



**Planning Board
Agenda Packet**

August 14, 2018

Work Session

6:30 PM

Call to Order

- A) Pledge of Allegiance & Moment of Silence
- B) Ask for Disqualifications
- C) Announce Quorum Being Met
- D) Approval of Agenda

Approval of Minutes for July 10, 2018**Old Business****New Business**

- A) **PB 18-18 David Stumph, Veterinary Clinics:** Request to modify Chapter 4 of the Unified Development Ordinance to allow veterinary clinics with no outdoor facilities to locate on lots smaller than two acres.

Announcements**Adjournment**



CURRITUCK COUNTY NORTH CAROLINA

July 10, 2018

Minutes – Regular Meeting of the Planning Board

WORK SESSION

A work session was held at 3:30 PM in the Senior Center before the regular meeting with staff and board members. Senior Planner Tammy Glave reviewed the text amendment request to allow automotive painting/body shops in the General Business (GB) Zoning District. The work session adjourned at 3:55 PM.

CALL TO ORDER

The Currituck County Planning Board met at 4:00 PM in the Currituck County Senior Center, 103 Community Way, Barco, North Carolina.

Attendee Name	Title	Status	Arrived
Fred Whiteman	Chairman	Absent	
C. Shay Ballance	Vice Chairman	Present	
Carol Bell	Board Member	Present	
Steven Craddock	Board Member	Present	
John McColley	Board Member	Present	
Jeff O'Brien	Board Member	Present	
Jane Overstreet	Board Member	Present	
J. Timothy Thomas	Board Member	Absent	
Laurie LoCicero	Planning and Community Department Director	Present	
Tammy Glave	Planning and Community Development Senior Planner	Present	
Cheri Elliott	Clerk to the Board	Present	

Vice Chairman Ballance called the meeting to order.

A. Pledge of Allegiance & Moment of Silence

Vice Chairman Ballance asked everyone to stand for the Pledge of Allegiance and a moment of silence.

B. Ask for Disqualifications

Vice Chairman Ballance asked if any board member had a conflict of interest with the matter coming before the board. Mr. Craddock said he has done business with Mr. Winslow in the past, but that it would not effect his decision. There was no opposition to this disclosure.

C. Announce Quorum Being Met

Vice Chairman Ballance announced a quorum being met with six board members present.

Communication: PB Minutes July 10, 2018 (Approval of Minutes for July 10, 2018)

D. Approval of Agenda

Vice Chairman Ballance asked if there were any changes to the agenda for tonight's meeting. With no changes noted, Mr. Craddock motioned to approve the agenda as presented. Mr. O'Brien seconded the motion and the motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
AYES:	C. Shay Ballance, Vice Chairman, Carol Bell, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jeff O'Brien, Board Member, Jane Overstreet, Board Member
ABSENT:	Fred Whiteman, Chairman, J. Timothy Thomas, Board Member

APPROVAL OF MINUTES FOR JUNE 12, 2018

Vice Chairman Ballance asked if any changes were needed for the meeting minutes of June 12, 2018. With no changes noted, Mr. Craddock motioned to approve the minutes as presented. Mr. O'Brien seconded the motion and the motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
AYES:	C. Shay Ballance, Vice Chairman, Carol Bell, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jeff O'Brien, Board Member, Jane Overstreet, Board Member
ABSENT:	Fred Whiteman, Chairman, J. Timothy Thomas, Board Member

OLD BUSINESS

There was no old business discussed.

NEW BUSINESS

A. PB 18-17 Jay Winslow and Jason Graham:

Senior Planner Tammy Glave presented the staff report. The text amendment is requesting painting/body shops be allowed in the General Business (GB) zoning district. Currently automobile repair and servicing is allowed as a permitted use in GB. In the past, the noxious fumes and pollutants emitted from paint booths were an environmental concern and one reason automotive painting/body shops were placed in our industrial zoning districts. The Environmental Protection Agency (EPA) now strictly governs paint and auto body shops to reduce emissions (cadmium, chromium, lead, manganese, and nickel) emitted during the spray application surface coating operation. The EPA requires that all spray booths, stations, and enclosures catch at least 98% of the fumes. Ms. Glave also reviewed the Unified Development Ordinance (UDO) requirements and said painting /body shops standards are within the Light Automobile Repair and Servicing section.

Ms. Overstreet asked the zoning districts currently allowed for painting/body shops and Ms. Glave said the Light Industrial (LI) zoning district and the Heavy Industrial (HI) zoning district.

The applicant, Jay Winslow, came before the board and stated his current address as 115 Deerfield Drive in South Mills.

Mr. O'Brien asked Mr. Winslow his current Environmental Protection Agency (EPA) Compliance Report reading for his spray booth and Mr. Winslow stated 99.3 percent.

Discussion was held on whether the EPA required a yearly testing report for spray booths and Mr. Winslow said it is only required at the start up of the business and is not tested yearly as stated in the staff report. Mr. Glave reviewed the EPA requirements and said she had misread the requirement. She will make the corrections to the staff report memo and the text amendment to reflect the change.

Mr. McColley said he believes this should require a Use Permit. Ms. LoCicero explained the differences in Use Permits and Conditional Rezoning.

Mr. Craddock asked about the landscaping requirements for on the highway and off of the highway businesses of this type. Ms. Glave said both have the same requirements.

Vice Chairman Ballance asked for motion. Mr. Craddock motioned to approve PB 18-17 Jay Winslow and Jason Graham text amendment, striking the section discussed and changing the verbiage concerning the yearly EPA test report. The requested zoning text amendment is consistent with the 2006 Land Use Plan because:

- New and expanding industries and businesses are encouraged, especially those that diversify the local economy, train and use a more highly skilled labor force, and are compatible the environment.
- Small business start-ups are encouraged.
- Site and building design along major highway corridors require improved appearance and development standards (driveway access, landscaping, buffering, signage, lighting, and tree preservation).
- Adequate public facilities must be available to support the request.

Also the request is reasonable and in the public interest because:

- It is consistent with the purpose and intent of Section 1.3 of the UDO.
- It encourages business growth while protecting the aesthetic and environmental aspects of the county.

Mr. O'Brien seconded the motion and the motion carried unanimously.

RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 8/6/2018 6:00 PM
AYES:	C. Shay Ballance, Vice Chairman, Carol Bell, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jeff O'Brien, Board Member, Jane Overstreet, Board Member	
ABSENT:	Fred Whiteman, Chairman, J. Timothy Thomas, Board Member	

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

Mr. Craddock motioned to adjourn the meeting. Mr. O'Brien seconded the motion and the motion carried unanimously. Meeting adjourned at 4:24 PM.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2240)

Agenda Item Title

PB 18-18 David Stumph, Veterinary Clinics:

Brief Description of Agenda Item:

Request to modify Chapter 4 of the Unified Development Ordinance to allow veterinary clinics with no outdoor facilities to locate on lots smaller than two acres.

Board Action Requested

Action

Person Submitting Agenda Item

Jason Litteral,

Presenter of Agenda Item

Jason Litteral



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: August 14, 2018
 Subject: PB 18-18 David Stumph, Text Amendment, Veterinary Clinics

The enclosed text amendment submitted by David Stumph revises Chapter 4 of the Unified Development Ordinance as it pertains to veterinary clinics. In the current ordinance a minimum lot area of two acres is required for all veterinary clinics. The minimum lot area is intended to provide space for, and separation from, outdoor facilities such as runs, kennels, or training areas. The text amendment proposes to allow clinics with no outdoor facilities to locate on lots smaller than two acres.

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 of the Unified Development Ordinance is amended by adding the following underlined language.

Animal Care Uses

Animal shelters, grooming, kennels (indoor and outdoor), and veterinary clinics shall comply with the following standards:

- (1) Except for veterinary clinics with no outdoor facilities, the minimum lot area shall be at least two acres. Outdoor facilities include but are not limited to runs, kennels, and training areas.
- (2) All fenced runs or training areas shall maintain a 25-foot setback from lot lines and be at least 50 feet from any adjacent single-family dwellings.
- (3) Runs and training areas shall be enclosed with fencing at least six feet in height.
- (4) All gates and entrances to the runs, kennels, and training areas shall remain locked when not in use.

Item 2: 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 3: 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: Staff Report (PB 18-18 David Stumph, Veterinary Clinics)



Text Amendment Application

OFFICIAL USE ONLY:

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

Contact Information
APPLICANT:
Name:
David Stumph
Address:
3916 Tarble Ridge Dr
Kitty Hawk, NC 27949
Telephone:
252-256-7039
E-Mail Address:
dstumph76@yahoo.com, firstflightvet@gmail.com
Request

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

Amend Chapter(s) 4 Section(s) 4.2.4 B as follows:

Veterinary clinics with no runs, fenced areas, training areas, or
outdoor kennels are excluded from the minimum lot area
requirement of two acres. Any indoor kenneling at a vet clinic
on a lot less than two acres must be used exclusively for
observation of hospitalized animals.

*Request may be attached on separate paper if needed.

Petitioner

A handwritten signature of David Stumph.

Date
6/26/18