



# Land Use Plan Amendment Application

OFFICIAL USE ONLY  
 Case Number: PB 21-19  
 Date Filed: 7/22/21  
 Gate Keeper: C. Willis  
 Amount Paid: \$500.00

### Contact Information

APPLICANT: Outer Banks Ventures, Inc. PROPERTY OWNER: Same  
 Name: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: PO Box 549 Address: \_\_\_\_\_  
 Corolla, NC 27927  
 Telephone: 252-453-4198 Telephone: \_\_\_\_\_  
 E-Mail Address: rcwillis@outerbanksventures.com E-Mail Address: \_\_\_\_\_

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

### Property Information

Physical Street Address: Malia Drive  
 Location: Corolla, NC 27927  
 Parcel Identification Number(s): 0116-0000-0100-0000  
 Total Parcel(s) Acreage: 36 +/- Zoning District: SFO-PUD  
 Present Land Use: Vacant Lan  
 Current Land Use Plan designation: /Conservation and Full Service

### Request (attach additional sheets as necessary)

• Section of plan to be amended: Future Land Use Map

- If the request is to amend the Future Land Use Map, please submit a plan showing:
  - General site survey showing lot/parcel dimension
  - Existing uses and structures
  - Zoning of site and surrounding area
  - Current and proposed future land use map designation including sub-area
  - Proposed boundaries of change
  - Location of existing streets that border parcel

• Statements of Justification – provide sufficient information to explain and justify how the Land Use Plan Amendment request satisfies the following questions:

1. Will the proposed amendment support uses that are suitable in the view of the use and development of adjacent and nearby properties? Yes. The land that is proposed to be re-classified is adjacent to existing commercial development and to the Full Service Land classification along its entire southern and eastern boundaries. The land is located adjacent to and will become part of an existing commercial and mixed use hub in Corolla.

2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties? No. Adjacent properties are commercial condominiums and a wastewater utility.  
The amendment will provide for additional compatible commercial and mixed use development.

3. Will the proposed amendment support uses that could result in an excessive or burdensome use of existing public facilities such as streets, schools, transportation facilities, or utilities? No.  
Existing streets will be looped through the development and will be able to accommodate traffic; no impacts on schools are anticipated; pedestrian connections will be made to enhance connectivity, and existing utilities have capacity to serve the site.

4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan and any other applicable long range plans? The following policies are supported by this amendment:  
(See Attachment)

5. Are there any existing or changing conditions affecting the use or development of the property which justifies either approval or disapproval of the request?  
Yes. A new wetland map indicates that the portion of the site that is proposed for classification as full service is not wetlands and is suitable for development.

6. Is there a public need for additional land space to be classified to this request? There is a need in Corolla for additional restaurant, housing, entertainment and recreational opportunities which can be made available as a result of the approval.

7. How does this request relate to the land suitability analysis found in the Land Use Plan? Are there factors that have changed since the suitability analysis was completed? The land is not a wetland, most of the land is not in a flood hazard area, it has not been classified as a storm-surge area, does have soils that are suitable for development, and is adjacent to existing water and sewer lines. The original analysis in the 2006 LUP appears to be a high-level analysis that did not focus on this particular land.

• Statement of how the Land Use Plan amendment otherwise advances public health, safety, and general welfare: The site is suitable for development in terms of soils, drainage, transportation, utilities, and compatibility with adjacent developments. Public health, safety, and welfare can be advanced through careful planning and design.

**Community Meeting (Optional)**

Date Meeting Held: \_\_\_\_\_ Meeting Location: \_\_\_\_\_

I hereby authorize county officials to enter my property for purposes of determining compliance. All information submitted and required as part of this process shall become public record.

[Signature]  
Property Owner(s)

7/22/11  
Date

\*NOTE: Form must be signed all owner(s) of record. If there are multiple property owners, a signature is required for each.

**Answer to Question #4, Continued:**

- The Corolla Subarea states in part, “the policy emphasis of this plan is to allow for predominantly medium density residential development (2 to 3 units per acre)... An overall density of no more than 3 units per acre should also apply to PUD’s, the prevailing development form in the Corolla area.”
  - The property is within the developable part of an existing PUD.
- The full service use of this land will be in keeping with many policies of the Land Use Plan, some of which are:
  - Policy ES2 states “NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the groundwater table, and providing critical habitat for many plant and animal species. Currituck County supports the efforts of the U.S. Army Corp of Engineers in protecting such wetlands the section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.”
    - The land that is being considered does not contain any wetlands.
  - Policy OB1 states “Currituck County supports the provision of infrastructure and services adequate to meet basic quality of life and public health and safety requirements of residents of the Outer Banks”.
    - The land is adjacent to and has access to adequate water and sewer facilities.
  - POLICY PA1: Public access to the sound and ocean waters of Currituck County is essential to the quality of life of residents and visitors, as well as the economy of the area. The County supports the establishment of ADDITIONAL PUBLIC AND PRIVATE ACCESS opportunities to the waters of Currituck County.
    - The development that is proposed will provide an opportunity for access to the sound.
  - POLICY PA2: The County supports MANY FORMS OF “ACCESS” to the water, including scenic outlooks and boardwalks, boat ramps, marinas and docks, fishing piers, canoe and kayak launches, and other means of access. Whenever possible, such facilities shall be designed to accommodate the needs of handicapped individuals.

- Development of the land is proposed to include boat docks.
  
- **POLICY HN1:** Currituck County shall encourage development to occur at densities appropriate for the location. **LOCATION AND DENSITY FACTORS** shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services.
  - The site is environmentally suitable, has adequate sewage capacity and transportation facilities available, and is adjacent to existing urban development.
  
- **POLICY HN3:** Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:
  - **OPEN SPACE DEVELOPMENTS** that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
  
  - **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. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.
    - The proposed development appears to support both of these development policies, except for the lack of a full service designation with regard to the 2<sup>nd</sup> policy, which this land should technically have based on the land suitability analysis.