



**STAFF REPORT  
PB 17-07 PONDEROSA  
ENTERPRISES, INC.  
PLANNING BOARD  
NOVEMBER 14, 2017**

**APPLICATION SUMMARY**

<b>Property Owner:</b> Ponderosa Enterprises, Inc. 613 Shortcut Road Barco, NC 27917	<b>Applicant:</b> Ponderosa Enterprises, Inc. 613 Shortcut Road Barco, NC 27917
<b>Case Number:</b> PB 17-07	<b>Application Type:</b> Zoning Map Amendment
<b>Parcel Identification Number:</b> 0052000022A0000	<b>Existing Use:</b> Mobile Home Park, Self-Storage, and Agricultural
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 41.35 (entire parcel)
<b>Maple/Barco SAP Classification:</b> EII - Employment	<b>Airport Compatibility Use Zone:</b> 1, 2, and 3
<b>Zoning History:</b> A-40 (1974); A (1989)	<b>Plan Request:</b> N/A – Conventional Rezoning
<b>Current Zoning:</b> GB and AG with Airport Overlay District (AO)	<b>Proposed Zoning:</b> GB

**SURROUNDING PARCELS**

	Land Use	Zoning
North	Airport/Maple Campus	HI/GB
South	Woodland/Cultivated Farmland	HI
East	Cultivated Farmland	AG
West	Cultivated Farmland/Woodland	HI

**STAFF ANALYSIS**

**REQUEST**

The proposed rezoning of approximately 12+/- acres from AG to GB is presented to the board as a conventional zoning map amendment. The 41.35 acre property is currently zoned GB and AG. The existing mobile home park and the self-storage uses are located in the portion of the property zoned GB and the pasture use is located in the area zoned AG (area of the request). The applicant is seeking the rezoning to eliminate the split zoning district on the property. According to the applicant, a community meeting was held at Ponderosa Enterprises, Inc. on June 13, 2017 with no one in attendance.

**UDO**

In North Carolina, it is illegal to impose conditions on rezonings to conventional zoning districts; therefore, this conventional zoning map amendment is a legislative decision of the Board of

Commissioners and is not controlled by any one factor. Conditional zoning district applications may not contain bifurcated zoning districts where only a portion of the property is subject to a conditional zoning classification.

The area of the request is also located within the Airport Overlay District (AO) and Compatibility Use Zones 1, 2, and 3.

- Compatible Use Zone 1 limits uses to single-family detached dwellings, aviation related uses, nonresidential uses, nonresidential uses that do not exceed an occupancy of ten people per acre, or conservation.
- Compatible Use Zone 2 limits uses to single-family detached dwellings, agricultural, agriculture support and services uses, nonresidential uses that do not exceed an occupancy of 40 people per acre, or conservation.
- Compatible Use Zone 3 limits uses to those permitted in the base zoning district.

The ability to increase residential density with the GB zoning district is limited by Airport Overlay District (AO) that will remain on the property.

#### 2006 Land Use Plan

The proposed rezoning to GB does not appear to be in direct conflict with the Full Service designation identified in the 2006 LUP. Since a new use or redevelopment plans are not being considered at this time, there are potential compatibility policies that cannot be addressed through conventional zoning districts. Conversely, approximately 29+/- acres of the parcel, zoned GB, with similar compatibility concerns exist on the remaining acreage of the property if rezoned.

Without agreed upon assurances applied through conditional zoning districts demonstrating general land uses and site features, it is difficult to determine consistency with the policies identified in the plans approved by the county such as LUP Policy CD2, CD4, CD9, ED1, and ED4.

#### The Maple-Barco Small Area Plan

The proposed rezoning to GB also does not appear to be in direct conflict with the Employment land use designation. However, the absence of a new use or redevelopment plans at this time makes it difficult to determine consistency with the MBSAP. The Future Land Use Map identifies the property as Employment, which anticipates land uses that will generate economic activity or job growth. The MBSAP suggests areas should be encouraged to develop in mixed use or campus like settings with generous, linked open space to maximize value, promote visual quality, and encourage pedestrian activity between employment areas and areas of supporting uses such as retail, restaurants, and residential. Without intended development plans it is difficult to determine consistency with plans approved by the county. The policies that are relative to development plans including site design are LU9 and TR4.

### REVIEW STANDARDS

In determining whether to adopt or deny a proposed map amendment, the Board of Commissioners may weigh the relevance of and consider whether and to the extent to which the proposed amendment:

- Is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of this ordinance;
  - The proposed GB zoning district does not appear to be in direct conflict with the 2006 Land Use Plan. Generally, the GB zoning is consistent with the following policies in the Land Use Plan:
    - POLICY CD1: NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS should be encouraged to locate where a collector or secondary street intersects with a street of equal or greater size.

Appropriate designed, small-scale businesses may also be near other neighborhood serving facilities such as schools and parks.

- The request does not provide adequate information to determine compliance with the following policies in the Maple-Barco Small Area Plan:
  - LU9: Evaluate development proposals using the future land use map and policies for the Maple-Barco study area to determine the desired density, character of growth, and level of services appropriate for the study area.
  - TR4: Integrate infrastructure into new developments that promote multimodal transportation interconnecting employment centers, businesses, and neighborhoods.
- It is generally consistent with the following policy in the Maple-Barco Small Area Plan:
  - LU4: Encourage and allow small, locally owned businesses to locate in the area.
- Is in conflict with any provision of this ordinance, or the County Code of Ordinances;
  - Staff is not aware of any conflicts with the ordinance or the Code of Ordinances.
- Is required by changed conditions;
  - Staff is not aware of changed conditions that warrant the rezoning.
- Addresses a demonstrated community need;
  - Staff is not aware of a demonstrated community need for the rezoning.
- 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;
  - The request, an extension of the GB zoning district, generally is an appropriate zoning district that would allow for the same uses on the remaining acreage of the property owned by the applicant.
- Adversely impacts nearby lands.
  - It is staff's opinion that this rezoning will not adversely impact nearby lands because it is an expansion of the GB zoning district on the same property owned by the applicant.
- Would result in a logical and orderly development pattern;
  - It is staff's opinion that the rezoning could result in a logical and orderly development pattern provided compatibility issues are adequately addressed during the site plan process.
- 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;
  - Staff is not aware of any adverse impacts on the natural environment because of the proposed rezoning.
- Would result in development that is adequately served by public facilities;
  - No development plans are proposed. Based on the Airport Overlay District requirements of the UDO that would limit the occupancy of the property, there are adequate public facilities to serve this development.
- Would not result in significantly adverse impacts on the land values in the surrounding area; and,
  - It is staff's opinion that the expansion of the GB zoning district will not result in significantly adverse impacts on the land values in the surrounding area.
- Would not conflict with the public interest and is in harmony with the purposes and intent of this ordinance.
  - It is difficult for conventional zoning districts to adequately address the goals, objectives, and plans adopted by the county. However, given the fact that more

than two-thirds of the property contains the GB zoning district, an extension of the zoning line to encompass the entire lot that is identified as Employment in the MBSAP offers this request to be in general harmony with the purpose and intent of this ordinance.

## RECOMMENDATIONS

### STAFF

The 2006 Land Use Plan and the Maple-Barco Small Area Plan generally support the proposed zoning map amendment to GB. However, both plans further describe business generating uses and compatibility through site design that will prevent strip development and incorporate access controls, pedestrian circulation, signage, buffers, and scale of development. It is staff's opinion that the applicant's request does not adequately address the compatibility elements of the MBSAP and the 2006 LUP which could be better addressed through a conditional zoning district. Conditional zoning districts require the landowner to initiate the application and develop mutually agreed upon conditions with the county. At this time, staff recommends the applicant initiate a request that could more adequately address the compatibility elements of the MBSAP and the 2006 LUP including but not limited to access control, pedestrian elements, signage, buffers, scale, and design features of neighborhood serving commercial uses consistent with the AO overlay district and the compatibility use zones.

However, if the board determines that compatibility can adequately be addressed through the site plan review process, staff recommends the following statement of consistency and reasonableness:

1. It is consistent with the 2006 LUP Policy CD1 based on the fact that more than two-thirds of the property is located in the GB zoning district. This request is an expansion of the GB district and is located across HWY 158 from the Maple Campus that could offer Employment opportunities.
2. It is compatible with the existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land based on the existing zoning of the property and the property is located within the Full Service land use classification of the 2006 LUP and the Employment land use classification of the MBSAP.

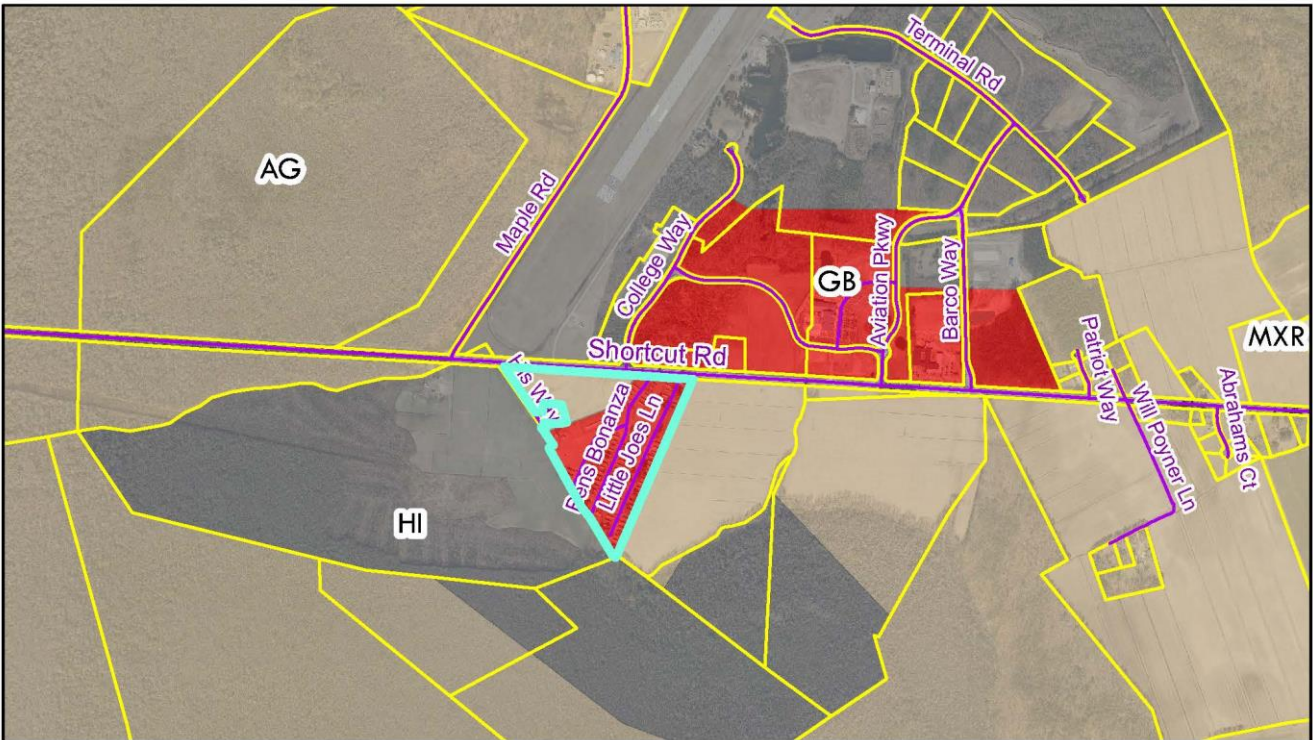
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE  
Planning Board: [www.co.currituck.nc.us/planning-board-minutes-current.cfm](http://www.co.currituck.nc.us/planning-board-minutes-current.cfm)



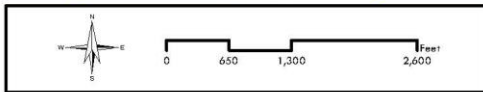
PB 17-07  
 PONDEROSA ENTERPRISES, INC.  
 Aerial Map



Currituck County  
 Planning and Community  
 Development



PB 17-07  
 PONDEROSA ENTERPRISES, INC.  
 Zoning Map



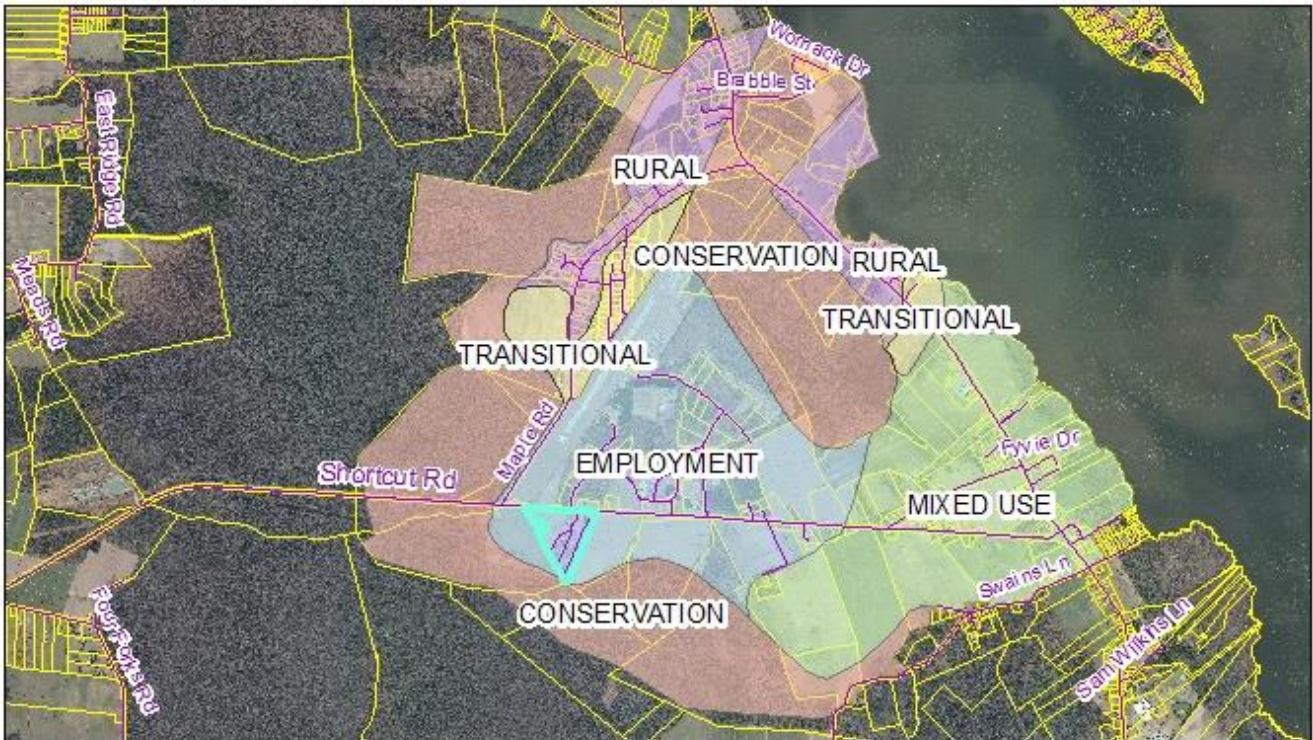
Currituck County  
 Planning and Community  
 Development



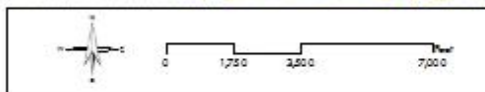
PB 17-07  
 PONDEROSA ENTERPRISES, INC.  
 Compatible Use Zones




 Currituck County  
 Planning and Community  
 Development



PB 17-07  
 PONDEROSA ENTERPRISES, INC.  
 Maple-Barco Small Area Plan



 Currituck County  
 Planning and Community  
 Development