



**Planning Board
Agenda Packet**

January 10, 2017

Work Session

6:30 PM

Call to Order

- A) Pledge of Allegiance & Moment of Silence
- B) Announce Quorum Being Met
- C) Approval of Agenda
- D) Ask for Disqualifications
- E) Election of Officers - Chairman and Vice-Chairman

Approval of Minutes for November 8, 2016**Old Business****New Business**

- A) **PB 16-17 E.T. Hyman Conditional Rezoning:** Request for conditional rezoning of 4.01 acres from GB (General Business) to C-MXR (Conditional-Mixed Residential) on Moyock Landing Drive adjoining Currituck House assisted living facility to the east, Tax Map 9, Parcel 29T, Moyock Township.
- B) **PB 16-26 Currituck Waterfront Business Park - LUPA Full Service:** Request for an amendment to the Currituck County Land Use Plan to designate approximately 178 acres of the Future Land Use Map from Conservation and Limited Service Area to Full Service Area. This request is intended to accommodate an area adjacent to the Coinjock Canal for an aggregate storage yard.
- C) **PB 16-24 Blue Water Development Corp.** Requests an amendment to the Unified Development Ordinance to allow the expansion of existing campgrounds.

Announcements**Adjournment**



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1748)

Agenda Item Title

PB 16-17 E.T. Hyman Conditional Rezoning:

Brief Description of Agenda Item:

Request for conditional rezoning of 4.01 acres from GB (General Business) to C-MXR (Conditional-Mixed Residential) on Moyock Landing Drive adjoining Currituck House assisted living facility to the east, Tax Map 9, Parcel 29T, Moyock Township.

Planning Board Recommendation:

<Planning Board Recommendation, IF NOT A PLANNING BOARD ITEM ERASE COMPLETELY>

Board Action Requested

Action

Person Submitting Agenda Item

Tammy Glave,

Presenter of Agenda Item

Tammy Glave



STAFF REPORT PB 16-17 E. T. HYMAN SURVEYING PLANNING BOARD JANUARY 10, 2017

APPLICATION SUMMARY

Property Owner: Hugh S Miller IV 111 Currituck Commercial Drive Moyock NC 27958	Applicant: E. T. Hyman Surveying PC 133 US Hwy 158 W Suite E Camden NC 27921
Case Number: PB 16-17	Application Type: Conditional Rezoning
Parcel Identification Number: 0009000029T0000	Existing Use: Vacant
Land Use Plan Classification: Full Service Moyock SAP: Full Service	Parcel Size (Acres): 4.01
Zoning History: RA20 (1975); A (1989);	Plan Request: 16 Unit Townhome Development with 1 accessory dwelling unit and 12 detached garages
Current Zoning: GB (2005)	Proposed Zoning: C-MXR

SURROUNDING PARCELS

	Land Use	Zoning
North	Vacant	C-SFM
South	Single Family Dwellings	GB
East	Assisted Living Facility	GB
West	Vacant	GB

STAFF ANALYSIS

This 4.01 acre parcel is located on Moyock Landing Drive, adjacent to the Currituck House assisted living facility to the east and the Rail Road right-of-way to the west. The request is for a 16 unit townhome development, 1 accessory structure, and 12 detached garages. Upon conditional rezoning approval, the applicant will submit a subdivision plan to create individual lots for each unit.

It should be noted that the executed Shingle Landing Subdivision private railroad crossing agreements (Moyock Landing Drive) have been sent to the NCDOT division office in an effort to transfer the road maintenance of Moyock Landing Drive to NCDOT. NCDOT is scheduled to inspect the road for acceptance at the beginning of 2017. It should also be noted that a road extension (Arrow Head Lane) is being constructed that adjoins Moyock Landing Drive to Baxter Lane to the north that will provide an additional means of ingress and egress for this development. There is also a proposed county park approximately three-tenths of a mile east of this development and the development will be connected to the park via a series of sidewalks.

The Conditional-Mixed Residential (C-MXR) district request is reasonable because the district accommodates a wide variety of residential use types at moderate densities, including multi-family dwellings. The district is intended to provide much needed moderate cost housing for county residents within well-designed neighborhoods. The multi-family project is subject to appropriate community forms, compatibility, and design standards to ensure a well-designed neighborhood. This multi-family development will serve as a transition between General Business (GB) development along Caratoke Highway and the assisted living facility and neighborhood (Shingle Landing) to the east.

The policy emphasis of the 2006 Land Use Plan for Moyock is on properly managing the increased urban level of growth that this area is experiencing. Residential development densities should be medium to high (up to four units per acre) based on the availability of county services such as water, sewer, schools, etc. County water and sewer are available for this project and the other levels of service are appropriate.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends approval of the conditional rezoning subject to the following conditions being met at site plan submittal:

1. Open space set-asides in multi-family developments shall provide active recreation features that occupy at least 35 percent of the open space set-aside area. Please indicate the active recreation use and area to demonstrate that this requirement has been met. Both the community garden and sidewalks count towards active recreation. (UDO Section 7.1.3.C.4) *(Planning)*
2. The internal 5' wide sidewalks must connect into the 6.5' wide sidewalk to the east. *(Planning)*
3. A detailed landscaping plan will be required at site plan approval. *(Planning)*
4. Storm water design shall meet the requirements of Section 7.3 of the UDO. *(Engineering)*
5. It is my understanding the county will provide sewer for the proposed development. You will need to work with the Engineering and Utilities Departments of the county in developing your hydraulic model and design standards. *(Engineering)*
6. Fire hydrant locations must be shown and measurements verified. *(Fire Marshal)*
7. The Needed Fire Flow cannot be greater than what is available at this location. *(Fire Marshal)*

CONSISTENCY STATEMENT

The conditional zoning request is consistent with the 2006 Land Use Plan because:

- County water and sewer are available to the site and this use will help grow these systems. (Policy ES1)
- It is at a density appropriate for the location. (Policy HN1)
- Adequate public facilities are available to service the project. (PP2)
- It is located in the fastest growing area of the county that continues to evolve as a Full Service community. (Moyock Policy Emphasis)

The conditional rezoning request is consistent with the Moyock Small Area Plan because:

- There will be a sidewalk connection to the assisted living facility, park, and subdivision to the east. (TR2)
- Infrastructure and service needs of the community are met. (IS2)
- Stormwater is properly managed. (IS4)
- It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

The request is reasonable and in the public interest because:

- It creates a new residential use type, multi-family, at an appropriate density for the area.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

CONDITIONS OF APPROVAL

Only conditions mutually agreed to by the owner(s) may be approved as part of a conditional zoning district. Conditions shall be limited to those that address conformance of development and use of the site with county regulations and adopted plans and that address the impacts reasonably expected to be generated by the development or use. No condition shall be less restrictive than the standards of the parallel general use zoning district.

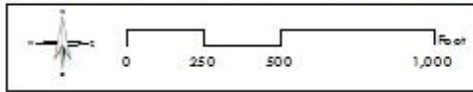
Suggested conditions of approval:

1. The development will consist of a 16 unit townhome development with 1 accessory structure and 12 detached garages.
2. That the architectural rendering of the townhomes be incorporated into this approval and units constructed accordingly.

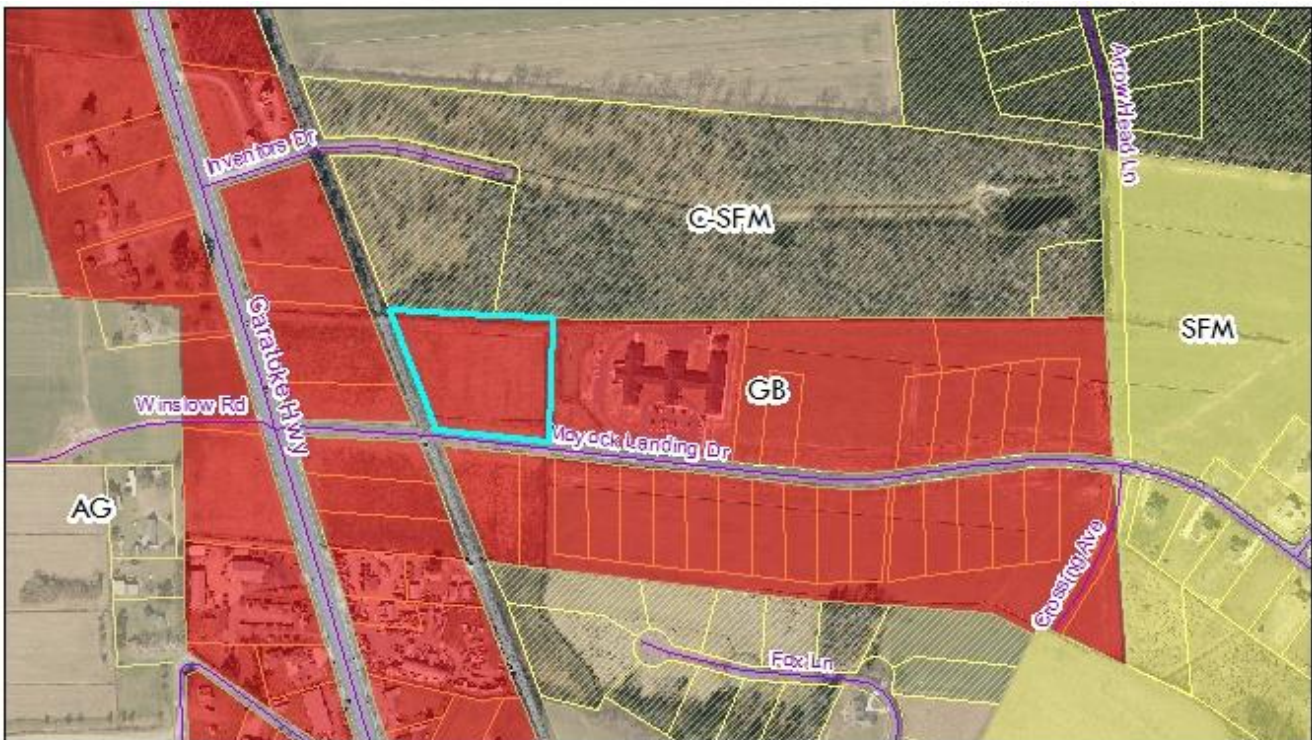
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Planning Board: www.co.currituck.nc.us/planning-board-minutes-current.cfm



PB 16-17 E.T. Hyman Surveying
Conditional Rezoning
Aerial Photography



Currituck County
Planning and
Community Development



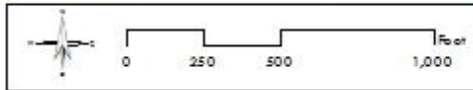
PB 16-17 E.T. Hyman Surveying
Conditional Rezoning
Zoning




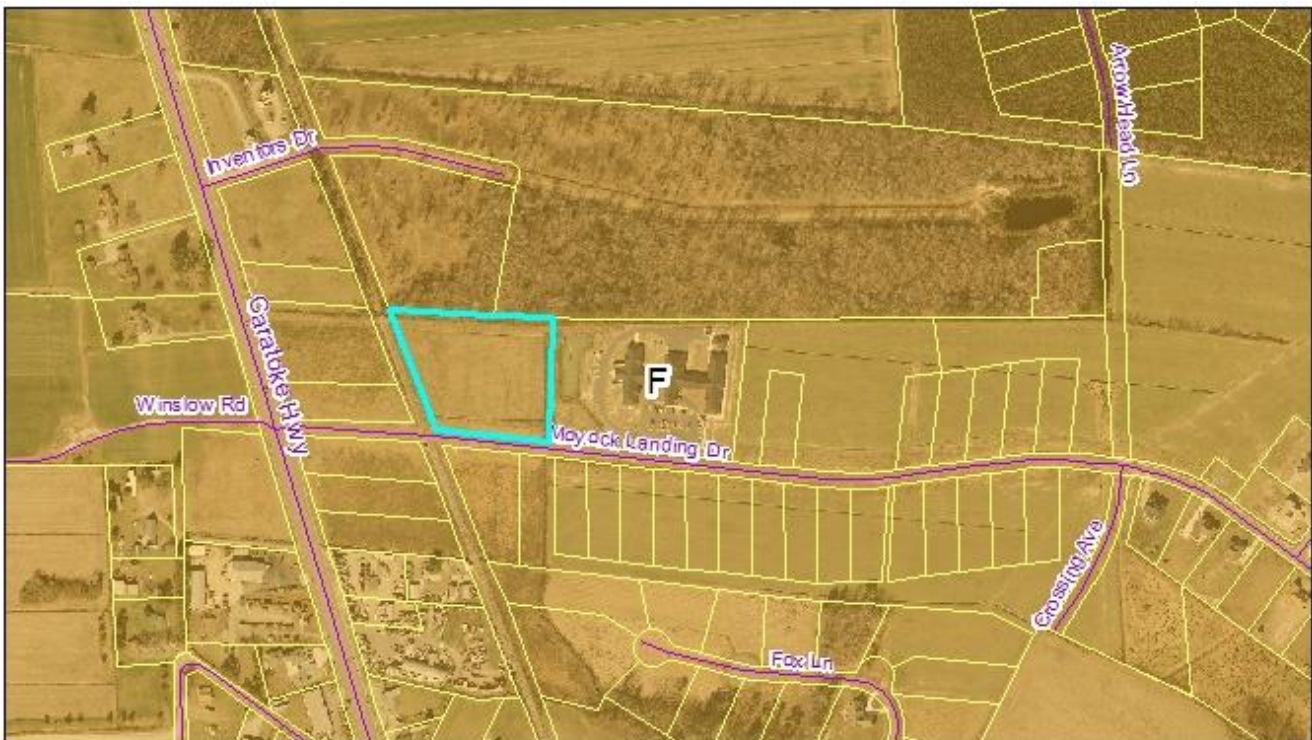
Currituck County
Planning and
Community Development



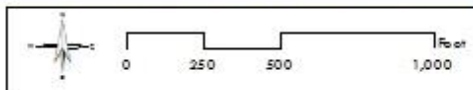
PB 16-17 E.T. Hyman Surveying
Conditional Rezoning
Land Use Plan Classification




 Currituck County
Planning and
Community Development



PB 16-17 E.T. Hyman Surveying
Conditional Rezoning
Moyock SAP Classification



 Currituck County
Planning and
Community Development



Zoning Map Amendment Application

OFFICIAL USE ONLY:

Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information
APPLICANT:

Name: E.T. Hyman Surveying, PC
 Address: 133 US Hwy 158 W. Suite E
Camden, NC 27921
 Telephone: 252-338-2913
 E-Mail Address: eddie@ethymansurveying.com

PROPERTY OWNER:

Name: SB&K Investments, LLC
 Address: 111 Currituck Commercial Dr. Suite B
Moyock, NC 27958
 Telephone: 757-513-7671
 E-Mail Address: smiller@laurelwoodsestates.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Professional Land Surveyor

Property Information

Physical Street Address: Approximately 135 Moyock Landing Drive
 Location: Moyock, NC
 Parcel Identification Number(s): 0009000029T0000
 Total Parcel(s) Acreage: 4.01 acres
 Existing Land Use of Property: Agriculture

Request

Current Zoning of Property: GB Proposed Zoning District: MXR
 Total Acreage for Rezoning: 4.01 acres Are you rezoning the entire parcel(s): (Yes) No
 Metes and Bounds Description Provided: Yes (No)

Community Meeting, if Applicable

Date Meeting Held: July 26, 2016 Meeting Location: Moyock Public Library

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.

[Signature]
 Property Owner(s)/Applicant*

7/27/16
 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.







Currituck County

Department of Planning and Community Development
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 252-232-3055
 FAX 252-232-3026

MEMORANDUM

To: Eddie Hyman, ET Hyman Surveying
 Sam Miller, SB & K Investments

From: Tammy Glave, Planner II

Date: August 11, 2016

Re: Sam Miller, Conditional Zoning AG to C-MXR

The following comments have been received for the August 17, 2016 Technical Review Committee meeting. Modifications of the request must be submitted by August 22, 2016 in order to remain on the September 13, 2016 Planning Board agenda. TRC comments are valid for six months from the date of the TRC meeting.

Planning, (Tammy Glave, 252-232-6025)

Approved with corrections:

1. Will all of the units be on one lot or are you going to go through the subdivision process to create a lot for each unit once the rezoning is approved?
2. Open space set-asides in multi-family developments shall provide active recreation features that occupy at least 35 percent of the open space set-aside area. Please indicate the active recreation use and area to demonstrate that this requirement has been met. Both the community garden and sidewalks count towards active recreation. (UDO Section 7.1.3.C.4)
3. Correct Note 7, Proposed Zoning to "C-MXR."
4. For Sustainable Development bonus density increase, four items from Schedule B must be called out. On note 19, Schedule B, Number 2, there must be one recycling station per building, or 4 stations for this design. Only one dumpster/recycling area is shown on the plat. Will all four individual stations be located within the Dumpster/Recycling Station noted on the plat? (UDO Section 5.1.3)
5. Please correct flood zone to 5.4' in Note 23.
6. Please call out the intended purpose 50' easement to the rear of the development. Drainage?
7. The internal sidewalks must be 5' wide. (UDO Section 5.6.10 - Recent text amendment)
8. A detailed landscaping plan will be required at site plan approval.
9. The dumpster/recycling station must be fully, opaquely, screened from off-site views. Please provide a screening detail at site plan submittal. (UDO Section 5.2.7)
10. Please coordinate the number and location of handicap parking spaces with the building inspector prior to site plan submittal.

Currituck County Code Enforcement (Stacey Smith, 252-232-6027)

Reviewed without comment.

Attachment: Sam Miller CMXR TRC Comments 8-11-16 (1748 : PB 16-17 E.T. Hyman Conditional Rezoning)

Currituck County Engineer (Eric Weatherly 252-232-6035)/

Approved with comments:

1. Storm water design shall meet the requirements of Section 7.3 of the UDO.
2. Alternative storm water plans shall meet the requirements of Section 7.3.5 of the UDO and Chapter 4 of the Storm Water Manual.
3. It is my understanding the county will provide sewer for the proposed development. You will need to work with the Engineering and Utilities Departments of the county in developing your hydraulic model and design standards.

Currituck County Fire Marshal (James Mims, 252-232-6641)

Reviewed with comments:

1. Will the structures have a mean roof height in excess of 30'?
2. Will the units be equipped with auto matic fire suppression systems (sprinklers?)
3. Will there be greater than 2 dwelling units on a single parcel?
4. Fire hydrants?
5. The Needed Fire Flow cannot be greater than what is available at this location.

Currituck County GIS (Harry Lee, 252-232-4039)

Reviewed without comment.

Currituck Soil and Water (Will Creef, 252-232-3360)

Reviewed without comment.

Currituck County Utilities (Pat Irwin, 252-232-6061)

Reviewed without comment.

Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)

Reviewed with comment:

1. CONSULT WITH KEVIN CARVER RS CONCERNING SEPTIC SYSTEM APPROVAL FOR PROPOSED DEVELOPMENT.

NC Department of Transportation (Randy Midgett, 252-331-4737)

Reviewed without comment.

NC Division of Coastal Management (Charlan Owens, 252-264-3901)

Reviewed without comment.

US Postal Service, Moyock Postmaster

1. Please contact the local postmaster (Moyock) to determine the mode of delivery and type of delivery equipment.

Comments Not Received From

Currituck County Building Inspections (Bill Newns, 252-232-6023)

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised or new documents and plans.



133 US Hwy 158 West, Suite E
Camden, NC 27921 License C-4161
(252) 338-2913 - (252) 338-5552 Fax

COMMUNITY MEETING REPORT FOR SB&K INVESTMENTS, LLC

Project: Rezoning 4-Acre Parcel at Moyock Landing Drive
Facilitator: Eddie Hyman – E.T. Hyman Surveying, PC
Date & Time: July 26, 2016 @ 6:30 PM
Location: Moyock Library

Seven (7) notices were mailed out. Fourteen (14) Moyock residents attended. Also in attendance were Donna Voliva of the Currituck County Planning Department, Eddie & Camilla Hyman and Sam Miller with SB&K Investments, LLC purchaser of the property.

I opened the meeting with an explanation of the rezoning process and the difference between GB and MXR. Having the meeting early in the review process gives the developer and the design professionals time to analyze comments, address concerns and possibly make changes. I explained the steps involved in the approval process and encouraged residents to attend future meetings to follow the progress of the project.

Sam Miller introduced himself. He and his family are Moyock residents and are involved in the community as well as the schools. Mr. Miller described some of his current projects including Laurel Woods Estates. He described the proposed apartments he intends to construct if rezoning is approved. There will be four (4) buildings with four (4) apartments each. There will be one (1) accessory structure as well. The exteriors will be low-maintenance and durable. He intends to build 2 and 3-bedroom units with high-end materials and efficient heating and electrical systems. Residents asked questions about square footage and probable rent for each unit. Mr. Miller said the square footage would be from 800 to 1,000 and rent will be determined, but should be no less than \$1,000 per month with water included. Units will be leased for 1-year terms. The accessory structure will have one (1) bedroom, one (1) bath and will be available for weekly rentals.

Some discussion arose concerning the use of Moyock Landing Drive and the Railroad Crossing/DOT Acquisition. Mr. Miller stated he was aware of the issues and had himself made progress in resolving them, however; his parcel was not a part of the HOA nor would he participate in any responsibilities of the Shingle Landing Subdivision.

The meeting was concluded at 7:45pm as there were no further questions or discussion.

Respectfully submitted,

Edward T. Hyman, Jr.
E.T. Hyman Surveying, PC

cc: Currituck County Planning



133 US Hwy 158 West, Suite E
Camden, NC 27921 License C-4161
(252) 338-2913 - (252) 338-5552 Fax

July 28, 2016

Currituck County Board of Commissioners
153 Courthouse Road, Suite 204
Currituck, NC 27929

Re: Request for Density Bonus for SB&K Investments, LLC Rezoning

Dear Commissioners,

I hereby request a density bonus of 1 unit per acre for using the following sustainable development practices from Table 5.13.A in the Currituck County Unified Development Ordinance.

Schedule A:

- 1) Inclusions of rain water recapture and re-use devices such as cisterns or rain filter.
- 2) Use of Energy Star air conditioners.

Schedule B:

- 1) Use of xeriscape landscape design.
- 2) Use of one (1) recycling station per building.
- 3) Designation of a bus bench and cover.
- 4) Configuration of east – west with +1.5 length to depth ratio.

Thank you for your consideration of this request.

Sincerely,

E.T. Hyman, Jr.
E.T. Hyman Surveying, PC



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1753)

Agenda Item Title

PB 16-26 Currituck Waterfront Business Park - LUPA Full Service:

Brief Description of Agenda Item:

Request for an amendment to the Currituck County Land Use Plan to designate approximately 178 acres of the Future Land Use Map from Conservation and Limited Service Area to Full Service Area. This request is intended to accommodate an area adjacent to the Coinjock Canal for an aggregate storage yard.

Planning Board Recommendation:

<Planning Board Recommendation, IF NOT A PLANNING BOARD ITEM ERASE COMPLETELY>

Board Action Requested

Action

Person Submitting Agenda Item

Cheri Elliott, Assistant

Presenter of Agenda Item

Ben Woody

**Currituck County**

Department of Planning
Post Office Box 70
Currituck, North Carolina 27929
252-232-6029
FAX 252-232-3026

MEMORANDUM

To: Planning Board

From: Laurie B. LoCicero

Cc: Charlan Owens, AICP
DCM Elizabeth City District Planner

Date: December 5, 2016

Re: Currituck Waterfront Business Park Land Use Plan Amendment

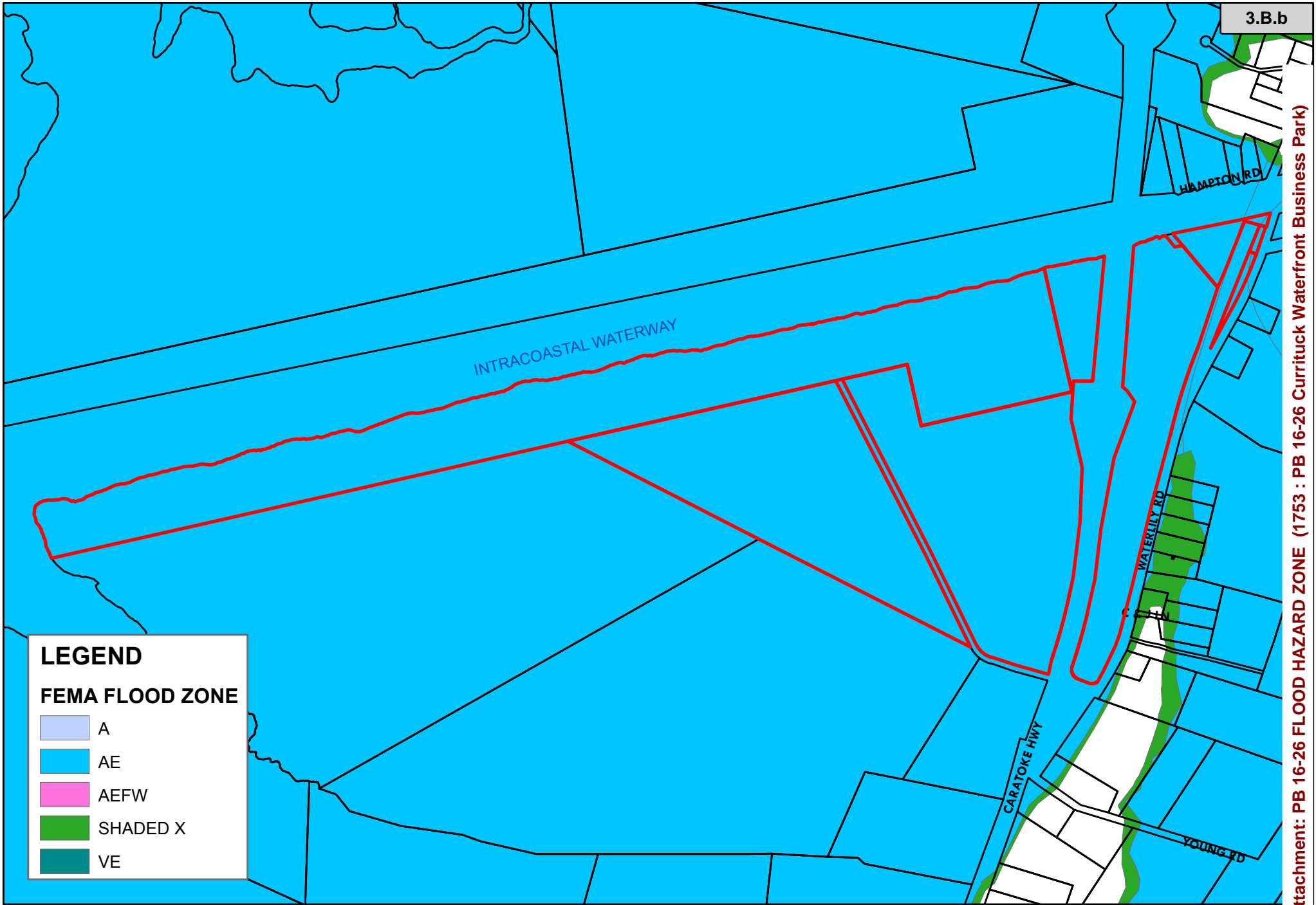
Currituck Waterfront Business Park is requesting an amendment to the Currituck County Land Use Plan to designate approximately 178 acres of the Future Land Use map from Conservation and Limited Service area to Full Service area. This request is intended to accommodate an area adjacent to the Coinjock Canal for aggregate storage yard for infrastructure projects.

As required by the Coastal Area Management Act (CAMA), the Board of Commissioners must approve a local resolution of adoption which includes findings that demonstrate this amendment is consistent with the policy objectives of the Plan. Additionally, the County must demonstrate the amendment will not adversely affect the provision of services and infrastructure. Once the appropriate findings and local resolution of adoption are approved, the amendment will then be considered by the Coastal Resources Commission (CRC) for formal certification.

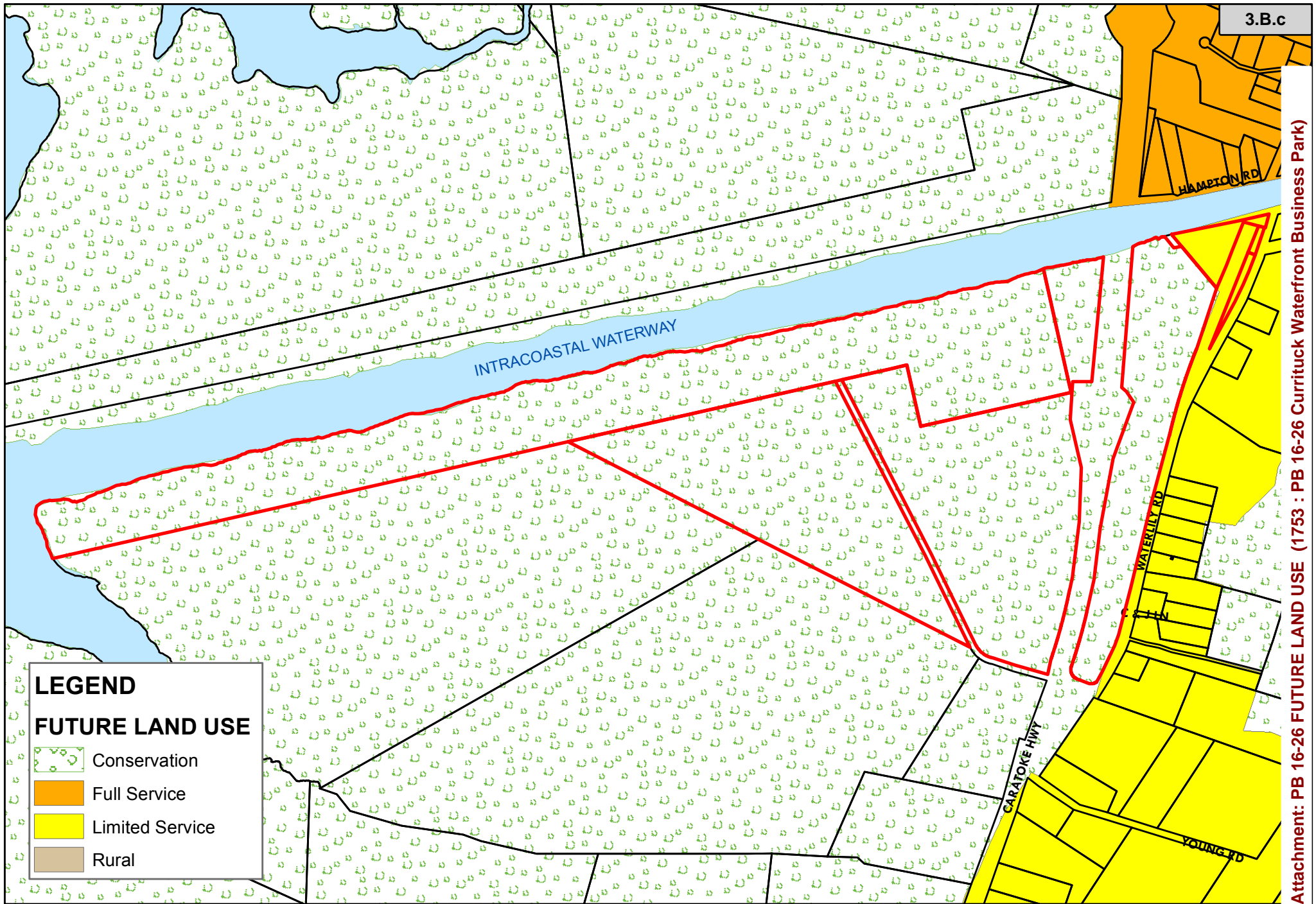
Enclosed please find maps of the amendment area, planning staff case analysis, survey of the subject property, copy of the amendment application, and a narrative of the request as submitted by the applicant.

This request is tentatively scheduled to be heard by the Board of Commissioners at their February 2017 meeting and considered by the CRC at their April meeting.

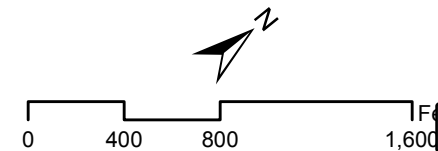
Should you have any questions, do not hesitate to contact me at 232-6028.

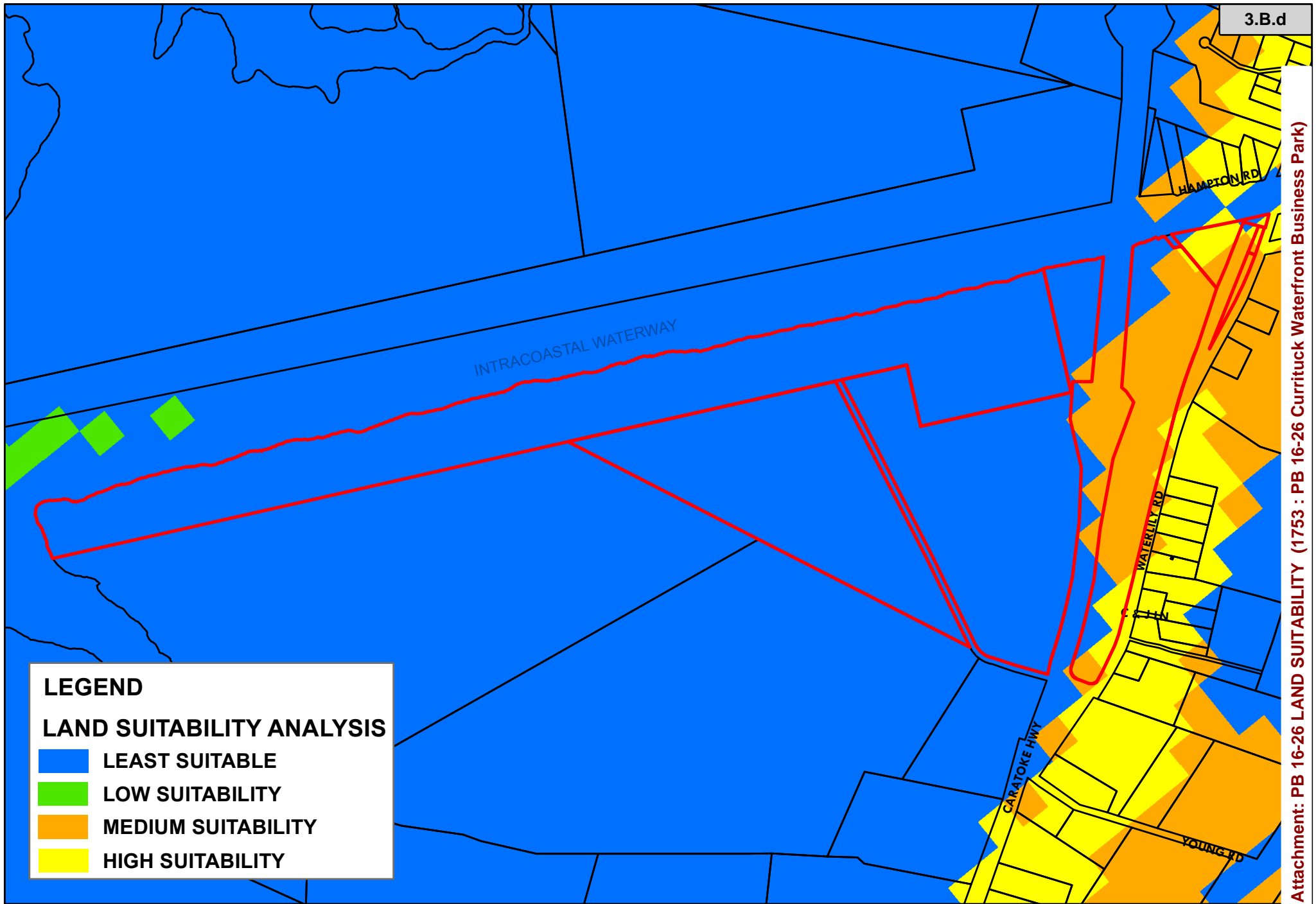


PB 16-26: CURRITUCK WATERFRONT BUSINESS PARK
LAND USE PLAN AMENDMENT
EXISTING FEMA FLOOD HAZARD ZONE MAP

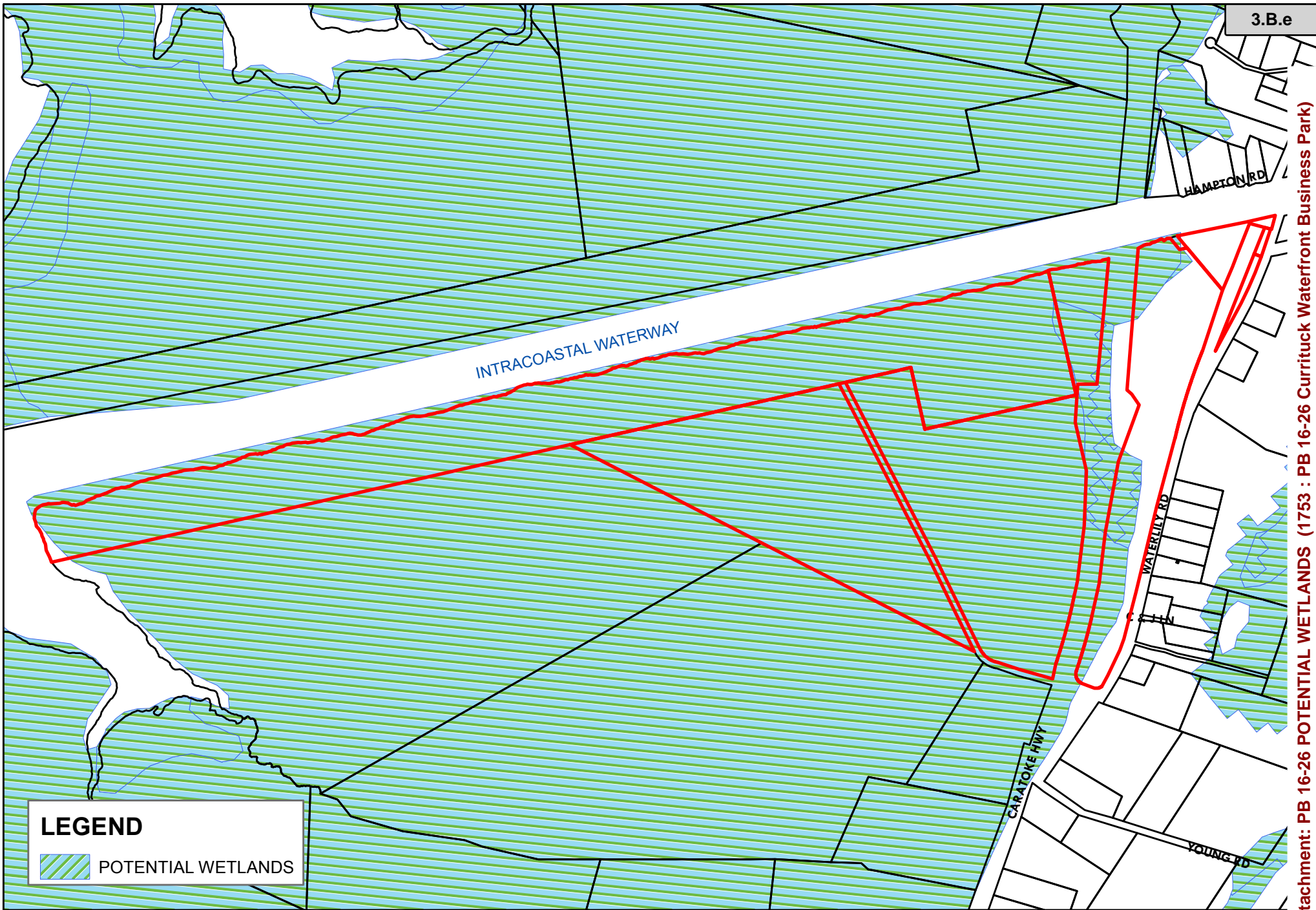


PB 16-26: CURRITUCK WATERFRONT BUSINESS PARK
 LAND USE PLAN AMENDMENT
 2006 FUTURE LAND USE CLASSIFICATION MAP





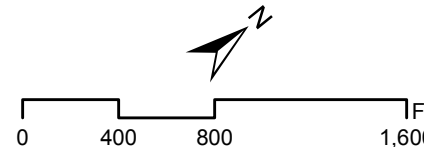
PB 16-26: CURRITUCK WATERFRONT BUSINESS PARK
LAND USE PLAN AMENDMENT
2006 LAND SUITABILITY ANALYSIS MAP

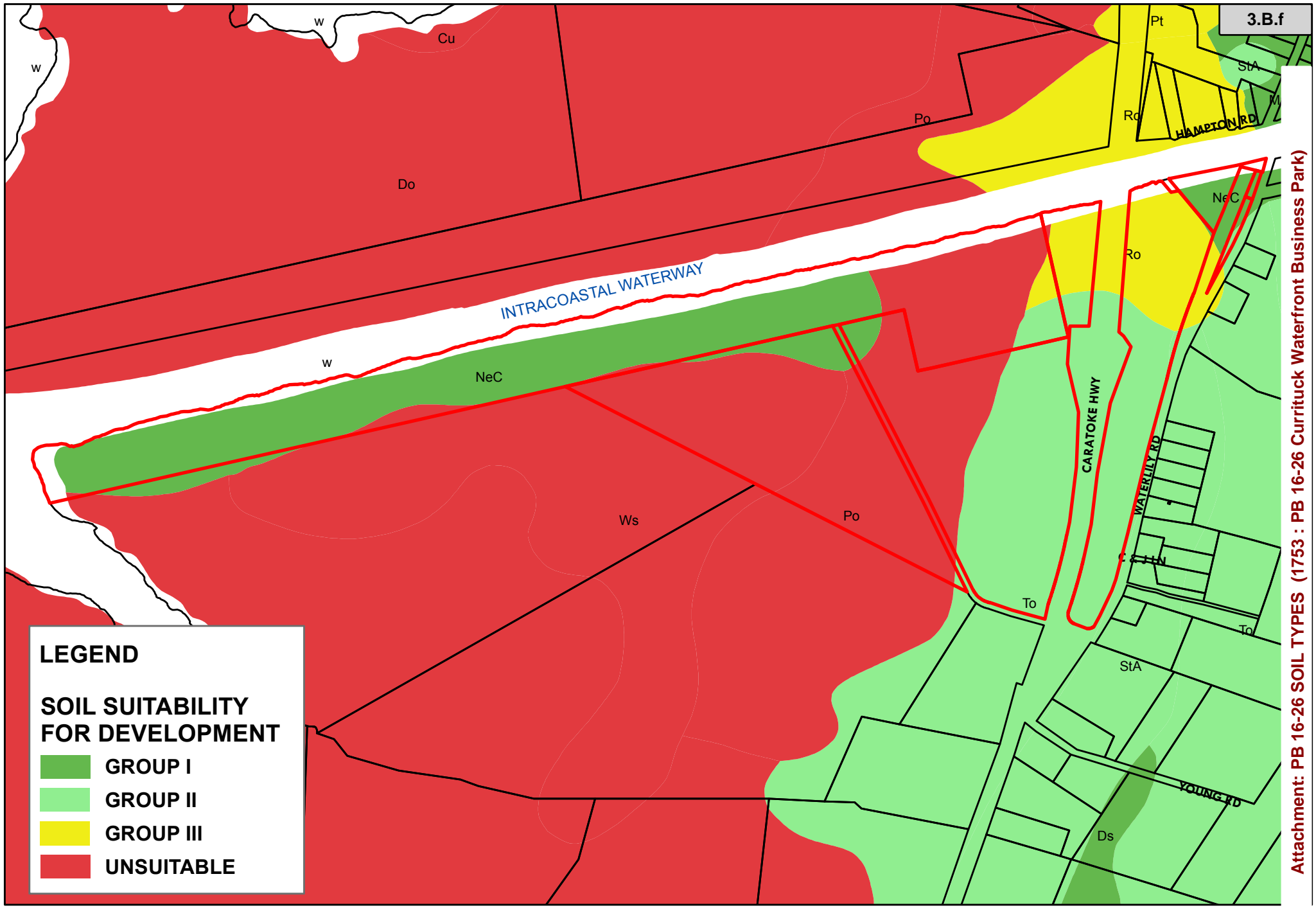


3.B.e

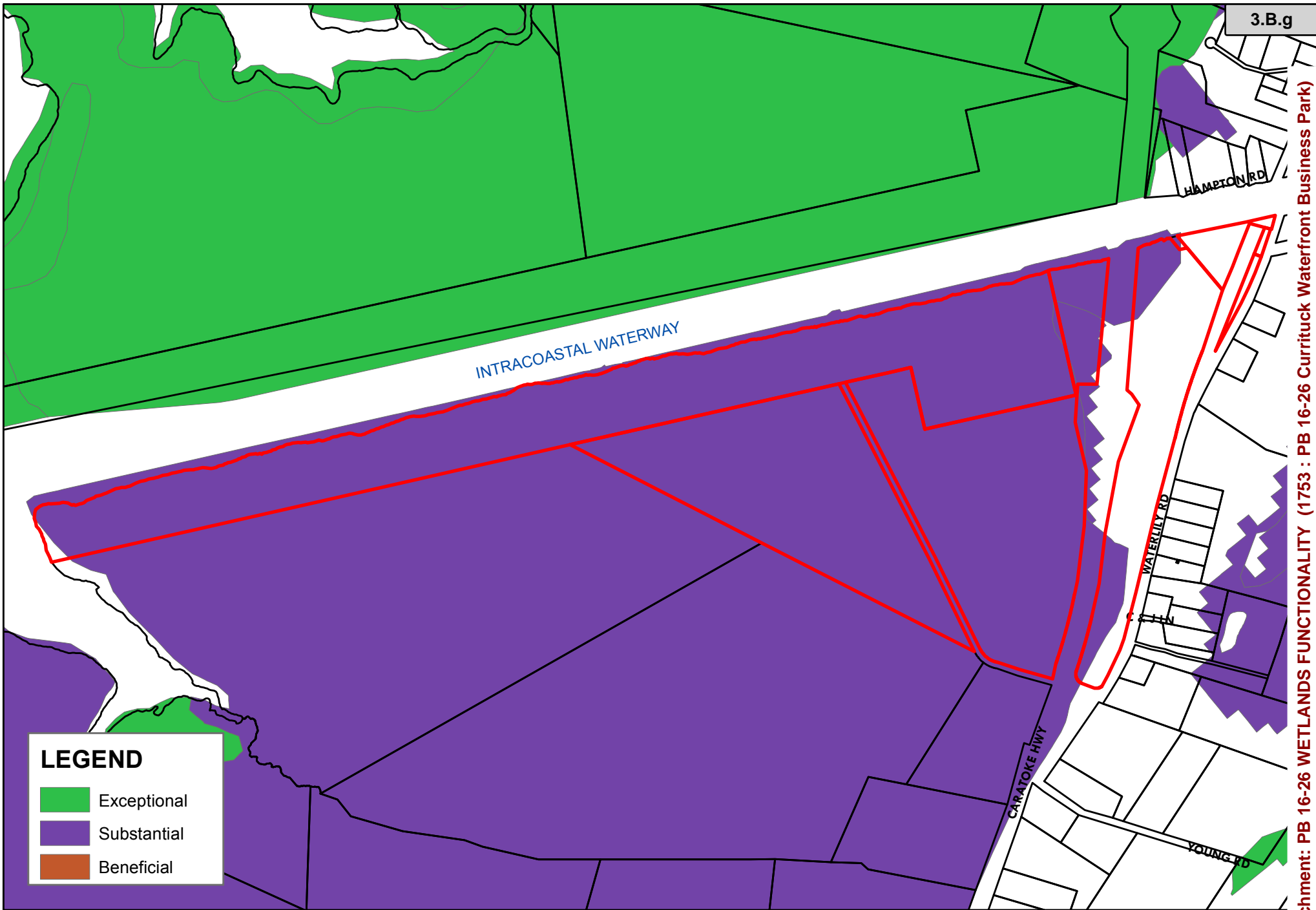
Attachment: PB 16-26 POTENTIAL WETLANDS (1753 : PB 16-26 Currituck Waterfront Business Park)

PB 16-26: CURRITUCK WATERFRONT BUSINESS PARK
LAND USE PLAN AMENDMENT
POTENTIAL WETLANDS MAP





PB 16-26: CURRITUCK WATERFRONT BUSINESS PARK
LAND USE PLAN AMENDMENT
SOIL TYPES MAP



PB 16-26: CURRITUCK WATERFRONT BUSINESS PARK
 LAND USE PLAN AMENDMENT
 CREWS WETLANDS FUNCTIONALITY MAP

OFFICIAL USE ONLY:

Petition Number: _____
 Date Filed: _____
 Receive By: _____
 Amount Paid: _____

**CURRITUCK COUNTY
 DEPARTMENT OF PLANNING**
 Post Office Box 70
 Currituck, NC 27929
 Web Site: www.co.currituck.nc.us

Instructions for Filing a Land Use Plan Amendment

1. Schedule a pre-application meeting with the Planning Director or designee.
2. Submit a completed application for an amendment to the Land Use Plan (LUP).
3. If it is a request to amend the Future Land Use Classification Map, submit a general site survey showing the following:
 - a. Lot/parcel dimensions,
 - b. Existing uses and structures;
 - c. Zoning of the site and surrounding area;
 - d. Future land use map designation, including sub-area;
 - e. Proposed boundaries of change;
 - f. Location of existing streets that border the parcel.
4. Submit a written rationale that addresses how the amendment meets the requirements of the North Carolina Administrative Code (15A NCAC 07B.0700) - CAMA Land Use Plan Requirements and the CAMA Management Goals. Use the questions provided to construct the narrative. [Please see attachment A](#)
5. Submit cash, check or money order made payable to Currituck County:

Fees: \$150 plus costs for copies of the amended document as required by the NC Division of Coastal Management (to be determined if the amendment is approved by Currituck County)

The Land Use Plan Amendment Process:**Step 1:**

Hold a pre-application conference with the Planning Director or designee to discuss your request and the Land Use Plan amendment process. Submit a completed LUP Amendment application to the Currituck County Planning Department. All applications must be submitted according to the Planning Board meeting. During this period, the planning staff will review the application and prepare a staff analysis for the Planning Board.

Step 2:

The application and planning staff analysis will be forwarded to the Currituck County Planning Board once it is completed. The Planning Board meets the second Tuesday of every month at 7:00 p.m. in the Board of Commissioners (BOC) meeting room, on the second floor of the Historic Courthouse. The Planning Board will review the application and make a recommendation for approval or denial to the Board of Commissioners. Once the Planning Board meeting date is determined, the applicant shall follow the procedures for notifying adjacent property owners according to UDO Chapter 12. The amendment request will be scheduled a minimum of 45 days before a Planning Board meeting after the staff analysis is completed.

Step 3:

The application, staff analysis and Planning Board recommendation will be reviewed by the Board of Commissioners on the first Monday of the month following the Planning Board's review. The meeting will begin at 7:00 p.m. in the BOC meeting room, on the second floor of the Historic Courthouse. The Board of Commissioners will make the decision for approval/denial of the amendment based upon whether the proposed amendment advances the public health, safety or welfare and meets the requirements of the Coastal Area Management Act.

Step 4:

All Land Use Plan amendments have to be certified by the N.C. Coastal Resources Commission (CRC). If Currituck County approves the amendment, the N.C. Division of Coastal Management staff will process the application for the next available CRC meeting, which meets six times a year. The Currituck Planning Staff will prepare the plan

submission and the applicant will be responsible for the associated costs for the amended plan to be submitted to the CRC.

If you have any questions regarding the LUP Amendment process, please contact the Currituck County Planning Department at (252) 232-3055, ext. 6029 or 6033.

Owner/Agent/Applicant Information (if applicable)

It is understood by all parties hereto including the owner, petitioner, and/or agents that while this application will be carefully considered and reviewed, the burden of providing its need rests with the below named petitioner.

I do hereby certify that all information which I have provided for this application is accurate. I/we the property owner (s) hereby designate _____ to serve as agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

Property Owner	<u>Currituck Waterfront Business Park</u>
Address	<u>P.O. Box 126</u>
Phone	<u>757-494-8847</u>
Fax	<u>757-494-8848</u>
E-Mail	<u>greg@icmtugs.com</u>
Signature	_____

Agent (if any)	_____
Address	_____
Phone	_____
Fax	_____
E-Mail	_____
Signature	_____

Applicant (if any)	<u>Currituck Waterfront Business Park</u>
Address	<u>P.O. Box 126</u>
Phone	<u>757-494-8847</u>
Fax	<u>757-494-8848</u>
E-Mail	<u>greg@icmtugs.com</u>
Signature	_____

Land Use Plan Amendment Chapter 11 Section (s) 1 as follows:

Alter property in Coinjock to be designated as Full Service

Property Information (if amending a LUP map)

Street Address: 207 Waterlilly Road - 187 Waterlilly Road - 1 Caratoke Hwy = Coinjock, NC 27923

Parcel ID Number(s): 007100000810000, 007100000770000, 007100000260000, 0071000027A0000
0071000027B0000

		291	886
Deed Reference:	Book	293	Page 276
		1247	185
Township:		1247	189

Description of Property (if amending a LUP map)

Size (in acres): 69.87, 38.54, 44.2, 21.94, 2.54, .19, .52

Size of Area for Amendment 177.8 acres

Street Frontage (feet): Approximately 2,002' along state road

Current Zoning District: General Business and Agriculture

Current Land Use of Property: Commercial and Undeveloped

Surrounding Land Use: North Residential
 South Undeveloped
 East Residential
 West Undeveloped

Current Future Land Use map designation: Limited Service and Conservation

Proposed Future Land Use map designation: Full Service

Pre-application Conference Information

Date of pre-application conference: January 7th, 2016

Applicant/ representative in attendance: Gregory Conn, Roger Morgan, Meredith Law

Planning Department staff in attendance: Ben Woody

Justification

Please provide sufficient information to explain and justify how the Land Use Plan Amendment request satisfies the following questions. Attach additional sheets if necessary.

1. Will the proposed amendment support uses that are suitable in view of the use and development of adjacent and nearby properties?
Please see attachment B
2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties?
3. Would the proposed amendment support uses that could result in an excessive or burdensome use of existing public facilities such as streets, schools, transportation facilities, or utilities?
4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan, and any other applicable long range plans?
5. Are there any existing or changing conditions affecting the use or development of the property which justifies either approval or disapproval of the request?
6. Is there a public need for additional land space to be classified to this request?
7. How does this request relate to the land suitability analysis found in the Land Use Plan? Are there factors that have changed since the suitability analysis was completed?

Currituck Waterfront Business Park

ATTACHMENT A

To Whom It May Concern,

Currituck Waterfront Business Park (herein after CWBP) is submitting our request for a Land Use change for the parcels identified under 'Property Information' of the application for Land Use Plan Amendment. We are requesting this change in relation to our developmental goals of establishing an aggregate yard in the County.

The formation of an aggregate yard in the County would help facilitate infrastructure growth at lower costs. Aggregates are essential in the production of concrete, asphalt, road beds, drainage, and storm water management. With the anticipated Mid County Bridge, large tracts of roadway will be necessary¹. In the event that the bridge is approved and construction begins, this will bring additional infrastructure developmental needs specific to the surrounding areas.

Regardless of the Mid County Bridge project, Currituck County will still develop and grow as predicted in the "Currituck County 2006 Land Use Plan". The County will need to allow for the construction of new roadways, and the maintenance of existing roadways². The development of additional commercial ventures in the County would also benefit from the use of a local aggregate yard. Coastline stabilization in the form of rip rap or bulkhead also rely on aggregates.

With the anticipated continuing decline of agricultural and farming ventures, the County will need look for additional ways to diversify its economic development³. CWBP would increase jobs in the County for local personnel by offering positions for skilled workers. The land allotted for the development of CWBP would also align with the anticipated increases in industrial developed lands in the County. Economic diversity beyond tourism is something that CWBP can provide. In addition to the benefits CWBP could bring to the County, CWBP will be an environmentally conscious business venture.

The aggregate yard proposed by CWBP would engage in limited development of our property. Of the 177 est. acres included in this application, eventual development contingent on the rezoning process could potential grow to 25 est. acres. Roughly 152 est. acres would remain undeveloped. In addition keeping the majority of the property undeveloped, the establishment of an aggregate yard would be require a Light Industrial zoning as opposed to a Heavy Industrial zoning.

CWBP considers an aggregate yard as a clean industry, which would produce minimal air and noise pollution. Aggregates would be offloaded from barges via a material handler then stored onsite. These machines are very quiet. Additionally the offloading of aggregates produces minimal dust. CWBP would adhere to all restrictions placed upon us by relevant government

¹ "Currituck County 2006 Land Use Plan" as amended and certified June 24th 2009, 9-12 pg. 114

² "Currituck County 2006 Land Use Plan" as amended and certified June 24th 2009, 8-1 pg. 102

³ "Currituck County 2006 Land Use Plan" as amended and certified June 24th 2009, 3-16 Pg. 53

Currituck Waterfront Business Park

agencies regarding our operations. The operations of CWBP would align with the County's goals of creating economic opportunities that are also considered clean industries with minimal impacts on the environment⁴.

CWBP has chosen its location based on various factors, most important of which is CWBP's proximity to the Atlantic Intracoastal Waterway. Of the current Industrial Parks on the mainland, none were located on water suitable for CWBP's needs⁵. The aggregate yard needs to be readily accessible to barge traffic for economic feasibility. The U.S. Coast Guard has reviewed our tentative plans and found there to be no hazard to navigation created by the temporary mooring and offloading of barges along the canal at our location.

In conclusion, CWBP believes that its application for a Land Use Plan Amendment is in line with the developmental goals of the County. CWBP appreciates the County's time and efforts in reviewing our application, and would be happy to answer any questions or concerns, or provide additional information as necessary.

Sincerely,



Gregory L. Conn

⁴ "Currituck County 2006 Land Use Plan" as amended and certified on June 24th 2009, 7-1 pg. 86

⁵ "Currituck County Industrial Parks" PDF accessed from co.currituck.nc.us on April 1st 2016

Currituck Waterfront Business Park

ATTACHMENT B

1. Will the proposed amendment support uses that are suitable in view of the use and development of adjacent and nearby properties?

Yes.

2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties?

The proposed property development will not affect nearby properties.

3. Would the proposed amendment support uses that could result in an excessive or burdensome use of existing public facilities such as streets, schools, transportation facilities, or utilities?

No. Utilities will be minimal considering the area of development. Transportation needs and schools will not factor into our development goals. A small access road will allow truck traffic to travel onto our property almost immediately off of the highway, greatly reducing truck traffic through the neighboring areas to nearly zero.

4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan, and any other applicable long range plans?

11.1 Future Land Use Plan as amended in 2009 shows that the area will be both Limited Service and Conservation. The surrounding areas will be Full Service, Limited Service and Conservation.

5. Are there any existing or changing conditions affecting the use or development of the property which justifies either approval or disapproval of the request?

We believe that upcoming potential construction projects, including but not limited to the Mid County Bridge, justify the creation of an aggregate yard in the County. This will lower infrastructure bid costs to the county because necessary materials would be located closer to development sites.

6. Is there a public need for additional land space to be classified to this request?

No. We have no plans to develop the majority of the property which we are requesting, which will allow for a large buffer.

7. How does this request relate to the land suitability analysis found in the Land Use Plan? Are there factors that have changed since the suitability analysis was completed?

According to 6.1 Land Suitability Analysis, the parcels we are proposing to change the Land Use for are considered highly suitable, medium suitability, and low suitability. Our proposed area of development however is deemed highly suitable and moderately suitable.

P.O. Box 126 Coinjock NC 27923 * 757-494-8847

Currituck Waterfront Business Park

March 24, 2016

Subj : Review of Community Meeting 23-Mar-16

Greetings

Included please find a synopsis of the events which occurred at the community meeting which was held for Currituck Waterfront Business Park regarding the Land Use change of the properties noted in our application

23-Mar-16 Community Meeting

27 Different households were invited to attend

4 Different household were represented at the meeting

Phyllis Forbes * 206 Waterlilly Road

Mary Conn * 120 Hampton Road

Denise and Robert Mann * 104 Hampton Road

Bob Cotton * 124 Hampton Road

Start : 1730

End : 1830

Introduction to Currituck Waterfront Business Park

- Locally owned and will be locally operated
- Our properties location
- Main objective of developing an aggregate yard

Our objective of securing a Land Use change to Full Service

- The parcels we are looking to apply for a Land Use change are currently Limited Service and Conservation as defined on the Future Land Use Map
- Surrounding neighbors consist of Full Service, Limited Service, and Conservation as defined on the Future Land Use Map

Why Aggregate Yards are important

- Used in the development of various construction projects
- Aggregates are various types of stone, gravel and sand
- We don't have another aggregate yard in the vicinity
- Coinjock is ideally located on deep water along the ICW, which allows for the easy transportation of aggregate materials
- We would be offering opportunities for local economic growth by hiring local personnel
- Having the yard be local to the area would save the county tax payers monies by lowering the bid costs of any upcoming developments

What the day-to-day operations of an aggregate yard consist of

P.O. Box 126 Coinjock NC 27923 * 757-494-8847

Currituck Waterfront Business Park

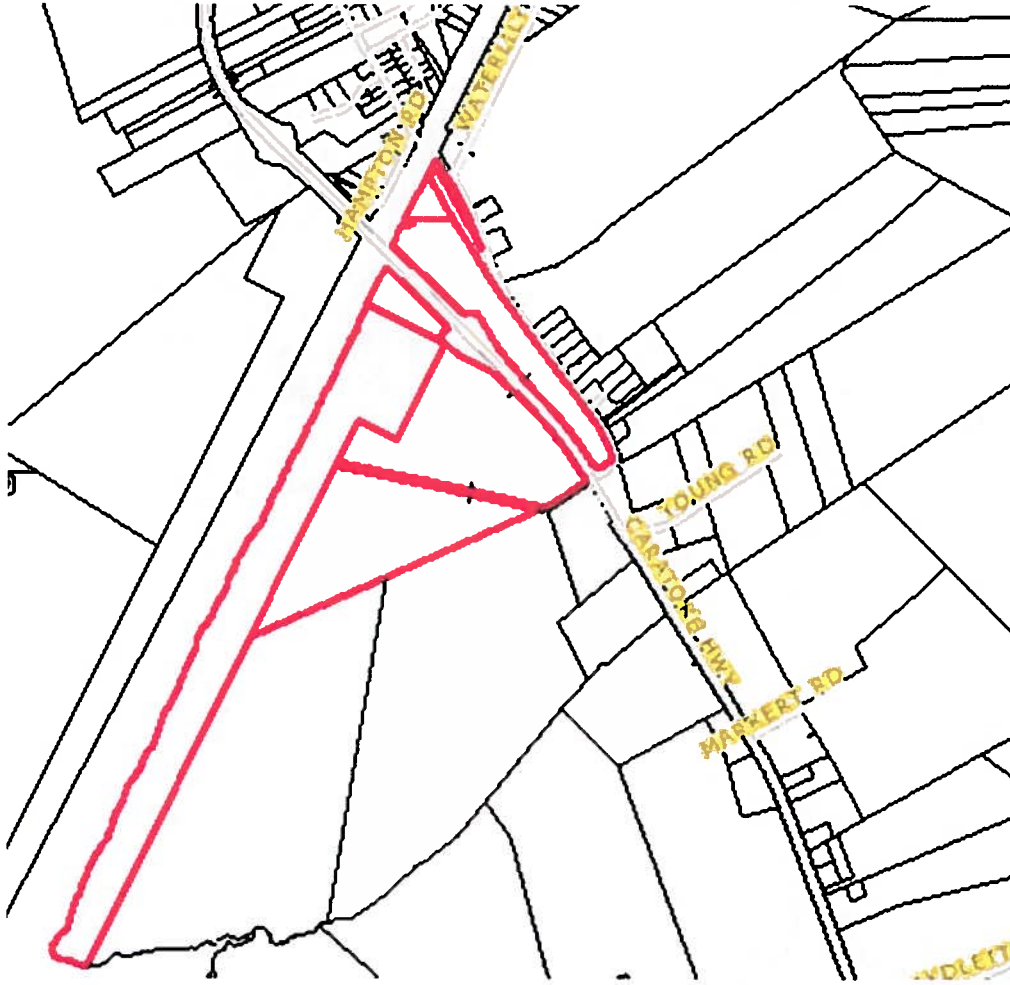
- Aggregates are brought to the yard by barge, then offloaded and stored on site for later use

Opened the meeting up to questions, concerns and discussion

- Spent additional time explaining the difference between a Land Use Change and Zoning
- Many questions about any intentions of CWBP to purchase the Stonecyphor property
- What about fuel spills from tugs? Answered by stating that all fuel spills are required to be reported to the USCG. We are also governed by the USCG, CFR's, EPA and other agencies regarding any pollution concerns from towing vessels
- Will it increase barge traffic? Answered that we couldn't predict exact numbers, but any barges stopping to unload aggregates in Coinjock would be lessening the demand in Kitty Hawk. This means we would be assuming the traffic levels would stay about the same.
- Concerns about the visual aspects of the plan. Addressed by stating we would be engaging in limited development, and we would be putting in a tree buffer. Most attendees were residents from across the canal however. They stated that 'it would be better than what was there' referring to the dilapidated housing situation that has recently been condemned by the County

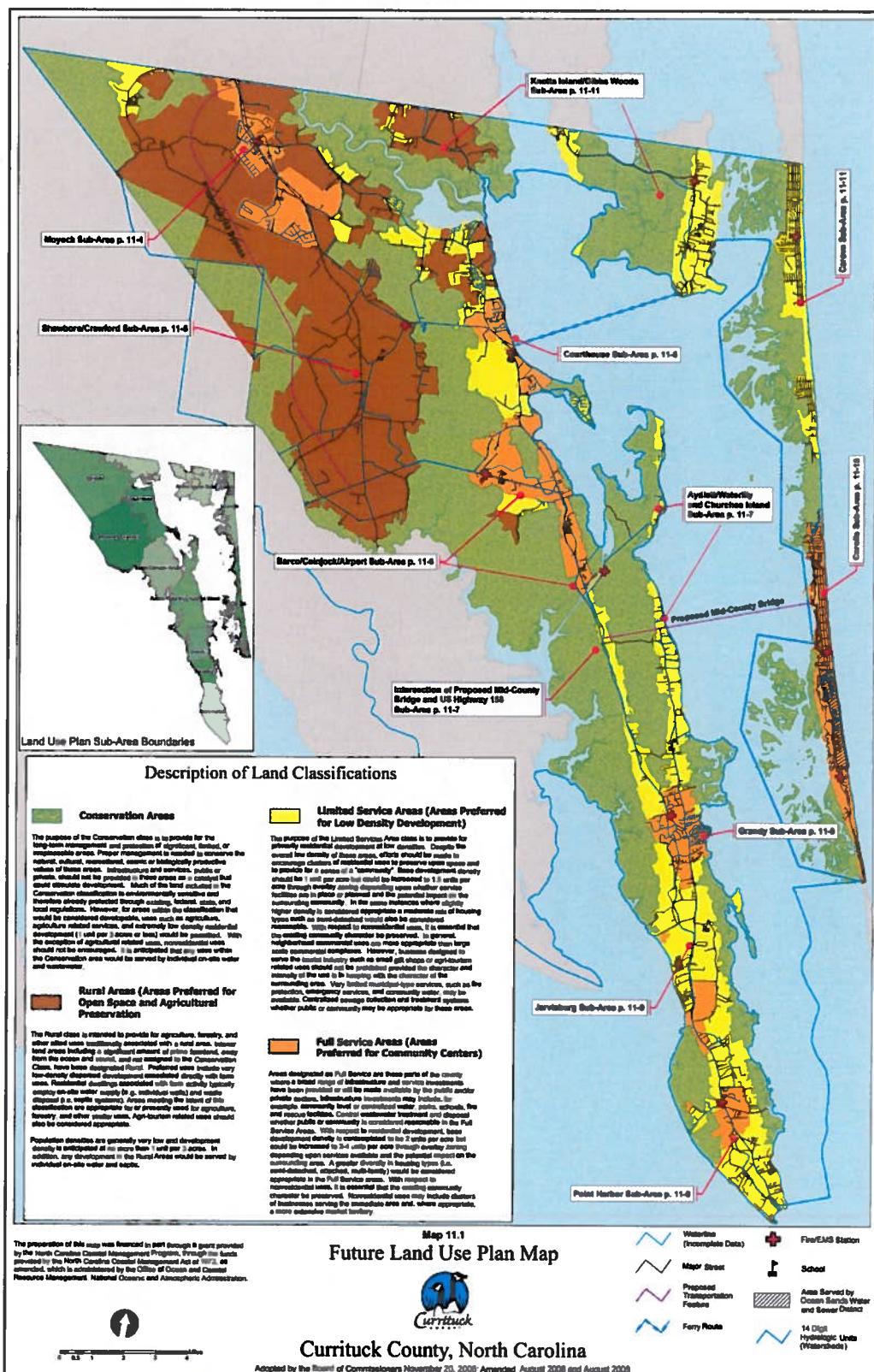
Currituck Waterfront Business Park

PROPOSED PARCELS INCLUDED IN LAND USE CHANGE APPLICATION

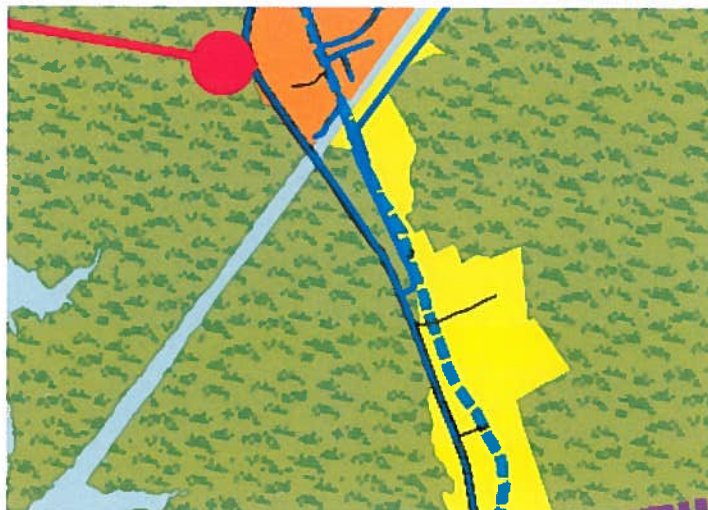


Currituck Waterfront Business Park

FUTURE LAND USE MAP

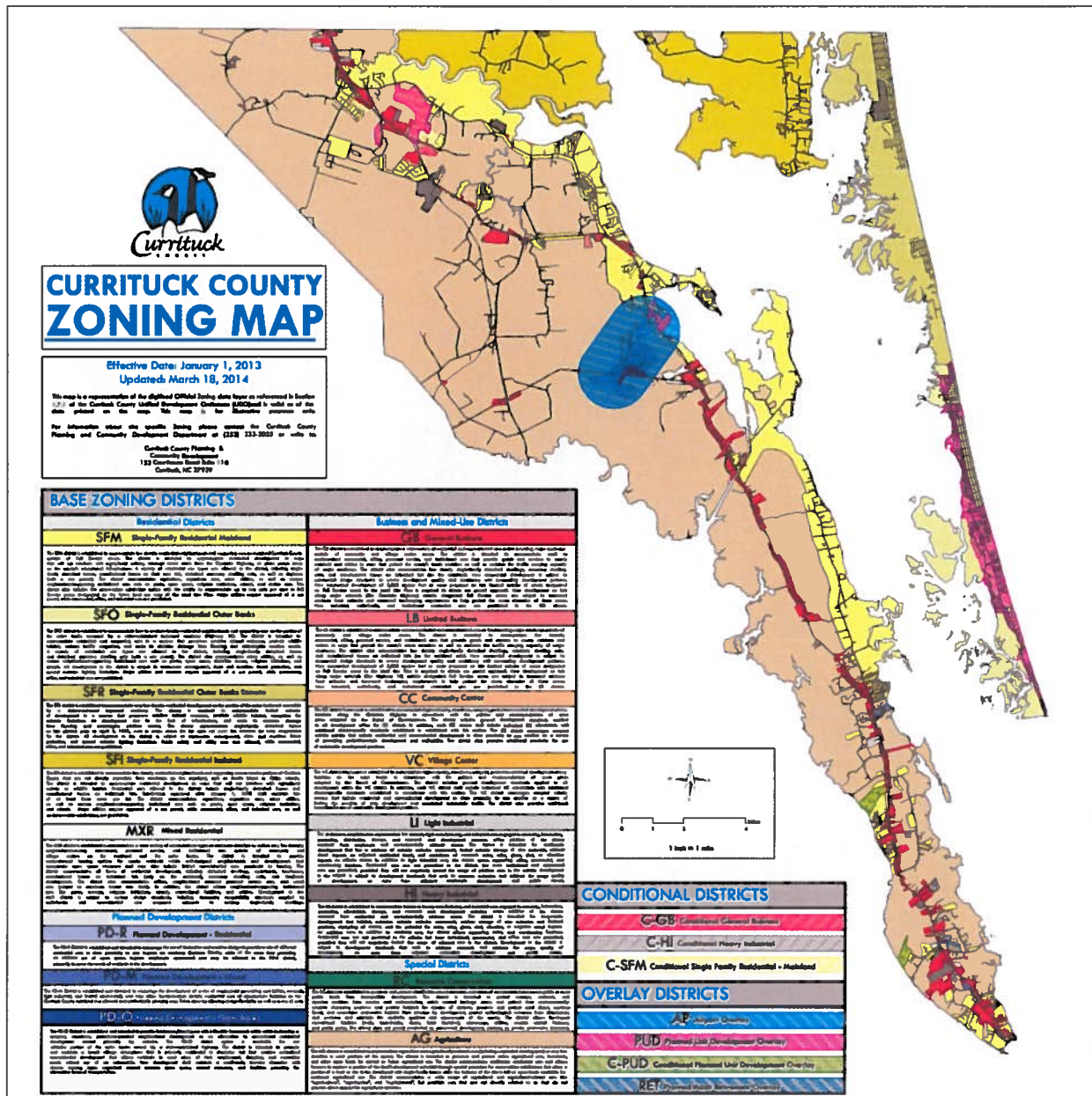


Currituck Waterfront Business Park

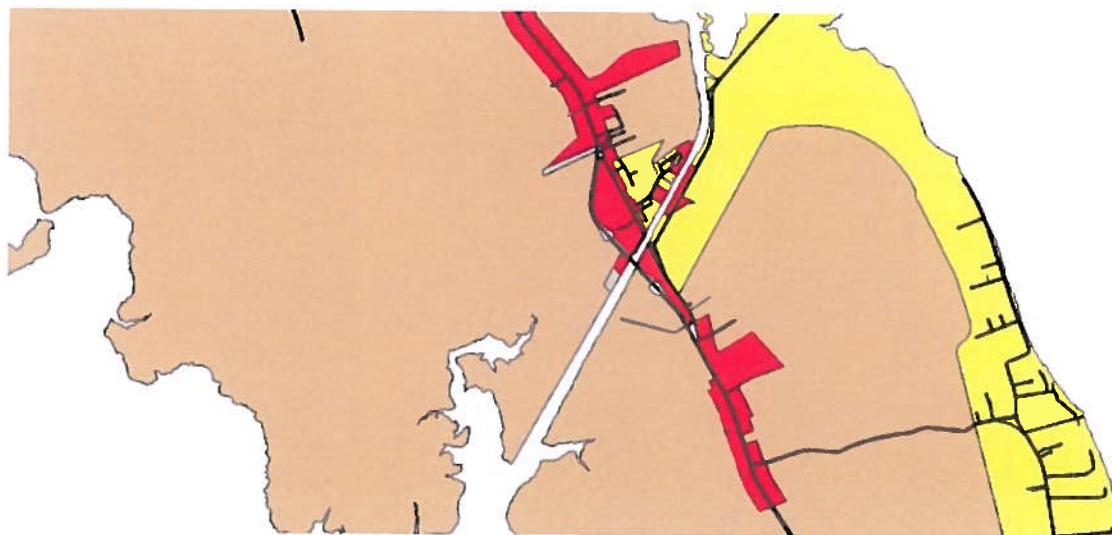


Currituck Waterfront Business Park

Zoning Map

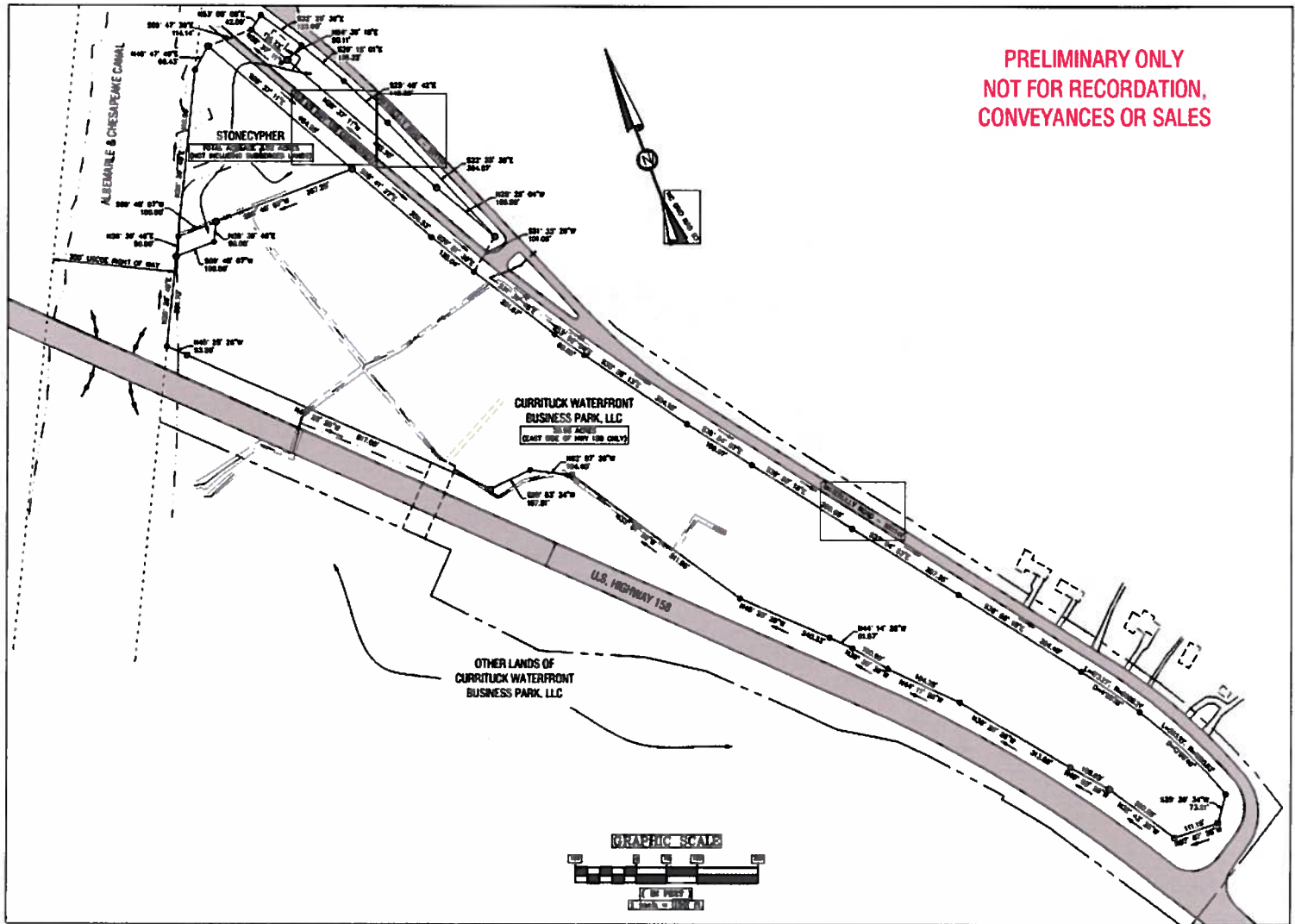


Currituck Waterfront Business Park



Currituck Waterfront Business Park

SURVEY OF PROPERTY ACREAGE CONSIDERED FOR DEVELOPMENT



Development Goals

- Engage in limited development of Currituck Waterfront Business Park property, implementing clean industry initiatives
- Add economic diversity for Currituck County
- Open for Business ~ Saving the county tax dollars on future infrastructure development



Currituck Waterfront Business Park

Offering a unique opportunity to Coinjock, NC

Will there be a lot of noise?

No. Material handlers will be used for the operation. These machines are very quiet. We currently are operating one a mere 200' away from a public park in Chesapeake, VA. Additionally, Currituck Waterfront Business Park will plant a tree barrier to assist with noise reduction.

Will there be a lot of dust?

No. The offloading of aggregates creates minimal dust. Additionally, we will adhere to operating limitations, if any, placed on us by the N.C. Department of Air Quality.

Will barges encroach upon the navigation channel?

No. The largest of the aggregate barges will remain 20' outside of the federal channel. The USCG has reviewed our operating plans and found there to be no hazard to navigation.

Questions or Concerns?

Give us a call

757-494-8847

Currituck Waterfront

Business Park

P.O. Box 126

Coinjock, NC 27923

Why are Aggregates Important?



Aggregates serve as a vital component for various types of construction because they provide strength and durability to our infrastructure. They are comprised of various types of sand, gravel and crushed stone. Aggregates are essential in the production of:

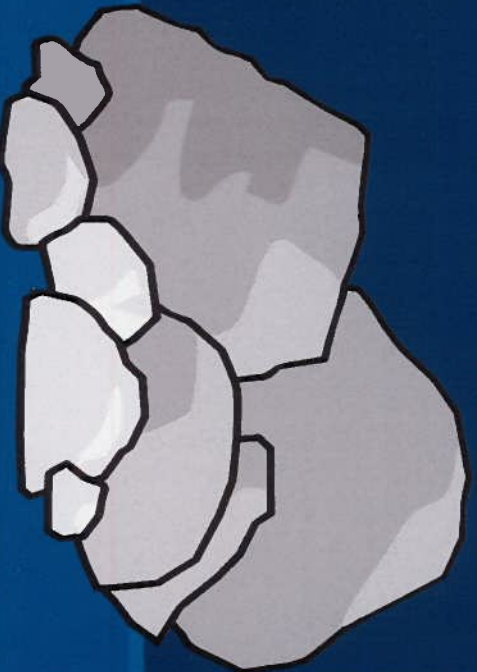
- Concrete
- Asphalt
- Road Beds
- Stormwater Management
- Drainage

Why Coinjock?

Coinjock's location on the Atlantic Intracoastal Waterway places it along a major commercial thoroughfare. The development of an aggregate yard will offer a prime location for aggregates to be stored for use in the county.

Barges easily transit the Atlantic Intracoastal Waterway and can deliver aggregates to the yard where they will be offloaded and stored on site.

With the absence of other aggregate yards in the area, the development of Currituck Waterfront Business Park will save the county countless dollars on future road and infrastructure development.



Who are we?

We're your neighbors ~ literally! Currituck Waterfront Business Park is locally owned. We will be locally operated and will hire local personnel for various positions within the Business Park. Not only will Currituck Waterfront Business Park save the county money on future development, but will help to grow the local economy.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1754)

Agenda Item Title

PB 16-24 Blue Water Development Corp.

Brief Description of Agenda Item:

Requests an amendment to the Unified Development Ordinance to allow the expansion of existing campgrounds.

Board Action Requested

Action

Person Submitting Agenda Item

Donna Voliva,

Presenter of Agenda Item

Donna Voliva



Currituck County

Planning and Community Development Department
Planning and Zoning Division
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 252-232-3055 FAX 252-232-3026

To: Planning Board
 From: Planning Staff
 Date: January 4, 2017
 Subject: PB 16-24 Blue Water Development Corp

The attached text amendment to the Unified Development Ordinance submitted by Blue Water Development Corp. initially was a request to allow private campgrounds in the Single Family Residential-Mainland (SFM) zoning district. After meeting with staff, the applicant modified the request to only allow the expansion of existing campgrounds meeting specific standards.

As proposed, existing campgrounds will continue to operate as a nonconforming use.

BACKGROUND

The 1982 Currituck County Zoning Ordinance did allow campgrounds but did not permit the expansion of the district which allowed the use. The 1989 Unified Development Ordinance did not allow for the expansion of the zoning district that allowed campgrounds (RR). This restriction did not permit campgrounds created on property not zoned RR. In 1992, a text amendment was approved that allowed the expansion of the RR zoning district when a property contained two zoning districts one of which was RR with a maximum overall density of 4.5 units per acre. The density was later increased to 5.5 units per acre. In early 2011, a request was submitted to the county to allow new RR zoning districts to be created and was later withdrawn. In 2013, the UDO specified campgrounds were nonconforming uses and could no longer be expanded.

Historically, campgrounds have been the source of many enforcement complaints such as recreational vehicles used as permanent dwellings and permanent additions being made to the temporary vehicles rendering many of them non-transportable.

The following campgrounds are existing in the county: Barnes Campground (Knotts Island), Bell's Island Campground (Currituck), Hampton Lodge (Church's Island), and Sandy Point Resort (Knotts Island).

LAND USE PLAN CONSISTENCY

The UDO requires the Board of Commissioners adopt a statement of consistency and reasonableness that describes whether the decision on the amendment is consistent with county adopted plans that are applicable and why the decision is reasonable and in the public interest. The 2006 Land Use Plan does not provide a policy statement relevant to this amendment. However, the following goal relates to this request:

Goal 3.4: Continue to expand the role tourism plays in Currituck County.

The existing campgrounds are primarily located in the Limited Service Areas of the county the policy emphasis states, “businesses located in these areas should be designed to serve the tourist industry such as small gift shops or agri-tourism related uses provided the character and intensity of the use is in keeping with the character of the surrounding area.”

RECOMMENDATION

Staff supports the improvement of existing campgrounds in the county. It should be noted that based on past experience with the operations of the existing campgrounds, planning staff is concerned with allowing the proposed density expansion of campgrounds administratively. Potentially, some of the campgrounds could more than double their current capacity. Staff prepared a second option to the request that address the nonconformities and expansions that are more consistent with the purpose and intent of the UDO that regulates and limits the continued existence of the nonconforming use. The board may consider expansions of less than 25% of the existing campsites as an administrative review. Staff recommends campgrounds expanding more than 25% to be reviewed by the board through a quasi-judicial public hearing so the board may evaluate specific concerns, policies and goals of the adopted plans, community, access, traffic, environmental impacts, buffers, etc.

APPLICANT OPTION #1

PB 16-24 BLUE WATER DEVELOPMENT CORP

Amendment to the Unified Development Ordinance, Chapter 4: Use Standards, Chapter 8: Nonconformities, and Chapter 10: Definitions and Measurement. to provide standards for expanding existing campgrounds.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 1: That Chapter 4. Use Standards, Section 4.1.2. Use Table and 4.2.4.Commercial Uses are amended by adding the following underlined language, removing the strikethrough language, and renumbering accordingly:

TABLE 4.1.1: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan;
CZ= Allowed in a Conditional Zoning District blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]																
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O	
		COMMERCIAL USE CLASSIFICATION																
Visitor Accommodations	Bed and breakfast inn			Z	Z		Z	Z	Z	Z	Z	Z			M P	M P	M P	4
	<u>Campground expansion, existing private</u>																	14
	Hotel or motel								Z		Z	Z			M P	M P	M P	4
	Hunting lodge		U					Z	Z	Z					M P	M P	M P	14

4.2.4. Commercial Uses

J. Visitor Accommodations

(2) Campground, Existing Private

New private campgrounds are not allowed as a principle use in Currituck County. The expansion of existing private campgrounds shall be subject to the following standards:

(a) There shall be no single ownership of any campsite.

- (b) Campers and park model campers may not be modified in any manner that would render the unit non-transportable.
- (c) Campers and park model campers may not be placed on a permanent foundation.
- (d) Campgrounds shall not include permanent residences, excluding one dwelling unit to be occupied by the park caretaker, manager, or other employees.
- (e) Additions to campers are prohibited.
- (f) The maximum density of a private campground shall five campsites per gross acre of the total tract or tracts, but shall not exceed ten campsites per net acre (total tract or tracts not including wetlands). The total number of campsites shall not exceed 450 for the total tract or tracts of the campground.
- (h) Ownership of park model campers by an individual tenant is prohibited and such may only be occupied on a temporary basis and not as a place of permanent residence or domicile.
- (i) Manufactured and mobile homes shall be prohibited.
- (j) The temporary location of a tent or camper on a campsite in a campground shall not require the issuance of a building permit.
- (k) No tent or camper shall be occupied for longer than 90 consecutive days.
- (l) A minimum of 25 percent of the total development shall be provided as open space set-asides.
- (m) All roads shall be private and will not be accepted by the North Carolina Department of Transportation for maintenance and shall be improved with at least three inches of gravel.
- (n) Campgrounds shall not be open from November 15 through March 1 of the following year.
- (o) Campground amenities shall be provided for expanded campgrounds.

Item 2: That Chapter 8. Use Standards, Section 8.2.6 Nonconforming Campgrounds is amended by adding the following underlined language and removing the strikethrough language:

8.2.6. Nonconforming Campgrounds

Private campgrounds are not allowed as a principle use in Currituck County. All existing campgrounds and campground subdivisions are nonconforming uses subject to the following standards:

A. General Standards

- (1) Camping is an allowed use of land only in existing campgrounds and campground subdivisions.
- (2) Campers may not be modified in any manner that would render the unit non-transportable.
- (3) No tent or camper may be located on a campsite or campground subdivision for more than 90 days.
- (4) Additions to campers are not permitted.
- (5) Modifications to existing campgrounds are permitted provided the changes do not increase the nonconformity with respect to number of campsites that existed on January 1, 2013. Expansions of existing campgrounds that existed on January 1, 2013 shall be permitted in accordance with the standards in Section 4.2.4.

B. Existing Campgrounds

- (1) Existing campgrounds may not be expanded to cover additional land area, ~~or exceed the total number of campsites that existed on January 1, 2013.~~ Expansions of existing campgrounds that existed on January 1, 2013 shall be permitted in accordance with the standards in Section 4.2.4.
- (2) Campers may not be placed on a permanent foundation.
- (3) Campsites may have a wooden platform not to exceed 100 square feet. Platforms must be 12 inches or less in height from existing grade. Handicap ramps are not subject to the

maximum height requirement and square footage provided the ramp does not exceed five feet in width.

- (4) Campgrounds shall not include permanent residences, excluding one dwelling unit to be occupied by the park caretaker or manager.

Item 3: That Chapter 10, Section 10.5 Definitions is amended by adding the following underlined language:

CAMPER, PARK MODEL

A vehicular unit capable of obtaining a state motor vehicle license and which meets all of the following standards:

- a. built on a single chassis, permanently mounted on wheels and, 400 square feet or less interior floor area when set up for occupancy;
- b. shall not exceed 1-story nor shall it exceed 17 feet in height, and shall not contain living space below the first floor elevation;
- c. is designed to provide seasonal or temporary living quarters which may be connected to utilities necessary for installed fixtures and appliances;
- d. certified by its manufacturers to comply with ANSI A 119.5 standards for recreational park trailers;

CAMPSITE

A space within a campground used exclusively for camping purposes. Campsites shall be occupied on a temporary or seasonal basis only.

Item 4: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 2017.

 Board of Commissioners' Chairman
 Attest:

 Leeann Walton
 Clerk to the Board

DATE ADOPTED: _____
 MOTION TO ADOPT BY COMMISSIONER: _____
 SECONDED BY COMMISSIONER: _____
 VOTE: _____AYES _____NAYS _____

PLANNING BOARD DATE: _____
 PLANNING BOARD RECOMMENDATION: _____
 VOTE: _____AYES _____NAYS _____
 ADVERTISEMENT DATE OF PUBLIC HEARING: _____
 BOARD OF COMMISSIONERS PUBLIC HEARING: _____
 BOARD OF COMMISSIONERS ACTION: _____
 POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
 AMENDMENT NUMBER: _____

STAFF OPTION #2

PB 16-24
BLUE WATER DEVELOPMENT CORP

Amendment to the Unified Development Ordinance, Chapter 4: Use Standards, Chapter 8: Nonconformities, and Chapter 10: Definitions and Measurement. to provide standards for expanding existing campgrounds.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 1: That Chapter 4. Use Standards, Section 4.1.2. Use Table is amended by adding the following underlined language:

TABLE 4.1.1: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan;
 CZ= Allowed in a Conditional Zoning District blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O
COMMERCIAL USE CLASSIFICATION																	
Visitor Accommodations	Bed and breakfast inn			Z	Z		Z	Z	Z	Z	Z	Z			M P	M P	M P
	<u>Campground, private</u>																
	Hotel or motel								Z		Z	Z			M P	M P	M P
	Hunting lodge		U					Z	Z	Z					M P	M P	M P

Item 2: That Chapter 8. Use Standards, Section 8.2.6 Nonconforming Campgrounds is amended by adding the following underlined language, removing the strikethrough language, and renumber accordingly:

8.2.6. Nonconforming Campgrounds

Private campgrounds are not allowed as a principle use in Currituck County. All existing campgrounds and campground subdivisions are nonconforming uses subject to the following standards:

A. General Standards

- (1) Camping is an allowed use of land only in existing campgrounds and campground subdivisions.
- (2) Campers may not be modified in any manner that would render the unit non-transportable.
- (3) No tent or camper may be located on a campsite or campground subdivision for more than 90 days.
- (4) Additions to campers are not permitted.
- (5) Modifications to existing campgrounds are permitted provided the changes do not increase the nonconformity with respect to number of campsites that existed on January 1, 2013. Expansions of the number of campsites that existed on January 1, 2013 shall be permitted in accordance with the standards in this section.

B. Existing Campgrounds

- (1) There shall be no single ownership of any campsite.
- (2) Existing campgrounds may not be expanded to cover additional land area ~~or exceed the total number of that~~ existed on January 1, 2013.
- (3) Campers may not be placed on a permanent foundation.
- (4) Campsites may have a temporary wooden platform not to exceed ~~100-25~~ square feet to provide access to the camper. Platforms must be 12 inches or less in height from existing grade. Handicap ramps are not subject to the maximum height requirement and square footage provided the ramp does not exceed five feet in width.
- (5) Campgrounds shall not include permanent ~~residences~~ dwellings, excluding one dwelling unit to be occupied by the park caretaker, ~~or~~ manager or other employees.
- (6) Expansions of the number of campsites shall be subject to the following standards:
 - (a) Expansions which result in 25 percent or less increase in the number of campsites that existed on

January 1, 2013 shall be subject to the review and approval of a major site plan. Expansions that exceed 25 percent increase in the number of campsites that existed on January 1, 2013 may be approved through the following procedures:

- (i) Pre-Application Conference (see Section 2.3.2).
- (ii) Community Meeting (See Section 2.3.3).
- (iii) Application Submittal and Acceptance (See Section 2.3.4).
- (iv) Staff Review and Action (See Section 2.3.5).
- (v) Public Hearing Scheduling and Public Notification (See Section 2.3.6).
- (vi) Public Hearing Procedures (see Section 2.3.7).
- (vii) Decision-Making Body Review and Decision (See Section 2.3.10) The Board of Commissioners following a quasi-judicial public hearing (see Section 2.3.8.C) shall decide the application (see Section 2.3.10), Decision Making Body Review and Decision, and Section 2.4.6.D. Use Permit Review Standards.
- (b) The maximum gross density of the campground shall not exceed five campsites per acre. For the purpose of determining maximum gross density, CAMA-designated wetlands shall not be included in calculating the total amount of land area. In no case shall the total number of campsites exceed 450.
- (c) All accessways in the campground shall be surfaced with three inches of gravel and maintained by the developer.
- (d) A minimum 25 percent of the total development area shall be set aside as open space set-asides that contain private, active recreational site amenities that

include pools, playgrounds, tennis courts, trails and clubhouses.

- (e) Park model campers shall not be owned by a tenant and shall not as a place of permanent residence or domicile.
- (f) The campground shall not be open from November 15 through March 1 of the following year.

Item 3: That Chapter 10, Section 10.5 Definitions is amended by adding the following underlined language:

CAMPER

A portable dwelling (as a special equipped trailer or automobile vehicle) for use during casual travel and camping. A camper shall also include a park model camper.

CAMPER, PARK MODEL

A portable dwelling (as a special equipped trailer or automobile vehicle) for use during casual travel and camping that is capable of obtaining a state motor vehicle license and which is:

- a. built on a single chassis, permanently mounted on wheels and, 400 square feet or less interior floor area when set up for occupancy;
- b. does not exceed 1-story, 17 feet in height, and does not contain living space below the first floor elevation;
- c. not designed for use as a permanent dwelling, but as seasonal or temporary living quarters.
- d. certified by the manufacturer to comply with ANSI A119.5 standards for recreational park trailers;

CAMPSITE

A space within a campground used exclusively for camping purposes. Campsites shall be occupied on a temporary or seasonal basis only.

Item 4: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of

competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 2017.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____AYES _____NAYS _____
.....

PLANNING BOARD DATE: _____
PLANNING BOARD RECOMMENDATION: _____
VOTE: _____AYES _____NAYS _____
ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____

Attachment: PB 16-24 Blue Water Development Corp Staff Report (1754 : PB 16-24 Blue Water Development Corp.)



Text Amendment Application

OFFICIAL USE ONLY:

Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information
APPLICANT:

Name: Blue Water Development Corp.
 Address: 10211 Ruffian Lane
Berline, MD 21811
 Telephone: 443-614-9122
 E-Mail Address: evanorden1@comcast.net cseawell@manteolaw.com

Request

I, the undersigned, do hereby make application to change the Currituck County UDO as herein requested.

Amend Chapter(s) 3, 4 Section(s) 3.4.2, 4.1.2 & 4.2.2 as follows:

This text amendment is to permit two classifications of private campgrounds
as a permitted use in the Single-Family Residential-Mainland (SFM) District.
A distinction is made between upgrades and improvements to an existing
private campground and a new private campground. The suggested modifications
are set forth in Exhibit "A" attached.

*Request may be attached on separate paper if needed.

Blue Water Development Corp.

By: _____

Petitioner

Date

EXHIBIT "A"

4.2.2 - Residential Uses

Private Campgrounds

1. Upgrades and improvements to existing Private Campgrounds

Upgrades and improvements to existing private campgrounds are residential uses and shall comply with the following standards:

- A. There shall be no single ownership of any campsite.
- B. Campers may not be modified in any manner that would render the unit non-transportable.
- C. Campers may not be placed on a permanent foundation.
- D. Campgrounds shall not include permanent residences, excluding dwelling units to be occupied by campground caretaker, manager or other employees.
- E. Addition to campers are not permitted.
- F. No accessory buildings are permitted on individual campsites in the campground.
- G. Travel trailers, truck campers, camper trailers, motor homes, other licensed recreational vehicles, cabins and recreational park trailers shall conform to the following provisions:
 - 1. Up to 25% of the campsites in the campground may be occupied by recreational travel trailers or cabins. Such units must be owned by the campground owner.
 - 2., Ownership of recreational park trailers or cabins by an individual tenant is prohibited and such may only be occupied on a temporary basis and not as a place of permanent residence or domicile.
 - 3. No recreational vehicle, recreational travel trailer or cabin shall exceed one-story nor shall it exceed 17 feet in height. No such structure shall contain any living space below or any attic space or loft above the first-floor elevation.

4. Additions to recreational vehicles, recreational park trailers and cabins are prohibited in campgrounds.

H. The maximum density shall be 10 campsites per gross acre of the total property.

I. Manufactured and mobile homes shall be prohibited in private campgrounds.

J. Structures or buildings which serve as an amenity or are incidental or accessory to the operation of the campground in general may not exceed 2 stories or 45-feet in height.

K. The temporary location of a tent or recreational vehicle on a campsite in a campground shall not require the issuance of a building permit.

L. The location of a recreational park trailer or cabin on a campsite in a campground or the elevation of a recreational vehicle on a permanent foundation shall require the issuance of a building permit.

M. Every expanded or enlarged campground shall not have less than 25% of its total property devoted to open space and/or recreation as a common area.

N. All roads in the campground shall be private and will not be accepted by the North Carolina Department of Transportation for maintenance.

O. The campground will not be open from November 15 through March 1 of the following year.

2. New Private Campgrounds

New private campgrounds are residential uses and shall comply with the following standards:

A. New private campgrounds shall comply with conditional zoning approval requirements as set forth in Section 3.6 of the UDO.

AS H

aldridge, seawell & hudspeth

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ph. (252) 473-3484 • fax. (252) 473-2046 • manteolaw.com

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Laura M. Twichell
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G. Irvin Aldridge
retired

November 22, 2016

VIA e-mail

Mr. Ben E. Woody
Currituck County Planning Director

Re: Text Amendment

Dear Ben:

Enclosed please find a text amendment to the Currituck County Unified Development Ordinance. Included with this application is three hard copies of all documents, together with a PDF digital copy of all documents.

The applicant has signed a contract to purchase the Hampton Lodge Campground located in Waterlily, North Carolina. If the property is purchased, title will be taken in the name of Hampton Lodge Campground of Currituck, LLC. As you know, this property is currently operated as a non-conforming campground under the current UDO.

The current owner is Hampton Lodge Campground, L.L.C. Enclosed is a copy of the deed to the current owner, which is recorded in Book 178, Page 641, Currituck County Registry. You will notice the grantee in that deed is not the current owner. However, the current owner is a successor, though mergers and other changes, which did not require a new deed to be filed.

This property is composed of approximately four tracts. Enclosed is a diagram based upon the Currituck County Tax Department's information indicating the approximate boundaries of the various tracts of land that are referenced in the deed.

We look forward to receiving comments from your office with regard to this application.

Yours sincerely,

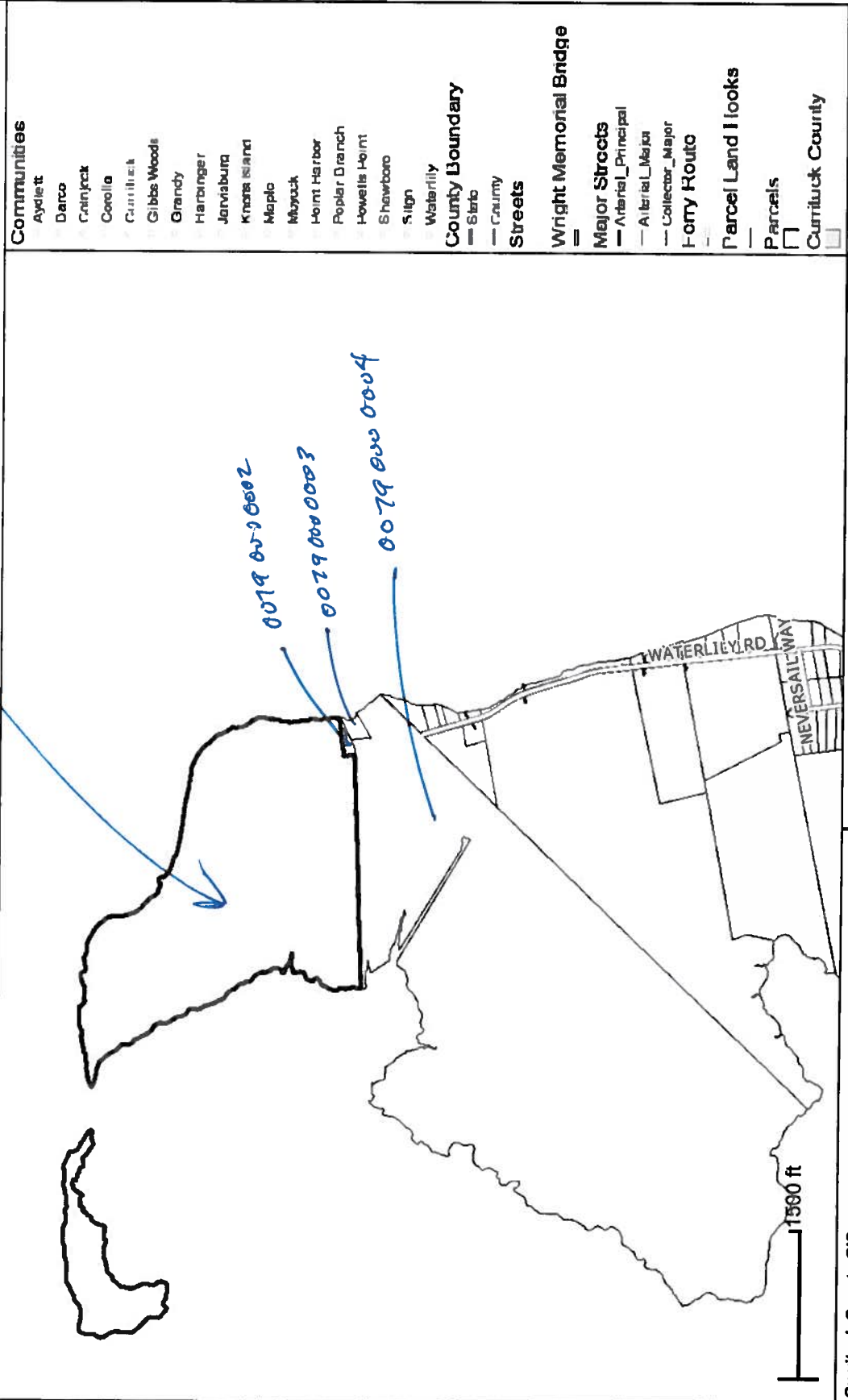

Christopher L. Seawell

CLS/cah
Enclosures
Cc: Mr. Eric Van Orden

17/04

0079 000 0001 0000

Currituck County GIS Online Mapping



- Communities**
 - Aylett
 - Danco
 - Currituck
 - Corolla
 - Currituck
 - Gibbs Woods
 - Grandy
 - Harbinger
 - Jarvisburg
 - Knotts Island
 - Maple
 - Mayack
 - Point Harbor
 - Poplar Branch
 - Howells Point
 - Shawboro
 - Sligo
 - Waterlily
- County Boundary**
 - State
 - County
- Streets**
 - Wright Memorial Bridge
- Major Streets**
 - Arterial_Principal
 - Arterial_Major
 - Collector_Major
 - Ferry Route
- Parcel Land Looks**
 - Parcels
 - Currituck County

This map should be used for general reference purposes only. Currituck County assumes no legal liability for the information shown on this map.

Currituck County GIS
(252)232-2034
www.co.currituck.nc.us/Geographic-Information-Services.cfm