

AN ORDINANCE TO ESTABLISH A MORATORIUM  
ON MAJOR SUBDIVISIONS AND COMMERCIAL DEVELOPMENT  
WITHIN THE TOWN OF CAMERON  
AND THE TOWN OF CAMERON EXTRATERRITORIAL JURISDICTION

THAT WHEREAS, the Town of Cameron, North Carolina (the Town) is experiencing significant real estate development pressure within its corporate boundaries and its extraterritorial jurisdiction; and

WHEREAS, the Town has limited available drinking water capacity to serve future demand, experiencing difficulties meeting current demand and filling the system's elevated storage tank; and

WHEREAS, any available capacity will be exhausted through the addition of not more than five (5) residential dwelling units; and

WHEREAS, the Town does not have access to public sewer; and

WHEREAS, a lack of potable water availability and sewer capacity presents severe restrictions on the ability to develop major subdivisions and commercial development; and

WHEREAS, the Town is in a watershed protection area for the purposes of protecting water quality for drinking water; and

WHEREAS, the presence of floodplain, hydric soils and wetlands occur throughout the town, limiting development sites requiring the use of septic systems; and

WHEREAS, the lack of sewer could drive clustered, intense development to occur using septic systems, potentially putting environmental resources at risk; and

WHEREAS, the Town currently has development under consideration that may not be achievable using the town's available water capacity; and

WHEREAS, the Town has been granted funding to accomplish the following:

1. Study of infrastructure needs,
2. Asset inventory of water,
3. A sewer feasibility study; and

WHEREAS, the Town of Cameron Land Use Plan identifies the need to address water and sewer resources through the following language:

Goal 4: To ensure the provision of a safe and adequate supply of potable water and wastewater systems for the residents of both Cameron and its extra-territorial jurisdiction (ETJ) area.

Actions:

1. Develop a capital improvement program to phase the timely expansion of the town's water system and the development of a wastewater system.
2. Develop a contractual agreement between Cameron and the Moore County Public Works department to oversee the construction of future water and sewer lines.
3. Consider potable and wastewater needs for new development; and

WHEREAS, the Town needs time to complete the proposed studies to determine how to achieve the direction of the Land Use Plan without exhausting available water resources and placing natural resources at risk; and

WHEREAS, allowing major subdivision and commercial development activity to occur prior to consideration of the feasibility studies and implementation of a capital improvement program will result in development that is incompatible and incongruous with the Land Use Plan's goals and actions; and

WHEREAS, the Town of Cameron has entered into a contract with LKC Engineering to complete the following work in accordance with the schedule listed below:

1. Study of infrastructure needs as follows:
2. Asset inventory of water in process, completion date is July 2025, contract awarded to LKC Engineering.
3. Funds for a sewer feasibility study will be released in early spring 2024; and once released by state appropriate funds, a contract will be entered into.

WHEREAS, this ordinance shall be known and cited as the Town of Cameron Major Subdivision and Commercial Development Moratorium Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Cameron assembled on the 28<sup>th</sup> day of November 2023, as follows:

**Section 1:**

**Moratorium on Major Subdivisions:** Until the expiration of the moratorium as provided in Section 3 below, no major subdivision, as defined below, may be created nor any building or zoning permit issued for any building within a major subdivision created after the effective date of this ordinance within the Town of Cameron's municipal or extra-territorial zoning districts.

- a) **Major Subdivision Definition:** As used in this ordinance, a major subdivision is any division of a tract of land for the purpose of sale or building development (whether immediate or future) when that division results in or requires any of the following:
  - (1) The creation of more than a total of four (4) lots;
  - (2) The creation of any new public streets;
  - (3) The extension of a public water or sewer system, or
  - (4) The installation of drainage improvements through one or more lots to serve one or more lots.

**Section 2: Moratorium on Commercial Development:** Until the expiration of the moratorium as provided in Section 3 below, no commercial development may be created, nor any building or zoning permit issued, for any building after the effective date of this ordinance within the Town of Cameron's municipal or extra-territorial zoning districts. Commercial development includes multi-family development and any nonresidential development.

**Section 3: Period of Moratorium:** The moratorium established by this ordinance shall expire 365 days after the effective date of the ordinance or after the longest period for which such a moratorium legally may extend, whichever is shorter. The Town of Cameron Board of Commissioners may renew this moratorium or extend its duration, as necessary, consistent with the requirement of NCGS 160D-107(e). The Town may terminate this moratorium earlier by action of the Board of Commissioners.

**Section 4. Exclusions.** In accordance with NCGS 160D-107(c), absent an imminent threat to public health or safety, a development moratorium adopted pursuant to this section shall not apply to:

1. Any project for which a valid building permit issued pursuant to G.S. 160D-1108 is outstanding.
2. Any project for which a special use permit application has been accepted as complete,
3. Development set forth in a site-specific or phased vesting plan approved pursuant to G.S. 160D-108.
4. Development for which substantial expenditures have already been made in good faith reliance on a prior valid development approval.
5. Preliminary or final subdivision plats that have been accepted for review prior to the call for a hearing to adopt the moratorium. Any preliminary subdivision plat accepted for review by the local government prior to the call for a hearing, if subsequently approved, shall be allowed to proceed to final plat approval without being subject to the moratorium.
6. Development in an approved subdivision in which substantial infrastructure expenditures have been incurred, including roadway, water, and/or sewer infrastructure, regardless of whether individual parcel owners within the subdivision have submitted a complete application for development approval.

Notwithstanding the foregoing, if a complete application for a development approval has been submitted prior to the effective date of this moratorium, the permit choice provisions of NCGS 160D-108(b) shall be applicable when permit processing resumes. This allows an applicant to choose which version of the development regulation will apply if development regulations change between the time the application was submitted and a decision is made.

**Section 5. Additional exclusions.** This ordinance does not apply to:

1. Accessory buildings or uses for which no water or wastewater is needed.
2. Structures considered as part of an approved conditional zoning prior to the effective date of this ordinance.

**Section 6.** This ordinance is effective upon adoption.

Adopted this 28<sup>th</sup> day of November 2023.

Ginger Bauerband Ginger Bauerband, Mayor

Wendy C Butner Wendy Butner, Town Clerk/Finance Officer

(ATTEST)