



Planning Board Agenda Packet

February 13, 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 January 9, 2018**Old Business****New Business**

- A) **PB 18-02 LIZA BROOKE:** TEXT AMENDMENT TO SECTION 4.3.2 OF THE UDO TO ALLOW HOUSING FOR POULTRY AS AN ACCESSORY USE TO A SINGLE-FAMILY DWELLING IN THE GB ZONING DISTRICT.

Announcements**Adjournment**



**CURRITUCK COUNTY
NORTH CAROLINA**

January 9, 2018
Minutes – Regular Meeting of the Planning Board

WORK SESSION

Planning Director, Laurie LoCicero held a work session at 6:30 PM in the conference room with staff and planning board members to review the items on the agenda. The work session discussion concluded at 6:55 PM.

CALL TO ORDER

The Currituck County Planning Board met at 7:00 PM for their regular meeting in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
Carol Bell	Chairman	Present	
Fred Whiteman	Vice Chairman	Present	
C. Shay Ballance	Board Member	Present	
Steven Craddock	Board Member	Present	
John McColley	Board Member	Present	
Jeff O'Brien	Board Member	Absent	
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	
Jennie Turner	Planning and Community Development Planner II	Present	
Cheri Elliott	Clerk to the Board	Present	

Chairman Bell called the meeting to order at 7:00 PM.

A. Pledge of Allegiance & Moment of Silence

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

B. Ask for Disqualifications

There were no disqualifications for the meeting.

C. Announce Quorum Being Met

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

D. Approval of Agenda

Chairman Bell asked if there were any changes to the agenda for tonight's meeting. With no changes noted, Mr. McColley motioned to approve the agenda as presented. Ms. Overstreet seconded the motion and the motion was approved unanimously.

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

APPROVAL OF MINUTES FOR DECEMBER 12, 2017

Chairman Bell asked if any changes were needed to the meeting minutes for December 12, 2017. With no changes noted, Mr. Whiteman motioned to approve the minutes as presented. Mr. Craddock seconded the motion and the motion carried unanimously.

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

E. PB Minutes December 12, 2017

OLD BUSINESS

Mr. Craddock presented Chairman Bell with a Resolution of Appreciation from the Planning Board and a gavel plaque from the Planning Department for faithfully serving as a member of Currituck County's Planning Board from January 1, 2013 until December 31, 2017, and during this time, serving as the Planning Board Vice-Chairman for year 2016 and Planning Board Chairman for year 2017.

NEW BUSINESS

A. PB 13-29 TFP, LLC:

Planner II, Jennie Turner presented the staff report. The applicant is seeking an amendment to the conditions of approval to construct a 12 bedroom Inn. The property is zoned Conditional General Business. The Board of Commissioners in 2014 had previously approved the conditional zoning for construction of a 10 bedroom Inn. Ms. Turner said the amendment would cause a slight shift in the location of the building, but not the footprint of the building. It will also change the driveway area by including an exit on Persimmon Street. The applicant has submitted a Major Site Plan Application. Ms. Turner presented various slides showing the location, the zoning, service area, etc. The TRC has recommended approval.

Chairman Bell asked if the board members had any questions for staff. There were no questions.

Chairman Bell asked the applicant to come before the board. Cathleen Saunders with Quible & Associates approached to represent the Applicant, TFP, LLC. She said NCDOT has approved the Corolla Village Road.

Chairman Bell asked board members if they had questions for Ms. Saunders. Mr. McColley asked if there were any current issues concerning the road in the village. Ms. Saunders said they are willing to work with adjoining neighbors on maintaining the road.

Chairman Bell asked if there was anyone to speak in opposition. Mr. Austin approached the board and said his main concern was the Inn would not have management at night.

Board members and staff had discussion on the difference in a Bed & Breakfast and an Inn/Hotel and whether an Inn required on-site management at night.

Mr. Craddock read a letter that was sent to adjoining property owners (APO) for the community meeting stating the site would be a Bed & Breakfast and he stated this letter was misleading. Ms. Turner said the APO sent for the 2014 Board of Commissioners Meeting and the approval did not mention Inn or Bed & Breakfast. Staff stated it is a matter of semantics and a letter will be mailed to adjoining property owners prior to the Board of Commissioners Meeting.

Chairman Bell closed the public hearing and asked for a motion. Mr. Whiteman motioned to approve the requested conditional zoning amendment to allow for the 12 bedroom Inn because it is consistent with the 2006 Land Use Plan because:

- It is located mostly in a Full Service Area and Low Impact Development techniques are proposed on the site.
- It will help to preserve and protect the historic character and heritage of the Corolla Village area by incorporating Historic Corolla Village architectural details. (Policy OB5)

Also, because it is consistent with the Corolla Village Small Area Plan because:

- It maintains desirable building style characteristics and architectural features that promote the character of Corolla Village. (Policy LU1)
- It promotes a small village feel by orienting the building entrance to the street, designing parking on the side and incorporating front porches and pedestrian oriented features. (Policy LU2)

The request is reasonable and in the public interest because:

- It provides diversity of lodging accommodations in the Corolla Village Area and a vibrant village area will help to promote the historic character and heritage of the area.

Mr. McColley requested discussion to add the condition of approval that the Inn will help maintain Persimmon Street. Mr. Whiteman said he will add the condition to his motion that Quible & Associates will present a written statement to the Planning Department showing how they will help maintain Persimmon Street. Mr. Ballance seconded the motion with the added condition and the motion was approved unanimously.

RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 2/5/2018 6:00 PM
AYES:	Carol Bell, Chairman, Fred Whiteman, Vice Chairman, C. Shay Ballance, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jane Overstreet, Board Member	
ABSENT:	Jeff O'Brien, Board Member, J. Timothy Thomas, Board Member	

B. PB 16-17 SB&K Investments LLC:

Senior Planner, Tammy Glave presented the staff report. This was originally rezoned to Conditional-MXR on February 6, 2017. It is located adjacent to the Currituck House assisted living facility. Ms. Glave explained the changes being requested and the reason the changes were needed. Once the applicant proceeded with the engineering phase of the project, it was discovered that there was too much lot coverage to qualify for a low density stormwater permit. Changes were made with reorientation of buildings and infrastructure on the property to lower the impervious lot coverage. One of the concerns that staff had was seeing the side of building and the applicant has agreed to add extra architectural detail. Ms. Glave presented various slides showing the original Elevations verses the new Elevations, location, the Land Use Plan classification and the Moyock Small Area Plan classification, etc. The TRC has recommended approval as presented.

Chairman Bell asked if board members had any questions for staff. Discussion was held on the various changes to structures and parking area. Mr. Craddock asked about the detached unit and if it would be used for staff. Ms. Glave said it is intended as a short term rental.

Chairman Bell opened the public hearing. Applicant, Sam Miller came before the board. He said the impervious lot coverage has changed from 34% to 23% which is positive with the stormwater drainage. Also, the extra unit is for renting and is between 500 and 600 feet for short term rental.

Board members had discussion with the applicant on whether he would enhance the decorative appeal of the structures and landscaping to make up for the changes in elevations. There was also concern that the porches were not wrap around porches on the end units.

Chairman Bell asked if there was anyone to speak in opposition. Mark Sanford from Chesapeake came before the board. He said he is currently building custom home on Moyock Landing Drive and is concerned about plain looking rentals being in the same location with beautiful custom homes. Mr. Whiteman said this case was previously approved and we are only approving changes to the design.

Mr. Craddock asked if we received an answer about the porch. This appears to be a lean to coming off the roof and not a wrap around porch. Ms. Glave sited the definition for a porch and said it has to have columns.

Mr. Whiteman asked Mr. Miller if he would be willing to change the porches on the end units to wrap around porches with columns. Mr. Miller said he would, but would rather do a decorative freeze band or something else. Mr. McColley agreed that better aesthetics are needed. Mr. Whiteman asked Mr. Miller if he would do another rendering for the Board of

Commissioners Meeting showing the changes to the end caps we discussed and Mr. Miller agreed to do so.

Chairman Bell closed the public hearing and asked for a motion.

Mr. McColley motioned to approve the conditional rezoning amendment since it 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 amended 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)
- Impervious lot coverage is reduced and stormwater is properly managed. (IS4)
- It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

The amended 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 where county water and sewer are available.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

With added conditions made by the TRC:

1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
2. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.
3. That covered, wrap-around porches be added to the end units with sides fronting the street to further enhance the front façade appearance from the street.
4. That the architectural rendering of the townhomes be incorporated into this approval and units constructed accordingly.

And the applicant will present to the BOC an amended end elevation to show the features we discussed along with the landscaping discussed.

Chairman Bell asked if there were any more discussion. Mr. Craddock said he appreciates the applicant being willing to make the changes we discussed.

Chairman Bell asked for a second on the motion with the added conditions and changes. Mr. Craddock seconded the motion and the motion with the added conditions and changes carried unanimously.

RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 2/5/2018 6:00 PM
AYES:	Carol Bell, Chairman, Fred Whiteman, Vice Chairman, C. Shay Ballance, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jane Overstreet, Board Member	
ABSENT:	Jeff O'Brien, Board Member, J. Timothy Thomas, Board Member	

C. Election of Chairman and Vice-Chairman

Ms. Glave opened the nominations for Chairman and Vice-Chairman

Mr. Craddock nominated Fred Whiteman for Planning Board Chairman. There were no other nominations and the board voted unanimously in favor for Mr. Whiteman as Chairman.

Mr. Whiteman nominated Shay Ballance for Planning Board Vice-Chairman. There were no other nominations and the board voted unanimously in favor for Mr. Ballance as Vice-Chairman.

Ms. Glave closed the nominations and congratulated the new Chairman and Vice-Chairman.

ANNOUNCEMENTS

Mr. Craddock asked Ms. LoCicero for an update on the Land Use Plan.

Ms. LoCicero said we are currently working on the CAMA Matrix. We are almost to a final draft that will go back out to the public for comment. CAMA gave the county a list of requirements. Once we complete those requirements, it will go to CAMA and at the same time it will go back out to the public for their input. This will make better use of the time when CAMA is reviewing it.

Ms. LoCicero also said staff will be doing an update to the Unified Development Ordinance (UDO) to address Currituck Station. Kimley-Horn & Associates has been contracted to make these changes. This is the same consultant that created the mega-site plan.

Ms. Bell thanked everyone again for the plaque, the resolution and all the support throughout her years on the board. Ms. Bell expressed her love for the County of Currituck and said she will serve as a regular board member until she receives official notification from the Board of Commissioners.

ADJOURNMENT

The meeting was adjourned at 8:33 PM.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2094)

Agenda Item Title

PB 18-02 LIZA BROOKE:

Brief Description of Agenda Item:

TEXT AMENDMENT TO SECTION 4.3.2 OF THE UDO TO ALLOW HOUSING FOR POULTRY AS AN ACCESSORY USE TO A SINGLE-FAMILY DWELLING IN THE GB ZONING DISTRICT.

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



COUNTY OF CURRITUCK

Planning and Community Development Department
Planning and Zoning Division
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 Telephone (252) 232-3055 / Fax (252) 232-3026

To: Planning Board
 From: Planning Staff
 Date: February 6, 2018
 Subject: PB 18-02 Liza Brooke, Text Amendment

The enclosed text amendment submitted by Liza Brooke is intended to revise Section 4.3.2 Table of Common Accessory Uses of the Unified Development Ordinance (UDO) to allow 'Housing for Poultry' as an accessory use to a single-family dwelling in the General business (GB) zoning district. The text amendment will allow the same right to house poultry as an accessory use to a single-family dwelling whether the dwelling is in a residential zoning district or the GB zoning district. Housing for poultry is currently allowed by right in the Agricultural (AG), Single-Family Mainland (SFM), and Single-Family Isolate (SFI) zoning districts according to the regulations in Chapter 4 of the UDO.

For Reference Purposes Only
Current Definition and Standards – Housing for Poultry

HOUSING FOR POULTRY

Enclosures, coups, and fenced areas intended for the care and keeping of small domestic poultry as an accessory use to a single-family dwelling unit.

4.3.3 SPECIFIC STANDARDS FOR CERTAIN ACCESSORY USES

L. Housing for Poultry

Except within the AG district, the housing of poultry shall comply with the following standards:

- (1) No more than eight birds may be housed per lot;
- (2) Roosters are prohibited;

- (3) On-site slaughter of birds is prohibited;
- (4) All birds shall be housed within a covered enclosure or coup;
- (5) No enclosure shall be located closer than 25 feet to any residential structure or lot line; and
- (6) Birds shall be kept within a fenced enclosure at all times.

PB 18-02
Liza Brooke

Amendment to the Unified Development Ordinance Chapter 4: Accessory Use Standards, to allow housing for poultry in the GB (General Business) zoning district.

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 is amended by adding the following bold underlined language in Section 4.3.2 Table of Common Accessory Uses:

TABLE 4.3.2.E: TABLE OF COMMON ACCESSORY USES

P = Permitted by-right Z= Zoning Compliance Permit U = Use Permit MP = Allowed with master plan blank cell = Prohibited

ACCESSORY USE TYPE	ZONING DISTRICT														ADDITIONAL REQ. (4.3.____)		
	RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O	
Housing for Poultry		P	P			P	P	P						MP	MP		3.L

Item 2: Statement of Consistency and Reasonableness:

The requested zoning text amendment is consistent with the 2006 Land Use Plan because:

- It will not increase demand on public infrastructure, facilities, or services. (LUP POLICY PP2)

The request is reasonable and in the public interest because:

- It will allow the same right to house poultry as accessory use to a single-family dwelling whether the dwelling is in a residential zoning district or the GB zoning district. Housing for poultry is currently allowed by right in the Agricultural (AG), Single-Family Mainland (SFM), and Single-Family Isolate (SFI) zoning districts according to the regulations in Chapter 4 of the UDO.

Item 3: 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 4: This ordinance amendment shall be in effect from and after the _____ day of _____, 2018.

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: February 13, 2017

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: _____



Text Amendment Application

OFFICIAL USE ONLY:

Case Number: _____

Date Filed: _____

Gate Keeper: _____

Amount Paid: _____

Contact Information
APPLICANT:
Name: Liza BrookeAddress: 154 Moyock Landing Drive
Moyock, NC 27958Telephone: 257-672-9515E-Mail Address: Liza.Brooke@aol.com
Request

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

Amend Chapter(s) 4 Section(s) 4.3.2E as follows:

I would like to amend the table of common accessory uses to allow housing for poultry in the general business zoning district.

*Request may be attached on separate paper if needed.

A handwritten signature in black ink, appearing to read "Liza Brooke".

Petitioner

12-19-17

Date

Text Amendment Submittal Checklist

Staff will use the following checklist to determine the completeness of your application. Only complete applications will be accepted.

Text Amendment**Submittal Checklist**

Date Received: 12-19-17

Project Name: Text Amend - Chickens Acc Use - GBS

Applicant/Property Owner: Liza Brooke

Text Amendment Submittal Checklist

1	Complete Text Amendment application	<input checked="" type="checkbox"/>
2	Application fee (\$150)	<input checked="" type="checkbox"/>
3	3 hard copies of ALL documents	<input checked="" type="checkbox"/>
4	1 PDF digital copy of all documents (ex. Compact Disk – e-mail not acceptable)	<input checked="" type="checkbox"/>

For Staff Only

Pre-application Conference

Pre-application Conference was held on 12-19-17 and the following people were present:

Tammy D. Glave, CZO

Comments

*This Application
is complete.*

*tbg
12/19/17*