

**PB 10-28 Turnpike Properties, LLC
UDO AMENDMENT REQUEST**

An amendment to the Unified Development Ordinance Chapter 2: Zoning Districts, Chapter 6: Environmental Protection, and Chapter 8: Parking and Driveways, to modify the zoning requirements for single family residential lots with centralized water and sewer service in the Limited Business with Hotels (LBH) zoning district.

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

Item 1: That Chapter 2: Zoning Districts, Section 2.6 is amended by adding the following underlined language:

2.6.4 Setback Requirements

A. Fill is not allowed within ten feet of either side on rear property lines. Fill is not allowed within ten feet of the front (street) property line except for driveway improvements and as approved by the county engineer. Lots within planned unit developments and single family residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district are exempt from these regulations. Fill may be allowed within ten feet of any property line subject to county engineer review and approval of a site specific engineered grading and drainage plan for single family residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district.

Item 2: That Chapter 2: Zoning Districts, Section 2.7 is amended by adding the following underlined language:

Section 2.7 Dimensional Requirements

Zone							Lot Size	Lot Width	Lot Coverage	FAR	Front S/B	Side S/B	Rear S/B	Height
LBH	-	-	-	-	-	-	40,000 ¹¹	125 ¹¹	65	.400	20	15	25	35

¹¹ The required lot size may be reduced to 20,000 square feet and the required minimum lot width may be reduced to 75 feet when developed as a oceanfront single family residential lot with centralized water and sewer service.

Item 3: That Chapter 6: Environmental Protection, Section 6.9 is amended by adding the following underlined language:

Section 6.9 Stormwater Management

F. No fill of any kind shall be allowed within ten feet of any property line, except as associated with a driveway improvements located within ten feet of the front (street) property line and/or a bulkhead for shoreline protection, with the exception of lots within planned unit developments and single family residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district. Single family residential lots with

centralized water and sewer service in **an oceanfront** LBH zoning district shall be subject to county engineer review and approval of a site specific engineered grading and drainage plan.

Item 4: That Chapter 6: Environmental Protection, Section 6.11 is amended by adding the following underlined language:

Section 6.11 Mandatory Standards for Land Disturbance Activities, Excluding Residential Lots within Planned Unit Developments

C. Fill is not allowed within ten feet of any side or rear property line. Fill is not allowed within ten feet of the front (street property line except for driveway improvements and as approved by the county engineer excluding single family residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district. Single family residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district shall be subject to county engineer review and approval of a site specific engineered grading and drainage plan

Item 5: That Chapter 8: Parking, Section 8.2 is amended by adding the following underlined language:

8.2.1 Parking Space Dimensions

All districts and uses except for RO1 and RO2 single family and two family residences and single family residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district shall meet the following dimensions:

Space Type	Minimum Width	Minimum Length
Perpendicular or Angled	10 feet	20 feet
Compact	7.5 feet	15 feet
Parallel	9 feet	22 feet

RO1 and RO2 single family and two family residences and single family residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district shall meet the following dimensions:

Space Type	Minimum Width	Minimum Length	Minimum Aisle Width
Perpendicular or Angled	8 feet	15 feet	15 feet
Parallel	8 feet	20 feet	15 feet

Item 6: That Chapter 8: Parking and Driveways Section 8.10. is amended by deleting the strikethrough language and adding the underlined language:

8.10.1 General Provisions

- D. ~~Excluding residential lots within planned unit developments~~ Driveways shall maintain a ten foot setback from any side and rear property line, except for residential lots within planned unit developments, residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district, required shared driveways, cul-de-sac lots, and camper lots where it is determined by the administrator that the setbacks cannot reasonably be met. Residential driveways shall extend ten feet into the property before establishing drive aisles and parking spaces. Commercial and manufacturing driveways shall extend 20 feet into the property before establishing drive aisles and parking spaces.
- E. Driveways, drive aisles, and parking spaces for residential lots with centralized water and sewer service in **an oceanfront** LBH zoning district shall maintain a five foot setback from all side property lines.

Item 7: 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 8: This ordinance amendment shall be in effect from and after the 15 day of November, 2010.

Board of Commissioners' Chairman
Attest:

Gwen H. Keene
Clerk to the Board

DATE ADOPTED: 11/15/10
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: AYES NAYS

PLANNING BOARD DATE: 10/12/10
PLANNING BOARD RECOMMENDATION: Approval
VOTE: AYES 7 NAYS 1
ADVERTISEMENT DATE OF PUBLIC HEARING: 11/4/10 and 11/14/10
BOARD OF COMMISSIONERS PUBLIC HEARING: 11/15/10
BOARD OF COMMISSIONERS ACTION: Approval
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: 11/16/10
AMENDMENT NUMBER: 31