b>ABSENT:</b>	Etheridge

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – March 16, 2016

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25 **III. CONSIDERATION OF MINUTES FROM 12-16-15**

26 1. Motion to Approve Planning Board Minutes - 12-16-15 As Written

27	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
28	<b>MOVER:</b>	Fletcher Harris, Board Member
29	<b>SECONDER:</b>	Calvin Leary, Vice Chairman
30	<b>AYES:</b>	Needham, Leary, Harris, Delano, McCall, Albertson
31	<b>ABSENT:</b>	Etheridge

32 **IV. COMMENTS FROM THE PUBLIC**

33 None

34 **V. OLD BUSINESS**

35 None

36 **VI. NEW BUSINESS**

37 **A. Ordinance No. 2016-03-01, Table of Permissible Uses**

38 1. Ordinance No. 2016-03-01, Table of Permissible Uses, Outdoor Firing Range - Law  
39 Enforcement Only

40 -----

41

42 Ordinance No. 2016-03-01

43

44 An Ordinance

45 Amending the Camden County

46 Code of Ordinances

47

48 Camden County, North Carolina

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

52

53 **Article I: Purpose**

54

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

59

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – March 16, 2016

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**Article II: Construction**

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough (~~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 which shall read as follows:**

**CHAPTER 151: UNIFIED DEVELOPMENT**

**§ 151.334 TABLE OF PERMISSIBLE USES.**

USE#	DESCRIPTION	R-1	R-2	R-3	CCD	NCD	HC	MC	GUD	I-1	I-2
6.310	Outdoor Firing Range - Law Enforcement Only Subject to § 151.347 ( <u>§ N</u> )								<u>§ Z</u>	<u>§ Z</u>	<u>§ Z</u>

**§ 151.347 SPECIFIC STANDARDS**

(N) Outdoor Firing Range - Law Enforcement Only

- (1) Outdoor law enforcement shooting ranges shall be located on a site or parcel with area of at least ten acres.
- (2) No part of a shooting range shall be located within 200 feet of any property line and less than 2,000 feet from any residential dwelling or school (as measured from the firing line in the direction of the line of fire).
- (3) Shooting range facilities shall be constructed, at a minimum to include the following protective barriers:
  - (a) Backstops with a minimum height of twenty (20) feet.
  - (b) Side berms or walls with a minimum height of eight (8) feet.
  - (c) Firing line covers of overhead safety baffles for rifle fire only.
- (4) Range shall be enclosed by a six (6) foot fence with a lockable gate at the entrance.
- (5) Weapons types are restricted to pistol, rifle, or shotgun. The use of explosives or any target that detonates is prohibited.

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – March 16, 2016

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- 99 (6) Hours of operations shall be 9:00 AM to 8:00 PM, Monday through
- 100 Thursday. The discharge of weapons or shooting activities shall not
- 101 occur on Friday through Sunday.
- 102
- 103 (7) Range shall be utilized by duly sworn law enforcement personnel only.
- 104
- 105 (8) No individuals under the age of 18 are permitted on the range during any
- 106 practice or qualification of firearms unless such individual is
- 107 participating in a Camden County School approved function, properly
- 108 supervised by Camden County law enforcement personnel.
- 109
- 110 (9) No Trespassing Signs shall be posted along range fence lines every 150
- 111 feet.
- 112
- 113 (10) The operators of the shooting range shall provide proof of accident and
- 114 liability insurance coverage. A minimum coverage of \$1,000,000 per
- 115 individual and \$2,000,000 in the aggregate shall be maintained.
- 116
- 117 (11) An approved use permit for the outdoor shooting range shall be
- 118 inspected annually.
- 119
- 120

121  
122 Adopted by the Board of Commissioners for the County of Camden this            day of  
123 April, 2016.

124  
125  
126  
127 County of Camden

128  
129  
130 \_\_\_\_\_  
131 P. Michael McLain, Chairman  
132 Board of Commissioners

133 ATTEST:

134 \_\_\_\_\_  
135  
136 Angie Wooten  
137 Clerk to the Board

138 -----  
139

**CAMDEN COUNTY PLANNING BOARD**Regular Meeting – March 16, 2016

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140 Dan Porter described this proposed ordinance:

- 141 • A few months ago, an amendment to the UDO was made which allowed shooting
- 142 ranges for law enforcement only in general use districts
- 143 • At that time, the standards that were applied to shooting ranges related
- 144 specifically to those that the county already had on the books, which require that
- 145 the range be designed in such a manner that it either complies with the military
- 146 manual or the National Rifle Association's handbook
- 147 • Sheriff made the choice to follow the military manual
- 148 • Military manual requires that the entire surface danger zone for the firing range be
- 149 owed by the same owner as the owner of the range itself
- 150 • The surface danger zone is about 1.5 to 2 miles in all directions, which is a pretty
- 151 strict standard
- 152 • The property the Sheriff was looking at will not comply with that requirement
- 153 • At the time, it was recommended that there be a special use permit with a waiver
- 154 of the requirement for the ownership of the surface danger zone.
- 155 • County Attorney reviewed this and determined that the Board of Commissioners
- 156 would not be able to waive the ownership requirement.
- 157 • The previously submitted proposed ordinance was then pulled from the Board of
- 158 Commissioners agenda so that staff could look into the legal issues associated
- 159 with it
- 160 • Staff has come up with an amendment to that amendment for law enforcement
- 161 only shooting ranges with a specific set of standards
- 162 • Staff compared this to other counties and the way that they handle law
- 163 enforcement shooting ranges
- 164 • Currituck County's law enforcement shooting range is an administrative approval
- 165 / zoning permit and they consider it a "Public Safety Training Facility".
- 166 Pasquotank is much the same.
- 167 • Staff wants to be able to accommodate the Sheriff with a shooting range, but feel
- 168 that it does need some standards.
- 169 • The amendment before the Planning Board this evening is one that would allow
- 170 law enforcement only shooting range to be approved with a zoning permit if it
- 171 meets certain standards.

172  
 173 At this time, Dave Parks read through the specific standards (see pages 3 and 4 of these  
 174 minutes).

175  
 176 Patricia Delano asked for clarification of standard number 8. Specifically she wanted to  
 177 know who the responsible parties would be at the range during any school approved  
 178 functions. Dave Parks responded that there would be duly sworn officers present during  
 179 all such functions.

180  
 181 Dan Porter added that the Sheriff's Office could loan out the range to other agencies, but  
 182 that there would have to be a qualified Camden County officer present at the range during  
 183 its use.

184 Rick McCall asked for clarification regarding standards 7 and 8. He stated that these two  
185 standards seem to be in conflict one with the other. Dan Porter stated in response that as  
186 long as duly sworn law enforcement officers from the Camden Sheriff's Office are  
187 present, that others may use the range. Others who use the range would have their own  
188 supervisors present, but there would also be a Camden County Sheriff's officer present at  
189 all times during the range's usage.

190  
191 Dan Porter stated that standard number 7 could be re-worded to read "...law enforcement  
192 only, except as provided for in standard number 8 below...".

193  
194 Dan Porter asked Sheriff Tony Perry about the shooting teams that the Camden High  
195 School and the Cooperative Extension Service has... Mr. Porter has concerns with the  
196 phrase "school function"... he suggested that standard number 8 be reworded to replace  
197 that phrase with something like "organized shooting team, supervised by qualified law  
198 enforcement agent of Camden County".

199  
200 Mr. McCall then asked about the age limit, 18 years of age. Calvin Leary stated that the  
201 rest of that statement takes care of the age limit... "unless such individual is participating  
202 in a Camden County School approved function, properly supervised by Camden County  
203 law enforcement personnel."

204  
205 Mr. Porter restated for clarification the changes to 7 and 8 as requested by the Board:  
206

- #7 Range shall be utilized by duly sworn law enforcement personnel only, except  
207 as provided in standard #8 below.
- #8 No individuals under the age of 18 are permitted on the range during any  
208 practice or qualification of firearms unless such individual is participating in an  
209 organized county approved function properly supervised by Camden County law  
210 enforcement personnel.

211  
212  
213 Rick McCall stated that the previously proposed ordinance had wording to the effect of  
214 "no children". Mr. Porter stated in response that the County Attorney had suggested an  
215 age limit because of the definition / interpretation of what is considered a child.

216  
217 Patricia Delano commented that hunting licenses can not be obtained until an individual  
218 is 16 years of age, and to get the license a safety course must first be completed. She is  
219 also concerned about the age limit issue.

220  
221 Dan Porter re-iterated that the way the standard reads (with the changes as suggested), it  
222 is "No individuals under the age of 18 are permitted on the range during any practice or  
223 qualification of firearms *unless* such individual is participating in an organized county  
224 approved function properly supervised by Camden County law enforcement personnel."

**CAMDEN COUNTY PLANNING BOARD**Regular Meeting – March 16, 2016

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225 Patricia Delano asked how the types of guns allowed on the range would be controlled.  
226 She wanted to know if personal weapons would be allowed on the range or if the  
227 weapons used had to be of law enforcement origin or in the case of the shooting team  
228 from the high school, provided by the shooting team.  
229

230 Mr. Porter responded saying that the types of guns allowed are controlled by the specific  
231 standards, and that the standard could be further defined to read "no automatic weapons"  
232 or something of the like.  
233

234 Mr. Porter also added that the range would not be allowed to be used for any kind of  
235 concealed carry classes.  
236

237 Sheriff Tony Perry added that in regards to the shooting teams, the teams have their own  
238 guns but they are not owned by the members, they are owned by the team. The members  
239 of the shooting team will not be bringing their own guns.  
240

241 Rick McCall suggested that the wording "non-law enforcement use only as approved by  
242 the Camden County Sheriff" be added.  
243

244 Mr. Porter stated that in the previous proposed ordinance there was a requirement that the  
245 policy and procedures manual of the Sheriff's office had to be followed. He suggested  
246 that the requirement could be added as another of the specific standards. He suggested as  
247 an additional standard "All activities shall be governed by the Camden County Sheriff's  
248 Office Policy and Procedure Manual."  
249

250 Chairman Rodney Needham commented regarding standard #4... he stated that the type  
251 of fence needs to be specified (chain link, razor wire, etc.).  
252

253 Dave Parks continued reading the rest of the standards.  
254

255 Chairman Rodney Needham commented that standard #11 needed to be reworded to state  
256 that it is the range that must be inspected annually and not the permit for the range. As  
257 #11 is written, it states that the permit must be inspected.

**CAMDEN COUNTY PLANNING BOARD**Regular Meeting – March 16, 2016

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258 At this time, Chairman Rodney Needham asked if there were any further questions or  
259 discussions from the Board. Hearing none, he entertained a motion:  
260

261 1. Motion to Approve with Changes

262	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
263	<b>MOVER:</b>	Calvin Leary, Vice Chairman
264	<b>SECONDER:</b>	Fletcher Harris, Board Member
265	<b>AYES:</b>	Needham, Leary, Harris, Delano, McCall, Albertson
266	<b>ABSENT:</b>	Etheridge

267 **VII. INFORMATION FROM BOARD AND STAFF**

268 None

269 **VIII. CONSIDER DATE OF NEXT MEETING - APRIL 20, 2016**

270 No Discussion

271 **IX. ADJOURN MEETING**

272 1. Motion to Adjourn March 16, 2016 Meeting

273 Meeting adjourned at 7:27 PM.

274	<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
275	<b>MOVER:</b>	Ray Albertson, Board Member
276	<b>SECONDER:</b>	Fletcher Harris, Board Member
277	<b>AYES:</b>	Needham, Leary, Harris, Delano, McCall, Albertson
278	<b>ABSENT:</b>	Etheridge

**CAMDEN COUNTY  
PLANNING BOARD  
AGENDA ITEM SUMMARY SHEET**

**Item Number:** VI. 1.  
**Meeting Date:** April 20, 2016  
**Attachments:** 1  
**Submitted by:** Staff

**ITEM TITLE:** 1. Rezoning, Pudding Ridge of South Mills LLC - Herb Mullen / Tracy Swain, Property adjacent to 330 Pudding Ridge Rd, South Mills Township

**SUMMARY:**

**RECOMMENDATION:**

**For discussion and possible approval**

<b>MOTION MADE BY:</b>	
R. Needham	_____
C. Leary	_____
R. Albertson	_____
M. Etheridge	_____
P. Delano	_____
F. Harris	_____
R. McCall	_____
<b>NO MOTION</b>	_____
<b>VOTE:</b>	
R. Needham	_____
C. Leary	_____
R. Albertson	_____
M. Etheridge	_____
P. Delano	_____
F. Harris	_____
R. McCall	_____
<b>ABSENT</b>	_____
<b>RECUSED</b>	_____



**STAFF REPORT****UDO 2016-03-09  
Zoning Map Amendment****PROJECT INFORMATION**

**File Reference:** UDO 2016-03-09  
**Project Name;** N/A  
**PIN:** 01-7090-00-01-5676  
**Applicant:** Pudding Ridge of  
 South Mills LLC –  
 Herb Mullen/Tracy  
 Swain

**Address:** 149 Lilly Road  
 South Mills NC  
 27976

**Phone:** (252) 339-5963  
**Email:**

**Agent for Applicant:**

**Address:**  
**Phone:**  
**Email:**

**Current Owner of Record:** Same as applicant

**Meeting Dates:**

4/20/2016 **Planning Board**  
**Board of Commissioners**

**Application Received:** 3/11/2016  
**By:** David Parks, Permit Officer

**Application Fee paid:** \$1100 Check #1026

**Completeness of Application:** Application is generally complete

**Documents received upon filing of application or otherwise included:**

- A.** Rezoning Application
- B.** Deed
- C.** GIS Aerial, existing zoning, Comprehensive Plan Future Land Use Map, CAMA Land Use Plan Suitability Maps
- D.** Letter from Albemarle Regional Health Services
- E.** Emails from NC Department Public Safety (Floodplain Management Branch) John Gerber and Dan Brubaker

**PROJECT LOCATION:**

**Street Address:** Property adjacent to 330 Pudding Ridge Road  
**Location Description:** South Mills Township

**Vicinity Map:**



**REQUEST:** Rezoning of the approximately 55 of 93 acres (all property located outside the Floodway)

**From:** Basic Residential (R3-2)

**To:** Basic Residential (R3-1)

The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-2 district requires a minimum of two acres per lot.

The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-1 district requires a minimum of one acre per lot.

**SITE DATA**

**Lot size:** Approximately 93 acres. Request is for the 56 acres of land that is located outside the FEMA Floodway  
**Flood Zone:** Zones: Shaded X, AE, and AEFW  
**Zoning District(s):** Basic Residential (R3-2)  
**Existing Land Uses:** Agriculture/Woodland

**Adjacent Zoning & Uses:**

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Zoning</b>	Basic Residential (R3-2)	Basic Residential (R3-2)	Basic Residential (R3-2)	Basic Residential (R3-2)
<b>Use &amp; size</b>	Farmland	Farmland	Woodland	Farmland/Residential

**Proposed Use(s):**

Uses are the same the only change is in the density from two acres to one acre.

**Description of property:**

Property abuts 330 Pudding Ridge Road and its current use is mostly farmland. Only utility adjacent to property is electric with the nearest waterline over 4500 feet away on Keeter Barn Road.

**ENVIRONMENTAL ASSESSMENT**

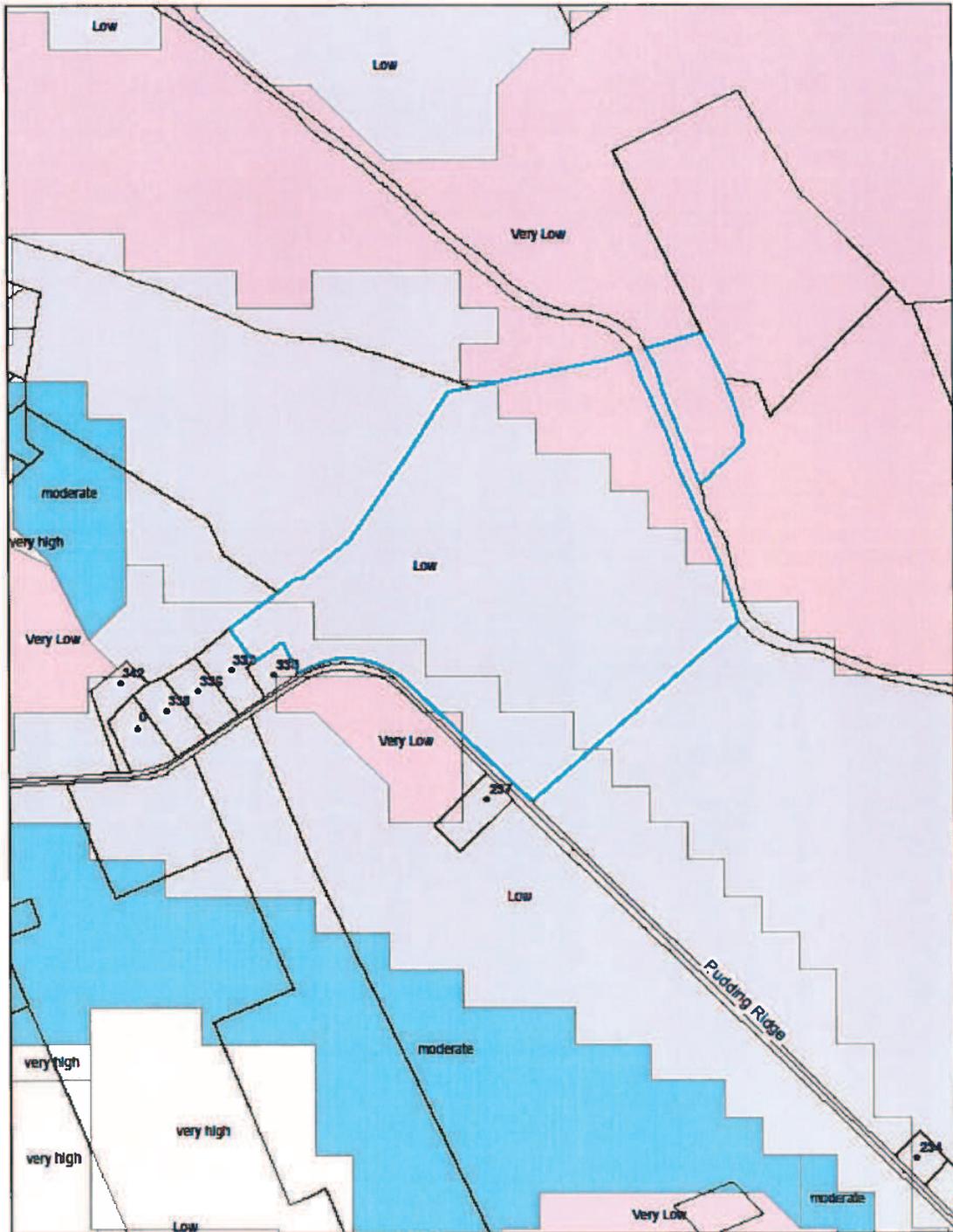
**Streams, Creeks, Major Ditches:** Cypress Run Ditch.

**Distance & description of nearest outfall:** Cypress Run Ditch located to the East of property. In reviewing flood map approximately 36 acres is designated as the FEMA Floodway defined as “The channel of a river or other watercourse and the adjacent land areas that must be preserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.”

### Current Zoning Map



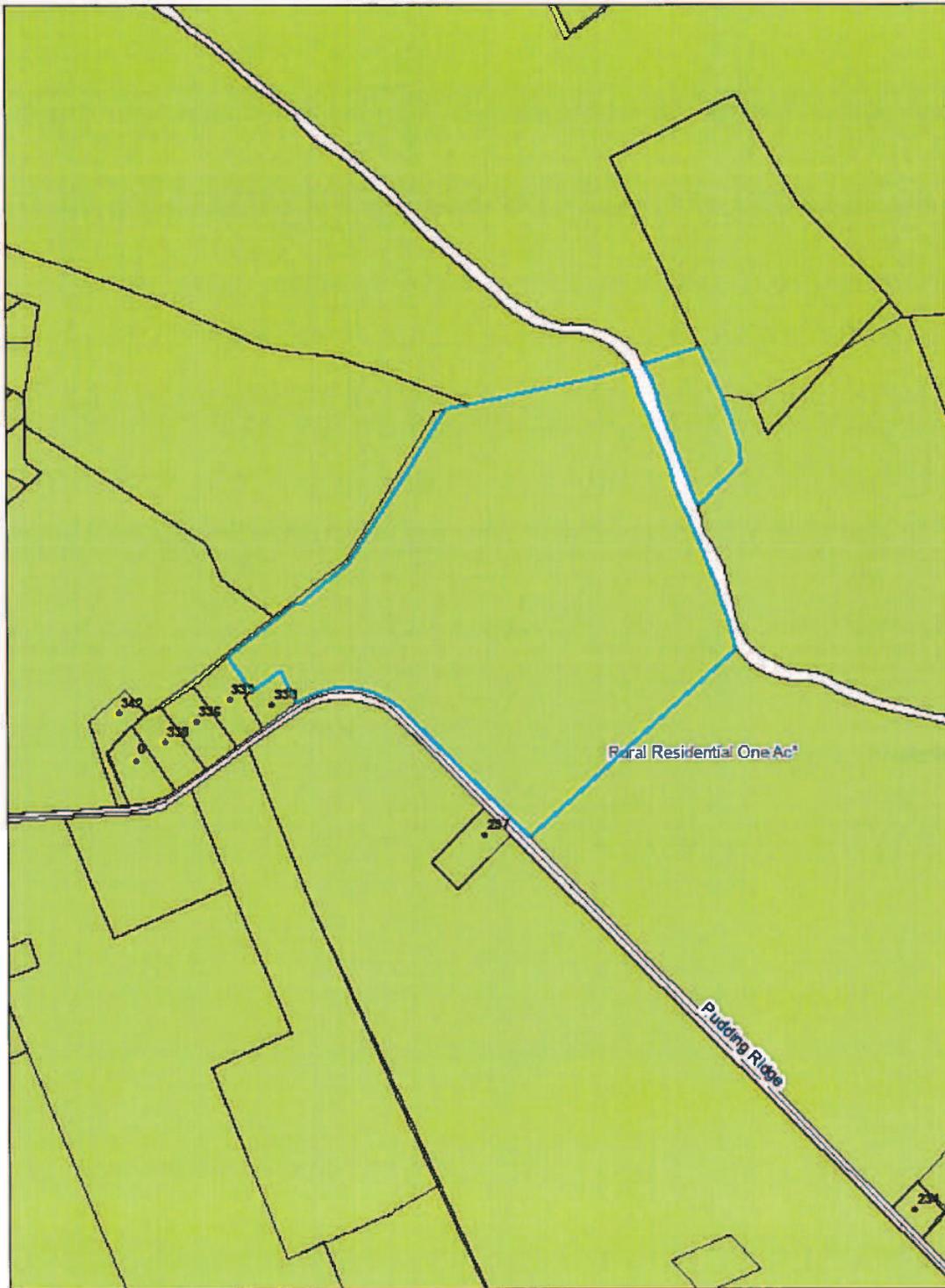
### Land Suitability



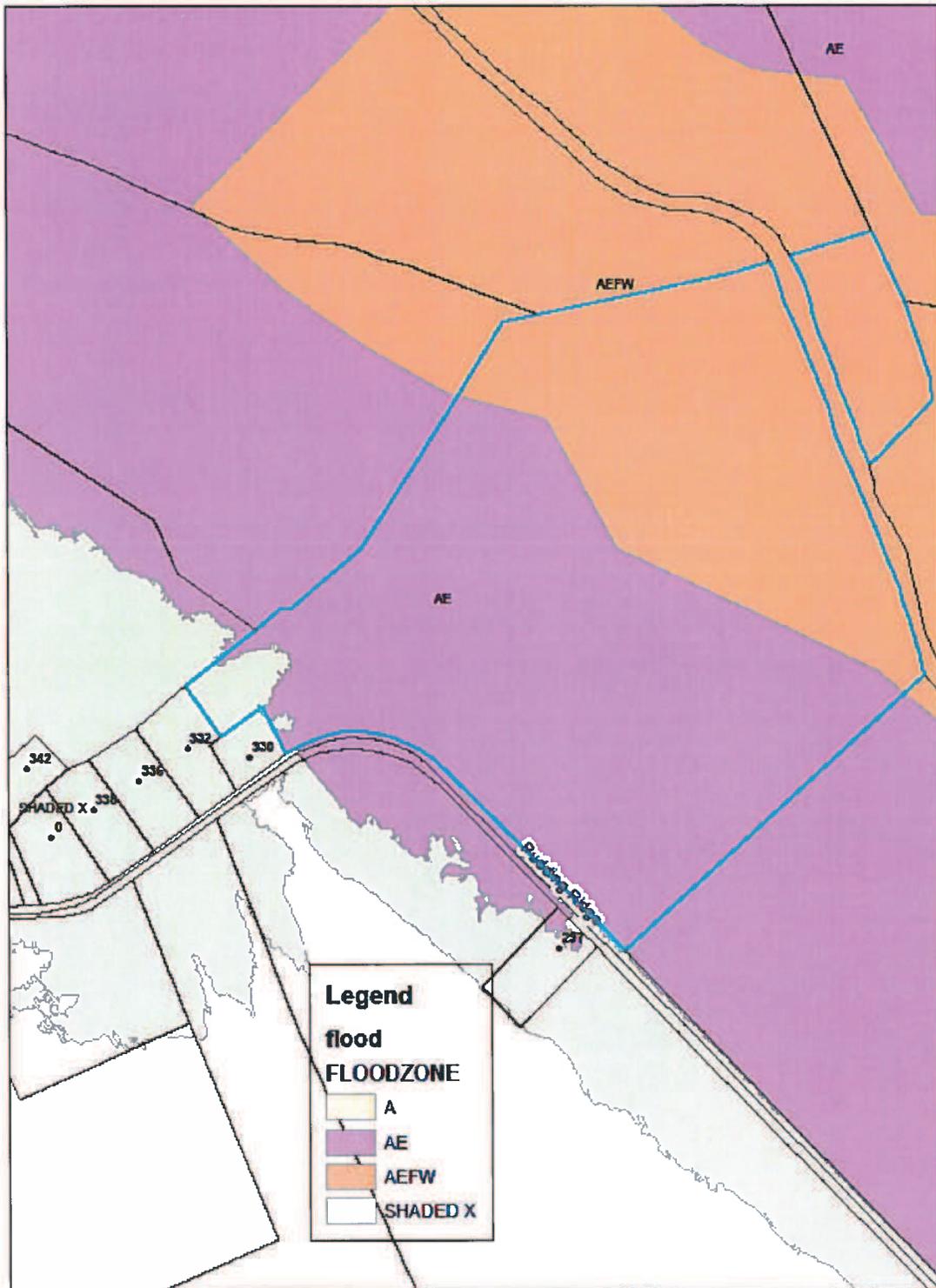
### CAMA Future Land Use Map



Comprehensive Plan Future Land Use Map



### Floodplain Map



Lidar Elevation Data



## INFRASTRUCTURE & COMMUNITY FACILITIES

<b>Water</b>	Nearest water line located approximately 4500 feet away at Keeter Barn and Pudding Ridge Roads (6 Inch lines).
<b>Sewer</b>	Letter from Albemarle Regional Health Services Soil Scientist (Ralph Hollowell stating soils are provisionally suitable for septic systems
<b>Fire District</b>	South Mills Fire District. Station located approximately 1.2 miles from property.
<b>Schools</b>	Increasing density of development through rezoning will increase projected number of students generated from future development.
<b>Traffic</b>	Increasing density will increase traffic generation, however traffic is not anticipated to exceed road capacities.

## PLANS CONSISTENCY

### CAMA Land Use Plan Policies & Objectives:

Consistent  Inconsistent

The proposed zoning change is inconsistent with the CAMA Land Use Plan which was adopted by the Camden County Board of Commissioners on April 4, 2005 in that is the parcel is designated as Conservation (Area of Environmental Concern). This would probably be based on the property being located in an Area of Environmental Concern (floodplain/Floodway according to the FEMA Flood Maps).

### PLANS CONSISTENCY – cont.

#### 2035 Comprehensive Plan

Consistent  Inconsistent

Consistent with Comprehensive Plan Future Land Use Maps in that area is identified as Rural Residential with maximum density of 1 acre lots.

#### Comprehensive Transportation Plan

Consistent  Inconsistent

Property abuts Pudding Ridge Road (SR 1225)

Other Plans officially adopted by the Board of Commissioners: N/A

**FINDINGS REGARDING ADDITIONAL REQUIREMENTS:**

Yes  No  **Will the proposed zoning change enhance the public health, safety or welfare?**

**Reasoning:**

- (1) The proposed zoning change will enhance the public health, safety, or welfare as it will provide needed residential density in an area identified by the Comprehensive Plan to encourage commercial development.
- (2) The proposed zoning change could jeopardize the public safety as the CAMA Land Use Plan has the parcel identified as Conservation or an Area of Environmental Concern (AEC) due to it being in the FEMA Floodplain/Floodway. Flood Maps are based on that 1% chance every year that the County could be inundated with the 100 year storm which would dump approximately 9 inches of rain in a 24 hour period.

Yes  No  **Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?**

**Reasoning:** The permitted uses will not change as the request is for a higher density in the existing district of Basic Residential (R3).

**For proposals to re-zone to non-residential districts along major arterial roads:**

Yes  No  **Is this an expansion of an adjacent zoning district of the same classification? N/A**

**Reasoning:**

Yes  No  **What extraordinary showing of public need or demand is met by this application? N/A**

**Reasoning:**

Yes  No  **Will the request, as proposed cause serious noise, odors, light, activity, or unusual disturbances?**

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

Yes  No  **Does the request impact any CAMA Areas of Environmental Concern?**

**Reasoning:** Property is located in a CAMA Areas of Environmental Concern (Floodplain/Floodway AE/AEFW)

Yes  No  **Does the county need more land in the zoning class requested?**

**Reasoning:** The attached graph indicates the percentage and amount of land in the R3-1 zone.

Yes  No  **Is there other land in the county that would be more appropriate for the proposed uses?**

**Reasoning:** Uses are the same, request is for higher density from two acres to one acre.

Yes  No  **Will not exceed the county’s ability to provide public facilities:**

**Schools** – The higher density would have an impact on the schools once developed as the high school has exceeded its capacity.

**Fire and Rescue** – Minimal impact.

**Law Enforcement** – Minimal impact.

**Parks & Recreation** – Minimal impact

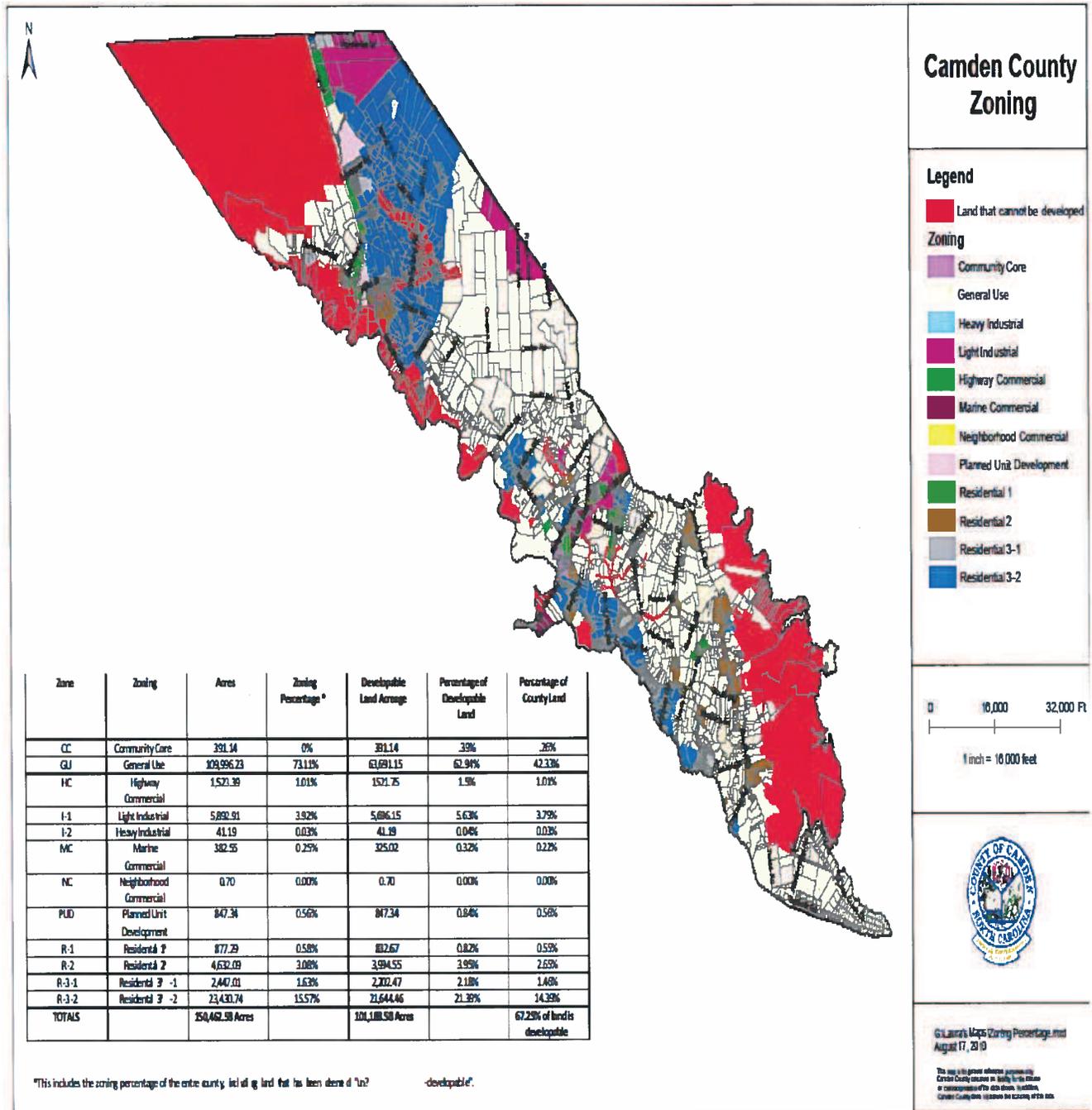
**Traffic Circulation or Parking** – N/A

**Other County Facilities** – No.

Yes  No  **Is This A Small Scale “Spot” Rezoning Request Requiring Evaluation Of Community Benefits?**

**If Yes (regarding small scale spot rezoning) – Applicants Reasoning:**

	<b>Personal Benefits/Impact</b>	<b>Community Benefits/Impact</b>
<b>With rezoning</b>		
<b>Without rezoning</b>		



**STAFF COMMENTARY:**

The requested rezoning could possible double the potential number of lots. The property owner has not submitted a proposed conceptual plan as they do not know when they are going to proceed with any development.

It is important to note that the property is located in an Area of Environmental Concern (Floodplain) as stated in this report and that caution should be made when allowing development within the floodplain especially when the flood zone (AE) is located adjacent to the Floodway (AEFW). Though the County has not experienced this 100 year flood resulting in approximately 9 inches of rain in 24 hours, it is of my opinion as the County's Floodplain Administrator if this storm event were to occur, areas in the floodplain would see severe flooding which could result in endangering the health and safety of its citizens.

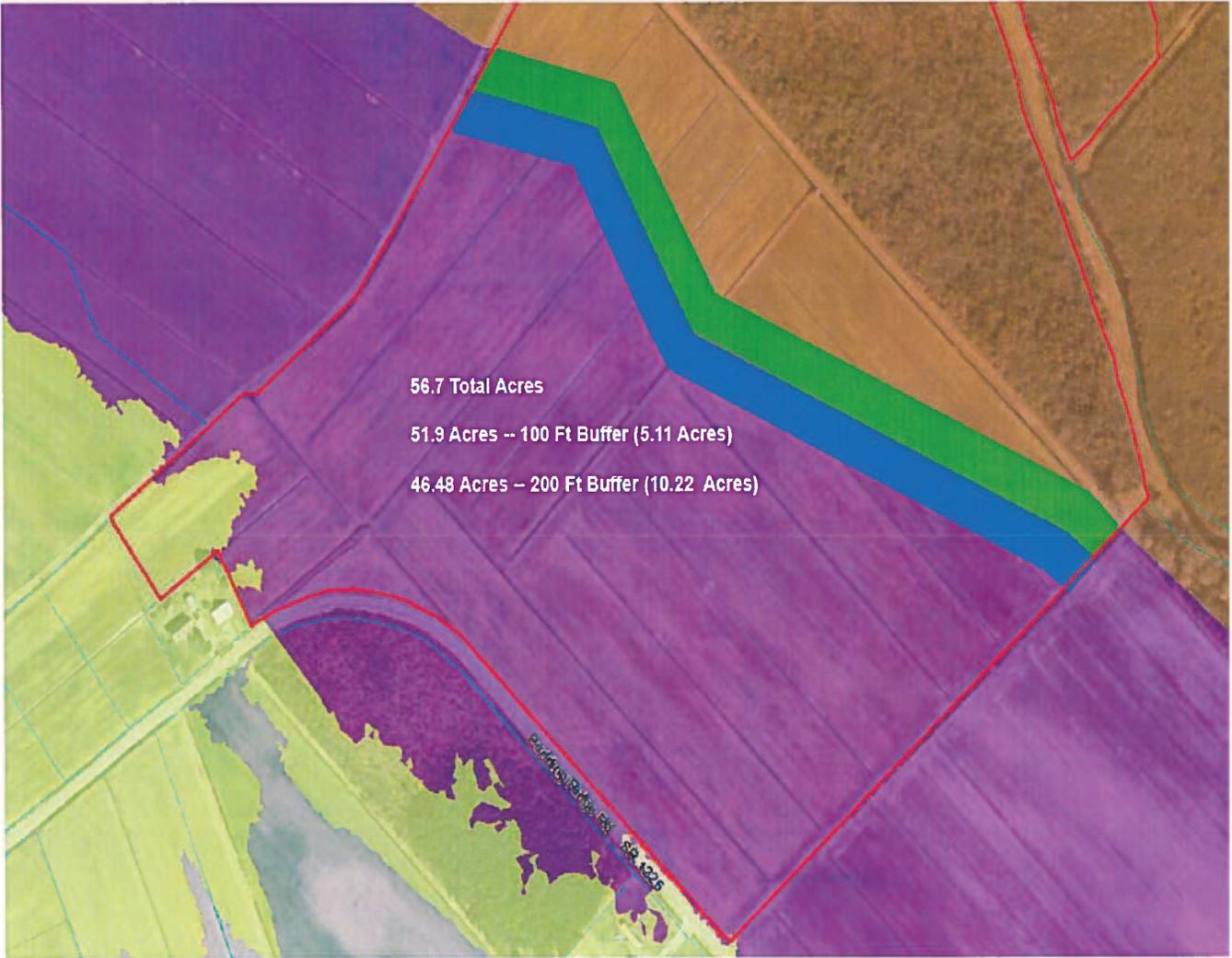
Development is permitted in Flood Zone AE (Flood Zone with a Base Flood Elevation) as long as the development adheres to current Floodplain Management regulations.

**STAFF RECOMMENDATION:**

Based on all information provided, staff is recommending approval to rezone from Basic Residential (R3-2) to Basic Residential (R3-1) a portion of the property (approximately 52 acres) excluding the floodway and a 100 foot buffer from the flood way, as it is consistent with the Comprehensive Plan as it allows for density of 1 to 2 acres.

Additionally staff recommends rezoning from Basic Residential (R3-2) to Conservation District (CD) the remaining approximately 41 acres (the floodway and the 100 foot buffer adjacent to the Floodway) (see following map).

**PLANNING BOARD RECOMMENDATION:**



**Zoning Change Application**  
**County of Camden, North Carolina**

A rezoning may be obtained pursuant to Article 151.580 of Unified Development Ordinance (UDO) of Camden County and upon approval by the Board of Commissioners after a recommendation from the Planning Board.

Please consult the Planning Office (1-252-338-1919) with any questions about your application.

PLEASE PRINT OR TYPE

Please Do Not Write in this Box	
PIN:	<u>01-7090-00-<del>01</del>-5676</u>
UDO#	<u>2016 - 03 - 09</u>
Date Received:	<u>3/11/16</u>
Received by:	<u>JS</u>
Zoning District:	<u>R3-2</u>
Fee Paid: \$	<u>1100.00</u>

Applicant's Name: Padding Ridge of Soot Mills LLC  
Heib Mollen & Tracey Swain

If the Applicant is acting as agent for another person (the "principal"), please give that person's name on the line below and submit a copy of the agency agreement/letter with this Application.

CK # 1026  
JS

Applicant's Mailing Address: 149 Lilly Road  
South Mills, NC 27976

Daytime Phone Number: (252) 339-5963

Street Address Location of Property: Padding Ridge Road South Mills PIN 017090 005676 α

General Description of Proposal: Rezone from R-3-2 to R-3-1 - 55 ACRES

*I swear or affirm that the foregoing information and all attachments hereto (now or subsequently provided as part of this application) are true and correct to the best of my knowledge.*

Signed: [Signature]

Dated: 3-3-16

**Please include a site plan with this application and any other supporting documentation that the applicant feels would assist the Board of Commissioners and the Planning Board in determining the need for a zoning change.**

\* Information to be filled out by Planning Department

\*Is the Property in a Watershed Protection area? NO

\*Flood Zone (from FIRM Map): AE/AEFW

\*Taxes paid? yes  no

### **Zoning Change Application Questions**

*The UDO requires the Board to consider to 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? (Article 151.585)

This parcel is currently zoned R-3-2 having lots of two or more acres in size. A two acre lot for a major subdivision reduces income to the county in two ways. It reduces the amount of land available for agriculture and it makes lots unappealing to the average home owner who had rather maintain a one acre lot than two.

By rezoning this parcel to R-3-1 having lots of one or more acres in size will increase the county's tax revenue, which will allow additional funding to go to public health, safety and welfare. With dwindling State and Federal Revenues dedicated to these programs this additional tax income may provide the county the with the ability to fund these programs in the future (Typically when these funds dry up the requirements stay intact and the burdened of funding falls back on the county government).

(B) Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification? (Article 151.585)

Yes, it will allow the county's tax base to increase by utilizing less land, which will give the county the option of a larger tax base in the future through continued development and income from agriculture.



ALBEMARLE REGIONAL HEALTH SERVICES  
Partners in Public Health

March 17, 2016

Mr. Herb Mullen  
PO Box 236  
South Mills NC 27976

Pasquotank Based on the soil evaluations performed on February 2, 2016 the following property PIN 017090000156760000 located on Pudding Ridge Road, South Mills, NC is provisional suitable - based on the following modifications for single family dwellings on sewage disposal systems with 1 acre lots.

Perquimans

Camden Soil evaluations were completed and have been marked on the attached map and the specifics are listed below:

Chowan

Currituck -All systems will consist of a 1000 gallon tank - there will be no pretreatment  
- Based on the findings the largest system size would be 400 linear feet and a repair area.

Bertie - Some systems may require backfill  
- All landscaping over system will be crowned to divert surface water

Gates - Install systems shallow with no more than 12 inches cover  
- Depending on the amount of backfill if any will determine if the system will be part of the Public Management Entity

If I can be of further assistance, please feel free to contact me at 1-252-340-9015

Ralph L. Hollowell, Jr.  
Environmental Health Director  
License Soil Scientist



Jerry L. Parks, MPH, Health Director

P.O. Box 189 • 711 Roanoke Avenue • Elizabeth City, North Carolina 27907-0189  
Tel: 252-338-4400 • Fax: 252-338-4449 • [www.arhs-nc.org](http://www.arhs-nc.org)



**Dave Parks**

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**From:** Gerber, John <John.Gerber@ncdps.gov>  
**Sent:** Friday, April 01, 2016 1:46 PM  
**To:** Brubaker, Dan; Dave Parks  
**Subject:** RE: Rezoning

Hey Dave - I agree with Dan.

A buffer is not a bad idea if you are concerned the fill material or other development may encroach into the floodway. There should be some way for you to verify in the field that there are no encroachments in the floodway. It is often helpful to have the surveyor stake the floodway limits so there is no question when fill is being placed in the SFHA that it does not encroach into the floodway.

Thanks for letting us comment and let us know if you need anything additional.

John

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**From:** Brubaker, Dan  
**Sent:** Friday, April 01, 2016 1:27 PM  
**To:** Dave Parks; Gerber, John  
**Subject:** RE: Rezoning

Good afternoon, David. I concur with the Staff Commentary. Do you know if the developer intends to bring fill in for the building sites, or will they elevate on crawlspaces so that the finished floor is above the regulatory flood level?

This area (Joyce Creek) is not changing on the preliminary flood maps.

There isn't a FEMA requirement for a buffer around the floodway. As long as the development is outside of the floodway and built in compliance, it would meet the minimum NFIP requirements. Anything within the floodway would need to be checked for compliance with 60.3.d.3 (No-Rise or CLOMR).

John will be back in the office on Monday. Feel free to give me a call if you need anything else in the meantime.

Best regards,

Dan Brubaker

John D. Brubaker, PE, CFM  
NFIP Engineer  
NC Department of Public Safety  
Risk Management Section  
4218 Mail Service Center  
Raleigh, NC 27699-4218  
(919) 825-2300  
[dan.brubaker@ncdps.gov](mailto:dan.brubaker@ncdps.gov)  
[www.ncdps.gov](http://www.ncdps.gov)



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**From:** Dave Parks [<mailto:dparks@camdencountync.gov>]  
**Sent:** Wednesday, March 30, 2016 9:55 AM  
**To:** Brubaker, Dan; Gerber, John  
**Subject:** Rezoning

Dan and John,

John the attached is an updated findings from what I sent you earlier. Property owner want to rezone the portion of his property (outlined)outside the AEFW from two acre to one acre and looking at doing a Major Subdivision later down the road. I'm looking at requiring a buffer from the AEFW of 100 to 200 feet, but would like your inputs on this.

Thanks,

David Parks, CFM  
Camden County  
(252) 338-1919 ext 232

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