

**Currituck County
PB 10-31
UDO AMENDMENT REQUEST**

An amendment to the Unified Development Ordinance Chapter 2, Section 2.7 Dimensional Requirements, Chapter 6, Section 6.12 Stormwater Management Systems for Individual Lots, and Chapter 11, Section 11.5. Fill Permits to clarify requirements for the fill permits and include additional requirements for the stormwater management plans associated with fill permits and requests submitted to the county engineer for increased lot coverage. In addition, an amendment to Chapter 2, Section 2.7 Dimensional Requirements to reduce the minimum lot width for lots in the RO1 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 Section 2.7 is amended by adding the following underlined language and deleting the following strikethrough language:

Zone	Individual Lots & Minor Subdivisions		Conventional Subdivisions		Conservation Subdivisions		Other		Max. Lot Coverage Percentage ⁽⁹⁾			Floor Area Ratio ⁽¹⁰⁾	Minimum Setbacks ⁽⁷⁾			Max. Height
	Lot Size ⁽¹⁾	Lot Width ⁽²⁾	Lot Size ⁽³⁾	Lot Width ⁽⁸⁾	Lot Size ⁽⁴⁾	Lot Width	Lot Size	Lot Width	<10,000 sf	10,000-19,000sf	>19,000 sf		Front	Side	Rear	
RO1	20,000	125 100	20,000 ⁽⁶⁾	125 100	20,000	100	40,000	125 100	45	35	30	-	20	15	25	35

(9) ~~The total lot coverage may be increased by up to 15 percent if: (i) 50 percent of the maximum allowable lot coverage is in Turfstone or equivalent porosity as determined by the county engineer; or, (ii) the development subdivision is served by a state permitted and functional stormwater management plan system as provided in this ordinance as determined by the county engineer; or, (ii) the individual lot is served by an engineered stormwater system as provided in this ordinance. The approval of additional lot coverage shall not exceed the state permit or a 15% increase, whichever is less. See Chapter 6 for additional submittal requirements.~~

Item 2: That Chapter 6 is amended by adding Section 6.12 and the following underlined language:

Section 6.12 Stormwater Management System for Individual Lots

6.12.1 General Provisions

A. The provisions of this section shall apply to individual lot development that exceeds the maximum allowed lot coverage as provided in Chapter 2 of this ordinance.

- B. The county engineer may authorize up to 15 percent increase in the maximum allowed lot coverage percentage for lots in subdivisions that have a state permitted and functional stormwater management system, or for an individual lot that installs an engineered stormwater management system. A request to exceed the maximum allowed lot coverage percentage shall be submitted to the county engineer and include the following:
1. A valid North Carolina State Stormwater Permit for the development that specifies allowable lot coverage. Approval of additional lot coverage shall not exceed the state permit or 15 percent increase, whichever is less; or,
 2. A stormwater management system to serve the individual lot, prepared by a North Carolina licensed professional engineer, licensed surveyor, or landscape architect.

6.12.2 Standards for Stormwater Management System on Individual Lots

The stormwater management system to serve the individual lot shall include architectural and engineering drawings, maps, assumptions, calculations and narrative statements as needed to adequately describe the proposed development of the property and the measures proposed to comply with the county ordinance and the below requirements:

- A. Existing elevations sufficient to determine the drainage patterns on-site and on adjoining site (i.e. contours in one foot intervals).
- B. Locations and elevations of the adjoining street pavement, shoulder ditches, drainage systems, upstream and downstream driveway culverts.
- C. Approximate depth of seasonal high water table.
- D. Stormwater detention to capture a four inch rainfall event from the built-upon area within the drainage area. The drainage area for the purpose of the detention sizing shall include all built-upon area on the subject lot and any runoff received from built-upon areas within 30 feet of the subject property line.
- E. All runoff from built-upon area must be directed into the stormwater management system.
- F. The proposed methods for stabilizing and maintaining stormwater management improvements.
- G. An operational and maintenance plan, approved by the county and maintained by the property owner. The operation and maintenance shall include but is not limited to sediment removal mowing and revegetation of all areas, immediate repair of eroded areas, debris removal and unclogging of any structures.

1. Residential lots in planned unit developments.
2. Lots that received sketch plan approval after April 21, 2003 that have existing lot line swales.

B. The fill permit application shall be filed with the county engineer or his designee prior to any site work being done. ~~Five~~ Two copies of the ~~land disturbance permit plan~~ stormwater management plan shall be filed with the permit application.

C. ~~All land disturbance permit plans~~ A stormwater management plan shall be prepared by a North Carolina licensed Professional Engineer (PE), licensed surveyor, or landscape architect, and contain architectural and engineering drawings, maps, assumptions, calculations, and narrative statements as needed to adequately describe the proposed development of the property and the measures proposed to comply with the county ordinance. The ~~land disturbance plan~~ stormwater management plan shall include, but not be limited to:

1. Adjacent property grades;
2. Approximate depth of seasonal high water table;
3. Existing elevations sufficient to determine the drainage patterns on site and on adjoining sites (i.e. contours in one foot intervals);
4. Locations and elevations of the adjoining street pavement, shoulders, ditches, drainage systems, upstream and downstream driveway culverts;
5. Proposed elevations of the top of bank and toe of slope and limits for fill necessary to construct the dwelling, including driveway access, shall be delineated;
6. Detention shall be provided to capture a four inch rainfall event from the built-upon area within the drainage area. Drainage area for the purpose of the detention sizing shall include all built-upon area on the subject lot and any runoff received from built-upon areas within 30 feet of the subject property line. All runoff from built-upon area must be directed into the stormwater management system;
7. Proposed methods for stabilizing and maintaining stormwater management improvements;
8. Proposed stormwater management improvements;
9. Location of proposed improvements including septic systems;

10. An Operation and Maintenance Plan approved by the county and maintained by the property owner. Operation and maintenance of all areas shall include sediment removal, mowing and revegetation, immediate repair of erosion, debris removal, and unclogging of any structures.

11. Certification of Stormwater Mangement:

On the site plan entitled _____, stormwater drainage improvements shall be installed according to these plans and specifications and approved by Currituck County. Currituck County assumes no responsibility for the design, maintenance or the guaranteed performance of the stormwater drainage improvements.

Registered Land Surveyor/Civil Engineer

Date

Item 4: 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 5: This ordinance amendment shall be in effect from and after the 21 day of March, 2011.

Board of Commissioners' Chairman
Attest:

Gwen H. Keene
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____

SECONDED BY COMMISSIONER: _____
VOTE: ____AYES ____NAYS ____

PLANNING BOARD DATE: 2/8/11

PLANNING BOARD RECOMMENDATION: Approval

VOTE: ____AYES 9 NAYS 0

ADVERTISEMENT DATE OF PUBLIC HEARING: 3/10/11 and 3/20/11

BOARD OF COMMISSIONERS PUBLIC HEARING: 3/21/11

BOARD OF COMMISSIONERS ACTION: _____

POSTED IN UNIFIED DEVELOPMENT ORDINANCE: 3/22/11

AMENDMENT NUMBER: 33