



**CURRITUCK COUNTY
NORTH CAROLINA**

June 13, 2017

Minutes – Regular Meeting of the Planning Board

WORK SESSION

The Planning Board Work Session was held from 6:00 PM until 7:00 PM discussing matters on the agenda.

CALL TO ORDER

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

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	Present	
Jane Overstreet	Board Member	Present	
J. Timothy Thomas	Board Member	Absent	
Ben Woody	Planning & Community Development Director	Present	
Laurie LoCicero	Planning and Community Development Assistant Dire	Present	
Donna Voliva	Planning and Community Development Senior Planner	Present	
Jennie Turner	Planning and Community Development Planner II	Present	
Cheri Elliott	Clerk to the Board	Present	

A. Pledge of Allegiance & Moment of Silence

Everyone stood for the Pledge of Allegiance and a moment of silence.

B. Ask for Disqualifications

Chairman Bell read the State Government Ethics Act and asked if any board member had a conflict of interest with any matter coming before the board tonight. No conflicts were noted.

C. Announce Quorum Being Met

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

D. Approval of Agenda

Chairman Bell asked if there were any changes to the agenda for tonight's meeting. Donna Voliva, Senior Planner, requested to amend the agenda by moving Item C of

New Business, PB 17-05 Moyock Mega-Site Master Plan, to Item B of New Business and moving Item C of New Business, PB 17-04 Currituck County UDO Housekeeping Amendment, to Item C of New Business.

Mr. Craddock motioned to approve the agenda as amended. Mr. Whiteman 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, Jeff O'Brien, Board Member, Jane Overstreet, Board Member
ABSENT:	J. Timothy Thomas, Board Member

APPROVAL OF MINUTES FOR MAY 9, 2017

Chairman Bell asked if there were any changes needed to the meeting minutes for May 9, 2017. With no changes noted, Mr. O'Brien 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, Jeff O'Brien, Board Member, Jane Overstreet, Board Member
ABSENT:	J. Timothy Thomas, Board Member

E. PB Minutes May 9, 2017

OLD BUSINESS

There was no old business discussed.

NEW BUSINESS

A. Public Hearing and Action: PB 94-49 The Currituck Club PUD - Zoning Map Amendment:

Ben Woody, Planning & Community Development Director, presented the staff report. The Currituck Club Property Owners Association (TCCPOA) has requested the zoning map amendment to include two existing open space parcels in The Currituck Club PUD Overlay after it was determined by Planning Staff that the use of their Surf Shack, although it sells snacks and drinks, was not a structure used for recreational purposes and therefore, not a use that is consistent with uses allowed in the Open Space. The request initially included the ocean front parcel, as well, but since it is not contiguous and the purpose of PUDs is to cluster development, staff determined it would not be included in their request. The TCCPOA has requested this zoning map amendment as a remedy to the letter of determination. If the zoning map amendment is approved, an amended sketch plan and use permit application will be scheduled for a public hearing before the Board of Commissioners. Staff recommends conditional approval of the proposed zoning map amendment because it complies with map amendment review standards of the Unified Development Ordinance

(UDO), it is consistent with the 2006 Land Use Plan, and it is reasonable and in the public interest.

Ms. Overstreet asked Mr. Woody about the eastern parcel being separated into two parts. Mr. Woody read the definition of contiguous and said parcels may be separated by a street or utility easements.

Chairman Bell opened the public hearing for the applicant and persons speaking in support.

The attorney for The Currituck Club, Eric Remington with Ward and Smith, P.A., appeared before the board and presented with a PowerPoint presentation. The presentation included a vicinity map, slides explaining the purpose of their application, various pictures of the beach club parcel (The Surf Shack), trolley stop and valet service area, and views of the beach parcel. The presentation also included a copy of the 2011 Inspection/Zoning Compliance Certificate for The Surf Shack signed compliant by county staff, various slides with Land Use Plan policies, Code of Ordinances, references to the UDO and emails in support of The Currituck Club.

Mr. Remington said we believe county access to the beach could be for both The Currituck Club and Pine Island. We disagree with staff that the ocean front parcel is not contiguous with the other parcels. The club is used for recreational purposes and the Surf Shack has picnic tables, shelters and grills which satisfies the definition of recreational use. It's a concession stand used for the same purpose for 17 years. We don't care if it is open space or commercial use, we just want to be able to use it. Mr. Remington also stated Pine Island's PUD is not contiguous.

Bob Godley of Corolla appeared before the board. He said he has sold real estate for 18 years and never had anyone complain about the Surf Shack; taking away the Surf Shack and the trolley would hurt The Currituck Club.

Chairman Bell closed the public hearing for applicant and persons speaking in support.

Board members, Mr. Whiteman and Mr. O'Brien, shared their findings from visiting the beach access and beach area used by The Currituck Club, Spindrifft, and Pine Island on Sunday. They stayed for approximately two hours, watching and asking questions. Mr. Whiteman said they witnessed many people utilizing the The Currituck Club's gators who were not handicapped and did not have wristbands. There were lines of families with children waiting for the service. Mr O'Brien asked an employee of The Currituck Club on the beach if he could rent a chair and umbrella and the employee said yes. Mr. Whiteman also said they witnessed many rented golf carts from The Currituck Club parked in "no parking" areas. When the General Manager was confronted, he said they have no way of knowing who is or is not handicapped and they had no control over the golf carts once they are rented.

Mr. Remington said they cannot verify if someone is handicapped and must go on their word.

Chairman Bell opened the public hearing for the opposition.

The attorney for Pine Island, Jamie Schwedler with Parker Poe Attorneys & Counselors at Law, appeared before the board in opposition of The Currituck Club and presented with a PowerPoint presentation. The presentation included zoning concerns, slides showing inconsistencies with county policies of the Land Use Plan and the UDO, pictures of commercial activity on the beach and golf carts/valet vehicles parking in "no parking" areas. The presentation also had resident testimony and solutions. Ms. Schwedler said The Currituck Club is using county land to market themselves as an ocean front facility. They are already out of compliance with the Surf Shack and the use of the valet is also not in compliance.

Roger Craft appeared before the board to give resident testimony. Mr. Craft purchased their house in 1999 and have seen many changes throughout the years without any problems until now. He said the commercial activity and gators on the beach are out of control.

Richard Hinson appeared before the board to give resident testimony. He built his house in 1994. He said the southern beach access is an accident getting ready to happen. He witnessed two children almost get hit by a lifeguard on an ATV because of the over crowding on the beach.

Eddie White, the Pine Island Operations Manager, appeared before the board. He said there is numerous problems with the overcrowding of the beach.

Paul Manberg, a resident of Sprindrift, appeared before the board. He said people can no longer walk down the beach safely due to the overcrowding and gators driving through the access and on the beach.

Chairman Bell closed the public hearing to the opposition and gave a 5 minute rebuttal time to the applicant.

Mr. Remington asked the board to continue letting The Currituck Club use their property the same as they have for 20 plus years.

Planning Board discussion was held on the number of lots in The Curituck Club and how many lots are left to build on. It was determined there are just under 200 lots left. Mr. Craddock stated this would possibly increase the number of people utilizing the beach and gators in the future.

Mr. O'Brien asked if the same person that operates the Surf Shack operates the beach umbrellas and the emergency service and Mr. Remington responded yes.

Chairman Bell closed the public hearing and asked for discussion among the board.

Mr. Craddock asked Staff for the definition of contiguous again and to show the county parcel on the map. Ms. Turner read the definition and pointed out the parcel on the map.

Mr. Craddock asked Mr. Woody his opinion on the three contracts previously issued to The Currituck Club. Mr. Woody said he believed the three contracts were issued in error, although they were issued in good faith at the time.

Mr. Craddock asked Mr. Whiteman for some clarification on his findings on Sunday at the beach. Mr. Whiteman said he and Mr. O'Brien were there for two hours. There were approximately eight golf carts parked along the beach access and the Fire Marshall showed up. Mr. Craddock asked Mr. Whiteman if it was a true statement that you can rent anything on the beach from the Surf Shack without a wristband and Mr. Whiteman said absolutely. It is being run as a commercial business on the beach.

Mr. McColley asked how often Mr. Whiteman and Mr. O'Brien saw gators on the beach away from the right of way and they responded every ten to fifteen minutes. Mr. Whiteman said on occasion they would drive people out at least 100 yards or more to where their umbrella was located.

Mr. Craddock asked Mr. Woody what the county could do if the compliance officer witnessed the gators driving illegally on the beach. Mr. Woody said the county could cancel their contract with The Currituck Club with a 30 days notice or a civil citation could be issued to the person driving the vehicle.

Chairman Bell asked for a motion. Mr. Whiteman motioned to recommend denial because it is inconsistent with the goals and objectives of the Land Use Plan, it does not demonstrate a general community need, it adversely impacts surrounding area and conflicts with the public interest and also it is not in harmony with the surrounding properties. Mr. O'Brien seconded the motion.

Mr. McColley stopped the vote and asked the Chairman for discussion. Mr. McColley asked to add an amendment to Mr. Whiteman's motion and stated if the Board of Commissioners decide to approve the request, we should encourage them to negotiate with the Currituck Club to try to minimize or alleviate some of the concerns.

Mr. Whiteman said he respectfully stands with his motion.

Mr. Craddock asked if it is appropriate to add Mr. McColley's comment and Mr. Woody said it would be appropriate once the motion has been made and vote is complete since the Board of Commissioners wants the input from the Planning Board.

Chairman Bell continued with the vote and the motion carried 6-1 with Shay Ballance voting no.

Post voting comments directed as suggestions to the Board of Commissioners were to have negotiation with The Currituck Club and actually making them enforceable. One suggestion was to create a county ordinance specifically for the "No Parking" area on the beach access, putting up signs that state vehicles would be towed (with the name of the towing company and phone number), and enforcing the ordinance. Also, hiring more code enforcement officers for the mainland side and the outer banks side. As we continue to create rules, they will not work if not enforced. Fines and fees for people

breaking the rules and laws would benefit the county and rules and laws must be enforced by code enforcement offices and the sheriff's department.

Chairman Bell said the above suggestions are not meant for a formal motion, but took a vote for the suggestions to be included with the previous motion of denial.

Chairman Bell paused the meeting for a break.

RESULT:	RECOMMENDED DENIAL [6 TO 1]	Next: 8/7/2017 6:00 PM
AYES:	Carol Bell, Chairman, Fred Whiteman, Vice Chairman, Steven Craddock, Board Member, John McColley, Board Member, Jeff O'Brien, Board Member, Jane Overstreet, Board Member	
NAYS:	C. Shay Ballance, Board Member	
ABSENT:	J. Timothy Thomas, Board Member	

B. PB 17-05 Moyock Mega Site Master Plan:

Laurie LoCicero, Assistant Planning Director, gave a brief overview of the Moyock Mega Master Plan and introduced Carol Collins with Kimley Horn and Associates. Mr. Collins presented the Moyock Mega-Site Master Plan. The presentation covered the project background, market feasibility recommendations, market feasibility next steps, key elements of the plan, approach and program development, master plan key objectives, gateway development, proposed unified development ordinance revision and master plan next steps.

Mr. McColley asked about the public's positive comments and reservations. Mr. Collins said there were mostly positive comments, but the concerns were stormwater drainage and the school site. Ms. LoCicero said traffic in general was a main concern.

Planning Board discussion was held on the importance of choosing a name for the proposed Moyock Mega-Site as soon as possible. Mr. Whiteman said most citizens in Currituck want controlled growth and this name leads people to believe it is much bigger. Mr. Collins said he has already had discussions with the Currituck County Economic Development Director, Larry Lombardi, about naming the site. Mr. Collins suggested the name change takes place within 60 days of approval by the Board of Commissioners.

Ms. Voliva handed out an email sent by Vic Ramsey of Moyock. Mr. Ramsey was unable to attend, but wanted his views to be heard by the board. Mr. Ramsey said, as a whole, he is in favor of the project since the development of the property is under the purview of a consistent long-range plan, as opposed to single landowners making agreements with individual developers to develop their property without regard to the needs or impacts of the community. His concerns are setting aside 1500 homes and only having 50 acres for public education. Mr. Ramsey believes the school site should be 100 acres, unless the commissioners plan to purchase land outside the project for future use as an educational complex. Also, Mr. Ramsey would like one of the parcels set aside for public use to be sufficient size to house a recreation center similar to the YMCA in Barco.

Chairman Bell opened the public hearing.

Mike Zimmerman of Moyock appeared before the board in opposition. Mr. Zimmerman showed concern for the population growth in relation to the available schools. He said Moyock has nine subdivisions being built right now and not enough schools.

With no further speakers, Chairman Bell closed the public hearing and asked for a motion.

Mr. Craddock motioned to adopt the Moyock Mega-Site Master Plan because it promotes orderly development, its in the public interest, it controls growth and would be an asset to our county. Mr. McColley seconded the motion and the motion carried unanimously.

Mr. Whiteman had a post comment on the school concerns. Ms. Voliva said the schools set the student capacities. Some of the determining factors are the maximum capacities of the library, cafeteria and the gym in each school. Ms. Voliva said you can add additional classrooms, but if these three areas are not large enough, the added classrooms do not matter. The school system provides the daily enrollment numbers for current and planning capacity. Then the Planning Department takes the number of proposed subdivision lots and there is a formula based off of a study. Right now, we are okay with the projected enrollment and do not need an additional school. Schools cannot be built until we go over the maximum capacities in order to have students to attend the new schools. Also, the State will only fund a certain number of faculty positions per a certain number of students in the school. The county would have to pick up the additional cost. Something that might change our current need is legislation on the table from the State mandating a lower class size and this could affect Currituck County Schools by causing redistricting of lines.

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

C. Public Hearing and Action: PB 17-04 Currituck County: 2017 UDO Housekeeping Amendment

Donna Voliva, Senior Planner, presented the staff report for the Currituck County 2017 Housekeeping Amendment which clarifies and revises miscellaneous sections of the Unified Development Ordinance (UDO).

Chairman Bell asked for questions from the board.

With no questions, Chairman Bell entertained a motion.

Shay Ballance motioned to recommend approval as presented by staff. Mr. O'Brien seconded the motion and the motion carried unanimously.

RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 7/17/2017 6:00 PM
AYES:	Carol Bell, Chairman, Fred Whiteman, Vice Chairman, C. Shay Ballance, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jeff O'Brien, Board Member, Jane Overstreet, Board Member	
ABSENT:	J. Timothy Thomas, Board Member	

ANNOUNCEMENTS

Chairman Bell announced this is Ben Woody's last meeting with the Planning Board. Chairman Bell expressed her gratitude for Mr. Woody of how helpful he has been to her and the board members. Mr. Woody has made many improvements throughout his years with Currituck County.

Chairman Bell asked Laurie LoCicero, Assistant Planning Director, if she would be assuming the duties of Mr. Woody. Ms. LoCicero said she would be assuming his duties until a final candidate has been named.

Mr. Woody thanked the Planning Board for everything they have done during his time with Currituck County.

Mr. Whiteman announced his son, Devin Whiteman, had traveled with Veritas Collegiate basketball team to China to play the number one Beijing team and had won. The mayor of Chesapeake honored the team upon their return from China.

Mr. Craddock announced Ms. LoCicero and he would be giving information on the progress of the Land Use Plan in the near future. Ms. LoCicero gave the website information for the Land Use Plan, said additional information had been added and asked the board members to review at their leisure. Ms. LoCicero said the Land Use Plan, when ready, will come before the board for recommendation of adoption.

ADJOURNMENT

Chairman Bell thanked everyone for coming to the meeting; and with no further business she adjourned the meeting at 9:40 PM.



**CURRITUCK COUNTY
NORTH CAROLINA**

May 9, 2017

Minutes – Regular Meeting of the Planning Board

CALL TO ORDER

Chairman Bell called the meeting to order at 7:03 PM.

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

A) Pledge of Allegiance & Moment of Silence

Everyone stood for the Pledge of Allegiance and a moment of silence.

B) Ask for Disqualifications

Chairman Bell read the State Government Ethics Act and asked if any board member had a conflict of interest with any matter coming before the board tonight. No conflicts were noted.

C) Announce Quorum Being Met

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

D) Approval of Agenda

Chairman Bell asked if there were any changes to the agenda for tonight's meeting. Tammy Glave, Senior Planner, asked to amend the agenda to discuss the Moyock drainage. Mr. Ballance motioned to approve the agenda as amended. Mr. Craddock seconded the motion and the motion carried unanimously.

Communication: PB Minutes May 9, 2017 (Approval of Minutes for May 9, 2017)

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

APPROVAL OF MINUTES FOR APRIL 11, 2017

Chairman Bell asked if there were any changes needed to the meeting minutes for April 11, 2017. With no changes noted, Chairman Bell moved to approve the minutes as presented. Mr. Craddock seconded the motion and the motion carried unanimously.

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

E. PB Minutes April 11, 2017

OLD BUSINESS

There was no old business discussed.

NEW BUSINESS

A. PB 14-16 Lake View at Currituck, Development Agreement Amendment:

Senior Planner, Donna Voliva presented the Staff Report for the request made by James Myers to amend the development agreement between Lake View Land Development, LLC and Currituck County to modify the building elevations for single family dwellings in Lake View at Currituck, PUD off Survey Road in Moyock. The request submitted replaced the previous elevations with sixteen two story building designs which are similar to the previous elevations. According to the applicant, the previous elevations were outdated and the architecture is proprietary to the builder that was in place at the time. Ms. Voliva gave the background information, reviewed the development agreement review standards and gave the Technical Review Committee's recommendation to approve the amendment since the development agreement is consistent with the Moyock Small Area Plan and is consistent with the Land Use Plan for Currituck County.

Eric Shirey, with Ryan Homes, appeared before the board and stated Ryan Homes has the land development for all 150 lots at Lake View at Currituck with 49 of the lots ready for building to begin. He stated the new elevations designs were for upgrading purposes with no cost cutting. The designs submitted in 2014 had garages that were 18-20 feet in width and some would not fit the lot size.

Board members asked Mr. Shirey several questions about the square footage, price points, location of Ryan Homes' Headquarters and foundation of the homes. Mr. Shirey said the square footage of the homes would be similar with some up to 3,000 square feet; the price ranges would a starting price point of \$299,000 to \$309,000 with upgrades up to \$350,000. Ryan Homes is in Chesapeake with 40 employees and is headquartered in Reston, Virginia.

Mr. Shirey said this would be the first community they are building outside of Chesapeake, Virginia. All the homes will be built on slab foundations.

Jim Myers, with Lake View Land Development, LLC, appeared before the board. Mr. Myers said the previous elevations were from a builder they had contracted at the time the development agreement was made in 2014 and these elevations had been used in Isle of Wight County, Virginia. Mr. Myers said they could not use the previous elevations since that builder was no longer working on this project.

Board members agreed the previous elevations were similar to the new elevations. Ms. Voliva said the development agreement stated Lake View Land Development, LLC, had to come to the board when changes are made for approval.

Chairman Bell asked for a motion. Mr. Craddock motioned to approve the amended development agreement since it is consistent with the Moyock Small Area Plan and it is in the public's interest and it will not negatively affect property values in the vicinity.

RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 6/5/2017 6:00 PM
AYES:	Carol Bell, Chairman, C. Shay Ballance, Board Member, Steven Craddock, Board Member, Jane Overstreet, Board Member, J. Timothy Thomas, Board Member	
ABSENT:	Fred Whiteman, Vice Chairman, John McColley, Board Member, Jeff O'Brien, Board Member	

B) Moyock Service District Maintenance Assessment - Ditches 1-6

Senior Planner, Tammy Glave briefed the Planning Board Members on tonight's added discussion of Moyock drainage. A planned subdivision, Moyock Commons, had previously been heard at the Board of Commissioners Meeting on March 20, 2017 for a Use Permit. During this time, a drainage report for the Moyock Service District was in the process of being prepared and the Board of Commissioners remanded Moyock Common's request until the drainage report was finished and could go through the proper procedures of discussion by the Planning Board and then a resolution by the Board of Commissioners. Ms. Glave introduced Eric Weatherly, Engineer with Currituck County, to present the Moyock Service District Draft Prioritized Maintenance Assessment for Ditches 1 through 6.

Mr. Weatherly started his presentation by explaining the Moyock Watershed District and the drainage study that had been prepared by the County. He also explained the location of the ditches 1 through 6 within the Moyock Watershed District. He said the study has nineteen items needing to be addressed which are listed in priority order on the maintenance assessment. The Moyock Watershed Service District currently pays an additional district tax rate of 1 and 1/2 cents per \$100 valuation. Mr. Weatherly said this rate is barely enough to keep the ditches cleaned out from fallen trees. The County will have to raise the additional district tax rate to 5 cents per \$100 valuation in order to pay for the cost of the needed improvements for ditches 1 through 6 which will take three years of the additional taxes for the cost to be completely covered. This was presented at the Board of Commissioners last budget session. Mr. Weatherly referenced priority #5 which relates to Moyock Commons and will cost \$21,300. Mr. Weatherly said there is no reason we should not turn the drainage study down. It will improve the problems we have with drainage in this area.

Mr. Craddock asked if any special permits will be needed such as CAMA or Army Corps of Engineers. Mr. Weatherly said he did not believe it will. Ms. Glave stated since these are not navigable waters, no special permits should be needed.

Discussion was held on whether the additional tax rate would continue past the three year period, if the improvements would be a permanent fix, and when the improvements will begin, if approved. Mr. Weatherly said the Board of Commissioners could reverse the tax after a three year period, but the improvements would not be a permanent fix and the ditches would need continual maintenance. The improvements could begin as early as July 1, 2017, if the additional tax is approved by the Board of Commissioners for the next fiscal year.

Chairman Bell thanked Mr. Weatherly for his presentation and closed the discussion.

ANNOUNCEMENTS

Mr. Craddock said he and Mr. Woody will be presenting information on the updates to Land Use Plan at the next meeting. Mr. Woody was unable to be here today due to a scheduling conflict.

Chairman Bell said she was concerned with the Planning Board only having five members attend the last two meetings. It puts us close to not having a quorum.

Chairman Bell asked the board members to think about changing our starting time to 6:00 PM since this will be added to the next meeting for a decision.

ADJOURNMENT

With there being no further business, Mr. Craddock motioned to adjourn the meeting, Ms. Overstreet seconded the motion. The motion carried unanimously and the meeting of the Currituck County Planning Board concluded at 8:20 PM.


Currituck County

Planning and Community Development Department
 Planning and Zoning Division
 153 Courthouse Road Suite 110
 Currituck NC 27929
 252-232-3055 Fax 252-232302

To: Planning Board

From: Planning Staff

Date: April 25, 2017

Subject: PB 14-16 Lake View at Currituck, PUD Development Agreement

James O. Myers, Lake View Land Development, LLC, submitted an application for an amendment to the development agreement between Lake View Land Development, LLC (the "Developer") and Currituck County to modify the building elevation designs for single family dwellings in Lake View at Currituck, PUD off Survey Road in Moyock Township.

The use of a development agreement is authorized in North Carolina General Statutes 153A-379.1 and Currituck County Unified Development Ordinance (UDO), Section 2.4.18; the purpose and intent of a development agreement is to:

1. Encourage comprehensive planning and capital facilities planning;
2. Ensure the provision of adequate public facilities for development;
3. Encourage the efficient use of resources, while providing certainty in the process of obtaining development permits and approvals; and
4. Reduce the economic costs of development by providing greater regulatory certainty.

Background

- County of Currituck (the "County") entered into a development agreement with Survey Road, LLC (the "Developer") on November 25, 2014 to complete the Lake View at Currituck development.
- Typical building elevations were included in Exhibit D of the agreement. The recitals in the agreement indicate the homes constructed should be similar to the elevations provided in the agreement but are not required to be exact.
- The development agreement between the Developer and the County required the Developer to install a new public sewer force main connecting the Lake View at Currituck development to the Moyock Central Sewer System. Phase 1 infrastructure is complete and the sewer mains, pump stations, and appurtenances subject to the development agreement were dedicated to the county upon completion.

- An amendment to the development agreement was recorded June 23, 2016 that permitted 13 additional units and, the agreement was assigned to Lake View Land Development, LLC (the “Developer”).

Amendment Request

The request submitted by the “Developer” provides sixteen two-story building elevations that will replace the building elevation exhibit in the recorded agreement. According to the applicant, the building elevations recorded with the 2014 development agreement are outdated and the architecture is proprietary to the builder that was in place at that time.

Attached please find a draft version of the development agreement amendment, a copy of the existing building elevations, the proposed building elevations, and the Architectural Standards Handbook for the Lake View at Currituck Owners Association.

Development Agreement Review Standards

The advisability of a development is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. For consideration of the county to participate in a development agreement, the development subject to the agreement must meet the following:

1. The property subject to the development agreement shall contain 25 acres or more of developable property (exclusive of wetlands, mandatory buffers, unbuildable slopes, and other portions of the property that may be precluded from the property at the time of application).
2. The development shall demonstrate phasing, and participation in the proposed agreement shall not exceed 20 years.
3. The development shall demonstrate the impact on existing and future provisions of capital improvements by the county, including at least one of the following: transportation, potable water, sanitary sewer, solid waste, stormwater management, educational, parks and recreational, and health systems and facilities.

Recommendation

Although this amendment to the development agreement (building elevations) does not specifically address the three review standards outlined in the UDO, the Lake View at Currituck development agreement continues to meet the review standards of the UDO. The TRC recommends **approval** of the amendment because the development agreement is consistent with the Moyock Small Area Plan since the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and the development agreement demonstrates the impact on the future provision of public sewer capital improvements by the county.

NORTH CAROLINA
COUNTY OF CURRITUCK

DEVELOPMENT AGREEMENT

This Amendment of Development Agreement is made this _____ day of _____, 2017 by and between the County of Currituck, a body politic and political subdivision of the State of North Carolina ("County"), and Lakeview Land Development LLC, a Virginia limited liability company, as assignee from Survey Road, LLC, a North Carolina limited liability company ("Developer").

SECTION ONE **RECITALS**

1. Developer and County previously entered into a Development Agreement under date of November 25th, 2014, as amended by that certain amendment dated June 21, 2016, for the development property identified therein as "Tract 1".
2. Pursuant to that certain Assignment of Development Agreement dated June 21, 2016, Survey Road, LLC assigned the Development Agreement to Lake View Land Development, LLC.
3. Pursuant to SECTION 12 therein, the original agreement may be amended by mutual consent of the parties.
4. Developer desires, and County consents, to the amendment hereinafter stated.

NOW, THEREFORE, for and in consideration of the mutual promises subsequently appearing, it is agreed the Development Agreement of November 25th, 2014, as amended, is hereby amended in the following regards, and no other:

AMENDMENT TO SECTION THREE **DEFINITION OF "LAKE VIEW AT CURRITUCK, PUD"** **TYPICAL BUILDING ELEVATIONS**

The original Exhibit D referred to in Section Three, definition of "Lake View at Currituck, PUD", is hereby replaced with Exhibit D attached hereto and made a part hereof.

Communication: PB Minutes May 9, 2017 (Approval of Minutes for May 9, 2017)

EXECUTION

This document having been carefully reviewed by the parties and their counsel, and it being determined such is in accord with applicable law and is in the interest of Developer, County and its citizens, each party does hereby bind itself to the other to carry out the terms herein by the execution of this document in duplicate originals.

PRE-AUDIT CERTIFICATION

This instrument has been pre-audited in the manner required by the Local Government Budget Fiscal Control Act.

By: _____
Finance Officer
Currituck County, North Carolina

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

ATTEST:**COUNTY OF CURRITUCK**

By: _____

By: _____

NORTH CAROLINA
COUNTY OF CURRITUCK

This is to certify that on the _____ day of _____, 2017, before me personally came _____, who, being by me duly sworn, says that she is the Clerk to the Currituck County Board of Commissioners and _____, who is the Chairman of the Currituck County Board of Commissioners, a North Carolina County possessing powers of a unified government pursuant to N.C.G.S. §153A-471, described in and which executed the foregoing; that she knows the corporate seal of said County, that the seal affixed to the foregoing instrument is said corporate seal, and the name of the County government was subscribed thereto by the said Chairman and that the said corporate seal was affixed, all by order of the governing body of said County, and that the said instrument is the act and deed of said County.

WITNESS my hand and official seal or stamp, this the _____ day of _____, 2017.

Notary Public

My Commission Expires _____

Communication: PB Minutes May 9, 2017 (Approval of Minutes for May 9, 2017)

ATTEST:

**LAKE VIEW LAND
DEVELOPMENT, LLC**

By: _____

By: _____

NORTH CAROLINA
COUNTY OF CURRITUCK

I, a Notary Public of Currituck County, North Carolina, do hereby certify that _____
_____, personally came before me this day and acknowledged that he is the _____
_____, of Lake View Land Development, LLC the foregoing instrument was
signed in its name by its _____, sealed with its corporate seal, and attested
by himself as its _____.

WITNESS my hand and official seal or stamp, this the _____ day of _____,
2017.

Notary Public

My Commission Expires _____

Communication: PB Minutes May 9, 2017 (Approval of Minutes for May 9, 2017)

EXHIBIT D

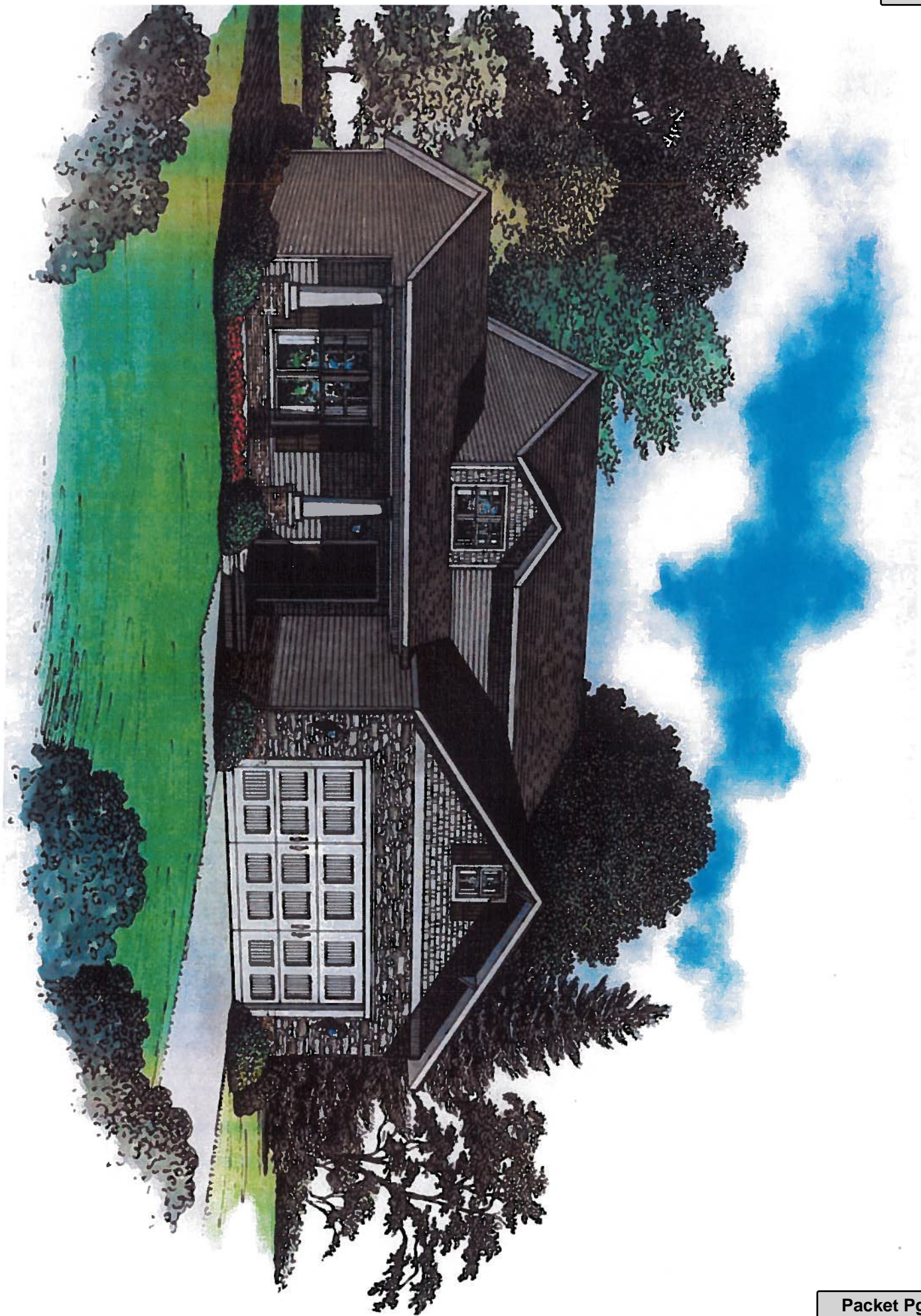
Exhibit D

Lakeview Architectural Standards and Elevations

All homes in Lakeview are to be built in substantial conformance with the attached elevations and strictly adhere to the architectural standards set forth below. A standard of homebuilding quality will be detailed in the Community's declaration of restricted covenants and appropriately governed by the Developer's appointed Architectural Review Committee. An example of the Architectural Review Committee's application can be found in the Development Agreement Amendment application and will be available for the Board of Commissioners of Currituck's review during the Public Hearing.

Product:

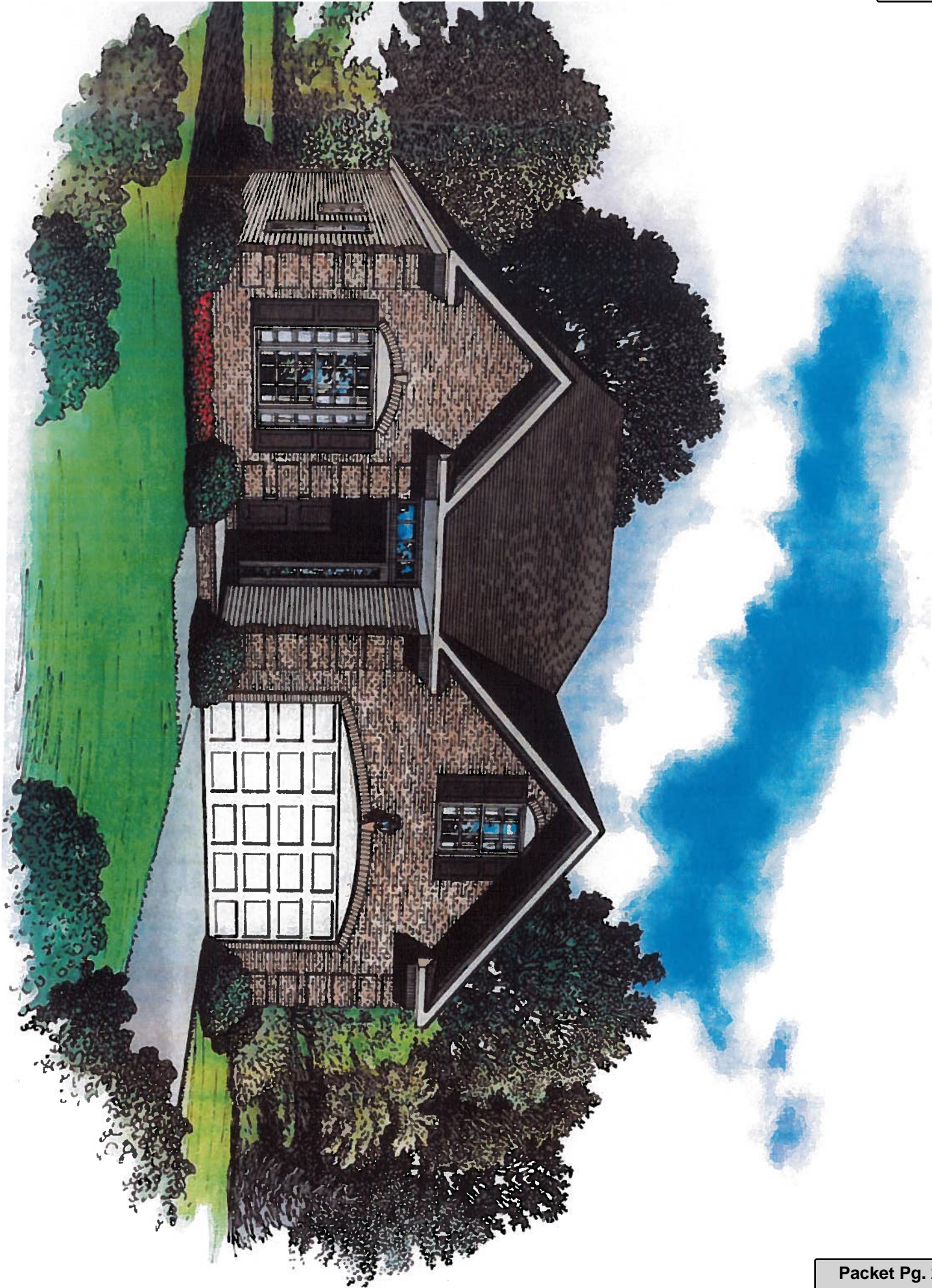
- I. All homes will be single family detached.
- II. Square feet will be measured by conditioned living area and will be a minimum of 1800 square feet for a two level home and 1600 for a one level ranch home.
- III. Each home will have a covered front porch or stoop.
- IV. The garage opening width will not exceed more than 60% of the total home's width























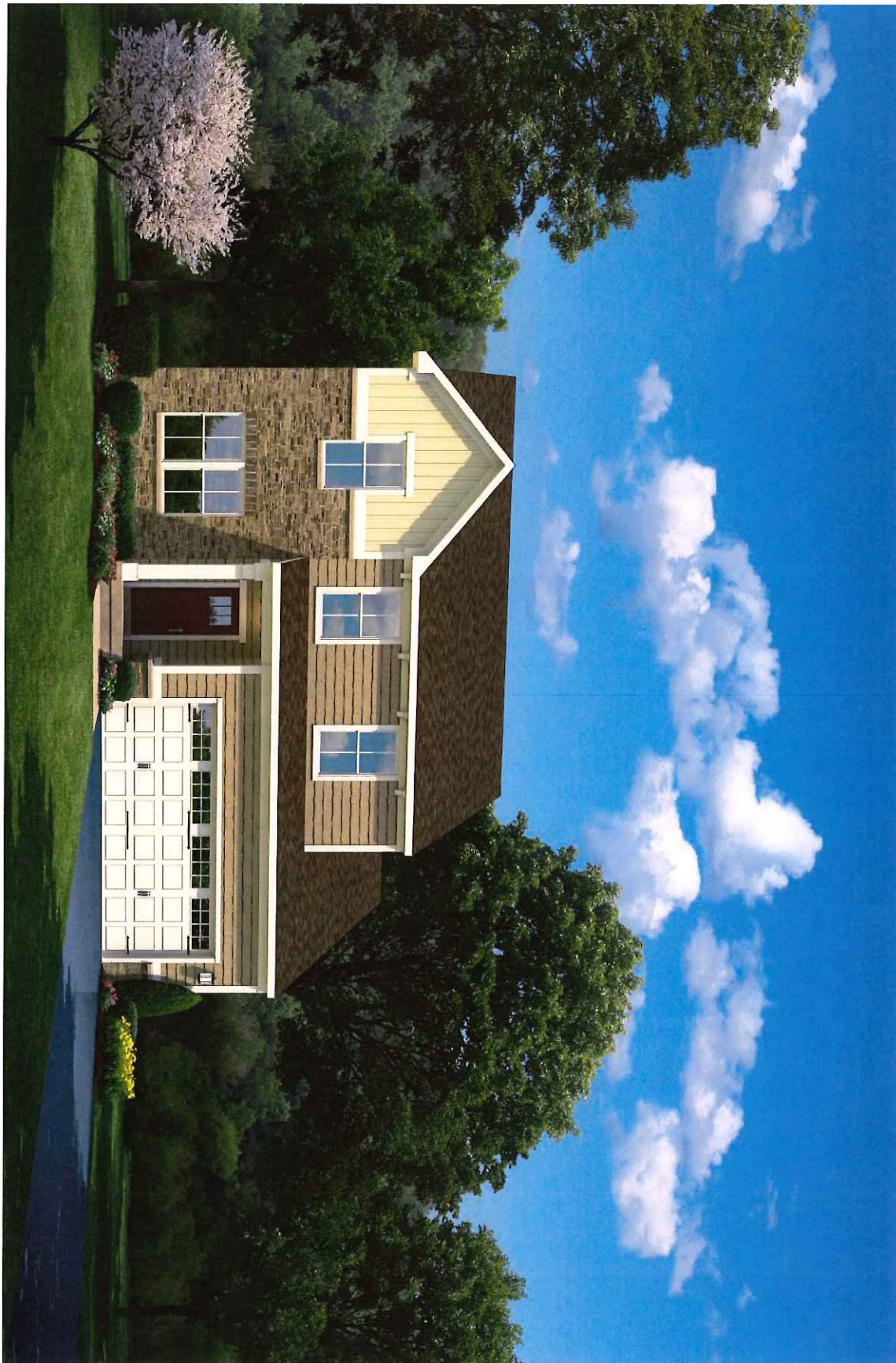


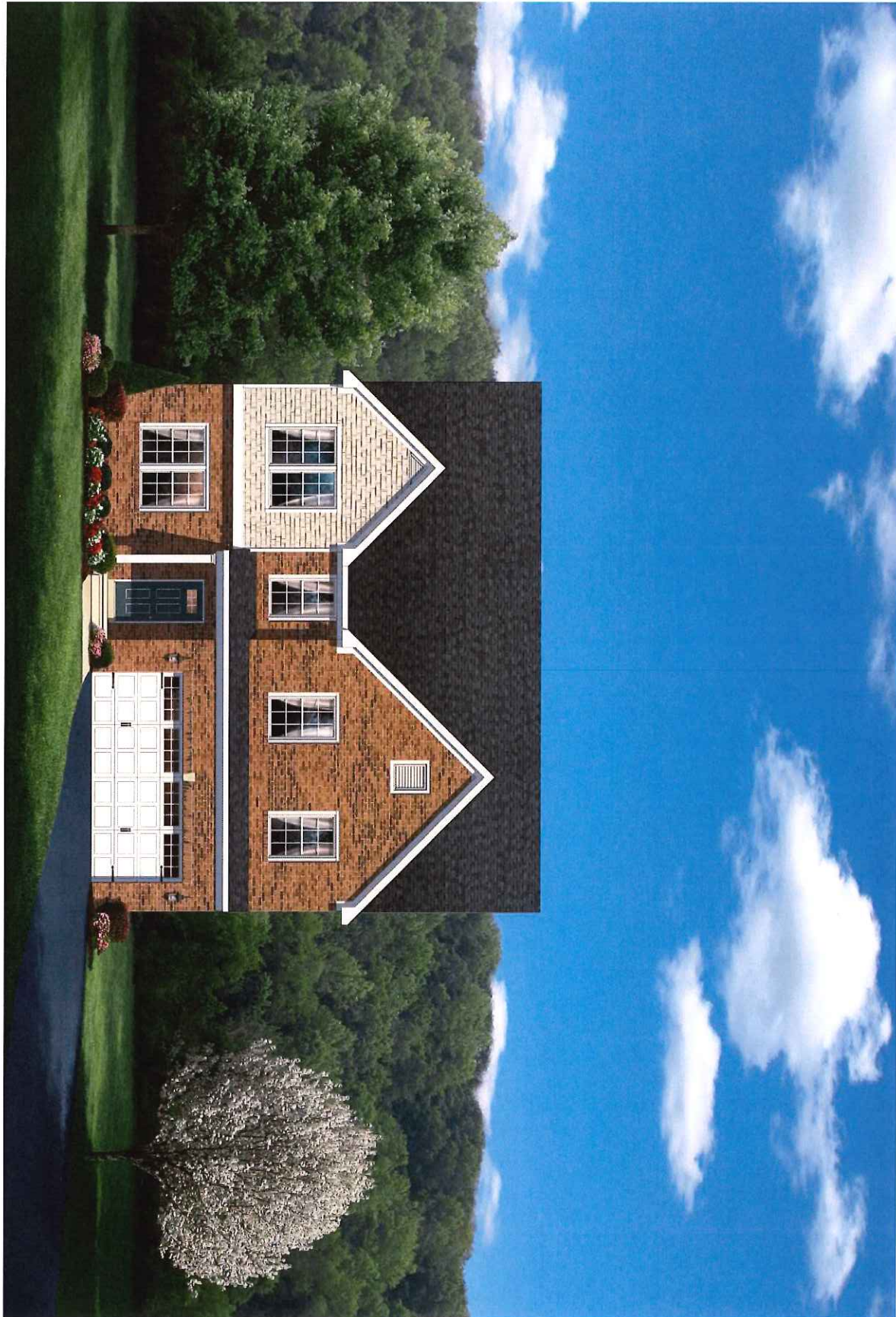






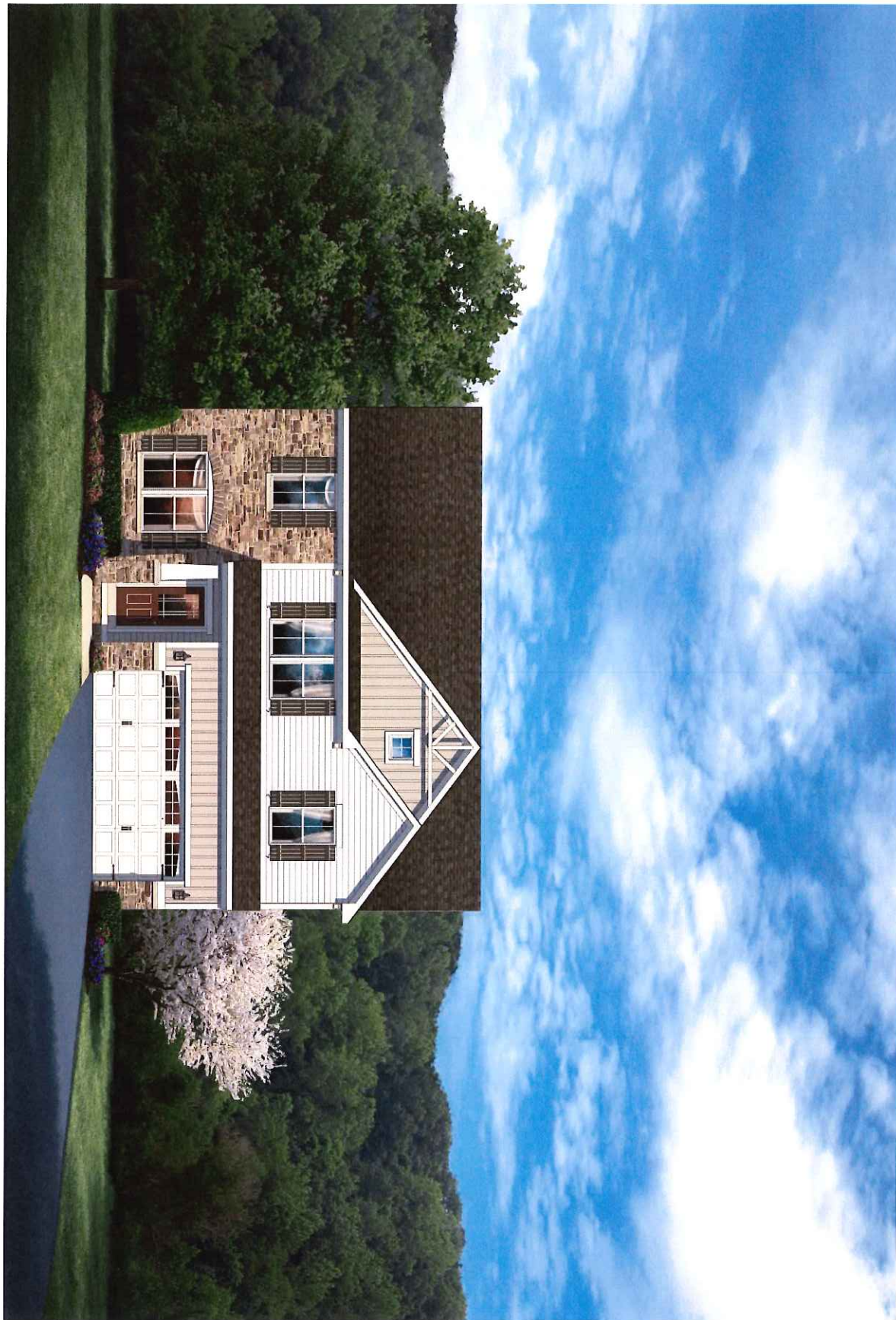
















Front Porch will be supported by columns as found elsewhere in the NVR Lakeview elevations



Currituck County Agenda Item Summary Sheet

Agenda ID Number – 1916

Agenda Item Title: Public Hearing and Action: PB 94-49 The Currituck Club PUD - Zoning Map Amendment:

Submitted By: Jennie Turner – Planning & Community Development

Item Type:

Presenter of Item: Ben Woody

Board Action: Action

Brief Description of Agenda Item:

Request for a zoning map amendment of .82 acres from Single-Family Residential - Outer Banks (SFO) to Planned Unit Development (PUD) Overlay. The property is located in The Currituck Club Oceans Subdivision, particularly the open space adjacent to highway, Tax Map 127E, Parcel OPEN003.

Planning Board Recommendation:

Staff Recommendation:

TRC Recommendation:



STAFF REPORT PB 94-49 THE CURRITUCK CLUB PUD BOARD OF COMMISSIONERS AUGUST 7, 2017

APPLICATION SUMMARY

Property Owner: The Currituck Club Property Owner's Association, Inc. (TCCPOA) 619 Clubhouse Drive Corolla, NC 27927	Applicant: Heidi Corsello, General Manager of The Currituck Club Property Owner's Association, Inc.
Case Number: PB 94-49	Application Type: Zoning Map Amendment
Parcel Identification Number: 127E-000-OPEN-0003 (475 Yaupon Lane/"Surf Shack")	Existing Use: The Currituck Club Oceans Subdivision Common Open Space
2006 Land Use Plan Classification: Full Service	Parcel Size (Acres): .82

SURROUNDING PARCELS

	Land Use	Zoning
North	Residential (Spindrift)	SFO
South	Currituck County Public Beach Access	SFO-PUD Overlay (Pine Island)
East	Residential (Spindrift)	SFO
West	Commercial (Currituck Club)	SFO-PUD Overlay (Currituck Club)

NARRATIVE OF REQUEST

On July 10, 2017, after a similar request was heard at the June 13th Planning Board meeting, TCCPOA amended its application to request a zoning map amendment to include one parcel in The Currituck Club PUD Overlay. The subject parcel was platted as part of The Currituck Club Oceans Subdivision (A Private Access Open Space Subdivision). If the zoning map amendment is approved, an amended sketch plan and use permit application will be scheduled for a quasi-judicial hearing before the Board of Commissioners. The Amended Sketch Plan and Use Permit will establish allowable uses of property located within a PUD overlay and ensure compliance with the bulk and dimensional standards of the UDO with respect to required open space and commercial use areas. The Currituck Club PUD is restricted to a maximum density of 3 dwelling units per acre, a minimum of 35% open space set-aside, and a maximum of 10% land area occupied by commercial development.

The application before the Board of Commissioners is only a zoning map amendment to include the requested parcel in the Currituck Club PUD Overlay.

BACKGROUND

On February 3, 2017, in response to a request for violation investigation, Staff issued a Letter of Determination pertaining to the use of the property at 475 Yaupon Lane, the "Surf Shack" property. Staff determined that the use of the "Surf Shack" is in violation of the UDO because it is inconsistent with uses allowed in Open Space. The UDO allows structures for active or passive recreational

purposes in Open Space areas. The “Surf Shack” was determined to be a commercial facility that rents recreational equipment and sells snacks and drinks; however, it is not a structure used for recreational purposes.

In researching the issue, staff discovered that 475 Yaupon Lane is owned by TCCPOA but it is not a part of The Currituck Club Planned Unit Development (PUD) that was approved in 1994. Since the subject parcel was not part of the PUD, it does not have a use designation within the PUD. TCCPOA has initiated this request in order to pursue a legislative remedy to the letter of determination.

ZONING MAP AMENDMENT REVIEW STANDARDS

The advisability of an amendment to the Official Zoning Map is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. When determining whether to adopt or deny the proposed map amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed amendment:

- (1) Is consistent with the goals, objectives, and policies of the Land Use Plan and other applicable county-adopted plans and the purposes of the UDO;
 - a. *It is Staff's opinion that the inclusion of the Surf Shack parcel into the PUD Overlay does not conflict with county-adopted plans.*
- (2) Is not in conflict with any provision of the UDO or the County Code of Ordinances;
 - a. *It is Staff's opinion that the inclusion of the Surf Shack parcel into the PUD Overlay does not conflict with the County's ordinances.*
- (3) Is required by changed conditions;
- (4) Addresses a demonstrated community need;
- (5) Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land;
 - a. *It is Staff's opinion that the inclusion of the Surf Shack parcel into the PUD Overlay is consistent with the purpose and intent of the zoning districts of the County's Unified Development Ordinance.*
- (6) Adversely impacts nearby lands;
- (7) Would result in a logical and orderly development pattern;
- (8) Would result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
- (9) Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities);
- (10) Would not result in significantly adverse impacts on the land values in the surrounding area; and
- (11) Would not conflict with the public interest, and is in harmony with the purposes and intent of the UDO.

The applicant has submitted suggestions on these factors in the enclosed application.

LAND USE PLAN CONSISTENCY AND REASONABLENESS

The UDO requires the Board of Commissioners to adopt a statement of consistency and reasonableness that describes whether the decision on the zoning map amendment is consistent with county adopted plans that are applicable and why the decision is reasonable and in the public interest. The policy emphasis of the 2006 Land Use Plan (LUP) for the Corolla Sub-Area provides that reasonable development/redevelopment limits should be set which balance the property rights of the individual against legitimate concerns about public health and safety. LUP Policy HN3 states that the County shall especially encourage COMPACT, MIXED USE DEVELOPMENTS or

DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. Also, Full Service Areas are designated areas of the county where a broad range of more intense uses are preferred. Full Service Areas should preserve existing community character.

The requested zoning map amendment for Parcel #127E-000-OPEN-0003 is consistent with the 2006 Land Use Plan because it expands the Currituck Club PUD Overlay to include a contiguous open space parcel owned by The Currituck Club POA. The 2006 Land Use Plan classifies the property as Full Service in the Corolla Sub- area.

The request is reasonable and in the public interest because it is in keeping with the historical use of the property. It is not a substantial modification of the PUD overlay, the property is owned by The Currituck Club POA and the property has operated in combination with the Currituck Club PUD for many years.

STAFF RECOMMENDATION

The Technical Review Committee recommends approval of the Zoning Map Amendment subject to the following conditions of approval:

1. The application complies with all applicable review standards of the UDO.
2. The applicant shall submit an Amended Sketch Plan and Use Permit Application to be reviewed and approved by the Board of Commissioners to establish allowable use(s).

Staff recommends conditional approval of the proposed zoning map amendment because it complies with map amendment review standards of the UDO, it is consistent with the 2006 Land Use Plan, and it is reasonable and in the public interest.

Planning Board Recommendation – 6/13/2017

Mr. Whiteman motioned to recommend denial because it is inconsistent with the goals and objectives of the Land Use Plan, it does not demonstrate a general community need, it adversely impacts surrounding area and conflicts with the public interest and also it is not in harmony with the surrounding properties. Mr. O'Brien seconded the motion and the motion carried with a 6-1 vote to deny the request.

Post voting comments directed as suggestions to the Board of Commissioners were to have negotiation with The Currituck Club and actually making them enforceable. One suggestion was to create a county ordinance specifically for the "No Parking" area on the beach access, putting up signs that state vehicles would be towed (with the name of the towing company and phone number), and enforcing the ordinance. Also, hiring more code enforcement officers for the mainland side and the outer banks side. As we continue to create rules, they will not work if not enforced. Fines and fees for people breaking the rules and laws would benefit the county and rules and laws must be enforced by code enforcement offices and the sheriff's department.

Chairman Bell said the above suggestions are not meant for a formal motion, but took a vote for the suggestions to be included with the previous motion of denial.

Planning Board Discussion 6/13/17

Ben Woody, Planning & Community Development Director, presented the staff report. The Currituck Club Property Owners Association (TCCPOA) has requested the zoning map amendment to include two existing open space parcels in The Currituck Club PUD Overlay after it was determined by Planning Staff that the use of their Surf Shack, although it sells snacks and drinks, was not a structure used for recreational purposes and therefore, not a use that is consistent with uses allowed in the Open Space. The request initially included the ocean front parcel, as well, but since it is not contiguous and the purpose of PUDs is to cluster development, staff determined it would not be included in their request. The TCCPOA has requested this zoning map amendment as a remedy to the letter of determination. If the zoning map amendment is approved, an amended sketch plan and use permit application will be scheduled for a public hearing before the Board of Commissioners. Staff recommends conditional approval of the proposed zoning map amendment because it complies with map amendment review standards of the Unified Development Ordinance (UDO), it is consistent with the 2006 Land Use Plan, and it is reasonable and in the public interest.

Ms. Overstreet asked Mr. Woody about the eastern parcel being separated into two parts. Mr. Woody read the definition of contiguous and said parcels may be separated by a street or utility easements.

Chairman Bell opened the public hearing for the applicant and persons speaking in support.

The attorney for The Currituck Club, Eric Remington with Ward and Smith, P.A., appeared before the board and presented with a PowerPoint presentation. The presentation included a vicinity map, slides explaining the purpose of their application, various pictures of the beach club parcel (The Surf Shack), trolley stop and valet service area, and views of the beach parcel. The presentation also included a copy of the 2011 Inspection/Zoning Compliance Certificate for The Surf Shack signed compliant by county staff, various slides with Land Use Plan policies, Code of Ordinances, references to the UDO and emails in support of The Currituck Club.

Mr. Remington said we believe county access to the beach could be for both The Currituck Club and Pine Island. We disagree with staff that the ocean front parcel is not contiguous with the other parcels. The club is used for recreational purposes and the Surf Shack has picnic tables, shelters and grills which satisfies the definition of recreational use. It's a concession stand used for the same purpose for 17 years. We don't care if it is open space or commercial use; we just want to be able to use it. Mr. Remington also stated Pine Island's PUD is not contiguous.

Bob Godley of Corolla appeared before the board. He said he has sold real estate for 18 years and never had anyone complain about the Surf Shack; taking away the Surf Shack and the trolley would hurt The Currituck Club.

Chairman Bell closed the public hearing for applicant and persons speaking in support.

Board members, Mr. Whiteman and Mr. O'Brien, shared their findings from visiting the beach access and beach area used by The Currituck Club, Spindrift, and Pine Island on Sunday. They stayed for approximately two hours, watching and asking questions. Mr. Whiteman said they witnessed many people utilizing the Currituck Club's gators that were not handicapped and did

not have wristbands. There were lines of families with children waiting for the service. Mr. O'Brien asked an employee of The Currituck Club on the beach if he could rent a chair and umbrella and the employee said yes. Mr. Whiteman also said they witnessed many rented golf carts from The Currituck Club parked in "no parking" areas. When the General Manager was confronted, he said they have no way of knowing who is or is not handicapped and they had no control over the golf carts once they are rented.

Mr. Remington said they cannot verify if someone is handicapped and must go on their word.

Chairman Bell opened the public hearing for the opposition.

The attorney for Pine Island, Jamie Schwedler with Parker Poe Attorneys & Counselors at Law, appeared before the board in opposition of The Currituck Club and presented with a PowerPoint presentation. The presentation included zoning concerns, slides showing inconsistencies with county policies of the Land Use Plan and the UDO, pictures of commercial activity on the beach and golf carts/valet vehicles parking in "no parking" areas. The presentation also had resident testimony and solutions. Ms. Schwedler said The Currituck Club is using county land to market themselves as an ocean front facility. They are already out of compliance with the Surf Shack and the use of the valet is also not in compliance.

Roger Craft appeared before the board to give resident testimony. Mr. Craft purchased their house in 1999 and has seen many changes throughout the years without any problems until now. He said the commercial activity and gators on the beach are out of control.

Richard Hinson appeared before the board to give resident testimony. He built his house in 1994. He said the southern beach access is an accident getting ready to happen. He witnessed two children almost get hit by a lifeguard on an ATV because of the overcrowding on the beach.

Eddie White, the Pine Island Operations Manager, appeared before the board. He said there are numerous problems with the overcrowding of the beach.

Paul Manberg, a resident of Spindrift, appeared before the board. He said people can no longer walk down the beach safely due to the overcrowding and gators driving through the access and on the beach.

Chairman Bell closed the public hearing to the opposition and gave a 5 minute rebuttal time to the applicant.

Mr. Remington asked the board to continue letting The Currituck Club use their property the same as they have for 20 plus years.

Planning Board discussion was held on the number of lots in The Currituck Club and how many lots are left to build on. It was determined there are just under 200 lots left. Mr. Craddock stated this would possibly increase the number of people utilizing the beach and gators in the future.

Mr. O'Brien asked if the same person that operates the Surf Shack operates the beach umbrellas and the emergency service and Mr. Remington responded yes.

Chairman Bell closed the public hearing and asked for discussion among the board.

Mr. Craddock asked Staff for the definition of contiguous again and to show the county parcel on the map. Ms. Turner read the definition and pointed out the parcel on the map.

Mr. Craddock asked Mr. Woody his opinion on the three contracts previously issued to The Currituck Club. Mr. Woody said he believed the three contracts were issued in error, although they were issued in good faith at the time.

Mr. Craddock asked Mr. Whiteman for some clarification on his findings on Sunday at the beach. Mr. Whiteman said he and Mr. O'Brien were there for two hours. There were approximately eight golf carts parked along the beach access and the Fire Marshall showed up. Mr. Craddock asked Mr. Whiteman if it was a true statement that you can rent anything on the beach from the Surf Shack without a wristband and Mr. Whiteman said absolutely. It is being run as a commercial business on the beach.

Mr. McColley asked how often Mr. Whiteman and Mr. O'Brien saw gators on the beach away from the right of way and they responded every ten to fifteen minutes. Mr. Whiteman said on occasion they would drive people out at least 100 yards or more to where their umbrella was located.

Mr. Craddock asked Mr. Woody what the county could do if the compliance officer witnessed the gators driving illegally on the beach. Mr. Woody said the county could cancel their contract with The Currituck Club with a 30 days' notice or a civil citation could be issued to the person driving the vehicle.

Chairman Bell asked for a motion. Mr. Whiteman motioned to recommend denial because it is inconsistent with the goals and objectives of the Land Use Plan, it does not demonstrate a general community need, it adversely impacts surrounding area and conflicts with the public interest and also it is not in harmony with the surrounding properties. Mr. O'Brien seconded the motion.

Mr. McColley stopped the vote and asked the Chairman for discussion. Mr. McColley asked to add an amendment to Mr. Whiteman's motion and stated if the Board of Commissioners decides to approve the request, we should encourage them to negotiate with the Currituck Club to try to minimize or alleviate some of the concerns.

Mr. Whiteman said he respectfully stands with his motion.

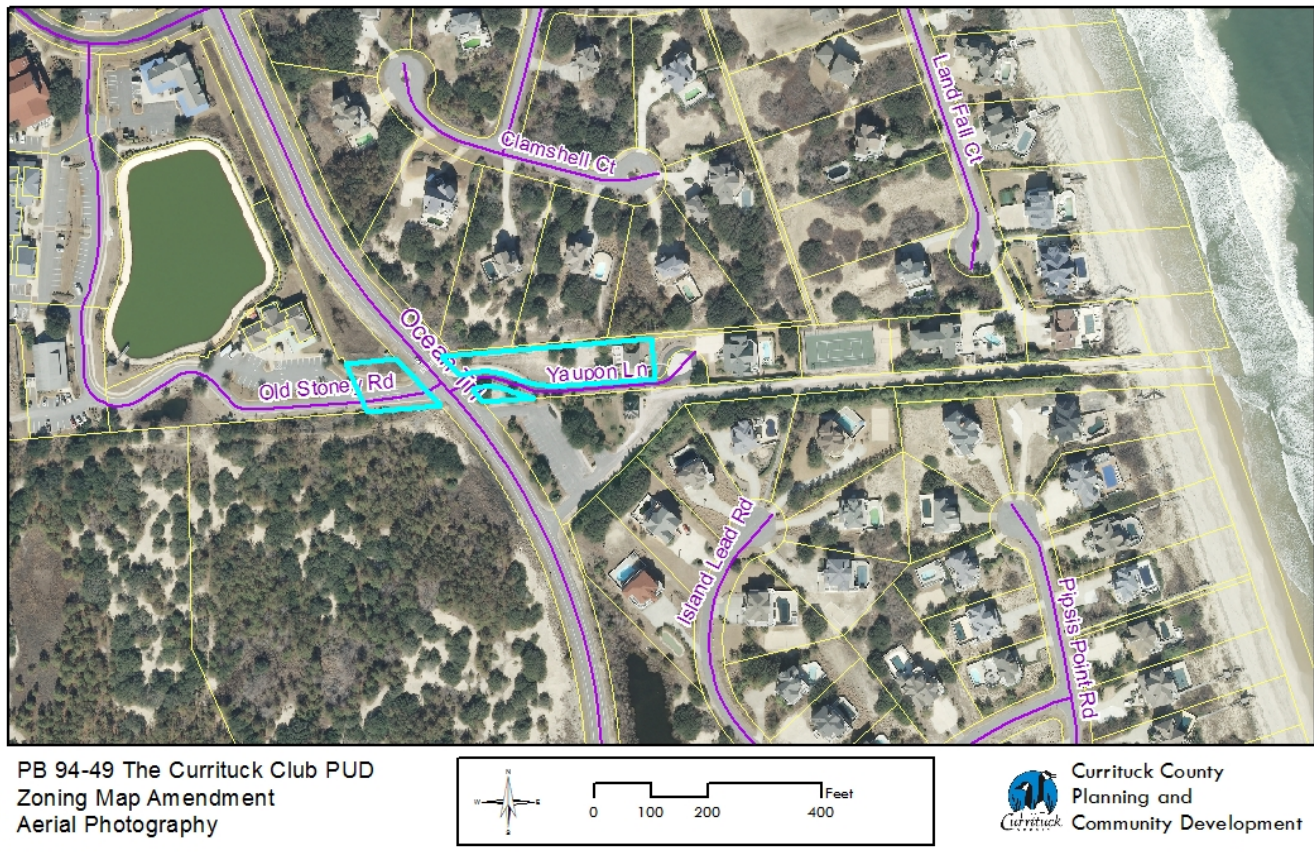
Mr. Craddock asked if it is appropriate to add Mr. McColley's comment and Mr. Woody said it would be appropriate once the motion has been made and vote is complete since the Board of Commissioners wants the input from the Planning Board.

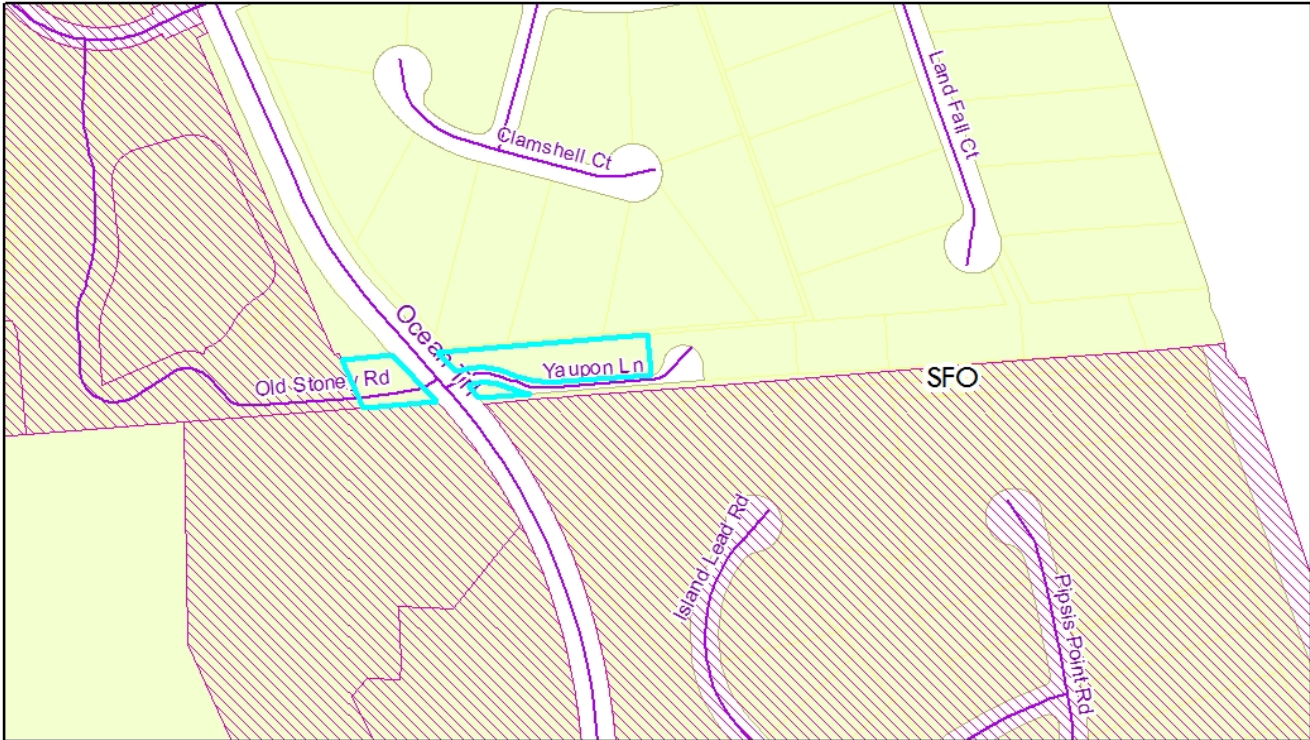
Chairman Bell continued with the vote and the motion carried 6-1 with Shay Ballance voting no.

Post voting comments directed as suggestions to the Board of Commissioners were to have negotiation with The Currituck Club and actually making them enforceable. One suggestion was to create a county ordinance specifically for the "No Parking" area on the beach access, putting up signs that state vehicles will be towed (with the name of the towing company and phone number), and enforcing the ordinance. Another suggestion was to hire more code enforcement officers for the Mainland and the Outer Banks. As we continue to create rules, they will not work

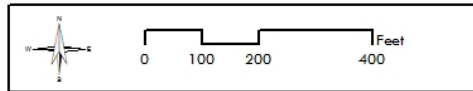
if not enforced. Fines and fees for people breaking the rules and laws would benefit the county and rules and laws must be enforced by code enforcement offices and the sheriff's department.


Chairman Bell said the above suggestions are not meant for a formal motion, but took a vote for the suggestions to be included with the previous motion of denial.





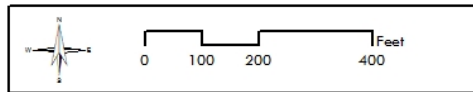
PB 94-49 The Currituck Club PUD
Zoning Map Amendment
Official Zoning Map




 Currituck County
Planning and
Community Development



PB 94-49 The Currituck Club PUD
Zoning Map Amendment
LUP Classification



 Currituck County
Planning and
Community Development

Attachment: PB 94-49 The Currituck Club PUD Staff Report for Planning Board (PB 94-49 The Currituck Club PUD)

MEMORANDUM

To: Heidi Corsello, General Manager
The Currituck Club Property Owner's Association, Inc.

From: Jennie Turner, Planner II

Date: REVISED – May 17, 2017

Re: The Currituck Club Zoning Map Amendment and Amended Sketch Plan/Use Permit

The following comments have been received for the May 17, 2017 TRC meeting based on the provided plans. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed

1. Revise Amended Sketch Plan Summary Development Table Calculations (overall acreage). Please confirm acreage of the requested parcels – County GIS shows 1.11 acres.²
2. What is the intended use/range of uses of the “beach club” parcel?²
3. What is the intended use of the oceanfront parcel? Why is commercial allocation requested for this parcel?²

County Comment: On July 10, 2017, the applicant removed the oceanfront parcel from the application.

4. The County has historically required parcels included in a PUD to be contiguous. Staff may not recommend inclusion of the oceanfront parcel in the PUD.¹

County Comment: On July 10, 2017, the applicant removed the oceanfront parcel from the application.

5. If the request is approved, staff will include a condition to amend the Currituck Club Oceans Subdivision Plat.²

County Comment: In light of the revised application received on July 10, 2017; Staff retracts this comment provided the designation of the property remains open space.

County Comment on Zoning Map Amendment Application¹

County Comment on Amended Sketch Plan/Use Permit Application²

Currituck County Engineer and Soil & Water, Eric Weatherly, Michelle Perry & Will Creef

No Comment

Currituck County Utilities, William Nash, Benjie Carawan, Yama Jones

No Comment

Currituck County Fire and Emergency Management, James Mims 252-232-6641

Reviewed

Currituck County GIS, Harry Lee

Reviewed

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

Reviewed

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

No Comment

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

Reviewed

• Note: The application indicates that the PUD will include the county-owned public beach access site. Per my discussion with Jennie Turner, CZO, CFM Planner II, the county property will be excluded.

County Comment: The county-owned public beach access parcel was removed from the application.

Since site improvements at this location were partially funded through the CAMA Public Beach and Coastal Waterfront Access Grant Program, the Division of Coastal Management has an interest in the continued maintenance of pedestrian improvements, site amenities and parking for use by the general public.

NCDOT, R Midgett 252-331-4737

No Comment

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

Reviewed

PLEASE SUBMIT FOOD ESTABLISHMENT INTERIOR LAYOUT AND SITE PLAN AND SUBMIT APPLICATION TO HEALTH DEPT, FOR REVIEW. CONSULT WITH NC DEPT. OF WATER RESOURCES (WASHINGTON REGIONAL OFFICE) CONCERNING WASTEWATER TREATMENT AND DISPOSAL APPROVAL.

County Comment: This comment applies to Amended Sketch Plan/Use Permit Application and has been resolved with ARHS.

Office of State Archaeology, Mary Beth Fitts 919-807-6554

No Comment

Project area was surveyed for archaeological sites in 1995, and no sites were found. Additional archaeological work is not recommended. No comment.



Zoning Map Amendment Application

OFFICIAL USE ONLY:

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

Contact Information

APPLICANT:

Name: Heidi Corsello
 Address: 619 Clubhouse Drive
Corolla, NC 27927
 Telephone: (252) 453-4011 ext. 204
 E-Mail Address: hcorseilotcc@gmail.com

PROPERTY OWNER:

Name: Currituck Club Property Owners Association, Inc.
 Address: 619 Clubhouse Drive
Corolla, NC 27927
 Telephone: (252) 453-4011 ext. 204
 E-Mail Address: hcorseilotcc@gmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: General Manager, The Currituck Club POA

Property Information

Physical Street Address: 475 Yaupon Lane
 Location: The Currituck Club PUD/The Currituck Club Oceans Subdivision
 Parcel Identification Number(s): 127E0000OPEN0003
 Total Parcel(s) Acreage: .82 Acres
 Existing Land Use of Property: Open Space with TCC Beach Concession Stand, Picnic, Beach Equipment Rental and Storage, and Golf Cart Parking Amenities

Request

Current Zoning of Property: SFO Proposed Zoning District: PUD Overlay
 Total Acreage for Rezoning: .82 Acres Are you rezoning the entire parcel(s): Yes/No
 Metes and Bounds Description Provided: Yes/No

Community Meeting, if Applicable

Date Meeting Held: April 18, 2017 Meeting Location: Rees Jones Room, The Currituck Club

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*

7/10/17

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.**



Quible & Associates, P.C.

ENGINEERING • ENVIRONMENTAL SCIENCES • PLANNING • SURVEYING
SINCE 1959

P.O. Drawer 870
Kitty Hawk, NC 27949
Phone: 252-491-8147
Fax: 252-491-8146
web: quible.com

April 26, 2017

Jennie Turner
Currituck County Planning and Community Development
P.O. Box 73
Currituck, NC 27927

RE: Community Meeting Report
Use Permit Application and Amended Sketch Plan
for Currituck Club Parcel 9943-45-3633,
9943-55-4710, and 9943-45-7555
Corolla, Currituck County, NC

Ms. Turner,

A community meeting for the proposed Use Permit Application and Amended Sketch Plan of the above referenced parcel within Currituck Club PUD was held on Tuesday, April 18th, 2017 at 1:30 p.m. in the Rees Jones Room located at the Currituck Club. The meeting was conducted by Quible & Associates, P.C. ("Quible") on behalf of The Currituck Club Property Owner's Association, Inc., ("TCCPOA") with representatives from TCCPOA and Currituck County in attendance.

Purpose

The purpose of the meeting was to inform the community in the vicinity of the subject parcels of the intent to amend the the Currituck Club PUD sketch plan and use permit to allow for inclusion of the existing Beach Club, Oceanside parcel, and County Southern Beach Access parcel into the Currituck Club PUD. The site includes an existing Beach Club which serves TCCPOA, the Spindrift Property Owners Association and the homeowners of The Currituck Club Oceans Subdivision. The Beach Club is a community recreational amenity where members and their guests can rent beach equipment, such as chairs, umbrellas, body/surf boards, and kayaks, and purchase food and beverages. The Beach Club is normally operated from Memorial Day to Labor Day.

Meeting synopsis

The Currituck Club, Rees Jones room, was opened to the public prior to the meeting and attendees began arriving at approximately 1:15 pm. Prior to beginning the community meeting, an "Open House" viewing of the Amended Sketch Plan, along with a blank Use Permit Application, Amended Sketch Plan Application, a sample of the surrounding property owner notification letter, and an accompanying list of adjacent addresses who were mailed the letter were available to the public. The proposed amended sketch plan was laid on two separate tables for viewing. Other items were provided on a table adjacent to the proposed amended sketch plan next to the sign in sheet.

As attendees arrived, they were asked to provide their contact information on the sign-in sheet at the check in table. Attendees were also advised that comments could be received by Quible & Associates, P.C. either by email or telephone.

At 1:35 pm a presentation of the proposed amendment to the uses and site development was provided by Quible & Associates. A copy of the agenda was distributed to everyone in attendance and the sign-in sheet was routed throughout the room. The presentation followed the Agenda (Exhibit 1) that was provided to the attendees and is summarized in the following sections.

Quible & Associates (Cathleen Saunders) introduced TCCPOA Representative (Heidi Corsello) and County Representative (Jennie Turner) and began with a brief discussion about the County procedures for reviewing and approving the proposed project, the purpose for the community meeting and the proposed development.

The parcels proposed for use permit and sketch plan amendments were described and identified on the exhibits. The proposed amended sketch plan, sketches and use permit application were described as being in compliance with the current Currituck County UDO PUD requirements. The proposed amendment was described as in compliance with the Bulk Dimensional requirements specified with the Transitional Provisions.

At the conclusion of the presentation, the floor was opened for questions from the audience. Comments and questions received during the meeting were as follows:

1. A resident of Spindrifft indicated that she is concerned about the beach sprawl; this was clarified as the spread of the placement of rental chairs within this area. *TCCPOA indicated that they would work with other POAs to determine the best rental chair arrangement.*
2. A member of Pine Island inquired about the requirement for contiguous parcels within a PUD. *A response was provided that this requirement will be reviewed by the County with the Amended Sketch Plan.*
3. A member of Pine Island inquired about the Oceans Subdivision being included in The Currituck Club and asked how many homeowners currently pay dues to The Currituck Club. *A response was provided indicating that currently one homeowner is a dues-paying member of TCCPOA.*
4. A resident asked how many undeveloped lots exist within The Currituck Club. *A response that approximately 200 undeveloped lots still exist in The Currituck Club was provided.*
5. A resident asked how many trolleys currently run, how many people can ride on one trolley, and would additional trolleys be added considering the additional proposed lots. *A response was provided that there are currently 4 trolleys in service daily with seating for 15 people on each trolley. Future capacity is analyzed when appropriate.*
6. A member of Spindrifft asked if the Currituck Club is currently advertised as an "Oceanside" resort and if there are special requirements for an "Oceanside" PUD, would The Currituck Club be required to comply. *It was indicated that The Currituck Club is advertised as a Sound side PUD, but would comply with any required PUD restrictions as appropriate. As a further response and clarification, TCCPOA states that The*

Currituck Club includes property on both sides of Hwy 12 including an Oceanside parcel of land. Because it includes property on the sound and ocean, It is advertised as a "sound to sea" community and not as a "Sound side PUD."

7. *A resident asked how many visitors vacation at The Currituck Club. A response was provided that approximately 4,000 vacationers visit The Currituck Club per week.*
8. *A resident asked if there was representation on site to manage the workers from The Beach Club. A response was provided by Michael Cherry that the onsite general manager is available at the Beach Club to manage the staff.*
9. *A request was made to provide someone adjacent to the Spindrift property to direct vacationers toward public property in lieu of cutting through Spindrift property. A response was provided that The Currituck Club does not anticipate posting paid personnel at or near the entrances to the Spindrift community. However, they will provide notification to their owners and guests to make them aware that they should remain on public paths.*
10. *A resident indicated that vehicles are run up and down the beach path multiple times a day and inquired if the ordinance prohibits this. A response from the County was provided that they are unaware of an existing ordinance about the number of times a golf cart can drive on the beach. However, the allowable hours are listed within the ordinance and The Currituck Club indicated that their morning set-up is regulated by the ordinance.*
11. *A resident indicated that they would prefer The Beach Club provide open space for local residents. The Currituck Club indicated that they would work with other POA's to determine the best rental chair arrangement.*
12. *A comment was brought up about the lack of lifeguard coverage south of access. A response was provided that three lifeguards are on stands south of the access and one is actively patrolling the area.*
13. *A statement was made that it was not acceptable to bring County property within a private PUD. A response was provided that acknowledged that the County parcel is actually already part of the Pine Island PUD and County parcels have traditionally been accepted as part of a PUD.*
14. *A follow up question was asked if a parcel can be within two PUDs. A response was provided that, per a cursory review of the ordinance, there do not appear to be any provisions that preclude a parcel from being in two separate PUD's, but this would need to be researched further. As a further response, TCCPOA states that it has again researched this issue and has found no provision in the ordinance which would prohibit a parcel from being included in two PUDs.*
15. *A question was raised about the number of golf carts available to rent by The Currituck Club, with a follow up question in regards to regulating golf cart parking. A response was provided that 31 golf cars are available for rent. Parking spaces are available and a recent incident was controlled by The Currituck Club management to curb illegal parking of the Golf Carts.*
16. *A question was raised about how many Gators/service vehicles are operated by The Beach Club. A response was provided that The Beach Club operates two Gator vehicles.*

Upon the conclusion of the discussions, attendees were again reminded that any further questions or comments not addressed at the meeting can be forwarded to Quible & Associates and the meeting was adjourned.

*Community Meeting Report
Use Permit Application and Amended Sketch Plan for Currituck Club PUD
Parcel ID No. 9943-45-3633, 9943-55-4710, and 9943-45-7555
April 26, 2017*

Copies of all handouts, exhibits, and other documents available at the meeting are provided in attachments to this document.

Please do not hesitate to contact Michael W. Strader, Jr. or myself at (252) 491-8147 or csaunders@quible.com should you have any questions and/or concerns.

Sincerely,
Quible & Associates, P.C.



Cathleen M. Saunders, P.E.

cc:

Attachment: PB 94-49 The Currituck Club PUD Community Meeting Summary (PB 94-49 The Currituck Club PUD)

P.O. Drawer 870 • Kitty Hawk, NC 27949
Telephone (252) 261-3300 • Fax (252) 261-1260

From: Paul Manberg [<mailto:pmanberg@gmail.com>]
Sent: Tuesday, May 02, 2017 1:09 PM
To: Ben Woody; Jennie Turner
Cc: Mike Colo
Subject: Response to Minutes of Currituck Club Community Meeting

Dear Mr. Woody:

I am writing to provide the attached response to the Community Meeting Report that was included in the recent Use Permit Application and Amended Sketch Plan for the Currituck Club PUD. I am a homeowner in Spindrift, a member of the Spindrift POA Board of Directors, and was a participant at the Community Meeting held at the Currituck Club. As outlined in the attached letter, it is my opinion that the Meeting Report did not provide a full and accurate description of the serious concerns raised by the community participants at the meeting. Therefore, I feel compelled to provide my perspective and am requesting that my letter be included in the proposal review file and be taken into consideration as this proposal is reviewed by the County.

Please feel free to contact me if there are any questions regarding my letter or the proper process to adding this to the administrative review packet.

Thank you!

Paul J Manberg
481Spindrift Tr
Corolla NC 27927

Attachment: PB 94-49 The Currituck Club PUD Community Meeting Summary Response (PB 94-49 The Currituck Club PUD)

Paul J Manberg
 481 Spindrift Trail
 Corolla, NC, 27927
 (508) 878-0297

Ben Woody
 Director of Planning and Community Development
 Currituck County
 Via e-mail

Dear Mr. Woody;

I am writing in response to the Use Permit Application and Amended Sketch Plan for the Currituck Club PUD, Parcel Identification No 9943-45-3633, 9943-55-4710, and 9943-45-7555 with specific reference to the Community Meeting Report. As a homeowner and member of the Spindrift Property Owners Association Board of Directors, I participated in the Community Meeting on April 18, 2017 and believe strongly that the minutes provided by the applicant are incomplete and do not accurately reflect the degree of community objection to this proposed Use Permit Application that was expressed at the meeting. In particular, I would highlight the following issues and deficiencies:

1) **Existing Use:** The application states that the existing Beach Club serves the TCCPOA, the Spindrift POA and Oceans subdivisions. To my knowledge, nobody from Spindrift has ever utilized the Beach Club, especially since the Beach Club online website expressly states that *"We provide services for homeowners and guests in The Currituck Club only."* (<http://currituckservices.com/> accessed 4/2/17). Spindrift owners and their guests (as well as those in the Oceans and Pine Island Community and County residents and guests utilizing the Public Access facility) have been increasingly adversely impacted by the expanding operation of the Beach Club. My objections to the characterization of current use benefiting Spindrift owners as well as the numerous complaints about Club's operation were presented at the meeting but not included in the minutes.

2) **True purpose of the Permit application.** This is a question that I raised early in the discussion and felt the answers I received were evasive at best. There clearly must be some motive beyond just getting the paperwork up to date. Several attendees asked why this was being done, and what would be the benefits to, not only the TCC, but also to the existing Oceanfront Communities and the County residents wishing to utilize the current Public Access property that would become part of the TTC PUD if the application were approved. No clear answer was given. Representatives also mentioned that the existing Beach Club parcel was currently zoned as single family residential, but the Club had all permits necessary to operate as a commercial business (serving alcohol?). How can this be?

3) **Use of service vehicles on the beach.** As you know, this has become a contentious issue all along the beach in recent years, and concerns were raised at the meeting regarding the Beach Club's expanding "Valet Service", which involves transport of TCC guests up and down the beach using service vehicles throughout the day. The minutes of the meeting only state that "the Currituck Club indicated that their morning set up was regulated by the ordinance", but conspicuously do not mention the strong community objections to their extensive and blatant violation of the ordinance during other times of the day.

4) **Overutilization beyond capacity of the Southern Public Access by TCC guests.** Several community members expressed this concern throughout the meeting. TCC is channeling all of their guests to a single public access site that was not designed to handle this volume, advertising it as a Beach Club similar to some other Oceanside PUD's, as part of their "Sound to Sea" community. This has had a detrimental impact on the guest experience (and thus property values) at the surrounding Beachfront communities being impacted as well as on people using the Southern Corolla Public Access lot. Participants at the meeting specifically asked why Currituck Club did not acquire a more suitable oceanfront location for a Beach Club that would have sufficient beach frontage that could better handle their large capacity needs instead of resorting to this tortuous solution requiring the use of the County owned public access lot in their PUD application. Approval of this plan could establish a dangerous precedent allowing other remote PUD's to acquire slivers of land adjacent to public access lots in order to establish similar "Beach Clubs".

5) **Community feedback provided at the conclusion of the meeting.** Near the conclusion of the meeting, several participants, including myself, summarized our shared serious objections to this plan and implored the presenters to understand how strongly we were united in opposition to this plan and this should be reflected in the minutes. While they said that they understood and would consider our feedback, the minutes of the meeting provided in this application clearly do not adequately express this level of opposition. In a nutshell, we can see no possible benefits to anyone but TCC, and significant detrimental impacts on the Oceanside Communities and users of the Public Access facilities, if this zoning change is allowed.

Thank you for considering my perspective, as well as those of the other community participants of the meeting. If you have any questions, I can be reached at (508)-878-0297.

Sincerely,

Paul J Manberg

481 Spindrift Trail

cc. Jenny Turner, Mike Colo,



Currituck County Agenda Item Summary Sheet

Agenda ID Number – 1918

Agenda Item Title: PB 17-05 Moyock Mega Site Master Plan:

Submitted By: Donna Voliva – Planning & Community Development

Item Type:

Presenter of Item: Donna Voliva

Board Action: Action

Brief Description of Agenda Item:

Consideration of the Moyock Mega-Site Master Plan. The Moyock Mega-Site Master Plan is a long-term economic development plan for 3,000 acres in the Moyock Township. The plan covers an area west of NC 168, between the North Carolina/Virginia line and South Mills Road. The proposal balances commercial uses such as retail stores, medical offices, and even locations for high-tech industrial businesses with a variety of residential areas.

Planning Board Recommendation:

Staff Recommendation:

TRC Recommendation:



Currituck County Moyock Mega-Site Master Plan Report

JUNE 2017

Prepared by

Kimley»Horn



Currituck County Moyock Mega-Site Master Plan

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Currituck County Moyock Mega-Site Master Plan

1.0 Executive Summary

1.1 Overview

The Moyock Mega-Site Master Plan is intended to establish a long-term vision for multi-use/mixed-use development on approximately 3,500 acres of land that is strategically positioned to serve as a connective center between Virginia and North Carolina and from Hampton Roads to North Carolina coastal destinations.

The Moyock Mega-Site Master Plan development process was crafted to produce a market-driven plan responsive to projected demand for a mix of land uses specific to the local market and formed by regional influences. The Moyock Mega-Site Master Plan is the result of a collaborative planning process between the consultant team, County government leadership, landowners, and the public. Input was gathered from a variety of sources during local meetings, including Currituck County Planners, elected officials, community organizations, local property and business owners, North Carolina Department of Transportation (NCDOT), and Moyock residents.

The input gathered during this process helped shape the market-based plan into a vision for future growth and development consistent with the goals and objectives of Currituck County, setting into motion a dynamic planning initiative that will ultimately define development patterns, introduce new and/or different land uses that accommodate residential growth, provide local employment opportunities, as well as establish and enhance the core tax base, while being respectful of the values, character, and history of the Village of Moyock.

1.2 Moyock Mega-Site Master Plan Program Development

The Moyock Mega-Site Master Plan exercise is intended to reflect current projections for demand in the local market across various types of development products. In this manner, a market-driven plan will more realistically depict the intersection of site capacity with market demand and thus identify any disconnect between the amount of land in the study area available to satisfy demand. The result is a graphic representation of whether the study area can accommodate the projected land uses needed to satisfy demand or the results may suggest that there is more land than is needed to support limited market demand (See **Figure ES-1**).

It must be noted that the market assessment characterizes overall demands by land for a larger market beyond the physical boundaries of the study area. While the study area represents how the overall demand might be accommodated within the boundary limits of the Moyock Mega-Site, it must be recognized that some of the demand will be accommodated outside of the study area, albeit within the local market. This may result because some projects are ready to advance before entitlements or infrastructure are in place within the study area, or perhaps because other properties are less expensive to develop or present fewer permitting challenges. Given that reality, the overall study area represents a land area larger than is necessary to accommodate the net demand projected for the market, particularly when we account for uses that are located outside of the project limit boundaries.



Figure
ES-1



Currituck County Moyock Mega-Site Master Plan

1.3 Primary Planning Principles

1.3.1 Stakeholder Input – A Community Based Vision

Each public input event featured an opportunity for land owners with property located within the study area to interact with the consultant team and Currituck County staff outside of a broader, open public meeting. Participants were given an overview of the study area and the project intent and engaged in a variety of exercises to obtain preferences, concerns, and ideas regarding what they considered to be a desirable development outcome for the property.

Following is a summary of the most relevant input obtained through the public engagement process and used to inform the master planning process.

Key Objectives of the Moyock Mega-Site Master Plan

- Employment center / job creation
- Grow tax base
- Create “a place for young people to come back to”
- Create a destination live-work-play environment like Town Center VA Beach; Edenton
- Pedestrian Friendly
- Destination

Opportunities

Participants were asked to describe the types of development and types of elements within the Plan that would appeal to them or would address a specific need. The types of uses most commonly identified as high priority elements to be considered for as part of the Moyock Mega-Site Master Plan include:

- Casual dining options
- Single family Housing
- Big-box retailers
- Grocery stores
- Pharmacy
- Doctor's Offices / Urgent Care
- Public/community open space and event space
- Movie Theatre
- Gym

In addition to the key objectives and the opportunities that implementation of the plan may create for the community, members of the public highlighted several areas/topics of concern.

- Stormwater management/drainage of the site with proposed future development
- Industrial development near or immediately adjacent to residential neighborhoods
- Noise from proposed future roadway corridors
- Need for more Schools with increased residential development
- Mixed-Use Core should create a “downtown” feel and should be walkable
- Land Use Compatibility
- The word “Mega” – proposed master plan/development needs a different name.



Currituck County Moyock Mega-Site Master Plan

These concerns and issues were taken into account throughout the development the Moyock Mega-Site Master Plan. Some are recognized as challenges, but through more detailed planning, analysis, and preliminary design will be resolved or mitigated before development begins (e.g., Master Stormwater Management Plan, Master Transportation Plan, Moyock Mega-Site Master Plan buffer requirements per new section in the County's Unified Development Ordinance). The need for a potential new school site was identified early in response to the existing school populations as well as the anticipated and intended increase in school age children with the development of the Moyock Mega-Site Master Plan. Buffers between land uses have initially been addressed through a combination of parks, open space, or a proposed greenway/multi-use trail network. Finally, County Administration, staff, land owners, the consultant team, and the County's marketing firm, all agree that a new name for the master planned development that doesn't include the word "Mega".

1.4 Proposed Unified Development Ordinance

One of the goals of the current Moyock Mega-Site Master Plan and recommended UDO update is intended to support and encourage a diversification of jobs creating business and industry while providing the necessary residential supporting neighborhoods and public infrastructure.

A Code analysis was conducted and a recommended structure provided to show how this might work within the County's current UDO. There are two (2) primary options available to the County, (1) utilize the County's current Planned Development Mixed (PD-M) zoning district, or (2) create a new area specific zoning district. A third, but less desirable option is to provide updates to the UDO in the respective sections specific to Moyock. Note, this option is not recommended or further discussed due to the "decentralized" approach to the Code by placing updates in the various sections (i.e., roadway standards, landscape and buffering, setbacks/lot sizes/bulk development standards) and requiring a cross-reference or a companion document that identifies all of the sections of the UDO specific to Moyock.

The County UDO, Chapter 3: Zoning Districts makes provisions for area specific codes including the PD-M. This District requires an area specific Master Plan and accompanying standards that could be developed as one, cohesive section of the UDO. This approach, PD-M with Moyock specific standards, is preferred over an alternative option of providing Moyock Mega-Site Master Plan items within each section and subsection of the UDO.

If the County pursues applying the PD-M Zoning to the area with site (area) specific standards, the County, as part of the Master Plan process, is required to establish the code provisions needed for implementation consistent with the intent of the PD-M Zoning and the Moyock Mega-Site Master Plan, as may be amended.

1.4.1 Rezoning

Rezoning to the PD-M could occur in two ways: Property Owner Initiated and County Initiated. The County Initiated process could also serve as a development incentive by allowing the rezoning of properties, consistent with the Master Plan and PD-M standards with the County serving as the "applicant" or "authorized agent" on behalf of the interested property owners. The alternative would require the individual property owners to pursue and request rezoning and could result in a piecemeal approach to the land use process.

- PD-M is the recommended zoning district since it is currently adopted and established by the County within the UDO. The PD-M has been previously implemented, albeit not to the scale proposed for the Moyock Mega-Site Master Plan.



Currituck County Moyock Mega-Site Master Plan

- If certain properties do not agree with a general rezoning, the UDO provisions and Master Plan could still be adopted with the caveat that only those properties formally rezoned may utilize the PD-M Moyock Mega-Site Master Plan Standards and development incentives.

1.4.2 PD-M (Planned Development – Mixed)

Section 3.7.4.C. PD-M Development Standards notes the standards in Chapter 5 shall apply to all development in PD-M districts but some of those standards may be modified as part of the master plan if consistent with the general purpose of the PD-M district...” The County, through the Master Planning process should identify those specific design components (i.e., thoroughfare standards, perimeter buffering, etc.) applicable to this area.

1.4.3 Phases of Development

The County could also establish phasing components or “triggers” based on the desired development schedules. For example, if development is desired within/along the NC-168 Corridor initially, the County could implement the Moyock Mega-Site Master Plan and code for those areas first (approve the full Moyock Mega-Site Master Plan but subsequent areas would be “conceptually” approved/planned). Upon certain levels of development occurring along the corridor, the next phase could be zoned/implemented. Standards are typically included in the Code which allow for modification of the timing schedule based on certain events or improvements.

1.5 Implementation Next Steps

To maintain the momentum of the master planning effort and for the vision of the Moyock Mega-Site Master Plan to come to fruition, the County must implement several key next steps. The endorsement and adoption of the Moyock Mega-Site Master Plan by the County’s Planning Board and Board of Commissioners is the most immediate action that needs to occur next. Following the adoption of the Moyock Mega-Site Master Plan supplemental next steps consist of the following:

- Incorporate the Moyock Mega-Site Master Plan into the “Imagine Currituck” future land use plan
- Implement/update the County’s Unified Development Ordinance to support the Plan
 - PD-M (Moyock Mega-Site Master Plan) specific code needs to be written, adopted, and incorporated into the County’s UDO
 - Moyock Mega-Site Master Plan specific code will/is intended to enhance the entitlement process
 - New code section will define acceptable land uses, associated acreages, development densities by land use and/or residential product type
 - New code will establish development standards and design guidelines
- Begin to “Market” the Plan
 - Intent is to remove “Mega” from the name
 - County’s marketing firm and/or County need to pick top three (3) candidate names
 - Select new development name within 60 days of the adoption of the plan
 - Market and/or begin to create a brand for the Moyock Mega-Site Master Plan master planned development
- Continue to engage and coordinate with property owners, existing and potential developers, land/real estate brokers, and the Moyock Community.
 - Establish a Steering Committee comprised of key stakeholders



Currituck County Moyock Mega-Site Master Plan

- This group will provide a first level of stakeholder input as the implementation of the plan continues to move forward
- Meet on a regular basis to keep this group informed and engaged in the process
- Maintain practice of conducting Moyock Community Information Meetings
 - Brief community on project status (e.g., status of updating the code, new name of master planned development, components/item of interest in the code, etc.)
 - Schedule on a bi-annual or quarterly basis
- Establish Development Strategies
 - Identify and define logical phases of development
 - Land uses and intensities should be consistent with expected market demand
 - County should not be overburdened with level(s) of infrastructure investment
 - Maintain or protect “Catalyst” or “Opportunity” sites
 - Seek to establish development agreements amongst land owners where feasible
- Prepare a Master Transportation Plan
 - Transportation network/system needs to be defined based on proposed land uses, locations, and anticipated densities
 - Continue coordination with NCDOT
 - Multi-modal approach
 - Roadway typical sections incorporated into PD-M code to set expectations for transportation infrastructure needs.
- Prepare Storm Water Master Plan
 - Storm Water flows/demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Water Distribution Master Plan
 - Water flows/demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Sanitary Sewer Master Plan
 - Sanitary Sewer flows/demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Infrastructure Improvement Cost Estimates
 - Utilities
 - Storm Water
 - Transportation
 - Infrastructure cost estimates should reflect ultimate investment to accommodate build out as well as infrastructure needs to support realistic phases of development
- Identify Funding Mechanisms
 - Traditional
 - Alternative and/or shared funding strategies



Currituck County Moyock Mega-Site Master Plan

The identified next steps are not all inclusive and there are additional details associated with each beyond what need to be referenced for this document. However, this list is intended to provide a general outline of the policies, updated code requirements, subsequent planning and preliminary engineering efforts, and strategies that need to be further pursued in order to facilitate the ultimate development of the Moyock Mega-Site Master Plan.



Currituck County Moyock Mega-Site Master Plan

2.0 Master Plan Approach

The Moyock Mega-Site Master Plan is intended to establish a long-term vision for a multi-use development on approximately 3,500 acres of land that is strategically positioned as key connective tissue between Virginia and North Carolina and from Hampton Roads to North Carolina coastal destinations.

The Moyock Mega-Site Master Plan development process was crafted to produce a market-driven plan responsive to projected demand for a mix of land uses specific to the local market and formed by regional influences. The Moyock Mega-Site Master Plan is the result of a collaborative planning process between the consultant team, County government leadership, landowners, and the public. Input was gathered from a variety of sources during local meetings, including Currituck County Planners, elected officials, community organizations, local property and business owners, North Carolina Department of Transportation (NCDOT), and Moyock residents. This input helped shape the market-based plan into a vision for future growth and development consistent with the goals and objectives of Currituck County, as well as resulted in a plan that represents the values and character of Moyock.

Market Assessment – The detailed *Currituck County Moyock Mega-Site Market Feasibility Study*, dated March 2016, prepared prior to the master planning phase of the project serves as a guide for potential demand by product type and/or land use. Demand is typically expressed in dwelling units or gross square footage by land use category and can then be translated into the amount of land area (e.g., acres) required to support each of those uses to satisfy the stated demand.

Based on the evaluation of land use and associated results from the market feasibility analysis, as well as the environmental and infrastructure improvements that will be necessary to support the property, the total developable area of the site was derived as shown in **Table 1** below.

Table 1: Summary of Developable Acreage for the Moyock Mega-Site

Total Site Area	3,392 acres
Wetlands/Buffers	770–1,279 acres
FEMA Floodplains	483 acres
Combined Wetlands/Floodplains*	1,005 – 1,521 acres
Net Developable Acreage	1,871 – 2,387 acres
Road rights-of-way/Utility Easements (10% of Net Developable Acreage)	187 – 239 acres
Stormwater (10% of Net Developable Acreage)	187 – 239 acres
Total Developable Area	1,497 – 1,909 acres

*Combined area accounts for overlap of wetland and floodplain features which occupy much of the same geographic space.



Currituck County Moyock Mega-Site Master Plan

The acreage, land uses, densities, and land bay/area designations shown in **Table 2** have been identified for the Mega-Site based on the market analysis and demand projections.

Table 2: Developable Acreage, Land Use, and Intensity

Acreage	Land Use Description	Intensity
750	Residential (Low Density-2units/acre)	1,500 du*
150	Residential (Medium Density-8 units/acre)	1,200 du
20	Residential (High Density-15 units/acre)	300 du
25	Retail (10k sf/acre)	250K sf**
25	Office (12k sf/acre)	300K sf
200	Industrial (5k sf/acre)	1M sf
1,170	Net Developable Acreage	
1,440	Open Space/Wetlands/"Opportunity Land Bank"	N/A
240	Right-of-Way/Utilities	N/A
240	Stormwater	N/A

*Dwelling Units (du), **Square Feet (sf)

Program Development – The goal of program development is to create a market-driven basis for establishing land use goals by product type for application to the project study area. The primary inputs for this process are the products of a detailed market analysis referenced above and stakeholder input. The Moyock Mega-Site Master Plan has designated developed land within the following categories:

- Low Density Residential – Single Family Detached
- Medium Density Residential – Townhomes
- Medium/High Density Residential – Multi-Family/Apartments
- Non-Residential – Retail/Commercial
- Non-Residential – Office/Industrial
- Non-Residential – Office/Healthcare/Medical
- Non-Residential – Industrial
- Open Space, Parks, Greenways
- Public – (School Site(s), County Utilities)

The results of the program development process are reflected below in **Table 3**.



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Table 3: Moyock Mega-Site Master Plan Development Summary

Land Use	Site	Acres	Market Demand
Industrial	IND A, B, and C	505	200
Office	OFF 1, 2, and 3	83	25
Office/Industrial	O/I 1 and 2	141	200
Commercial	C - 1, 2, 3, 4, and 5	123	50
Residential	Low Density Residential (LDR) – 1, 2, 3, and 4	566	750
Residential	Medium Density Residential (MDR) – 1, 2, and 3	79	150
Residential	High Density Residential (HDR) – 1 and 2	45	20
Legacy Residential	LDR – Existing	53	N/A
County	Waste Water Treatment Plant	136	110
County	Public School Site	50	
Stormwater	Stormwater Ponds	319	350
Wetlands	Various Wetland Areas	954	1,100
Open Space	Misc. Open/Undevelopable	70	287
Open Space	Parks A, B, C, D, and E	162	
Right-of-Way	Public Roadways and Streets	257	350
TOTAL		3,543	3,592

Stakeholder Input – All phases of the planning process relied on direct interaction between the design team, staff, elected officials, and the citizens of Currituck. This process included one-on-one meetings conducted with key stakeholders including land owners in or around the study area or individuals in leadership positions within the community. Attendance at the stakeholder meetings included highly engaged participants providing valuable input for the design team. Through public engagement, the design team was able to identify key issues of interests and concern, including the perceived strengths and challenges facing development of the plan.

Site Characteristics – Application of the development program to the site must respond to physical site characteristics and adjacent land use patterns. An assessment of the existing site was conducted by the planning team to identify site constraints in the form of physical, land use, and environmental conditions.

The assessment consisted of a review of site drainage and topography, environmentally sensitive or regulated areas, vegetative cover, and existing site access. Existing land use patterns were documented to identify uses that were either compatible and supportive of a unified master plan or incompatible with the type or intensity of adjacent uses.

Regional Planning Trends and Planned Projects – The study area does not exist in a vacuum and how the site engages with other planned projects, local and regional initiatives must be and was considered. The regional conversation regarding future transportation systems, including the proposed East-West connector and the conceptual Moyock Bypass, are reflected in the Moyock Mega-Site Master Plan.



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In addition, several land owners within or adjacent to the Moyock Mega-Site study area have advanced conceptual plans for future development. These plans were accounted for (i.e., acreage, land use, and proposed intensity) in the Moyock Mega-Site Master Plan as they were a part of the equation for meeting anticipated market demand, influential in street network layout, as well as defining a mix of land uses, diversity of residential product type, and associated development intensities.

3.0 Program Development

3.1 Market Assessment

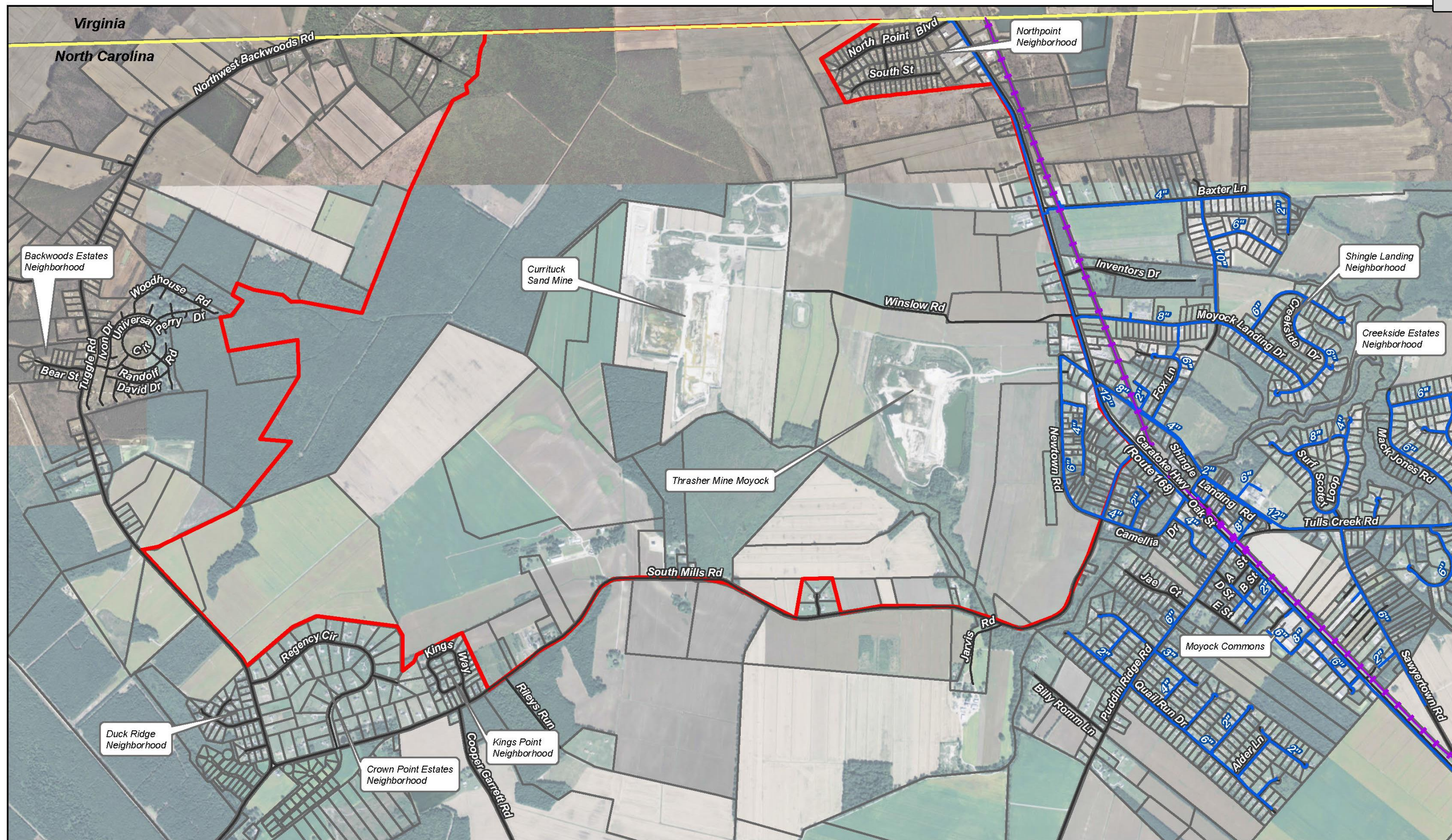
The results of the Moyock Mega-Site Master Plan program development process is intended to reflect current projections for demand in the local market across various types of development products. In this manner, a market-driven plan will more realistically depict the intersection of site capacity with market demand and thus identify any disconnect between the amount of land in the study area available to satisfy demand. The result is a graphic representation of whether the study area can accommodate the projected land uses needed to satisfy demand or the results may suggest that there is more land than is needed to support limited market demand.

It must be noted that the market assessment characterizes overall demands by land for a larger market beyond the physical boundaries of the study area. While the study area represents how the overall demand might be accommodated within the boundary limits of the Moyock Mega-Site (See **Figure 1**), it must be recognized that some of the demand will be accommodated outside of the study area, albeit within the local market. This may result because some projects are ready to advance before entitlements or infrastructure are in place within the study area, or perhaps because other properties are less expensive to develop or present fewer permitting challenges. Given that reality, the overall study area represents a land area larger than is necessary to accommodate the net demand projected for the market, particularly when we account for uses that are located outside of the project limit boundaries.

The following are some key elements of the market assessment that helped define the master planning process and as a result are reflected in the plan:

3.1.1 Big Picture Trends and Demographics

Development trends are often very well documented and consistent across local, regional, national and even global markets. The Moyock Mega-Site Master Plan should acknowledge current trends to the extent that local conditions reinforce those trends. Some of the strongest development trends identified in the Moyock market assessment include the impacts of an aging population, the move toward mixed-use and urban living, and the coming together of the millennial and senior populations with respect to certain lifestyle preferences for live-work-play environments.





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The Moyock Mega-Site Master Plan (See **Figure 2** – Moyock Mega-Site Master Plan) contemplates the impact of these trends but avoids the temptation to extrapolate those trends too rigidly for the local market. The nature of retail development in larger, more urban markets includes mixed-use, walkable, highly amenitized main-street types of environments. Virginia Beach Town Center is an example that was frequently cited by local residents as a desirable retail, mixed-use environment. The total anticipated retail demand generated by the Moyock Mega-Site study area, however, is not large enough to achieve the density and critical mass for that development model. The expectation is for a more traditional retail model with big-box and junior anchors, in-line shops and outparcels with shared parking fields. That said, development guidelines created for this project can still seek to achieve good connectivity, pedestrian friendly plans with parking fields defined by landscaped areas and common space.

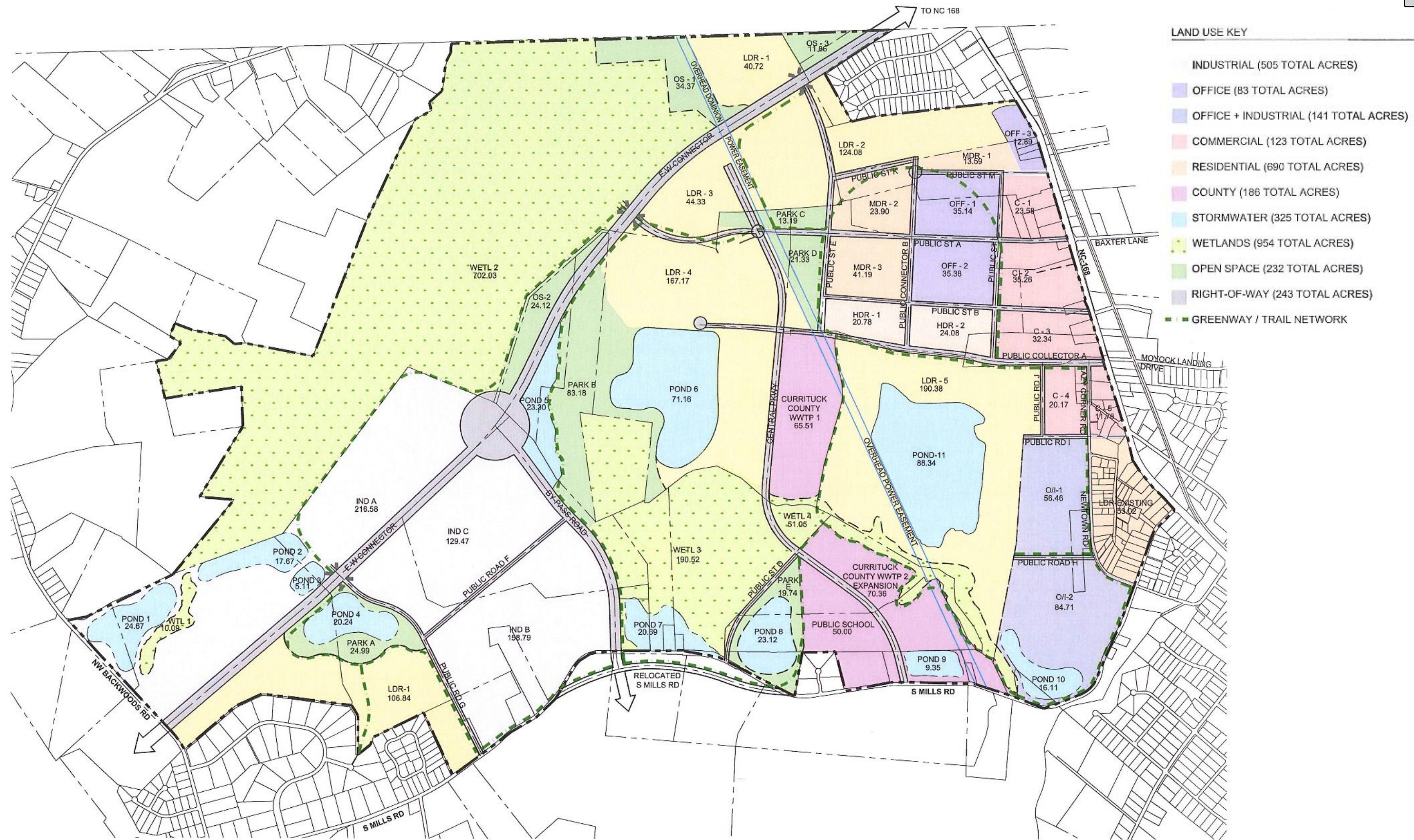
Demographic changes and a desire for more urban lifestyles can be addressed in the plan with a creative horizontal mixed-use approach and integration of residential and non-residential product in the core area closet to NC-168. Medium and high-density housing should be clustered near the retail and office core for good connectivity. Common space and small event spaces can create opportunities for community connectivity and activity areas for residents, visitors and daytime employees. A variety of product types including garden apartments, townhomes, age-targeted product, and small lot single family cottages can help create age and income diversity and a stronger sense of community. Moyock residents have a strong connection to the land and its history. Attention should be paid to creating a good place to age-in-place for current residents who would like to remain in the area but seek to downsize or enter more walkable, or even age-targeted or assisted living environment.

3.1.2 Residential

The projected demand for residential product includes up to 3,000 residential units consisting of a variety of product types (e.g., single family detached homes, townhouses/condominiums, and multi-family apartments) and equates to roughly 1,100 acres of land area. The Moyock Mega-Site Master Plan organizes medium and high density product in proximity to the retail and office core to promote walkability and a horizontal mix of uses. Large single family detached development areas are associated with the interior of the site, large water amenities, and adjacency to existing residential land uses. Two residential concepts have been envisioned by current landowners associated with the future closing of the active sand pits. The concept would be to create water amenities out of the abandoned excavation sites and develop lots around those features. The master plan for the project would accommodate that approach.

3.1.3 Commercial/Retail

The projected demand of 500,000 gross square feet of commercial/retail development can be related in size to a little more than a typical big-box anchored suburban center. The plan locates this use adjacent to the NC-168 (Caratoke Highway) corridor and recognizes the need for good visibility and access to support commercial and retail uses. Commercial/retail businesses will need to capture both internal customers from within the planned development as well as pass-by traffic from the adjacent roadway consisting of local, regional, and seasonal customers. Commercial and retail support services is also a strong amenity for daytime office workers and residents within the development and should be developed with strong pedestrian connections to these uses.





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3.1.4 Office and Industrial

Office uses provide a good transition between residential uses and higher intensity uses. It is proposed that 300,000 gross square feet of office demand could be accommodated in a relatively small cluster of two story buildings on roughly 25 acres of land or a couple of taller structures on a smaller footprint. Medical offices and healthcare-related uses would be very good catalyst developments for Mega-Site project and could very well drive the need for support uses such as retail, commercial, and lodging to the area.

Industrial demand in this location is strong, projected at approximately 1,000,000 gross square feet. This demand could translate into 200 acres or more of land area. Industrial users require good access, and separation of traffic from passenger vehicles to the extent possible. There is a strong economic development driver to incorporate industrial land or moderately sized opportunity sites (i.e., one site consists of approximately 56 acres and one site consists of approximately 85 acres, or a consolidated site would be comprised of approximately 140 acres) near NC-168. Opportunity or “catalyst” sites, can help promote early development interests where existing infrastructure is already in place while also helping to minimize initial capital costs. The Moyock Mega-Site Master Plan reflects this approach by providing for two such larger opportunity sites near NC-168 in the southeast corner of the study area. The western part of the study area is the other area of focus for these larger scale industrial uses with good accessibility to major arterials and buffers to adjacent residential uses.

3.1.5 Stakeholder Input – A Community Based Vision

Each public input event featured an opportunity for land owners with property located within the study area to interact with the consultant team and Currituck County staff outside of a broader, open public meeting. Participants were given an overview of the study area and the project intent and engaged in a variety of exercises to obtain preferences, concerns, and ideas regarding what they considered to be a desirable development outcome for the property.

Following is a summary of the most relevant input obtained through the public engagement process and used to inform the master planning process.

Opportunities

Participants were asked to describe the types of development and types of elements within the proposed Plan that would appeal to them or would address a specific need. The types of uses most commonly identified as high priority elements to be considered for as part of the Moyock Mega-Site Master Plan include:

- Casual dining options
- Single family Housing
- Big-box retailers
- Grocery stores
- Pharmacy
- Doctor's Offices / Urgent Care
- Public/community open space and event space
- Movie Theatre
- Gym



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The following types of uses were identified as second priority elements to be considered for as part of the Moyock Mega-Site Master Plan:

- Fast Food restaurants
- Church
- YMCA
- Apartments
- Wholesale Club retailer
- Fuel / Convenience Store
- Local professional offices - financial, insurance, real estate, etc.
- Bank
- Flex Office Space
- Community Center
- Passive Park
- Daycare
- Greenway
- Dog Park

Key Objectives

- Employment center / job creation
- Grow tax base
- Create “a place for young people to come back to”
- Create a destination live-work-play environment like Town Center VA Beach; Edenton
- Pedestrian Friendly
- Destination

In addition to the key objectives and the opportunities that implementation of the plan may create for the community, members of the public highlighted several areas/topics of concern.

- Stormwater management/drainage of the site with proposed future development
- Industrial development near or immediately adjacent to residential neighborhoods
- Noise from proposed future roadway corridors
- Need for more Schools with increased residential development
- Mixed-Use Core should create a “downtown” feel and should be walkable
- Land Use Compatibility
- The word “Mega” – proposed master plan/development needs a different name.

These concerns and issues were taken into account throughout the development the Moyock Mega-Site Master Plan. Some are recognized as challenges, but through more detailed planning, analysis, and preliminary design will be resolved or mitigated before development begins (e.g., Master Stormwater Management Plan, Master Transportation Plan, Moyock Mega-Site Master Plan buffer requirements per new section in the County’s Unified Development Ordinance).



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The need for a potential new school site was identified early in response to the existing school populations as well as the anticipated and intended increase in school age children with the development of the Moyock Mega-Site Master Plan. Buffers between land uses have initially been addressed through a combination of parks, open space, or a proposed greenway/multi-use trail network. Finally, County Administration, staff, land owners, the consultant team, and the County's marketing firm, all agree that a new name for the master planned development that doesn't include the word "Mega".

Perceived gaps in goods and services

Stakeholders and citizens were also asked about apparent gaps in goods and services within community. The most commonly identified gaps in goods and services included the following;

- Retail/restaurants for daytime employees and nighttime residents
 - Casual, sit down dining
 - Restaurants suitable for a reasonable business/client lunch
 - National Grocery store in the middle tier of quality to complement existing store brands in the market
 - Recruit/attract retailers that offer discounts to state and federal employees
- Professional Services
- Residential
 - Senior Housing
 - Single-family Housing

Community Brand

Participants were asked to share their perceptions of Moyock's brand in terms of images and characteristics most frequently associated with the community.

- Transitional area to tourist destinations
- Bedroom Community
- Rural / Small Town Feel
- Wildlife; Nature; Sportsman's Paradise
- Quality of Life

4.0 Master Planning Challenges and Opportunities

4.1 Destinations and Barriers

Destinations and barriers are important elements in designing and developing cohesive master planned communities. Destinations may consist of public amenities such as parks, trails, entertainment venues, or local businesses with a special niche market appeal that draw local and regional patrons. Barriers can include physical features such as railroad tracks, environmental buffers, major highways, or social or psychological conditions such as blighted areas, view sheds, or industrial noise and odors that deter development interest or even the potential to establish a sense of connectivity.



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The study area does have some active business destinations central to the site, most notably the two sand pit operations and the County wastewater treatment facility. The importance of these sites is that while the sand pits may ultimately be redeveloped, access to them must be accommodated as new development occurs around them for several years (i.e., current estimates are that mining of sand will occur at the Williams mine for another two to three years) until they cease operations. Access roads through new development need to be planned relative to short term and long term impacts resulting from heavy equipment traffic.

There are existing commercial destinations fronting NC-168, some of which may remain and some that may be subject to redevelopment in the future. It is possible that some of these destinations may reorient primary access to the project interior as they redevelop.

4.2 Challenges

Barriers to development can be characterized as short-term and long-term. The sand pits, are both destinations and barriers with respect to redevelopment. As noted above, they are barriers to short-term redevelopment as they must remain in operation with good access to/from NC-168. The owners of these businesses should be engaged early in the process to discuss options for re-routing access through the site to/from NC-168 as new development comes on line.

Environmental constraints including wetland areas can also be characterized as barriers and destinations. They represent physical barriers that constrain the limits of development and routing of major utilities. However, they can also add to the aesthetic quality of the development and be incorporated into parks and linear recreation features as destinations.

The County Wastewater Treatment Plant with the Moyock Mega-Site boundaries occupies a large physical space, to include a future expansion area, very central to the study area. In addition to this fact, there is the potential impact of unappealing odor that is naturally occurring around treatment facilities that can be barrier to all types of development. Residential land uses are most sensitive to this issue and could be a barrier to sales or development interest. Some consideration for possibly relocating the treatment facility, or at a minimum the future expansion area, should be given to enhance the overall project marketability. At a minimum the County should investigate available technologies currently being used in the industry by other water treatment facilities around the country that are located near or adjacent to residential communities.

Although several key significant positives and County objectives (i.e., employment/job creation, increased tax base, and enhanced regional connectivity) could result from construction of the proposed East-West Connector, it would be a limited-access facility and thus create a large physical barrier through some portions of the study area. Locations for grade-separated access will need to be carefully planned to allow for connectivity on both sides of this facility.

The current typical section and alignment of South Mills Road is not adequate to properly serve the type and volume of traffic that may be generated by new development in the future. However, proposed segments of roadway realignment, the softening of curves, as well as intersection traffic control and safety improvements, in advance of or concurrent with new development can easily be accommodated given adjacent agricultural uses (i.e., less potential for conflicts and less significant impacts to existing property owners).



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4.3 Opportunities for Change

Large development projects with multiple land owners and a long-term horizon for completion must recognize that some properties will be more susceptible to change and present fewer challenges for acquisition and development than others. Vacant, underutilized, or absentee owner properties are typically more likely to change over time given a reasonable level of market pressure. By comparison, fully developed, well-performing businesses may offer barriers or long-term challenges to implementation of a new development pattern.

Privately Owned Parcels: Several parcels in private ownership north and south of Winslow Road have already been contemplated for redevelopment and may serve as catalyst sites for further redevelopment of the study area along the NC-168 corridor.

Legacy Residential: Established residential areas around the Mega-Site perimeter are likely to remain residential, although redevelopment with a variety of higher density residential product types might follow market demand to live near a developing commercial core. It might also be anticipated that some residential lots along the NC-168 corridor could convert to commercial uses more appropriate for a thoroughfare environment.

Sand Pits: These operations have a lifespan that may make them prime redevelopment sites in the near future, perhaps within a three to five-year time horizon. They represent significant opportunities for change and would have a large impact on establishing the character of the overall development.

Undeveloped Agricultural Lands: Agricultural lands outside of wetlands represent a significant amount of the Moyock Mega-Site Master Plan study area and offer few barriers to change, except for the cost of getting infrastructure to them. These areas tend to be situated away from the NC-168 corridor but long-term may have access to the future East-West connector and by-pass and facilities.



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5.0 The Moyock Mega-Site Master Plan

5.1 Master Plan Framework – Key Elements

5.1.1 Gateway Development

With over 3,000 acres of land area it is important to identify key gateway corridors and frontages that have the most impact on how people will arrive, depart, and experience the development. Well defined gateways can effectively announce the development and orient people to destinations within the Moyock Mega-Site development area. They can also contribute to the establishment of the character and quality of development. Branding elements such as signage, wayfinding, and streetscape elements are collectively important to establish the desired look, feel, and functionality of key gateways. Some gateways are physically inherent to the area while others can be created with new transportation systems and new points of access into the property. The following is a brief description of key project gateways:

NC 168 at Moyock Landing – The primary entrance into the development is anticipated to occur at the intersection with NC 168 opposite Moyock Landing Drive. This point of access will provide direct connectivity to the primary retail district, residential neighborhoods, and the Central Parkway. Branding of this gateway should reflect that it is a connection to all major land uses, except industrial.

Future East-West Connector – This regional transportation facility will have limited access into/out of the development but have the longest exposed frontage to the property. Attention should be paid to the landscaping and potential buffering along this facility to reinforce the project brand.

Proposed Central Parkway – This proposed road could become a preferred route to residential destinations within the site and thus create two important gateways where it intersects with Public Collector B and Public Street B to the north and at its terminus with South Mills Road to the south. This road is anticipated to front residential property, a potential County school site, as well as parks and open space and would be best suited for a parkway typical section.

Proposed NC 168 By-Pass – A future alternative route to NC-168 around Moyock could become a primary gateway to industrial properties on the west end of the development. This proposed highway facility is expected to have either partial or limited control of access.

5.1.2 Access and Transportation Network

The proper location, street sections and levels access across the entire road network are critical to the success of the plan. The layout and physical design of the street network must reflect the different transportation needs of industrial, retail, office and residential end users and address the potential conflicts or synergies between them. The key transportation elements of the plan include the following:

NC –168 –The existing highway segment will be transformed to not only the primary conduit for pass-by traffic but also a major thoroughfare distributing traffic to/from the new development. Retail uses will begin to cluster along this frontage and new commercial driveways and signalization will change the character of this section of NC-168. It is proposed that this facility be converted from a 5-lane (i.e., two travel lanes in each direction and a center two-way left-turn lane) to a 4-lane divided section within a 100-foot right-of-way (ROW), creating safety and operational enhancements and providing some opportunity for landscaping and frontage improvements (See **Figure 3**).



Currituck County Moyock Mega-Site Master Plan

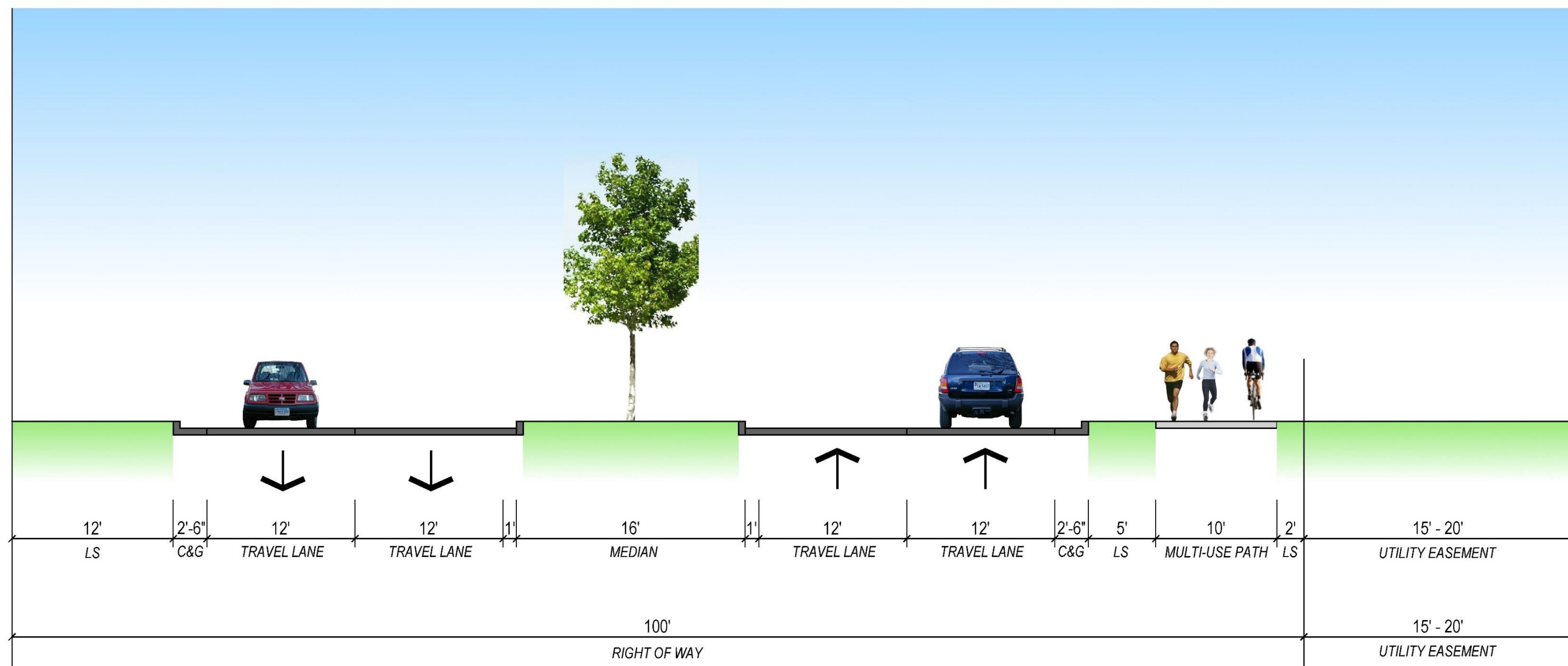
South Mills Road –To help attract initial industrial/office development to the “opportunity” site(s) along Newtown Road or to the larger scale warehouse/distribution development envisioned toward the western portions of the Mega-Site, and provide the roadway infrastructure necessary to support future traffic volumes, it is recommended that South Mills Road be improved. This involves converting the facility from a 2-lane to a 4-lane divided typical section within a 90-foot ROW. South Mills Road will provide a primary means of access for these sites to/from NC-168, Central Parkway, and the proposed NC-168/Moyock Bypass. (See **Figure 4**).

Public Collector A – The primary entrance into the development is anticipated to occur at the intersection with NC-168 opposite Moyock Landing Drive. It is proposed as a 4-lane divided facility with optional ROW widths varying from 96 feet to 110 feet. This road will carry traffic with a variety of destinations including retail shoppers and dining patrons, full time residents, daytime workers and office users. A landscaped median divided section would be appropriated for this road (See **Figure 5**).

Future East-West Connector – This regional transportation facility will have limited access into the development but have the longest exposed frontage to the property. It is contemplated as a 4-lane divided facility in a 210 to 215-foot ROW. This road will likely carry most of the heavy industrial traffic serving properties within the development as well as passenger vehicles by-passing the property to and from destinations north and south of Moyock (See **Figure 6**).

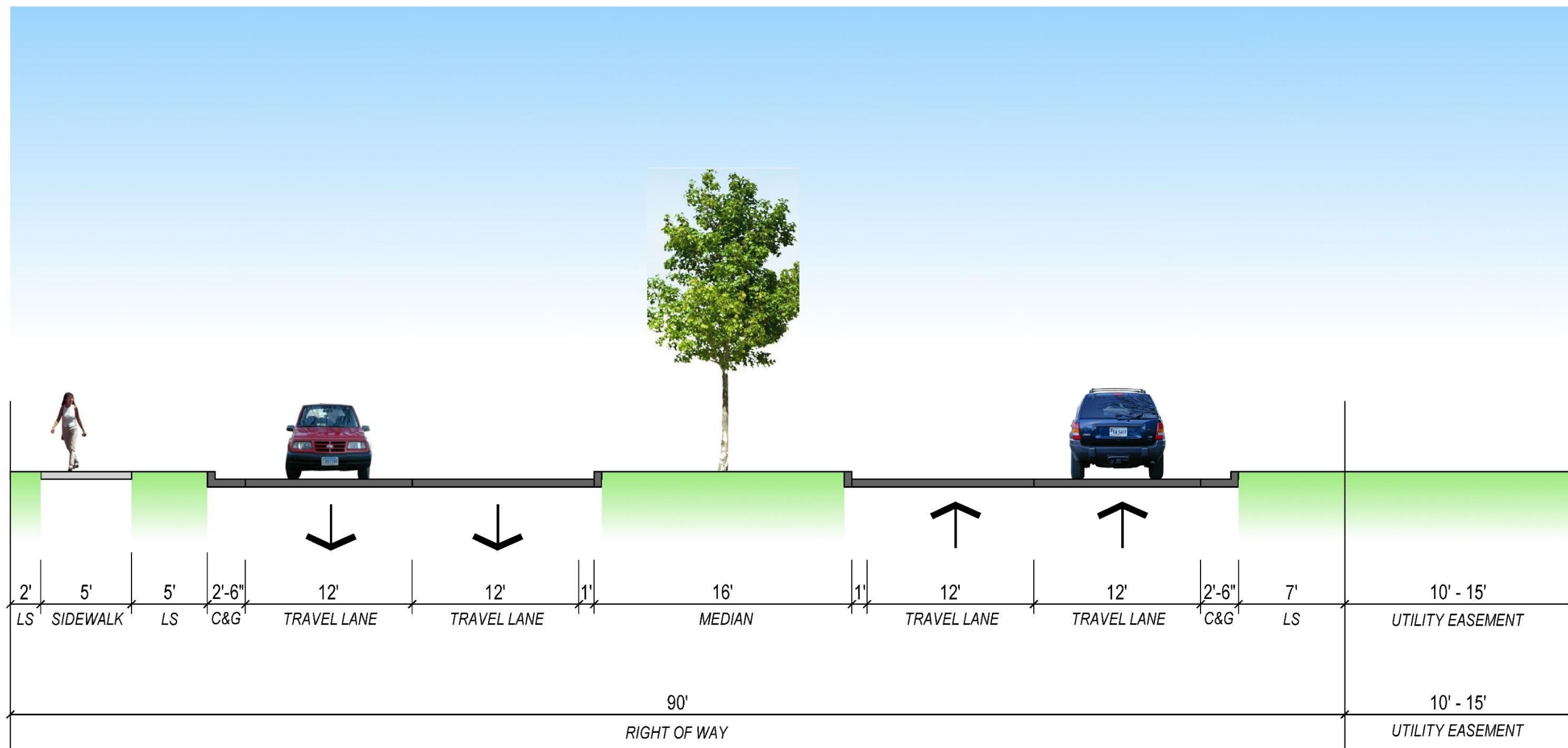
Proposed Central Parkway – This proposed road could become a preferred route to residential destinations within the project and thus create two important gateways where it intersects on the north with the future East-West Connector and at its south terminus with South Mills Road. This road is anticipated to front residential property and may be best suited for a parkway section within a 100-foot to 110-foot ROW (See **Figure 7**).

Proposed NC-168 By-Pass – A future alternative route to NC-168 could become a primary gateway to industrial properties on the west end of the development. It is contemplated as a 4-lane freeway section in a 140-foot to 180-foot ROW but limited access to residential and industrial sites from this location would greatly benefit the development (See **Figure 8**).



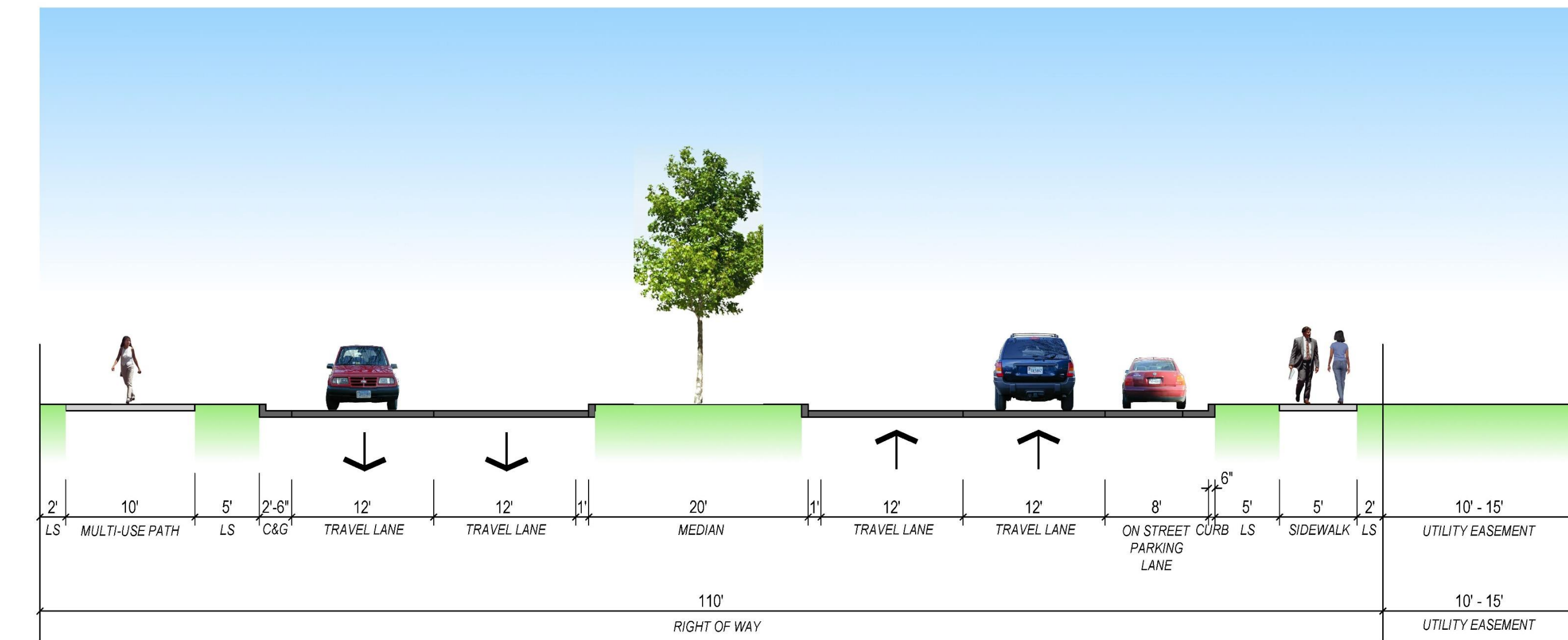
Arterial Section (Option 1)





Arterial Section (Option 2)





Collector (Option 3)



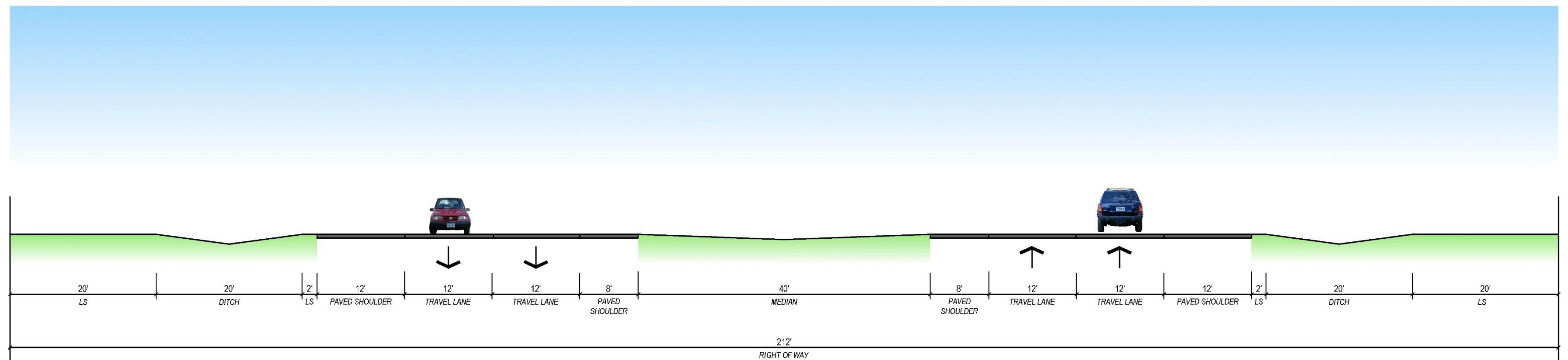
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Public Collector "A" – Typical Section Concept

Figure

5

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Highway (Option 3) - Full Control of Access

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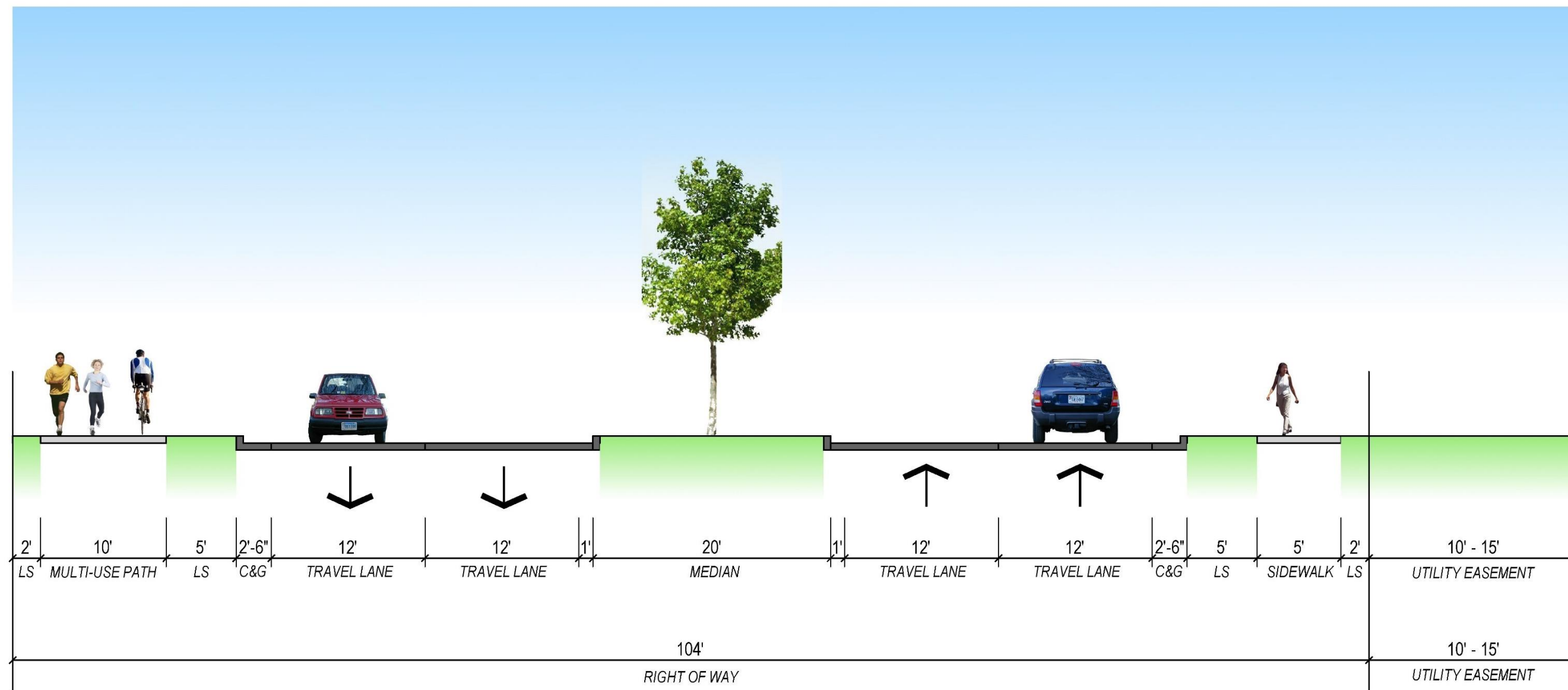
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East-West Connector – Typical Section Concept

Figure

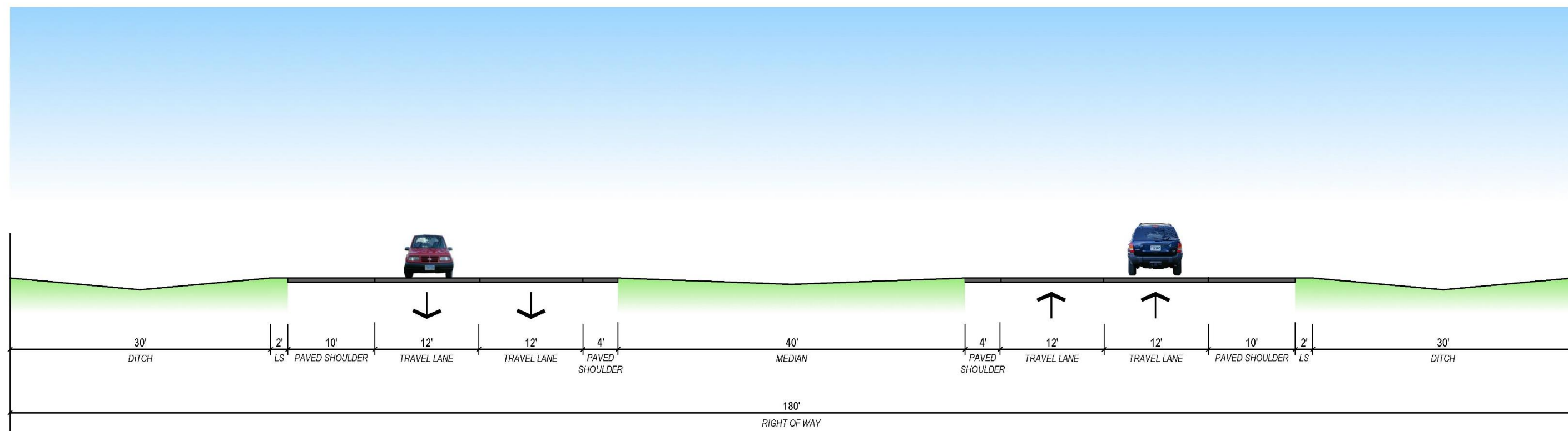
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Arterial Section (Option 3)





Highway (Option 2) - Limited Control of Access





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5.1.3 Green Infrastructure – Open Space and Greenways

Open space and greenways provide not only aesthetic quality and recreation opportunities for communities but important linkages between land uses. The Moyock Mega-Site Master Plan should create/provide for a variety of open spaces and an extensive greenway system, ideally tying into the local and regional bike, pedestrian, and greenway plans.

The presence of extensive wetland areas presents an opportunity to associate common space and trails along the perimeter of these areas. The type of improvements within wetlands will be limited but can accommodate a system of elevated walking trails and animal habitat viewing as well as interpretive stations for nature education.

In addition to large open spaces, smaller, more urban open spaces should be incorporated within development areas. One-quarter acre to one acre spaces within mixed-use areas are important gathering spaces and programmed event spaces to enliven the community fabric. These spaces should be walkable from residential and daytime employment areas. A central event space that can accommodate regular, programmed community events is an important element for creating a vibrant mixed-use center. These areas become destinations or gathering spaces and can be instrumental to the success of local businesses.

5.1.4 Stormwater Management and Environmental

The plan provides conceptual locations and sizes for stormwater management systems needed to address local and state requirements. For planning purposes, the Moyock Mega-Site Master Plan allocates roughly 15% of developed land area for stormwater management measures (SWM). The two sand pit sites within the Moyock Mega-Site planning area have some potential for use as stormwater management facilities, but require additional regulatory agency input for final determination. Additional ponds are integrated into the plan to function as amenities and in some cases buffers between different land uses. A shared, or regional, approach to stormwater management can be beneficial but requires cooperation among land owners. This approach can reduce the overall number of facilities and the overall maintenance costs associated with them. Management and funding mechanisms are necessary to construct and maintain these regional facilities and to allocate these costs to individual developments within the study area.

5.2 Land Use Summary

5.2.1 Mixed-Use Core

The primary gateway into the development is opposite Moyock Landing Drive and enters into the mixed-use core of the development. This is the front-door of the development and provides convenient access to potential commercial, retail, multi-family, general office, and medical office/health care related uses, as well as parks and greenway/trail amenities. **Figure 9**, reflects a conceptual area plan for the proposed Moyock Mega-Site Mixed-Use Core). Commercial, retail, and office or medical office uses are clustered closer to NC-168 and the office or medical office land uses can serve as good buffer/transition uses between commercial/retail and residential development. It is noted that office or medical office land use designations in the Plan are somewhat interchangeable. Two of the region's larger health care providers have expressed interest in potential development opportunities associated with the Mega-Site in Moyock. Therefore, depending on level of interest, scale/size of investment, and the potential for medical office and/or health services related uses to be a catalyst type development for the Mega-Site, flexibility between office use types within the Mixed-Use Core must be accommodated.



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Moyock Master Plan – Mixed-Use Core Conceptual Plan

Figure

9

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The street network should be interconnected and pedestrian connectivity a high priority to make this a walkable core. These uses would be expected to serve customers from outside of the development as well as residents and employees from within the project boundaries. Medium to high-density residential uses should have strong pedestrian connectivity to shops and services.

The importance of streetscape, façade character and form, building massing, and active pedestrian zones toward creation of vibrant core cannot be overemphasized. Development of standards or design guidelines toward a walkable streetscape in this area should be developed to achieve the desired character and quality of development.

The success of retail is tied to the right mix of complimentary uses, good parking (i.e., amount and proximity of parking inventory to retail destination(s), and visibility. A successful mixed-use core will often be built around local retail and restaurants, with a select mix of national brands. One approach to maintain and enhance the local feel and brand of development is to identify existing local, or regional businesses that might cluster within the core area to help create a unique destination for residents and travelers that is tied to the local character.

The entertainment and social component of a successful core area is important and can be promoted with movie theatres, outdoor spaces, or performing arts venues. A central green space or identifiable community gathering space can be an important amenity for residents and businesses within the development, as well as visitors. Programming these venues is the key to success. Programming must be constant, high quality, and well supported by public infrastructure and marketing. It is not about event size as much as it is about quality and frequency. Getting the public accustomed to coming to this area on a regular basis to be with other people is the key. Just as important as good venues are clean and well maintained public restrooms, as well as accessible and functional parking and efficient traffic control.

Key elements of the mixed-use core include the following:

- Highway Commercial – situated to attract convenience retail, professional services and restaurants typically associated with a high volume thoroughfare including a mix of neighborhood commercial uses. This area could possibly attract big box retailers or professional offices oriented along the NC-168 corridor.
- Healthcare – Healthcare uses can be a good catalyst land use and would benefit from proximity to NC-168 and use of existing infrastructure (i.e., roadway/transportation and utilities). This could include medical office buildings, urgent care or a stand-alone Emergency Department, as well as a community hospital. Healthcare uses can in-turn create demand for support services such as pharmacies, professional offices, hotels and restaurants. Accessibility to a healthcare core in this location would be very good, with two alternative routes from NC-168 and potential for good connectivity to the internal street network.
- Office / Medical Office – Office/medical office uses can complement retail uses in the core area and be served by nearby restaurants and services. Office or medical office uses also provide a natural transition toward medium and high-density residential uses as well. Peak morning and evening traffic from general office buildings can be distributed along several alternative routes (i.e., Public Street A, Public Street B, or Public Connector) to the NC-168 corridor and eventually the proposed Central Parkway facility. Whereas medical office uses can have less significant demand during the AM and PM peaks, but with patient appointments and support services more traffic activity over the entire course of the day.



Currituck County Moyock Mega-Site Master Plan

- **Retail** – Mid-size and big box opportunities. The proposed core retail area would be well served by the two primary entry roads and access to/from NC-168. The layout would likely be more suburban in nature but the potential is to create a walkable plan with connectivity to residential development areas and limit large parking field visibility from NC-168.
- **Residential** – Medium to high-density residential product should be clustered near retail, entertainment and employment centers to promote walkability and minimize daily vehicle trips. The multi-family product is located closest to the retail destinations. The townhome and small lot residential product extends west to the proposed Central Parkway. Open space and trail networks should connect these areas and extend to more regional trail systems where possible. Stormwater management ponds can be amenities for residential neighborhoods.

5.2.2 Single Family Residential Districts

The market demand for single family homes is roughly equivalent to 1,500 lots or 750 acres of land area. Single family lots in the northeast and southwest quadrants are generally adjacent to existing single family homes outside the Moyock Mega-Site Master Plan area and the central district lots area associated with redevelopment of the mine pit and buffered by large areas of wetlands. The Moyock Mega-Site Master Plan provides for large tracts of single family development in several locations:

- Central part of the study area anticipating redevelopment of the two sand pit operations
- North-Central district south of the future East-West Connector and adjacent to legacy and planned residential development in the Northeast portion of the study area.
- Southwest quadrant north of South Mills Road and adjacent to the legacy residential in that area

5.2.3 Western Industrial Park

The market study indicated demand for roughly 200 acres of industrial land. The western district of the Moyock Mega-Site Master Plan is well suited for industrial and light industrial end users. This area has good access and strong visibility from the proposed East-West Connector. The industrial development areas could be subdivided into large or small parcels or recombined for one large tract of 200 acres or more. The cost of getting infrastructure to these areas may be a limiting factor early in the evolution of the Plan. As such, economic development sites have been planned for on larger tracts closer to NC-168 to accommodate potential catalyst projects with less upfront capital costs.

5.2.4 Economic Development Sites

The Moyock Mega-Site Master Plan provides for almost 140 acres of potential Office / Industrial sites with good access to/from South Mills Road and NC-168. This land offers an opportunity to accommodate end users interested in locating within the study area prior to construction of expensive infrastructure needed to access the western portions of the site (See **Figure 10**).



Kimley»Horn

Moyock Master Plan – Office/Industrial Conceptual Plan

Figure

10

Packet Pg. 98



Currituck County Moyock Mega-Site Master Plan

5.2.5 Public Schools

The Moyock Mega-Site Master Plan provides for a fifty-acre public school(s) site with access to/from South Mills Road as well as the proposed future Central Parkway. This site would benefit from access to an existing public street, future access to an internal public street, and adjacency to proposed open space as well as ease of access to/from internal residential developments.

5.2.6 Green Infrastructure

Linear open space, greenways/trails, and parks are crucial to a successful development. Every development parcel should be viewed through a lens of connectivity to create a contiguous, multi-modal network of paths and public spaces linking all land uses. This system should have good connectivity to sidewalks along the public street network to encourage non-vehicular movement in, out and around the site. The Moyock Mega-Site Master Plan reflects a potential greenway/trail system network that will provide connectivity between destinations, serve as a buffer between some land uses, but most importantly serve as a significant recreational resource for the community.

6.0 Proposed Unified Development Ordinance¹

Currituck County undertook the master planning process for the Moyock community, specifically the area commonly referred to as the “Moyock Mega-Site” in late 2016. The current Moyock Mega-Site Master Plan (land use plan) and implementing UDO standards (i.e., Zoning Districts) do not support or reflect the current Vision for the area reflected in the Moyock Mega-Site Master Plan (See **Figure 2**). Diversification of the economic base is a critical component to the intent of the Plan. One of the key goals of the current Moyock Mega-Site Master Plan and the recommended update of the UDO, is to create a development environment that supports and encourages a diversification of job creating businesses and industries while providing the necessary residential supporting neighborhoods and public infrastructure.

The intent of the Code analysis and recommended structure is to provide a framework within the County’s current UDO. There are two (2) primary options available to the County, (1) utilize the County’s current Planned Development Mixed (PD-M) zoning district, or (2) create a new area specific zoning district. A third, but less desirable option is to provide updates to the UDO in the respective sections specific to Moyock. Note, this option is not recommended or further discussed due to the “decentralized” approach to the Code by placing updates in the various sections (i.e., roadway standards, landscape and buffering, setbacks/lot sizes/bulk development standards) and requiring a cross-reference or a companion document that identifies all of the sections of the UDO specific to Moyock.

The County UDO, Chapter 3: Zoning Districts makes provisions for area specific codes including the PD-M. This District requires an area specific Master Plan and accompanying standards that could be developed as one, cohesive section of the UDO. This approach, PD-M with Moyock specific standards, is preferred over an alternative option of providing Moyock Mega-Site Master Plan items within each section and subsection of the UDO.

¹ Note: The information contained in this document is not intended to be adopted or included as part of Currituck County’s Unified Development Ordinance (UDO) in its current format. This information is intended to provide a generalized overview of the Moyock Mega-Site UDO Code provision, its application and intent.



Currituck County Moyock Mega-Site Master Plan

A summary review matrix is provided in **Appendix D** which identifies preliminary recommendations of the County's current UDO (possible applicable sections). In order to facilitate the implementation of the current Vision, the County is encouraged to undertake the steps outlined in the following sections.

6.1 Incorporate Updates into the County's Future Land Use Plan

6.1.1 Moyock Mega-Site Master Plan

The County is currently in the process of updating the Future Land Use Plan as a part of the "Imagine Currituck" 2040 Vision Plan effort. Previously, the land use plan provided the overarching development standards (density and intensity) based on one of three land use categories. These categories (service areas), Full-, Limited- and Rural provide for extremely low density and intensities that are not supportive of the currently developed Moyock Mega-Site Master Plan. The "Imagine Currituck" update to the land use plan should incorporate the components proposed in the Moyock Mega-Site Master Plan, prepared by Kimley-Horn, including but not limited to the roadway network, public facilities and general area of the Mega-Site, as well as development areas or "pods". In addition, the definitions of the Full-, Limited-, and Rural- Service Areas should be updated to reflect the density and intensity levels initially identified in the market study and now refined per the Moyock Mega-Site Master Plan map and the associated development summary (See **Table 3**).

6.1.2 Development Incentives

The intent is to create the "carrot" for the desired development form and offer standards not generally permitted in other areas (i.e., increased density, intensity, automatic parking waivers, etc.) which would be provided and specific to the PD-M Moyock Mega-Site Master Plan code. The degree of incentives including a "buffet list of options", would need to be further investigated with the County. Additional incentives may include the installation of public infrastructure ahead of development, sized to accommodate the growth and development envisioned in the Plan.

6.1.3 Caveats

One caveat to this can be establishing minimum development standards as well as maximum development standards to ensure certain levels (i.e., thresholds) of development occur that are necessary to support the infrastructure. This may also support (i.e., allow) the transfer of internal development rights within the "pod" or generalized area providing that the impacts of development do not overburden the infrastructure.

For example, "Pod A" may be established with certain uses and maximum development potential. However, the PD-M Moyock Mega-Site Master Plan code could incorporate a "Land Use Trade-Off Matrix" (LUTM) or equivalency matrix by which certain levels of uses may be "traded" for other uses based on their equivalent development impacts (i.e., 1 dwelling unit equates to 2,000 square feet of commercial (based on transportation, water, wastewater, etc.). Another example is provided below providing for a trade-off between PUD (i.e., single family detached and attached, multi-family, etc. within a defined "neighborhood) and shopping center limited to transportation impacts (See **Table 4**: Example of Land Use Trade-Off Matrix (LUTM) below).



Currituck County Moyock Mega-Site Master Plan

Table 4: Example of Land Use Trade-Off Matrix

	Increase Land Use		
Decreased Land Use		Planned Unit Development (PUD)	Shopping Center
	Planned Unit Development (PUD)		6.016 DU/1,000 sf
	Shopping Center	0.166 1,000 sf/DU	

1. Land use changes are based on net daily and external PM peak hour two-way project traffic with a 25% internal capture.
2. Equivalency factors are based on the ITE Trip Generation 9th Edition (2012), average rate for each land use.

Examples:

- Add 60 Residential PUD dwelling units by reducing 10,500 sf of Shopping Center (60 x 0.166)
- Add 8,000 sf of Shopping Center by reducing 48 PUD dwelling units (8 x 6.016)
- Reduce 20,000 sf of Shopping Center by adding 121 PUD dwelling units (20 / 0.166)
- Reduce 50 PUD dwelling units by adding 8,300 sf of Shopping Center (50 / 6.016)

6.2 PD-M Zoning

If the County pursues applying the PD-M Zoning to the area with site (area) specific standards, the County, as one of the next steps in the Master Plan process, will be required to establish the code provisions needed for implementation consistent with the intent of the PD-M Zoning and the Moyock Mega-Site Master Plan, as may be amended.

6.2.1 Rezoning

Rezoning to the PD-M could occur in two ways: Property Owner initiated and County initiated. The County initiated process could also serve as a development incentive by allowing the rezoning of properties, consistent with the Moyock Mega-Site Master Plan and PD-M standards with the County serving as the “applicant” or “authorized agent” on behalf of the interested property owners. The alternative would require the individual property owners to pursue and request rezoning and could result in a piecemeal approach to the land use process.

- PD-M is the recommended zoning district since it is currently adopted and established by the County within the UDO. The PD-M has been previously implemented, albeit not to the scale proposed for the Moyock Mega-Site Master Plan.
- If certain properties do not agree with a general rezoning, the UDO provisions and Moyock Mega-Site Master Plan could still be adopted with the caveat that only those properties formally rezoned may utilize the PD-M Moyock Mega-Site Master Plan standards and development incentives.



Currituck County Moyock Mega-Site Master Plan

6.2.2 PD-M (Planned Development – Mixed)

Section 3.7.4.C. PD-M Development Standards notes the standards in Chapter 5 shall apply to all development in PD-M districts but some of those standards may be modified as part of the master plan if consistent with the general purpose of the PD-M district...” The County, as a next step in the Master Planning process should identify those specific design components (i.e., thoroughfare standards, perimeter buffering, etc.) applicable to this area.

6.2.3 Phases of Development

The County could also establish phasing components or “triggers” based on the desired development schedules. For example, if development is desired within/along the NC-168 Corridor initially, the County could implement the Moyock Mega-Site Master Plan and code for those areas first (approve the full Moyock Mega-Site Master Plan but subsequent areas would be “conceptually” approved/planned). Upon certain levels of development occurring along the corridor, the next phase could be zoned/implemented. Standards are typically included in the Code which allow for modification of the timing schedule based on certain events or improvements.

6.3 Understanding the PD-M Moyock Mega-Site Master Plan Code

The following information (recommended outline) may be applied to the Moyock Mega-Site Master Plan specific zoning district standards developed under the PD-M and corresponding Moyock Mega-Site Master Plan:

- A. District Purpose
 - 1. Purpose
 - 2. Location/Area of Application
- B. General Standards (Standards of General Applicability)
 - 1. Environmental Protection Standards
 - a. Existing Development (what is currently constructed is grandfathered; identify percent of change that would necessitate compliance).
 - 2. Previously Issued Permits and Approvals (if separate from Chapter X)
- C. Development Standards
 - 1. Uses/Use Table
 - a. Limited Use Areas
 - i. Transportation Corridor Overlay District (TCOD)
 - a. Prohibited Uses
 - b. Setback Requirements
 - c. Roadway Typical Sections
 - d. Access Management Requirements
 - ii. Utility Corridor Overlay District (UCOD)
 - a. Designation of Utility Easements
 - b. Setback Requirements
 - c. Establish Designated Utility Corridors
 - 2. Dimensional Standards
 - a. Lots
 - b. Coverage
 - c. Building Zones (aka, Setbacks/build to line) (recommend ranges of either for maximum flexibility)



Currituck County Moyock Mega-Site Master Plan

3. Transportation/Connectivity
 - a. Public Street Functional Classifications/Hierarchy
 - b. Multi-modal Considerations
 - c. Sidewalk Network
 - d. Greenway/Trail System/Network
4. Parking (consolidate, simplify parking standards into broad groups with ranges; eliminate references to 100-125%, 175%)
 - a. Parking lot locations, design
 - b. Bicycle
5. Signage
6. Building Standards
 - a. Height
 - b. Frontage (assume certain percent of building located within building zone)
 - c. Other
7. Open Space (individual site versus sub-district)
8. Parks/Open Spaces
9. Landscape/buffering
 - a. Perimeter
 - b. Vehicle use areas
 - c. Other (non perimeter/VUA areas)
10. Other Design/Development Standards
 - a. Building/architectural design
11. Additional Development Standards
 - a. Sub-Area Standards (note: if applying varying density and intensity standards, those would be identified in this section)
- D. Administration
 1. Relation to Master Plan (could be moved to Section B if recommended)
 2. Incentives (additional) to development
 3. Review Process(es)
 4. Application of Standards
 5. Alternative Design Standards Review/Process
 6. Modifications; Minor and Major (what constitutes what)
 7. Definitions (not included in Chapter X as applicable)

6.4 Additional Information

Examples of specific code components and/or code resource tools the County should consider for application during the development of PD-M Moyock Mega-Site Master Plan zoning code consist of the following:

6.4.1 Utility Corridor Overlay District

A proposed sub-area (overlay) code which would further regulate certain properties along the Moyock primary utility corridor. The purpose of establishing Utility Corridor Overlay District(s) (UCOD) is to mitigate conflicts between public and private franchise utility providers such that utility easement designations within the defined “corridors” results in an enhanced character of major gateways, greenways, and transportation corridors adjacent to and within the designated Moyock Mega-Site Master Plan development area.



Currituck County Moyock Mega-Site Master Plan

6.4.2 Transportation Corridor Overlay District

An additional sub-area (overlay) code which would regulate certain, primary transportation corridors and, “help bridge the gap as it relates to access management and development standards between those who control the road and those who control land use. The Transportation Corridor Overlay District(s) (TCOD) will provide the ability to incorporate access management recommendations as well as deal with development issues typically outside the domain of transportation agencies.

6.4.3 Employment Transect

The Employment Transect is intended to provide incentives for the development of specialized, mixed-use nodes with increased standards for development. The purpose of this Transect and the associated Code is to provide the regulatory framework necessary to achieve a particular vision for a Master Planned Community. The intent of the Employment Transect is to also provide the flexibility to accommodate a mix of uses while establishing a consistent set of development standards. The Employment Transect is intended provide an optional development pattern and approach by providing a planning and regulatory framework to support and enhance growth and development as it occurs.

7.0 Implementation Next Steps

To maintain the momentum of the master planning effort and for the vision of the Moyock Mega-Site Master Plan to come to fruition, the County must implement several key next steps. The endorsement and adoption of the Moyock Mega-Site Master Plan by the County’s Planning Board and Board of Commissioners is the most immediate action that needs to occur next. Following the adoption of the Moyock Mega-Site Master Plan, supplemental next steps consist of the following:

- Incorporate the Moyock Mega-Site Master Plan into the “Imagine Currituck” future land use plan
- Implement/update the County’s Unified Development Ordinance to support the Plan
 - PD-M (Moyock Mega-Site Master Plan) specific code needs to be written, adopted, and incorporated into the County’s UDO
 - Moyock Mega-Site Master Plan specific code will/is intended to enhance the entitlement process
 - New code section will define acceptable land uses, associated acreages, development densities by land use and/or residential product type
 - New code will establish development standards and design guidelines
- Begin to “Market” the Plan
 - Intent is to remove “Mega” from the name
 - County’s marketing firm and/or County need to pick top three (3) candidate names
 - Select new development name within 60 days of the adoption of the plan
 - Market and/or begin to create a brand for the Moyock Mega-Site Master Plan master planned development
- Continue to engage and coordinate with property owners, existing and potential developers, land/real estate brokers, and the Moyock Community.
 - Establish a Steering Committee comprised of key stakeholders
 - This group will provide a first level of stakeholder input as the implementation of the plan continues to move forward



Currituck County Moyock Mega-Site Master Plan

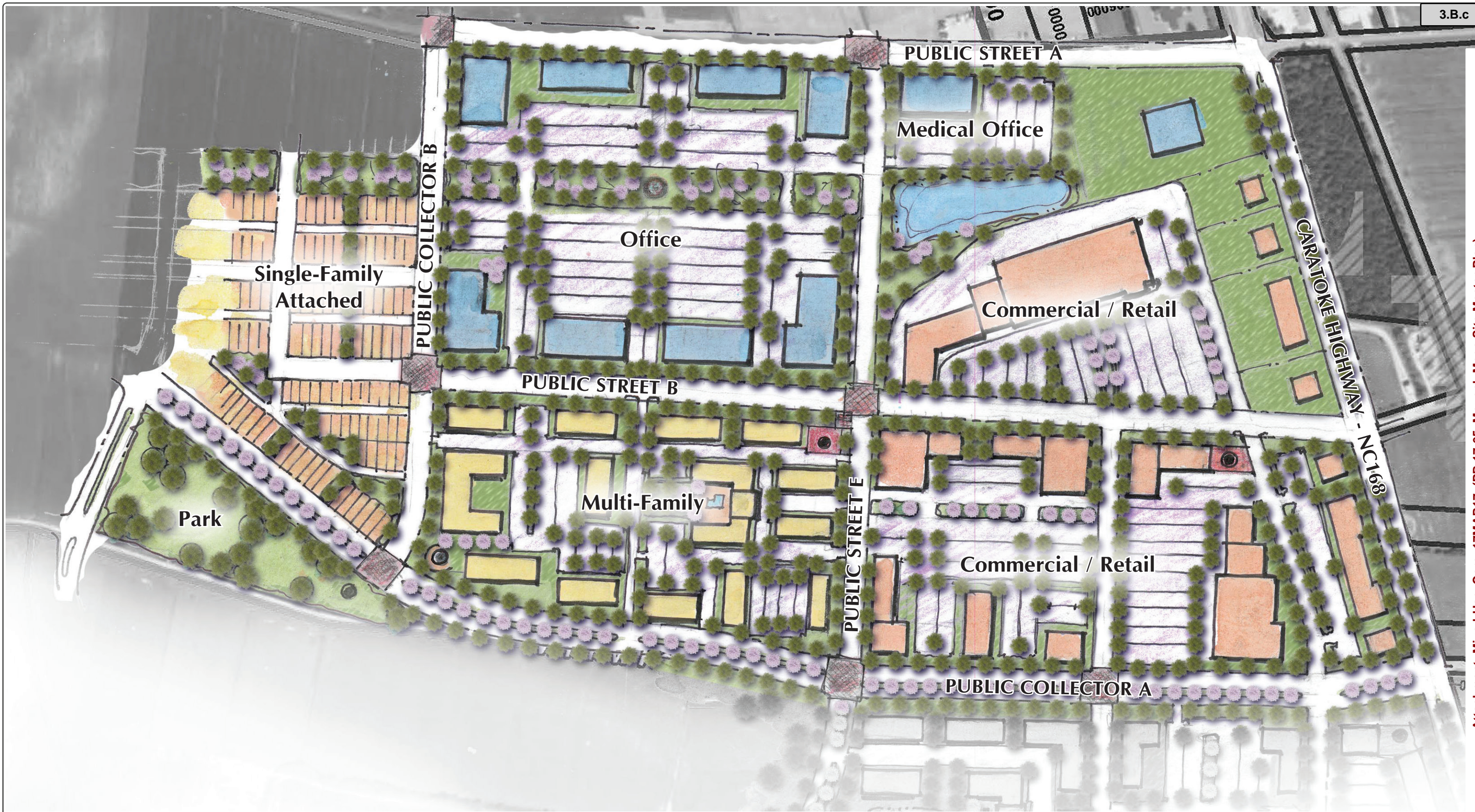
- Meet on a regular basis to keep this group informed and engaged in the process
- Maintain practice of conducting Moyock Community Information Meetings
 - Brief community on project status (e.g., status of updating the code, new name of master planned development, components/item of interest in the code, etc.)
 - Schedule on a bi-annual or quarterly basis
- Establish Development Strategies
 - Identify and define logical phases of development
 - Land uses and intensities should be consistent with expected market demand
 - County should not be overburdened with level(s) of infrastructure investment
 - Maintain or protect “Catalyst” or “Opportunity” sites
 - Seek to establish development agreements amongst land owners where feasible
- Prepare a Master Transportation Plan
 - Transportation network/system needs to be defined based on proposed land uses, locations, and anticipated densities
 - Continue coordination with NCDOT
 - Multi-modal approach
 - Roadway typical sections incorporated into PD-M code to set expectations for transportation infrastructure needs.
- Prepare Storm Water Master Plan
 - Demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Water Distribution Master Plan
 - Demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Sanitary Sewer Master Plan
 - Demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Infrastructure Improvement Cost Estimates
 - Utilities
 - Storm Water
 - Transportation
 - Infrastructure cost estimates should reflect ultimate investment to accommodate build out as well as infrastructure needs to support realistic phases of development
- Identify Funding Mechanisms
 - Traditional
 - Alternative and/or shared funding strategies

The identified next steps are not all inclusive and there are additional details associated with each beyond what need to be referenced for this document. However, this list is intended to provide a general outline of the policies, updated code requirements, subsequent planning and preliminary engineering efforts, and strategies that need to be further pursued in order to facilitate the ultimate development of the Moyock Mega-Site Master Plan.

Moyock Masterplan: Development Summary - updated 01/25/17

Site		Acres	Market Demand	Variance	ROW Width	Length
Industrial						
IND A	Industrial A	217				
IND B	Industrial B	159				
IND C	Industrial C	129				
SUBTOTAL		505	200	305		
Office						
OFF-1	Office 1	7				
OFF-2	Office 2	43				
OFF-3	Office 3	24				
OFF-4	Office 4	7				
OFF-5	Office 5	7				
OFF-6	Office 6	35				
SUBTOTAL		123	25	98		
Office + Industrial						
O/I 1	Office + Industrial 1	56				
O/I 2	Office + Industrial 2	85				
SUBTOTAL		141	200	-59		
Retail						
RET 1	Retail 1	9				
RET 2	Retail 2	11				
RET 3	Retail 3	15				
RET 4	Retail 4	17				
RET 5	Retail 5	12				
RET 6	Retail 6	20				
D/C	Daycare	7				
SUBTOTAL		91	50	41		
Residential						
MF-1	Multi-Family	24				
TH-1	Townhomes	24				
TH-2	Townhomes	41				
LDR-1	Single Family Detached	107				
LDR-3	Single Family Detached	159				
LDR-4	Single Family Detached	54				
LDR-5	Single Family Detached	53				
LDR-6	Single Family Detached	133				
LDR-7	Single Family Detached	190				
SUBTOTAL		785	920	-135		
Legacy Residential						
LDR-EXISTING	Single Family Detached	53				
SUBTOTAL		53				
County						
CEM	Cemetery	7				
PS	Public School	50				
WWTP 1	County Wastewater Treatment	66				
WWTP 3	County Wastewater Treatment	70				
SUBTOTAL		193	110	83		
Stormwater						
POND 1	Pond 1	25				
POND 2	Pond 2	18				
POND 3	Pond 3	5				
POND 4	Pond 4	20				
POND 5	Pond 5	23				
POND 6	Pond 6	77				
POND 7	Pond 7	21				
POND 8	Pond 8	23				
POND 9	Pond 9	9				
POND 10	Pond 10	16				
POND 11	Pond 11	88				
SUBTOTAL		325	350	-25		
Wetlands						
1	Wetland 1	10				
2	Wetland 2	702				
3	Wetland 3	191				
4	Wetland 4	51				
SUBTOTAL		954	1,100	-146		
Open Space						
OS-1	Misc. Open/Undevelopable	34				
OS-2	Misc. Open/Undevelopable	24				
PARK A	Park A	25				
PARK B	Park B	83				
PARK C	Park C	19				
PARK D	Park D	18				
PARK E	Park E	20				
PARK F	Park F	15				
PARK G	Park G	8				
SUBTOTAL		246	287	-41		
Right-Of-Way						
1	E-W Connector	83			212	17,000
2	Central Parkway	24			120	8,854
3	By-Pass Road	17			180	4,000
4	Public Connector	6			80	3,207
5	Public Street A	11			80	6,140
6	Public Street B	5			70	3,140
7	Public Collector	16			115	5,900
8	Public Street D	4			80	2,341
9	Public Street E	12			80	6,751
10	Public Road F	5			70	3,166
11	Public Road G	8			80	4,357
12	Public Road H	3			70	1,575
13	Public Road I	3			70	1,804
14	Public Road J	5			70	3,272
15	Traffic Circle	26				
16	Lazy Corner Road	0			40	540
17	Newtown Road	3			50	2,971
18	Misc Public ROW	0				
19	Relocated South Mills Road	4			40	4,125
20	Lazy Corner Road Extension	1			70	720
SUBTOTAL		236	350	-114		
TOTAL		3,652	3,392	260		

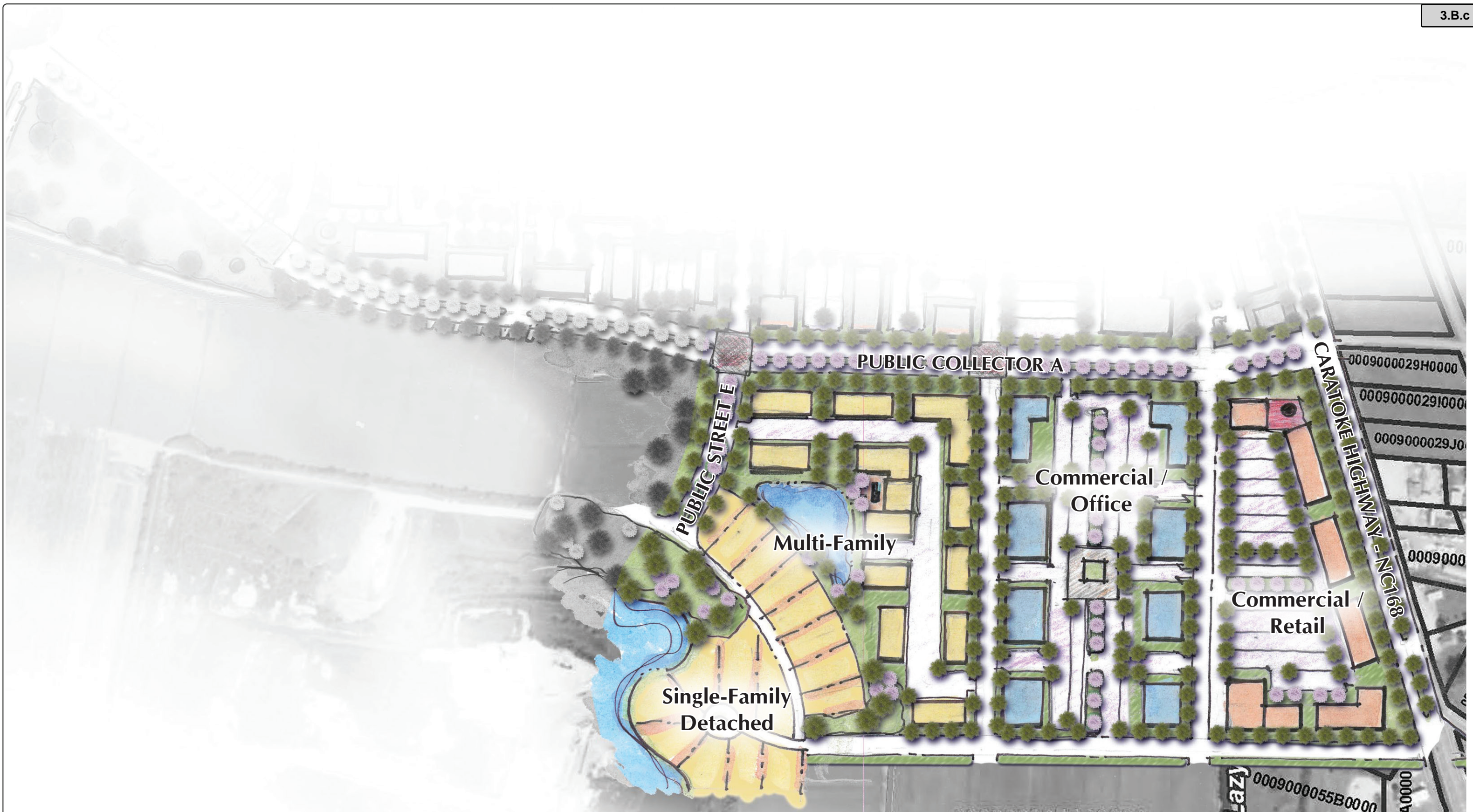
Attachment: Moyock Development Summary 20170125 (PB 17-05 Moyock Mega Site Master Plan)



MOYOCK MEGA-SITE
Currituck County, NC



CONCEPTUAL AREA PLAN
MIXED-USE CORE
03.10.2017 Scale: 1" = 300'-0"

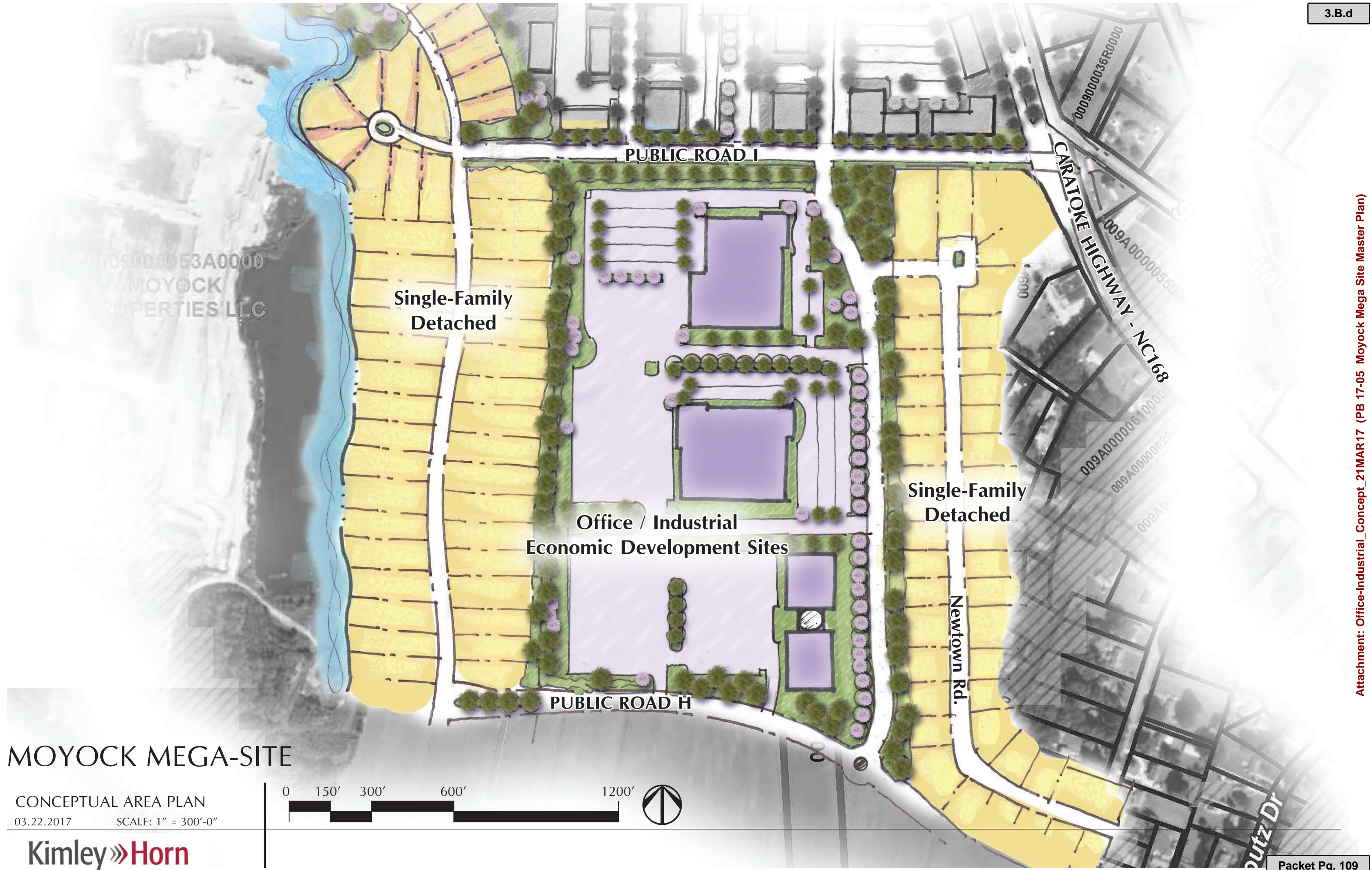


MOYOCK MEGA-SITE

Currituck County, NC

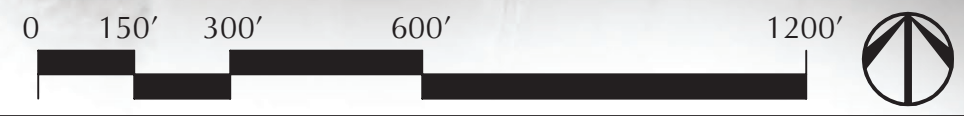


CONCEPTUAL AREA PLAN
TRANSITIONAL AREA
03.10.2017 Scale: 1" = 300'-0"



MOYOCK MEGA-SITE

CONCEPTUAL AREA PLAN
03.22.2017 SCALE: 1" = 300'-0"





Currituck County Agenda Item Summary Sheet

Agenda ID Number – 1917

Agenda Item Title: Public Hearing and Action: PB 17-04 Currituck County: 2017 UDO Housekeeping Amendment

Submitted By: Donna Voliva – Planning & Community Development

Item Type:

Presenter of Item: Laurie LoCicero

Board Action: Action

Brief Description of Agenda Item:

The 2017 Housekeeping Amendment to modify and correct the Unified Development Ordinance Chapter 2 Administration, Chapter 4 Use Standards, Chapter 5 Development Standards, Chapter 7 Environmental Protection, Chapter 9 Enforcement and, Chapter 10 Definitions and Measurements.

Planning Board Recommendation:

Staff Recommendation:

TRC Recommendation:



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: Board of Commissioners

From: Planning Staff

Date: July 17, 2017

Subject: PB 17-04 Currituck County – 2017 Housekeeping Amendment

The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to clarify and revise miscellaneous sections of the Unified Development Ordinance (UDO) as it relates to:

- Item 1 Modifies Planning Board appointments by the Board of Commissioners.
- Item 2 Corrects the North Carolina Department of Environmental Quality (NCDEQ) department name change.
- Item 3 Corrects the appeal process for a notice of violation.
- Item 4 Provides driveway standards for double frontage lots.
- Item 5 Provides language for additional community meetings when development proposals and applications result in substantive revisions.
- Item 6 Clarifies the parking requirements for development that result in an increase in the number of bedrooms.
- Item 7 Corrects language to be consistent with the model flood ordinance for mobile homes replaced in coastal high hazard areas (VE zones).
- Item 8 Corrects reference errors in Chapter 4 Use Standards and Chapter 10 Definitions and Measurement for Gasoline Sales, Home Occupations, Land Application of Sludge or Septage, Outdoor Storage, and Outdoor Display and Sales.

Planning Board Recommendation:

Shay Ballance motioned to recommend approval as presented by staff. Mr. O'Brien seconded the motion and the motion carried unanimously.

Planning Board Discussion (6/13/17)

Donna Voliva presented the staff report for the Currituck County 2017 Housekeeping Amendment which clarifies and revises miscellaneous sections of the Unified Development Ordinance (UDO).

Chairman Bell asked for questions from the board.

With no questions, Chairman Bell entertained a motion.

Shay Ballance motioned to recommend approval as presented by staff. Mr. O'Brien seconded the motion and the motion carried unanimously.

**PB 17-04
CURRITUCK COUNTY**

Amendment to the Unified Development Ordinance Chapter 2 Administration, Chapter 4 Use Standards, Chapter 5 Development Standards, Chapter 7 Environmental Protection, Chapter 9 Enforcement, and Chapter 10 Definitions and Measurement.

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 2. Administration is amended by adding the following underlined language and deleting the struck-through language:

2.2.3. Planning Board

B. Membership, Appointment, and Terms of Office

(1) General

- (a) The Planning Board shall consist of ~~a total of nine~~ seven regular-members appointed by the Board of Commissioners. Each County Commissioner may appoint one member from any electoral district in the county, two of which shall be at-large members. ~~The remaining two members shall be designated as at-large appointees by the entire Board of Commissioners. One shall reside on the mainland. The other shall reside on the Outer Banks.~~
- (b) Planning Board members shall reside within the county. A change in residence to a location outside the county shall constitute a resignation from the Planning Board, effective upon the date a replacement is appointed.
- (c) Planning Board members shall be appointed for two-year staggered terms, and may continue to serve until their successors are appointed.
- (d) Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term only.

Item 2: That Chapter 4. Use Standards and Chapter 10. Definitions and Measurement are amended by adding the following underlined language and deleting the struck-through language:

4.2.3. Institutional Uses

K. Wind Energy Facility, Large

(15) Environmental Review Required

An application for a large wind energy facility shall require review by ~~NC DENR~~, NCDEQ USACOE, the US Fish and Wildlife Service, and the NC Wildlife Resources Commission. All comments from these agencies shall be included with the application.

4.2.5. Industrial Uses

A. Extractive Industry

(ii) Monitoring Wells

Monitoring wells may be required for mining activities with dewatering operations when an existing in use well, pond, or a source of salt water intrusion is within a 1,500 foot radius of the excavation area. A plan shall be provided outlining groundwater monitoring strategies which demonstrates the effects of pumping. Monitoring well requirements shall include the following:

- (A) Monitoring wells to assess hydrogeological conditions shall be constructed to comply with the provisions of ~~NC DENR~~ NCDEQ rule 15A NCAC 02C – Well Construction Standards.
- (B) Install to a depth equal to the maximum depth of the mine dewatering operation.

- (C) Monitoring wells shall be located between the excavation area and the in use wells or pond and located as close as possible to the mine property line. In no instance shall the monitoring well be located closer than one-third the distance from the in use well to the mine. In some instances, it may be necessary to install the well on adjacent properties, in which case a well construction permit will be required through ~~NC DENR~~ NCDEQ.

10.2 TABLE OF ABBREVIATIONS

TABLE 10.2: ABBREVIATIONS	
ABBREVIATION	ASSOCIATED TERM
NC DENR or DENR <u>NCDEQ or DEQ</u>	North Carolina Department of Environment and Natural Resources <u>Environmental Quality</u>

10.5 DEFINITIONS

CAMA

North Carolina's Coastal Area Management Act. This act, along with the Dredge and Fill Law and the federal Coastal Zone Management Act, is managed through North Carolina Department of ~~Environment and Natural Resources~~ (NCDENR's) Environmental Quality's Division of Coastal Management (DCM).

Item 3: That Chapter 9. Enforcement is amended by adding the following underlined language and deleting the struck-through language:

9.6.2. Civil Penalties

A. General

In addition to the other remedies cited in this Ordinance for the enforcement of its provisions, the standards in this Ordinance may be enforced through the issuance of civil penalties.

B. Citation

Violation of this Ordinance subjects the violator to a civil penalty. To impose a civil penalty, the Planning Director shall first provide the violator a written citation, either by mail or personal service. The citation shall describe the violation, specify the amount of the civil penalty being imposed, and direct the violator to correct the violation and pay the civil penalty to the county within a stated time period. Unless otherwise specified, each day's continuing violation of any provision of this Ordinance shall be separate and distinct offense.

C. Amount of Civil Penalty

The amount of civil penalties for violations of this Ordinance shall not exceed a maximum amount of \$500 per day for each day the violation continues.

D. Recovery of Civil Penalty

- (1) If the violator fails to pay the civil penalty within ten days of the citation, the county may recover the penalties in a civil action in the nature of debt.
- (2) A civil penalty may not be appealed to the Board of Adjustment. ~~if the appeal is not filed within the time period specified in the citation.~~

Item 4: That Chapter 5. Development Standards is amended by adding the following underlined language:

5.6.7. Driveway and Access Standards

A. General Standards

- (7) Driveways on corner and double frontage lots shall provide access from the street with less traffic to the maximum extent practicable.

Item 5: That Chapter 2. Administration is amended by adding the following underlined language and deleting the struck-through language:

2.3.3. Community Meeting

A. Purpose

The purpose of the community meeting is to inform owners and occupants of nearby lands about a proposed development application that is going to be reviewed under this Ordinance, and to provide the applicant an opportunity to hear comments and concerns about the development proposal as a means of resolving conflicts and outstanding issues, where possible.

B. Favored Practice

Community meetings are encouraged as opportunities for informal communication between applicants and the owners and occupants of nearby lands, and other residents who may be affected by development proposals.

C. Applicability

(1) Community Meeting Mandatory

A community meeting is required before submittal of any of the following applications:

- (a) Zoning map amendments to establish a more intense base zoning district;
- (b) Conditional rezonings;
- (c) Planned developments;
- (d) Use permits; and

- (e) Type II preliminary plats (for major subdivision) of 50 lots or more.

(2) Community Meeting Optional

A community meeting is encouraged, but not required, before submittal of any other development application that is subject to a public hearing (see Table 2.3.6.A, Required Public Hearings).

D. Procedure

If a community meeting is held by the applicant, it shall comply with the following procedures:

(1) Time and Place

The meeting shall be held at a place that is convenient and accessible to neighbors residing in close proximity to the land subject to the application.

(2) Notification

(a) Mailed Notice

The applicant shall mail notice of the meeting a minimum of ten days in advance of the meeting to the Planning Director and all persons to whom mailed notice of a public hearing on the development application is required by Section 2.3.6, Public Hearing Scheduling and Public Notification.

(b) Posted Notice

The applicant shall post notice of the community meeting on the land subject to the application for at least ten days before the date fixed for the meeting, in a form established by the Planning Director. Signs used for posted notice shall have a minimum size of six square feet per side.

(c) Notice Content

Notices shall identify the date, time, and place of the meeting and applicant contact information.

(3) Conduct of Meeting

At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to questions and concerns neighbors raise about the application, and propose ways to resolve conflicts and concerns.

(4) Staff Attendance

County staff shall attend the meeting for the purpose of advising attendees about applicable provisions of this Ordinance and the land use plan, but shall not serve as facilitators or become involved in discussions about the development proposal.

(5) Written Summary of Community Meeting

The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments, discuss issues related to the development proposal, and any other information the applicant deems appropriate. The meeting summary shall be included with the application materials and be made available to the public for inspection.

(6) Response to Summary

Any person attending the community meeting may submit a written response to the applicant's meeting summary to the Planning Director within 30 days after the application is determined complete. The response may state their understanding of attendee comments, discuss issues related to the development proposal, and include any other information they deem appropriate. All written responses to the applicant's summary of the community meeting shall be transmitted to the applicant, included with the application materials, and made available for public inspection.

(7) Additional Meetings

The applicant shall hold additional meetings to explain revised development proposals and applications that result in significant substantive revisions explained at a previous community meeting.

Item 6: That Chapter 5. Development Standards is amended by adding the following underlined language:

5.12. Applicability

A. General

These off-street parking and loading standards shall apply to all development in the county.

B. Time of Review

Review of proposed development to ensure compliance with the standards of this section shall occur at time of site plan (Section 2.4.7), planned development master plan (Section 2.4.5) zoning compliance permit (Section 2.4.9), or temporary use permit (see Section 2.4.11), whichever occurs first.

C. Existing Development

(1) Change in Use

Any change in use of an existing development shall provide the additional off-street parking and loading facilities required to comply with this section.

(2) Expansion and Enlargement

Any expansion or enlargement of an existing structure that will increase the number of units upon which the applicable parking standard is based (e.g., square feet, employees, dwelling units, seats, bedrooms) shall provide additional off-street parking, loading, and circulation facilities as required by application of these minimum off-street parking, loading, and circulation standards, unless exempted.

(3) Nonconforming Parking or Loading Facilities

Expansion or enlargement of an existing development on a site that does not comply with the standards of this section shall comply with the standards of Section 8.6, Nonconforming Sites.

D. Exemptions

The following activities are exempt from the requirements of this section:

- (1) Re-stripping an existing parking lot which does not create a deficient number of parking spaces or nonconforming situation;
- (2) Expansion of a single-family or duplex dwelling that does not increase the number of bedrooms; and
- (3) Rehabilitation or re-use of an historic structure.

Item 7: That Chapter 7. Environmental Protection Standards is amended by adding the following underlined language and deleting the following struck-through language:

7.4.5. Flood Certificates / Certifications

All development within a special flood hazard area shall obtain all required flood certificates or certifications in accordance with this section and Table 7.4.5, Flood Certificates.

TABLE 7.4.5: FLOOD CERTIFICATES			
CERTIFICATE TYPE	TYPE OF DEVELOPMENT SUBJECT TO REQUIREMENT	FLOOD ZONE WHERE REQUIRED	TIMING
Elevation Certificate	All residential and nonresidential development [1]	A, AE, VE, AEFW [3]	Under construction– required prior to scheduling rough in inspection; As-built – required prior to occupancy
Floodproofing	All nonresidential development		Prior to start of construction

TABLE 7.4.5: FLOOD CERTIFICATES

CERTIFICATE TYPE	TYPE OF DEVELOPMENT SUBJECT TO REQUIREMENT	FLOOD ZONE WHERE REQUIRED	TIMING
Certificate	with floor area below base flood elevation [1] [2]		
Foundation Certification	Manufactured home with chassis 36 inches or more above grade [4]	A, AE	Prior to issuance of building permit
Watercourse Alteration Certification	Development seeking to alter or relocate a watercourse	A, AE, AEFW, VE	Prior to floodplain development permit
V-Zone Certificate	All residential and nonresidential development	VE	Required as part of Building Permit

NOTES:

[1] Recreation vehicles, temporary structures, and accessory structures less than 150 square feet in area in the A and AE flood zones must comply with the standards of this section, but are exempted from elevation and flood-proofing certificate requirements

[2] Development subject to a floodproofing certificate is not required to obtain an elevation certificate

[3] Floodproofing is not permitted within the VE zone

[4] ~~Manufactured homes are not permitted in the VE zone~~

7.4.6. Standards

B. Standards for Coastal High Hazard Areas (VE Zones)

(7) Allowed Uses

- (a) No manufactured homes shall be permitted in the coastal high hazard flood zone, except for replacement manufactured homes located in existing manufactured home parks and subdivisions permitted by this ordinance subject to the standards in Section 7.4.6.A.4.

- (b) Recreational vehicles are permitted in the coastal high hazard flood zone, subject to the standards in Section 7.4.6.A.7, Recreational Vehicles.

Item 8: That Chapter 4. Use Standards and Chapter 10 Definitions and Measurement is amended by adding the following underlined language and deleting the following struck-through Section and Table references for Gasoline Sales, Home Occupations, Land Application of Sludge or Septage, Outdoor Storage, and Outdoor Display and Sales:

<u>UDO Section</u>	<u>Amendment Request</u>
Section 4.2.4.H (1)(c)	4.3.3. P.Q.
Section 4.2.4.H.(2)(c)	4.3.3. P.Q.
Section 4.2.4.H.(3)(a)	4.3.3. P.Q.
Section 4.2.4.I.(2)(b)	4.3.3. P.Q.
Section 4.2.4.I.(2)(c)	4.3.3. I.J.
Section 4.2.5.B.(2)	4.3.3. P.Q.
Section 4.2.5.E.(6)(b)	4.3.3. P.Q.
Section 4.3.3.O.(1)	4.3.3. N.Q.
Section 4.3.3.Q.(5)	4.3.3. P.Q.
Section 4.4.6.C.	4.3.3. O.P.
Section 10.4.3.A.(1)	4.3.3. J.K.

Item 9: 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 10: 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: 6/13/2017
 PLANNING BOARD RECOMMENDATION: Approval
 VOTE: 7 AYES 0 NAYS
 ADVERTISEMENT DATE OF PUBLIC HEARING: 7/05/2017 & 7/16/2017
 BOARD OF COMMISSIONERS PUBLIC HEARING: 7/17/2017
 BOARD OF COMMISSIONERS ACTION: _____
 POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
 AMENDMENT NUMBER: _____

Attachment: 17-04 Housekeeping Amendments (BOC 7-17-2017) (PB 17-04 Currituck County)