



CURRITUCK COUNTY NORTH CAROLINA

June 11, 2019
Minutes – Regular Meeting of the Planning Board

WORK SESSION

The Currituck County Planning Board held a work session at 5:30 PM in the Historic Courthouse Conference Room with five board members present. Jennie Turner, Planner II, briefed board members on the progress of the dune protection outreach. At the direction of the Planning Board from the May 14th meeting, Planning Staff held a public meeting on May 30th at the Wildlife Education Center in Corolla to address concerns. Approximately 30 citizens were present along with Commission White and Commissioner Beaumont. Following this meeting the Board of Commissioners scheduled a work session on the dune protection ordinance for June 17th (**UPDATE for June 12, 2019: The dune protection discussion scheduled for the June 17th Board of Commissioners Work Session was postponed until a future date.**) Ms. Turner went over several points discussed at the stakeholders meeting. She said the Dune Protection Text Amendment will be brought back to the Planning Board for their recommendation once the Board of Commissioners complete their work session with this topic included in the agenda. Ms. Turner thanked the Planning Board for tabling the Dune Protection Amendment and requesting more information before making their recommendation.

Discussion was held on amending tonight's agenda to remove PB 19-13 Currituck County - Minor Subdivision Text Amendment. The Staff Report is still being revised and needed further approval. Donna Voliva, Assistant Planning Director, briefed the board members on some of the changes within that text amendment and said once it meets staff's approval it would be presented to the Planning Board for recommendation at the July 9th meeting.

Donna Voliva briefed the board members on PB 19-12 Currituck County - Building Height Text Amendment and said it came from the need for extra height for the Public Safety Building. Discussion was held on whether the 35' height requirement was originally set for public safety concerning length of Fire Department ladders. Ms. Voliva said it was not and buildings require a sprinkler system when the height is 50' or 55' feet. Discussion was also held on setbacks for residential

The work session adjourned at 5:58 PM.

CALL TO ORDER - 6:00 PM

The Planning Board met in a regular session at 6:00 PM in the Board meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

| Attendee Name | Title | Status | Arrived |
|------------------|---------------|---------|---------|
| C. Shay Ballance | Chairman | Present | |
| Garry Owens | Vice Chairman | Present | |
| K. Bryan Bass | Board Member | Present | |

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|---------------------|---|---------|--|
| David Doll | Board Member | Present | |
| Anamarie Hilgendorf | Board Member | Absent | |
| Juanita S Krause | Board Member | Present | |
| J. Timothy Thomas | Board Member | Absent | |
| 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 | |

Chairman Ballance called the meeting to order at 6:01 PM.

A. Pledge of Allegiance & Moment of Silence

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

B. Ask for Disqualifications

Chairman Ballance asked if any board member had a conflict of interest. There were no conflicts noted.

C. Announce Quorum Being Met

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

D. Approval of Agenda

Chairman Ballance asked for a motion to approve the agenda for tonight's meeting. Ms. Voliva asked for the agenda to be amended to remove New Business, Item B. PB 19-13 Currituck County Minor Subdivision Text Amendment from the agenda. Mr. Bass motioned to approve with the requested amendment. Mr. Doll seconded the motion and the motion carried unanimously.

| | |
|----------------|---|
| RESULT: | APPROVED [UNANIMOUS] |
| AYES: | C. Shay Ballance, Chairman, Garry Owens, Vice Chairman, K. Bryan Bass, Board Member, David Doll, Board Member, Juanita S Krause, Board Member |
| ABSENT: | Anamarie Hilgendorf, Board Member, J. Timothy Thomas, Board Member |

APPROVAL OF MINUTES FOR MAY 14, 2019

Chairman Ballance asked if there were any changes needed for the minutes of May 14, 2019. No changes were noted. Ms. Krause motioned to approved as presented. Mr. Owens seconded the motion and the motion carried unanimously.

| | |
|----------------|---|
| RESULT: | APPROVED [UNANIMOUS] |
| AYES: | C. Shay Ballance, Chairman, Garry Owens, Vice Chairman, K. Bryan Bass, Board Member, David Doll, Board Member, Juanita S Krause, Board Member |
| ABSENT: | Anamarie Hilgendorf, Board Member, J. Timothy Thomas, Board Member |

E. PB Minutes May 14, 2019

OLD BUSINESS**A. PB 19-07 Currituck County Text Amendment - Dune Protection:**

Ms. Turner updated the board on the public outreach requested by the Planning Board concerning the future dune protection ordinance. Ms. Turner said emails were sent to stakeholders and the original date of the meeting was rescheduled to accommodate the Home Builders Association. The Planning Staff held the meeting on May 30th at the Wildlife Education Center in Corolla to give the citizens and home builders a brief review of the text amendment and to hear their concerns. Ms. Turner provided the board with a memo outlining the discussion points. Ms. Turner said the attendees requested another meeting and the Board of Commissioners plan to have a work session on June 17th to discuss the dune protection (Update 6/12/19 - the dune protection discussion has been removed from the Board of Commissioner's work session agenda scheduled for 6/17/19 until further notice). Staff will advise the Planning Board with the Board of Commissioner's direction following the work session.

NEW BUSINESS**A. PB 19-12 Currituck County - Height:**

Donna Voliva, Assistant Planning Director, presented the staff report and explained structure height rules of measurement, compatibility standards when located within 100 feet of a property containing an existing single family dwelling. Ms. Voliva showed images illustrating the staff's recommendation of an increased setback for structures above 35' when located beside single family dwellings. She gave comparison data from other counties that are close or similar to Currituck County. Ms. Voliva said the Unified Development Ordinance (UDO) currently limits all structures to a 35' maximum height across all zoning districts and this limit has been set for many years. Ms. Voliva explained the review standards and said the 2006 Land Use Plan does not directly address specific policies for structure height, but the plan establishes land use and development goals which relate to the compatibility. These are Goal 5, to diversify the County's economic base and Goal 10, to properly distribute development forms in accordance with the suitability of land, infrastructure available and compatibility of surrounding land uses. Staff recommends approval of the request with the incorporation of an increased setback for structures above 35'. The increased setback would be 1' for every 1' above 35' if fire protection can be achieved, community compatibility standards are maintained and the Statement of Consistency and Reasonableness as recommended by staff is adopted.

Chairman Ballance asked board members if they had any questions for staff. Mr. Bass asked how many Heavy Industrial (HI) zoning districts were currently in Currituck County. Ms. Voliva named several business located in the HI zoning district and gave their locations. Ms. Krause asked if any of those businesses were currently at 65' and Ms. Voliva said there were none.

There were no public present to speak.

Chairman Ballance asked for a motion. Mr. Doll motioned to approve. Chairman Ballance clarified Mr. Doll's motion to approve the Currituck height limit request as written and then to include a 1' to 1' setback above 35' provided adequate fire protection can be achieved, community compatibility standards are maintained, and the following suggested Statement of Consistency and Reasonableness as recommended by staff is adopted: The request is

consistent with the 2006 Land Use Plan and in the reasonable public interest. Mr. Doll agreed to this motion. Mr. Bass seconded the motion and the motion carried unanimously.

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|----------------|---|-------------------------------|
| RESULT: | RECOMMENDED APPROVAL [UNANIMOUS] | Next: 7/1/2019 6:00 PM |
| AYES: | C. Shay Ballance, Chairman, Garry Owens, Vice Chairman, K. Bryan Bass, Board Member, David Doll, Board Member, Juanita S Krause, Board Member | |
| ABSENT: | Anamarie Hilgendorf, Board Member, J. Timothy Thomas, Board Member | |

ANNOUNCEMENTS

Ms. Voliva said Currituck Station language will be coming to the Planning Board, as well as a Pattern Book. Discussion was held on whether to see both items together or break them into a work session in July for part and August for all items. Ms. Voliva said the text amendment would be mostly for Currituck Station, but would also include a small portion for countywide such as parking. The board agreed for staff to email an update in July before deciding on a work session date.

ADJOURNMENT

Mr. Bass motioned to adjourn the meeting. Ms. Krause seconded the motion and the meeting adjourned at 6:26 PM.



**CURRITUCK COUNTY
NORTH CAROLINA**

May 14, 2019
Minutes – Regular Meeting of the Planning Board

WORK SESSION

The Currituck County Planning board held a work session at 5:30 PM in the Historic Courthouse Conference Room with five board members present. Cheri Elliott, Clerk to the Board, handed out the revised Rules of Procedure adopted at the previous meeting. Jennie Turner, Planner II, briefed board members on the requested text amendment to add Outdoor Tour Operators, Aviation, as an allowed use in the Agriculture zoning district. Chairman Ballance voiced concerns about the text amendment opening up the County for several aviation tour operators running businesses in Agriculture zoning districts. He said the better option is to rezone the business' location to General Business. Ms. Turner said that is an option, but it would not have the standards in place. Ms. Turner explained the standards set within the text amendment that have to be met by an Outdoor Tour Operator, Aviation, as well as the requirement of a use permit. The work session adjourned at 6:58 PM.

CALL TO ORDER - 6:00 PM

The Planning Board met in a regular session at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

| Attendee Name | Title | Status | Arrived |
|---------------------|---|---------|---------|
| C. Shay Ballance | Chairman | Present | |
| Garry Owens | Vice Chairman | Present | |
| K. Bryan Bass | Board Member | Present | |
| David Doll | Board Member | Present | |
| Anamarie Hilgendorf | Board Member | Absent | |
| Juanita S Krause | Board Member | Absent | |
| J. Timothy Thomas | Board Member | Present | |
| Laurie LoCicero | Planning and Community Department Director | Present | |
| Jennie Turner | Planning and Community Development Planner II | Present | |
| Cheri Elliott | Clerk to the Board | Present | |

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

A. Pledge of Allegiance & Moment of Silence

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

B. Ask for Disqualifications

Chairman Ballance asked if any board member had a conflict of interest. There were no conflicts noted.

C. Announce Quorum Being Met

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

D. Approval of Agenda

Chairman Ballance asked if any changes were needed for the tonight's agenda. Mr. Bass motioned to approve as presented. Mr. Doll seconded the motion and the motion carried unanimously.

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| RESULT: | APPROVED [UNANIMOUS] |
| AYES: | C. Shay Ballance, Chairman, Garry Owens, Vice Chairman, K. Bryan Bass, Board Member, David Doll, Board Member, J. Timothy Thomas, Board Member |
| ABSENT: | Anamarie Hilgendorf, Board Member, Juanita S Krause, Board Member |

APPROVAL OF MINUTES FOR APRIL 9, 2019

Chairman Ballance asked if there were any changes needed for the April 9, 2019 meeting minutes. Mr. Doll motioned to approve as presented. Mr. Thomas seconded the motion and the motion carried unanimously.

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|----------------|--|
| RESULT: | APPROVED [UNANIMOUS] |
| AYES: | C. Shay Ballance, Chairman, Garry Owens, Vice Chairman, K. Bryan Bass, Board Member, David Doll, Board Member, J. Timothy Thomas, Board Member |
| ABSENT: | Anamarie Hilgendorf, Board Member, Juanita S Krause, Board Member |

E. PB Minutes April 9, 2019

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

A. PB 19-09 Bruce Weaver, Kitty Hawk Kites - Text Amendment:

Jennie Turner, Planner II, presented the staff report. Ms. Turner explained how the requested text amendment for the Unified Development Ordinance (UDO) would create a new Use Type within the Recreation/Entertainment, Outdoor Use Category for Outdoor Tour Operator, Aviation. She explained the added definition, applicant's proposed language, as well as the staff's proposed language highlighted in yellow and approved by Mr. Weaver. The Outdoor Tour Operator, Aviation, would have to meet several standards and a use permit would be required to be issued by the Board of Commissioners. Ms. Turner stated how the review standards were met and gave examples of each requirement for the requested text amendment. Ms. Turner gave background information and why the text amendment is needed. She said Outdoor Recreation was removed as an allowable use in

the Agriculture (AG) zoning district with a use permit in January 2013. This change was needed to keep large businesses which require large facilities/structures from impacting adjacent neighbors and the community. Kitty Hawk Kites does not require large facilities and should have their own Use Type which would be allowed in the AG zoning district. Ms. Turner read the statement of consistency and reasonableness and said staff recommends approval.

Chairman Ballance asked board members if they had any questions for staff. There were no questions.

Chairman Ballance opened the public hearing.

John Harris, owner of Kitty Hawk Kites, came before the board. He said Kitty Hawk Kites has been conducting hang gliding/flight services since the 1980's with an excellent operating history. Kitty Hawk Kites has operated at the Cotton Gin since 2011 and Mr. Wright has created nice grass strips for their use. Mr. Harris said the Unified Development Ordinance changed in 2013 which made them nonconforming and they would like to have this requested text amendment approved so they can continue their operation.

Bruce Weaver with Kitty Hawk Kites came before the board. He explained some of the operations of Kitty Hawk Kites concerning the flight school and asked that the text amendment be approved.

Tom Wright, with the Cotton Gin, came before the board in support of the text amendment. He said Kitty Hawk Kites works hard to engage visitors in fun activities which encourages them to come back to the mainland from the beach area.

Chairman Ballance closed the public hearing.

Mr. Bass motioned to approve the requested text amendment, PB 19-09 Bruce Weaver, Kitty Hawk Kites - Outdoor Tour Operator, Aviation as stated subject to the staff recommendation and the suggested Statement of Consistency and Reasonableness. Mr. Thomas seconded the motion and the motion carried unanimously.

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|----------------|--|-------------------------------|
| RESULT: | RECOMMENDED APPROVAL [UNANIMOUS] | Next: 6/3/2019 6:00 PM |
| AYES: | C. Shay Ballance, Chairman, Garry Owens, Vice Chairman, K. Bryan Bass, Board Member, David Doll, Board Member, J. Timothy Thomas, Board Member | |
| ABSENT: | Anamarie Hilgendorf, Board Member, Juanita S Krause, Board Member | |

ANNOUNCEMENTS

Chairman Ballance asked Ms. LoCicero for an update on the Dune Text Amendment which is scheduled for the next Planning Board Meeting. Ms. LoCicero said a Stakeholders Meeting was scheduled for May 22, but the meeting was found to be in conflict with another builder's meeting in Raleigh. The meeting date and time has tentatively changed to May 30th from 10 AM to 12 AM. The location of the meeting has not been confirmed yet.

ADJOURNMENT

Mr. Thomas motioned to adjourn the meeting. Mr. Bass seconded the motion and the meeting adjourned at 6:25 PM.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2512)

Agenda Item Title

PB 19-07 Currituck County Text Amendment - Dune Protection:

Brief Description of Agenda Item:

Update on public outreach

Board Action Requested

Information

Person Submitting Agenda Item

Jennie Turner,

Presenter of Agenda Item

Jennie Turner



Currituck County

Planning and Community Development Department

Planning Division

153 Courthouse Road, Suite 110

Currituck, North Carolina, 27929

252-232-3055 FAX 252-232-3026

MEMORANDUM

To: Planning Board

From: Planning Staff

Date: June 4, 2019

Subject: PB 19-07 Currituck County – Dune Protection

At the April 9, 2019 Planning Board meeting, staff was asked to get more public input on the proposed dune protection ordinance.

Planning staff held a meeting on May 30th at the Wildlife Education Center in Corolla. The meeting was open to the public; Board of Commissioners Chairman Bob White and Commissioner Paul Beaumont were in attendance. Following the meeting, the Board of Commissioners scheduled a work session on the dune protection ordinance for June 17, 2019 prior to the BOC meeting. Staff anticipates getting direction from the Commissioners on June 17th.

The following are discussion points from the meeting.

- General concern about the number of nonconforming pools/structures created as a result of the proposed language
- Request for beach nourishment
- Request the county perform financial analysis of dunes and impacts on property values
- Strike portion of the proposed language that prohibits dune disturbance “on a frontal or primary dune”
- Evaluate other setback options and impacts to existing pools/structures (10’, 20’, 30’, 40’, 50’, 60’)
- Concern about creating nonconforming pools and structures and insurance implications
- Consider grandfather clause for existing pools/structures for maintenance and replacement
- Adopt CAMA dune disturbance rules locally and have planning staff implement the rules more strictly
- Consider the value of the community vs. dune protection
- Evaluate existing pools within the 60’ setback area and dune impacts on those properties
- Consider requiring a benchmark dune (width, height, breadth, volume) - based on an average storm and duration

- Concern about impacts to the tax base in Corolla
- Research and provide data on the current number of endangered pools/structures
- Require more detailed site grading plans
- Require/Encourage sand fence installation and vegetation on the east side of the dune
- Request another meeting prior to language heard by Planning Board and Board of Commissioners
- The county should solicit feedback from appraisers and mortgage bankers

Staff will advise the Planning Board of BOC direction and next steps following the June 17, 2019 work session.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2513)

Agenda Item Title

PB 19-12 Currituck County - Height:

Brief Description of Agenda Item:

Request an amendment to the Unified Development Ordinance, Chapter 3, Zoning Districts, Section 3.5.9., to increase the maximum building height from 35' to 65' in the Heavy Industrial (HI) zoning district.

Board Action Requested

Action

Person Submitting Agenda Item

Donna Voliva,

Presenter of Agenda Item

Donna Voliva



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

To: Planning Board
 From: Planning Staff
 Date: May 30, 2019
 Subject: PB 19-12 Currituck County – Height Text Amendment

Request

The proposed text amendment submitted by Currituck County is to increase the maximum structure height in the Heavy Industrial (HI) zoning district from 35' to 65'.

Current UDO Language

The UDO limits all structures to a 35' maximum height across all zoning districts. The structure height is measured from average established (finished) grade adjoining the building to the highest point of the roof surface of:

- A flat roof;
- The deck line of a mansard roof; and,
- The mean height level between eaves and ridge of a gable, hip, cone, gambrel, and shed roof.

The UDO also allows for increases in the maximum height when the development is located in specified zoning districts (MXR, GB, LB, LI, HI, and planned development districts) and integrates sustainable development practices (energy conservation, LEED certification, water conservation and quality protection, building configuration). The current language along with the incentives for sustainable development practices would not achieve the 65' maximum height proposed in this request.

The UDO community compatibility standards cap the building height when located adjacent to, across the street from, or within 100 feet of a property containing an existing single family dwelling.

Background

Maximum structure heights are established to promote a sense of scale with other uses in the area. As the county's industrial areas attract new and emerging business and types of businesses, building design could be critical to sustain development in industrial zoned areas. The requested increase provides building design flexibility, accommodates more intense

industrial land uses within a structure, and allows for areas of enclosed equipment, or appurtenances that require additional height.

Comparison

| Jurisdiction | Maximum Height Summary |
|--------------------|---|
| Camden County | Heavy Industrial District: 50' |
| Pasquotank County | I-1 District: 56' I-2 District: 400' (airship building) |
| Dare County | 35'- 40' depending on use type |
| Perquimans County | Heavy Industrial District: 35' - 50' depending on adjacent land use |
| Isle of Wight (VA) | GI District: 100' with increased setback above 35' (1' to 1') |
| Pittsboro | M (1-2) Districts: 50' |
| Onslow County | Industrial District: 85' with adequate fire protection |
| | |

Text Amendment Review Standards

The advisability of amending the text of the UDO is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed text amendment:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan and other applicable county-adopted plans;
2. Is not in conflict with any provision of this Ordinance or the County Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the county;
6. Would result in a logical and orderly development pattern; and
7. Would not result in significantly 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.

Staff Recommendation

The 2006 Land Use Plan does not directly address specific policies or objectives regarding structure height; but, the plan does provide policies, goals, and objectives that encourage compatibility between uses. The compatibility between land uses has an indirect association with structure height. The plan establishes Ten Land Use and Development Goals some of which relate to compatibility including:

- Goal 5: To diversify the County's economic base, to include environmentally compatible businesses and industries that reach beyond the tourist-based economy.
- Goal 10: To properly distribute development forms in accordance with the suitability of land, infrastructure available and the compatibility of surrounding land uses.

Also, Appendix H of the 2006 Land Use Plan provides an infrastructure analysis that addresses the densities and intensities for maximum build out and maintains a 35' maximum height limitation for all land use classifications and sub-districts.

The UDO requires industrial uses that are adjacent to or within 100' of a single family dwelling to not exceed 35' and incorporate transitional standards in the building design. In addition to compatibility between uses, it may be important to address the scale of the structure in relation to the property. The board may consider an increased setback for structures above 35'. Typically, the increased setback would be an additional one foot setback for every one foot the structure exceeds 35'.

Staff recommends approval of the request with the incorporation of an increased setback for structures above 35' (1' for every 1' above 35', provided adequate fire protection can be achieved, community compatibility standards are maintained, and the following suggested Statement of Consistency and Reasonableness as recommended by staff is adopted:

The requested text amendment is consistent with the goals, objectives, and policies of the 2006 Land Use Plan including:

- Goal 10: To properly distribute development forms in accordance with the suitability of land, infrastructure available and the compatibility of surrounding land uses.

The request is reasonable and in the public interest because:

1. It maintains the purpose and intent of the HI zoning district and improves building design flexibility for new industry located in the county; and,
2. An increased setback along with community compatibility standards ensures efficient development within the county and improves compatibility among land uses.



**PB 19-12 CURRITUCK COUNTY
TEXT AMENDMENT
PLANNING BOARD
JUNE 11, 2019**

Currituck County requests an amendment to the Unified Development Ordinance, Chapter 3, Zoning Districts, to increase the maximum building height from 35' to 65'.

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 3 is amended by deleting the following strikethrough language and adding the bold and underlined language in Section 3.5.9.:

3.5.9. Heavy Industrial (HI) District

F. DIMENSIONAL STANDARDS

| | | | |
|-----------------------------------|---------|---|------------------|
| Max Gross Density (du/ac) | N/A | Min. Major Arterial Street Setback (ft) [4] | 50 |
| Max. FAR (%) | 0.40 | Min. Side Setback (ft) | 15 |
| Min. Lot Area (sf ft) | 80,000 | Min. Rear Setback (ft) | 25 |
| Max. Lot Area (acres) | N/A | Min. Agricultural Setback (ft) [5] | 50 |
| Min. Lot Width, Interior Lot (ft) | 125 [1] | Min. Accessory Use Setback (ft) | 20 |
| Min. Lot Width, Corner Lot (ft) | 135 [1] | Min. Driveway/Parking Setback (ft) | 10 |
| Max. Lot Depth (ft) | [2] | Min Fill Setback from all Lot Lines (ft) | 10 |
| Max. Lot Coverage (%) | 65 | Min. Wetland/Riparian Buffer (ft) [5] | 30 |
| Min. Front Setback (ft) | 20 [2] | Max. Building Height (ft) [6] | <u>35 65</u> [1] |
| Min. Corner Side Setback (ft) [3] | 20 [3] | Min. Spacing Between Buildings (ft) | 10 |

[1] All lots shall maintain a minimum street frontage of 35 feet

[2] Lot depth shall not exceed four times the lot width

[3] Driveways shall provide access from street with less traffic

[4] Metal siding is prohibited on building facades facing major arterial streets

[5] Applied to major subdivisions platted after January 1, 2013 and sit plans on lots 10 acres in area and greater

[6] Some site features are exempted from height limits

Item 2: Staff suggested Statement of Consistency and Reasonableness:

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

- An increased setback incorporated into the proposed text amendment would properly distribute development forms in accordance with the suitability of land, infrastructure available and the compatibility of surrounding land uses. (Goal 10)

The request is reasonable and in the public interest because:

- It maintains the purpose and intent of the HI zoning district and improves building design flexibility for new industry located in the county; and,

- An increased setback along with community compatibility standards ensure efficient development within the county and improves compatibility among land uses.

Item 3: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 4: This ordinance amendment shall be in effect from and after the _____ day of _____, 2019.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____ AYES _____ NAYS _____
.....

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



Text Amendment Application

| | |
|--------------------|----------|
| OFFICIAL USE ONLY: | PB 19-12 |
| Case Number: | |
| Date Filed: | |
| Gate Keeper: | |
| Amount Paid: | |

Contact Information

APPLICANT:

Name: Currituck County
 Address: 153 Courthouse Road
 Currituck, NC 27929
 Telephone: 252-232-2075
 E-Mail Address: _____

Request

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

Amend Chapter(s) 3 Section(s) 3.5.9.F. as follows:

Change the maximum building height in the Heavy Industrial (HI) zoning district from 35' to 65'

*Request may be attached on separate paper if needed.

John D. Brown
Petitioner

5-2-19
Date