

Board of Commissioners
Agenda Packet

February 4, 2019

Work Session

3:30 PM Solar Arrays

5:00 PM Developmental Fees

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Pastor Casey Carlton, Powells Point Baptist Church

B) Approval of Agenda

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Commissioner's Report

Public Hearings

A) **PB 08-48 Cape Currituck (Horgan/Mason):** PB 08-48 Cape Currituck (Horgan/Mason): Amended Conditional District-Planned Unit Development Zoning Overlay to decrease the number of dwelling units/density, canal realignment, reduce wetland fill, and reorient development layout on property located at 291 West Side Lane, Powells Point, Poplar Branch Township, Parcel Identification Numbers 0112-000-003B-0000 and 0112-000-003C-0000.

B) **PB 18-27 University Park LLC:** Amend 2006 Land Use Plan/future classification map from Limited Service to Full Service to allow an increase in density from 1.5 units per acre to 3 units per acre located at the University Park development, PINs: 0131-000-097A-0000, 124J-000-OSP2-0000, 0131-000-095A-0000, 124J-000-00B1 through 00B6-0000, 124J-000-00C1 through 00C6-0000, 124J-000-00D1 through 00D6-0000, 124J-000-00E1 through 00E6-0000, 124J-000-00F1 through 00F6-0000, and 124J-000-00G1 through 00G3-0000, Poplar Branch township.

C) **PB 18-23 Fost Tract:** Rezone 228.83 acres from Agricultural (AG) to Planned Development - Residential (PD-R) on property located in Moyock on the west side of Caratoke Highway, north of Ranchland Subdivision, PIN 0015-000-0086-0000, Moyock Township.

New Business

A) **Resolution Authorizing Contract by and between CT Mechanical, Inc. and County of Currituck Pursuant to N.C. Gen. Stat. §14-234**

B) **An Ordinance of the Currituck County Board of Commissioners Amending Chapter 2, Article III of the Code of Ordinances by Repealing Division 2. Economic Development Advisory Board**

C) **Board Appointments**

1. Tourism Advisory Board

D) **Consent Agenda**

1. Approval Of Minutes for January 22, 2019
2. Budget Amendments
3. Amendment to Contract to Audit Accounts
4. Designation of Applicant Agent-FEMA Grant
5. Petition for Road Addition to State Maintenance-Moyock Crossing
6. Petition for Road Addition to State Maintenance-Herring Street, Corolla

E) **County Manager's Report**

Adjourn

Special Meeting of the Tourism Development Authority

TDA-Budget Amendments

Adjourn Special Meeting of the Tourism Development Authority

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2372)

Agenda Item Title

3:30 PM Solar Arrays

Brief Description of Agenda Item:

Board Action Requested

Discussion

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Laurie LoCicero

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2367)

Agenda Item Title

5:00 PM Developmental Fees

Brief Description of Agenda Item:

Board Action Requested

Information

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2323)

Agenda Item Title

PB 08-48 Cape Currituck (Horgan/Mason):

Brief Description of Agenda Item:

PB 08-48 Cape Currituck (Horgan/Mason): Amended Conditional District-Planned Unit Development Zoning Overlay to decrease the number of dwelling units/density, canal realignment, reduce wetland fill, and reorient development layout on property located at 291 West Side Lane, Powells Point, Poplar Branch Township, Parcel Identification Numbers 0112-000-003B-0000 and 0112-000-003C-0000.

Planning Board Recommendation:

PLANNING BOARD MEETING 12/11/2018

RESULT: RECOMMENDED APPROVAL WITH PLANNING BOARD RECOMMENDED CHANGES [UNANIMOUS]

AYES: Anamarie Hilgendorf, Board Member, Fred Whiteman, Chairman, C. Shay Ballance, Vice Chairman, Steven Craddock, Board Member, Jane Overstreet, Board Member

ABSENT: Carol Bell, Board Member, Joanne M. DiBello, Board Member, J. Timothy Thomas, Board Member

MOTION: Mr. Craddock motioned to approve PB 08-48 Cape Currituck for the conditional rezoning with the agreed upon conditions since total number of dwellings has reduced with no more than 30 residential dwelling units shall receive a certificate of occupancy prior to the public marina being fully permitted and approved by any local, state, and federal regulatory or permitting agency, no more than 60 residential dwelling units shall receive a certificate of occupancy prior to the marina being fully operational and open to the public and no more than 100 residential dwelling units shall receive a certificate of occupancy prior to the commercial components of the request being approved and fully constructed. Also, to include the pedestrian walkway between the parking and the boat ramp with additional signage to prevent pedestrian danger.

Ms. Overstreet seconded the motion and the motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Cheri Elliott, Assistant

Presenter of Agenda Item

Tammy Glave

STAFF REPORT
PB 08-48 CAPE CURRITUCK
BOARD OF COMMISSIONERS
JANUARY 7, 2019

APPLICATION SUMMARY	
Property Owner: Denny Horgan and Donna Mason 291 West Side Lane Powells Point NC 27966	**Applicant:** Denny Horgan and Donna Mason 291 West Side Lane Powells Point NC 27966
Case Number: PB 08-48	**Application Type:** Amended Conditional District - Planned Unit Development Zoning Overlay
Parcel Identification Numbers: 0112-000-003B-0000, 0112-000-003C-0000	**Existing Use:** Single-Family Dwelling, Agricultural
Land Use Plan Classification: Full Service and Conservation	**Parcel Size (Acres):** 120.15
Zoning History: A (1989) rezoned to CD-PUD (2008)	**Access:** West Side Lane (SR 1112)
Utilities: County Water/Private WWTP	**Stormwater:** Multiple manmade wetland pockets, wet detention basins, and permeable pavement throughout the development
Plan Request: Decrease the number of dwelling units/density, canal realignment, reduce wetland fill, and reorient types of dwelling units to improve transition from this development to Kilmarlic Subdivision single-family dwelling lots.	

STAFF ANALYSIS

The Board of Commissioners approved a conditional rezoning request (A to CD-PUD Overlay) in 2008 for this property. The CD-PUD Overlay included 237 mixed residential units, a small commercial hub, boat marina, public boat ramp, and associated infrastructure improvements. During the permitting process, the applicant was notified that the proposed waterway connection to the Albemarle Sound was not a desired alignment by State and Federal agencies. Based on that feedback, the master plan has been redesigned to reflect a new access to the sound and a new project layout. Due to the time between the previous approval and the current revised master plan, wetlands were reassessed with the appropriate State and Federal agencies. Changes to the wetland boundaries significantly impacted the uplands available for development and required an overall decrease in the number of units in the previously approved plan.

The proposed amended plan includes a total of 160 mixed residential units with a residential density of 1.33 dwelling units per acre. The project also has neighborhood serving retail uses, a restaurant, traditional uses associated with a full-service marina, and associated infrastructure that includes a small, wastewater treatment plant that serves the project. The development is predicated on a public access marina, including boat ramp, with a realigned access canal to the Albemarle Sound. The project is positioned to take boat traffic from the Intracoastal Waterway (ICW) which traverses just

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offshore from the proposed project. The marina will provide approximately 208 boat slips for use by the general public, visitors, and ICW traffic.
The approved master plan included approximately 2.7 acres of wetland fill. Because of the reduction in density and site redesign, the propose wetland fill impact for upland development is 0.48 acres which includes filling for road crossings. Wetland fill will be permitted and mitigated through the appropriate State and Federal agencies. The amended plan also includes a better transition from Kilmarlic Subdivision by placing the single-family condo style housing units closes to that neighborhood. Lot 175 within Kilmarlic Club Phase II is the only lot that directly abuts the proposed planned development. At this location, all buildings have been placed approximately 45 feet from the residential property line. A minimum 10 feet wide vegetated buffer will be provided along the adjacent properties zoned residential. All commercial development has been centralized within the community and will not be adjacent to the existing residential development.

The previously approved plan showed no permanent structures built within 100' of the mean high water mark. The proposed plan reduces that setback to 30' which matches the UDO 30' required riparian buffer. The previous plan required waterfront property within 100' of mean high water mark to remain in common open space. The proposed plan reduces that open space measurement to 30' of the normal water level. This is consistent with the UDO requirement that riparian buffers remain as open space.

Community concern has been expressed regarding West Side Lane (SR 1112) being used to access the development. West Side Lane is an NCDOT maintained road and NCDOT expressed no concern for the increased traffic on West Side Lane during their review process. Internal pedestrian circulation will be provided throughout the development and to all commercial areas. Golf cart and bicycle parking will be provided at the proposed commercial hub to encourage alternative transportation methods.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends approval of the conditional rezoning subject to the following conditions:

1. Staff is concerned with the maneuverability of vehicles pulling boat trailers (turning radius) at the public boat ramp, lack of vehicle hauling boat trailer parking at the ramp, and the distance from the ramp to the boat trailer parking lot. (Planning) UPDATE FROM APPLICANT: *The drive aisles within the boat ramp parking lot are currently 32'-35' wide to allow for a boat maneuvering and access. AutoTURN has been run using a vehicle length of 19' and boat length of 32' (with an anticipated 11' wheel base). The steering lock angle was assumed at 31.6 degrees. Based on the results of the AutoTURN, simulation areas of the site have been widened and radii enlarged as necessary. Boat and trailer parking remains proposed adjacent to the proposed wastewater treatment plant.* STAFF NOTE: Staff is satisfied with the maneuverability of the vehicles pulling boat trailers at the public boat ramp. Staff remains concerned regarding the distance from the boat ramp to the vehicle/boat parking area (approximately four-tenths of a mile).
2. A CAMA Major Permit will be required for project development. For permitting assistance, please contact Ron Renaldi, DCM Field Representative at 252-264-3901. (CAMA) UPDATE FROM APPLICANT: *Acknowledged. A CAMA Major Permit is being prepared and will be submitted for review prior to the anticipated Board of Commissioners meeting date of December 3, 2018.*
3. Page 3 of the Site Narrative indicates that the proposed subdivision is predicated on a marina being constructed that offers a connection to the Albemarle Sound, however Page 8 indicates

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that permitting for the marina will occur in Phase 2---after 43 units and associated improvements for those units are installed in Phase 1. It is recommended that permitting for the marina occur in Phase 1. (CAMA) UPDATE FROM APPLICANT: *Acknowledged.*

SURROUNDING PARCELS		
	Land Use	**Zoning**
North	Undeveloped	AG
South	Albemarle Sound	n/a
East	Kilmarlic Subdivision/Undeveloped	SFM/AG
West	Undeveloped	AG

LAND USE PLAN	
The 2006 Land Use Plan classifies this site as Full Service and Conservation within the subarea. The policy emphasis for the Point Harbor subarea is to allow this area to continue to evolve as a full service community, but with better attention to the planning needed to protect residential areas and the natural features that make the area so attractive. Vegetative buffers should be required/maintained along shorelines to preserve public access and open space at the waters edge and to protect water quality in the sound. The proposed plan is in keeping with the policies of the plan, some of which are:	
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.
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.
Policy PA5	PUBLIC AND PRIVATE MARINAS offering access to area waters should be encouraged when developed in accordance with the CAMA specific use standards for marinas (i.e. docks for more than 10 vessels). Marinas shall not be approved, however, that are incompatible with nearby land uses or whose designs fail to meet the environmental quality and development standards of the County's Unified Development Ordinance.
Policy CD8	MIXED-USE DEVELOPMENTS, properly planned from the outset, which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design, are encouraged.
Policy WQ6	Currituck County supports the retention or preservation of VEGETATED BUFFERS along the edge of drainage ways, streams and other components of the estuarine system as an effective, low cost means of protecting water quality.
Policy ML3	The interests of Mainland Area residents in having ACCESS TO THE AREA'S OCEAN AND ESTUARINE WATERS shall be fostered through County actions to increase the number of additional public access sites at a rate commensurate with the population growth of the Currituck County. Included in the actions taken to increase public access shall be a consideration given to transportation needs, including boat docks and ferry services.

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Policy ES2	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 ground water table, and providing critical habitat for many plant and animal species.
Policy WQ5	Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. COASTAL AND NON-COASTAL WETLANDS shall not be considered part of a lot's acreage for the purpose of determining minimum lot size or development density.

CONSISTENCY AND COMPATIBILITY STATEMENT

This amended CD - Planned Unit Development Zoning request is consistent with the goals, objectives, and policies of the Land Use Plan, is compatible with existing and proposed uses surrounding the land subject to the application, and is an appropriate zoning district and use for the land.

CONDITIONS OF APPROVAL

Only conditions mutually agreed to by the owner(s) may be approved as part of a conditional zoning district. Conditions shall be limited to those that address conformance of development and use of the site with county regulations and adopted plans and that address the impacts reasonably expected to be generated by the development or use. No condition shall be less restrictive than the standards of the parallel general use zoning district.

Agreed upon conditions of approval:

Staff recommends that the conditions approved in 2008 remain in effect with the following revisions:

Uses

1. Limited to mixed residential uses, neighborhood serving retail uses, restaurants, and those traditional uses associated with a marina, and other items contained in the Currituck Marina Conceptual Plan.
2. Maximum gross residential density shall not exceed 2.0 dwelling units per acre.
3. No more than 50 residential dwelling units shall receive a certificate of occupancy prior to the public marina being fully permitted and approved by any local, state, and federal regulatory or permitting agency. **The board may wish to discuss revising this number with the applicant since total lot count has dropped from 237 residential dwelling units to 160 residential dwelling units*
4. No more than 100 residential dwelling units shall receive a certificate of occupancy prior to the marina being fully operational and open to the public. **The board may wish to discuss revising this number with the applicant since total lot count has dropped from 237 residential dwelling units to 160 residential dwelling units.*
5. No more than 150 residential dwelling units shall receive a certificate of occupancy prior to the commercial components of the request being approved and fully constructed. **The board may wish to discuss revising this number with the applicant since total lot count has dropped from 237 residential dwelling units to 160 residential dwelling units.*

Transportation

1. Multimodal pathways a minimum of six feet in width shall be provided throughout the development. This shall include interconnected sidewalks, bikeways and natural trails.
2. Internal pedestrian circulation shall be required for all commercial areas through the use of clearly defined walkways.

Landscaping/Screening

Attachment: 1 Cape Currituck ACZ Staff Report ! (PB 08-48 Cape Currituck (Horgan/Mason):)

1. All inland, non-tidal and coastal wetlands ***not proposed to be filled*** shall remain undisturbed in accordance with the Currituck Marina Conceptual Plan. Delineated CAMA, 404, and 401 wetlands shall be placed in a conservation easement or preservation trust preventing individual ownership or development.
2. There shall be no development, land disturbing ***(other than excavation of access channel, restoration or enhancement of natural ecosystems and management of invasive species)***, or logging activities in areas designated by the 2006 Land Use Plan as Conservation in accordance with the Currituck Marina Conceptual Plan. This shall not preclude elevated walkways, utilities, or other necessary public improvements.
3. A combination of Low Impact Development (LUD) techniques such as cisterns, pervious materials, stormwater rain gardens, and soft stabilization of the marina basin shall be utilized as approved by the County Engineer.
4. Existing mature trees within 300 feet of the mean high water mark or 100 feet of any adjacent property line shall be identified as a tree conservation area and be preserved to the extent practicable.
5. When developing within 300 feet of the shoreline, precedence should be given to "soft" stabilization approaches including but not limited to preservation of existing vegetation, creation of natural, living shorelines for areas needing stabilization, and establishment of vegetative buffers.
6. In commercial areas every parking space shall be entirely located within 120 feet of a landscape island containing a minimum of 2 canopy trees, a minimum of 2 inches in caliper at time of planting. Landscape islands shall be a minimum of 10 feet in width and 400 square feet in size.
7. In commercial areas pedestrian plazas or similar shaded outdoor seating areas shall be provided at a rate of 100 square feet for every 2,000 square feet of gross floor area.

Site Design/Architectural

1. The proposed development will be in accordance with the Currituck Marina conceptual site plan dated ***(final plan date)***.
2. Maximum size of an individual commercial building shall not exceed 10,000 square feet of gross floor area.
3. Residential structures shall include vertical and horizontal relief in buildings, including but not limited to façade articulation and other architectural elements that add visual interest; variation in exterior architectural materials or styles; and, inclusion of front porches, projecting bays, or vestibules.
4. Commercial structures, including mixed use structures, shall be subject to the following requirements:
    a. Building facades shall incorporate the traditional architectural style or vernacular of the general area.
    b. Large expanses of blank walls shall be avoided. Facades shall incorporate architectural elements that add visual interest, including but not limited to variation in exterior materials; functioning windows and doorways; and, projecting elements such as eaves, cornices, canopies, bays, shadow lines, overhangs, porticos and colonnades.
    c. Corrugated metal building materials shall not be permitted. Architectural grade finished metal may be used as an accent material or on elevations not visible from a right-of-way or area designated for residential uses.

Water Access

1. Public access to the waterfront and Albemarle Sound shall be required and include at a minimum a marina, public boat launching and parking, and multimodal pathways.
2. The marina shall include docking for a minimum of ten vessels.
3. The marina shall participate and become a Certified Clean Marina in the North Carolina Clean Marina program.
4. No permanent structures shall be built within ~~***100***~~ ***30*** feet of the ~~***mean high water mark***~~ ***normal water level***, or on or over a pier.
5. Waterfront property within ~~***100***~~ ***30*** feet of the ~~***mean high water mark***~~ ***normal water*** level shall remain in common open space.

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Suggested condition of approval:

1. That the truck with trailer parking be moved closer to the public boat ramp, a method of transportation be provided to get visitors the approximate four-tenths of a mile from the truck with trailer parking lot to the board ramp, or a clearly visible pedestrian pathway be delineated from the truck with trailer parking lot to the boat ramp.

PLANNING BOARD RECOMMENDATION

Only conditions mutually agreed to by the owner(s) may be approved as part of a conditional zoning district. Conditions shall be limited to those that address conformance of development and use of the site with county regulations and adopted plans and that address the impacts reasonably expected to be generated by the development or use. No condition shall be less restrictive than the standards of the parallel general use zoning district.

Agreed upon conditions of approval:

Planning Board recommends that the conditions approved in 2008 remain in effect with the following revisions:

Uses

1. Limited to mixed residential uses, neighborhood serving retail uses, restaurants, and those traditional uses associated with a marina, and other items contained in the Currituck Marina Conceptual Plan.
2. Maximum gross residential density shall not exceed 2.0 dwelling units per acre.

Transportation

3. Multimodal pathways a minimum of six feet in width shall be provided throughout the development. This shall include interconnected sidewalks, bikeways and natural trails.
4. Internal pedestrian circulation shall be required for all commercial areas through the use of clearly defined walkways.

Landscaping/Screening

5. All inland, non-tidal and coastal wetlands ***not proposed to be filled*** shall remain undisturbed in accordance with the Currituck Marina Conceptual Plan. Delineated CAMA, 404, and 401 wetlands shall be placed in a conservation easement or preservation trust preventing individual ownership or development.
6. There shall be no development, land disturbing ***(other than excavation of access channel, restoration or enhancement of natural ecosystems and management of invasive species)***, or logging activities in areas designated by the 2006 Land Use Plan as Conservation in accordance with the Currituck Marina Conceptual Plan. This shall not preclude elevated walkways, utilities, or other necessary public improvements.
7. A combination of Low Impact Development (LUD) techniques such as cisterns, pervious materials, stormwater rain gardens, and soft stabilization of the marina basin shall be utilized as approved by the County Engineer.
8. Existing mature trees within 300 feet of the mean high water mark or 100 feet of any adjacent property line shall be identified as a tree conservation area and be preserved to the extent practicable.
9. When developing within 300 feet of the shoreline, precedence should be given to “soft” stabilization approaches including but not limited to preservation of existing vegetation, creation of natural, living shorelines for areas needing stabilization, and establishment of vegetative buffers.
10. In commercial areas every parking space shall be entirely located within 120 feet of a landscape island containing a minimum of 2 canopy trees, a minimum of 2 inches in caliper at

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time of planting. Landscape islands shall be a minimum of 10 feet in width and 400 square feet in size.

11. In commercial areas pedestrian plazas or similar shaded outdoor seating areas shall be provided at a rate of 100 square feet for every 2,000 square feet of gross floor area.

Site Design/Architectural

12. The proposed development will be in accordance with the Currituck Marina conceptual site plan dated ***(final plan date)***.
13. Maximum size of an individual commercial building shall not exceed 10,000 square feet of gross floor area.
14. Residential structures shall include vertical and horizontal relief in buildings, including but not limited to façade articulation and other architectural elements that add visual interest; variation in exterior architectural materials or styles; and, inclusion of front porches, projecting bays, or vestibules.
15. Commercial structures, including mixed use structures, shall be subject to the following requirements:
    a. Building facades shall incorporate the traditional architectural style or vernacular of the general area.
    b. Large expanses of blank walls shall be avoided. Facades shall incorporate architectural elements that add visual interest, including but not limited to variation in exterior materials; functioning windows and doorways; and, projecting elements such as eaves, cornices, canopies, bays, shadow lines, overhangs, porticos and colonnades.
    c. Corrugated metal building materials shall not be permitted. Architectural grade finished metal may be used as an accent material or on elevations not visible from a right-of-way or area designated for residential uses.

Water Access

16. Public access to the waterfront and Albemarle Sound shall be required and include at a minimum a marina, public boat launching and parking, and multimodal pathways.
17. The marina shall include docking for a minimum of ten vessels.
18. The marina shall participate and become a Certified Clean Marina in the North Carolina Clean Marina program.
19. No permanent structures shall be built within ~~***100***~~ ***30*** feet of the ~~***mean high water mark***~~ ***normal water level***, or on or over a pier.
20. Waterfront property within ~~***100***~~ ***30*** feet of the ~~***mean high water mark***~~ ***normal water*** level shall remain in common open space.

Suggested condition of approval that must be agreed upon:

1. That the truck with trailer parking be moved closer to the public boat ramp, a method of transportation be provided to get visitors the approximate four-tenths of a mile from the truck with trailer parking lot to the board ramp, or a clearly visible pedestrian pathway be delineated from the truck with trailer parking lot to the boat ramp. *NOTE: At the Planning Board meeting the applicant offered a shuttle service or an ADA compliant walkway from the parking area to the boat ramp. The Planning Board was agreeable to either option.*
2. No more than ~~**50**~~ **30** residential dwelling units shall receive a certificate of occupancy prior to the public marina being fully permitted and approved by any local, state, and federal regulatory or permitting agency.
3. No more than ~~**100**~~ **60** residential dwelling units shall receive a certificate of occupancy prior to the marina being fully operational and open to the public.

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4. No more than ~~150~~ **100** residential dwelling units shall receive a certificate of occupancy prior to the commercial components of the request being approved and fully constructed.

PLANNING BOARD MEETING 12/11/2018

RESULT: RECOMMENDED APPROVAL WITH PLANNING BOARD RECOMMENDED CHANGES [UNANIMOUS]
AYES: Anamarie Hilgendorf, Board Member, Fred Whiteman, Chairman, C. Shay Ballance, Vice Chairman, Steven Craddock, Board Member, Jane Overstreet, Board Member
ABSENT: Carol Bell, Board Member, Joanne M. DiBello, Board Member, J. Timothy Thomas, Board Member

MOTION: Mr. Craddock motioned to approve PB 08-48 Cape Currituck for the conditional rezoning with the agreed upon conditions since total number of dwellings has reduced with no more than 30 residential dwelling units shall receive a certificate of occupancy prior to the public marina being fully permitted and approved by any local, state, and federal regulatory or permitting agency, no more than 60 residential dwelling units shall receive a certificate of occupancy prior to the marina being fully operational and open to the public and no more than 100 residential dwelling units shall receive a certificate of occupancy prior to the commercial components of the request being approved and fully constructed. Also, to include the pedestrian walkway between the parking and the boat ramp with additional signage to prevent pedestrian danger.

Ms. Overstreet seconded the motion and the motion carried unanimously.

PLANNING BOARD DISCUSSION 12/11/2018: Senior Planner, Tammy Glave presented the staff report. Ms. Glave said staff is recommending approval. The number of dwelling units will be reduced from 237 to 160 which will reduce the density. The applicants are putting in extra buffers that are not required. All the conditions of approval remain the same except two are changing - Ms. Glave referenced the conditions in the staff report for the changes being underlined (below).

Landscaping/Screening
1. All inland, non-tidal and coastal wetlands ***not proposed to be filled*** shall remain undisturbed in accordance with the Currituck Marina Conceptual Plan. Delineated CAMA, 404, and 401 wetlands shall be placed in a conservation easement or preservation trust preventing individual ownership or development.
2. There shall be no development, land disturbing ***(other than excavation of access channel, restoration or enhancement of natural ecosystems and management of invasive species)***, or logging activities in areas designated by the 2006 Land Use Plan as Conservation in accordance with the Currituck Marina Conceptual Plan.
This shall not preclude elevated walkways, utilities, or other necessary public improvements.

Ms. Glave said one of staff's concerns was the parking area being a long distance from the boat ramp. Staff would like a walking path from this area with signs for pedestrian safety.

Mr. Craddock asked if there was adequate space for turning in this parking area and Ms. Glave said yes, the applicant has run software to show this is adequate.

Cathleen Saunders with Quible & Associates came before the board to represent the applicant. She said they are reducing the units to 160 and making the design more environmentally friendly with a 30 foot buffer and 42 acre environmental area. Wet pavers will be used to address wet areas. At the community meeting the key concerns was the use of West Side Lane as an entrance and she said they have to use this because of the wetlands. NCDOT was onsite and

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they are in agreement that using this road as the entrance is compliant with their standards. The boat ramp was not something that we wanted, but was a requirement made by the Board of Commissioners. The wastewater area was flipped with the parking area so it would be farther away from the adjourning properties. As far as the distance of the parking area from the boat ramp, shuttles have been considered.

Chairman Whiteman asked for if there were any persons wishing to speak in opposition.

Tom Voorhees of Duncans Way, Powells Point, said he is the Kilmarlic board representative and they are concerned about the amount of traffic for West Side Lane. He said there are no lights or sidewalks and this causes safety concerns for people walking in the neighborhood.

Warren Eadus with Quible & Associates gave their rebuttal. He said they have spoken with NCDOT about having speed bumps put on the road and this is not favorable due to emergency services having to have a quick access if needed.

Ray Bruce, a Kilmarlic resident, spoke in opposition. He said he is concerned with flooding and evacuation of his property if needed.

Mr. Eadus said they have addressed the flooding concerns and there will be a softened shoreline and elevated homes.

Mr. Craddock asked if West Side Lane was a state maintained road and Ms. Glave said yes. Mr. Craddock said since it is a state maintained road, shouldn't the residents be taking up their concerns with NCDOT and Ms. Glave affirmed his statement.

More discussion was held concerning the distance of the boat ramp and parking area. Ms. Hilgendorf was in favor of an ADA compliant walkway between the two areas. Mr. Craddock asked if the applicant will agree to walkways and signage. Mr. Eadus said they are willing to do a walkway.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/ board-of-commissioners-minutes-current.cfm

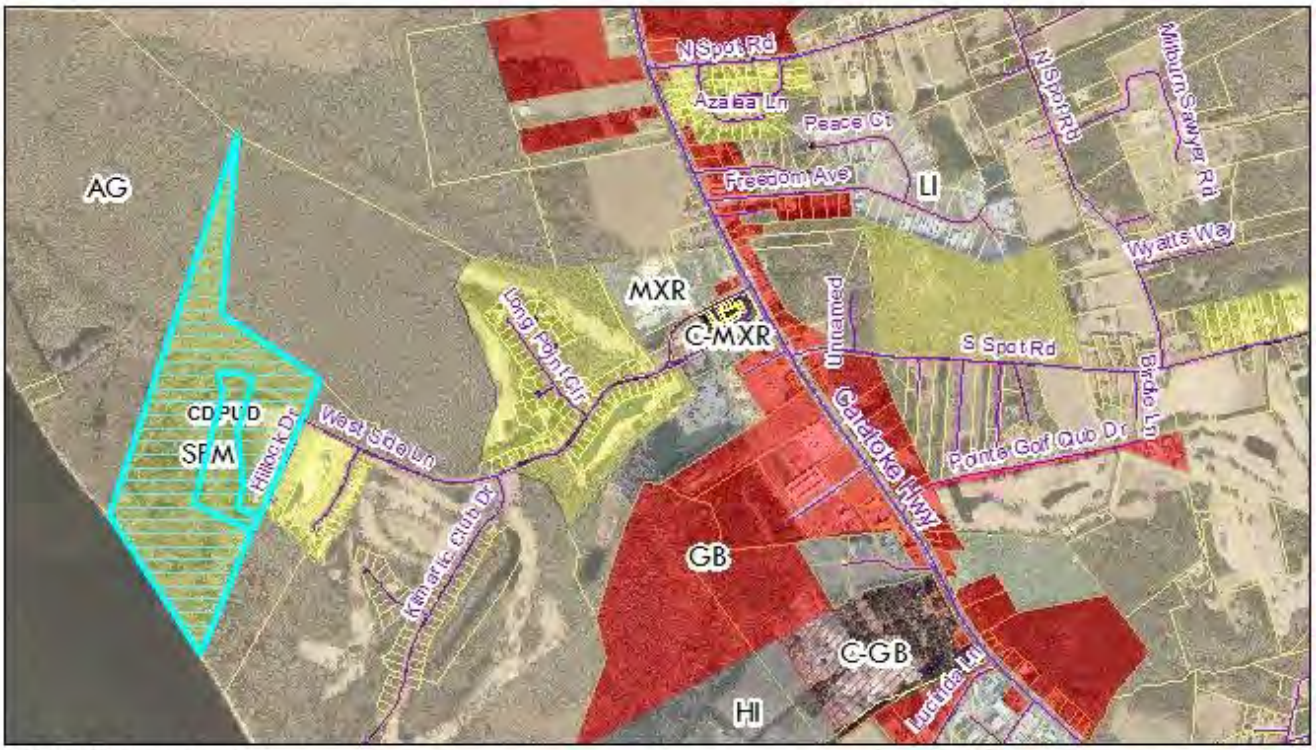
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PB 08-48 Cape Currituck
Amended CD-PUD Zoning
2016 Aerial Photography

0 700 1,400 2,800 Feet

Currituck County
Planning and
Community Development

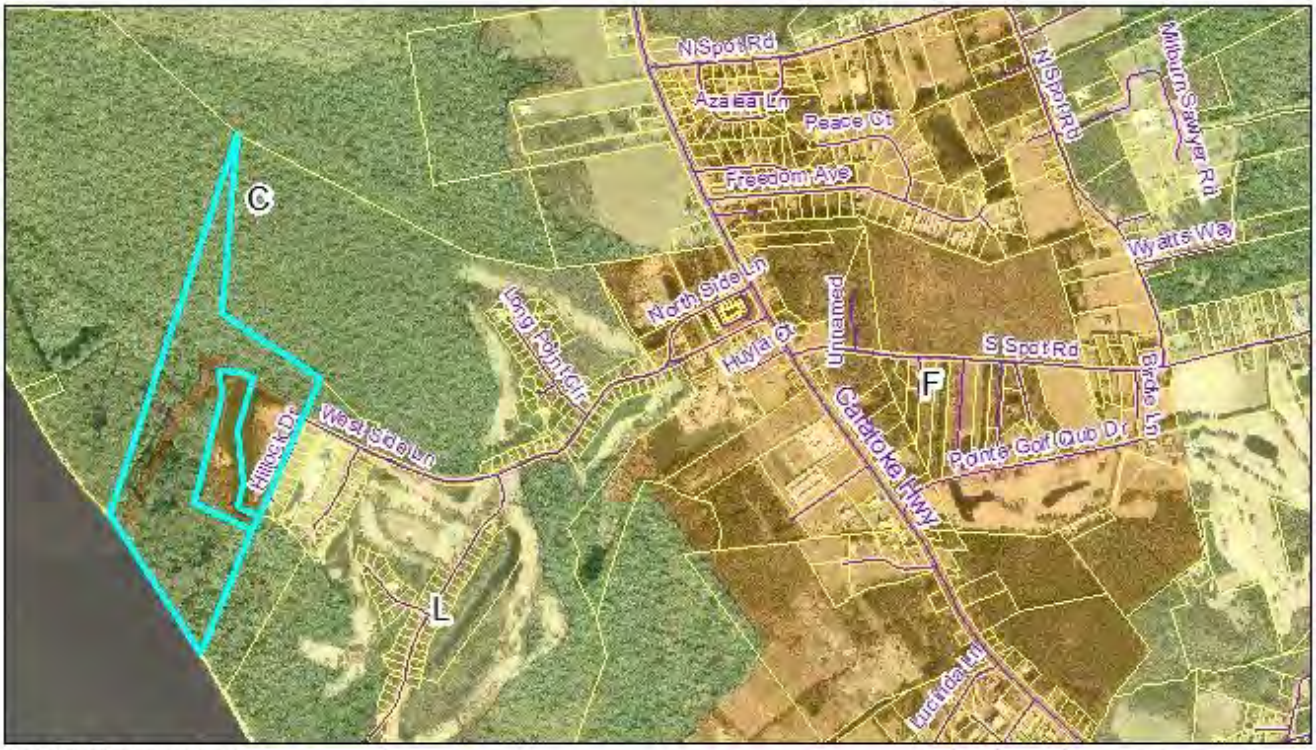


PB 08-48 Cape Currituck
Amended CD-PUD Zoning
Zoning

0 600 1,200 2,400 Feet

Currituck County
Planning and
Community Development

Attachment: 1 Cape Currituck ACZ Staff Report ! (PB 08-48 Cape Currituck (Horgan/Mason):)

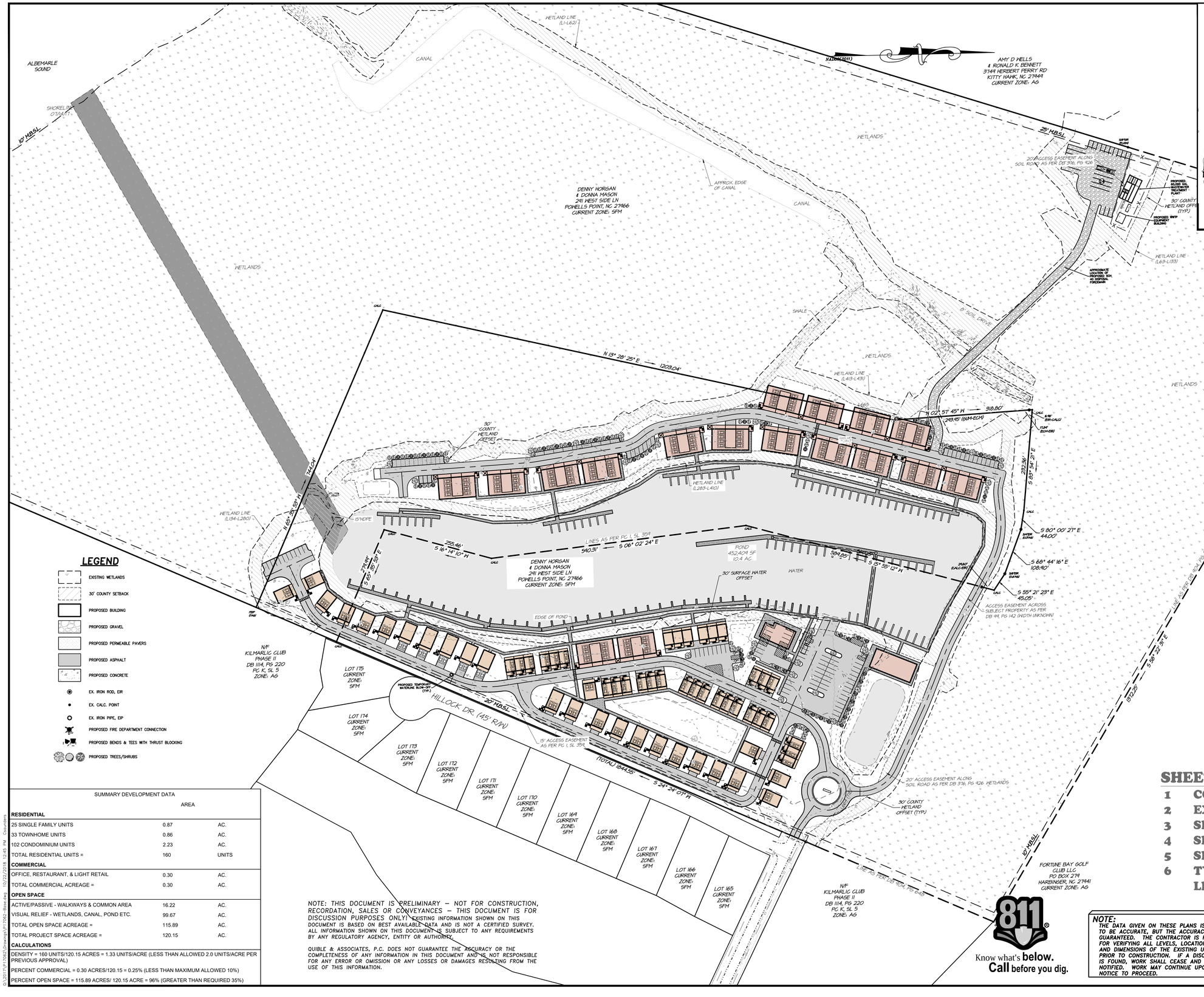


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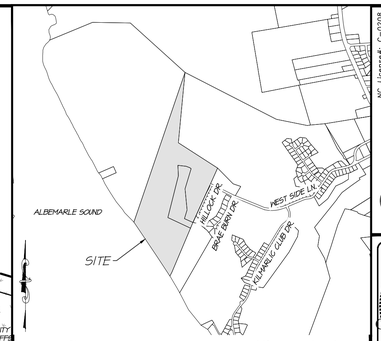
Currituck County
Planning and
Community Development

Attachment: 1 Cape Currituck ACZ Staff Report ! (PB 08-48 Cape Currituck (Horgan/Mason):)



VICINITY MAP (Powell's Point)

N.T.S.



NOTES

1. OWNER/APPLICANT: DENNY HORGAN & DONNA MASON
   291 WEST SIDE LANE
   POWELLS POINT, NC 27966
2. ENGINEER: QUIBLE & ASSOCIATES, P.C.
   P.O. DRAWER 870
   KITTY HAWK, NC
   TEL: (252) 491-8147
3. PROPERTY INFO: ADDRESS: WEST SIDE LANE
   PIN: 9827-86-9588 (PARCEL A),
   9827-96-2401 (PARCEL B)
   PID: 011200000300000 (PARCEL A),
   011200000300000 (PARCEL B)
4. SUBJECT REFERENCES: D.B. 904, PG. 648; PC I, SL 359
5. ZONE: SFM WITH APPROVED CONDITIONAL DISTRICT – PLANNED UNIT DEVELOPMENT OVERLAY ZONE (CD-PUD) (11/18/2008)
6. TOTAL PARCEL AREA = 5,233,637.63 SQ. FT./120.15 ACRES
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   WETLANDS = 4,341,736.20 SQ. FT./99.67 ACRES (INCLUDES 10.4 ACRES OF MANMADE BORROW PIT/POND)
   (AREAS BY COORDINATE METHOD)
7. APPROXIMATELY 0.48 ACRES OF WETLANDS FILL IS PROPOSED WITH THIS DEVELOPMENT. WETLANDS PERMITTING MUST TAKE PLACE PRIOR TO ANY ONSITE DISTURBANCE.
7. TOPOGRAPHIC INFORMATION BASED ON FIELD SURVEY PERFORMED BY QUIBLE & ASSOCIATES, PC. DATED 7/2017, 11/2017, 12/2017, & 01/2018.
8. FLOOD ZONE: AE (EL. 7') AND SUBJECT TO CHANGES. BASED ON COMMUNITY CID NO. 370078; PANEL 9827; SUFFIX J. (MAP NUMBER 3720982700J) EFFECTIVE DATE: 12/16/05.
9. PLANNING OBJECTIVE: PLANNED DEVELOPMENT COMMUNITY INCLUDING SINGLE AND MULTI-FAMILY DEVELOPMENT ENCOMPASSING A BOAT MARINA, AND SMALL COMMERCIAL DEVELOPMENT HUB. LOW IMPACT DEVELOPMENT METHODS INCLUDING PERMEABLE PAVEMENTS, CONSTRUCTED WETLANDS, AND VEGETATED SWALES WILL BE IMPLEMENTED TO COMPLIMENT THE EXISTING ESTUARINE ENVIRONMENT. AMENITIES WILL INCLUDE PEDESTRIAN FRIENDLY WALKS SURROUNDING THE MARINA AND CONNECTING RESIDENTIAL DEVELOPMENT TO THE PROPOSED PARK AREA.
10. PROPOSED ZERO LOT LINE DEVELOPMENT.
11. MAXIMUM BUILDING HEIGHT = 35'
12. MINIMUM SETBACK FROM AGRICULTURAL = 50.0'
13. MINIMUM SETBACK FROM ADJACENT RESIDENTIAL = 20.0'
14. STORMWATER WILL BE ADDRESSED THROUGH ONSITE CONSTRUCTED WETLANDS AND WET DETENTION BASINS. A STATE HIGH DENSITY STORMWATER PERMIT MUST BE OBTAINED PRIOR TO CONSTRUCTION.
15. WATER WILL BE PROVIDED VIA CURRITUCK COUNTY EXISTING SYSTEM. CONNECTION AND WATER MAIN EXTENSION ARE PROPOSED WITHIN WEST SIDE LANE.
16. WASTEWATER IS PROPOSED TO BE TREATED VIA ONSITE WWTP. WWTP DISPOSAL IS TO BE PLACED OFFSITE.
17. ALL SINGLE FAMILY AND TOWN HOMES ARE TO UTILIZE ROLL-OUT REFUSE CONTAINERS. CONDOMINIUMS AND COMMERCIAL DEVELOPMENT WILL UTILIZE THE ONSITE CENTRALIZED DUMPSTER FOR WASTE REFUSE.
18. THE ENTIRE SITE SHALL BE IN FULL COMPLIANCE WITH ALL APPLICABLE NFPA REGULATIONS PERTAINING TO FIRE PROTECTION AND THE NC STATE BUILDING CODE.
26. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE DRAWINGS, APPLICABLE CURRITUCK COUNTY CODES AND ORDINANCES, AND NCDEQ DIVISION OF WATER QUALITY REGULATIONS.

LEGEND

- EXISTING WETLANDS
- 30' COUNTY SETBACK
- PROPOSED BUILDING
- PROPOSED GRAVEL
- PROPOSED PERMEABLE PAVERS
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- EX. IRON ROD, EIR
- EX. CALC. POINT
- EX. IRON PIPE, EIP
- PROPOSED FIRE DEPARTMENT CONNECTION
- PROPOSED BENDS & TEES WITH THRUST BLOCKING
- PROPOSED TREES/SHRUBS

SUMMARY DEVELOPMENT DATA

	AREA	
RESIDENTIAL		
25 SINGLE FAMILY UNITS	0.87	AC.
33 TOWNHOME UNITS	0.86	AC.
102 CONDOMINIUM UNITS	2.23	AC.
TOTAL RESIDENTIAL UNITS =	160	UNITS
COMMERCIAL		
OFFICE, RESTAURANT, & LIGHT RETAIL	0.30	AC.
TOTAL COMMERCIAL ACREAGE =	0.30	AC.
OPEN SPACE		
ACTIVE/PASSIVE - WALKWAYS & COMMON AREA	16.22	AC.
VISUAL RELIEF - WETLANDS, CANAL, POND ETC.	99.67	AC.
TOTAL OPEN SPACE ACREAGE =	115.89	AC.
TOTAL PROJECT SPACE ACREAGE =	120.15	AC.
CALCULATIONS		
DENSITY = 160 UNITS/120.15 ACRES = 1.33 UNITS/ACRE (LESS THAN ALLOWED 2.0 UNITS/ACRE PER PREVIOUS APPROVAL)		
PERCENT COMMERCIAL = 0.30 ACRES/120.15 = 0.25% (LESS THAN MAXIMUM ALLOWED 10%)		
PERCENT OPEN SPACE = 115.89 ACRES/ 120.15 ACRE = 96% (GREATER THAN REQUIRED 35%)		

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SHEET INDEX

1 COVER SHEET
2 EXISTING CONDITIONS
3 SITE PLAN - PHASE 1
4 SITE PLAN - PHASE 2
5 SITE PLAN - PHASE 3
6 TYPICAL CONDOMINIUM LOT
LINE PARCELS

811 Know what's **below.** **Call** before you dig.

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GRAPHIC SCALE

100' 0 50' 100' 200'

(IN FEET)
1 inch = 100 ft.

Quible & Associates, P.C.
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BLACK MOUNTAIN, NC 28711
Phone: (828) 669-8048
Fax: (252) 491-8146
admin@quible.com

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 049787 CATHY M. SIMONS
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NO.	DATE	REVISIONS
1	10/22/2018	PER TRC COMMENTS

COVER SHEET

CAPE CURRITUCK
291 WEST SIDE LANE

NORTH CAROLINA
CURRITUCK COUNTY
POWELLS POINT

COMMISSION NO.	P17062
DESIGNED BY	CMS
DRAWN BY	CMS/DAC
CHECKED BY	MWS
ISSUE DATE	9/26/18

SHEET NO. 1 OF 6 SHEETS

G:\2017\P17062\Drawings\P17062 Base.dwg 10/22/2018 12:45 PM Cmsmiller

Attachment: 2 Revised Plan (PB 08-48 Cape Currituck (Horgan/Mason))

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(AREAS BY COORDINATE METHOD)

7. APPROXIMATELY 0.48 ACRES OF WETLANDS FILL IS PROPOSED WITH THIS DEVELOPMENT. WETLANDS PERMITTING MUST TAKE PLACE PRIOR TO ANY ONSITE DISTURBANCE.

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POTENTIAL SEQUENCE OF PERMITTING/CONSTRUCTION:

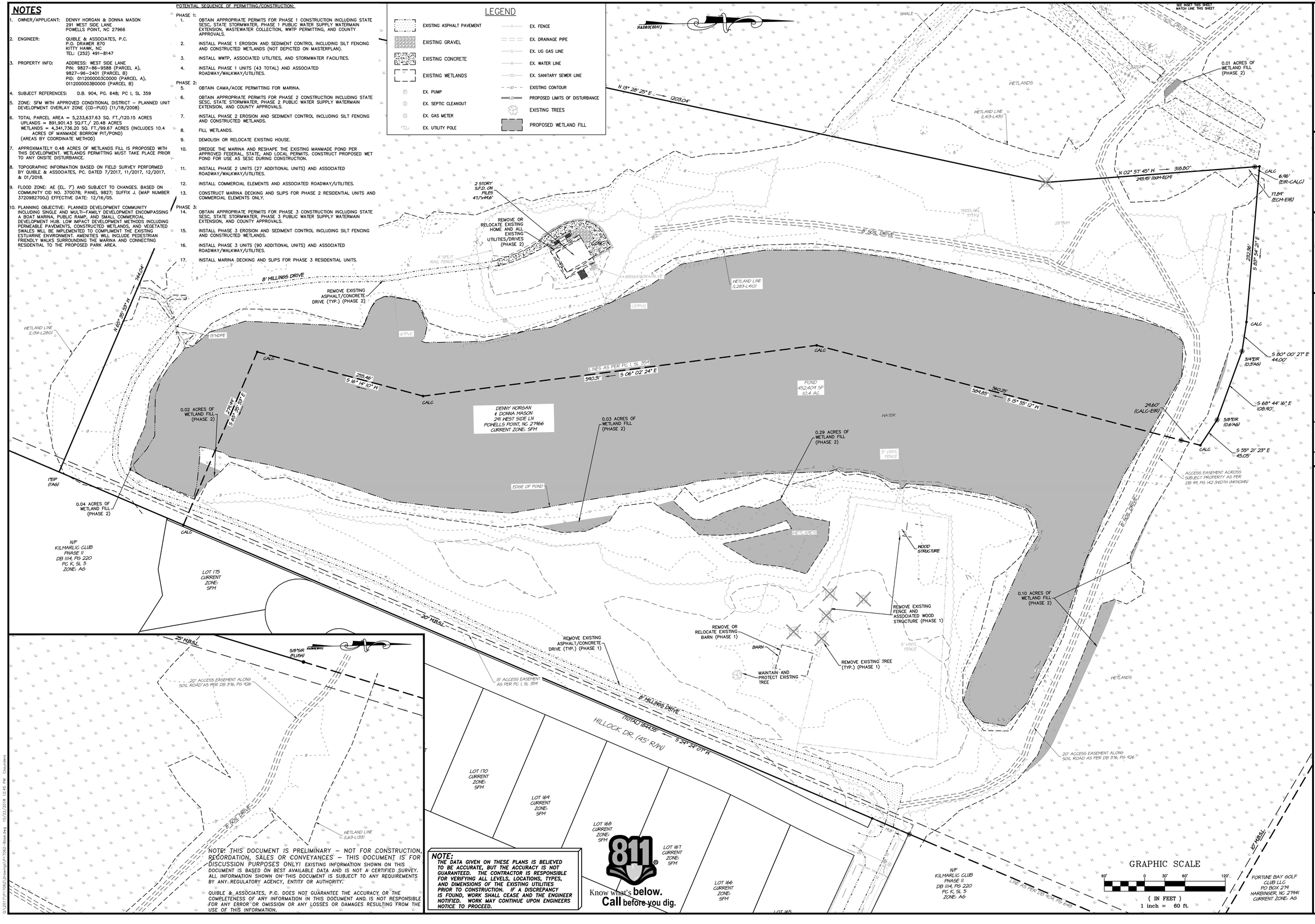
PHASE 1:
1. OBTAIN APPROPRIATE PERMITS FOR PHASE 1 CONSTRUCTION INCLUDING STATE SESC, STATE STORMWATER, PHASE 1 PUBLIC WATER SUPPLY WATERMAIN EXTENSION, WASTEWATER COLLECTION, WWTP PERMITTING, AND COUNTY APPROVALS.
2. INSTALL PHASE 1 EROSION AND SEDIMENT CONTROL INCLUDING SILT FENCING AND CONSTRUCTED WETLANDS (NOT DEPICTED ON MASTERPLAN).
3. INSTALL WWTP, ASSOCIATED UTILITIES, AND STORMWATER FACILITIES.
4. INSTALL PHASE 1 UNITS (43 TOTAL) AND ASSOCIATED ROADWAY/WALKWAY/UTILITIES.

PHASE 2:
5. OBTAIN CAMA/ACOE PERMITTING FOR MARINA.
6. OBTAIN APPROPRIATE PERMITS FOR PHASE 2 CONSTRUCTION INCLUDING STATE SESC, STATE STORMWATER, PHASE 2 PUBLIC WATER SUPPLY WATERMAIN EXTENSION, AND COUNTY APPROVALS.
7. INSTALL PHASE 2 EROSION AND SEDIMENT CONTROL INCLUDING SILT FENCING AND CONSTRUCTED WETLANDS.
8. FILL WETLANDS.
9. DEMOLISH OR RELOCATE EXISTING HOUSE.
10. DREDGE THE MARINA AND RESHAPE THE EXISTING MANMADE POND PER APPROVED FEDERAL, STATE, AND LOCAL PERMITS. CONSTRUCT PROPOSED WET POND FOR USE AS SESC DURING CONSTRUCTION.
11. INSTALL PHASE 2 UNITS (27 ADDITIONAL UNITS) AND ASSOCIATED ROADWAY/WALKWAY/UTILITIES.
12. INSTALL COMMERCIAL ELEMENTS AND ASSOCIATED ROADWAY/UTILITIES.
13. CONSTRUCT MARINA DECKING AND SLIPS FOR PHASE 2 RESIDENTIAL UNITS AND COMMERCIAL ELEMENTS ONLY.

PHASE 3:
14. OBTAIN APPROPRIATE PERMITS FOR PHASE 3 CONSTRUCTION INCLUDING STATE SESC, STATE STORMWATER, PHASE 3 PUBLIC WATER SUPPLY WATERMAIN EXTENSION, AND COUNTY APPROVALS.
15. INSTALL PHASE 3 EROSION AND SEDIMENT CONTROL INCLUDING SILT FENCING AND CONSTRUCTED WETLANDS.
16. INSTALL PHASE 3 UNITS (90 ADDITIONAL UNITS) AND ASSOCIATED ROADWAY/WALKWAY/UTILITIES.
17. INSTALL MARINA DECKING AND SLIPS FOR PHASE 3 RESIDENTIAL UNITS.

LEGEND

- EXISTING ASPHALT PAVEMENT
- EXISTING GRAVEL
- EXISTING CONCRETE
- EXISTING WETLANDS
- EX. PUMP
- EX. SEPTIC CLEANOUT
- EX. GAS METER
- EX. UTILITY POLE
- EX. FENCE
- EX. DRAINAGE PIPE
- EX. UG GAS LINE
- EX. WATER LINE
- EX. SANITARY SEWER LINE
- EXISTING CONTOUR
- PROPOSED LIMITS OF DISTURBANCE
- EXISTING TREES
- PROPOSED WETLAND FILL



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60' 0 30' 60' 120'
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1 inch = 60 ft.

Quible & Associates, P.C.
NC License# C-0208 SINCE 1959
ENGINEERING** * CONSULTING * PLANNING
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**NOT OFFERED AT THIS OFFICE
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POWELLS POINT, NC 27966
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cquible@quible.com

NORTH CAROLINA PRELIMINARY NOT FOR RECORDATION, CONVEYANCES OR SALES 10/22/2018 CHRISTOPHER M. STOCKTON, PLS L-4640
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NO.	DATE	REVISIONS
1	10/22/2018	PER TRC COMMENTS

EXISTING CONDITIONS/DEMOLITION PLAN

CAPE CURRITUCK
291 WEST SIDE LANE

POWELLS POINT — CURRITUCK COUNTY — NORTH CAROLINA

COMMISSION NO.	P17062
DESIGNED BY	CMS
DRAWN BY	CMS/DAC
CHECKED BY	MWS
ISSUE DATE	9/26/18

SHEET NO. 2 OF 6 SHEETS

Attachment: 2 Revised Plan (PB 08-48 Cape Currituck (Horgan/Mason))

NOTES

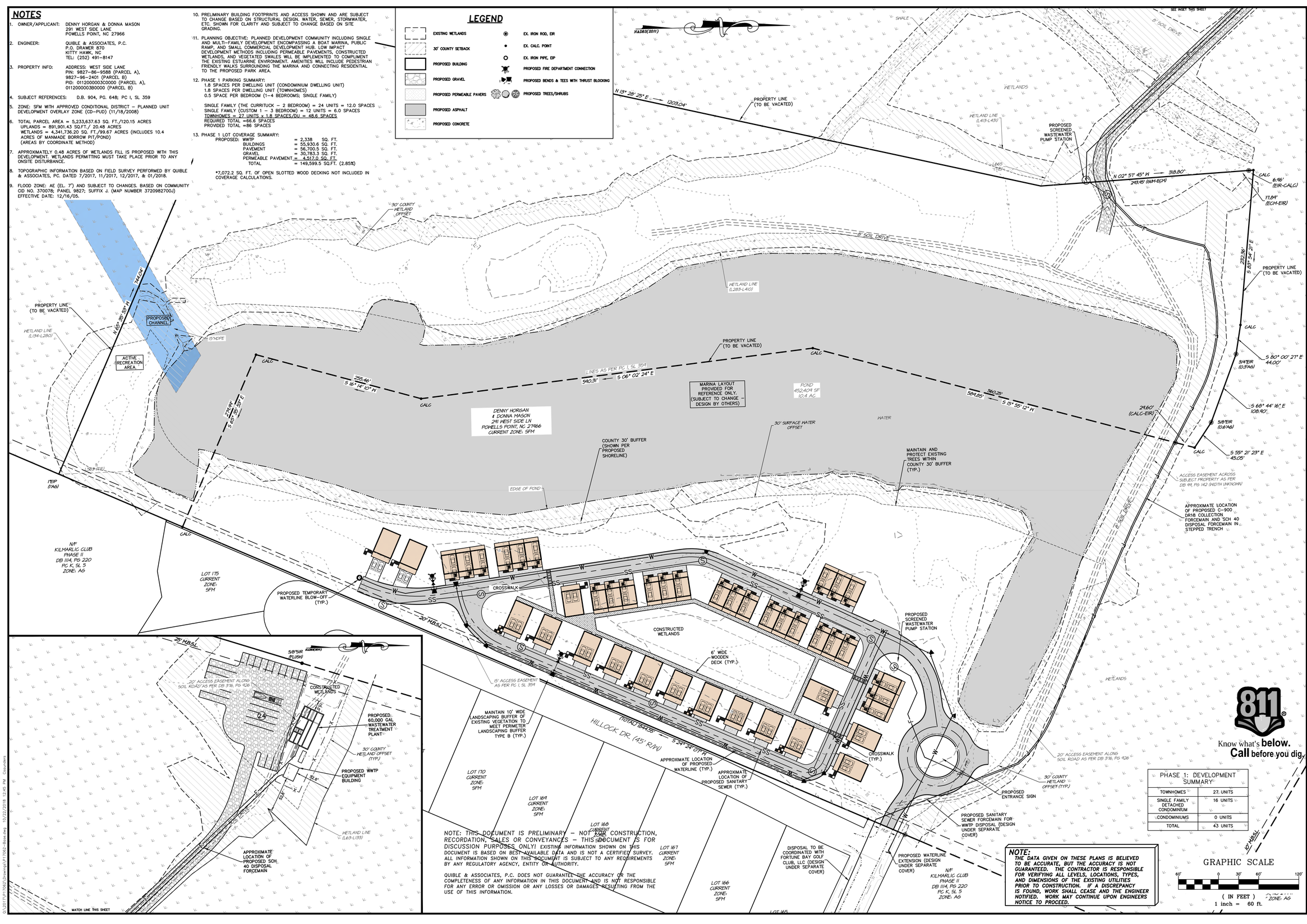
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10. PRELIMINARY BUILDING FOOTPRINTS AND ACCESS SHOWN AND ARE SUBJECT TO CHANGE BASED ON STRUCTURAL DESIGN. WATER, SEWER, STORMWATER, ETC. SHOWN FOR CLARITY AND SUBJECT TO CHANGE BASED ON SITE GRADING.
11. PLANNING OBJECTIVE: PLANNED DEVELOPMENT COMMUNITY INCLUDING SINGLE AND MULTI-FAMILY DEVELOPMENT ENCOMPASSING A BOAT MARINA, PUBLIC RAMP, AND SMALL COMMERCIAL DEVELOPMENT HUB. LOW IMPACT DEVELOPMENT METHODS INCLUDING PERMEABLE PAVEMENTS, CONSTRUCTED WETLANDS, AND VEGETATED SWALES WILL BE IMPLEMENTED TO COMPLIMENT THE EXISTING ESTUARINE ENVIRONMENT. AMENITIES WILL INCLUDE PEDESTRIAN FRIENDLY WALKS SURROUNDING THE MARINA AND CONNECTING RESIDENTIAL TO THE PROPOSED PARK AREA.
12. PHASE 1 PARKING SUMMARY:
    1.8 SPACES PER DWELLING UNIT (CONDOMINIUM DWELLING UNIT)
    1.8 SPACES PER DWELLING UNIT (TOWNHOMES)
    0.5 SPACE PER BEDROOM (1-4 BEDROOMS; SINGLE FAMILY)

    SINGLE FAMILY (THE CURRITUCK – 2 BEDROOM) = 24 UNITS = 12.0 SPACES
    SINGLE FAMILY (CUSTOM 1 – 3 BEDROOM) = 12 UNITS = 6.0 SPACES
    TOWNHOMES = 27 UNITS x 1.8 SPACES/DU = 48.6 SPACES
    REQUIRED TOTAL =66.6 SPACES
    PROVIDED TOTAL =86 SPACES
13. PHASE 1 LOT COVERAGE SUMMARY:
    PROPOSED: WWTP = 2,338 SQ. FT.
    BUILDINGS = 55,930.6 SQ. FT.
    PAVEMENT = 56,700.5 SQ. FT.
    GRAVEL = 30,783.3 SQ. FT.
    PERMEABLE PAVEMENT = 4,517.0 SQ. FT.
    TOTAL = 149,599.5 SQ.FT. (2.85%)

    *7,072.2 SQ. FT. OF OPEN SLOTTED WOOD DECKING NOT INCLUDED IN COVERAGE CALCULATIONS.

LEGEND

- EXISTING WETLANDS
- 30' COUNTY SETBACK
- PROPOSED BUILDING
- PROPOSED GRAVEL
- PROPOSED PERMEABLE PAVERS
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- EX. IRON ROD, ER
- EX. CALC. POINT
- EX. IRON PIPE, EP
- PROPOSED FIRE DEPARTMENT CONNECTION
- PROPOSED BENDS & TEES WITH THRUST BLOCKING
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PHASE 1: DEVELOPMENT SUMMARY	
TOWNHOMES	27 UNITS
SINGLE FAMILY DETACHED CONDOMINIUM	16 UNITS
CONDOMINIUMS	0 UNITS
TOTAL	43 UNITS

NOTE:
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NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 049343 CATHLEEN M. SAWYER
PRELIMINARY NOT FOR CONSTRUCTION
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NO.	DATE	REVISIONS
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SITE - PHASE 1

CAPE CURRITUCK
291 WEST SIDE LANE

CURRITUCK COUNTY NORTH CAROLINA
POWELLS POINT

COMMISSION NO.	P17062
DESIGNED BY	CMS
DRAWN BY	CMS/DAC
CHECKED BY	MWS
ISSUE DATE	9/26/18

SHEET NO. 3 OF 6 SHEETS

Attachment: 2 Revised Plan (PB 08-48 Cape Currituck (Horgan/Mason))

NOTES

1. OWNER/APPLICANT: DENNY HORGAN & DONNA MASON
   291 WEST SIDE LANE
   POWELLS POINT, NC 27966
2. ENGINEER: QUIBLE & ASSOCIATES, P.C.
   P.O. DRAWER 870
   KITTY HAWK, NC
   TEL: (252) 491-8147
3. PROPERTY INFO: ADDRESS: WEST SIDE LANE
   PIN: 9827-86-9588 (PARCEL A),
   9827-96-2401 (PARCEL B)
   PID: 0112000003C0000 (PARCEL A),
   0112000003B0000 (PARCEL B)
4. SUBJECT REFERENCES: D.B. 904, PG. 648; PC I, SL 359
5. ZONE: SFM WITH APPROVED CONDITIONAL DISTRICT – PLANNED UNIT DEVELOPMENT OVERLAY ZONE (CD-PUD) (11/18/2008)
6. TOTAL PARCEL AREA = 5,233,637.63 SQ. FT./120.15 ACRES
   UPLANDS = 891,901.43 SQ.FT./ 20.48 ACRES
   WETLANDS = 4,341,736.20 SQ. FT./99.67 ACRES (INCLUDES 10.4 ACRES OF MANMADE BORROW PIT/POND)
   (AREAS BY COORDINATE METHOD)
7. APPROXIMATELY 0.48 ACRES OF WETLANDS FILL IS PROPOSED WITH THIS DEVELOPMENT. WETLANDS PERMITTING MUST TAKE PLACE PRIOR TO ANY ONSITE DISTURBANCE.
8. TOPOGRAPHIC INFORMATION BASED ON FIELD SURVEY PERFORMED BY QUIBLE & ASSOCIATES, PC. DATED 7/2017, 11/2017, 12/2017, & 01/2018.
9. FLOOD ZONE: AE (EL. 7') AND SUBJECT TO CHANGES. BASED ON COMMUNITY CID NO. 370078; PANEL 9827; SUFFIX J. (MAP NUMBER 3720982700J) EFFECTIVE DATE: 12/16/05.
10. PRELIMINARY BUILDING FOOTPRINTS AND ACCESS SHOWN AND ARE SUBJECT TO CHANGE BASED ON STRUCTURAL DESIGN. WATER, SEWER, STORMWATER, ETC. SHOWN FOR CLARITY AND SUBJECT TO CHANGE BASED ON SITE GRADING.
11. PLANNING OBJECTIVE: PLANNED DEVELOPMENT COMMUNITY INCLUDING SINGLE AND MULTI-FAMILY DEVELOPMENT ENCOMPASSING A BOAT MARINA, PUBLIC RAMP, AND SMALL COMMERCIAL DEVELOPMENT HUB. LOW IMPACT DEVELOPMENT METHODS INCLUDING PERMEABLE PAVEMENTS, CONSTRUCTED WETLANDS, AND VEGETATED SWALES WILL BE IMPLEMENTED TO COMPLIMENT THE EXISTING ESTUARINE ENVIRONMENT. AMENITIES WILL INCLUDE PEDESTRIAN FRIENDLY WALKS SURROUNDING THE MARINA AND CONNECTING RESIDENTIAL TO THE PROPOSED PARK AREA.
12. PHASE 1 & 2 PARKING SUMMARY:
    1.8 SPACES PER DWELLING UNIT (CONDOMINIUM DWELLING UNIT)
    1.8 SPACES PER DWELLING UNIT (TOWNHOMES)
    0.5 SPACE PER BEDROOM (1-4 BEDROOMS; SINGLE FAMILY)
    1 SPACE PER 150 SQ. FT. RESTAURANT
    1 SPACE PER 300 SQ. FT. LIGHT RETAIL
    1 SPACE PER 300 SQ. FT. OFFICE SPACE

    COMMERCIAL
    RESTAURANT = 4,500 SQ. FT. x 1 SPACE/150 SQ. FT. = 30.0 SPACES
    LIGHT RETAIL = 2,000 SQ. FT. x 1 SPACE/300 SQ. FT. = 6.6 SPACES
    OFFICE SPACE = 600 SQ. FT. x 1 SPACE/300 SQ. FT. = 2.0 SPACES
    TOTAL COMMERCIAL REQUIRED = 35.6 SPACES (2 ADA SPACES REQUIRED)
    TOTAL COMMERCIAL PROVIDED = 64.0 SPACES (3 ADA SPACES PROVIDED)

    RESIDENTIAL
    CONDOMINIUMS = 12 UNITS X 1.8 SPACES/DU = 21.6 SPACES
    SINGLE FAMILY (THE CURRITUCK – 2 BEDROOM) = 38 UNITS = 19.0 SPACES
    SINGLE FAMILY (CUSTOM 1 – 3 BEDROOM) = 18 UNITS = 9.0 SPACES
    TOWNHOMES = 33 UNITS X 1.8 SPACES/DU = 59.4 SPACES
    TOTAL RESIDENTIAL REQUIRED =109.0 SPACES
    TOTAL RESIDENTIAL PROVIDED =131.0 SPACES
13. PHASE 1 &2 LOT COVERAGE SUMMARY:

PROPOSED:		
WWTP	=	2,338.0 SQ. FT.
BUILDINGS	=	88,216.6 SQ. FT.
PAVEMENT	=	107,368.1 SQ. FT.
GRAVEL	=	30,783.3 SQ. FT.
PERMEABLE PAVEMENT	=	9,365.6 SQ. FT.
TOTAL	=	238,071.6 SQ.FT. (4.5%)

*12,621.2 SQ. FT. OF OPEN SLOTTED WOOD DECKING NOT INCLUDED IN COVERAGE CALCULATIONS.

LEGEND

- EXISTING WETLANDS
- 30' COUNTY SETBACK
- PROPOSED BUILDING
- PROPOSED GRAVEL
- PROPOSED PERMEABLE PAVERS
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- EX. IRON ROD, ER
- EX. CALC. POINT
- EX. IRON PIPE, EP
- PROPOSED FIRE DEPARTMENT CONNECTION
- PROPOSED BENDS & TEES WITH THRUST BLOCKING
- PROPOSED TREES/SHRUBS

SEE INSET THIS SHEET

NAD83(2011)

N 13° 28' 25" E — 1203.04'

PROPERTY LINE (TO BE VACATED)

SWALE

8' SOIL DRIVE

WETLANDS

RAMP

WETLAND LINE (L413-L430)

LINES AS PER PC I, SL 359

PROPOSED SCREENED WASTEWATER PUMP STATION

N 02° 57' 45" W — 310.80'
248.45' (GM-ECM)

CALC

6.96' (EIR-CALC)

11.84' (ECM-EIR)

30' COUNTY WETLAND OFFSET

WETLAND LINE (L283-L410)

S 83° 54' 27" E
232.36'

PROPERTY LINE (TO BE VACATED)

WETLAND LINE (L134-L280)

N 83° 39' 53" W — 744.04'

PROPOSED CHANNEL

15"HDPE

ACTIVE RECREATION AREA

PROPERTY LINE (TO BE VACATED)

CALC

S 16° 14' 10" W
255.46'

LINES AS PER PC I, SL 359

S 06° 02' 24" E
340.31'

CALC

MARINA LAYOUT PROVIDED FOR REFERENCE ONLY. (SUBJECT TO CHANGE – DESIGN BY OTHERS)

POND 452,404 SF 10.4 AC

WATER

S 15° 55' 10" W
504.85'
560.25'

CALC

S 80° 00' 27" E
44.00'

3/4"EIR (0.94')

29.60' (CALC-EIR)

S 68° 44' 16" E
100.40'

5/8"EIR (0.61')

CALC

S 55° 21' 23" E
45.05'

ACCESS EASEMENT ACROSS SUBJECT PROPERTY AS PER DB 191, PG 142 (WIDTH UNKNOWN)

APPROXIMATE LOCATION OF PROPOSED C-900 DR18 COLLECTION FORCEMAIN AND SCH 40 DISPOSAL FORCEMAIN IN STEPPED TRENCH

DENNY HORGAN & DONNA MASON
291 WEST SIDE LN
POWELLS POINT, NC 27966
CURRENT ZONE: SFM

30' SURFACE WATER OFFSET

6' WIDE WALKWAY (TYP.)

COUNTY 30' BUFFER (SHOWN PER PROPOSED SHORELINE)

MAINTAIN AND PROTECT EXISTING TREES WITHIN COUNTY 30' BUFFER (TYP.)

EDGE OF POND

UNDERGROUND FUEL TANKS

CONSTRUCTED WETLANDS

2,600 SF SHIPS STORE AND LIGHT RETAIL

4,500 SF RESTAURANT

PROPOSED 2" ACI CANOPY TREE (TYP.)

5' WIDE LANDSCAPING BUFFER ADJACENT TO PARKING (TYP.)

PROPOSED WET POND

6' WIDE WOODEN DECK (TYP.)

RESHAPE BASIN TO NC DEQ STANDARDS. BASIN DESIGN TO MEET REQUIREMENTS FOR PERMITTED WET POND

WETLANDS

20' ACCESS EASEMENT ALONG SOIL ROAD AS PER DB 316, PG 426

30' COUNTY WETLAND OFFSET (TYP.)

PROPOSED ENTRANCE SIGN

PROPOSED SANITARY SEWER FORCEMAIN FOR WWTP DISPOSAL (DESIGN UNDER SEPARATE COVER)

PROPOSED WATERLINE EXTENSION (DESIGN UNDER SEPARATE COVER)

DISPOSAL TO BE COORDINATED WITH FORTUNE BAY GOLF CLUB, LLC (DESIGN UNDER SEPARATE COVER)

N/F KILMARLIC CLUB PHASE II DB 1114, PG 220 PC K, SL 5 ZONE: AG

MAINTAIN AND PROTECT EXISTING TREES WITHIN COUNTY 30' BUFFER (TYP.)

6' WIDE WALKWAY (TYP.)

15"EIP (NAG) CROSSWALK (TYP.)

APPROXIMATE LOCATION OF PROPOSED WATERLINE (TYP.)

APPROXIMATE LOCATION OF PROPOSED SANITARY SEWER (TYP.)

N/F KILMARLIC CLUB PHASE II DB 1114, PG 220 PC K, SL 5 ZONE: AG

LOT 175 CURRENT ZONE: SFM

CROSSWALK

20' MBSL

CONSTRUCTED WETLANDS

6' WIDE WOODEN DECK (TYP.)

15' ACCESS EASEMENT AS PER PC I, SL 359

MAINTAIN 10' WIDE LANDSCAPING BUFFER OF EXISTING VEGETATION TO MEET PERIMETER LANDSCAPING BUFFER TYPE B (TYP.)

(NOT TO SCALE) — S 34° 24' 07" R

HILLOCK DR. (45' R/W)

APPROXIMATE LOCATION OF PROPOSED WATERLINE (TYP.)

APPROXIMATE LOCATION OF PROPOSED SANITARY SEWER (TYP.)

CROSSWALK (TYP.)

LOT 170 CURRENT ZONE: SFM

LOT 169 CURRENT ZONE: SFM

LOT 168 CURRENT ZONE: SFM

LOT 167 CURRENT ZONE: SFM

LOT 166 CURRENT ZONE: SFM

LOT 165 CURRENT ZONE: SFM

25' MBSL

5/8"SR (FLUSH)

20' ACCESS EASEMENT ALONG SOIL ROAD AS PER DB 316, PG 426

CONSTRUCTED WETLANDS

PROPOSED 60,000 GAL WASTEWATER TREATMENT PLANT

30' COUNTY WETLAND OFFSET (TYP.)

PROPOSED WWTP EQUIPMENT BUILDING

WETLAND LINE (L63-L33)

APPROXIMATE LOCATION OF PROPOSED SCH 40 DISPOSAL FORCEMAIN

MATCH LINE THIS SHEET

811 Know what's below. Call before you dig.

PHASE 2: DEVELOPMENT SUMMARY (TOTALS)	
TOWNHOMES	33 UNITS
SINGLE FAMILY DETACHED CONDOMINIUM	25 UNITS
CONDOMINIUMS	12 UNITS
TOTAL	70 UNITS

NOTE: THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED. WORK MAY CONTINUE UPON ENGINEERS NOTICE TO PROCEED.

GRAPHIC SCALE
60' 0 30' 60' 120'
(IN FEET)
1 inch = 60 ft.

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Quible & Associates, P.C.
NC License# C-0208
SINCE 1959
ENGINEERING** * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING**
**NOT OFFERED TO THE PUBLIC
8466 CARATOKE HWY
POWELLS POINT, NC 27966
P.O. DRAWER 870
KITTY HAWK, NC 27949
Fax: (252) 491-8146
quible@quible.com

NORTH CAROLINA PRELIMINARY NOT FOR CONSTRUCTION SEAL 043181 ENGINEER CATHLEEN M. SAWYER
CERTIFICATION

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NO.	DATE	REVISIONS
1	10/22/2018	PER TRC COMMENTS

SITE - PHASE 2

CAPE CURRITUCK
291 WEST SIDE LANE
POWELLS POINT — CURRITUCK COUNTY — NORTH CAROLINA

COMMISSION NO.	P17062
DESIGNED BY	CMS
DRAWN BY	CMS/DAC
CHECKED BY	MWS
ISSUE DATE	9/26/18

SHEET NO. 4 OF 6 SHEETS

Attachment: 2 Revised Plan (PB 08-48 Cape Currituck (Horgan/Mason))

NOTES

1. OWNER/APPLICANT: DENNY HORGAN & DONNA MASON
291 WEST SIDE LANE
POWELLS POINT, NC 27966

2. ENGINEER: QUIBLE & ASSOCIATES, P.C.
P.O. DRAWER 870
KITTY HAWK, NC
TEL: (252) 491-8147

3. PROPERTY INFO: ADDRESS: WEST SIDE LANE
PIN: 9827-86-9588 (PARCEL A),
9827-96-2401 (PARCEL B)
PID: 011200000300000 (PARCEL A),
011200000380000 (PARCEL B)

4. SUBJECT REFERENCES: D.B. 904, PG. 648; PC I, SL 359

5. ZONE: SFM WITH APPROVED CONDITIONAL DISTRICT – PLANNED UNIT DEVELOPMENT OVERLAY ZONE (CD-PUD) (11/18/2008)

6. TOTAL PARCEL AREA = 5,233,637.63 SQ. FT./120.15 ACRES
UPLANDS = 891,901.43 SQ.FT./ 20.48 ACRES
WETLANDS = 4,341,736.20 SQ. FT./99.67 ACRES (INCLUDES 10.4 ACRES OF MANMADE BORROW PIT/POND)
(AREAS BY COORDINATE METHOD)

7. APPROXIMATELY 0.48 ACRES OF WETLANDS FILL IS PROPOSED WITH THIS DEVELOPMENT. WETLANDS PERMITTING MUST TAKE PLACE PRIOR TO ANY ONSITE DISTURBANCE.

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9. FLOOD ZONE: AE (EL. 7') AND SUBJECT TO CHANGES. BASED ON COMMUNITY CID NO. 370078; PANEL 9827; SUFFIX J. (MAP NUMBER 3720982700J) EFFECTIVE DATE: 12/16/05.

10. PRELIMINARY BUILDING FOOTPRINTS AND ACCESS SHOWN AND ARE SUBJECT TO CHANGE BASED ON STRUCTURAL DESIGN, WATER, SEWER, STORMWATER, ETC. SHOWN FOR CLARITY AND SUBJECT TO CHANGE BASED ON SITE GRADING.

11. PLANNING OBJECTIVE: PLANNED DEVELOPMENT COMMUNITY INCLUDING SINGLE AND MULTI-FAMILY DEVELOPMENT ENCOMPASSING A BOAT MARINA, PUBLIC RAMP, AND SMALL COMMERCIAL DEVELOPMENT HUB. LOW IMPACT DEVELOPMENT METHODS INCLUDING PERMEABLE PAVEMENTS, CONSTRUCTED WETLANDS, AND VEGETATED SWALES WILL BE IMPLEMENTED TO COMPLIMENT THE EXISTING ESTUARINE ENVIRONMENT. AMENITIES WILL INCLUDE PEDESTRIAN FRIENDLY WALKS SURROUNDING THE MARINA AND CONNECTING RESIDENTIAL TO THE PROPOSED PARK AREA.

12. PHASE 1 & 2 PARKING SUMMARY:
1.8 SPACES PER DWELLING UNIT (CONDOMINIUM DWELLING UNIT)
1.8 SPACES PER DWELLING UNIT (TOWNHOMES)
0.5 SPACE PER BEDROOM (1-4 BEDROOMS; SINGLE FAMILY)
1 SPACE PER 150 SQ. FT. RESTAURANT
1 SPACE PER 300 SQ. FT. LIGHT RETAIL
1 SPACE PER 300 SQ. FT. OFFICE SPACE

COMMERCIAL
RESTAURANT = 4,500 SQ. FT. X 1 SPACE/150 SQ. FT. = 30.0 SPACES
LIGHT RETAIL = 2,000 SQ. FT. X 1 SPACE/300 SQ. FT. = 6.6 SPACES
OFFICE SPACE = 600 SQ. FT. X 1 SPACE/300 SQ. FT. = 2.0 SPACES
TOTAL COMMERCIAL REQUIRED = 38.6 SPACES (2 ADA SPACES REQUIRED)
TOTAL COMMERCIAL PROVIDED = 64.0 SPACES (3 ADA SPACES PROVIDED)

RESIDENTIAL
CONDOMINIUMS = 102 UNITS X 1.8 SPACES/DU = 183.6 SPACES
SINGLE FAMILY (THE CURRITUCK – 2 BEDROOM) = 38 UNITS = 19.0 SPACES
SINGLE FAMILY (CUSTOM 1 – 3 BEDROOM) = 18 UNITS = 9.0 SPACES
TOWNHOMES = 33 UNITS X 1.8 SPACES/DU = 59.4 SPACES
TOTAL RESIDENTIAL REQUIRED =271.0 SPACES
TOTAL RESIDENTIAL PROVIDED =296.0 SPACES (2 ADA SPACES PROVIDED)

OVERFLOW/BOAT PARKING
24 SPACES PROVIDED

13. PHASE 1, 2, &3 LOT COVERAGE SUMMARY:

PROPOSED:	WWTP	= 2,338.0 SQ. FT.
	BUILDINGS	= 163,866.6 SQ. FT.
	PAVEMENT/CONC.	= 161,019.4 SQ. FT.
	GRAVEL	= 30,783.3 SQ. FT.
	PERMEABLE PAVEMENT	= 18,269.5 SQ. FT.
	TOTAL	= 376,276.8 SQ.FT. (7.1%)

*52,008.2 SQ. FT. OF OPEN SLOTTED WOOD DECKING AND MARINA DOCKS NOT INCLUDED IN COVERAGE CALCULATIONS.

LEGEND

- EXISTING WETLANDS
- 30' COUNTY SETBACK
- PROPOSED BUILDING
- PROPOSED GRAVEL
- PROPOSED PERMEABLE PAVERS
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- EX. IRON ROD, ER
- EX. CALC. POINT
- EX. IRON PIPE, EP
- PROPOSED FIRE DEPARTMENT CONNECTION
- PROPOSED BENDS & TEES WITH THRUST BLOCKING
- PROPOSED TREES/SHRUBS

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PHASE 3: DEVELOPMENT SUMMARY	
TOWNHOMES	33 UNITS
SINGLE FAMILY DETACHED CONDOMINIUM	25 UNITS
CONDOMINIUMS	102 UNITS
TOTAL	160 UNITS

NOTE:
THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED. WORK MAY CONTINUE UPON ENGINEERS NOTICE TO PROCEED.

GRAPHIC SCALE
60' 0 30' 60' 120'
(IN FEET)
1 inch = 60 ft.

Know what's **below.** **Call** before you dig.

Quible & Associates, P.C.
NC License# C-0208 SINCE 1959
ENGINEERING** * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING**
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cmsmason@quible.com
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Tel: (828) 669-8035
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cmsmason@quible.com

NORTH CAROLINA PRELIMINARY NOT FOR CONSTRUCTION 10/22/2018 CHRISTOPHER M. SMASON, PE CERTIFICATION

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NO.	DATE	REVISIONS
1	10/22/2018	PER TRC COMMENTS

SITE - PHASE 3

CAPE CURRITUCK
291 WEST SIDE LANE

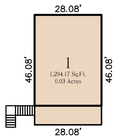
CURRITUCK COUNTY NORTH CAROLINA

POWELLS POINT

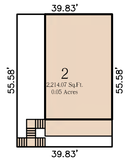
COMMISSION NO.	P17062
DESIGNED BY	CMS
DRAWN BY	CMS/DAC
CHECKED BY	MWS
ISSUE DATE	9/26/18

SHEET NO. 5 OF 6 SHEETS

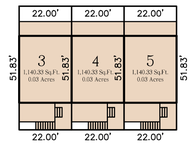
Attachment: 2 Revised Plan (PB 08-48 Cape Currituck (Horgan/Mason))



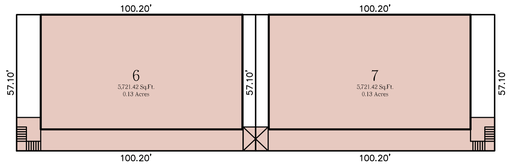
TYPICAL DETACHED CONDOMINIUM LOT LINE (THE CURRITUCK)



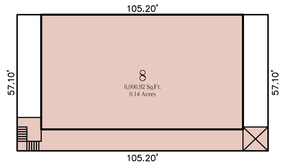
TYPICAL DETACHED CONDOMINIUM LOT LINE (CUSTOM 1)



TYPICAL CONDOMINIUM LOT LINE (TOWNHOMES)



TYPICAL CONDOMINIUM LOT LINE (DUAL CONDOMINIUM)



TYPICAL CONDOMINIUM LOT LINE (SINGLE CONDOMINIUM)

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811 Know what's **below.** **Call** before you dig.

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SINCE 1959
ENGINEERING** * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING**
HOME OFFICE: 8446 CARATOKE HWY POWELLS POINT, NC 27966 Phone: (252) 491-8146 Fax: (252) 491-8146 admin@quible.com
A.K.A. QUIBLE & ASSOCIATES, P.C.
90 CHURCH STREET, SUITE B BLACK MOUNTAIN, NC 28711 Phone: (828) 252-8158 Fax: (252) 491-8146 admin@quible.com

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 049777 CHRISTOPHER M. STOCKS

CERTIFICATION

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NO.	DATE	REVISIONS
1	10/22/2018	PER TRC COMMENTS

TYPICAL CONDOMINIUM LOT LINES

CAPE CURRITUCK
291 WEST SIDE LANE

POWELLS POINT CURRITUCK COUNTY NORTH CAROLINA

COMMISSION NO.	P17062
DESIGNED BY	CMS
DRAWN BY	CMS/DAC
CHECKED BY	MWS
ISSUE DATE	9/26/18

SHEET NO. 6 OF 6 SHEETS

Attachment: 2 Revised Plan (PB 08-48 Cape Currituck (Horgan/Mason))

G:\2017\P17062\Drawings\P17062 Sheet.dwg 10/22/2018 12:45 PM Chandler

Currituck County
Department of Planning and Community Development
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
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MEMORANDUM

To: Cathleen Saunders, Quible and Associates

From: Tammy Glave, Senior Planner

Date: October 11, 2018

Re: PB 08-48 Cape Currituck, Amended Conditional Zoning, TRC Comments

The following comments have been received for the October 17, 2018 Technical Review Committee meeting. In order to be scheduled for the November 13, 2018 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on October 22, 2018. TRC comments are valid for six months from the date of the TRC meeting.

Planning, (Tammy Glave, 252-232-6025)
Approved with comment:
1. Staff is concerned with the maneuverability of vehicles pulling boat trailers (turning radius) at the public boat ramp, lack of vehicle hauling boat trailer parking at the ramp, and the distance from the ramp to the boat trailer parking lot.

Currituck County Building-Fire Inspector (Bill Newns, 252-232-6023)
Reviewed without comment.

Currituck County GIS (Harry Lee, 252-232-4039)
Reviewed without comment.

Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)
Reviewed without comment.

Currituck County Utilities – SOBWS (Benjie Carawan, 252-453-2620)
Reviewed without comment.

Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)
Reviewed with comment:
1. DEVELOPERS NEED TO CONSULT WITH KEVIN CARVER RS (252-232-6603)CONCERNING PROPOSED SUB-SURFACE SEWAGE TREATMENT AND DISPOSAL SYSTEMS WITHIN PROPOSED DEVELOPMENT.

NC Division of Coastal Management (Charlan Owens, 252-264-3901)
Reviewed with comment:
1. A CAMA Major Permit will be required for project development. For permitting assistance, please contact Ron Renaldi, DCM Field Representative at 252-264-3901.

Attachment: 3 Cape Currituck ACZ TRC Comments 10-17-18 (PB 08-48 Cape Currituck (Horgan/Mason):)

2. Page 3 of the Site Narrative indicates that the proposed subdivision is predicated on a marina being constructed that offers a connection to the Albemarle Sound, however Page 8 indicates that permitting for the marina will occur in Phase 2---after 43 units and associated improvements for those units are installed in Phase 1. It is recommended that permitting for the marina occur in Phase 1.

Comments not received from the following:
Currituck County Engineer (Eric Weatherly, 252-232-6035)
Currituck Soil and Stormwater (Will Creef, 252-232-3360)
Currituck County Utilities - Water (Yama Jones, 252-232-6061)

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 1- 8.5”x11” copy of all revised plans.
- 1- PDF digital copy of all revised or new documents and plans.

Attachment: 3 Cape Currituck ACZ TRC Comments 10-17-18 (PB 08-48 Cape Currituck (Horgan/Mason):)

SITE NARRATIVE

Cape Currituck Conditional Rezoning Amendment to
Existing Planned Unit Development Overlay Zone
Currituck County, North Carolina

Prepared for:
Timothy Mike Morrison
8443 Caratoke Highway Ste E,
Powells Point, NC 27966

Prepared by:
Quible & Associates, P.C.
PO Drawer 870
Kitty Hawk, NC 27949

September 27, 2018
P17062

Attachment: 4 P17062 -Site Narrative Combined-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

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Appendix A – Previously approved CD-PUD Permit (2008)

Appendix B – On-site Soils Map and Data

Appendix C – Supporting letter for off-site disposal of wastewater effluent

Attachment: 4 P17062 -Site Narrative Combined-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

Overview

The site consists of a parcel of land (120.15 acres) located adjacent to the Kilmarlic Golf Club/Residential Community and the Albemarle Sound. The developer (Cape Currituck) proposes to amend an existing Conditional Rezoning – Planned Unit Development Overlay Zoning. This development is mixed-use and includes 160 residential units, a small commercial hub, full service marina, and associated infrastructure. Development of the site will take place within phases. Anticipated phasing of the project is outlined within the proposed Sequence of Permitting/Construction section of this narrative.

A conceptual development masterplan was submitted to Currituck County and granted approval in 2008. A copy of the Currituck County approval has been attached as **Appendix A**.

Existing Conditional Rezoning Planned Unit Development

A previous Conditional District Zoning Map Amendment package was submitted and approved in November of 2008. This conditional zoning map amendment rezoned the subject parcel from SFM to CD-PUD with the intention of building a development including 237 residential units, a small commercial hub, boat marina, public boat ramp, and associated infrastructure improvements. The previous rezoning was necessary as the proposed development desired mixed use (commercial and residential) was not a permitted use in the SFM zoning district. A copy of the previous CD-PUD permit is included within **Appendix A**.

During the permitting stages it became apparent that the proposed waterway alignment to connect to the sound was not desirable by State and Federal resource and permit agencies. The Masterplan has been redesigned to take this change into account and a revised Planned Development Masterplan is proposed to address the current desired layout. Due to the lapse in time between the previous masterplan and the current desire for construction, wetlands onsite were revisited with the appropriate State and Federal agencies. Changes to the wetland boundaries defined onsite, significantly impacted the available uplands for development and required a change (an overall decrease in the number of units) in the previously approved masterplan. The masterplan associated with the existing CD-PUD will be modified to reflect current site conditions.

Existing Site

A majority of the property is a mix of wetlands with approximately 20 acres of uplands. There is approximately 1,800 linear feet of shoreline within the project area. Much of the interior of the property is dominated by coastal wetlands species. However, there are approximately 40 acres of the wetlands that have been invaded by *Phragmites australis*. The wetlands that are dominated by *P. australis* have been determined to not fall under the jurisdiction of the Division of Coastal Management (DCM). The interior wetlands are not connected directly to the Sound due to high berms along the shoreline and a berm that extends from the shoreline east into the property along the existing canal. Historically, there was a connection to the Albemarle Sound from a series of man-made canals on the property.

Much of the uplands on site are maintained grasses, paths and unimproved roads that are used by the current owner. There is a single-family residential home on the property along with horse barns and paddocks.

Existing grades throughout the site are generally between elevation 3-feet to 5-feet. All impervious coverage currently on the site sheet flows or has a direct connection into the existing pond, man-made canals and wetlands.

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Proposed Development

Cape Currituck proposes a development with mixed residential uses, neighborhood serving retail uses, a restaurant, and traditional uses associated with a full-service marina. The planned development includes 160 total residential units, a small commercial hub, restaurant, full service marina, and associated infrastructure. The developers, Cape Currituck, LLC (not yet incorporated but planned), propose to excavate a channel to connect the existing pond to the Albemarle Sound. The proposed subdivision is predicated on a marina being constructed that offers a connection to the Albemarle Sound. There are no public marinas on the Albermarle Sound shoreline in Currituck County. This project will provide access to the Albemarle Sound and is positioned to take boat traffic from the Intracoastal Waterway which traverses just offshore from the proposed project.

The proposed site is generally consistent with the County Land Use Plan. A portion of the site is considered 'conservation' within the County's Future Land Use plan. This area is currently wetlands and will predominately remain undisturbed with the site development. Approximately 0.48 acres of wetland fill will be permitted and mitigated through the appropriate State and Federal agencies. The proposed development will incorporate sustainable development practices and permeable pavement to the extent practical to encourage an environmentally conscious development adjacent to the existing wetlands and waterbody.

The uplands available on the subject parcel of land are designated as 'Full Service' by the County's 2006 Land Use Plan (LUP). Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service investments have been provided or will be made available by the public and/or private sectors. Residential development is considered an appropriate development within the full-service district and is typically allowed to have 2 units per acre. Commercial Development within the full-service district is acceptable per the 2006 LUP and the proposed small commercial hub will reflect the existing community in scale, architectural style, materials, landscaping, and site design.

The planned development would address a community need for access to the Albemarle Sound while providing an increased inventory of resort style homes and condominiums. The proposed condominiums will also address the need for multifamily housing within lower Currituck. The proposed smaller single-family homes/cottages (1,000 sq. ft. to 1,800 sq. ft.) are anticipated to compliment surrounding developments, which allow for larger floor plans. The proposed marina and access to the Intracoastal Waterway (ICW) will provide needed access to the underutilized Albemarle Sound and positively impact the land values in the surrounding area.

Access

Access to the site will be available from West Side Lane (SR 1112). A minimum 20' wide all-weather asphalt drive aisle capable of supporting 75,000 pounds is proposed to allow for fire access. A refuse collection center will be provided adjacent to the condominiums for centralized trash pickup. All single-family condominiums are anticipated to have single roll-out refuse containers. A 15'x30' loading zone will be provided within the commercial area to meet the Currituck County Unified Development Ordinance (UDO) requirements.

Pedestrian Access

All walks are proposed to be open-slotted wood decking at a minimum of 6-feet wide. Internal pedestrian circulation will be provided to all commercial development areas. Golf cart and Bicycle parking will be provided at the proposed commercial hub to encourage alternative transportation methods.

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Parking

The proposed project includes 364 parking spaces. Calculations for the final parking count are based on the current ordinance using the following standards:

- 1.8 spaces per dwelling unit (condominium dwelling unit);
- 1.8 spaces per dwelling unit (townhomes);
- 0.5 space per bedroom (1-4 bedrooms; single family);
- 1 space per 150 sq. Ft. Restaurant;
- 1 space per 300 sq. Ft. Light retail;
- 1 space per 300 sq. Ft. Office space;

The parking summary for the entire development is provided within Table 1 below.

Table 1: Parking Summary

	Name	***Building Size (SF)***	***Bedrooms***	***# Buildings***	***#Units***	***Parking Required Estimate***	***Parking Provided***
1	Single Family (The Currituck)		2	19	38	19.0	44.5
2	Single Family (Custom 1)		3	6	18	9.0	
3	Townhome			33	33	59.4	59.5
4	Condominiums			17	102	183.6	186.5
5	Light Retail	2,000				6.6	69.5
6	Restaurant	4,500				30.0	
7	Office/Clubhouse	600				2.0	
8	Overflow/Boat Trailer parking					24	24
					Totals	**333.6**	**384**

Based on the parking summary above, approximately 334 parking spaces are recommended. The proposed masterplan has provided 384 spaces.

The proposed development proposes following dimensional standards:

- Proposed condominium development.
- Minimum interior lot area = 1,200 sq. Ft. (Reduced with additional area proposed to be added to minimum open space set-aside per Table 1.8.6.A Note [1]; Zero lot line)
- Minimum lot width (overall lot) = 65'
- Minimum lot setback (overall lot) = 10.0'
- Maximum lot coverage (overall lot) = 10.0% (Does not include open slotted wood decking)
- Maximum building height = 35'
- Maximum individual building size = 5,000 sq. Ft.
- Minimum setback from agricultural = 50.0'
- Minimum setback from adjacent residential = 20.0'

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Utilities

Water

The existing waterlines adjacent to the site within Kilmarlic are 6” in size. Water service to the site is proposed to be modeled based on the number of approved units to determine the best available connection with regards to available fire protection. Two options for water services are being considered including a connection to the existing 6” stub out within West Side Lane adjacent to the site or connection and extension of the existing 10” waterline within West Side Lane at the intersection of Kilmarlic Club Drive. If the 6” stub out connection is used, the existing waterline throughout Kilmarlic would be upgraded as necessary with the project to maintain required pressures for fire service. If modelling determines that an extension of the existing 10” waterline alignment is the best available for the development, a 10” extension will parallel the existing 6”-8” line within the West Side Lane right-of-way until it enters the development adjacent to Hillock.

Water service and fire hydrants will be provided throughout the development. All commercial buildings, townhomes, and condominiums (including detached condominiums) will be protected by sprinkler systems as required by National Fire Prevention Association and applicable building codes.

Sanitary Sewer

Sanitary sewer service throughout the development is anticipated to be collected via a gravity sewer network. This system will collect to onsite lift stations that will pump sewage to a proposed wastewater treatment plant at the rear of the site adjacent to boat trailer parking. Disposal of the treated effluent is proposed to take place through drip irrigation off-site through agreements with adjacent property owners. A letter of support from the adjacent property owner is available in **Appendix C** for off-site disposal of effluent.

Stormwater Management Plan

Low impact development methods including permeable pavements, constructed wetlands, a wet pond, and vegetated swales will be implemented to complement the existing estuarine environment. Amenities will include pedestrian friendly walks surrounding the marina and connecting residential development to the proposed park area. Walks are proposed as open slotted wood decking to allow stormwater to infiltrate into the ground naturally.

Stormwater to serve the proposed site improvements is anticipated to include multiple manmade wetland pockets, wet detention basins, and permeable pavement throughout the development. The existing soils at the site do not adequately allow for infiltration or bioretention options. Anticipated locations of pocket wetlands and wet ponds are shown on the provided masterplan. Stormwater Control Measures will be permitted as appropriate to address State and Local storage and treatment requirements.

Permeable pavers and permeable asphalt will be used onsite within parking areas to provide additional stormwater storage and infiltration. Pavers will be installed with underdrains that convey stormwater to the centralized storm sewer network Permeable pavers are provided to meet stormwater storage requirements. Permeable pavers are not anticipated to be permitted through NC DEQ.

These stormwater management control measures will provide an adequate system to meet and exceed State and local requirements for stormwater storage and treatment.

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Soils

The USDA NRCS Soil Survey lists the soils in the vicinity of the proposed development as described below. A copy of the NRCS web soil survey is available within **Appendix B** for reference.

- Bp – Borrow Pit
  This soil typically has 0 to 3 percent slopes. Typically has a very low runoff rate.

- Do—Dorovan mucky peat
  This soil typically has 0 to 1 percent slope. Dorovan mucky peat typically has a very high runoff class and is very poorly drained. This soil is categorized in Hydrologic Soil Group: A/D.

- CnA—Conetoe loamy sand
  This soil typically has 0 to 3 percent slope. Conetoe loamy sand typically has a very low runoff class and is well drained. This soil is categorized in Hydrologic Soil Group: A.

Marina

The proposed marina development has been designed to promote flushing to the maximum extent practicable, while limiting the square footage of wetlands and shallow water impacts by selecting the most direct channel route to reach the desired connecting water depth in the Albemarle of -8.0 feet (relative to normal water level). The marina development process over the last year has been refined to avoid and minimize environmental impacts. Specifically, the developer has reduced the overall proposed wetlands impacts (from the previously approved Masterplan). In addition, a robust mitigation plan is proposed that will restore native wetlands onsite, manage invasive species and preserve a large tract (greater than 80 acres) of non-coastal wetlands.

Please note, the existing onsite pondwas created out of agricultural lands. Fringe wetlands that exist around the pond have naturalized, but these wetlands appear to be the result of the Mine Reclamation activities/attempts after the mine was decommissioned. As proposed, the total wetlands fill impact for upland development is 0.48 acres which includes filling for road crossings. Dredge impacts to non-coastal wetlands (Phragmites, which is a federally listed invasive species) are 1.6 acres.

The proposed marina will provide approximately 208 boat slips (at build out based on available parking) for use by the general public, visitors and ICW traffic. Proposed slips will range in size to accommodate a variety of boats, sailboats and ICW traffic. The marina will be “full service”, defined as providing wet slips, sewage pump out, fuel and a ships store.

Buffers and Site Vegetation

Zoning

The surrounding zoning is a mixture of single-family mainland (SFM) and agriculture (AG). A setback of 20’ is proposed from the adjacent single-family zoning on the eastern side of the site. However, this 20’ setback is predominately against the Hillock right-of-way, which is 45-feet wide. Lot 175 within Kilmarlic Club Phase II is the only lot that directly abuts the proposed planned development. At this location, all buildings have been placed approximately 45-feet from the residential property line. A minimum of a 10-feet wide vegetated buffer will be provided along the adjacent properties zoned residential. All commercial development has been

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centralized within the community and will not be adjacent to the existing residential developments.

Adjacent to all agricultural zoning and along the north and west, a buffer of greater than 50-feet is available. These areas are predominately wetlands and will remain undisturbed with the proposed development. The southern boundary of the site is the Albemarle Sound and a buffer of greater than 500-feet for all development is provided by the existing wetlands.

The proposed development appears to be consistent with the surrounding uses of agriculture and residential zoning. Building types and placement at the site are proposed to provide a transition from adjacent offsite residential zoning to the mixed use and commercial elements of the proposed development plan. Transitions of residential buildings have been provided adjacent to the existing off site residential prior to proposed commercial or multi-family building placement.

Environmental Buffers

Within the current Currituck County UDO Section 1.8.6 (B)(3), the previously approved development shall comply with the standards in Chapters 5, 6, and 7 of the post-2013 UDO provided the compliance with the standards does not have the effect of decreasing the type, density, or intensity of the land designation contained in the approved master plan establishing the planned unit development.

The proposed development has held a 30' buffer from the shoreline as required by State and Federal requirements. Within Chapter 7, the County requires a 30' environmental setback from all wetlands (coastal and non-coastal) above and beyond State and Federal regulations. This 30' setback has been shown on the proposed masterplan for reference and is required to establish a riparian buffer around the county's surface waters, estuarine systems, and wetlands to ensure surface water runoff does not degrade or contaminate water quality in these resources. More specifically, these standards are intended to protect the following items:

A. Establish a riparian buffer zone around key water resource;
   Necessary wetlands impact and proposed structures and infrastructure have been minimized and avoided to the maximum extent practicable and all proposed development is adjacent to the man-made lake (former sand mine) and subsequent wetlands that were created as a result of final grading at mine closing. This statement is evidenced by historical aerial photography which shows the property as agricultural lands prior to the excavation of the mine and creation of the lake.

B. Protect private on-site drinking water supplies;
   The development as proposed will not damage on-site or off-site drinking water supplies. The project as proposed will not adversely impact (either through contamination or lowering) the shallow groundwater table or any known aquifer used for drinking water supplies.

C. Trap sediment and other pollutants in surface runoff;
   The proposed development includes stormwater planning that eliminates any discharge to surface waters, wetlands etc. Engineered and properly permitted Stormwater Control Measures will capture pollutants and sediment. Runoff from all homes within the 30' setback will be routed to appropriate basins prior to discharge.

D. Promote shoreline stabilization;

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The proposed development includes naturalized bank enhancement and stabilization. The project as proposed will not adversely impact any natural shorelines, but rather through the use of natural shoreline stabilization (not hardened) the shoreline will better protect water quality within the basin.

E. Protect wildlife habitat and critical aquatic nurseries;
A thorough review of wildlife habitat and critical aquatic nurseries has been conducted as part of the environmental review of this project. Based on a review of State and Federal databases and discussions with USFWS staff, there are no listed or mapped critical wildlife habitats or critical aquatic nurseries located within the proposed project area. All proposed development activities will be reviewed by State and Federal Permitting and Resource agencies as appropriate. All required permits will be obtained prior to any development activities.

F. Minimize the impacts of floods by helping maintain flood water storage volume.
The proposed development will manage and maintain flood water storage volumes and an engineered Site Plan; which includes both State and County stormwater management plans, will be submitted as part of the overall design of the project.

As proposed, Cape Currituck will meet the intent of UDO Section 7.6.1 through maintaining the 30' County setback adjacent to a majority of the existing natural wetlands and waterbodies throughout. Permitting and implementation of an engineered stormwater plan will assist in meeting the intent of this UDO Section in areas of roadway crossings. In addition to County setback requirements, all wetlands identified carry certain protections as outlined in Section 401 and Section 404 of the Clean Water Act. It is important to note that the proposed development is currently allowed (in a similar form) under a previous board action in 2008. The previously approved development proposed a greater density and proposed greater impacts to wetlands than the current proposal.

Proposed Sequence of Permitting/Construction

Phase 1:

1. Obtain appropriate permits for Phase 1 construction including State SESC, State Stormwater, Phase 1 Public Water Supply watermain extension, Wastewater collection, WWTP permitting, and County approvals.
2. Install Phase 1 erosion and sediment control including silt fencing and constructed wetlands.
3. Install WWTP, associated utilities, and stormwater facilities.
4. Install Phase 1 units (43 total) and associated roadway/walkway/utilities.

Phase 2:

5. Obtain CAMA/USACE, DWR permitting for Marina.
6. Obtain appropriate permits for Phase 2 construction including State SESC, State Stormwater, Phase 2 Public Water Supply watermain extension, and County approvals.
7. Install Phase 2 erosion and sediment control including silt fencing and constructed wetlands.
8. Fill wetlands.
9. Demolish or relocate existing house.
10. Dredge the marina and reshape the existing manmade pond per approved Federal, State, and local permits. Construct proposed wet pond for use as SESC during construction.

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11. Install Phase 2 units (27 additional units) and associated roadway/walkway/utilities.
12. Install commercial elements and associated roadway/utilities.
13. Construct marina decking and slips for Phase 2 residential units and commercial elements only.

Phase 3:

14. Obtain appropriate permits for Phase 3 construction including State SESC, State Stormwater, Phase 3 Public Water Supply watermain extension, and County approvals.
15. Install Phase 3 erosion and sediment control including silt fencing and constructed wetlands.
16. Install Phase 3 units (90 additional units) and associated roadway/walkway/utilities.
17. Install marina decking and slips for Phase 3 residential units.

Proposed Zoning Conditions/Dimensional Standards

Use Conditions:

1. The maximum gross residential density shall not exceed 2.0 dwelling units per acre.
2. No more than 50 residential units shall receive a certificate of occupancy prior to the public marina being fully permitted and approved by any local, state, and federal regulatory or permitting agency.
3. No more than 100 residential dwelling units shall receive a certificate of occupancy prior to the marina being fully operational and open to the public.
4. No more than 150 residential dwelling units shall receive a certificate of occupancy prior to the commercial components of the request being approved and fully constructed.

Transportation Conditions:

1. Multimodal pathways a minimum of six feet in width shall be provided throughout the development. This shall include interconnected sidewalks, bikeways, and natural trails.
2. Internal pedestrian circulation shall be required for all commercial areas through the use of clearly defined walkways.

Landscaping/Screening Conditions:

1. All inland, non-tidal and coastal wetlands not proposed to be filled shall remain undisturbed in accordance with the Currituck Marina Conceptual Plan. Delineated CAMA, 404 and 401 wetlands shall be preserved in perpetuity, either through a deed restriction, conservation easement or preservation trust preventing individual ownership or development.
2. There shall be no development, land disturbing (other than excavation of access channel, restoration or enhancement of natural ecosystems and management of invasive species), or logging activities in areas designated by the 2006 Land Use Plan as Conservation in accordance with the Currituck Marina Conceptual Plan. This shall not preclude elevated walkways, utilities, or other necessary public improvements.
3. A combination of Low Impact Development (LID) techniques such as cisterns, pervious materials, stormwater rain gardens, and soft stabilization of the marina basin shall be utilized as approved by the County Engineer.
4. Existing mature trees within 300 feet of the mean high-water mark or 100 feet of any adjacent property line shall be identified as a tree conservation area and be preserved to the extent practicable.
5. When developing within 300 feet of the shoreline, precedence should be given to “soft” stabilization approaches including, but not limited to, preservation of existing vegetation,

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creation of natural, living shorelines for areas needing stabilization, and establishment of vegetative buffers.

6. In commercial areas every parking space shall be entirely located within 120 feet of a landscape island containing a minimum of 2 canopy trees, a minimum of 2-inch caliper at time of planting. Landscape islands shall be a minimum of 10 feet in width and 400 square feet in size.
7. In commercial areas pedestrian plazas or similar shaded outdoor seating areas shall be provided at a rate of 100 square feet for every 2,000 square feet of gross floor area.

Site Design/Architectural Conditions:

1. The proposed development will be in accordance with the Currituck Marina Conceptual Plan (dated September 2018).
2. Maximum size of an individual commercial building shall not exceed 10,000 square feet of gross floor area.
3. Residential structures shall include vertical and horizontal relief in buildings, including but not limited to façade articulation and other architectural elements that add visual interest; variation in exterior architectural materials or styles; and, inclusion of front porches, projecting bays, or vestibules.
4. Commercial structures, including mixed use structures, shall be subject to the following requirements:
    a. Building facades shall incorporate the traditional architectural style or vernacular of the general areas.
    b. Large expanses of blank walls shall be avoided. Facades shall incorporate architectural elements that add visual interest, including but not limited to variation in exterior materials; functioning windows and doorways; and, projecting elements such as eaves, cornices, canopies, bays, shadow lines, overhangs, porticos, and colonnades.
    c. Corrugated metal building materials shall not be permitted. Architectural grade finished metal may be used as an accent material of on elevations not visible from a right-of-way or area designated for residential uses.

Water Access Conditions:

1. Public access to the waterfront and Albemarle Sound shall be required and include at a minimum a marina, public boat launching and parking, and multimodal pathways.
2. The marina shall include docking for a minimum of ten vessels.
3. The marina shall participate and become a Certified Clean Marina in the North Carolina Clean Marina program.
4. No permanent structures shall be built within 30 feet of the normal water level, or on or over a pier.
5. Waterfront property within 30 feet of the normal water level shall remain in common open space.

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Appendix A – Previously approved Planned Unit Development Permit (Approved 2008)

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COUNTY OF CURRITUCK

Department of Planning

November 18, 2008

Mr. Denny Horgan
291 West Side Lane
Powells Point, NC 27966

Tim Morrison/Edward Myers
2600 South Virginia Dare Trail
Nags Head, NC 27959

RE: PB 08-48 Currituck Marina – Conditional District Zoning Map Amendment

Dear Applicant,

At its November 17, 2008 meeting, the Currituck County Board of Commissioners approved the request to establish a Conditional District – Planned Unit Development Overlay Zone (CD-PUD) on 119.96 acres located at 291 West Side Lane, adjacent to Kilmarlic, Tax Map 112, Parcel 3C, Poplar Branch Township with the following zoning conditions:

Uses

1. Limited to mixed residential uses, neighborhood serving retail uses, restaurants, traditional uses associated with a marina, and other items contained in the Currituck Marina Conceptual Plan.
2. Maximum gross residential density shall not exceed 2.0 dwelling units per acre.
3. No more than 50 residential dwelling units shall receive a certificate of occupancy prior to the public marina being fully permitted and approved by any local, state, and federal regulatory or permitting agency.
4. No more than 100 residential dwelling units shall receive a certificate of occupancy prior to the marina being fully operational and open to the public.
5. No more than 150 residential dwelling units shall receive a certificate of occupancy prior to the commercial components of the request being approved and fully constructed.

Transportation

1. Multimodal pathways a minimum of six feet in width shall be provided throughout the development. This shall include interconnected sidewalks, bikeways and natural trails.
2. Internal pedestrian circulation shall be required for all commercial areas through the use of clearly defined walkways.

Landscaping/Screening

1. All inland, non-tidal and coastal wetlands shall remain undisturbed in accordance with the Currituck Marina Conceptual Plan. Delineated CAMA, 404 and 401 wetlands shall be placed in a conservation easement or preservation trust preventing individual ownership or development.

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2. There shall be no development, land disturbing, or logging activities in areas designated by the 2006 Land Use Plan as Conservation in accordance with the Currituck Marina Conceptual Plan. This shall not preclude elevated walkways, utilities, or other necessary public improvements.
3. A combination of Low Impact Development (LID) techniques such as cisterns, pervious materials, stormwater rain gardens, and soft stabilization of the marina basin shall be utilized as approved by the County Engineer.
4. Existing mature trees within 300 feet of the mean high water mark or 100 feet of any adjacent property line shall be identified as a tree conservation area and be preserved to the extent practicable.
5. When developing within 300 feet of the shoreline, precedence should be given to "soft" stabilization approaches including but not limited to preservation of existing vegetation, creation of natural, living shorelines for areas needing stabilization, and establishment of vegetative buffers.
6. In commercial areas every parking space shall be entirely located within 120 feet of a landscape island containing a minimum of 2 canopy trees, a minimum of 2 inches in caliper at time of planting. Landscape islands shall be a minimum of 10 feet in width and 400 square feet in size.
7. In commercial areas pedestrian plazas or similar shaded outdoor seating areas shall be provided at a rate of 100 square feet for every 2,000 square feet of gross floor area.

Site Design/Architectural

1. The proposed development will be in accordance with the Currituck Marina Conceptual Plan.
2. Maximum size of an individual commercial building shall not exceed 10,000 square feet of gross floor area.
3. Residential structures shall include vertical and horizontal relief in buildings, including but not limited to façade articulation and other architectural elements that add visual interest; variation in exterior architectural materials or styles; and, inclusion of front porches, projecting bays, or vestibules.
4. Commercial structures, including mixed use structures, shall be subject to the following requirements:
   a. Building facades shall incorporate the traditional architectural style or vernacular of the general area.
   b. Large expanses of blank walls shall be avoided. Facades shall incorporate architectural elements that add visual interest, including but not limited to variation in exterior materials; functioning windows and doorways; and, projecting elements such as eaves, cornices, canopies, bays, shadow lines, overhangs, porticos and colonnades.
   c. Corrugated metal building materials shall not be permitted. Architectural grade finished metal may be used as an accent material or on elevations not visible from a right-of-way or area designated for residential uses.

Water Access

1. Public access to the waterfront and Albemarle Sound shall required and include at a minimum a marina, public boat launching and parking, and multimodal pathways.
2. The marina shall include docking for a minimum of ten vessels.
3. The marina shall participate and become a Certified Clean Marina in the North Carolina Clean Marina program.
4. No permanent structures shall be built within 100 feet of the mean high water mark, or on or over a pier.
5. Waterfront property within 100 feet of the mean high water mark shall remain in common open space.

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If you have any questions regarding this action, please call me at 252-232-6029.

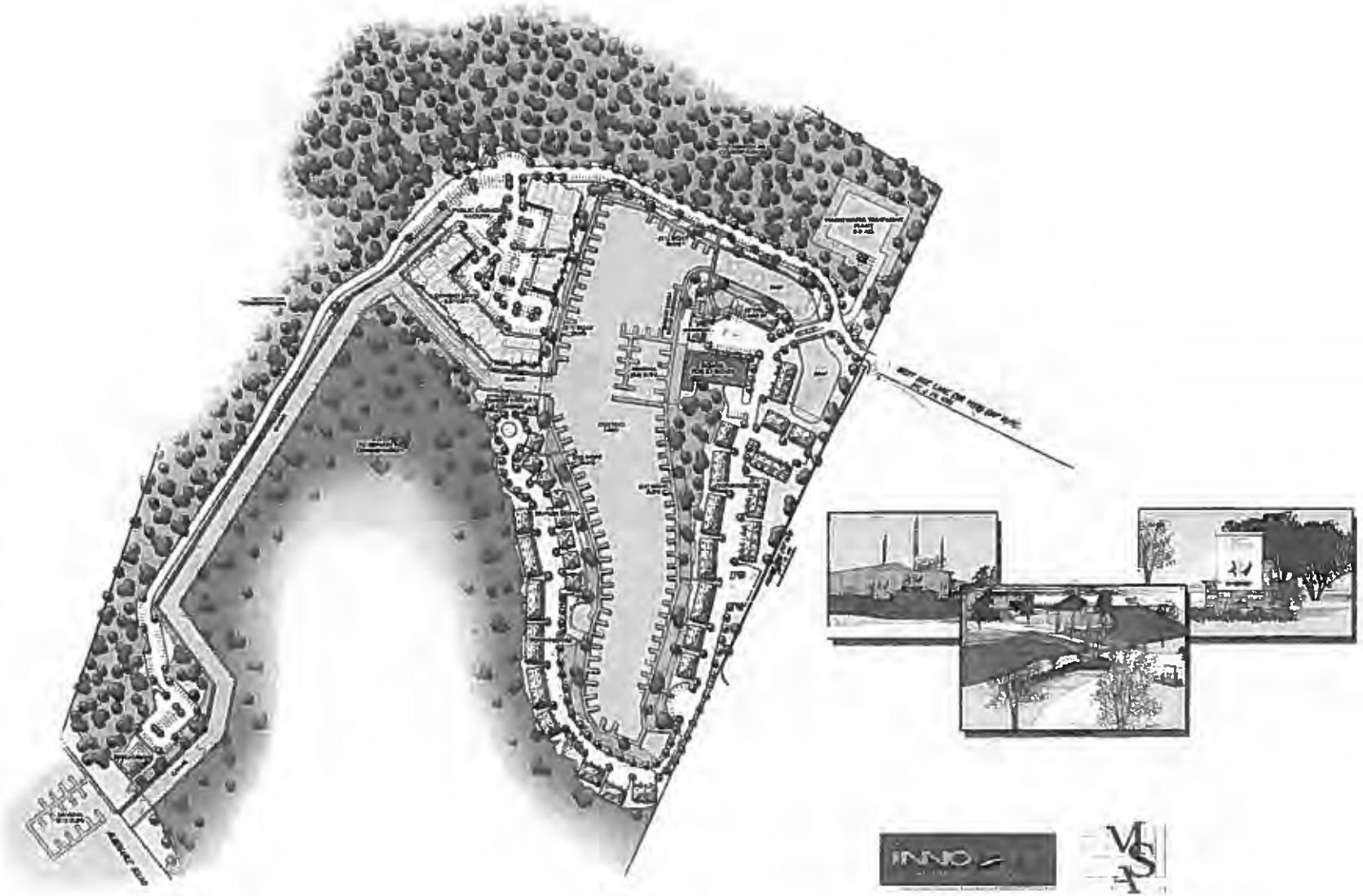
Sincerely,

Ben E. Woody, AICP
Planning Director

BW/st

cc: NCDOT – Elizabeth City
Tax Office
Harry Lee

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Appendix B – On-site Soils Map and Data

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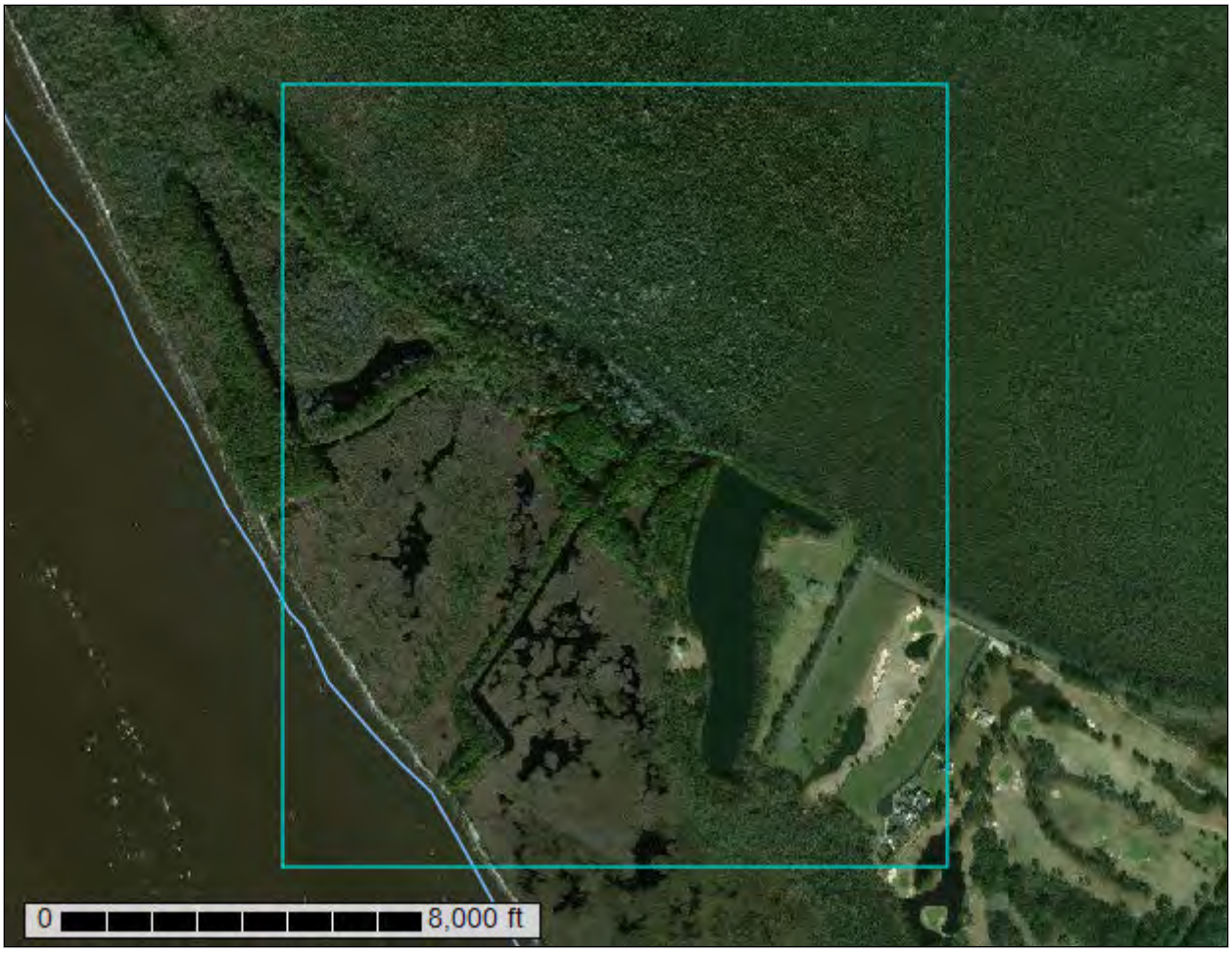
United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Currituck County, North Carolina



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Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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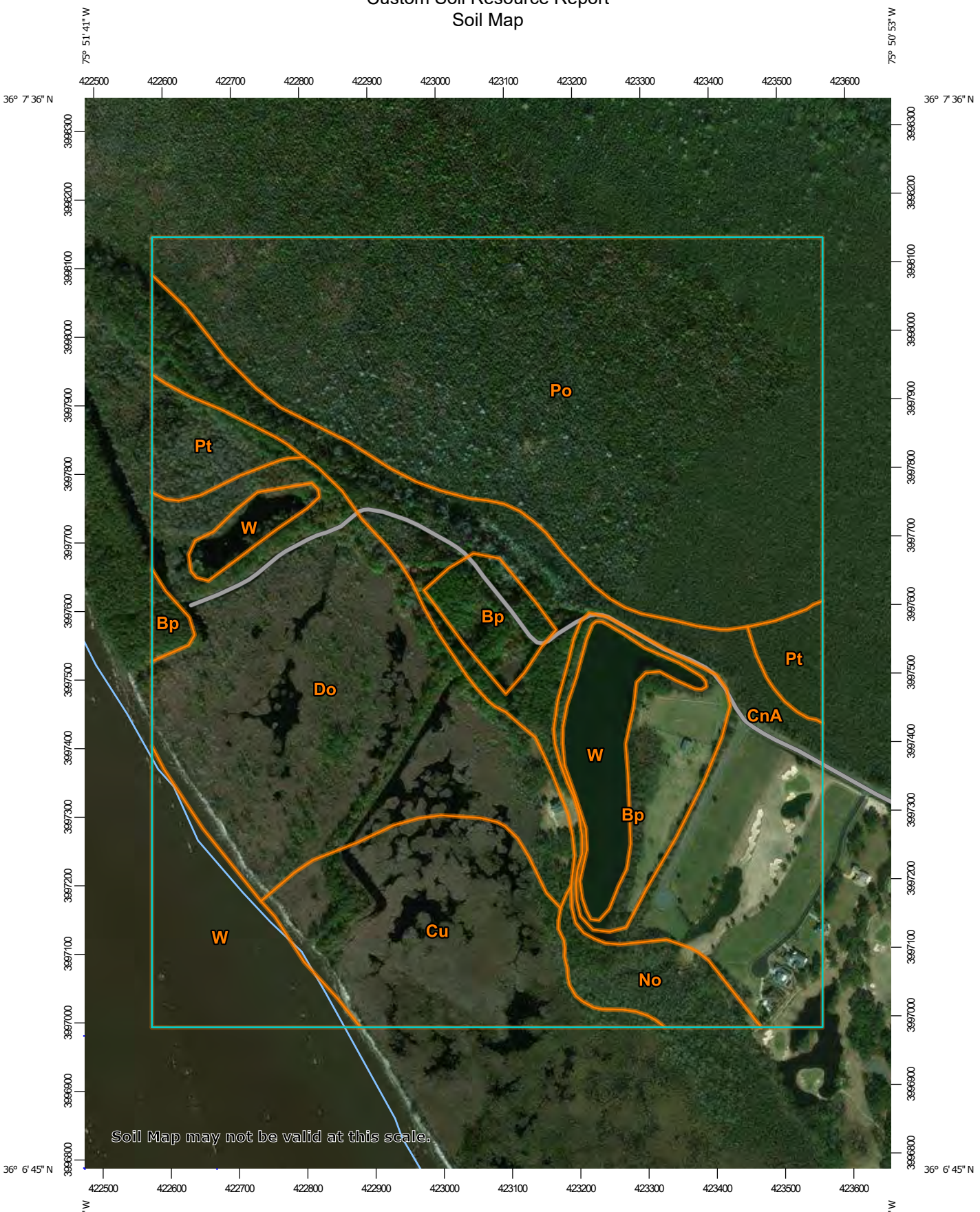
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Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

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Custom Soil Resource Report
Soil Map



Map Scale: 1:7,620 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 100 200 400 600

Feet: 0 350 700 1400 2100

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

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MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Currituck County, North Carolina
Survey Area Data: Version 16, Sep 26, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Feb 23, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Bp	Borrow pit	16.4	5.8%
CnA	Conetoe loamy sand, 0 to 3 percent slopes	45.6	16.2%
Cu	Currituck mucky peat	27.0	9.6%
Do	Dorovan mucky peat	56.2	20.0%
No	Nimmo loamy sand	6.7	2.4%
Po	Ponzer muck, 0 to 2 percent slopes, rarely flooded	94.5	33.6%
Pt	Portsmouth fine sandy loam	8.4	3.0%
W	Water	26.1	9.3%
Totals for Area of Interest		**280.9**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it

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was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

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Currituck County, North Carolina

Bp—Borrow pit

Map Unit Setting

National map unit symbol: 21ydy
Elevation: 0 to 20 feet
Mean annual precipitation: 42 to 58 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 190 to 270 days
Farmland classification: Not prime farmland

Map Unit Composition

Pits, sand: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Pits, Sand

Setting

Parent material: Sandy fluviomarine deposits

Typical profile

C1 - 0 to 10 inches: sand
C2 - 10 to 80 inches: sand

Properties and qualities

Slope: 0 to 3 percent
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 39.96 in/hr)
Depth to water table: About 0 to 6 inches
Available water storage in profile: Very low (about 2.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8s
Hydric soil rating: No

CnA—Conetoe loamy sand, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 3rnf
Elevation: 0 to 20 feet
Mean annual precipitation: 42 to 58 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 190 to 270 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Conetoe and similar soils: 85 percent
Minor components: 5 percent

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Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Conetoe

Setting

Landform: Ridges on stream terraces, ridges on marine terraces
Landform position (two-dimensional): Shoulder, summit
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Sandy and loamy fluviomarine deposits and/or marine deposits

Typical profile

Ap - 0 to 8 inches: loamy sand
E - 8 to 22 inches: loamy sand
Bt - 22 to 40 inches: sandy loam
BC - 40 to 46 inches: loamy sand
C - 46 to 80 inches: sand

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 5.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2s
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Leon

Percent of map unit: 5 percent
Landform: Flats on marine terraces
Down-slope shape: Linear
Across-slope shape: Concave
Hydric soil rating: Yes

Cu—Currituck mucky peat

Map Unit Setting

National map unit symbol: 3rnj
Elevation: 0 feet

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Mean annual precipitation: 42 to 58 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 190 to 270 days
Farmland classification: Not prime farmland

Map Unit Composition

Currituck, tidal, and similar soils: 90 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Currituck, Tidal

Setting

Landform: Tidal marshes
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Herbaceous organic material over sandy fluviomarine deposits

Typical profile

Oe - 0 to 14 inches: mucky peat
Oa - 14 to 28 inches: muck
Cg - 28 to 80 inches: sand

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Very poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: Very frequent
Frequency of ponding: None
Salinity, maximum in profile: Very slightly saline to slightly saline (2.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 10.0
Available water storage in profile: High (about 10.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Do—Dorovan mucky peat

Map Unit Setting

National map unit symbol: 3rnl
Elevation: 0 feet
Mean annual precipitation: 42 to 58 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 190 to 270 days
Farmland classification: Not prime farmland

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Map Unit Composition

Dorovan, undrained, and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Dorovan, Undrained

Setting

Landform: Flood plains

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Woody organic material

Typical profile

Oe1 - 0 to 3 inches: mucky peat

Oe2 - 3 to 63 inches: mucky peat

C - 63 to 80 inches: loamy sand

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Very poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)

Depth to water table: About 0 inches

Frequency of flooding: Frequent

Frequency of ponding: Frequent

Available water storage in profile: Very high (about 13.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7w

Hydrologic Soil Group: B/D

Hydric soil rating: Yes

No—Nimmo loamy sand

Map Unit Setting

National map unit symbol: 3rnv

Elevation: 0 to 20 feet

Mean annual precipitation: 42 to 58 inches

Mean annual air temperature: 61 to 64 degrees F

Frost-free period: 190 to 270 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Nimmo, drained, and similar soils: 80 percent

Nimmo, undrained, and similar soils: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

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Description of Nimmo, Drained

Setting

Landform: Depressions on marine terraces, flats on marine terraces
Down-slope shape: Concave
Across-slope shape: Linear
Parent material: Sandy and loamy fluviomarine deposits and/or marine deposits

Typical profile

Ap - 0 to 6 inches: loamy fine sand
Btg - 6 to 25 inches: fine sandy loam
Cg - 25 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 5.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Description of Nimmo, Undrained

Setting

Landform: Flats on marine terraces, depressions on marine terraces
Down-slope shape: Concave
Across-slope shape: Linear
Parent material: Sandy and loamy fluviomarine deposits and/or marine deposits

Typical profile

Ap - 0 to 6 inches: loamy fine sand
Btg - 6 to 25 inches: fine sandy loam
Cg - 25 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 5.1 inches)

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Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Po—Ponzer muck, 0 to 2 percent slopes, rarely flooded

Map Unit Setting

National map unit symbol: 2v9nw
Elevation: 0 to 30 feet
Mean annual precipitation: 45 to 60 inches
Mean annual air temperature: 60 to 61 degrees F
Frost-free period: 190 to 270 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Ponzer, undrained, and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Ponzer, Undrained

Setting

Landform: Depressions, flats
Landform position (three-dimensional): Dip, talf
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Parent material: Herbaceous organic material and/or woody organic material over loamy marine deposits

Typical profile

Oa - 0 to 32 inches: muck
Cg - 32 to 63 inches: loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Very poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 0 to 6 inches
Frequency of flooding: Rare
Frequency of ponding: None
Available water storage in profile: Very high (about 19.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6w

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Hydrologic Soil Group: D
Hydric soil rating: Yes

Minor Components

Belhaven, undrained

Percent of map unit: 6 percent
Landform: Flats, pocosins, flood plains, depressions
Landform position (three-dimensional): Tread, talf, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Hydric soil rating: Yes

Roper, undrained

Percent of map unit: 4 percent
Landform: Depressions on marine terraces, flats on marine terraces
Landform position (three-dimensional): Talf
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Hydric soil rating: Yes

Pt—Portsmouth fine sandy loam

Map Unit Setting

National map unit symbol: 3rp0
Elevation: 0 to 30 feet
Mean annual precipitation: 42 to 58 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 190 to 270 days
Farmland classification: Prime farmland if drained

Map Unit Composition

Portsmouth, drained, and similar soils: 75 percent
Portsmouth, undrained, and similar soils: 10 percent
Minor components: 7 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Portsmouth, Drained

Setting

Landform: Flats on marine terraces, depressions on marine terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits over sandy fluviomarine deposits

Typical profile

Ap - 0 to 12 inches: fine sandy loam
Eg - 12 to 19 inches: fine sandy loam
Btg - 19 to 35 inches: sandy clay loam
BCg - 35 to 38 inches: sandy loam
2Cg - 38 to 80 inches: loamy sand

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Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: 20 to 40 inches to strongly contrasting textural stratification
Natural drainage class: Very poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 5.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: B/D
Hydric soil rating: Yes

Description of Portsmouth, Undrained

Setting

Landform: Depressions on marine terraces, flats on marine terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits over sandy fluviomarine deposits

Typical profile

A - 0 to 12 inches: fine sandy loam
Eg - 12 to 19 inches: fine sandy loam
Btg - 19 to 35 inches: sandy clay loam
BCg - 35 to 38 inches: sandy loam
2Cg - 38 to 80 inches: loamy sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: 20 to 40 inches to strongly contrasting textural stratification
Natural drainage class: Very poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 5.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6w
Hydrologic Soil Group: B/D
Hydric soil rating: Yes

Minor Components

Cape lookout, undrained

Percent of map unit: 4 percent

Attachment: 4 P17062 -Site Narrative Combined-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

Landform: Flats, pocosins, depressions
Down-slope shape: Linear
Across-slope shape: Concave
Hydric soil rating: Yes

Portsmouth, undrained

Percent of map unit: 3 percent
Landform: Depressions on marine terraces, flats on marine terraces
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

W—Water

Map Unit Composition

Water: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Water

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8w
Hydric soil rating: No

Attachment: 4 P17062 -Site Narrative Combined-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

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Attachment: 4 P17062 -Site Narrative Combined-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

Appendix C – Supporting Letter for Off-site Disposal of Wastewater Effluent

Attachment: 4 P17062 -Site Narrative Combined-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)



WATER SIDE ELEVATION



ADD FOUNDATION EXPOSURE TO OVERALL DIMINSIONS FOR AN ACCURATE ASSEMENT OF THE OVERALL HEIGHT AND MEAN ROOF HEIGHT

OVERALL HT 30'-7 1/2"	OVERALL HT 9'-9 1/2"
MRH 25'-3 1/4"	MRH 4'-10 3/4"
HEIGHT 20'-4 ¾"	HEIGHT 9'-0 ½"
FLR/CLG 11'-4 ¼"	FLR/CLG 0'-17 ¾"
HEIGHT 9'-10 ½"	HEIGHT 9'-0 ½"
FLOOR 0'-10"	TOP OF FND

NOTE:
PORCHES, DECKS AND/OR GARAGE TO BE THE DECISION OF THE BUILDER OR OWNER PER LOCAL CODES & REQUIREMENTS.



6 UNIT CONDO LAYOUT
2 BRM/2 BATH
1120 SQ. FT. PER LIV. UNIT

CARDINAL HOMES ®

HO. NUMBER
-

FP. NUMBER
-

PRINT NO.
218139

DATE
9/26/18

DRAWN BY:
GKW

SCALE:
3/16"=1'-0"

REVISIONS

ELEVATION

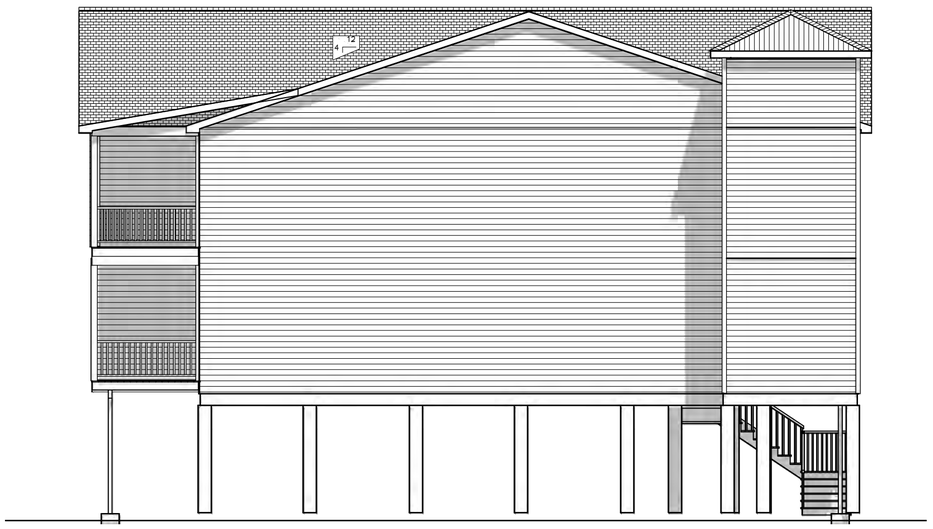
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SHEET:
1.0 OF 6

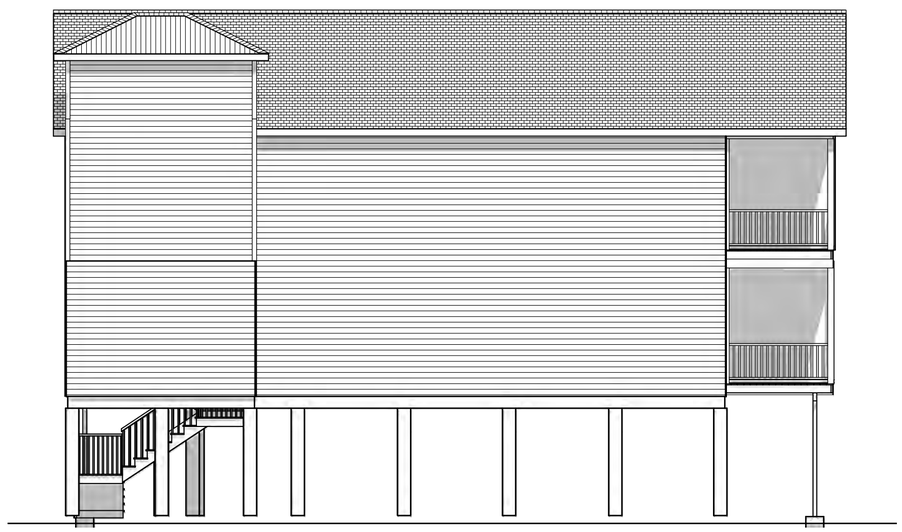
Attachment: 5 6 unit condo 9-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)



PARKING SIDE ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

6 UNIT CONDO LAYOUT
2 BRM/2 BATH
1120 SQ. FT. PER LIV. UNIT

CARDINAL HOMES ®

HO. NUMBER
-

FP. NUMBER
-

PRINT NO.
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DATE
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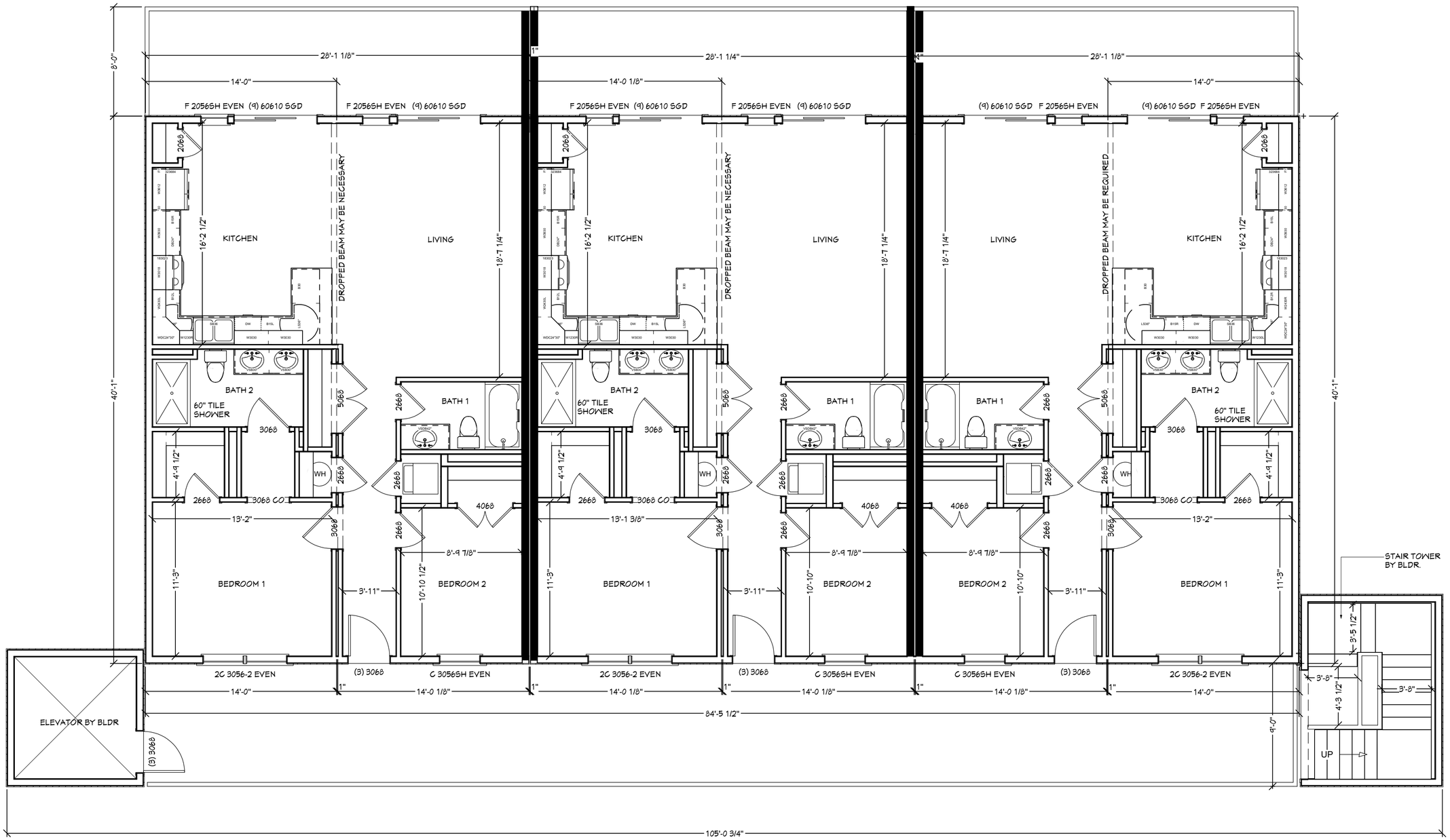
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ELEVATION

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Attachment: 5 6 unit condo 9-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)



1st Floor

6 UNIT CONDO LAYOUT
2 BRM/2 BATH
1120 SQ. FT. PER LIV. UNIT

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FP. NUMBER	-
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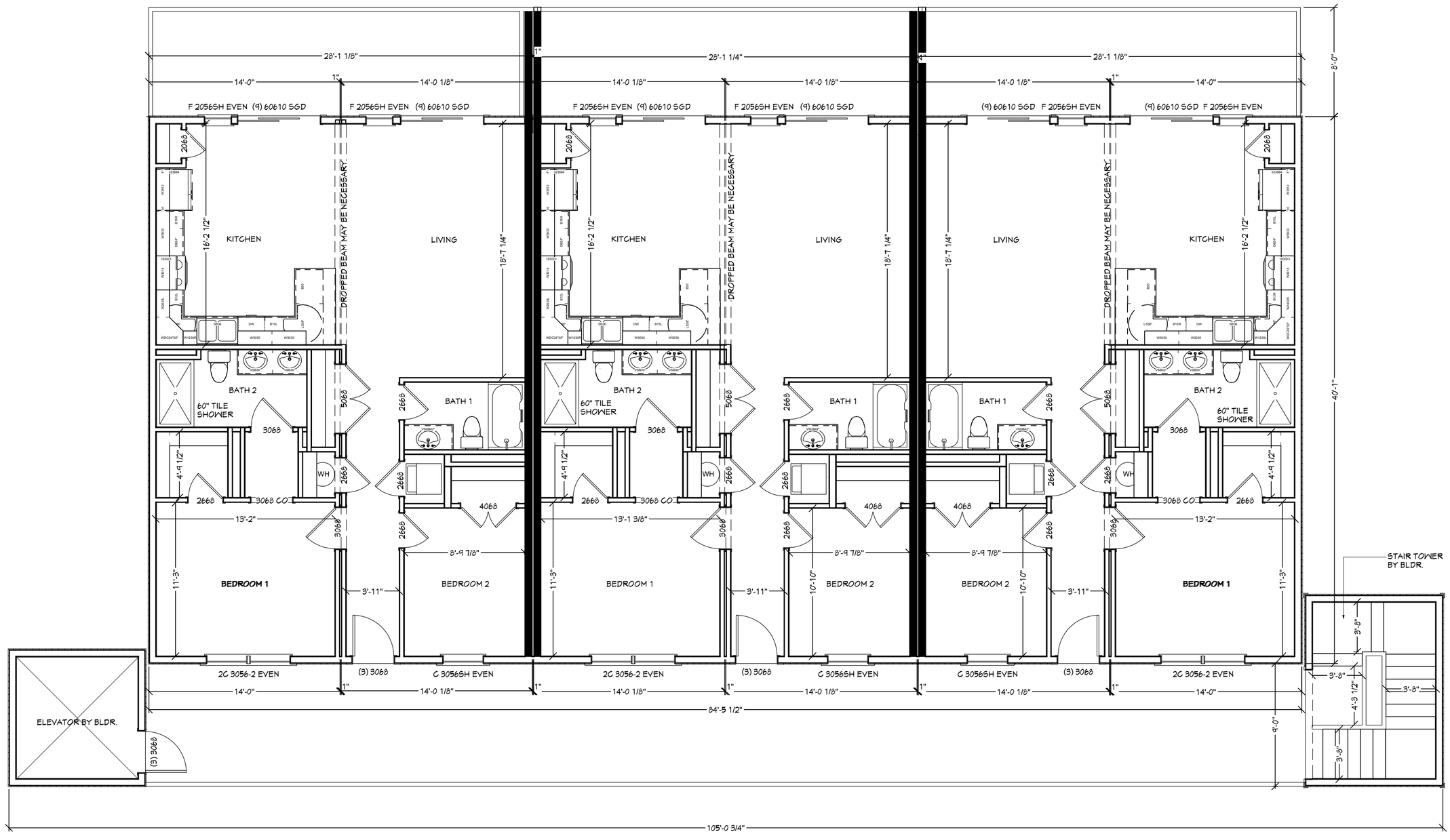
REVISIONS

BUILDING LAYOUT

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Attachment: 5 6 unit condo 9-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)



6 UNIT CONDO LAYOUT
2 BRM/2 BATH
1120 SQ. FT. PER LIV. UNIT

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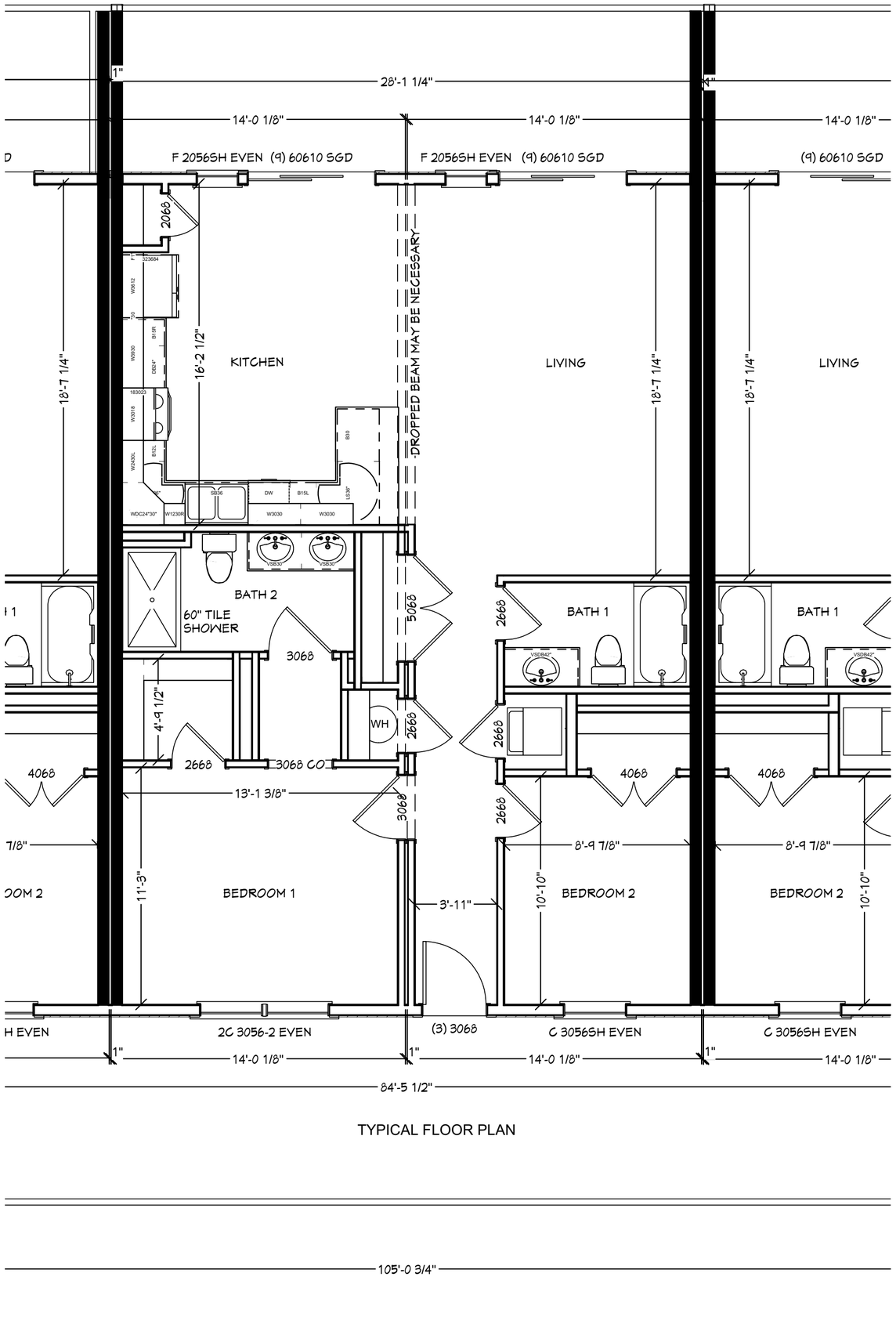
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BUILDING LAYOUT

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Attachment: 5 6 unit condo 9-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)



TYPICAL FLOOR PLAN

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TYPICAL FLOOR PLAN

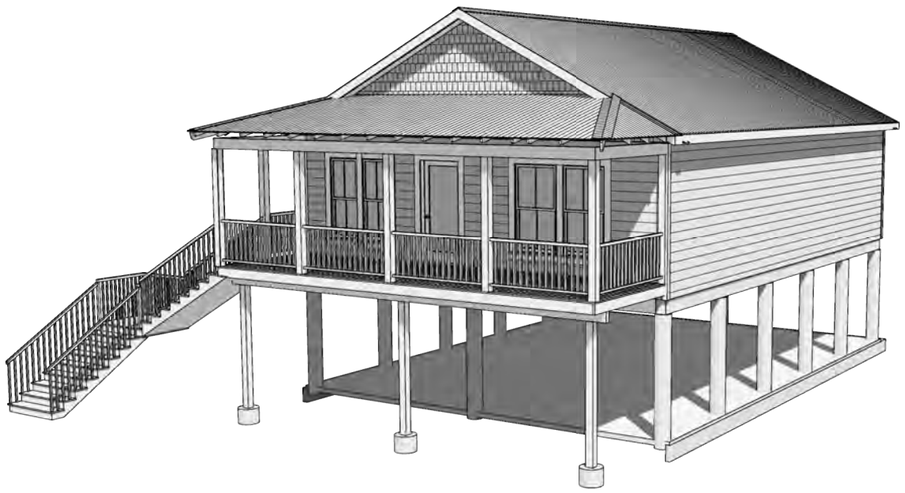
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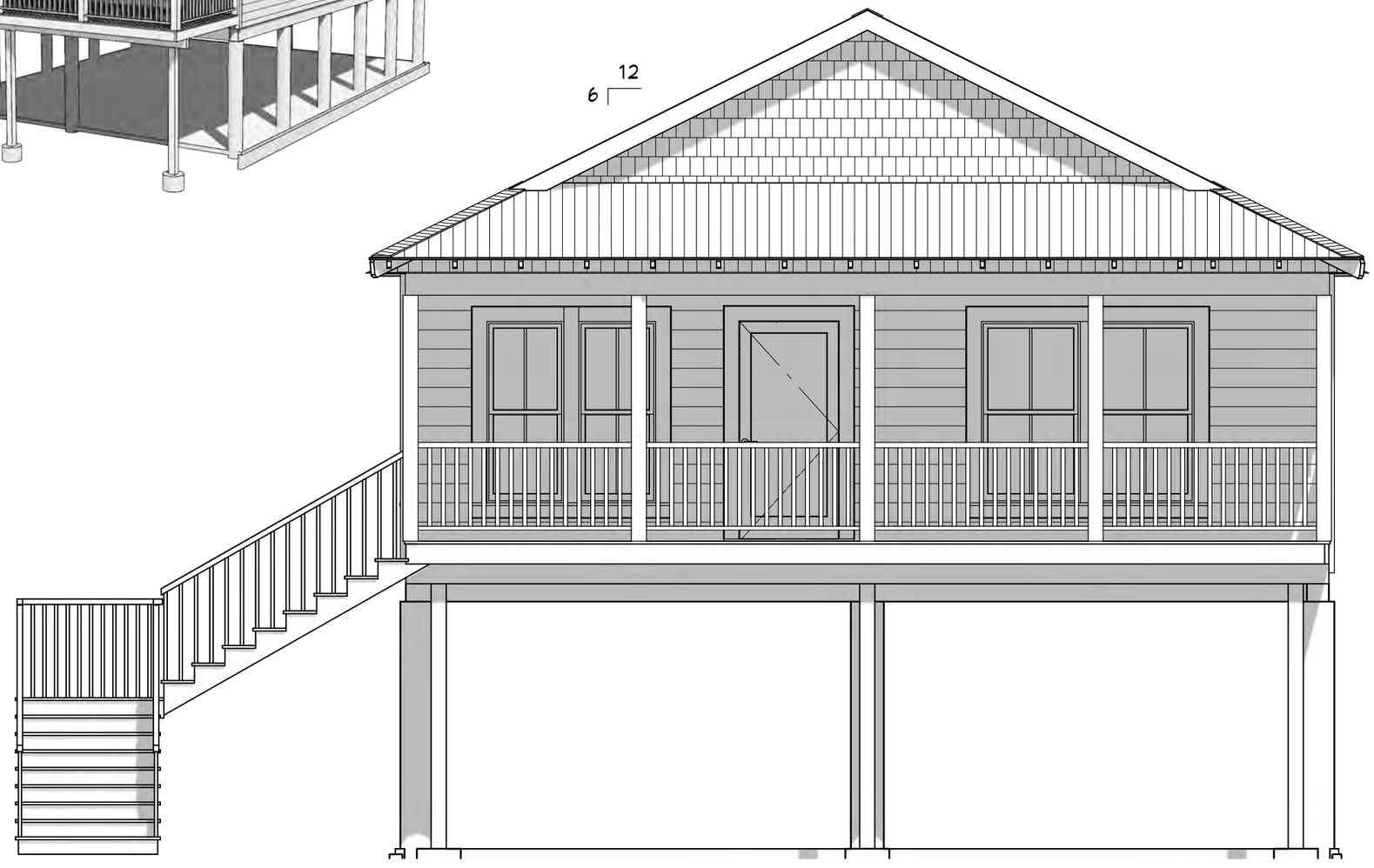
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6 UNIT CONDO LAYOUT
2 BRM/2 BATH
1120 SQ. FT. PER LIV. UNIT

SHEET:
2.2 OF 6

NOTE:
PORCHES, DECKS AND/OR GARAGE TO BE THE DECISION OF THE BUILDER OR OWNER PER LOCAL CODES & REQUIREMENTS.





FRONT ELEVATION

NOTE:
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THE CURRITUCK
END DESIGN RANCH
2 BRM/2 BATH
14' MODULES
1064 LIVEABLE SQ. FT.

CARDINAL HOMES ®

PROJECT NO
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FP. NUMBER
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PRINT NO.
218137

DATE
7/21/17

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ELEVATION

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Attachment: 6 218137-Currituck Ranch 2-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)

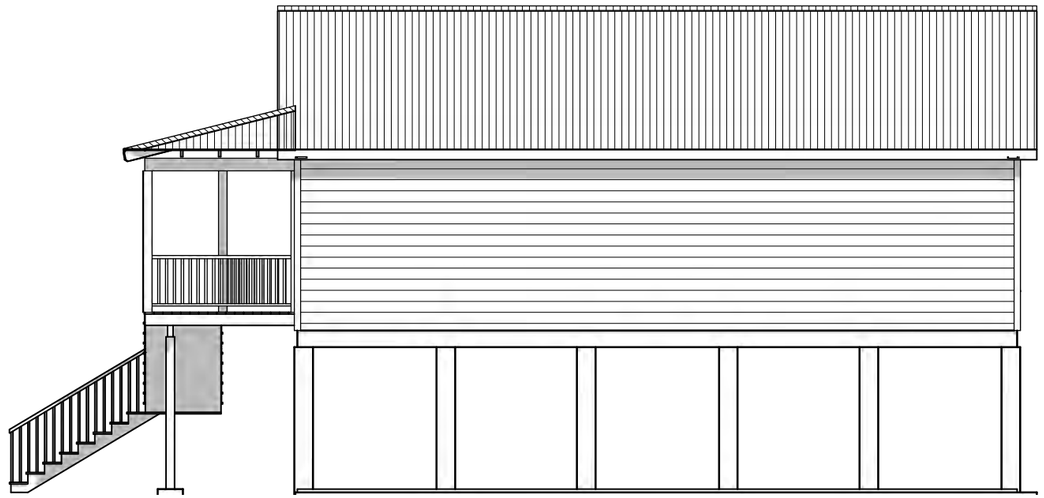
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REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

THE CURRITUCK
END DESIGN RANCH
2 BRM/2 BATH
14' MODULES
1064 LIVEABLE SQ. FT.

NOTE:
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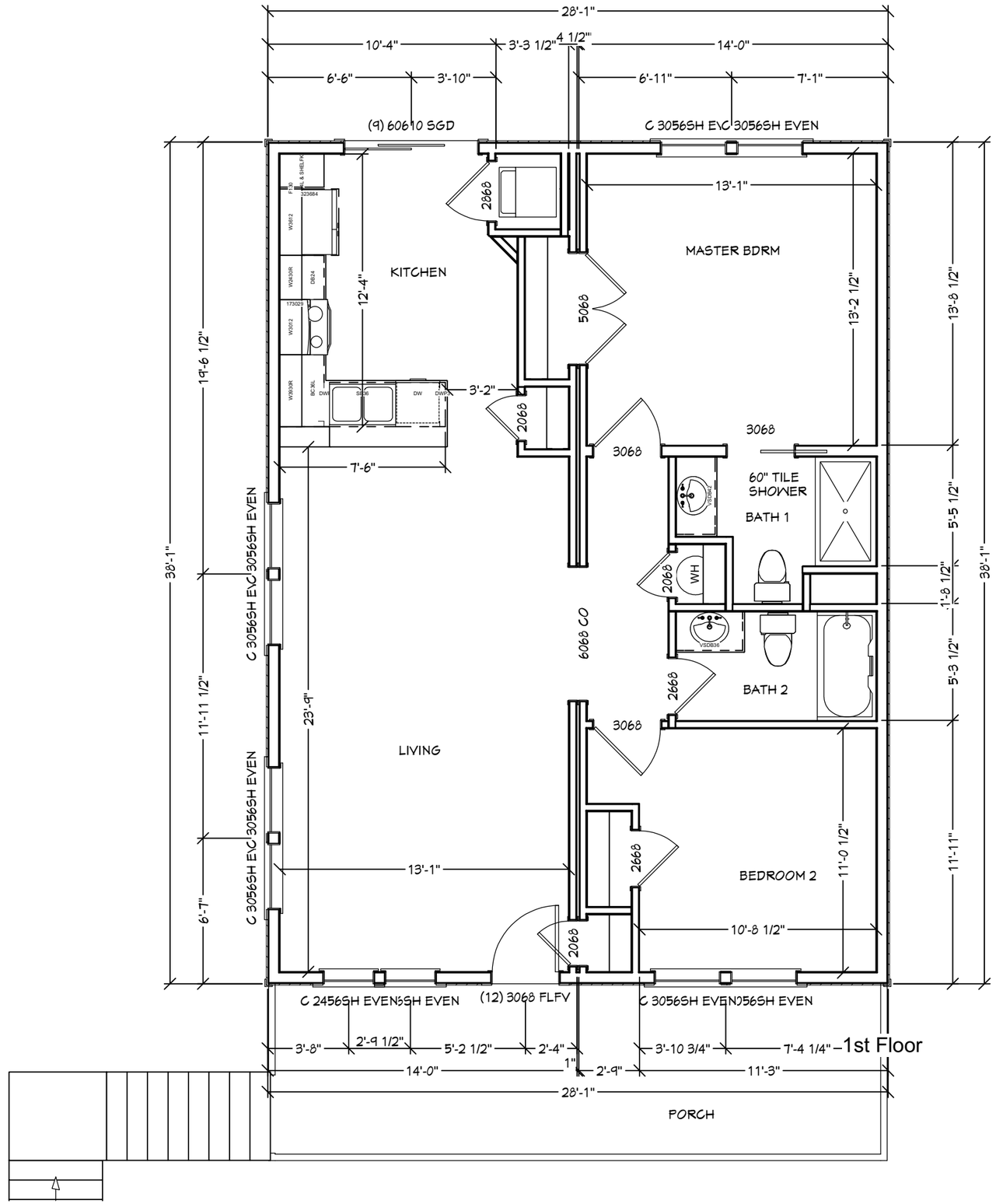
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REVISIONS
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ELEVATION

SHEET:
1.1 OF 6

Attachment: 6 218137-Currituck Ranch 2-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)
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THE CURRITUCK
END DESIGN RANCH
2 BRM/2 BATH
14' MODULES
1064 LIVEABLE SQ. FT.

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FP. NUMBER
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218137

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7/21/17

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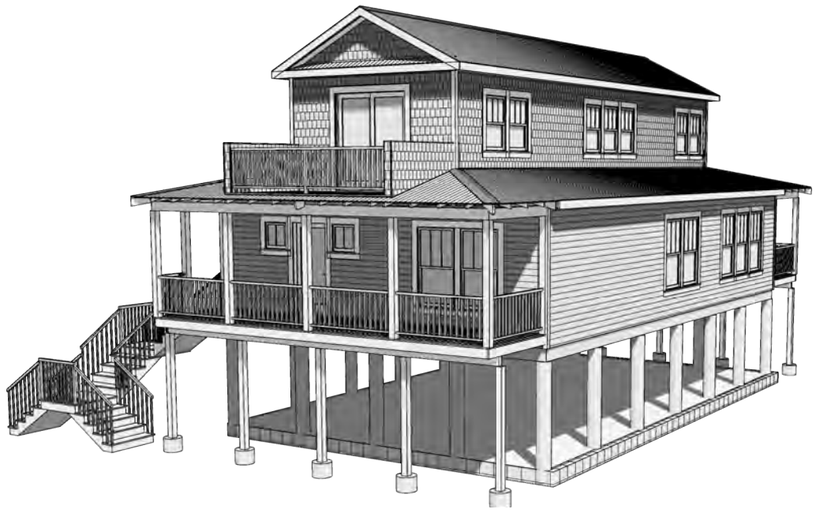
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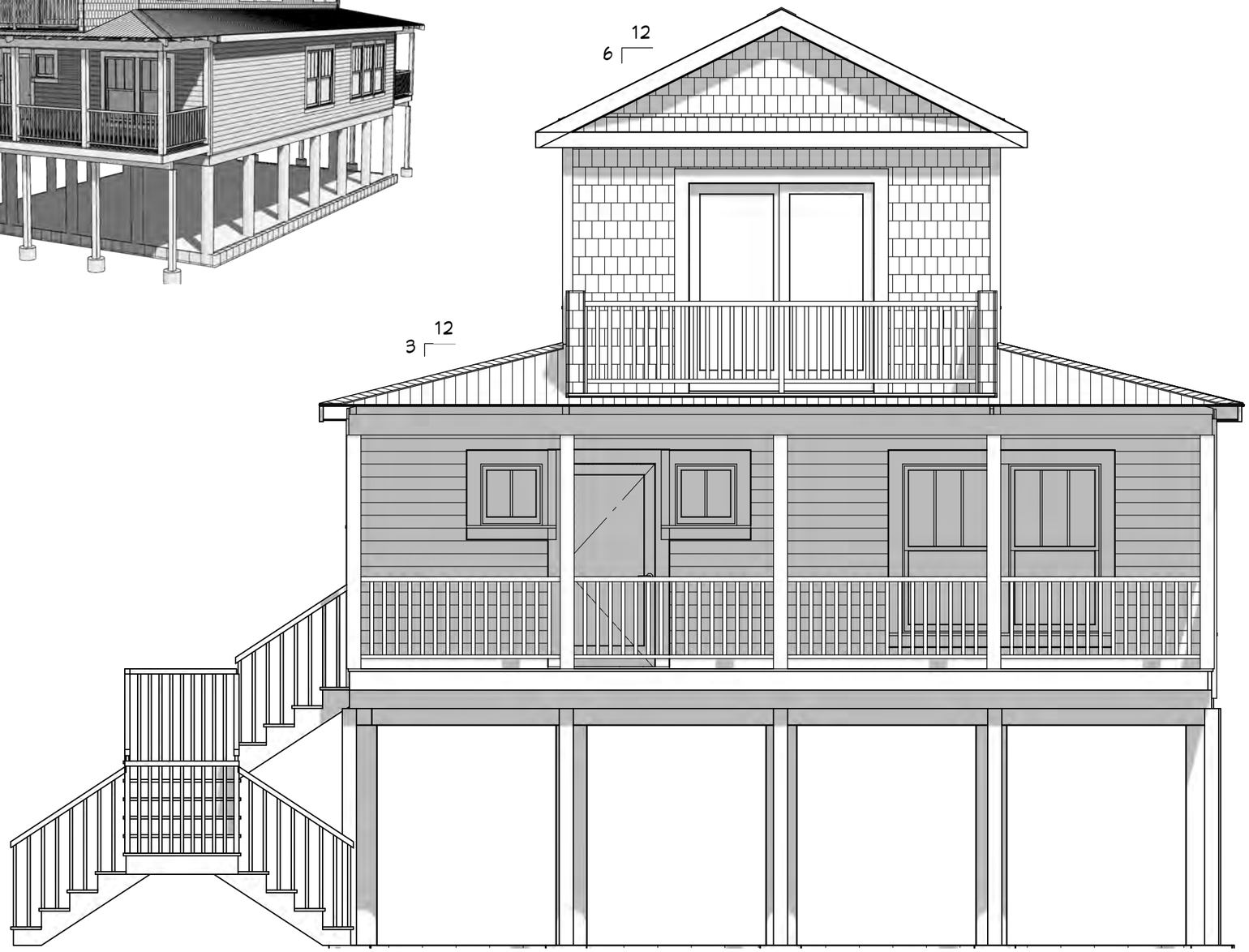
FLOOR PLAN

SHEET:
2.0 OF 6

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Attachment: 6 218137-Currituck Ranch 2-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)





FRONT ELEVATION

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HATTERAS-3 BRM/2.5 BATH
1232 SQ. FT. FIRST FLOOR
541 SQ. FT. SECOND FLOOR
1773 SQ. FT. LIVABLE AREA
ADDITIONAL 392 SQ. FT. PORCH
+ 98 SQ. FT. DECK

CARDINAL HOMES ®

PROJECT NO
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FP. NUMBER
-

PRINT NO.
218138

DATE
7/24/17

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GKW

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REVISIONS
2/26/18 GKW
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ELEVATION

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Attachment: 7 218138-Hatteras 2 story 2-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)

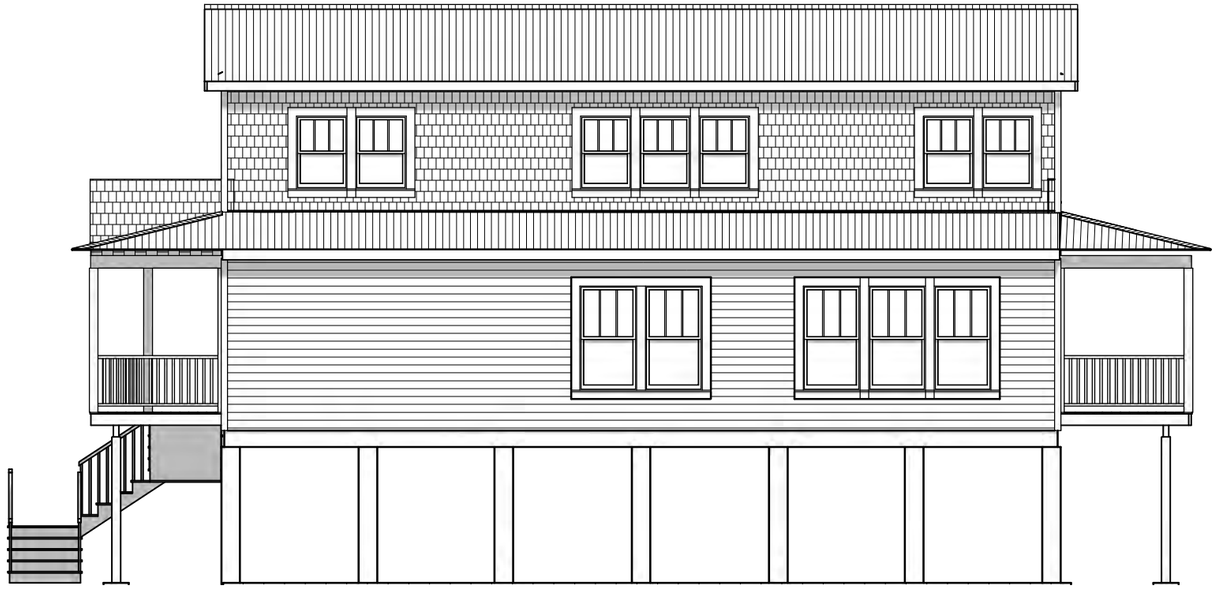
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LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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HATTERAS-3 BRM/2.5 BATH
1232 SQ. FT. FIRST FLOOR
541 SQ. FT. SECOND FLOOR
1773 SQ. FT. LIVABLE AREA
ADDITIONAL 392 SQ. FT. PORCH
+ 98 SQ. FT. DECK

CARDINAL HOMES ®

PROJECT NO
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FP. NUMBER
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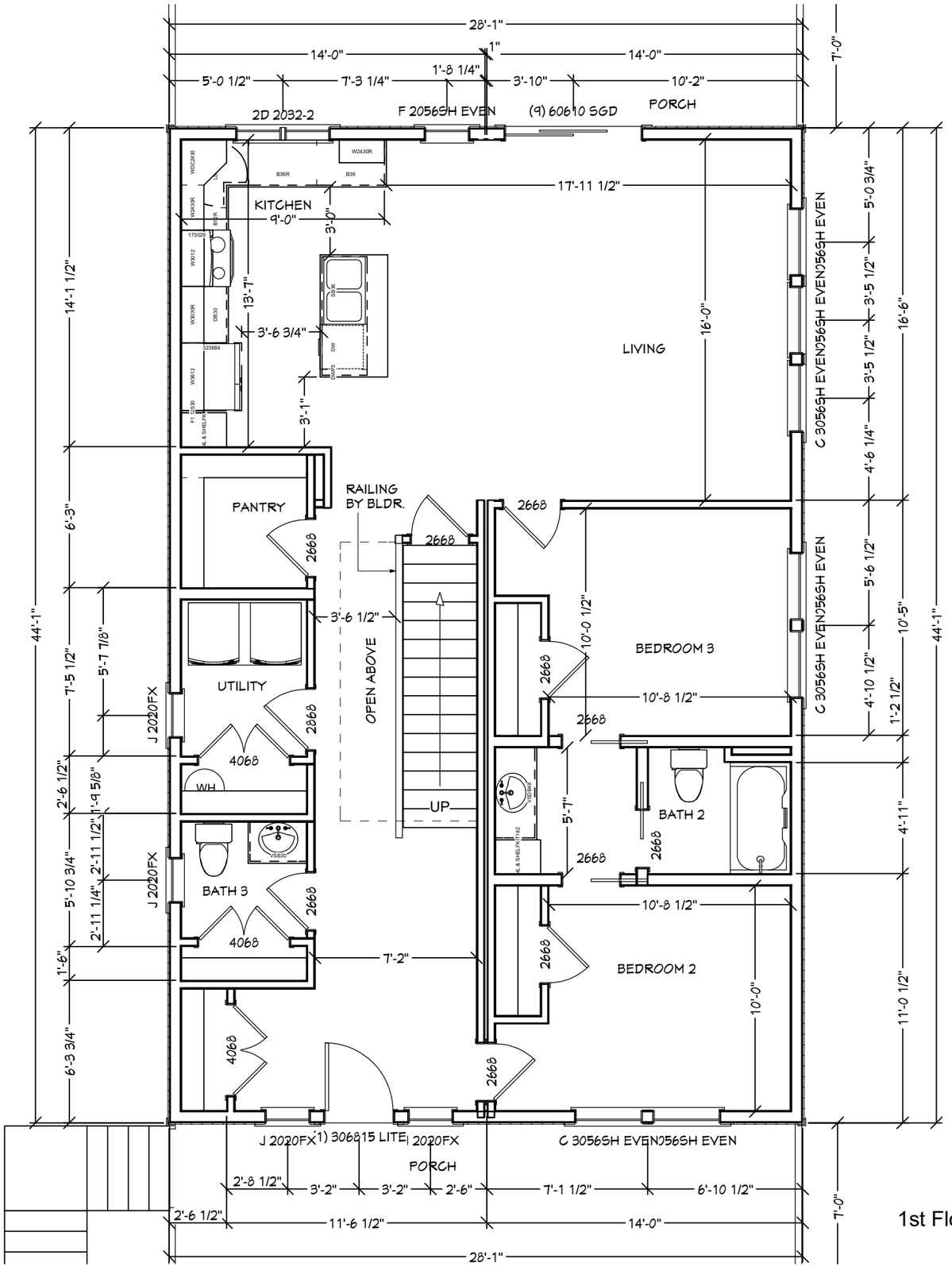
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ELEVATION

SHEET:
1.1 OF 6

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Attachment: 7 218138-Hatteras 2 story 2-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)



1st Floor

HATTERAS-3 BRM/2.5 BATH
1232 SQ. FT. FIRST FLOOR
541 SQ. FT. SECOND FLOOR
1773 SQ. FT. LIVABLE AREA
ADDITIONAL 392 SQ. FT. PORCH
+ 98 SQ. FT. DECK

CARDINAL HOMES ®

PROJECT NC
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FP. NUMBER
-

PRINT NO.
218138

DATE
7/24/17

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GKW

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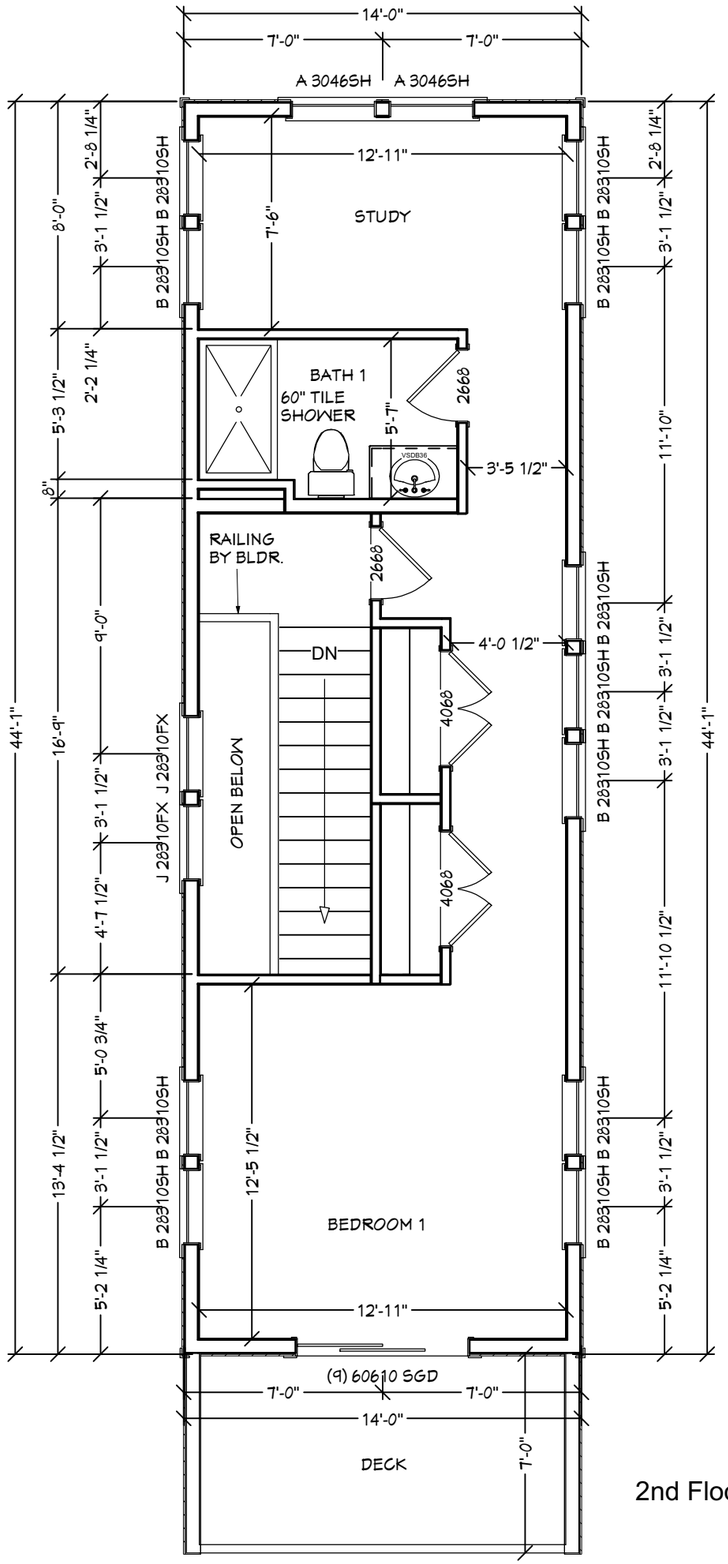
REVISIONS
2/26/18 GKW
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FLOOR PLAN

SHEET:
2.0 OF 6

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Attachment: 7 218138-Hatteras 2 story 2-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)



2nd Floor

HATTERAS-3 BRM/2.5 BATH
1232 SQ. FT. FIRST FLOOR
541 SQ. FT. SECOND FLOOR
1773 SQ. FT. LIVABLE AREA
ADDITIONAL 392 SQ. FT. PORCH
+ 98 SQ. FT. DECK

CARDINAL HOMES ®

PROJECT NO
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FP. NUMBER
-

PRINT NO.
218138

DATE
7/24/17

DRAWN BY:
GKW

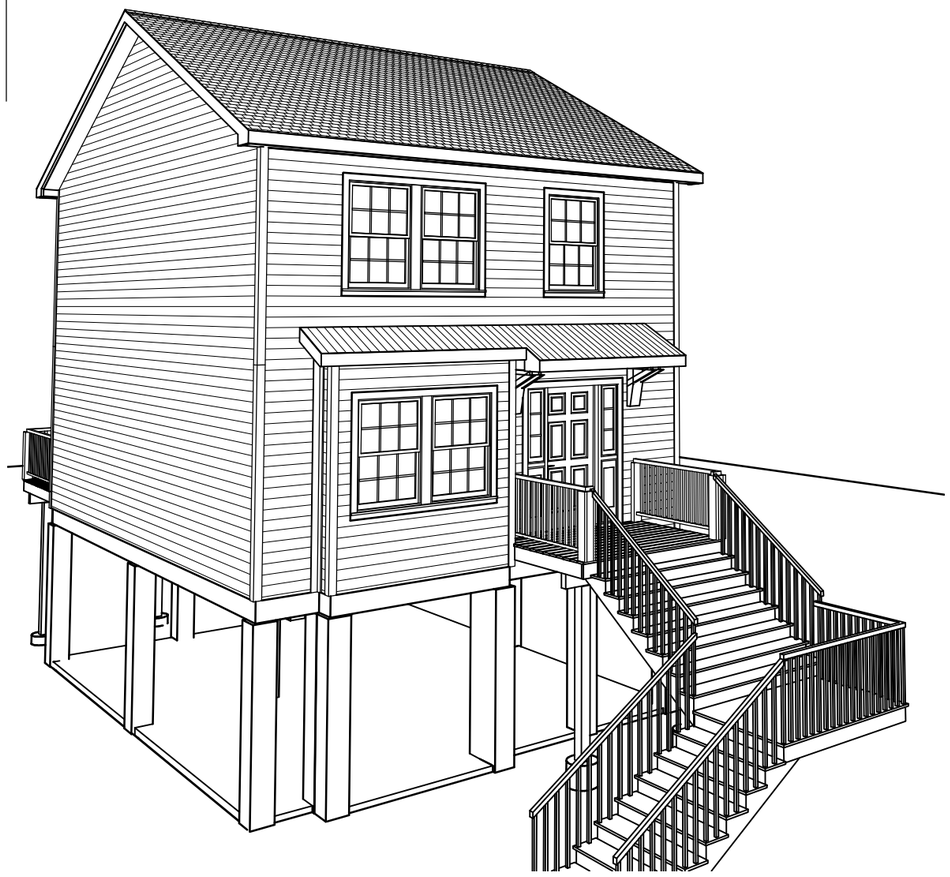
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REVISIONS
2/26/18 GKW
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FLOOR PLAN

SHEET:
2.1 OF 6

Attachment: 7 218138-Hatteras 2 story 2-26-18 (PB 08-48 Cape Currituck (Horgan/Mason):)



6/12 ROOF PITCH



NOTE:
PORCHES, DECKS AND/OR GARAGE TO BE THE DECISION OF THE BUILDER OR OWNER PER LOCAL CODES & REQUIREMENTS.

ROOF EXTENSION OVER FRONT DOOR & SUPPORT BRACKETS BY BUILDER

FRONT ELEVATION

BASIC MODULE SET INSTRUCTIONS

THIS IS A BASIC SET OF INSTRUCTIONS TO HELP GUIDE THE SET CREW ON DAY OF SET. SET CREW SHOULD READ THE PLANS THOROUGHLY PRIOR TO SET DAY. THESE SET INSTRUCTIONS COVER THE SET ORDER AND ANY MAJOR POINTS THAT MAY NEED TO BE ADDRESSED, PROPER MODULE CONNECTIONS AND FASTENING IS NOT PART OF THESE INSTRUCTIONS. SET CREW TO FOLLOW INDUSTRY STANDARD SAFETY PRACTICES AND OSHA REQUIREMENTS.

BASIC TWO-STORY/ FINISHED CAPE
SET FIRST FLOOR MODULES
INSTALL 2X ACROSS MARRIAGE LINE DIVIDED EQUALLY
SET 2ND FLOOR MODULES
RAISE ROOF AND PULL THE KNEEWALL INTO POSITION
SET GABLE WALLS
FLIP THE UPPER PANELS
INSTALL TURN GABLES/DORMERS AS PER PLAN IF APPLICABLE
FINISH DRYING IN

NOTE:
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STONEHINGE III
616 SQ. FT. FIRST FLOOR
616 SQ. FT. SECOND FLOOR
1232 SQ. FT. TOTAL
BUILDER
CUSTOMER -

CARDINAL HOMES ®

PROJECT NO
-

FP. NUMBER
-

PRINT NO.
218165

DATE
3/29/18

DRAWN BY:
GKW

SCALE:
3/16" = 1'-0"

REVISIONS
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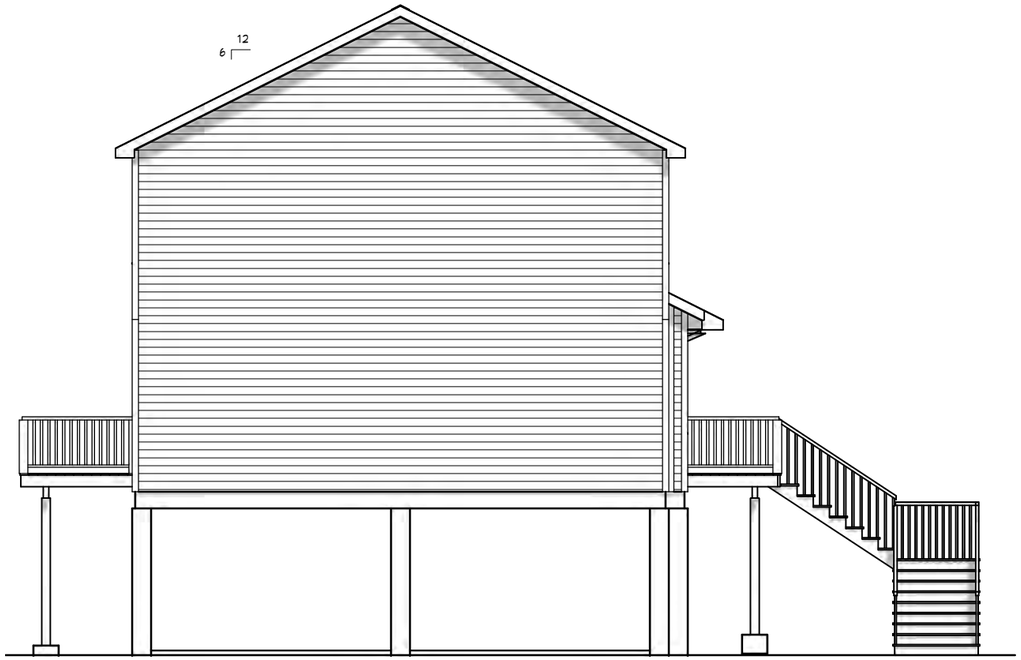
ELEVATION

SHEET:
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Attachment: 8 Stonehinge III-3-29-18 (PB 08-48 Cape Currituck (Horgan/Mason):)

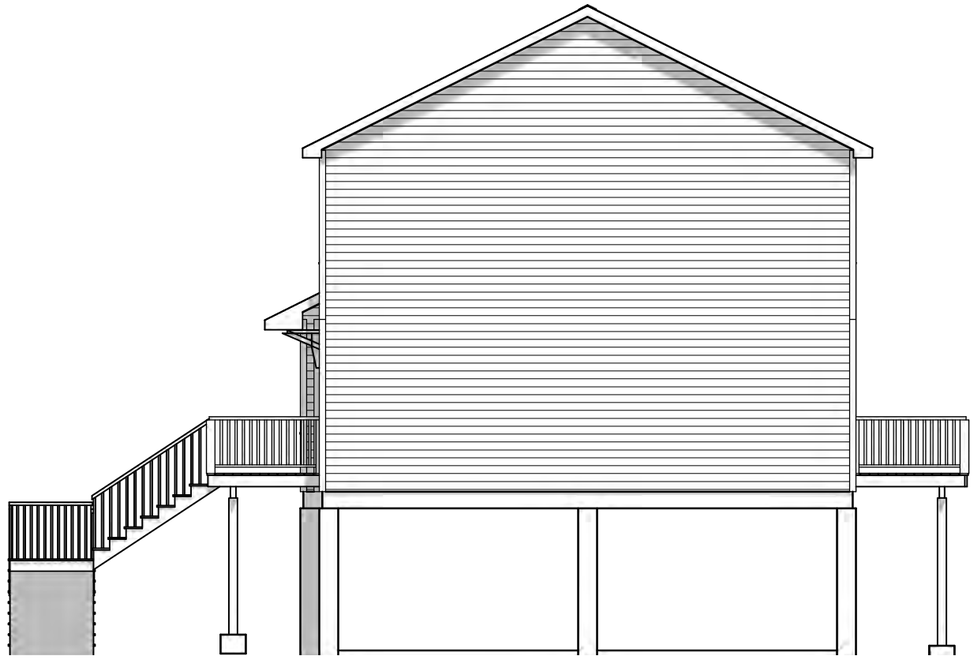
NOTE:
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LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

NOTE:
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STONEHINGE III
616 SQ. FT. FIRST FLOOR
616 SQ. FT. SECOND FLOOR
1232 SQ. FT. TOTAL
BUILDER
CUSTOMER -

CARDINAL HOMES ®

PROJECT NO
-

FP. NUMBER
-

PRINT NO.
218165

DATE
3/29/18

DRAWN BY:
GKW

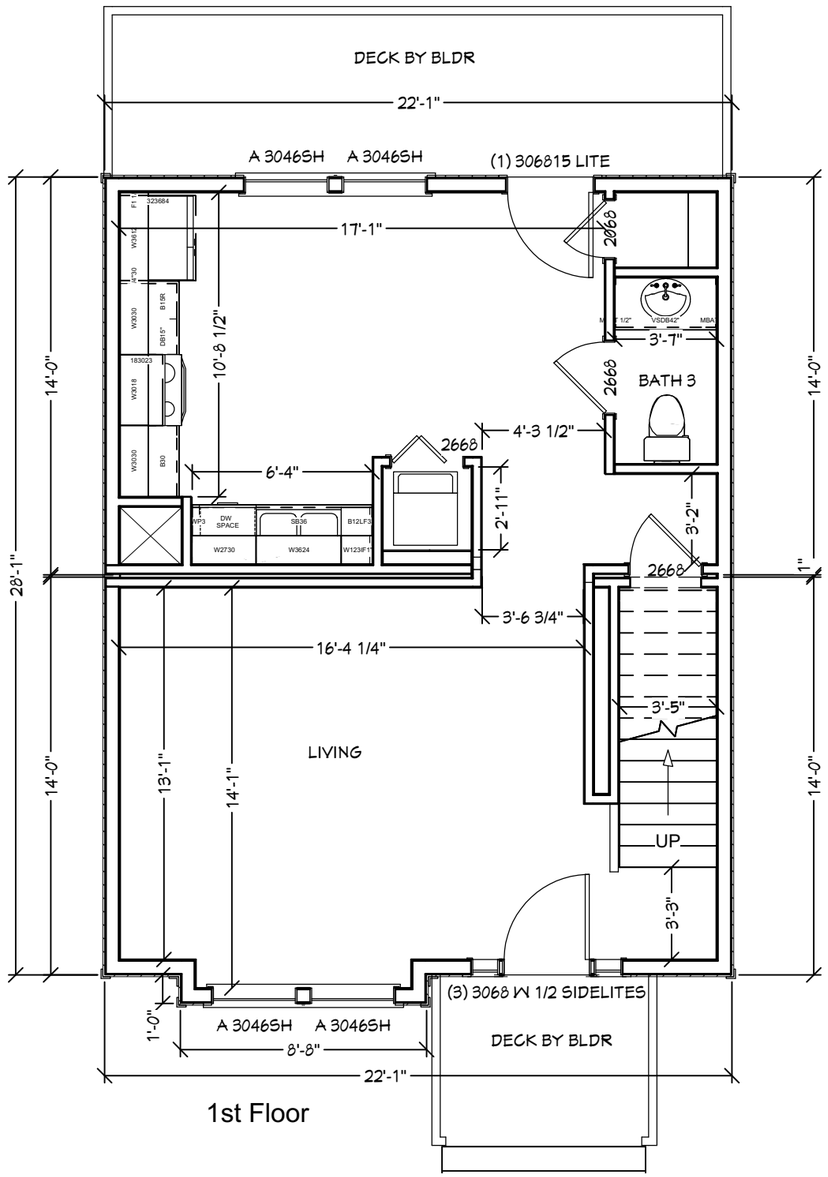
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3/16" = 1'-0"

REVISIONS
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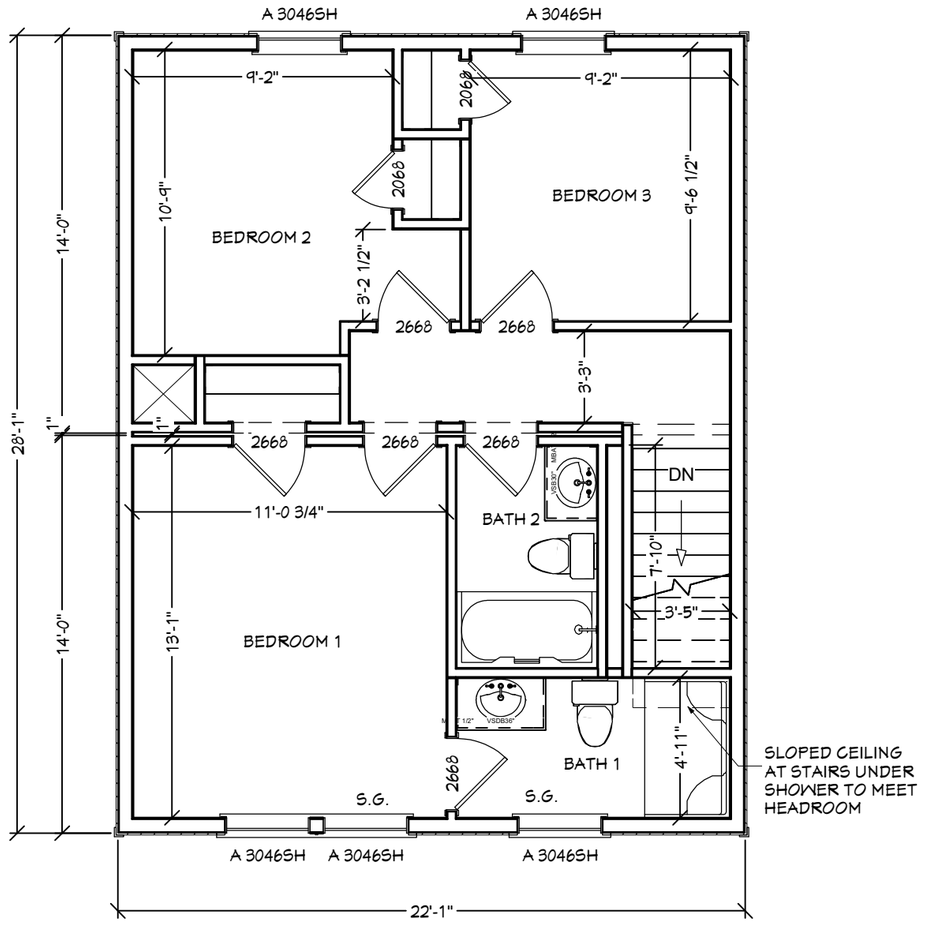
ELEVATION

SHEET:
1.1 OF 6

Attachment: 8 Stonehinge III-3-29-18 (PB 08-48 Cape Currituck (Horgan/Mason):)
© 2018 Cardinal Homes Inc



1st Floor



2nd Floor

STONEHINGE III
616 SQ. FT. FIRST FLOOR
616 SQ. FT. SECOND FLOOR
1232 SQ. FT. TOTAL
BUILDER
CUSTOMER -

CARDINAL HOMES ®

PROJECT NC
-

FP. NUMBER
-

PRINT NO.
218165

DATE
3/29/18

DRAWN BY:
GKW

SCALE:
3/16" = 1'-0"

REVISIONS
-
-
-

FLOOR PLAN

SHEET:
2.0 OF 6

Attachment: 8 Stonehinge III-3-29-18 (PB 08-48 Cape Currituck (Horgan/Mason):)
© 2018 Cardinal Homes Inc

Conditional Rezoning
Application

OFFICIAL USE ONLY:
Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information

APPLICANT:
Name: Denny Horgan & Donna Mason
Address: 291 West Side Lane
Powells Point, NC 27966
Telephone: _____
E-Mail Address: _____

PROPERTY OWNER:
Name: Denny Horgan & Donna Mason
Address: 291 West Side Lane
Powells Point, NC 27966
Telephone: _____
E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Property Information

Physical Street Address: 291 West Side Lane Powells Point, NC
Location: Approximately a mile west of Caratoke Highway
Parcel Identification Number(s): 0112000003B0000 & 0112000003C0000
Total Parcel(s) Acreage: 120.15 acres
Existing Land Use of Property: Single Family Home

Request

Current Zoning of Property: CD-PUD
Proposed Zoning District: CD-PUD

Community Meeting

Date Meeting Held: 9/26/2018
Meeting Location: Currituck Senior Center

Attachment: 9 P17062 -Application-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

Conditional Rezoning Request

To Chairman, Currituck County Board of Commissioners:

The undersigned respectfully requests that, pursuant to the Unified Development Ordinance, a conditional zoning district be approved for the following use(s) and subject to the following condition(s):

Proposed Use(s):

MIXED RESIDENTIAL USES, NEIGHBORHOOD SERVING RETAIL USES, RESTAURANTS, TRADITIONAL USES ASSOCIATED WITH MARINA, AND OTHER ITEMS AS CONTAINED IN THE CURRITUCK MARINA CONCEPTUAL PLAN.

Proposed Zoning Condition(s):

1. MAXIMUM GROSS RESIDENTIAL DENSITY SHALL NOT EXCEED 2.0 DWELLING UNITS PER ACRE.

2. NO MORE THAN 50 RESIDENTIAL DWELLING UNITS SHALL RECEIVE A CERTIFICATE OF OCCUPANCY PRIOR TO THE MARINA BEING FULLY PERMITTED AND APPROVED BY ANY LOCAL, STATE, AND FEDERAL REGULATORY OR PERMITTING AGENCY.

**SEE ATTACHED SITE NARRATIVE FOR ADDITIONAL CONDITIONS. **

An application has been duly filed requesting that the property involved with this application be rezoned from: CD-PUD (11/18/2008) to: CD-PUD

It is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the conceptual development plan, use(s) authorized, and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Currituck County Unified Development Ordinance. It is further understood and acknowledged that final plans for any development be made pursuant to any such conditional zoning district so authorized and shall be submitted to the Technical Review Committee.

Property Owner (s) — Date: 9-28-2018

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

Attachment: 9 P17062 -Application-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

Conditional Rezoning Design Standards Checklist

The table below depicts the design standards of the conceptual development plan for a conditional rezoning application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

Conditional Rezoning

Conceptual Development Plan Design Standards Checklist

Date Received: _____ TRC Date: _____

Project Name: _____

Applicant/Property Owner: _____

Conditional Rezoning Design Standards Checklist		
1	Property owner name, address, phone number, and e-mail address.	✓
2	Site address and parcel identification number.	✓
3	A scaled drawing showing existing boundary lines, total acreage, adjacent use types, location of streets, rights-of-way, and easements.	✓
4	North arrow and scale to be 1" = 100' or larger.	✓
5	Vicinity map showing property's general location in relation to streets, railroads, and waterways.	✓
6	Existing zoning classification of the property and surrounding properties.	✓
7	Approximate location of the following existing items within the property to be rezoned and within 50' of the existing property lines: Pathways, structures, septic systems, wells, utility lines, water lines, culverts, storm drainage pipes, ditches, canals, streams, wooded areas, ponds, and cemeteries.	✓
8	Approximate Flood Zone line and Base Flood Elevation as delineated on the "Flood Insurance Rate Maps/Study Currituck County."	✓
9	Approximate location of all designated Areas of Environmental Concern or other such areas which are environmentally sensitive on the property, such as Maritime Forest, CAMA, 404, or 401 wetlands as defined by the appropriate agency.	✓
10	Proposed zoning classification and intended use of all land and structures, including the number of residential units and the total square footage of any non-residential development.	✓
11	Proposed building footprints and usages.	✓
12	Proposed traffic, parking, and circulation plans including streets, drives, loading and service areas, parking layout, and pedestrian circulation features.	✓
13	Approximate location of storm drainage patterns and facilities intended to serve the development.	✓
14	Proposed common areas, open space set-asides, anticipated landscape buffering, and fences or walls (if proposed).	✓
15	Architectural drawings and/or sketches illustrating the design and character of the proposed uses.	✓
16	Proposed development schedule.	✓

Attachment: 9 P17062 -Application-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

Conditional Rezoning Submittal Checklist

Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

Conditional Rezoning

Submittal Checklist

Date Received: _____ TRC Date: _____

Project Name: _____

Applicant/Property Owner: _____

Conditional Rezoning Submittal Checklist		
1	Complete Conditional Rezoning application	✓
2	Application fee ($200 plus $5 for each acre or part thereof)	✓
3	Community meeting written summary	✓
4	Conceptual development plan	✓
5	Architectural drawings and/or sketches of the proposed structures.	✓
6	2 copies of plans	✓
7	2 hard copies of ALL documents	✓
8	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	✓

For Staff Only

Pre-application Conference

Pre-application Conference was held on _____ and the following people were present:

_____

_____

Comments

_____

_____

_____

Attachment: 9 P17062 -Application-2018-09-25 (PB 08-48 Cape Currituck (Horgan/Mason):)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2335)

Agenda Item Title

PB 18-27 University Park LLC:

Brief Description of Agenda Item:

Amend 2006 Land Use Plan/future classification map from Limited Service to Full Service to allow an increase in density from 1.5 units per acre to 3 units per acre located at the University Park development, PINs: 0131-000-097A-0000, 124J-000-OSP2-0000, 0131-000-095A-0000, 124J-000-00B1 through 00B6-0000, 124J-000-00C1 through 00C6-0000, 124J-000-00D1 through 00D6-0000, 124J-000-00E1 through 00E6-0000, 124J-000-00F1 through 00F6-0000, and 124J-000-00G1 through 00G3-0000, Poplar Branch township.

Planning Board Recommendation:

Planning Board Recommendation 12/11/2018

Planning Board recommends approval because of the following:

- The Future Land Use Map in the Draft 2006 Land use Plan Update, Imagine Currituck, shows this area at a density of up to three units per acre.
- The policy emphasis for the Point Harbor subarea is to allow portions of the area to continue to evolve as a full service community.

Motion

Mr. Ballance motioned to approve PB 18-27 University Park adjustment of the 2006 Land

Use Plan since it is consistent with the use of the property.

Chairman Whiteman seconded the motion and the motion carried with 4 board members in favor and Ms. Overstreet as a nay.

Board Action Requested

Action

Person Submitting Agenda Item

Tammy Glave,

Presenter of Agenda Item

Tammy Glave

STAFF REPORT
PB 18-27 UNIVERSITY PARK
BOARD OF COMMISSIONERS
FEBRUARY 4, 2019

APPLICATION SUMMARY	
Property Owner: University Park LLC 8648 Caratoke Highway Powells Point NC 27966	**Applicant:** House Engineering PC Bryan Sewell PO Box 466 Kitty Hawk NC 27949
Case Number: PB 18-27	**Application Type:** Land Use Plan Map Amendment
Parcel Identification Numbers: 0131-000-097A-0000 124J-000-OSP2-0000 0131-000-095A-0000 0131-000-095A-0000 124J-000-00B1 through 00B6-0000 124J-000-00C1 through 00C6-0000 124J-000-00D1 through 00D6-0000 124J-000-00E1 through 00E6-0000 124J-000-00F1 through 00F6-0000 124J-000-00G1 through 00G3-0000	**Existing Use:** Multi-family dwellings, office, warehouse, recreation, telecommunications tower
Land Use Plan Classification: Limited Services	**Proposed Land Use Plan Classification:** Full Service
Parcel Size (Acres): 25.857	**Current Zoning:** PD-M
Request: Amend future land use classification map from Limited Service to Full Service to allow an increase in density from 1.5 units per acre to 3 units per acre located at the University Park development.	

REQUEST
NARRATIVE

The property owner is requesting the Land Use Plan (LUP) Map amendment from Limited Service to Full Service to allow an increase in density from 1.5 units per acre to 3 units per acre. University Park, Phase 2, has approval for 39 residential townhome units. The owner is approaching buildout of Phase 2 and every unit is either rented or under contract to be rented once the units receive a Certification of Compliance from the Building Inspector. The applicant states, “The proposed amendment to the LUP map will allow for needed affordable housing in southern Currituck County in a safe community that offers the residents amenities such as a community pool and clubhouse, basketball courts, tennis court, picnic area, and walking trails. It should be noted that there is currently a waiting list for these apartments. This also provides housing for local workers and people who want to reside close to the beach but prefer to live in Currituck County.” Phase 3 of University Park was intended for future development with the desire to develop as 39 additional residential townhome units once the update to the 2006 Land Use Plan/Map, Imagine Currituck, was adopted that does allow for densities up to 3 units per acre in this location. Since the 2006 Land Use Plan Update, Imagine Currituck, is in the final review stage, the owner desires to move forward with the map amendment to the existing LUP.

Attachment: 1 18-27 University Park LUP Amendment PB Staff Report (PB 18-27 Universit Park LLC)

This property is in the Point Harbor subarea of the 2006 Land Use Plan. The policy emphasis for the Point Harbor subarea is to allow portions of the area to continue to evolve as a full service community, but with better attention to the planning needed to protect residential areas and the natural features that make the area so attractive. Housing in the Point Harbor subarea should continue to reflect a range of housing types and prices with emphasis on single-family site built homes.

It should be noted that an existing full service designation is located approximately 825' north of this property. While a better planning practice is to have continuously designated property without the separation, staff finds this request acceptable since it is in line with the draft update to the 2006 Land Use Plan/Map, Imagine Currituck. Additionally there is a significant area of commercial development proposed within University Park along Caratoke Highway, which is compatible with the higher residential designation. Given these reasons and the fact that the update to the 2006 Land Use Plan allows for the requested density, the requested change in the 2006 LUP Map is appropriate.

Finally, should the LUP Map amendment be approved, the application must be reviewed and approved by the Division of Coastal management. The applicant must also follow through with an amended master plan, terms and conditions document, preliminary plat/use permit, and final plat.

COMMUNITY MEETING

The applicant held a community meeting on November 16, 2018 at the University Park clubhouse with approximately 20 people in attendance. Concerns were expressed over access to West Mobile Road, moving amenities, the undisturbed buffer, and the conflict with the farm/owners of the property to the rear.

STAFF NOTE: During the approval of the master plan for University Park, the Board of Commissioners prohibited a connection to West Mobile Road for the development. While the attached site plan is for reference purposes only, it shows a connection to West Mobile Road. To make this connection, the applicant must request an amendment to the master plan and that request must be approved by the Board of Commissioners.

APPLICANT'S STATEMENTS OF JUSTIFICATION FOR REQUEST

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 property use does not change. The proposed amendment only changes the density from 1.5 units/acre to 3.0 units per acre.
2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties?
    - No, the use of the property does not change.
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. Septic is on-site. Power is on-site by Dominion Power. Waterlines are existing on-site and along Caratoke Highway. Based on existing usage, minimal impact on schools is expected. The property is bordered by Caratoke Highway (and Mobile Road* - see Conditions below) which provide safe ingress and egress to the property.
4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan and any other applicable long range plans?
    - The proposed amendment changes the density from 1.5 units/acre to 3.0 units/acre with no change to the existing zoning or use.

Attachment: 1 18-27 University Park LUP Amendment PB Staff Report (PB 18-27 Universit Park LLC)

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?
    - No change in the use.
6. Is there a public need for additional land space to be classified to this request?
    - Yes, the proposed amendment to the LUP allows for more housing variety in southern Currituck County.
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?
    - No effect or change. The properties are listed as "highly suitable."

- Statement of how the Land Use Plan amendment otherwise advances public health, safety, and general welfare:
    - The proposed amendment to the LUP map will allow for needed affordable housing in southern Currituck County in a safe community that offers the residents amenities such as a community pool and clubhouse, basketball courts, tennis court, picnic area, and walking trails. It should be noted that there is currently a waiting list for these apartments. This also provides housing for local workers and people who want to reside close to the beach but prefer to live in Currituck County.

SURROUNDING PARCELS

	Land Use	LUP Classification
North	Residential/Commercial	Limited Service
South	Residential/Commercial	Limited Service
East	Warehouse/Cultivated Farmland	Limited Service
West	Residential/Agricultural	Limited Service

STAFF RECOMMENDATION

A Land Use Plan Amendment is a legislative decision of the Board of Commissioners.

Staff recommends approval because of the following:

- The Future Land Use Map in the Draft 2006 Land use Plan Update, Imagine Currituck, shows this area at a density of up to three units per acre.
- The policy emphasis for the Point Harbor subarea is to allow portions of the area to continue to evolve as a full service community.

NOTE: During the approval of the master plan for University Park, the Board of Commissioners prohibited a connection to West Mobile Road for the development. While the attached site plan is for reference purposes only, it shows a connection to West Mobile Road. To make this connection, the applicant will have to request an amendment to the master plan and that request will have to be approved by the Board of Commissioners.

Attachment: 1 18-27 University Park LUP Amendment PB Staff Report (PB 18-27 Universit Park LLC)

PLANNING BOARD RECOMMENDATION

A Land Use Plan Amendment is a legislative decision of the Board of Commissioners.

Planning Board recommends approval because of the following:

- The Future Land Use Map in the Draft 2006 Land use Plan Update, Imagine Currituck, shows this area at a density of up to three units per acre.
- The policy emphasis for the Point Harbor subarea is to allow portions of the area to continue to evolve as a full service community.

Planning Board Discussion 12/11/2018

Senior Planner, Tammy Glave presented the staff report. The property owner is requesting the Land Use Plan (LUP) Map amendment from Limited Service to Full Service to allow an increase in density from 1.5 units per acre to 3 units per acre. University Park, Phase 2, has approval for 39 residential townhome units. The owner is approaching buildout of Phase 2 and every unit is either rented or under contract to be rented once the units receive a Certification of Compliance from the Building Inspector. The proposed amendment to the LUP map will allow for needed affordable housing in Currituck County in a safe community. There is currently a waiting list for these apartments. This also provides housing for local workers and people who want to reside close to the beach but prefer to live in Currituck County. Phase 3 of University Park was intended for future development with the desire to develop as 39 additional residential townhome units once the update to the 2006 Land Use Plan/Map, Imagine Currituck, was adopted that does allow for densities up to 3 units per acre in this location. Since the 2006 Land Use Plan Update, Imagine Currituck, is in the final review stage, the owner desires to move forward with the map amendment to the existing LUP. Staff recommends approval as presented.

Mr. Craddock asked if CAMA would reject this plan. Mr. Glave said she did speak with Charlene Owens, the district representative for CAMA and she said if the Board of Commissioners approved this they typically follow their recommendations.

Bryan Sewell with House Engineering came before the board to represent the applicant. He said they did have a community meeting and their biggest concern was traffic on West Mobile Road. We tried to assure them that everything we will do is going to be done right and according to the rules and regulations from the governing entities.

Chairman Whiteman asked if anyone else would like to speak.

Emmett McMillan from West Mobile Road, Powells Point, came before the board. He said he is the largest property owner near this development. He spoke about ongoing concerns he has had with the applicant and his project. He spoke about the applicant being in violation of a current restriction and asked if this application can go further because of it. Chairman Whiteman said this is not the issue that is in front of this board tonight. Mr. McMillian continued to speak about problems he continues to have with the applicant and asked where the protection for the property owners beside this project is. He said he has to defend his property rights and he shouldn't have to from the beginning and asked how these issues can be fixed. He spoke about a basketball court that was put in that was not supposed to be since it was not in the original storm water project. He said the applicant is in violation and he cannot afford to fight anymore. He said he doesn't have the money, but the applicant does and his family has suffered because of these difficulties.

Attachment: 1 18-27 University Park LUP Amendment PB Staff Report (PB 18-27 Universit Park LLC)

Mr. Craddock said he is sorry you have had these difficulties, but it sounds like you need to get an attorney or you may have a code enforcement issue, but this is not the issue at hand tonight. Mr. Craddock said they both need to talk to each other and work their issues out. Mr. Craddock asked Ms. Glave what is being done to rectify the issues that these two property owners are having, just for informational purposes. Ms. Glave said the Stormwater has to be inspected and completed at the state stormwater agency at the end of the project by that agency. They have one additional building to build. The basketball court, they did submit an amended plan that was approved by the Technical Review Committee. There is an undisturbed buffer that had some disturbance. There were some trees that fell down or may not have fallen down and the applicant added trees to replace the missing trees.

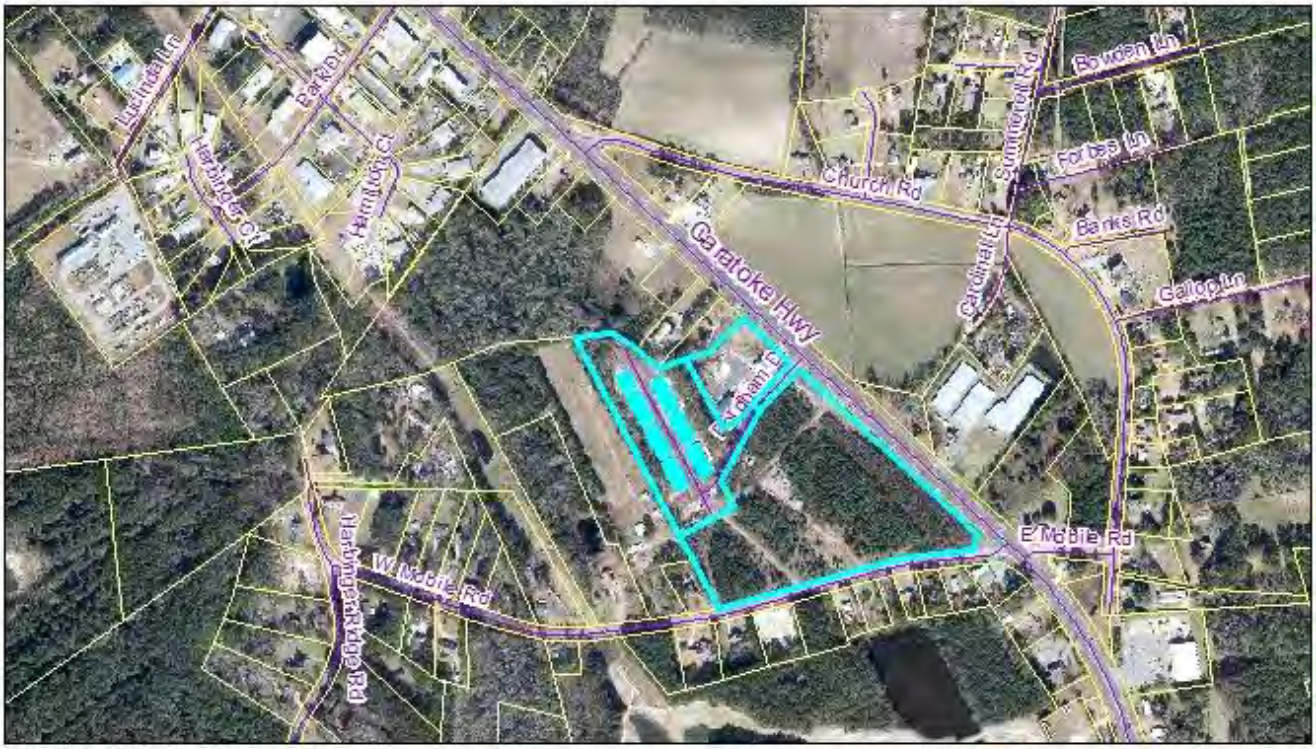
Ms. Higendorf asked if there were some things that are not being enforced that have to do with this application. Chairman Whiteman and Ms. LoCicero said these were two separate issues. Ms. Glave said if there are some potential violations they need to be turned into the Code Enforcement Officer.

Mr. Ballance motioned to approve PB 18-27 University Park adjustment of the 2006 Land Use Plan since it is consistent with the use of the property.

Chairman Whiteman seconded the motion and the motion carried with 4 board members in favor and Ms. Overstreet as a nay.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
www.co.currituck.nc.us/ board-of-commissioners-minutes-current.cfm

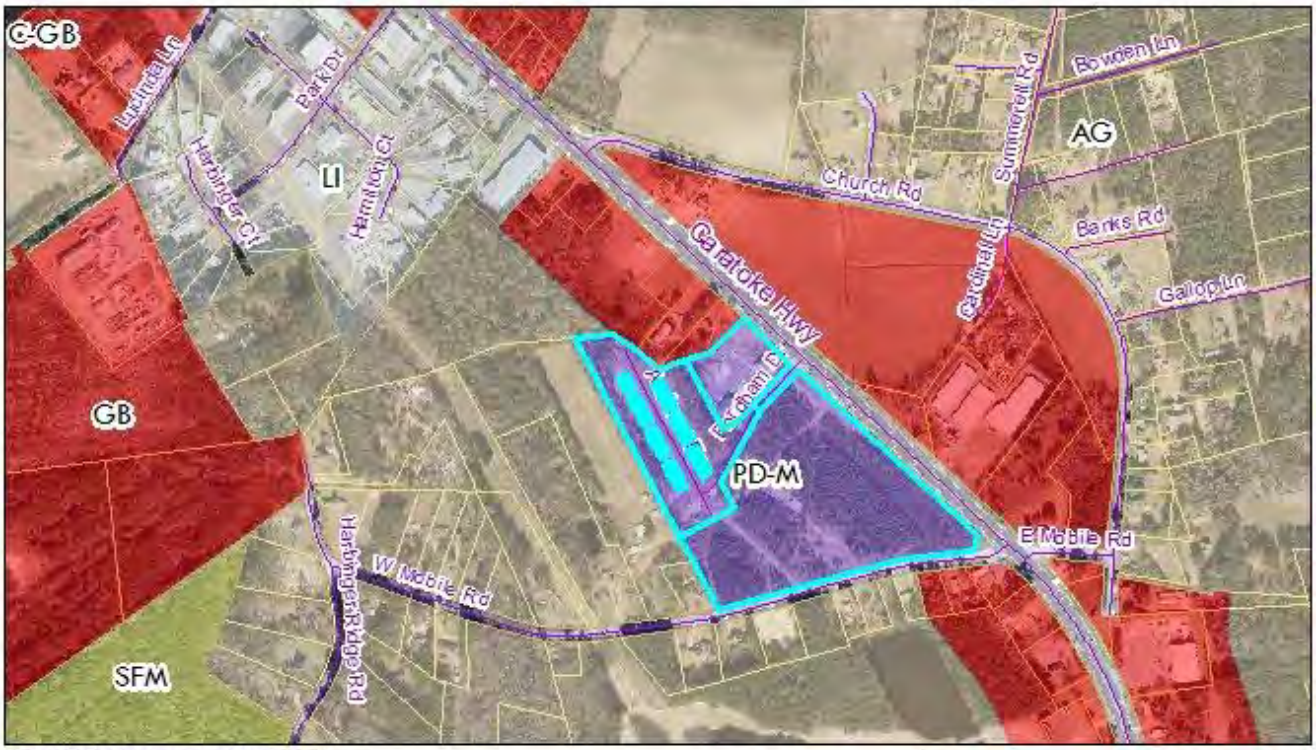
Attachment: 1 18-27 University Park LUP Amendment PB Staff Report (PB 18-27 Universit Park LLC)



PB 18-27 University Park LLC
LUP Map Amendment
2016 Aerial Photography

0 250 500 1,000 Feet

Currituck County
Planning and
Community Development



PB 18-27 University Park LLC
LUP Map Amendment
Zoning

0 250 500 1,000 Feet

Currituck County
Planning and
Community Development

Attachment: 1 18-27 University Park LUP Amendment PB Staff Report (PB 18-27 Universit Park LLC)



PB 18-27 University Park LLC
LUP Map Amendment
LUP Land Use Classification

0 400 800 1,600 Feet

Currituck County
Planning and
Community Development

Attachment: 1 18-27 University Park LUP Amendment PB Staff Report (PB 18-27 Universit Park LLC)

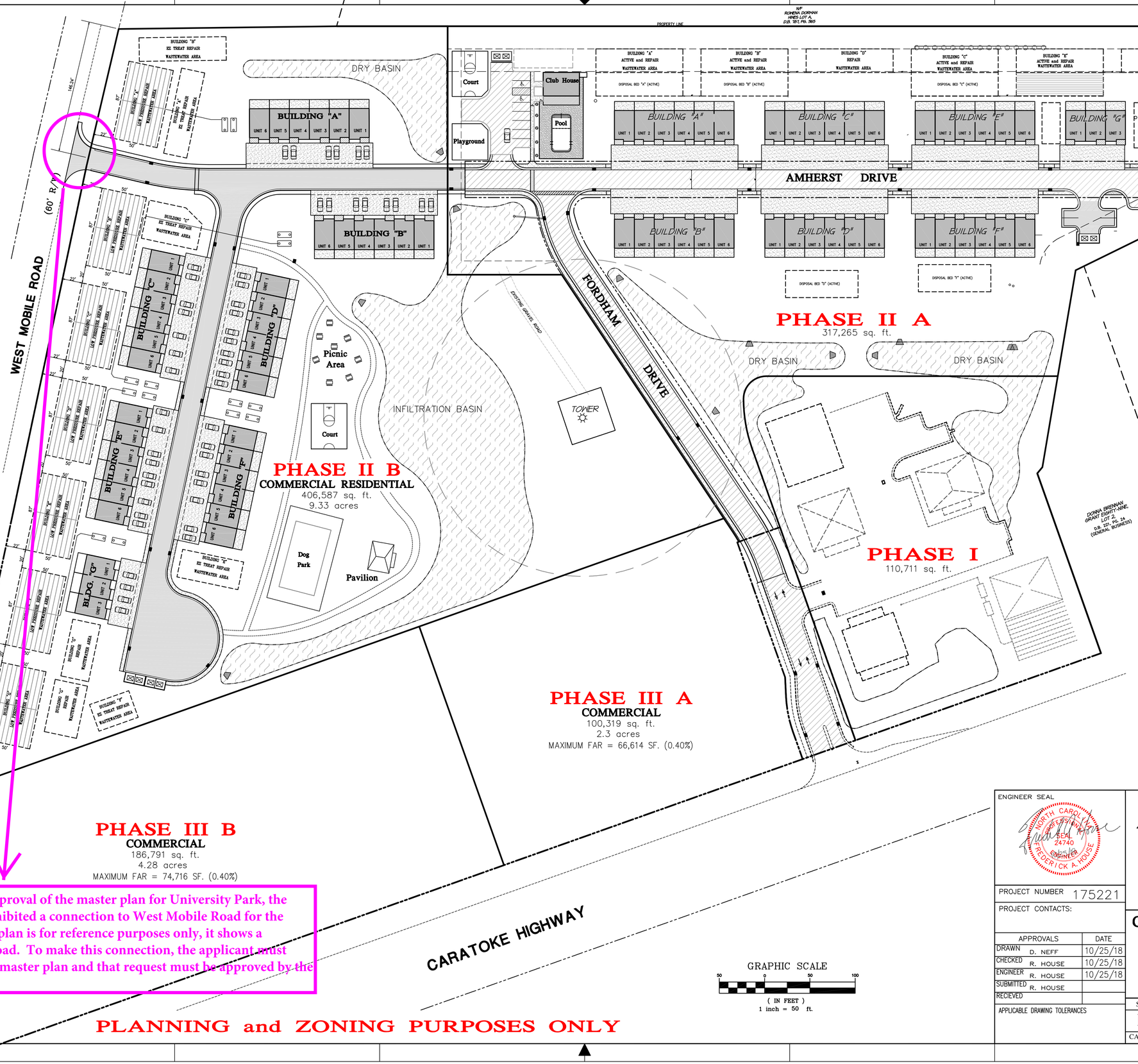
RESIDENTAIL SITE DATA

DIMENSIONAL STANDARDS

DISTRICT AREA (Acres):	26.05
GROSS DENSITY, MAXIMUM (Dwelling units/Acres)	LIMITED SERVICE: 1.5 FULL SERVICE: 3 (OR MAXIMUM SET BY COUNTY LAND USE PLAN)
RESIDENTIAL LAND AREA, MAXIMUM (EXCLUDES OPEN SPACE) (% of District)	35
MINIMUM SPACEING BETWEEN BUILDINGS (Feet)	20
MAXIMUM BUILDING LENGTH (Feet)	150
MAXIMUM BUILDING SIZE (FOOTPRINT), (Feet)	6,600
LOT COVERAGE MAXIMUM (% of Lot area)	65
DISTRICT BUILDING HEIGHT MAXIMUM (ft.)	35 (OR AS ALLOWED BY CURRITUCK COUNTY U.D.O)
BUILDING SETBACK FROM GEN. BUS., (GB) ZONE, MINIMUM (ft.)	40 (DOES NOT APPLY TO LOTS INSIDE OF DISTRICT)
BUILDING SETBACKS FROM AGRICULTURE ZONE, MINIMUM (ft.)	50
BUILDING SETBACKS FROM EXTERIOR (OUTSIDE PD-M), R.O.W. (FEET)	W. MOBILE RD. 60 US HWY. 158 50
BUILDING SETBACKS FROM INTERNAL RIGHT-OF-WAY (FEET)	15

DEVELOPMENT STANDARDS

DISTRICT AREA (Acres):	26.05
OFF - STREET PARKING and LOADING FOR OFFICE/RETAIL	AS PER U.D.O FOR SHOPPING CENTERS, AS DETAILED IN TERMS & CONDITIONS DOC.
OFF - STREET PARKING and LOADING FOR HOTEL	1/GUEST ROOM AS DETAILED IN TERMS & CONDITIONS DOC.
OFF - STREET PARKING and LOADING FOR THEATER	1 SPACE /4 SEATS AS DETAILED IN TERMS & CONDITIONS DOC.
LANDSCAPING	ALTERNATIVE LANDSCAPE PLAN AS DETAILED IN TERMS & CONDITIONS DOC.
TREE PROTECTION	
OPEN SPACE SET-ASIDE	20% (MIN.)
FENCES and WALLS	ALTERNATIVE PLAN AS DETAILED IN TERMS & CONDITIONS DOCUMENT
EXTERIOR LIGHTING	



COMMERCIAL SITE DATA

DIMENSIONAL STANDARDS

DISTRICT AREA (Acres):	26.05
LOT AREA MINIMUM	65,340 sq. ft. (1.5 Ac.)
LOT WIDTH MINIMUM (ft.)	100
LOT COVERAGE MAXIMUM (% of Lot area)	65
DISTRICT FAR, MAXIMUM (%)	0.40 (OR AS ALLOWED)
INDIVIDUAL BUILDING SIZE FOOTPRINT MAXIMUM (sq. ft.)	AS ALLOWED BY CURR. COUNTY U.D.O
DISTRICT BUILDING HEIGHT MAXIMUM (ft.)	OFFICE/RETAIL: 35 HOTEL: 50 (OR AS ALLOWED BY CURRITUCK COUNTY U.D.O)
BUILDING SETBACK FROM GEN. BUS., (GB) ZONE, MINIMUM (ft.)	40 (DOES NOT APPLY TO LOTS INSIDE OF DISTRICT)
BUILDING SETBACKS FROM AGRICULTURE ZONE, MINIMUM (ft.)	50
BUILDING SETBACKS FROM EXTERIOR (OUTSIDE PD-M) STREETS (ft.)	W. MOBILE RD.: 60 US HWY. 158: 50 HOTEL: ADDITIONAL 5' SETBACK FOR EVERY 5' ADDITIONAL BUILDING HT. OVER 35 FT.
BUILDING SETBACKS FROM INTERNAL RIGHT-OF-WAY (FEET)	15

ENGINEER SEAL

NORTH CAROLINA PROFESSIONAL SEAL 24740 ENGINEER FREDERICK A. HOUSE

PROJECT NUMBER 175221

PROJECT CONTACTS:

APPROVALS		DATE
DRAWN	D. NEFF	10/25/18
CHECKED	R. HOUSE	10/25/18
ENGINEER	R. HOUSE	10/25/18
SUBMITTED	R. HOUSE	
RECIEVED		

APPLICABLE DRAWING TOLERANCES

HOUSE ENGINEERING, P.C.
P.O. BOX 466
KITTY HAWK, NORTH CAROLINA 27949
OFFICE: (252) 261-8253 FAX: (252) 261-3283
e-mail: rick@houseengineering.net

Currituck County Proposed Site Plan

For:

University Park

Location:

RESIDUAL PARCEL

Currituck County North Carolina

SIZE	DRAWING NUMBER	REV	SHEET NO.
D	175221		C1 OF 1

CAD FILENAME: 165034_Base SCALE: 1" = 20'-0"

Attachment: 2 UP_SITE PLAN (PB 18-27 Universit Park LLC)

Land Use Plan Amendment
Application

OFFICIAL USE ONLY:
Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information

APPLICANT:

Name: House Engineering, P.C.
Address: PO Box 466
Kitty Hawk, NC 27949
Telephone: 252-261-8253
E-Mail Address: bryans@houseengineering, P.C.

PROPERTY OWNER:

Name: Elan Vacations, Inc.
Address: 8624 Caratoke Highway
Powells Point NC 27966
Telephone: 252-491-8787
E-Mail Address: nbibeau@aol.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Authorized Agent

Property Information

Physical Street Address: 8648 Caratoke Highway, Powells Point, NC 27966
Location: University Park Phase 3
Parcel Identification Number(s): 013100097A000, 013100095A5045, 124J00000D10000 See attached
Total Parcel(s) Acreage: 26.05
Zoning District: PD-M / GB
Present Land Use: Residential with infrastructure, General Business, Offices
Current Land Use Plan designation: Limited Use

Request (attach additional sheets as necessary)

- Section of plan to be amended: Point Harbor Sub District, Limited Use to Full Use

- 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 propery use does not change. The proposed amendment only changes the density from 1.5 units/ acre to 3.0 unis per acre

Attachment: 3 Revised Application (PB 18-27 Universit Park LLC)

2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties? No. The use of the property does not change.

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. Septic is on-site. Power in on-site by Dominion Power. Water lines are existing on-site and along Caratoke Highway. Based on existing useage, minimal impact on the schools are expected. The property is bordered by Caratoke Highway and Mobile Road which provides safe ingress and egress to the property.

4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan and any other applicable long range plans? The proposed amendment changes the density from 1.5 units/acre to 3.0 units/ acre with no change to the existing Zoning use.

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? No change in the use.

6. Is there a public need for additional land space to be classified to this request? Yes,the proposed amendment to the LUP allows for more affordable housing in Southern Currituck County.

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? No effect or change. The properties are list as "highly suitable".

- Statement of how the Land Use Plan amendment otherwise advances public health, safety, and general welfare: The proposed amendment to the LUP will allow for needed afordable housing in Southern Currituck County in a safe community that offers the residents amenities as a community pool and clubhouse, basketbal courts, tennis court, picnic area and walking trails. It should be noted that there is currenlty a waiting list for these apartments. This also provides housing for local workers and people who want to reside close to the beach but perfer to live in Currituck County.

Community Meeting

Date Meeting Held: November 16, 2018 Meeting Location: University Park Clubhouse

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.

Property Owner(s) 10/25/2108 Date

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

Attachment: 3 Revised Application (PB 18-27 Universit Park LLC)

HOUSE ENGINEERING, P.C.

P.O. Box 466
Kitty Hawk, NC 27949
Phone: 252-261-8253
e-mail: rick@houseengineering.net

ICC INTERNATIONAL CODE COUNCIL

November 15, 2018

Tammy Glave, CZO
Senior Planner
Currituck County Planning and Community Dev.
Phone: 252-232-6025
E-mail: tammy.glave@currituckcountync.gov

RE: Parcel ID Numbers for University Park Apartments (39 Units)

Dear Tammy,

Per our previous conversations, please find attached the Parcel ID Numbers for University Park Apartments that is an addendum to be added to the proposed Land Use Plan amendment.

BUILDING - A

1. UNIT 106 A - 124J00000A60000
2. UNIT 106 B - 124J00000A50000
3. UNIT 106 C - 124J00000A40000
4. UNIT 106 D - 124J00000A30000
5. UNIT 106 E - 124J00000A20000
6. UNIT 106 F - 124J00000A10000

BUILDING - B

7. UNIT 107 A - 124J00000B60000
8. UNIT 107 B - 124J00000B50000
9. UNIT 107 C - 124J00000B40000
10. UNIT 107 D - 124J00000B30000
11. UNIT 107 E - 124J00000B20000
12. UNIT 107 F - 124J00000B10000

BUILDING - C

13. UNIT 104 A - 124J00000C60000
14. UNIT 104 B - 124J00000C50000
15. UNIT 104 C - 124J00000C40000
16. UNIT 104 D - 124J00000C30000
17. UNIT 104 E - 124J00000C20000
18. UNIT 104 F - 124J00000C10000

Attachment: 3 Revised Application (PB 18-27 Universit Park LLC)

BUILDING - D

19. UNIT 105 A - 124J00000D60000
20. UNIT 105 B - 124J00000D50000
21. UNIT 105 C - 124J00000D40000
22. UNIT 105 D - 124J00000D30000
23. UNIT 105 E - 124J00000D20000
24. UNIT 105 F - 124J00000D10000

BUILDING - E

25. UNIT 102 A - 124J00000E60000
26. UNIT 102 B - 124J00000E50000
27. UNIT 102 C - 124J00000E40000
28. UNIT 102 D - 124J00000E30000
29. UNIT 102 E - 124J00000E20000
30. UNIT 102 F - 124J00000E10000

BUILDING - F

31. UNIT 103 A - 124J00000F60000
32. UNIT 103 B - 124J00000F50000
33. UNIT 103 C - 124J00000F40000
34. UNIT 103 D - 124J00000F30000
35. UNIT 103 E - 124J00000F20000
36. UNIT 103 F - 124J00000F10000

BUILDING - G

37. UNIT 100 A – 124J00000G30000
38. UNIT 100 B – 124J00000G20000
39. UNIT 100 C – 124J00000G10000

Respectfully Submitted,

Frederick A. House, P.E.

Frederick A. House, P.E.
President, House Engineering, P.C.

Attachment: 3 Revised Application (PB 18-27 Universit Park LLC)

Description of Land Classifications

Conservation Areas

The purpose of the Conservation class is to provide for the long-term management and protection of significant, limited, or irreplaceable areas. Proper management is needed to conserve the natural, cultural, recreational, scenic or biologically productive values of these areas. Infrastructure and services, public or private, should not be provided in these areas as a catalyst that could stimulate development. Much of the land included in the Conservation classification is environmentally sensitive and therefore already protected through existing, federal, state, and local regulations. However, for areas within the classification that would be considered developable, uses such as agriculture, agriculture related services, and extremely low density residential development (1 unit per 3 acres or less) would be permitted. With the exception of agricultural related uses, nonresidential uses should not be encouraged. It is anticipated that any uses within the Conservation area would be served by individual on-site water and wastewater.

Rural Areas (Areas Preferred for Open Space and Agricultural Preservation

The Rural class is intended to provide for agriculture, forestry, and other allied uses traditionally associated with a rural area. Interior land areas including a significant amount of prime farmland, away from the ocean and sound, and not assigned to the Conservation Class, have been designated Rural. Preferred uses include very low-density dispersed development associated directly with farm uses. Residential dwellings associated with farm activity typically employ on-site water supply (e.g. individual wells) and waste disposal (i.e. septic systems). Areas meeting the intent of this classification are appropriate for or presently used for agriculture, forestry, and other similar uses. Agri-tourism related uses should also be considered appropriate.

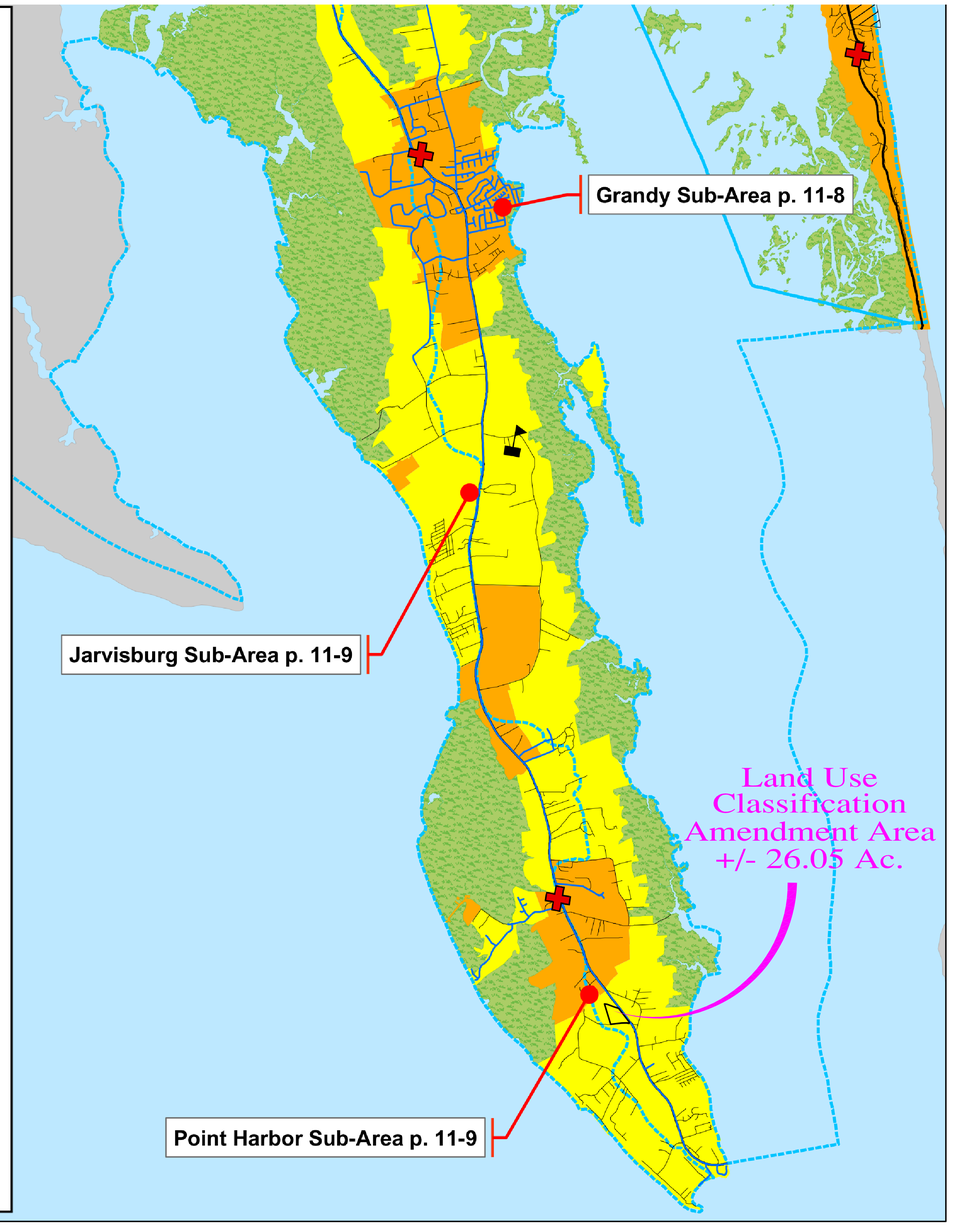
Population densities are generally very low and development density is anticipated at no more than 1 unit per 3 acres. In addition, any development in the Rural Areas would be served by individual on-site water and septic.

Limited Service Areas (Areas Preferred for Low Density Development)

The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. Despite the overall low density of these areas, efforts should be made to encourage clusters of residential uses to preserve open space and to provide for a sense of a "community". Base development density should be 1 unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether service facilities are in place or planned and the potential impact on the surrounding community. In the same instances where slightly higher density is considered appropriate a moderate mix of housing types such as semi-detached would also be considered reasonable. With respect to nonresidential uses, it is essential that the existing community character be preserved. In general, neighborhood commercial uses are more appropriate than large scale commercial complexes. However, business designed to serve the tourist industry such as small gift shops or agri-tourism related uses should not be prohibited provided the character and intensity of the use is in keeping with the character of the surrounding area. Very limited municipal-type services, such as fire protection, emergency services, and community water, may be available. Centralized sewage collection and treatment systems whether public or community may be appropriate for these areas.

Full Service Areas (Areas Preferred for Community Centers)

Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service investments have been provided or will be made available by the public and/or private sectors. Infrastructure investments may include, for example, community level or centralized water, parks, schools, fire and rescue facilities. Central wastewater treatment and disposal whether public or community is considered reasonable in the Full Service Areas. With respect to residential development, base development density is contemplated to be 2 units per acre but could be increased to 3-4 units per acre through overlay zoning depending upon services available and the potential impact on the surrounding area. A greater diversity in housing types (i.e. semi-detached, attached, multi-family) would be considered appropriate in the Full Service areas. With respect to nonresidential uses, it is essential that the existing community character be preserved. Nonresidential uses may include clusters of businesses serving the immediate area and, where appropriate, a more extensive market territory.



The preparation of this map was financed in part through a grant provided by the North Carolina Coastal Management Program, through the funds provided by the North Carolina Coastal Management Act of 1972, as amended, which is administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration.

Map 11.1

Future Land Use Plan Map

Waterline (Incomplete Data)
Major Street
Proposed Transportation Feature
Ferry Route
Fire/EMS Station
School
Area Served by Ocean Sands Water and Sewer District
14 Digit Hydrologic Units (Watersheds)

0 0.5 1 2 3 4 Miles

Currituck County, North Carolina

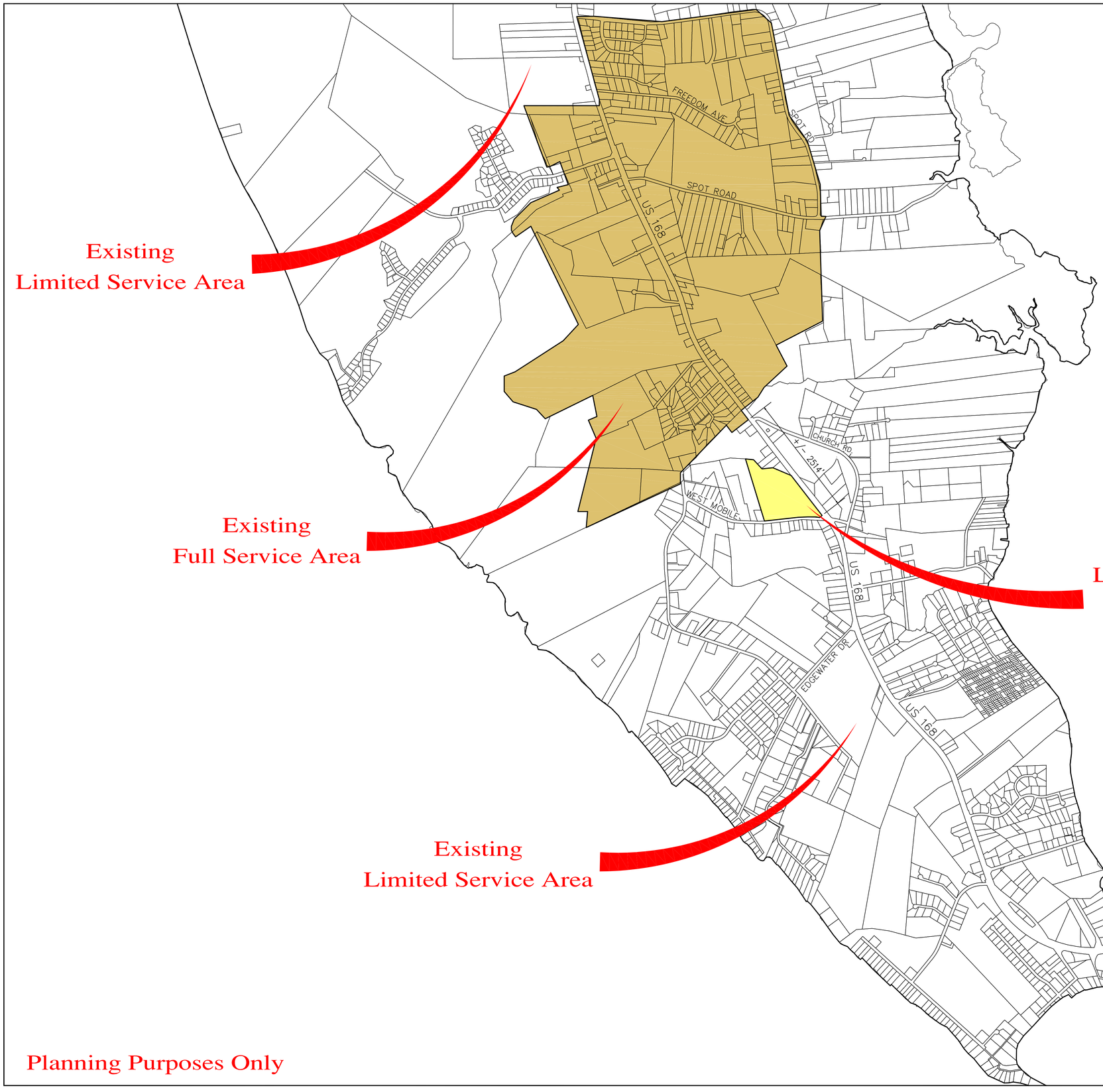
Adopted by the Board of Commissioners November 20, 2006: Amended August 2008 and August 2009.

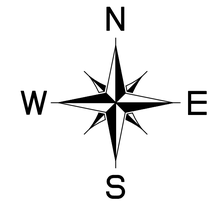
Attachment: 4 UP_LANDCLASS ENLARGED! (PB 18-27 University Park LLC)

Currituck County Land Use Map Amendment

Location:

Currituck County North Carolina





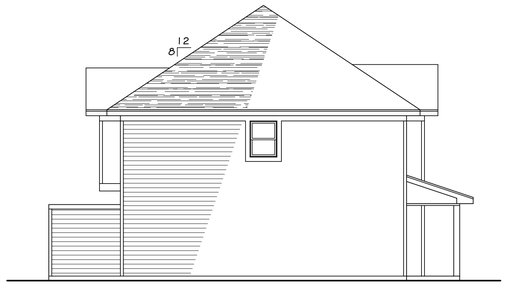
Planning Purposes Only

HOUSE ENGINEERING, P.C.
P.O. BOX 466
KITTY HAWK, NORTH CAROLINA 27949
OFFICE: (252) 261-8253 FAX: (252) 261-3283
e-mail: rick@houseengineering.net

Attachment: 5 UP_LANDCLASS SITE (PB 18-27 Universit Park LLC)



TYPICAL BUILDING
FRONT ELEVATION
1/8" = 1'-0"



TYPICAL BUILDING
SIDE ELEVATION
1/8" = 1'-0"



TYPICAL BUILDING
REAR ELEVATION
1/8" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

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EDMOND P. VIRGILI, R.A.
ARCHITECT
720 NORFOLK AVE.
VIRGINIA BEACH, VIRGINIA 23451

UNIVERSITY PARK
TOWNHOUSES
CURRITUCK CO., NC
ELEVATIONS

FILE 1503

DATE 3 MAR 15

SHEET

A2

Attachment: 6 a2-3-3-15 (PB 18-27 University Park LLC)

HOUSE ENGINEERING, P.C.

P.O. Box 466
Kitty Hawk, NC 27949
Phone: 252-261-8253
e-mail: rick@houseengineering.net

ICC INTERNATIONAL CODE COUNCIL®

UNIVERSITY PARK COMMUNITY MEETING
MEETING SUMMARY
Friday, November 16, 2018

Meeting Time: 10:00 am to 11:00 am

Attendees: (See attached sign-in sheet)

Norman Bibeau, Property Owner
Carolyn Hickok-Bibeau, Elan Vacations
Tod Coyle, Todd Coyle Construction
Jennie Turner, Currituck County
Bryan Seawell, House Engineering, P.C.
David Neff, House Engineering, P.C.

Meeting Overview:

An outline of the approval process to amend the current Land Use Plan was reviewed. Also, clarification that this proposed application is to only amend the current Land Use Plan and not to amend the approved Zoning use. Multiple maps were provided for review showing both the existing Land Use Plan and the proposed Land Use Plan. A preliminary site plan was also available for review showing a proposed 7 buildings with 39 apartments that match the existing adjacent development.

Community Comments and Response

What type of buffers will be required for privacy?

Before development will be allowed to start, permits from Currituck County will be required to ensure that any development meets the required standards. Typically, the buffer is vegetated. However, it could be a combination of vegetation and fences.

Where will the additional stormwater runoff go?

Before development will be allowed to start, permits from Currituck County and The State of North Carolina will be required to ensure that any development meets the required standards. Typically, this is achieved by an on-site stormwater system.

Attachment: 7 University Park Meeting Summary (PB 18-27 Universit Park LLC)

How will this change effect traffic on West Mobile Road?

The main entrance to University Park will remain on Caratoke Highway. The second entrance /exit is proposed on West Mobile Road to provide a secondary entrance/exit. This allows better internal traffic flow and second way for public services to access the property.

What type of septic systems will be installed?

Each building is proposed to have its own system and will be required to obtain permits for Albemarle Regional Health.

Concern about a second entrance/exit on West Mobile Road?

Traffic impacts will be minimal on West Mobile Road. The main entrance/exit will remain on Caratoke Highway.

Concern that the infrastructure should be installed completely prior to the start of building.

Our construction process will install all required measures as early as possible. This is important to be able to handle stormwater runoff due the building construction.

Will a water line extension be installed on West Mobile Road?

A waterline extension is proposed to second entrance/exit to University Park on West Mobile Road

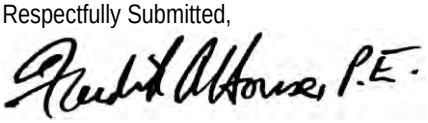
How long before work will start?

This is a two-stage process. The first stage is the proposed amendment to the Land Use Plan and the second stage being the proposed site plan development approval. We are estimating that construction could start in approximately 1 year.

Will the community be kept informed during the approval process?

During the process there will multiple board meetings (Planning Board/Board of Commissioners) for the community to attend as well as Public Hearings.

Respectfully Submitted,



Frederick A. House, P.E.
President – House Engineering, P.E.

Attachment: 7 University Park Meeting Summary (PB 18-27 Universit Park LLC)

Meeting Sign In

Project: UNIVERSITY PARK LUP AMENDMENT
Facilitator: HOUSE ENGINEERING, P.C.
Place/Room: UNIVERSITY PARK CLUBHOUSE

Date: NOVEMBER 16, 2018
Time: 10:00AM - 11:00AM

	PRINT NAME	PHONE	EMAIL
1.	JAY NICKERSON	757-753-2310	JAYBARBNICK@GMAIL.CO
2.	BARBARA NICKERSON	757-332-0821	11
3.	AR Grounko/Deb Bauer		8yourno@aol.com
4.	CHRIS MULL	252-491-2436	CMULL@KEMPSVILLEBUILDING.CO
5.	ALEX RAINES	252-267-0454	ALRIOSE COMCAST.NET
6.	SUE RAINES	804-621-3078	SRAINES@COMCAST.NE
7.	Jeffrey Newbern Jr	252-564-5162	NewbernConcrete in @yah
8.	SHANE PATTERSON	252 202 7833	SOUNDSIDEPLUMBING
9.	Jeff Newbern	202-1028	ga1021210@gmail.com
10.	Jennie Turner	252-232-6031	jennie.turner@currituck
11.	C. Shay Ballance	252-207-5656	ShayBallance@hotmail.com
12.	Bobby Haris	207-5479	
13.	Mike Payment	757-763-8110	
14.	Carry McMillen		
15.	Emmett McMillen		
16.	Teresa Creef	9512027222	
17.			
18.			
19.			
20.			
21.			
22.			

Attachment: 7 University Park Meeting Summary (PB 18-27 Universit Park LLC)

Protocol Sampling Service, Inc.
"Experts in Environmental Compliance"

4114 Laurel Ridge Drive
Raleigh, North Carolina 27612

(919) 210-6547

Protocolsampling@yahoo.com
Environmentalservicesnc.com

October 25, 2018

Mr. David Neff
House Engineering, P.C.
Post Office Box 466
Kitty Hawk, North Carolina 27949

Re: Soil Suitability
University Park Townhomes Phase II B
138 West Mobile Road
Harbinger, Currituck County, North Carolina 27966
Protocol Project No. 15-20

Dear Mr. Neff:

Protocol Sampling Service, Inc. personnel has initiated soil and aquifer testing in the proposed Phase II B portion of the project that will contain seven (7) multi-unit apartment buildings. The soil and sand aquifer in the proposed disposal areas should be considered suitable for pretreatment LPP disposal systems at a LTAR of at least 0.5 gpd/ft^2. Further testing as well as mound modelling which is currently under way will determine the final LTAR.

Please call me at (919) 210-6547 if you have any questions or comments.

Sincerely,
Protocol Sampling Service, Inc.

David E. Meyer, N.C.L.S.S.
President

cc: TCC, LLC
file

Attachment: 8 House Engineering University Park Phase II B initial soil letter (PB 18-27 Universit Park LLC)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2337)

Agenda Item Title

PB 18-23 Fost Tract:

Brief Description of Agenda Item:

Rezone 228.83 acres from Agricultural (AG) to Planned Development - Residential (PD-R) on property located in Moyock on the west side of Caratoke Highway, north of Ranchland Subdivision, PIN 0015-000-0086-0000, Moyock Township.

Planning Board Recommendation:

Planning Board Recommendation 12/11/2018

The Planning Board recommends **approval** of the Planned Development - Residential rezoning subject to the following:

1. It is consistent with the Land Use Plan.
2. It is consistent with the Moyock Small Area Plan.
3. It is consistent with all review standards from Section 2.4.3.C of the UDO.
4. It will improve drainage problems within existing neighborhoods (Ranchland and Eagle Creek).
5. It is compatible with existing neighborhoods in Moyock.

Motion

Mr. Craddock motioned to approve PB 18-23 Fost Tract to rezone from Agricultural to Planned Development - Residential since it is consistent with all review standards from Section 2.4.3.C of the UDO and it is consistent with the goals, objectives, and policies of the Land Use Plan and it is consistent with the Moyock Small Area Plan and it will improve drainage problems within existing neighborhoods and it is compatible with other existing neighborhoods that have been approved. Ms. Overstreet seconded the motion and the motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Tammy Glave,

Presenter of Agenda Item

Tammy Glave

STAFF REPORT
PB 18-23 FOST TRACT
BOARD OF COMMISSIONERS
FEBRUARY 4, 2019

APPLICATION SUMMARY	
Property Owner: Sandra Davis Fost and Iris Ann O'Connor 121 Soundshore Dr Currituck NC 27929	**Applicant:** Allied Properties LLC 417 Caratoke Hwy Unit D Moyock NC 27958
Case Number: PB 18-23	**Application Type:** Planned Development
Parcel Identification Number: 0015-000-0086-0000	**Existing Use:** Cultivated Farmland
Land Use Plan Classification: Full Service	**Parcel Size (Acres):** 228.83
Moyock Small Area Plan Classification: Limited Service	**Zoning History:** 1989 (A), 1974 (A-40), 1970 and 1971 (RA-20)
Current Zoning: AG	**Proposed Zoning:** PD-R
Request: Rezone 228.83 acres from Agricultural (AG) to Planned Development – Residential (PD-R) on property located in Moyock on the west side of Caratoke Highway, north of Ranchland Subdivision, PIN 0015-000-0086-0000, Moyock Township.	

REQUEST

NARRATIVE

The applicant's objective is "to build a community that has a creative design, providing a mix of different residential uses in close proximity to one another, while at the same time providing an efficient use of open space that promotes an active lifestyle and strong sense of community. Limited, small scale commercial uses are proposed, primarily to serve the needs of the residents in this development." The proposal includes a total of 513 dwelling units with a mix of townhomes and conventional single-family homes. The proposal also includes up to 22,000 sf of neighborhood commercial located on the street level of townhome units and approximately 85 acres of open space. Recreational amenities include a clubhouse, recreational area, a multi-use path that traverses the site, and sidewalks on both sides of all streets with appropriate crossings at intersections. There is also a designated utility area near the back of the property that will include a private sewer package plant.

COMMUNITY MEETING

A community meeting was held on August 21, 2018 at the Moyock Library. Primary comments and concerns were regarding drainage, school impacts, traffic, sheriff/fire/social services impacts, and parking. Several residents were interested in the neighborhood commercial component.

Attachment: 1 Fost PD-R PB Staff Report (PB 18-23 FOST TRACT)

SURROUNDING PARCELS		
	Land Use	**Zoning**
North	Single-family dwellings, retail	AG, GB, SFM
South	Single-family dwellings, cultivated farm land	AG, SFM
East	Single-family dwellings, cultivated farmland	GB, SFM
West	Single-family dwellings, cultivated farmland	AG

LAND USE PLAN	
The 2006 Land Use Plan classifies this site as Full Service within the Moyock subarea. The policy emphasis for the Moyock subarea is on properly managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. Where central sewer is proposed, additional services are available, and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered. The proposed plan is consistent with some policies in the plan; however, it is <u>inconsistent</u> with the following policy of the plan:	
Policy HN1	Currituck County shall encourage development to occur at densities appropriate for the location. Notes: • The adjoining subdivision, Ranchland, to the east has a significantly lower density (.58 units/acre) and larger lots (1.44 acre average lot size) than that of the proposed development at 2.25 units per acre and approximately .33 acres average lot size. While a buffer is proposed, there is concern that the lot size and density of the proposed development is incompatible with the existing neighborhood. • The applicant calls out several recently approved subdivisions with densities and lot sizes similar to this request. Each of those subdivisions is further north of this development in the targeted growth area for higher density in Moyock, where county water and wastewater are available. • Public sewer is not available to this property and an adjoining subdivision to the south (AKA “Auto Auction Property”) was recently denied a connection to the county wastewater system because this is not a targeted growth area for Moyock.
Policy NH1	The county recognizes the risk to life and property that exist within SPECIAL FLOOD HAZARD AREAS that may be inundated during major storm events. The county will continue taking measures to mitigate these risks and will avoid taking any action in these areas that materially increase risks to life and property. • It should be noted that the newly adopted flood maps remove this property from an AE 5.4’ flood zone to the X flood zone; however, flooding on the front of the property has been documented with significant rain events. • Even though the property has been removed from the flood zone, the CAMA Planning Objective for Natural Hazard areas is to develop policies that minimize threats to life, property, and natural resources resulting from development located in or adjacent to hazard areas, such as those subject to erosion, high winds, storm surge, FLOODING, or sea level rise.

MOYOCK SMALL AREA PLAN	
In 2013, the Board of Commissioners recognized the uniqueness of Moyock and the concerns of the area's citizens, so they commissioned the Moyock Small Area Plan (MSAP) to comprehensively review growth and development. The MSAP examines issues, concerns, and expectations of the Moyock community and establishes public policy that works to accomplish the public's vision . The MSAP includes policies that will address growth management, sense of place and quality of life, and economic development specific to Moyock. The MSAP Plan classifies this site as Limited Service. The policy emphasis for Limited Service is for the land to be less intensely developed than Full Service areas. Limited service designations provide for limited availability to infrastructure and services and low to moderate residential densities. Residential densities in this designation range between 1 – 1.5 units per acre. <u>The project is above the allowable densities in the plan at 2.25 units per acre.</u> The proposed plan is consistent with some policies of the plan; however, it is <u>inconsistent</u> with the following policies of the plan:	
Policy FLU1	Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. Notes: • The adjoining subdivision, Ranchland, to the east has a significantly lower density (.58 units/acre) and larger lots (1.44 acre average lot size) than that of the proposed development at 2.25 units per acre and approximately .33 acres average lot size. While a buffer is proposed, there is concern that the lot size and density of the proposed development is incompatible with the existing neighborhood. • The applicant calls out several recently approved subdivisions with densities and lot sizes similar to this request. Each of those subdivisions is further north of this development in the targeted growth area for higher density in Moyock, where county water and wastewater are available.
Policy CC1	Encourage and foster development that is compatible with rural atmosphere, transitional areas, and a small town, main street feel consistent with the vision, policies, and future land use map of this plan. Note: • The future land use map of the Moyock Small Area Plan does not allow development of this density in this location. • Staff agrees with the applicant that the map should be used in conjunction with the entire plan and not weighted as more important than the vision, policies, or other recommendations. Staff used the map to determine the future land use designation (Limited Service) and used that designation to review the plan to determine the vision, policies, and actions for the subject area.
Policy B12	Encourage well planned mixed use developments to include a range of intensities and diverse housing types…. Large scale mixed use projects should be carefully located in areas supported by the future land use map and adequately served by infrastructure and county services. Note: • This location is not supported by the future land use map at the intensity proposed in this mixed use project. • The applicant calls out several recently approved subdivisions with densities and lot sizes similar to this request. Each of those subdivisions is further north of this development in the target growth area for higher density in Moyock, where county water and wastewater are available.

Drainage and Utilities

County Engineer Comments

Section 6.2.3.E Sewage Disposal Standards of the UDO requires that all uses/lots in a planned development be connected and serviced by a centralized wastewater system. This development has been denied connection to the county's centralized wastewater system, Moyock wastewater treatment plant. The County Engineer may approve a decentralized wastewater system (private wastewater treatment plant or individual septic systems) under certain conditions. A private wastewater treatment plant is proposed for the development. The County Engineer **approves/denies??** the use of the private wastewater treatment plant because:

1. **(If approval)** The plant is subject to a wastewater operation and maintenance plan prepared by a registered engineer that establishes siting standards, performance and monitoring requirements, and a routine maintenance program.
2. **(If denial) ?**

RECOMMENDATION

Technical Review Committee

The Technical Review Committee recommends **denial** of the Planned Development – Residential rezoning subject to the following conditions:

1. It is inconsistent with the Land Use Plan.
2. It is inconsistent with the Moyock Small Area Plan.
3. It is inconsistent with review standards from Section 2.4.3.C of the UDO.

CONSISTENCY AND REASONABLENESS STATEMENT

A conditional zoning is a legislative decision of the Board of Commissioners. In determining whether to approve or deny a conditional rezoning the Board of Commissioners shall adopt a written statement of consistency and reasonableness.

This zoning request is inconsistent with the following review standards from Section 2.4.3.C. of the UDO:

- Is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of this Ordinance;
- Is in conflict with any provision of this Ordinance, or the County Code of Ordinances;
- 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;
- Adversely impacts nearby lands;
- Would result in a logical and orderly development pattern;
- Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities);
- Would not conflict with the public interest, and is in harmony with the purposes and intent of this Ordinance.

It is not reasonable and not in the public interest because policies in county plans set expectations that land owners, investors, and residents rely upon when determining home locations, business locations, etc. It is not reasonable or in the public interest to have a plan with set standards and then allow a development that is contrary to that plan.

Attachment: 1 Fost PD-R PB Staff Report (PB 18-23 FOST TRACT)

UNC SCHOOL OF GOVERNMENT BLOG "What if a Proposed Rezoning Is Inconsistent With Our Plan" by David Owens

"While a local government has the legal authority to act inconsistently with their plan, the question of whether and when they should do so is a more complicated question. This is a policy choice for the board. A prudent government board carefully considers the comprehensive plan before deciding on a rezoning. If the board is going to act contrary to the policies set forth in the plan, it must explain why. After all, the plan was presumptively based on solid technical analysis, broad public participation, and has been used by land owners, investors, and residents as a guide for future land uses. The policies in the plan often create a set of expectations that many citizens may be relying upon."

REZONING/SIMULTANEOUS COMPREHENSIVE PLAN AMENDMENT PROCESS AND CAMA LAND USE PLAN AMENDMENT REQUIREMENTS

Staff is concerned that approving this project in conflict with the Land Use Plan would then automatically amend the Land Use Plan. See attached letter dated September 25, 2017 from Mike Lopazanski, Acting Assistant Director, Division of Coastal Management. "Session Law 2017-10 (SB 131) revised the requirements in G.S. §153A-341 and 160A-383 concerning statements a governing board shall adopt when considering a zoning on or after October 1, 2017. Under the changes in the new law, a governing board's statement of approval for a zoning amendment will also be deemed an amendment to the comprehensive plan and the governing board shall not require any additional request or application for amendment to the comprehensive plan. As used in the section, a comprehensive plan includes a unified development ordinance and any other applicable officially adopted plan."

RECOMMENDATION

Planning Board

The Planning Board recommends **approval** of the Planned Development – Residential rezoning subject to the following:

1. It is consistent with the Land Use Plan.
2. It is consistent with the Moyock Small Area Plan.
3. It is consistent with all review standards from Section 2.4.3.C of the UDO.
4. It will improve drainage problems within existing neighborhoods (Ranchland and Eagle Creek).
5. It is compatible with existing neighborhoods in Moyock.

Planning Board Discussion 12/11/2018

Senior Planner, Tammy Glave presented the staff report. Ms. Glave said this is a planned development that will have a clubhouse with a multi-use area with the backside designated for utilities. Public sewer is not provided for this. The property did come out of the flood zone, but there is historic flooding in this area. There are 2.25 units per acre which goes over the density requirement of the small area plan. The Technical Review Committee (TRC) recommended denial due to its inconsistency in the Land Use Plan, Moyock Small Area Plan and the Unified Development Ordinance (UDO).

Mr. Craddock asked which Land Use Plan were they referencing and the Planning Director, Laurie LoCicero, stated the 2006 LUP.

Mark Bissell with Bissell Professional Group came before the board to represent the applicant. He presented a PowerPoint presentation which showed pictures of the current property and ditches. He said they will clean out the ditches and would alleviate the flooding in Rowling Creek which would help the surrounding neighborhoods that have had flooding in the past.

Attorney, Jamie Schwedler, also representing the applicant came before the board. She discussed densities and said they were consistent with the requirements of the Land Use Plan and they were just above the density for the Moyock Small Area Plan. She also said the designs for this development will improve the sewer and stormwater plan.

Mr. Craddock stated that we are now at 10:00 PM and according to the Rules of Procedure we are required to vote to continue with the meeting. Chairman Whiteman asked for a motion to continue for an additional 30 minutes. Mr. Craddock made the motion and Mr. Ballance seconded the motion with all board members in agreement to continue.

Chairman Whiteman asked for any persons wishing to speak.

David Shepherd who lives on Saint Andrews in Moyock came before the board. Mr. Shepherd wants the Planned Development to clean out Rowland Creek and stop the flooding in the Eagle Creek neighborhood.

Mr. Bissel asked the board for additional time to give his concluding comments and reiterated how the applicant would clean the ditches and make an additional widening of the ditch on the applicant's side of the property if the adjoining property owners did not give them permission to do so on their side.
Mr. Craddock looked to staff to confirm that the LUP and the SAP do not agree on this property and Ms. Glave and Ms. LoCicero said that was correct.

Chairman Whiteman said we have had flooding in the Ranchland and Eagle Creek neighborhoods for decades and setting aside the density issue, the applicant appears to be wanting to clean out the ditches and improve the drainage issues which seems to be a positive for the area.

Discussion was held over getting an easement from Ranchland property owners to dig a bigger ditch.

Mr. Craddock spoke on the densities for the neighborhoods in the area and said Ranchland has the least amount of density, then Eagle Creek, and then the Fost Tract has the most.

Mr. Ballance said he believes this is good for them to dig out the ditches and maintain them.

Mr. Craddock said this development seems to be compatible with the other areas/neighborhoods and will do well.

Mr. Craddock motioned to approve PB 18-23 Fost Tract to rezone from Agricultural to Planned Development – Residential since it is consistent with all review standards from Section 2.4.3.C of the UDO and it is consistent with the goals, objectives, and policies of the Land Use Plan and it is consistent with the Moyock Small Area Plan and it will improve drainage problems within existing neighborhoods and it is compatible with other existing neighborhoods that have been approved.
Ms. Overstreet seconded the motion and the motion carried unanimously.

Attachment: 1 Fost PD-R PB Staff Report (PB 18-23 FOST TRACT)

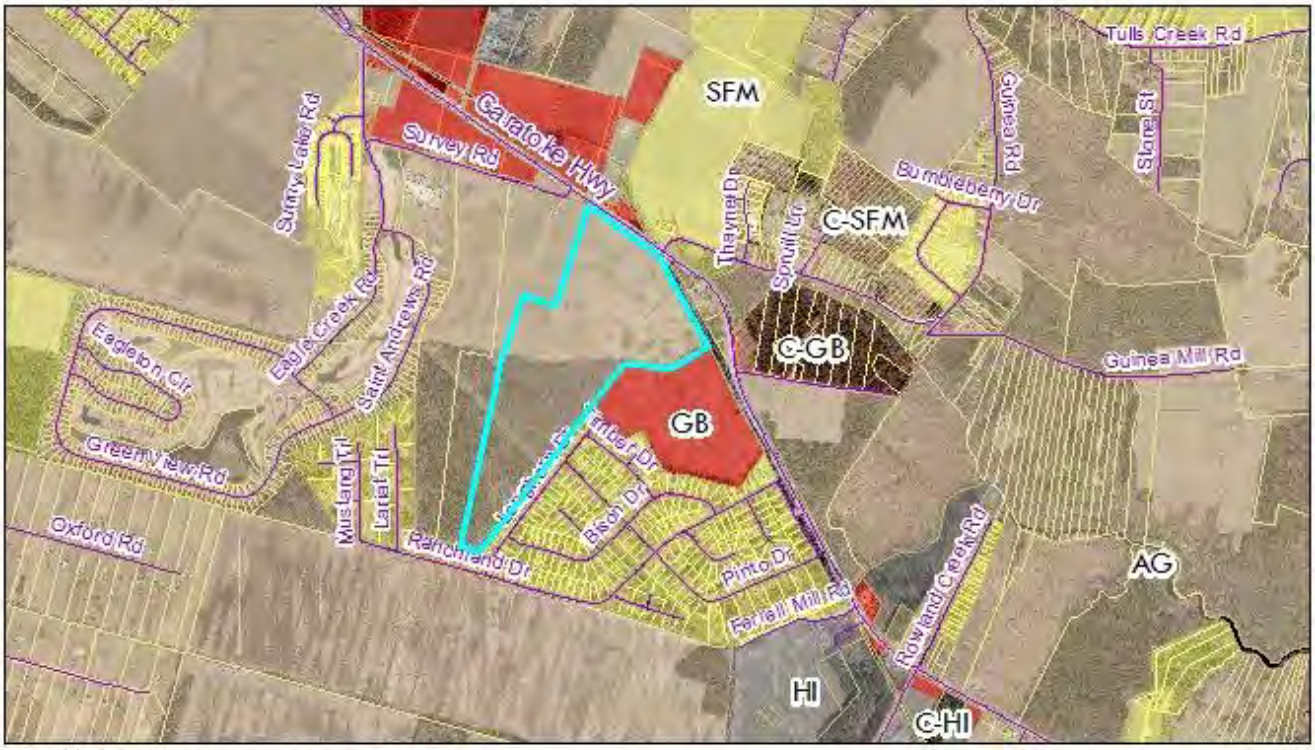
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm



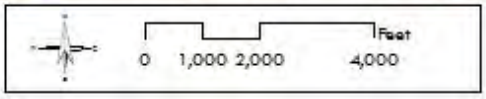
PB 18-23 Fost Tract
PD-R Rezoning
2016 Aerial Photography

Currituck County
Planning and
Community Development

Attachment: 1 Fost PD-R PB Staff Report (PB 18-23 FOST TRACT)

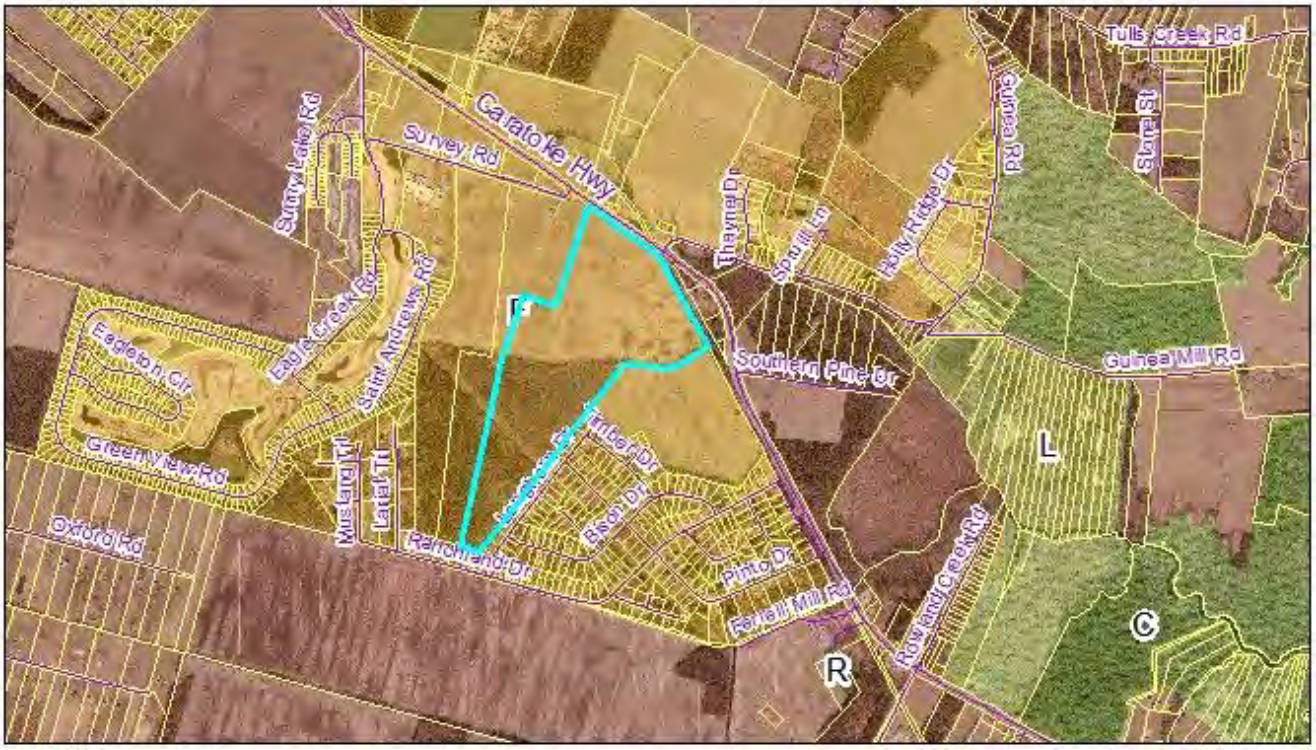


PB 18-23 Fost Tract
PD-R Rezoning
Zoning



Currituck County
Planning and
Community Development

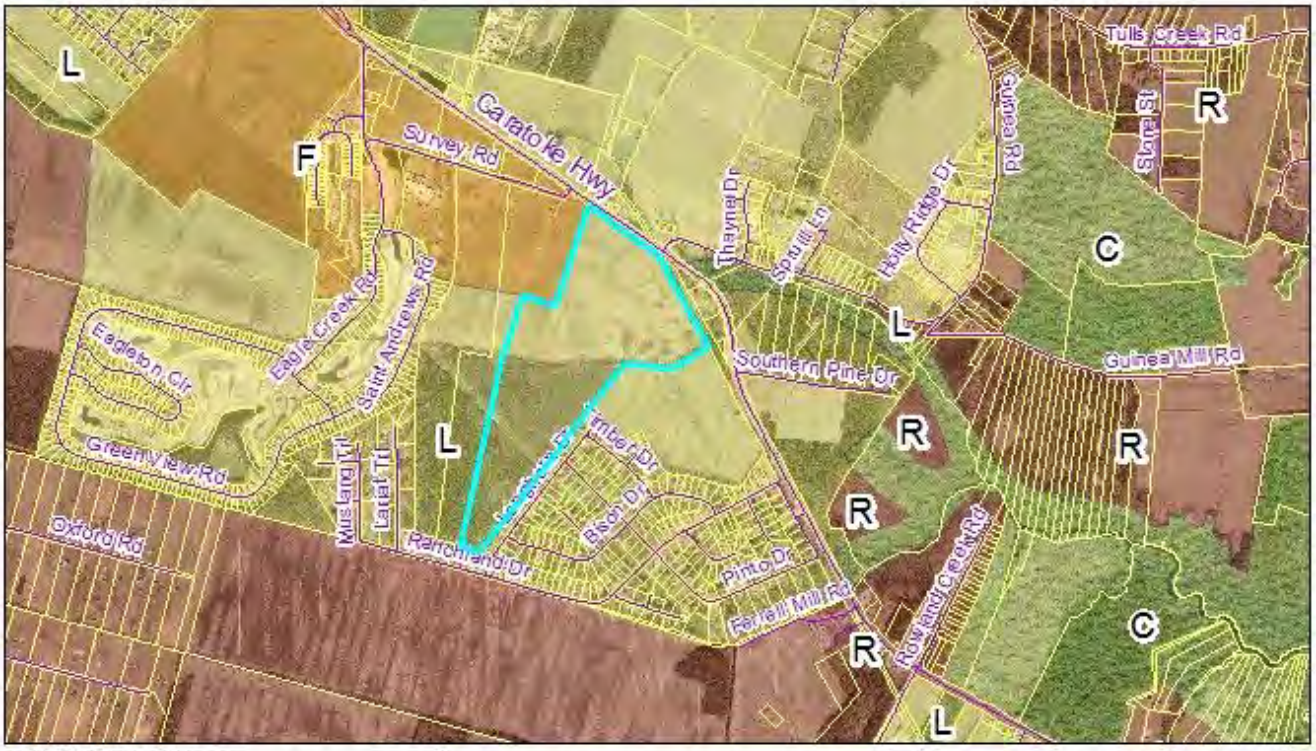
Attachment: 1 Fost PD-R PB Staff Report (PB 18-23 FOST TRACT)



PB 18-23 Fost Tract
PD-R Rezoning
2006 LUP

0 1,000 2,000 4,000 Feet

Currituck County
Planning and
Community Development



PB 18-23 Fost Tract
PD-R Rezoning
Moyock Small Area Plan

0 1,000 2,000 4,000 Feet

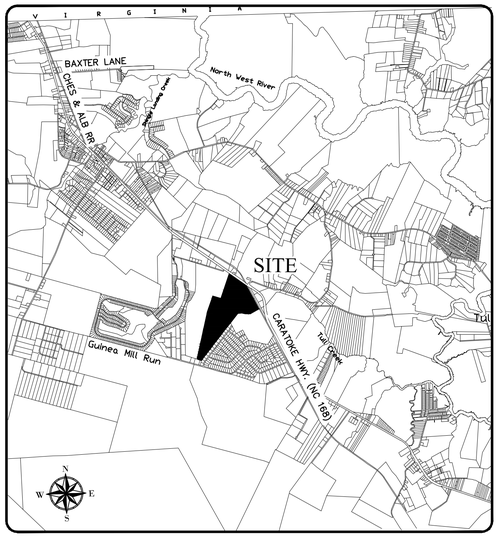
Currituck County
Planning and
Community Development

THE FOST TRACT

PLANNED DEVELOPMENT - RESIDENTIAL

PRELIMINARY MASTER PLAN

MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA



VICINITY MAP SCALE: 1" = 5,000'

GENERAL DEVELOPMENT NOTES

1. PROPERTY OWNER: SANDRA D. FOST & IRIS A. O'CONNOR
121 SOUNDSHORE DRIVE
CURRITUCK, NC 27929

2. APPLICANT: ALLIED PROPERTIES, LLC
417-D CARATOKE HIGHWAY
MOYOCK, NC 27958

3. PROPERTY DATA: ADDRESS: CARATOKE HIGHWAY, MOYOCK, NC 27958
PIN: 0015-000-0086-0000
RECORD: D.B.13, PG:E/12
ACREAGE: 228.83 ACRES

4. ZONING: EXISTING: AGRICULTURAL (AG)
PROPOSED: PLANNED DEVELOPMENT – RESIDENTIAL (PD-R)

OBJECTIVE:

To build a community that has a creative design, providing a mix of different residential uses in close proximity to one another, while at the same time providing an efficient use of open space that promotes an active lifestyle and strong sense of community. Limited, small scale commercial uses are proposed, primarily to serve the needs of the residents in this development.

SHEET	DESCRIPTION
1	COVER SHEET & DEVELOPMENT NOTES
2	DEVELOPMENT SETTING/CONTEXT
3	DEVELOPMENT OVERVIEW - RENDERED VERSION
4	DEVELOPMENT OVERVIEW - AUTOCAD VERSION
5	PRELIMINARY DEVELOPMENT PHASING OVERVIEW
6	PRELIMINARY DEVELOPMENT UTILITY OVERVIEW

Bissell Professional Group
Firm Number C-0910
3512 North Croatan Highway
Post Office Box 1966
Kitty Hawk, North Carolina 27949
PH (252) 261-3300
FAX (252) 261-1760
Engineers, Planners, Surveyors
and Environmental Specialists

COVER SHEET
DEVELOPMENT NOTES

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PROJECT: THE FOST TRACT PD-R
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA
PRELIMINARY MASTER PLAN

REVISIONS

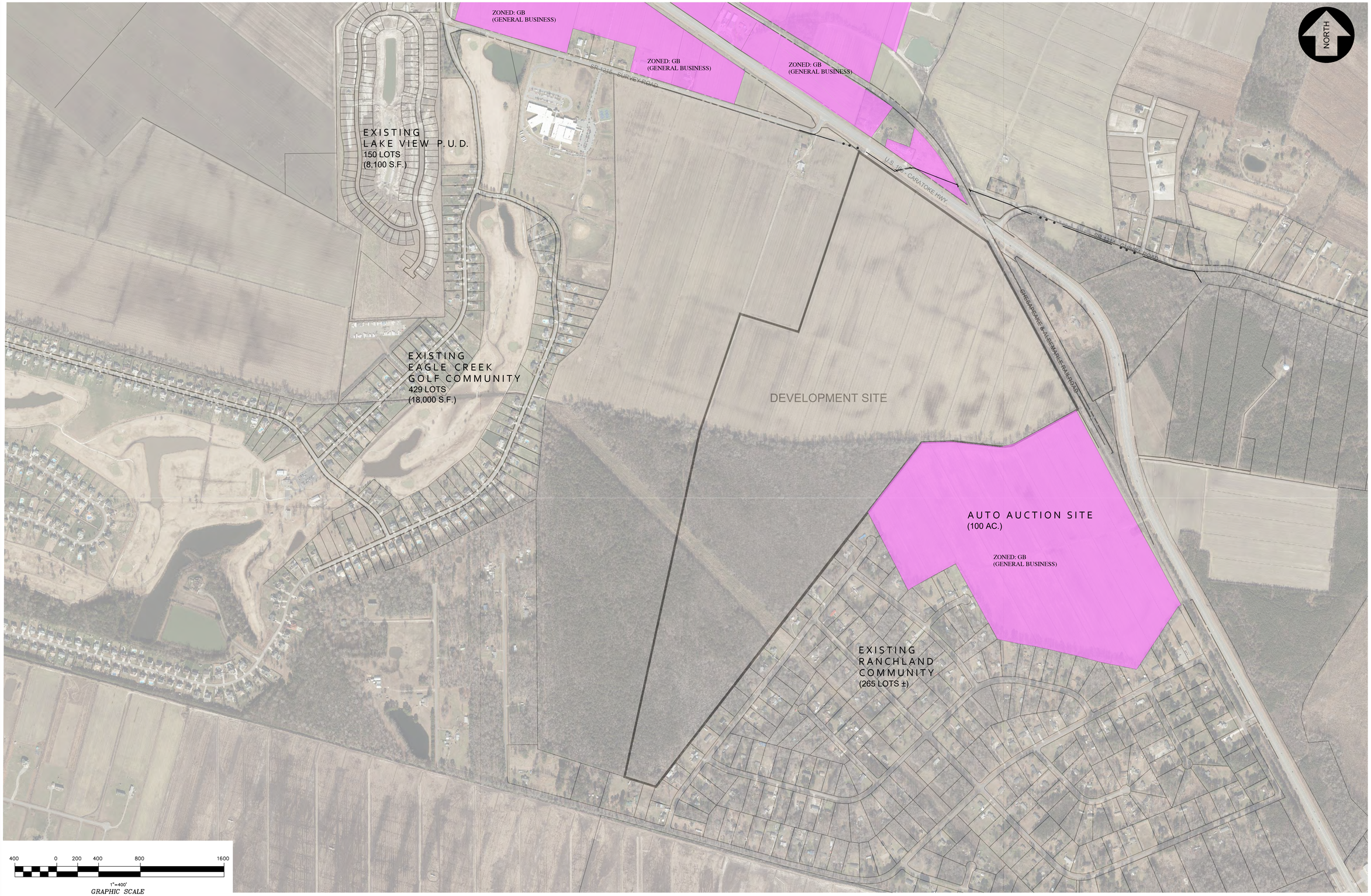
NO.	DATE	DESCRIPTION	BY
1	10/22/18	RESUBMIT - PDR	BPG

PROGRESS DRAWING
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DATE: 08/23/18	SCALE: AS NOTED
DESIGNED: BPG	CHECKED: MSB
DRAWN: KFW/DMK	APPROVED: BPG
SHEET: 1 OF 6	
CAD FILE: 465100SK2	
PROJECT NO: 4651	

Attachment: 2 11-21-18_FOST MASTER PLAN SET Resubmittal (PB 18-23 FOST TRACT)

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DEVELOPMENT SETTING
(CONTEXT)

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PROJECT:
THE FOST TRACT PD-R
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

PRELIMINARY MASTER PLAN

REVISIONS

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1	10/22/2018	REVISED PER BPG	BPG

PROGRESS DRAWING
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DATE: 08/23/18	SCALE: 1" = 400'
DESIGNED: BPG	CHECKED: MSB
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SHEET: 2 OF 6	
CAD FILE: 465100SK2	
PROJECT NO: 4651	

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Attachment: 2 11-21-18_FOST MASTER PLAN SET Resubmittal (PB 18-23 FOST TRACT)



Example Model Home

FLOREZ DESIGN STUDIOS, INC.
PO Box 172 5138 Caratoke Highway
Point Harbor, NC 27964
Tel: 252-491-8883
Email: info@florezandflorez.com
www.florezstudios.com



Street Scape Perspective

FLOREZ DESIGN STUDIOS, INC.
PO Box 172 5138 Caratoke Highway
Point Harbor, NC 27964
Tel: 252-491-8883
Email: info@florezandflorez.com
www.florezstudios.com





Club House Perspective

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Point Harbor, NC 27964
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1

PROJECT NO.	4651		
DRAWING FILE	4651009SK2		
SHEET	3 of 6		
DESIGNED	KFW	DATE	10/20/18
DRAWN	BPG	SCALE	1" = 200'
CHECKED	MSB		
APPROVED	BPG		

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NO.	DATE	DESCRIPTION	BY
1	10/20/18	RESUBMIT AFTER TRC	KFW

PROJECT:

THE FOST TRACT PD-R

MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

PRELIMINARY MASTER PLAN

DEVELOPMENT OVERVIEW

RENDERED VERSION

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Bissell Professional Group
Firm License # C-956
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Kitty Hawk, North Carolina 27949
(252) 261-3266
FAX (252) 261-1760

DEVELOPMENT SUMMARY		
AREA	SQUARE FEET	ACRES
OVERALL TRACT	9,967,835±	228.83±
OPEN SPACE	3,777,210	86.71±
RIGHT-OF-WAY	1,335,427	30.66±
DEVELOPED	4,258,426	97.76±
UTILITY	596,772 ±	13.70±

LEGEND

- ROADWAY CENTERLINE
- RIGHT-OF-WAY
- PROPERTY BOUNDARY
- ADJOINING PROPERTY LINE
- EXISTING WETLANDS
- COMMON AREAS
- EXISTING 404 BOUNDARY
- 30' UNDISTURBED BUFFER (COUNTY



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Kitty Hawk, North Carolina 27949
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DEVELOPMENT OVERVIEW
AUTOCAD VERSION

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PROJECT:
THE FOST TRACT PD-R
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

PRELIMINARY MASTER PLAN

REVISIONS			
NO.	DATE	DESCRIPTION	BY

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SHEET: 4 OF 6
CAD FILE: 465100SK2
PROJECT NO: 4651

Attachment: 2 11-21-18_FOST MASTER PLAN SET Resubmittal (PB 18-23 FOST TRACT)

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PHASING SCHEDULE

PHASE	AREA (AC.)	DEVELOPMENT INTENSITY (D.U./Ac)	2-SIDED T.H.	TND T.H.	TND S.F.	CONV. S.F.	TOTAL	OTHER IMPROVEMENTS
1	22.8	3.07	32	11	23	4	70	Rowland Creek Improvements
2	26.5	1.70	--	--	18	27	45	Main Lake
3	13.8	2.54	--	14	21	--	35	Village Green & Clubhouse
4	16.8	3.51	--	26	10	23	59	Up to 22,000 SF Neighborhood Commercial
5	11.2	2.96	--	--	20	13	33	Swimming Pool
6	20.1	3.33	40	--	--	27	67	Multi-Use Path
7	17.8	4.10	--	40	--	33	73	
8	35.9	1.67	--	--	29	31	60	
9	24.4	1.52	--	--	--	37	37	
10	25.8	1.32	--	--	--	34	34	
Utility	13.7	0	—	—	—	—	—	
TOTALS	228.8	2.24	72	91	121	229	513	



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PRELIMINARY DEVELOPMENT PHASING OVERVIEW

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PROJECT: THE FOST TRACT PD-R
NORTH CAROLINA
MOYOCK TOWNSHIP CURRITUCK COUNTY

PRELIMINARY MASTER PLAN

REVISIONS

NO.	DATE	DESCRIPTION	BY

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SHEET: 5 OF 6
CAD FILE: 465100SK2
PROJECT NO: 4651

Attachment: 2 11-21-18_FOST MASTER PLAN SET Resubmittal (PB 18-23 FOST TRACT)

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NORTH

PROPOSED WASTEWATER FORCE MAIN FOR OFF-SITE TREATMENT ALTERNATIVE

U.S. 168 - CARATOKE HWY.

EX 12" WATER MAIN

EX 8" WATER MAIN

TAP TO EXISTING 12" WATER MAIN

UP TO 22,000 SF OF NEIGHBORHOOD COMMERCIAL MAY BE PROVIDED ON STREET LEVEL OF SHADED UNITS

PROPOSED WATER MAIN TRUNK LINE

OPEN SPACE

50' RIPARIAN BUFFER

EARTHEN BERM

GREEN WAY

VILLAGE GREEN

RECREATION AREA

IMPROVE/EXTEND DRAINAGE OUTFALL

CLUBHOUSE

WETLANDS

ROWLAND CREEK CANAL

MULTI-USE PATH

CHESAPEAKE & ALBEMARLE RAILROAD

150.00'

UTILITY SITE
CONCEPTUAL LAYOUT ONLY
(SUBJECT TO CHANGE IN FINAL DESIGN)

INFILTRATION AREA 2

INFILTRATION AREA 1

UTILITY SITE

WWTP

5 DAY POND

N.C. POWER 150' UTILITY EASEMENT

GREEN AREA

50' BUFFER

IMPROVE/EXTEND DRAINAGE OUTFALL

IMPROVE/EXTEND DRAINAGE OUTFALLS

200 0 100 200 400 800

1"=200'

GRAPHIC SCALE

Bissell Professional Group
Engineers, Planners, Surveyors
and Environmental Specialists
3512 North Croatan Highway
Post Office Box 968
Kitty Hawk, North Carolina 27949
PHONE (252) 261-3300
FAX (252) 261-1760

PRELIMINARY DEVELOPMENT
DRAINAGE & UTILITY OVERVIEW

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PROJECT:
THE FOST TRACT PD-R
NORTH CAROLINA
MOYOCK TOWNSHIP CURRITUCK COUNTY

PRELIMINARY MASTER PLAN

REVISIONS

NO	DATE	DESCRIPTION	BY
1	10/26/18	RESUBMITTAL PER TRC	BPG

PROGRESS DRAWING
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DATE: 08/23/18	SCALE: 1" = 200'
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SHEET: 6 OF 6

CAD FILE: 465100SK2

PROJECT NO: 4651

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Attachment: 2 11-21-18_FOST MASTER PLAN SET Resubmittal (PB 18-23 FOST TRACT)

SEE BOUND DOCUMENT IN AGENDA PACKET WITH THIS COVER.





FOST TRACT
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

PLANNED DEVELOPMENT - RESIDENTIAL

PREPARED BY:

BISSELL PROFESSIONAL GROUP
3512 N. CROATAN HWY.
P.O. BOX 1068
KITTY HAWK, NC 27949
(252)-261-3266

Updated November 26, 2018

BPG Project 4651





Attachment: 3 SEE BOUND DOCUMENT IN AGENDA PACKET WITH THIS COVER (PB 18-23 FOST TRACT)

Currituck County
Department of Planning and Community Development
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Mark Bissell, Bissell Professional Group
Justin Old, Allied Properties, LLC

From: Tammy D. Glave, CZO
Senior Planner

Date: August 13, 2018

Re: Fost Property, PD-R Rezoning Request

Following are the comments received to date for the Fost property for the September 19, 2018 Technical Review Committee (TRC) meeting. ***Since the county is under a state of emergency due to the impending hurricane, not all staff is available to comment at this time. You will receive additional comments at the TRC meeting.*** In order to be placed on the October 9, 2018 Planning Board agenda, all outstanding TRC comments must be received by September 24, 2018. TRC comments are valid for six months. Please let me know if you have any questions. Thanks.

Planning (Tammy Glave, 252-232-6025)
Recommendation of Denial:

1. The Moyock Small Area Plan (MSAP) classifies this property as Limited Service on the Future Land Use Map (FLUM). Limited Service designations are to be less intensely developed than Full Service and emphasis is more on residential development and densities with low to moderate densities allowed. The MSAP limits residential densities in this designation of a range between 1-1.5 units per acre. This development is exceeding allowable densities.
2. The FLUM is a guide that outlines a desired general patter of development; however, the boundaries of the different land uses shown are definitive and reflect transitions from one land use to another. One of the purposes of the different use classifications is to buffer incompatible uses. Limited Service is a transition zone between Full Service and Rural to avoid conflict in incompatible uses.

Currituck County Building and Fire Inspections (Bill Newns, 252-232-6023)
Reviewed with comment:
Fire

1. Needed Fire Flow for construction is determined by the ISO method.
2. No new construction can occur that creates a Needed Fire Flow greater than the available fire flow on site.
3. A fire hydrant must be within 400’ of all exterior portions of the structure. 600’ if the structure has NFPA 13 sprinkler system installed.
4. Fences/barriers must not impede the fire hydrant access to site.
5. Gates/entrances to sites must be 20’ clear width.

Attachment: 4 Fost Tract TRC Comments 9-19-18 (PB 18-23 FOST TRACT)

6. The fire apparatus must be able to come within 150’ of all exterior portions of the structures. 200' if the structure has NFPA 13 sprinkler system installed.
7. Fire apparatus must not have to back up on an access road greater than 150’ without a turnaround as indicated in appendix D of the NC Fire Code. The backing of 150’ should be measured in a straight line.
8. Fire apparatus access must be at least 20’ wide 13’ 6” in height. Maximum slope shall not exceed 10%.
9. All portions of the fire apparatus access must be capable of 75,000lbs under all weather conditions.
10. By general statue parking is not allowed within 15’ of a fire hydrant. (FDC) Fire hydrants must be within 500’ of all road frontages.
11. Cul de sacs must be 96’ in width curb to curb at the center of the cul de sac.
12. Dwellings greater than 4800 sq. ft. and/or greater than 2 stories will be calculated using the ISO commercial method.
13. Dwellings 4800 sq. ft. and no greater than 2 stories may use set-backs as indicated in the ISO method to determine Needed Fire Flow.
14. Other Considerations for Determining Needed Fire Flow (NFF)
    a. When the subject building or exposure buildings have a wood-shingle roof covering and ISO determines that the roof can contribute to spreading fires, ISO adds 500 gpm to the NFF.
    b. The maximum NFF is 12,000 gpm. The minimum NFF is 500 gpm.
    c. ISO rounds the final calculation of NFF to the nearest 250 gpm if less than 2,500 gpm and to the nearest 500 gpm if greater than 2,500 gpm.
    d. For 1- and 2-family dwellings not exceeding 2 stories in height, ISO uses the following needed fire flows for a duration of 1 hour:
15. DISTANCE BETWEEN BUILDINGS More NEEDED FIRE FLOW
    a. More than 30 feet 500 gpm
    b. 0 – 10 feet 750 gpm
    c. 21 – 30 feet 1,000 gpm
    d. 11 – 20 feet 1500 gpm

Inspections

1. Cluster mail box location (ADA compliant)
2. Curb cut at side walk locations for street crossing with detectable warning devices
3. Structures will need to meet building codes. Further discussion at TRC

Currituck County Code Enforcement (Stacey Smith, 252-232-3027

Currituck County Engineer (Eric Weatherly 252-232-6035)

Currituck County GIS (Harry Lee, 252-232-4039)
Reviewed without comment.

Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)
Reviewed without comment.

Currituck Soil and Stormwater (Will Creef, 252-232-3360)

Currituck County Southern Outer Banks Water System (Benjie Carawan, 252-453-2620)
Reviewed without comment.

Attachment: 4 Fost Tract TRC Comments 9-19-18 (PB 18-23 FOST TRACT)

Currituck County Water Department (Yama Jones, 252-232-2769)

Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)
Reviewed with comment:

1. CONSULT WITH KEVIN CARVER RS AT 252-232-6603 CONCERNING WASTEWATER APPROVAL FOR THIS PROPOSED FUTURE DEVELOPMENT.

NC Division of Coastal Management (Charlan Owens, 252-264-3901)
Reviewed without comment.

US Post Office (Moyock)
Contact the local post office to determine required method of mail delivery.

Comments Not Yet Received from:

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans
- 1 – 8.5 x 11" reduced copy
- 1- PDF digital copy of all revised or new documents and plans.

Attachment: 4 Fost Tract TRC Comments 9-19-18 (PB 18-23 FOST TRACT)

Second Community Meeting Summary

Fost Planned Development - Residential

Tuesday, August 21, 2018

Scheduled Time/Place: 6:00 pm, Moyock Library, Moyock, NC

Meeting Began at approximately 6:10 pm and Ended at approximately 8:10 pm

Attendees: Community Residents **(**See attached sign-in sheet)

Sandy & Mike Fost, Landowners
Justin Old, Developer
Mark Bissell, Engineer

Overview:

A second community meeting was held on August 21, 2018 at the Moyock Library at 6:00 pm. This meeting was also reasonably well attended and sign-in sheets area attached.

Since several neighbors were present who had missed the first community meeting, an overview of the development concept and goals was provided along with a description of the housing and building types that are being proposed and the development schedule. An overview was also provided of the County development approval process. The following questions and comments were made (there was an openly hostile neighbor present, so the questions and comments are separated into two categories, those that came from the hostile neighbor, and those that came from everyone else):

Comments from the Hostile Neighbor	How Addressed
How many community meetings are there going to be and are you just trying to have meetings until nobody comes?	We are having a second community meeting because we have additional information to provide, particularly with regard to a drainage analysis that we have been working on.
Why are you building low income housing that will be a burden to the taxpayers of Currituck County?	As can be seen from these renderings, this will not be low income housing but an upscale development, and the goal is for the development to be self-sustaining.
Who is going to pay to lower the pipe under the highway that goes to Guinea Road?	No one is aware of the need to lower a pipe. If this were necessary it would customarily be taken care of NCDOT.
Who's going to pay for the impact on schools?	The hope is that additional tax revenue and fees generated by the development will cover the cost of educating students.
How much traffic will the project generate?	Using NCDOT guidelines, average daily traffic counts are expected to reach approximately 4,000 at buildout in 10 to 15 years. NCDOT has indicated that the highway can accommodate this level of traffic at the proposed connection location.

Attachment: 5 8-21-18 Community Meeting Minutes Updated (PB 18-23 FOST TRACT)

You won't be able to get permission to snag or make any drainage improvements downstream in Rowland Creek	Mr. Jennings who owns property downstream was present and verbally granted approval.
Stormwater ponds don't work they only put more water in the ground that comes out in the ditches nearby	The purpose of the stormwater ponds is to attenuate runoff and release it slowly over time to drainage outlets that have a capacity to take it, not to saturate adjacent properties.

The landowner was asked whether he would grant permission for the developer to clean the ditch that runs across his property, and the reply was that the developer would be arrested for trespassing if he tried.

The preliminary results of the Drainage Analysis were presented including a map of the Rowland Creek Canal drainage system and several representative photographs taken north and south and along the subject property and adjacent to Ranchland. A schematic sitedrainage plan was also provided, along with an explanation of how the drainage would work on the site, how the 100-year storm event would be modeled and managed, and how the developer is committing to clean out and lay back the banks of Rowland Creek across the Fost property, and to provide improvements as needed both upstream and downstream subject to property owners granting permission. Improvements will also be made along the Fost/Ranchland property line to provide some relief for homeowners along that part of Ranchland who may have existing drainage problems. This commitment will be incorporated into any development approval for this community.

Comments from the Community	How Addressed
Where will the entrance be	Approximately midway between the railroad track and the northwest property line.
Will any traffic come through Ranchland	No. All traffic will exit onto 168.
Eagle Creek has made improvements to its part of the Rowland Creek drainage system and looks forward to getting some help with improvements to Rowland Creek downstream	A commitment for help is being made.
Why develop here?	A willing seller and willing buyer, and the community is situated between existing communities that have been successful here
Ranchland has a big drainage problem	We intend to run a property line ditch along the common line between Fost and Ranchland and provide some relief to Ranchland.
A large development like this has benefits compared to several small developments in that there is a higher quality of planning and coordination, and there is more money and incentive available to fix existing problems and provide some benefits to the community	We totally agree.
What will impacts be on Sheriff, Fire and Social Services departments	Currituck County evaluates those impacts as part of the development review process.
What will the build out schedule be	A 10 to 15 year build out is anticipated under good market conditions
Neighborhood commercial needs to have adequate parking.	Parking will be a combination of on-street, alleyway and remote parking areas.

Attachment: 5 8-21-18 Community Meeting Minutes Updated (PB 18-23 FOST TRACT)

Summary:

Several people stayed after the meeting was adjourned, and seemed to be generally supportive of the development plan. Several residents were particularly interested in the neighborhood commercial component.

Attachment: 5 8-21-18 Community Meeting Minutes Updated (PB 18-23 FOST TRACT)

STATEMENT OF COMPLIANCE WITH U.D.O. SECTION 2.4.3.C STANDARDS

1. Is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of this Ordinance;

A. The zoning map amendment is consistent with the following policies of the Currituck County Land Use Plan ("LUP"): The project is consistent with the Land Use Plan policies addressing density, recreational and open space, transportation infrastructure, and utilities:

i. **Density:** The project is located within the Full Service Area of the Land Use Plan, and proposes a density of 2.25 units per acre. The proposed use will include residential development in village like-clusters and will include open spaces surrounding the clusters, helping to prevent traditional suburban sprawl. The applicant is proposing centralized sewer, and the Full Service Area designation recognizes higher density (above 2 units per acre) is appropriate here. The proposed use will not interfere with nearby resource production activities. This is consistent with the County's density designations because development is occurring along Caratoke Highway, a major transportation corridor, and is an infill site between two existing residential subdivisions but with its own access to Hwy 168. This is consistent with the following Land Use Plan policies:

POLICY AG6: *For areas experiencing intense development pressure, new residential development may be allowed to locate in COMPACT, VILLAGE-LIKE CLUSTERS, PREFERABLY NEAR EXISTING, NON-AGRICULTURAL ACTIVITIES AND SERVICES, or in other locations that will not interfere with resource production activities. Overall density shall remain very low, with permanent open space, dedicated during the development review process, surrounding such clusters of homes.* LUP, p. 9-7.

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. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre….* LUP, p. 9-7.

POLICY HN3: *Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl…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.* LUP, p. 9-7.

ii. ***Utilities:***

Stormwater: The applicant is aware of stormwater drainage issues in the surrounding properties and is conducting a stormwater study to investigate causes in Rowland Creek,

Attachment: 6 Fost - Statement of Compliance with UDO (PB 18-23 FOST TRACT)

upstream and downstream from the property. That study has shown significant restrictions to flow on both on- and off-site properties, which the applicant is willing to remove and restore with the off-site landowners' consent. The applicant is also placing significant drainage facilities on site to collect and control its own water. Where adjacent landowners are unwilling to allow the applicant to remove off-site obstructions, the applicant is willing to provide a additional stormwater storage on site to minimize flooding. The applicant plans to model the 100-year storm event and to manage stormwater runoff from that event. These commitments will provide a public benefit to the County by improving existing drainage problems with private funds, and providing a responsible mechanism for the site and surrounding areas to drain.

Wastewater: The project is within the Full Service Area of the Land Use Plan and is eligible for County water and sewer. However, the applicant is offering to treat wastewater onsite through a private sewer system that will be regulated by the NC Utilities Commission. It is also open to connecting to other private sewer systems, which would give those systems new funds for upgrades, repair, and maintenance. Thus, the development will have a positive impact on sewer facilities and will not strain the County's infrastructure, consistent with the Full Service Area designation which anticipates additional density on this site.

This is consistent with the following Land Use Plan policies:

POLICY WS7: *Currituck County allows for the appropriate use of PACKAGE SEWAGE TREATMENT PLANTS as a means of achieving more efficient land use, while properly disposing of waste. Such systems shall have a permanent organizational ownership to guarantee their proper management, including operation, maintenance and replacement needs. Depending on their location in the county, such systems may be required to have a design that allows for assimilation into a centralized system at a future date*. LUP, p. 9-13.

POLICY WQ3: *Currituck County supports policies, plans and actions that help protect the water quality of the county's estuarine system by preventing SOIL EROSION AND SEDIMENTATION, and by controlling the quantity and quality of STORMWATER RUNOFF entering the estuary*. LUP, p. 9-17.

POLICY WQ4: *RUNOFF AND DRAINAGE from development, forestry and agricultural activities shall be of a quality and quantity as near to natural conditions as possible. Post-development runoff shall not exceed pre-development volumes*. LUP, p. 9-17.

iii. Recreational and Open Space: The project will provide for sidewalks, greenways, and walking trails to encourage mobility by pedestrians and bicyclists. It also preserves a significant amount of open space and natural features throughout to promote recreation and preserve natural areas. This is consistent with the following Land Use Plan policies:

POLICY TR9: *BIKEWAY FACILITIES shall be encouraged as energy-efficient, healthful, and environmentally sound alternatives to the automobile. The inclusion of bikeways, sidewalks, trails, and other alternatives to the automobile shall be encouraged in both public and private developments.* LUP, p. 9-11.

Attachment: 6 Fost - Statement of Compliance with UDO (PB 18-23 FOST TRACT)

POLICY PR4: *The County shall seek to identify, plan for and develop a system of OPEN SPACE GREENWAYS, HIKING and BIKING TRAILS as opportunities may allow. The use of (1) natural corridors such as streams and floodplains, and (2) man-made corridors such as utility and transportation rights-of-way and easements, shall be emphasized*. LUP, p. 9-14.

POLICY PR6: *All new residential development shall provide for ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS including, as may be appropriate, funding in proportion to the demand created by the development. The amount of open space and improvements may be determined according to the number of dwelling units in the development and/or by a percentage of the total acreage in the development. Fees in lieu of land dedication shall be based on the inflation adjusted assessed value of the development or subdivision for property tax purposes*. LUP, p. 9-14.

iv. Transportation infrastructure: As set forth in the master plan, the project will provide for paved public roadways and drainage infrastructure, and will include convenient circulation within the proposed neighborhood. The project will seek to preserve existing buffering along NC 168 where feasible. The project will have direct access to and frontage on NC 168, and will not include access to higher intensity development through an area of lower intensity development. This is consistent with the following Land Use Plan policies:

POLICY TR12: *New residential developments shall provide for the installation of PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE at the time of development. This policy is intended to prevent the creation of substandard developments that must later correct for infrastructure problems that could have been avoided, had they been installed properly from the beginning….* LUP, p. 9-11.

POLICY CA1: *The important economic, tourism, and community image benefits of attractive, functional MAJOR HIGHWAY CORRIDORS through Currituck County shall be recognized. Such highway corridors, beginning with US 158 and NC 168, shall receive priority attention for improved appearance and development standards, including driveway access, landscaping, buffering, signage, lighting and tree preservation*. LUP, p. 9-19.

POLICY TR11: *ACCESS TO HIGHER INTENSITY DEVELOPMENT shall generally not be permitted through an area of lower intensity development. For example, access to a multi-family development, a major park facility or other large traffic generator shall not be permitted through a local street serving a single-family residential neighborhood.* LUP, p. 9-11.

POLICY TR8: *Local streets shall be designed and built to allow for convenient CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS and to encourage mobility by pedestrians and bicyclists. Care shall be taken to encourage local street "connectivity" without creating opportunities for cut-through traffic from outside the connected areas*. LUP, p. 9-11.

B. The proposed use is consistent with the following provisions of the Moyock Area Policy Emphasis of the Land Use Plan:

Moyock Area Policy Emphasis: *The policy emphasis of this plan is on properly managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. Residential development densities should be medium to high depending*

Attachment: 6 Fost - Statement of Compliance with UDO (PB 18-23 FOST TRACT)

upon available services. In areas where on-site wastewater is proposed and other County services are limited, development density should be limited to 1-2 units per acre. However in areas where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered through the use of overlay zones.

Clustered housing developments, with open space required by ordinance, will need to be encouraged. If sewage treatment collection systems are built, whether publicly or privately, all such systems should be designed so as to allow them to be tied together into a single system at some point in the future. LUP, p. 11-4.

The proposed use will include clustered housing accompanied by open spaces. The applicant is proposing onsite privately developed sewer to avoid strain on County infrastructure. The site is eligible for County sewer and central sewer is existing in the area. Because the wastewater system will be a central sewer system, and the 2.25 units/acre is below the 3-4 units per acre allowed where central sewer is available, the proposed use is consistent with the Moyock Area Policy Emphasis.

C. The proposed use is consistent with the Future Land Use Map.

The Currituck County Future Land Use Map designates the site as a Full Service area. In Full Service areas, residential density can be increased to 3-4 units per acre depending on the available services. A greater diversity in housing types is also appropriate in Full Service Areas. The proposed use will have 2.25 units per acre, which is within the contemplated development densities from Section 3.7.3 of the UDO for PD-R districts (up to three units per acre). The proposed use will also include a diversity in housing types, including townhomes, cottage style single-family lots and traditional single family lots.

D. The proposed use is consistent with the following policies and action items of the Moyock Area Small Area Plan ("SAP"):

The proposed use will include open spaces, sidewalks, greenways, and walking trails to for recreational purposes, and a clubhouse for community gathering. The plan will provide for connections to Ranchland, as appropriate. The applicant is studying the existing stormwater drainage issues and will ensure that the project improves these issues.

POLICY TR 2: *Ensure that development is designed with an interconnected, multi-modal transportation network between neighborhoods, activity centers, and other destinations to improve mobility and emergency access. Development of an interconnected road network east and west of Highway 16 that allows north-south movement for local residential traffic is strongly encouraged.* SAP, p. 16.

POLICY IS 1: *The costs of infrastructure, facilities, and services related to new growth and development should be borne primarily by those creating the demand*. SAP, p. 17.

POLICY IS 4: *Ensure that stormwater runoff, soil erosion, and sedimentation is properly managed to reduce nuisance flooding and pollution of sensitive environmental areas.* SAP, p. 17.

Attachment: 6 Fost - Statement of Compliance with UDO (PB 18-23 FOST TRACT)

POLICY IS 5: *Encourage retrofitting of NCDOT drainage infrastructure to manage nuisance flooding*. SAP, p. 18.

ACTION IS 5A: *Coordinate with NCDOT to develop a plan of action for addressing … Ranchland subdivision street flooding*…. SAP, p. 18.

POLICY R-1: *Expand and develop recreational opportunities for all ages and users including access to the water and natural environment, walking trails, multi-purpose fields, multi-purpose community building, and other non-traditional types of recreational opportunities that are consistent with the Currituck County Parks and Recreation Master Plan*. SUP, p. 21.

E. The proposed use is consistent with the applicable provisions of the Unified Development Ordinance, Section 3.7.3 in the following ways:

i. The proposed use exceeds the minimum district area of fifty acres;

ii. The proposed use falls within the permissible gross residential density form Full Service areas of up to three units per acre.

iii. The proposed use has less than the maximum amount (40%) of nonresidential land.

iv. The proposed use contains minimum wetland/riparian buffers of 30 ft.; and

v. The proposed use will have at least 30% open space.

2. Is in conflict with any provision of this Ordinance, or the County Code of Ordinances;

The project is consistent with the Full Service Area designation of the Future Land Use Map and the relevant densities and policies provided therein. The UDO indicates density of this district is determined by the Master Plan, but "may not exceed three units per acre in Full Service areas…" UDO 3.7.3, fn 1. The UDO defines "Full Service Area" as "Portions of the county designated in the 2006 Land Use Plan as areas where the full range public infrastructure can and should be provided. Given the anticipated presence of public infrastructure, these areas are the most appropriate for increased growth and development, as anticipated by the Land Use Plan. The locations of Full Service Areas are shown in the 2006 Land Use Plan." UDO 10.58. The Land Use Plan is defined as the plan adopted in 2006 by the Board of County Commissioners. UDO 10.63. Because the UDO density expressly refers to the 2006 map designation, which designates this area as a Full Service Area, that designation should control.

Although the Small Area Plan map lists this site as limited services, it specifically states that "[t]he map should be used in conjunction with the entire plan and not weighted as more important than the vision, policies, or other recommendations." Because the proposed use is consistent with the Future Land Use Map designation and policies, and consistent with the vision policies and other provisions set forth in herein, the requested map amendment is consistent with the Ordinance.

3. **Is required by changed conditions**;

Attachment: 6 Fost - Statement of Compliance with UDO (PB 18-23 FOST TRACT)

The County has recognized and acknowledged the changing conditions of the Moyock area through the Imagine Currituck initiative. Moyock is a growing community and the proposed zoning map amendment will address the need for additional residential development. The site is near existing residential development and is a suitable location for new residential development to address the increased demand.

4. Addresses a demonstrated community need;

Currituck County, and specifically the Moyock area have a demonstrated need for more residential development. The site is a suitable location for residential development to address this increased demand. In addition, the proposed use will include improvements to stormwater controls that will help to improve stormwater runoff problems in the adjacent Ranchland community.

5. 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 site is adjacent to non-agricultural activities including the Ranchland neighborhood to the south and southeast, and commercial uses to the east. The site is also in close proximity to the Eagle Creek neighborhood. The proposed use is compatible with these adjacent uses and furthers the County's goal of concentrating new residential development in the vicinity of existing residential development. The proposed PD-R district is also the appropriate zoning designation for the land because it will allow for organized and cohesive development of the 228 acre site.

6. Adversely impacts nearby lands;

The proposed use may positively impact nearby lands because the proposed use will include improvements to stormwater controls that will help to improve stormwater runoff problems in the adjacent Ranchland community, and will enhance drainage downstream of the Eagle Creek community.

7. Would result in a logical and orderly development pattern;

The site is adjacent to non-agricultural activities including the Ranchland neighborhood to the south and southeast, and commercial uses to the east. The site is also in close proximity to the Eagle Creek neighborhood. Therefore, residential development at this site furthers the County's goal of concentrating residential and commercial developments in the same area. Furthermore, the PD-R zoning category allows for more logical and orderly development of large tracts such as this 228 acre site, and limit traditional suburban sprawl.

8. 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;

The applicant is not aware of any potential, significant adverse impacts on the natural environment. The proposed use will positively impact nearby lands by improving stormwater controls to mitigate runoff problems in the adjacent Ranchland community. The proposed use will include landscaping, tree plantings and will include large open spaces that benefit and

Attachment: 6 Fost - Statement of Compliance with UDO (PB 18-23 FOST TRACT)

preserve the natural environment. The proposed use will also preserve wetlands and wetland buffers on the site.

9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities);

The site has adequate access to NC 168 and will be adequately served by schools, police, fire, and emergency services. The applicant is conducting a stormwater study to ensure that stormwater management and sewer services will be adequately provided.

10. Would not result in significantly adverse impacts on the land values in the surrounding area; and

The applicant is not aware of any adverse impacts on the land values in the surrounding area. The applicant anticipates that its proposed stormwater improvements may benefit the property values of the nearby Ranchland community. The Development is anticipated to increase the values of nearby properties by improving existing drainage problems.

11. **Would not conflict with the public interest, and is in harmony with the purposes and intent of this Ordinance**.

As set forth in detail above, the proposed use is consistent with the applicable provisions of the UDO and the Future Land Use plan. The proposed use also satisfies a demonstrated need for residential development and is in the public interest by alleviating drainage issues and relying on private sewer.

Attachment: 6 Fost - Statement of Compliance with UDO (PB 18-23 FOST TRACT)

Coastal Management
ENVIRONMENTAL QUALITY

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
BRAXTON C. DAVIS
Director

MEMORANDUM

TO: Local Government Planning Officials

FROM: Mike Lopazanski, Acting Assistant Director
Division of Coastal Management

SUBJECT: Rezoning/Simultaneous Comprehensive Plan Amendment Process and CAMA Land Use Plan Amendment Requirements

DATE: September 25, 2017

Overview: Recent changes to NC zoning law have the potential to impact locally-adopted land use plans that are state-certified under the Coastal Area Management Act (CAMA). The intent of this memo is to provide guidance on a simultaneous process for zoning and CAMA plan amendments.

Background: Session Law 2017-10 (SB 131) revised the requirements in G.S. §153A-341 and §160A-383 concerning statements a governing board shall adopt when considering a zoning amendment. The revised requirements are applicable to all zoning amendment applications filed on or after October 1, 2017. Under the changes in the new law, a governing board's statement of approval for a zoning amendment will also be deemed an amendment to the comprehensive plan and the governing board shall not require any additional request or application for amendment to the comprehensive plan. As used in the section, a comprehensive plan includes a unified development ordinance and any other applicable officially adopted plan.

Local governments within the 20-coastal counties are subject to the land use planning requirements under Article 7 of the Coastal Area Management Act of 1974 (G.S. §§113A-108 through 113A-111) and the Coastal Resources Commission's (CRC) rules for land use plans (15A NCAC 07B.0700 and .0800.) CAMA plans require local adoption along with state certification and would therefore be considered a "comprehensive plan" as defined in the revisions to G.S. §153A-341 and §160A-383.

CAMA requires that land use plans and plan amendments be available for public inspection for a period of at least 30 days following publication of notice.

Recommendation: If the local government planning staff determines that a zoning amendment application (map and/or text) is inconsistent with the CAMA plan, the local planning staff should prepare a written document identifying the areas of the CAMA plan that would have to be amended before the zoning application could be approved. This document would then serve as

Attachment: 7 RezSimultPlanAmendmentMemo_092517 (2) (PB 18-23 FOST TRACT)

a “proposed amendment” to the CAMA plan and be available for public inspection for a period of at least 30 days. In addition, the written document would serve as a guide to the local governing body should it decide to approve the zoning amendment and declare that the approval also serves as an amendment to the CAMA plan (See Attachment 4). The key is to ensure that the public notice requirement for CAMA plan amendments is met and that the public has the opportunity to inspect the potential amendment language with “not less than 30-day notice”.

The Division’s District Planners currently work with local planning staff in the review of land use plan and plan amendment proposals and can assist in preparing proposed amendments and meeting requirements for notice and hearing.

On a related item, to further expedite state certification of CAMA plans and plan amendments, the legislature is considering a proposed change to the CAMA endorsed by the CRC and the Department of Environmental Quality. The proposed bill language would allow administrative certification of CAMA plans and plan amendments by the Division of Coastal Management. Given the limited number of CRC meetings (4-5 annually), DCM certification would provide for a more rapid turnaround between local adoption and state certification. The Division will advise local governments if this bill language becomes law.

If you have any questions regarding compliance with both the changes to NC zoning law and the public notice requirements of the CAMA and CRC, please contact your local Division of Coastal Management District Planner at:

Elizabeth City District
Charlan Owens
401 South Griffin St., Suite 300
Elizabeth City, NC 27909
252-264-3901 ext. 236
Charlan.Owens@ncdner.gov

Morehead City District
Rachel Love-Adrick
400 Commerce Ave.
Morehead City, NC 28557
252-808-2808 ext.205
Rachel.Love-Adrick@ncdenr.gov

Wilmington District
Mike Christenbury
127 Cardinal Dr. Ext.
Wilmington, NC 28405
910-796-7426
Mike.Christenbury@ncdner.gov

Links/Attachments:

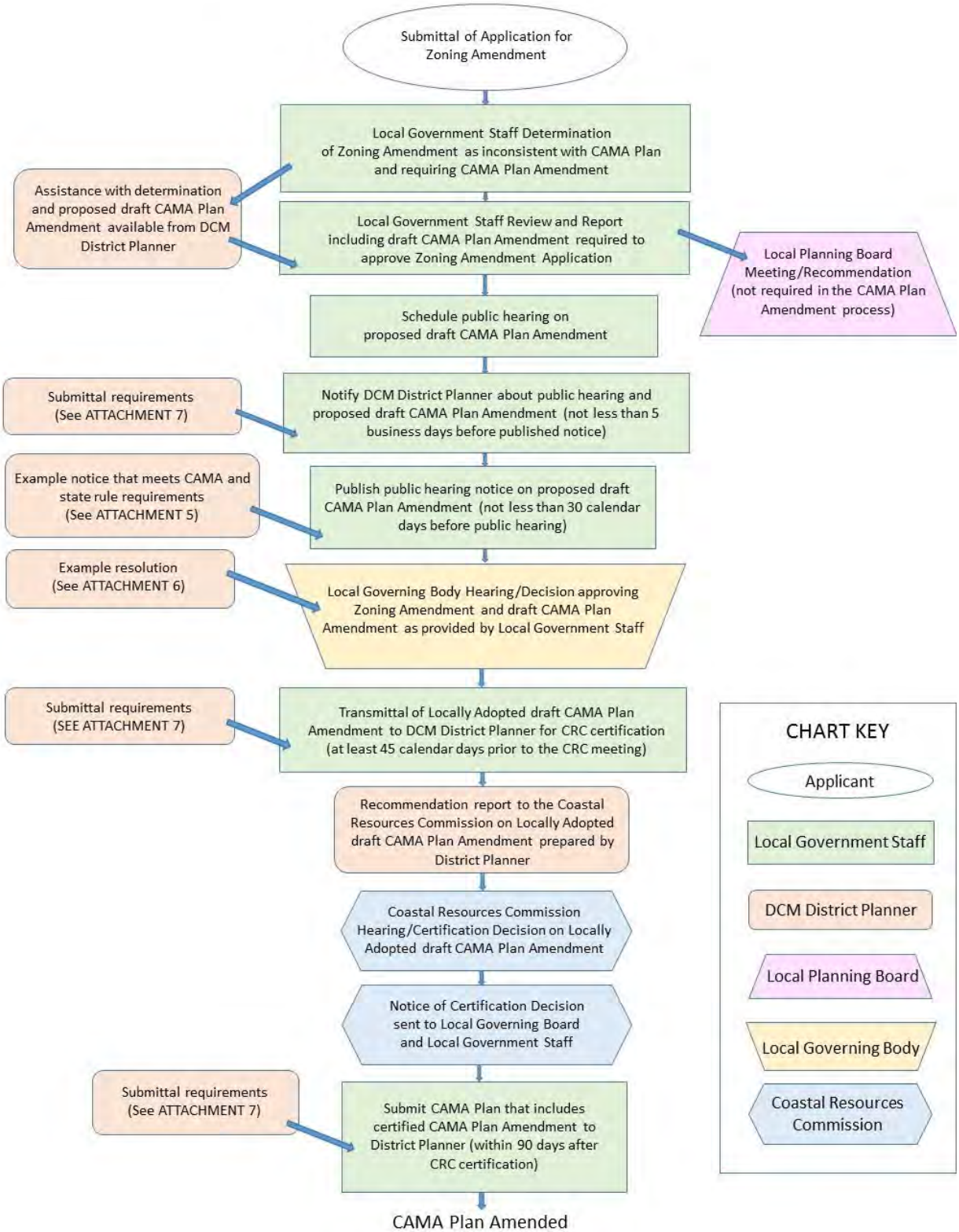
(1) Session Law 2017-10, Senate Bill 131
http://www.ncga.state.nc.us/Sessions/2017/Bills/Senate/HTML/S131v7.html
(2) CAMA
https://deq.nc.gov/about/divisions/coastal-management/coastal-management-rules/cama
(3) 7B Planning Rules
https://files.nc.gov/ncdeq/Coastal%20Management/documents/PDF/CAMA/t15a-07b.0700.pdf
https://files.nc.gov/ncdeq/Coastal%20Management/documents/PDF/CAMA/t15a-07b.0800.pdf

(4) Flowchart for Rezoning/Simultaneous CAMA Plan Amendment
(5) EXAMPLE Public Notice for Local Adoption of CAMA Plan Amendment
(6) EXAMPLE Resolution of Local Adoption of CAMA Plan Amendment
(7) Submittal Requirements for Notifying DCM District Planner about Public Hearing on CAMA Plan Amendment;
Submittal Requirements for Transmittal to the CRC for Certification, and;
Submittal Requirements for CAMA Plan with Certified Amendment

Attachment: 7 RezSimultPlanAmendmentMemo_092517 (2) (PB 18-23 FOST TRACT)

ATTACHMENT 4

Flowchart for Rezoning/Simultaneous CAMA Plan Amendment - Notice, Local Adoption and State Certification



9/6/2017

Attachment: 7 RezSimultPlanAmendmentMemo_092517 (2) (PB 18-23 FOST TRACT)

ATTACHMENT 5

Notice of Public Hearing
Amendment of the <Local Government> CAMA Land Use Plan

Notice is hereby given that the <Local Governing Body> will conduct a public hearing on _____ at _____ PM to review an amendment to the <Local Government> Coastal Area Management Act (CAMA) Land Use Plan. The meeting will be held at _____. All interested citizens are encouraged to attend.

Following the public hearing, the <Local Governing Body> will consider adoption of the Land Use Plan amendment. Once adopted, the amended plan will be submitted to the Coastal Resources Commission for certification.

Written objections, comments, or statements of support shall be submitted to the Division of Coastal Management's District Planner, <District Planner's name and mailing address> no less than 30 calendar days after local adoption of the amendment. Further information can be obtained by contacting the District Planner at <District Planner's phone number>.

Copies of the Land Use Plan amendment are available for review by the public at the _____ during normal office hours. The public is encouraged to review the Land Use Plan amendment and to attend the public hearing. For additional information, please contact the Director of the <Local Government> Planning Department at _____.

_____

Attachment: 7 RezSimultPlanAmendmentMemo_092517 (2) (PB 18-23 FOST TRACT)

ATTACHMENT 6

(EXAMPLE)

RESOLUTION OF THE <Local Governing Body> OF <Local Government>, NORTH CAROLINA, AUTHORIZING AN AMENDMENT TO THE CAMA LAND USE PLAN

WHEREAS, the <Local Government> desires to amend its CAMA Land Use Plan, specifically the <map /text/ policy> related to _____>, and

WHEREAS, the CAMA Land Use Plan <currently shows/states>; and,

WHEREAS, the <Local Government> desires to amend the CAMA Land Use Plan to <show/state>; and

WHEREAS, on _____ the Planning Board recommended _____ of the draft amendment to the CAMA Land Use Plan; and

WHEREAS, the <Local Government> conducted a duly advertised public hearing on the draft amendment to the CAMA Land Use Plan at the Regular Meeting of the <Local Governing Body> on _____; and

WHEREAS, at the Regular Meeting on _____ the <Local Governing Body> of <Local Government>, North Carolina found the draft amendment to be consistent with the <Local Government> desired vision for the future and approved to adopt the draft amendment; and

WHEREAS, the adopted draft amendment will be submitted as required by State law to the District Planner for the Division of Coastal Management under the North Carolina Department of Environmental Quality and forwarded to the Coastal Resources Commission; and

WHEREAS, a review of the adopted draft amendment by the Coastal Resources Commission will be scheduled; and the CRC will then vote on certification of the draft amendment;

NOW, THEREFORE, BE IT RESOLVED by the <Local Governing Body> of <Local Government>, North Carolina, that <map / page citations> in the CAMA Land Use Plan be amended as follows:

<amendment>

BE IT FURTHER RESOLVED that the <Local Governing Body> of <Local Government>, North Carolina, has adopted the draft amendment; and

BE IT FURTHER RESOLVED that the < Manager/Administrator> of <Local Government> is hereby authorized to submit the adopted CAMA Land Use Plan draft amendment to the State for certification as described above.

Adopted this _____ day of _____ 20___.

Attachment: 7 RezSimultPlanAmendmentMemo_092517 (2) (PB 18-23 FOST TRACT)

ATTACHMENT 7

Submittal Requirements for Notifying DCM District Planner about Public Hearing on CAMA Plan Amendment

The following items are to be submitted to the DCM District Planner at least 5 business days prior to publication of a public hearing notice:

1. Written notice of the public hearing for local adoption.

2. A copy of the proposed CAMA Plan amendment.

Submittal Requirements for Transmittal to the CRC for Certification

The following items are to be submitted to the DCM District Planner at least 45 calendar days prior to the CRC meeting on which the plan amendment will be considered for certification:

1. Two (2) print copies of the locally adopted draft CAMA Plan amendment.

2. Two (2) CDs or USB drives containing a digital copy of the entire CAMA Plan with the locally adopted amendment in the Land Use Plan. On the cover of the LUP, include the local adoption date of the amendment and provide a location to insert a CRC certification date of the amendment. Digital files should be provided in a Word and/or .pdf format and file names should clearly identify file content.

3. Certified statement of local government adoption action (Resolution of adoption) with official signature and seal from the local government.

4. Affidavit of publication - signed and notarized proof that the notification process was followed per G.S. 113A-110 (to include the not less than 30-day notice in the newspaper and statement of other notices provided) for the local government.

Submittal Requirements for CAMA Plan with Certified Amendment

The following items are to be submitted within 90 calendar days after certification of the CAMA plan amendment:

1. A print copy of the entire CAMA Plan with amendment incorporated and the CRC certification date of the amendment added to the cover.

2. A digital copy on CD or USB drive of the entire CAMA Plan with amendment incorporated and the CRC certification date of the amendment added to the cover. Digital files should be provided in a Word and/or .pdf format and file names should clearly identify file content.

Attachment: 7 RezSimultPlanAmendmentMemo_092517 (2) (PB 18-23 FOST TRACT)

Planned Development
Application

OFFICIAL USE ONLY:
Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information

APPLICANT:
Name: Allied Properties, LLC
Address: 417 Caratoke Hwy. - Unit D
Moyock, NC 27958
Telephone: (252) 435-2718
E-Mail Address: jold@qhoc.com

PROPERTY OWNER:
Name: Sandra Davis Fost & Iris Ann O'Connor
Address: 121 Soundshore Drive
Currituck, NC 27929
Telephone: _____
E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Contract Purchaser

Property Information

Physical Street Address: Caratoke Highway
Location: Moyock, NC
Parcel Identification Number(s): 0015-000-0086-0000
Total Parcel(s) Acreage: 228.83
Existing Land Use of Property: Agricultural/Woodland

Request

Current Zoning of Property: AG

Proposed Zoning District
- ■ Planned Development – Residential (PD-R)
- ☐ Planned Development – Mixed (PD-M)
- ☐ Planned Development – Outer Banks (PD-O)

Amendments
- ☐ Amended Master Plan
- ☐ Amended Terms and Conditions

Community Meeting

Date Meeting Held: June 26, 2018 & August 17, 2018 Meeting Location: Moyock Library

Planned Development Request

It is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the master plan, terms and conditions document, use(s) authorized, and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Currituck County Unified Development Ordinance. It is further understood and acknowledged that final plans for any development be made pursuant to any such planned development so authorized and shall be submitted to the Technical Review Committee.

_____ 8-9-18
Property Owner (s) Date

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

Sandra Davis Fost Iris Ann O'Connor
Sandra Davis Fost & Iris Ann O'Connor

Attachment: 8 Signed Planned Dev. Application (PB 18-23 FOST TRACT)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2362)

Agenda Item Title

Resolution Authorizing Contract by and between CT Mechanical, Inc. and County of Currituck Pursuant to N.C. Gen. Stat. §14-234

Brief Description of Agenda Item:

Consideration of a resolution authorizing CT Mechanical, a business owned by a County Commissioner, to contract for HVAC service with the county as needed remaining within statutory requirements.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

COUNTY OF CURRITUCK

RESOLUTION AUTHORIZING CONTRACT BY AND BETWEEN CT MECHANICAL, INC. AND COUNTY OF CURRITUCK PURSUANT TO N.C. GEN. STAT. §14-234

WHEREAS, the County of Currituck is in regular need of heating, air conditioning and ventilation services, and

WHEREAS, CT Mechanical, Inc. is a heating, air conditioning and ventilation contractor that has provided regular and quality service to the County of Currituck; and

WHEREAS, Commissioner Mike Payment has more than a ten percent (10%) ownership interest in CT Mechanical, Inc.; and

WHEREAS, N.C. Gen. Stat. §14-234 provides that a public officer may not enter into a contract with the county served by the public officer except in a county with no town or city with population of more than 15,000 persons and so long as the amount of the contract does not exceed $40,000.00 in a twelve month period; and

WHEREAS, there are no cities or towns in County of Currituck; and

WHEREAS, CT Mechanical, Inc. has performed under previous contracts with the county and the county has determined that it is in the county's best interest for such contracts to continue.

NOW, THEREFORE, BE IT RESOLVED BY the Currituck County Board of Commissioners that:

Section 1. The County Manager is authorized to execute a contract with CT Mechanical, Inc. for heating, air conditioning, and ventilation services in an amount not to exceed $40,000.00 in a twelve month period.

Section 2. This resolution shall be recorded in official minutes of the Board of Commissioners for Currituck County stating that Commissioner Mike

Attachment: Contract_CT Mechanical-Payment_2737 (Resolution-Auth CT Mechanical to Contract with County)

Payment did not vote or otherwise participate in the adoption of this resolution.

Section 3. The Clerk to the Board of Commissioners and Finance Officer are directed to comply with the posting and reporting requirements set forth in N.C. Gen. Stat. §14-234 with respect to this resolution and contract described herein.

ADOPTED the _____ day of _____, 2019.

_____(SEAL)
Bob White, Chairman
Board of Commissioners

ATTEST

_____
Leeann Walton
Clerk to the Board of Commissioners

COUNTY SEAL

Attachment: Contract_CT Mechanical-Payment_2737 (Resolution-Auth CT Mechanical to Contract with County)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2364)

Agenda Item Title

An Ordinance of the Currituck County Board of Commissioners Amending Chapter 2, Article III of the Code of Ordinances by Repealing Division 2. Economic Development Advisory Board

Brief Description of Agenda Item:

Dissolution of the Economic Development Board.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 2, ARTICLE III OF THE CODE OF ORDINANCES BY REPEALING DIVISION 2. ECONOMIC DEVELOPMENT ADVISORY BOARD

WHEREAS, pursuant to N.C. Gen. Stat. §153A-76 a board of commissioners may change the composition and manner of selection of boards, commissions, and agencies, and may generally organize and reorganize the county government in order to promote orderly and efficient administration of county affairs; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-77 a board of commissioners may appoint advisory boards, committees, councils and agencies composed of qualified and interested county residents to study, interpret and develop community support and cooperation in activities conducted by or under the authority of the board of commissioners.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina as follows:

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by repealing Chapter 2, Article III, Division 2.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance is effective immediately upon adoption.

ADOPTED this 4th day of February, 2019.

_____
Bob White, Chairman

ATTEST:

_____
Leeann Walton
Clerk to the Board

APPROVED AS TO FORM:

_____
Donald I. McRee, Jr.
County Attorney

Date adopted: _____

Attachment: Ordinance Amending Chapter 2 Article III Division 2 Repeal EDAB 020419 (Economic Development Board-Repeal)

Motion to adopt by Commissioner _____
Second by Commissioner _____
Vote: _____ AYES _____NAYS

Attachment: Ordinance Amending Chapter 2 Article III Division 2 Repeal EDAB 020419 (Economic Development Board-Repeal)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2368)

Agenda Item Title

Tourism Advisory Board

Brief Description of Agenda Item:

Commissioner Mary Etheridge will submit a nominee to serve on the Tourism Advisory.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

TOURISM ADVISORY BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Todd Cartwright	District 1		Bob White	Appointed 1/16/2018	1st Term November 2019
Doug Brindley	District 2		Selina Jarvis	Appointed 1/16/2018	1st Term November 2019
Sharon Price	District 3		Mike Payment	Appointed 1/16/2018	Unexpired Term November 2018
Keith Dix	District 4		Paul Beaumont	Appointed 2/6/2017	1st Term November 2018
Sophie Bennewitz	District 5		Owen Etheridge	Appointed 1/16/2018	1st Term November 2019
Ben Beasley	At-Large		Kevin McCord	Appointed 12/4/17	1st term November 2019
Mike Dianna	At-Large		Kitty Etheridge	Appointed 11/21/16	1st Term November 2018

Can Be Reappointed

Commissioner White serves on this Board

Attachment: Tourism Board Appointment Form (Board Appt-Tourism Advisory Board)

CURRITUCK COUNTY
NORTH CAROLINA

January 22, 2019
Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 4:30 PM Chandler Thinks-Tourism Marketing

The Board of Commissioners met at 4:30 PM in the Board Meeting Room in a work session to hear a presentation from Steve Chandler of ChandlerThinks, a destination marketing research firm. Mr. Chandler presented findings of a tourism-related research study performed for Currituck County. Using a powerpoint, he reviewed study objectives, methodology, and detailed results for the Board. Information that was gathered through meetings, surveys, personal interviews and other methods, was analyzed for the purpose of developing a profile for the types of visitors that come to Currituck County and planning an effective marketing strategy to attract new visitors.

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners met at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for its regular meeting.

Attendee Name	Title	Status	Arrived
Bob White	Commissioner	Present	
Mike H. Payment	Vice Chairman	Present	
Paul M. Beaumont	Commissioner	Present	
J. Owen Etheridge	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Selina S. Jarvis	Commissioner	Present	
Kevin E. McCord	Commissioner	Present	

Chairman White called the meeting to order.

A) Invocation & Pledge of Allegiance-Pastor Glenn McCranie, US Navy Chaplain, Retired

Pastor Glenn McCranie attended to offer the Invocation. Members of Scout Troop 127 led the Pledge of Allegiance, after which the Scouts introduced themselves at the podium.

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B) Ceremonial Swearing In of Selina S. Jarvis, Commissioner, District 2

Commissioner Selina S. Jarvis, recently appointed to the District 2 seat, was administered the Oath of Office by Clerk of Superior Court Raymond Matusko. Commissioner Jarvis was joined by her husband, Steve Jarvis, for the swearing-in ceremony.

C) Approval of Agenda

Commissioner Payment amended the agenda and removed Item B, the Dune Protection Ordinance, from New Business. Commissioner Mary Etheridge motioned for approval and the motion was seconded by Commissioner Payment. The motion passed unanimously.

Approved agenda:

Work Session

4:30 PM Chandler Thinks-Tourism Marketing

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Pastor Glenn McCranie, US Navy Chaplain, Retired

B) Ceremonial Swearing In of Selina S. Jarvis, Commissioner, District 2

C) Approval of Agenda

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Commissioner's Report Administrative

Reports

A) **Mid-Season Tourism Update-Tameron Kugler, Director of Travel & Tourism**

Public Hearings

A) **PB 17-14 Currituck County - Solar Text Amendment:** Amendment to the Unified Development Ordinance Chapter 4: Use Standards, and Chapter 10: Definitions and Measurements, to add solar energy facilities as an allowable use in the county.

New Business

A) Consideration of an Ordinance of the Currituck County Board of Commissioners Amending Section 10-64 of the Code of Ordinances Regulating Parking on the County's

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Beach

~~B) Consideration of an Ordinance of the Currituck County Board of Commissioners Amending Chapter 10, Article II, Division 7 of the Code of Ordinances to Protect and Enhance the County's Dune Barrier System~~ ***The agenda was amended and this item was removed from consideration.***

C) Board Appointments

1. Approval of Board of Commissioner Appointments to Local Advisory/Regional Boards

D) Consent Agenda

1. Approval Of Minutes for January 7, 2019
2. Budget Amendments
3. Records Disposal-Permits & Inspections

E) County Manager's Report

Recess

Special Meeting-Ocean Sands Water & Sewer District Board

Budget Amendments

Adjourn Special Meeting and Reconvene Regular Meeting of the Board of Commissioners

Closed Session

Closed Session pursuant to N.C. Gen. Stat. Section 143-318.11(a)(3) to consult with the County Attorney to protect the attorney-client privilege regarding potential litigation and the matters entitled: R. F. London, Inc., et al. v. Currituck County, et al.; Letendre v. Currituck County; Ayers v. Currituck County Department of Social Services; Schneirla, et al. v. Currituck County; Poplar Branch Development Trust v. Currituck County, and pursuant to Gen. Stat. Section 143-318.11(a)(6) to discuss a personnel matter.

Adjourn

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RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bob White, Commissioner, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner

PUBLIC COMMENT

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

No one was signed up nor wished to speak at Public Comment.

COMMISSIONER'S REPORT

Chairman White announced the earlier work session the Board attended with Chandler Thinks. He talked about a new section included in the County's FOCUS newsletter that will. answer questions pertaining to Board procedures and the decision-making process. Chairman White provided an update on county projects including the Corolla Greenway, the Historic Boat Building, and the 4 x 4 land swap.

Commissioner Mary Etheridge reported her attendance at the recent Legislative Goals Conference in Raleigh for the purpose of selecting and presenting goals that counties would like to see prioritized by the state legislature. She reviewed the five goals selected by the Legislative Goals Committee.

Commissioner McCord commended Currituck County Detention Center staff and inmates for collecting over 100 bags of trash. He announced taking part in an event for Wounded Warriors over the past weekend and commended the businesses, citizens and County departments for their recognition and support of veterans in the county.

Commissioner J. Owen Etheridge thanked everyone for their well wishes and prayers regarding his recent health issues.

Commissioner Jarvis thanked everyone for the opportunity to sit on the Board of Commissioners and is looking forward to serving the county.

ADMINISTRATIVE REPORTS

A. Mid-Season Tourism Update-Tameron Kugler, Director of Travel & Tourism

Tameron Kugler, Travel & Tourism Director, presented the mid-year marketing update for the Board of Commissioners. New initiatives included video streaming and long format promotional television pieces and sporting event advertising. She highlighted one new initiative for Commissioners, sponsorship of a basketball tournament, and noted positive results based on analysis of statistical web data that showed increases in all aspects of web traffic. Potential economic impacts of the tournament were reviewed, and Ms. Kugler said she was pleased with results of the new venture. She responded to questions from the Board pertaining to television coverage and described the method and timeline used for

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analysis of the website traffic. During discussion, Commissioner Mary Etheridge said she did not think it appropriate that the tournament organizer displayed pictures of players wearing OBX ball caps on the internet. Commissioner Payment recalled the earlier marketing work session where it was suggested that the County focus on attracting new visitors and look at associating Currituck County more with the Outer Banks. He said the numbers look good for the investment and suggested looking at sports marketing opportunities in the future. Commissioner White asked about television advertising, and Ms. Kugler said the sponsorship was intended for on-line advertising. Commissioner Beaumont said he had difficulty finding scores and tournament information. Commissioner McCord thanked Ms. Kugler and her staff for the job they do.

PUBLIC HEARINGS

A. PB 17-14 Currituck County - Solar Text Amendment:

PB 17-14
CURRITUCK COUNTY
Solar Energy Facilities

Amendment to the Unified Development Ordinance Chapter 4: Use Standards, and Chapter 10: Definitions and Measurements, to add solar energy facilities as an allowable use and remove wind energy facility, large, as an allowable use.

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 4 is amended by adding the bold, underlined language and deleting the strike-through language:

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]																ADDITIONAL REQ. (4.2.__)
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O	
INSTITUTIONAL USE CLASSIFICATION																		
Utilities	**Solar Energy Facility**																	**3.K**
	~~Wind energy facility, large~~																	~~3.K~~

Item 2: That Chapter 4 is amended by adding the following language as Section 4.2.3.K:

K. Solar Energy Facility (SEF)

A SEF shall comply with the following standards:

1. Location

a. A SEF project may include no more than two abutting properties on one project application. Each property shall meet all the requirements of this subsection.

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b. No SEF project shall be located in a Full-Service area designated by the Land Use Plan.
c. No SEF project shall be located in a Significant Natural Heritage Areas as identified by the NC Natural Heritage Program.

2. Maximum Size
   a. Maximum SEF project size on any property may not exceed 250 acres or one-half of the acreage of the property as it existed on (adoption date), whichever is greater.
3. Setbacks
   a. All panels, equipment, and associated security fencing shall be setback 300' from a major arterial street right-of-way and 150' from all other NCDOT street rights-of-way and property lines.
   b. All panels, equipment, and associated security fencing shall be setback 100' from any CAMA designated navigable water bodies, Army Corps of Engineers or CAMA wetlands, and Significant Natural Heritage areas.
   c. All SEF projects that include two abutting properties shall meet the setbacks for all interior property lines.
   d. Plantings are allowed in setback areas.
4. Height and Configuration
   a. The maximum height of the SEF, including all mounts, panels and other equipment, shall not exceed 15' above grade when oriented at maximum height.
   b. The panels and equipment shall be configured to avoid glare beyond the exterior property lines.
5. Sound
   a. The hours of operation during construction phase of the SEF shall be from 7:00am to 7:00pm, Monday through Friday;
   b. If the construction area for the SEF is located within 1500' of a public school or licensed pre-school, no pile driving shall be allowed during regular school session times.
6. Buffers and screening
   a. Prior to the start of any construction related activity, a Type D opaque buffer or an earthen berm as tall as the tallest panel at maximum height shall be installed.
   b. Certification from a landscape architect or certified arborist that 100% opacity will be reached at maximum panel height within 3 years shall be submitted.
   c. Opacity of the buffer shall be assessed from the exterior property lines and rights-of-way.
   d. A performance guarantee in the amount of 115% of the cost of the landscaping used for screening shall be submitted prior to the issuance of a building permit and remain valid until 100% opacity is reached. Should 100% opacity not be reached within 3 years of building permit issuance, the county will draw upon the performance guarantee as outlined in Section 6.3.F Default and Forfeiture of Performance Guarantee and install required supplemental landscaping.
   e. If supplemental landscaping is installed pursuant to this section, additional time for growth will be allowed and the balance of the

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performance guarantee shall be maintained valid until 100% opacity is reached.

f. For SEF projects that have a common interior property line, the Type D buffer is not required on the common, interior property line.

7. Development Plan
   a. The SEF project shall be developed in accordance with an approved major site plan that includes the following information:
      i. The location of the SEF, including the arrangement of any existing or proposed buildings, structures or panels;
      ii. The distance from any proposed SEF building, structure, panels and fence to the surrounding property lines;
      iii. Existing or proposed signs, fencing, lighting, construction and permanent parking areas, driveways, landscaping, vegetative screening or required buffers;
      iv. Horizontal and vertical elevation to-scale drawings with dimensions;
      v. Certification that all panels have passed UL 1703 regarding PV module safety;
      vi. Approval from access controlling agencies for street access;
   b. The SEF project shall designate 30% of the total land area in one or a combination of the following plans:
      i. Approved plan from the North Carolina Wildlife Resources Commission, Habitat Conservation Division, designating 30% of the total land area of the SEF as an acceptable native pollinator habitat; or
      ii. An annual cultivation plan detailing crops and harvest schedule should at least 30% of the total land area of the SEF remain active farmland;
8. Environmental Concerns
   a. Appropriate ground cover/grass is required for soil stabilization and shall be maintained in a manner that does not create a fire hazard.
      i. Grass and weeds not associated with the pollinator habitat shall not exceed two feet in height at any time.
      ii. Herbicide use is prohibited.
   b. Ground water monitoring wells
      i. Monitoring wells shall be installed prior to construction of any of the SEF components;
      ii. Monitoring wells shall be located near the center of the site and along each exterior property line at approximately the lowest ground elevation point on each property line.
      iii. The distance between monitoring wells along exterior property lines shall not exceed 2000'.
      iv. Testing data prepared by a laboratory certified by the North Carolina Department of Health and Human Services to analyze water subject to the regulations under the North Carolina Drinking Water Act shall be submitted prior to construction of the SEF and annually thereafter to

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the Planning and Community Development Department until the SEF is decommissioned.

v. Testing data shall show compliance with the NC Department of Health and Human Services Private Well Inorganic Chemical Contaminants standards for the following contaminants:
   1. Arsenic
   2. Barium
   3. Cadmium
   4. Chromium
   5. Copper
   6. Iron
   7. Lead
   8. Magnesium
   9. Manganese
   10. Mercury
   11. Nitrate/Nitrite
   12. Selenium
   13. Silver
   14. Zinc

vi. The Board of Commissioners may require testing for other contaminants.

vii. Should the initial ground water testing indicate that the site is not in compliance with N.C. Department of Health and Human Services Private Well Inorganic Chemical standards, subsequent annual reports shall indicate no increase in noncompliance with those standards.

9. Solar Energy Facility Impact Analysis
   a. As part of an application for a SEF project, a Solar Energy Facility Impact Analysis shall be submitted and contain the following information:
      i. General project description
      ii. Construction Activity Plan:
         1. Amount of land disturbance
         2. Land surface clearing and grading plan
         3. Energy, water and material needs
         4. Fencing and lighting plans
         5. Waste stream management plan
         6. Construction work force and timeframe
         7. Protection plans for soil, disturbed areas, and surface water
      iii. Operational Plan
         1. Maintenance activities and schedule
         2. Vegetation management plan
         3. Protection plans for soil, disturbed areas and surface water
      iv. Impacts and Resources affected
         1. Geology
         2. Environmentally sensitive areas
            a. CAMA jurisdictional areas

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b. USACE designated wetlands
c. Natural Heritage Areas

3. Soils
4. Air Quality
5. Noise
6. Water Resources
7. Ecology
8. Land Use
9. Water management
10. Socioeconomics
11. Health and safety

10. Discontinued Use and Decommissioning
    a. Decommissioning shall include removal of solar collectors, cabling, electrical components and any other SEF associated facilities and grading and re-seeding disturbed earth from the project.
    b. A decommissioning plan certified by a North Carolina licensed engineer or a licensed contractor is required and shall include the following:
        i. A description of any lease or other agreement with all landowners regarding decommissioning;
        ii. The identification of the party responsible for decommissioning, if not the property owner;
        iii. The type of panels and material specifications used at the SEF
        iv. All costs for the removal of solar panels, buildings, cabling, electrical components, road, fencing, and any other associated facilities below grade; and
        v. All costs associated with the grading and re-seeding of disturbed earth from the project.
    c. The decommissioning plan shall be updated with the Planning and Community Development Department every two years or upon change of ownership of the property or the SEF.
    d. The SEF owner shall have 12 months to complete decommissioning of the facility if no electricity is generated for a continuous 12 month period.
    e. Disturbed earth shall be graded and re-seeded unless a written request is submitted by the property owner specifying areas not to be restored.
    f. A Decommissioning Performance Guarantee (See Section 6.3) is required that meets the following standards:
        i. Shall be submitted prior to issuance of a building permit;
        ii. Shall equal 115 percent of the estimated decommissioning costs;
        iii. Shall not be reduced by salvage value;
        iv. The performance guarantee amount shall be reviewed every two years as part of the decommissioning plan update and adjusted based upon current costs. In the event the decommissioning costs decrease, the performance guarantee shall not be changed to reflect the lower cost.

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v. **The performance guarantee shall remain in effect until decommissioning and site restoration is complete.**

Item 3: That Chapter 4 is amended by deleting the following struck-through language:

~~**Wind Energy Facility, Large**~~

~~A large wind energy facility shall comply with the following standards:~~

~~**Location**~~

~~(a) No turbine tower associated with a large wind energy facility shall be located within 1,000 feet of land in the RC district or a public park.~~

~~(b) All ground-based equipment buildings shall be located under the blade sweep area, to the maximum extent practicable.~~

~~**Setbacks**~~

~~(c) All towers associated with a large wind energy facility shall be set back a distance equal to .25 miles from any residential dwelling unit and 1.1 times the overall height of the tower and associated wind turbine blade from a public right-of-way and the property line of any non-participating landowner.~~

~~(d) All associated facilities other than towers and associated wind turbines shall be subject to the setback standards for the district where located.~~

~~**Tower Structure**~~

~~Large wind energy facilities shall utilize monopole or self-supporting towers~~

~~**Common Configuration**~~

~~All towers and turbines within a single large wind energy facility shall maintain uniform design in terms of the following features:~~

~~(e) Tower type;~~

~~(f) Tower, turbine, and blade colors;~~

~~(g) The number of blades per turbine; and~~

~~(h) The direction of blade rotation.~~

~~**Height**~~

~~The maximum height of a large wind energy system (including the tower and extended blades) shall be 500 feet.~~

~~**Blade Clearance**~~

~~The blade tip or vane of any large wind energy facility shall have a minimum ground clearance of 75 feet above grade, as measured at the lowest point of the arc of the blades. No blades shall extend over public rights-of-way.~~

~~**Unauthorized Access**~~

~~All large wind energy facilities shall incorporate anti-climbing features to prevent unauthorized climbing.~~

~~**Utilities**~~

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~~Except for transmission lines, all utilities associated with a large wind energy facility shall be located underground to the maximum extent practicable.~~

~~**Appearance**~~

~~The wind turbine and tower shall be painted or finished in the color originally applied by the manufacturer, or a matte neutral color (e.g., gray, white, or galvanized steel).~~

~~**Lighting**~~

~~No illumination of the turbine or tower shall be allowed, unless required by the (FAA). In the event obstruction lighting is required by the FAA, it shall be of the lowest intensity allowed, and strobes or blinking lights shall be avoided, to the maximum extent practicable.~~

~~**Signage Prohibited**~~

~~Signage visible from any public street or off-site area shall be limited to the manufacturer's or installer's identification, appropriate warning signs, or owner identification.~~

~~**Sound**~~

~~The noise produced by the large wind energy facility during operation shall not exceed 55 dBA as measured at any occupied building on the property of a non-participating landowner. This standard shall not apply during power outages, windstorms, or other conditions beyond the owner's control.~~

~~**Shadow Flicker**~~

~~Shadows cast by the rotating blade of a large wind energy facility shall not exceed 30 hours per year on any occupied building on the property of a non-participating landowner.~~

~~**Interference**~~

~~The owner shall take all reasonable steps to prevent or eliminate interference with transmission of communications signals (e.g., radio, television, telephone, etc.) resulting from a large wind energy facility.~~

~~**Environmental Review Required**~~

~~An application for a large wind energy facility shall require review by NCDEQ, USACOE, the US Fish and Wildlife Service, and the NC Wildlife Resources Commission. All comments from these agencies shall be included with the application.~~

~~**Abandonment**~~

~~(i) On determining that a large wind energy facility has been inoperable for 365 days or more, the Planning Director may issue a Notice of Abandonment to the facility owner.~~

~~(j) The facility owner shall restore operation of the large wind energy facility within 30 days of receipt of the Notice of Abandonment, or file a Notice of Termination with the Planning Director.~~

~~(k) The large wind energy facility shall be removed from the site within 12 months of the filing of a Notice of Termination.~~

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~~(l) Removal of a large wind energy facility shall include removal of all of the following features:~~
~~(i) Towers;~~
~~(ii) Turbines;~~
~~(iii) Above-ground equipment;~~
~~(iv) Outdoor storage;~~
~~(v) Foundations to a depth of three feet below grade; and~~
~~(vi) Any hazardous material associated with the facility.~~

Item 4: That Chapter 10 is amended by adding the following bold underlined language and deleting the struck-through language in Section 10.5 Definitions:

SOLAR ENERGY FACILITY (SEF)
Two or more solar collectors or photovoltaic panels intended to capture energy from sunlight, convert it to electricity, and save or deliver the electricity for off-site use.
Item 5: Statement of Consistency and Reasonableness:

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

- It protects active agricultural lands having a high productive potential and conserves those lands for continued agricultural use. (LUP POLICY AG1) - Solar
- It provides a new and expanding industry that trains and utilizes a more highly skilled labor force and diversifies the local economy. (LUP ED1) – Solar
- It removes a potential conflict between wind energy facilities and the operation of a nearby naval annex. (Wind)

The request is reasonable and in the public interest because:

- It prevents incompatible solar array projects from being established that could adversely impact the quality of life for county residents.
- It removes a potential conflict between wind energy facilities and the operation of a nearby naval annex. (Wind)

Item 5: 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 6: This ordinance amendment shall be in effect from and after the ___ day of ___, 2018.

_____
Board of Commissioners' Chairman
Attest:

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Leeann Walton
Clerk to the Board

County Attorney, Ike McRee, was asked by Chairman White to review parameters that would allow a Commissioner to be excused from voting. Mr. McRee detailed statutes related to zoning matters and said each Commissioner would determine if a disclosure is necessary and the Board would then determine whether a member should be excluded from voting. Commissioner Mary Etheridge disclosed a solar company did contact her family years ago but the family had no interest in leasing any land. Commissioner Owen Etheridge said his family has had discussions with solar companies about opportunities but there is nothing concrete.

Planning and Community Development Director, Laurie LoCicero, presented a history of solar in the county and reviewed the draft of the ordinance and included language from the original Board of Commissioners version and the recommended changes made during the Planning Board review. She answered questions posed by Commissioners.

Chairman White opened the Public Hearing.

Jerry Wright of Jarvisburg, a farmer for 46 years, spoke in favor of solar and said he has discussed using his property for solar energy. He would like to see it returned as a use in the county.

Kelly Griffin of Poplar Branch supports solar energy as an allowable use in the County and asked the Board to consider the Planning Board version.

Charles Jarvis of Elizabeth City spoke in favor of solar and talked about increased tax collections that would be realized in the County.

Andy White of First Solar talked about his solar company and their interest in installing a 1,000 acre solar project in Currituck County. He voiced concerns with buffers, performance guarantees and other aspects of the ordinance language and said he supports the Planning Board recommendations.

Phillip Martin of Cypress Creek Renewables talked about his company and the benefits of solar as it relates to tax revenue. He voiced concerns with some items in the ordinance and suggested they need further thought.

Merrick Parrott, attorney representing Currituck County resident Jimmy Ferebee, spoke in favor of solar development and talked about the rights of property owners. She urged the Board to approve the Planning Board version of the ordinance and presented the benefits of solar development.

James Ferebee, Jr., a 65 year family farmer, said solar adds no burden to the County and he only wants the right to use his land for what he considers the best use. He said farming has become difficult, and he wants to lease a portion of his property for solar.

Josh Bass, President of the Currituck County Chamber of Commerce, spoke in support of the renewable energy industry as a whole. The Chamber neither supports nor opposes the

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text amendments being considered but want to embrace new technology. He said the landowner should decide how to use their land, and he is glad to see the Board looking to overturn ban.

Paul O'Neal of Waterlily spoke in favor of solar development and said solar farms will provide additional revenue without the need for additional County services. He said the first version of the ordinance is more strict than what is required for a subdivision. He said the ordinance will provide options for landowners beyond a subdivision and allow farmers to stay in business and continue farming while non-productive land will go into solar. Mr. O'Neal said he supports the Board adopting an ordinance for use of solar technology.

Jeanne Meiggs spoke in favor of allowing solar in the County and said it could be used as a tool to slow growth in the County. She discussed benefits to landowners and suggested the technology will improve, and in twenty-five years solar panels will not look like they do today and will likely have a much smaller footprint.

Joe Etheridge of Shawboro said the text amendment proposed is basically a ban on solar, as it is not feasible for any solar company. He doesn't believe the restrictions on building are fair and wants the Board to see long-term.

Karen Pierce of Coinjock said she agrees with prior speakers and spoke in favor of solar coming to Currituck.

Thomas Wright of Jarvisburg and Deep Creek Farm discussed how difficult farming is and believes the farmer is being treated differently than someone who wants to build a subdivision.

No others were signed up nor wished to speak and Chairman White closed the Public Hearing. Chairman White called a brief recess at 7:41 PM. The meeting reconvened at 7:55 PM.

Each Commissioner provided comment. Commissioner Beaumont said the Planning Board interpretation doesn't capture why the Board of Commissioners made the decisions they did. He referred to property rights and said the County's Unified Development Ordinance is an infringement on property rights. He reviewed individual pieces of the ordinance and discussed language pertaining to abutting properties and setbacks, berm construction, vegetative growth, noise, and water testing. He said the Ordinance must address every developer that comes through the County and the Board must put something in place to provide protection for residents.

Mary Etheridge agreed with many things stated by Commissioner Beaumont. She said the Board has worked hard on the ordinance and the County has had problems with solar companies and violations. She said the Board is trying to protect the citizens of the County and the ordinance is a working document that can be changed if needed.

Commissioner Payment discussed water testing and said protecting well water will ease a lot of public concerns. He wants to see proper buffers in place, but isn't concerned with size if a solar development is not located on a major corridor with proper buffers. He said pile driving during school hours needs to be properly addressed.

Chairman White discussed noise standards included in the ordinance and noted the work

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put in by Commissioners and the Planning Board. He, too, said it is a living document that can and likely will be changed in the future.

Commissioner McCord talked about tax revenues generated from solar and said people do want solar in the County. He said no services need to be provided for solar development. He presented information on the economic impacts of solar construction and discussed the use of chemicals, construction noise, and work hours.

Commissioner J. Owen Etheridge said the County needs to diversify its tax base and look at new technologies, including renewable energy.

Commissioner Jarvis said she can see both sides of the issue but understands why the language is so strict in the Board of Commissioners draft. She acknowledged the work put in to over two years to develop the draft language and was willing to consider any amendments the Board suggests.

There was no further discussion or comment and Commissioner McCord moved to approve with the following inclusions and modifications:

- No wind facilities allowed at this time
- No limit on abutting properties per project and nothing on internal setbacks if a joint project.
- No size limitation
- Agrees with Board of Commissioner version regarding setbacks as written: 300' setback, 150' internal on property lines, and 100' setbacks with CAMA, any bodies of water and wetlands
- Maximum height of 20 foot
- Modify hours of operation-7:00 AM till 7:00 PM, Monday through Saturday, no work on Sunday.
- Agree with Planning Board language for buffer requirements
- Applicant must have approvals secured from any agency for street access, ie: Railroad or North Carolina Department of Transportation prior to granting the Use Permit
- Agree with Board of Commissioners 30 percent of the total projected area
- Allow use of herbicides
- Monitoring wells: 20' depth, require 1 in center with an additional two at lowest point.
- Water Testing: following North Carolina Drinking water act standards, tested every two years and if found clean after the first two tests, then every five years thereafter until decommissioning.
- Decommissioning plan is to be updated every three years or with any transfer of property unless that transfer is to a family member.

And, this is consistent with the 2006 Land Use Plan policies including AG1, ED1, and is reasonable and in the public interest because it prevents incompatible solar array projects from being established that could adversely impact the quality of life for County residents.

The motion was seconded by Commissioner Payment.

The motion passed 4-3. Commissioners J. Owen Etheridge, Jarvis, McCord and Payment

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voted in favor. Chairman White and Commissioners Beaumont and Mary Etheridge were opposed.

Commissioners discussed the purpose for well water testing and monitoring, for clarification.

RESULT:	**APPROVED [4 TO 3]**
MOVER:	Kevin E. McCord, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Mike H. Payment, Vice Chairman, J. Owen Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
NAYS:	Bob White, Commissioner, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner

NEW BUSINESS

A. Consideration of an Ordinance of the Currituck County Board of Commissioners Amending Section 10-64 of the Code of Ordinances Regulating Parking on the County's Beach

County Attorney, Ike McRee, reviewed the ordinance amendment for issuing permits to park on Currituck County off-road beaches.

After review, Chairman White moved for approval and the motion was seconded by Commissioner Mary Etheridge. The motion passed unanimously.

AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING SECTION 10-64 OF THE CURRITUCK COUNTY CODE OF ORDINANCES TO PROVIDE FOR ISSUANCE OF PARKING PERMITS ON THE COUNTY'S NORTH BEACH

WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the county; and

WHEREAS, the Currituck County Board of Commissioners finds that as the county's northern beaches become more congested with motor vehicles and persons recreating on the beach it is necessary to reduce the number of motor vehicles on the beach and interaction of motor vehicles and pedestrians to preserve and protect the health, safety and welfare of county citizens and invitees to the county's beach; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-145.3 a county may, by ordinance, define, prohibit, regulate, or abate acts, omissions, or conditions upon the State's ocean beaches and prevent or abate any unreasonable restriction of the public's right to use the State's ocean beaches; may regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris upon the State's ocean beaches; and may otherwise enforce any ordinance adopted pursuant to this section or any other of provision of law upon the State's ocean beaches located within the county's jurisdictional boundaries; and

WHEREAS, pursuant to Section 1 of Chapter 875 of the 1985 Session Laws, as amended by S.L. 1998-64 and S.L. 2001-33 the county may by ordinance regulate, restrict, and prohibit the use of dune or beach buggies, jeeps, motorcycles, cars, trucks, or any other form of power-driven vehicle specified by the county's governing board on the foreshore, beach strand and barrier dune system; and

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NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina as follows:

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-64 of the Code of Ordinances to read as follows:

Sec. 10-64. - Permit system (county residents and property owners only).

(a) This section shall be applicable for those areas of Currituck County, including, but not limited to, the beach strand and foreshore areas, located from the Dare/Currituck line to the North Carolina/Virginia line.

(b) County residents and property owners desiring to operate a moped, motorcycle or off-road vehicles, including but not limited to, all-terrain vehicle, utility vehicle, recreational off-highway vehicle, multipurpose off-highway utility vehicle, or other off-road vehicle, ("ORV"), on the areas covered by this section shall obtain a permit from the county manager or county manager's designated representative. Permits may be obtained at times and places designated by the county manager.

(c) Any person parking a motor vehicle, other than a moped, motorcycle or ORV, on the area covered by this section from the Friday before Memorial Day to 11:59 p.m. on Labor Day shall have first obtained from the county manager or county manager's designated representative a parking permit which must be prominently displayed when parking on the area covered by this section. Parking permits may be obtained at times and places designated by the county manager.

(d) County residents may obtain ~~at~~ for no fee ~~a maximum of~~ two annual permits for operation of a moped, motorcycle or ORV owned by them upon making application as provided in subsection (b) above and upon showing proof of liability insurance and ownership for the moped, motorcycle or ORV. Non-resident property owners may obtain at no fee a maximum of two annual permits for operation of a moped, motorcycle or ORV owned by them upon making application as provided in subsection (b) above and showing proof of liability insurance and ownership for the moped, motorcycle or ORV. Liability insurance coverage on the moped, motorcycle or ORV shall be maintained continuously throughout the term of the permit.

(e) County residents and non-resident property owners may obtain ~~at~~ for no fee two ~~a~~ parking permits ~~for each motor vehicle, other than a moped, motorcycle or ORV, owned by them, leased to them, or assigned to them~~ assigned to the county resident's physical address in the county or physical address of property in the county owned by the non-resident property owner for terms adopted by the board of commissioners upon making application as provided in paragraph (b) of this section, showing proof of ~~current~~ residency or ownership, ~~lease, or assignment and current liability insurance for each motor vehicle for which a parking permit is issued~~ and written acknowledgement that they have read and are familiar with county beach driving ordinances. ~~Each permit shall be assigned to a specific motor vehicle. Liability insurance on the motor vehicle shall be maintained continuously throughout the term of the permit.~~ County residents and non-resident property owners may obtain additional parking permits ~~that are not issued to a motor vehicle~~ upon making application as provided in paragraph (b) of this section and payment of a fee and for a term adopted by the board of commissioners.

(f) ~~County residents residing north of the North Beach Access Ramp may obtain at no fee two additional parking permits that are not issued to a motor vehicle upon making application as provided in paragraph (b) of this section.~~ Persons who own a dwelling located north of the North Beach Access Ramp may obtain for no fee two additional parking permits assigned to the physical address of their dwelling for terms adopted by the board of commissioners upon making application in subsection (b) above and showing proof

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of ownership.

(g) Persons other than county residents and non-resident property owners may obtain a parking permit for a motor vehicle, other than a moped, motorcycle or ORV, upon payment of a fee and for a term adopted by the board of commissioners, making application as provided in paragraph (b) of this section, and written acknowledgement that they have read and are familiar with county beach driving ordinances. Each permit shall be assigned to a specific motor vehicle. Liability insurance on the motor vehicle shall be maintained continuously throughout the term of the permit.

~~(h) Persons who own property located north of the North Beach Access Ramp and that is in a rental program may obtain two parking permits at no fee for each property owned by them for terms adopted by the board of commissioners upon making application as provided in subsection (b) above and verification that the property is registered with the county tax administrator for occupancy tax administration.~~

~~(i)~~ (h) County residents and property owners, operating mopeds, motorcycles or ORV's shall ensure that these vehicles have a valid permit prominently displayed at all times while operating, or parked, on the Currituck County outer banks, beach foreshore or beach strand.

~~(j)~~ (i) Any sworn law enforcement officer with jurisdiction is authorized to take possession of any permit issued pursuant to this section upon expiration, revocation, cancellation, or suspension thereof, or which is fictitious, or which has been unlawfully or erroneously issued, which has been unlawfully used or upon issuance of citation for violation of section 10-59 of this Code. Any law enforcement officer who seizes a permit pursuant to this section shall report the seizure to the county manager's office within 48 hours of the seizure and shall return the permit to the county manager's office within seven business days of the seizure unless the permit is deemed evidence in another pending matter.

~~(k)~~ (j) The county manager or county manager's designee shall refuse issuance of a permit under this section for a period of one year following seizure of a permit by a law enforcement officer pursuant to this section.

~~(l)~~ (k) An appeal of seizure of a permit under this section shall be made to the county manager by filing a written notice of appeal, specifying with particularity the grounds upon which the appeal is made, no later than ten days from the date of the permit seizure. The county manager or county manager's designee shall fix a reasonable time for the hearing of the appeal, shall give due notice to all parties and shall render a decision within a reasonable time.

~~(m)~~ (l) The county manager is directed and authorized to establish forms, procedures, and directives as may be required to implement this permit system and ensure that it is run in an effective, safe, and fair manner.

~~(n)~~ (m) This section shall not apply to:

(1) Activity under a Coastal Area Management Act (CAMA) permit requiring access to the beach and authorized by the county permitting officer;

(2) County employees, county contractors, county vehicles or emergency vehicles or drivers of such vehicles, which may be required to enter upon the beach in the performance of their official duties or a governmental agency, its employees, agents, contractors and subcontractors and their motor vehicles when engaged in beach restoration or protection work or

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conducting scientific research or animal preservation studies or operations;

(3) Commercial fishermen;

(4) Hunters possessing valid hunting licenses while engaged in an active hunt or State or federal property located on the Currituck outer banks; or

(5) Outdoor tour operators with a valid license issued under Article IV, Chapter 8 of this Code when actively engaged in an outdoor tour.

PART II. Severability. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. Should a court of competent jurisdiction declare this ordinance or any part of this ordinance to be invalid, such decision shall not affect the remaining provisions of this ordinance or the Code of Ordinances of the County of Currituck, North Carolina.
PART III. This ordinance is effective upon its adoption.

ADOPTED this 22nd day of January, 2019.

_____
Bob White, Chairman

ATTEST:

_____
Leeann Walton, Clerk to the Board

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bob White, Commissioner
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Bob White, Commissioner, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner

B. Consideration of an Ordinance of the Currituck County Board of Commissioners Amending Chapter 10, Article II, Division 7 of the Code of Ordinances to Protect and Enhance the County's Dune Barrier System

The agenda was amended and this item was removed from consideration.

C) Board Appointments

1. Approval of Board of Commissioner Appointments to Local Advisory/Regional Boards

Commissioner Mary Etheridge moved to approve the slate presented for County Commissioner appointments. Chairman White seconded the motion. The motion passed unanimously.

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Commissioner Beaumont:
- Albemarle Commission
- Albemarle Regional Planning Organization (ARPO)
- Fire & EMS Advisory Board
- Veteran's Advisory

Commissioner J. Owen Etheridge:
- Albemarle Regional Solid Waste Authority

Commissioner Mary Etheridge:
- Juvenile Crime Prevention Council
- Senior Citizens Advisory Board
- Social Services Board

Commissioner Jarvis:
- Alternate-Albemarle Regional Planning Organization (ARPO)
- Trillium Health

Commissioner McCord:
- Animal Services and Control Advisory Board
- Recreation Advisory Board

Commissioner Payment:
- ABC Board
- Albemarle Regional Health Board
- Local Emergency Planning Committee (LEPC)

Chairman White:
- Economic Development Board
- Tourism Advisory Board

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Bob White, Commissioner
AYES:	Bob White, Commissioner, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner

D) Consent Agenda

Commissioner Mary Etheridge moved to approve Consent Agenda. The motion was seconded by Commissioner McCord and the motion passed unanimously.

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RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Bob White, Commissioner, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner

1) Approval Of Minutes for January 7, 2019

1. Minutes for January 7, 2019

2. Budget Amendments

		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-532001	Canine Supplies		$ 4,000
10510-590000	Capital Outlay	$ 4,000	
		$ 4,000	$ 4,000
Explanation:	Sheriff (10510) - Transfer budgeted funds for a K-9 system to be installed in a vehicle.		
Net Budget Effect:	Operating fund (10) - No change.		

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Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10511-561000	Professional Services		$ 2,500
10511-516200	Vehicle Repairs & Maintenance	$ 2,500	
		$ 2,500	$ 2,500

Explanation: Detention Center (10511) - Transfer budgeted funds for vehicle repairs.

Net Budget Effect: Operating fund (10) - No change.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10330-445000	EMERGENCY MGMT		$ 20,625
10531-590000	CAPITAL OUTLAY	$ 19,125	
10531-514500	TRAINING AND EDUCATION	$ 500	
10531-514000	TRAVEL	$ 1,000	
		$ 20,625	$ 20,625

Explanation: Emergency Management (10531) - 2018 Emergency Management Performance Grant funding to be used for: security camera system at each of the public safety radio tower sites, purchase a trailer to develop a shelter supply trailer: purchase a weather station for Carova Beach, attend national EM conferences.

Net Budget Effect: Operating fund (10) - Increased by $20,625.

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Account Number	Account Description	Debit: Decrease Revenue or Increase Expense	Credit: Increase Revenue or Decrease Expense
10606-514500	Training-Education		$ 570
10606-514000	Travel	$ 570	
		$ 570	$ 570

Explanation: Soil & Water Conservation (10606) - Transfer funds for conference travel.

Net Budget Effect: Operating fund (10) - No change.

Account Number	Account Description	Debit: Decrease Revenue or Increase Expense	Credit: Increase Revenue or Decrease Expense
10795-590000	Capital Outlay	$ 3,260	
10795-576001	Baseball/ Softball		$ 3,260
		$ 3,260	$ 3,260

Explanation: Parks & Recreation (10795) - Transfer budgeted funds to cover costs of a baseball/softball mount.

Net Budget Effect: Operating fund (10) - No change.

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Account Number	Account Description	Debit: Decrease Revenue or Increase Expense	Credit: Increase Revenue or Decrease Expense
63838-561000	Professional Services	$ 9,000	
63838-545600	Site Work/Landscaping		$ 9,000
		$ 9,000	$ 9,000
Explanation:	Solid Waste (63838) - Transfer budgeted funds for a Landfill Survey in Preparation of surveyors report and engineers estimate for piezometers to collect ground water samples and surface water samples.		
Net Budget Effect:	Solid Waste Fund (63) - No change.		

3. Records Disposal-Permits & Inspections

E) County Manager's Report

Nothing to report.

RECESS

Chairman White recessed the regular meeting of the Board of Commissioners to open the meeting of the Ocean Sands Water and Sewer District Board.

SPECIAL MEETING-OCEAN SANDS WATER & SEWER DISTRICT BOARD

The Currituck County Board of Commissioners held a Special Meeting to sit as the Ocean Sands Water and Sewer District Board during a recess of the 6:00 PM regular meeting of the Board of Commissioners. The meeting was held in the Board Meeting Room of the Historic Courthouse located at 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering budget amendments.

F. Budget Amendments

Dan Scanlon, County Manager, reviewed the budget amendments for the Board, after which Chairman White moved for approval. The motion was seconded by Commissioner Mary Etheridge. The motion passed unanimously.

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Account Number	Account Description	Debit: Decrease Revenue or Increase Expense	Credit: Increase Revenue or Decrease Expense
60808-511001	Ocean Sands - Telephone & Postage-Sewer	$ 2,100	
60808-561001	Ocean Sands - Professional Services-Sewer		$ 2,100
		$ 2,100	$ 2,100

Explanation: Ocean Sands Water and Sewer (60808) -Transfer funds to mail sewer information brochures to Ocean Sands residents.

Net Budget Effect: Ocean Sands Water and Sewer Fund (60) - No change.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bob White, Commissioner
SECONDER: Mary "Kitty" Etheridge, Commissioner
AYES: Bob White, Commissioner, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner

ADJOURN SPECIAL MEETING AND RECONVENE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

There was no further business and Commissioner McCord motioned for adjournment. The motion was seconded by Commissioner Payment and passed unanimously. The meeting of the Ocean Sands Water and Sewer District Board concluded at 8:35 PM.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Kevin E. McCord, Commissioner
SECONDER: Mike H. Payment, Vice Chairman
AYES: Bob White, Commissioner, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner

CLOSED SESSION

Chairman White reconvened the regular meeting of the Board of Commissioners and mt CS

1. **Closed Session pursuant to N.C. Gen. Stat. Section 143-318.11(a)(3) to consult with the County Attorney to protect the attorney-client privilege regarding potential litigation and the matters entitled: R. F. London, Inc., et al. v. Currituck County, et al.; Letendre v. Currituck County; Ayers v. Currituck County Department of Social Services; Schneirla, et al. v. Currituck County; Poplar Branch Development Trust v. Currituck County, and pursuant to Gen. Stat. Section 143-318.11(a)(6) to discuss a personnel matter.**

Communication: Minutes for January 22, 2019 (Approval Of Minutes for January 22, 2019)

Chairman White reconvened the regular meeting of the Board of Commissioners and entered into Closed Session pursuant to N.C. Gen. Stat. Section 143-318.11(a)(3) to consult with the County Attorney to protect the attorney-client privilege regarding potential litigation and the matters entitled: R. F. London, Inc., et al. v. Currituck County, et al.; Letendre v. Currituck County; Ayers v. Currituck County Department of Social Services; Schneirla, et al. v. Currituck County; Poplar Branch Development Trust v. Currituck County, and pursuant to Gen. Stat. Section 143-318.11(a)(6) to discuss a personnel matter.

ADJOURN

Motion to Adjourn Meeting

The Board of Commissioners returned from Closed Session and had no further business. Commissioner Beaumont made a motion to adjourn. The motion was seconded by Commissioner Payment and passed unanimously. The regular meeting of the Board of Commissioners was adjourned.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul M. Beaumont, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bob White, Commissioner, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner

Communication: Minutes for January 22, 2019 (Approval Of Minutes for January 22, 2019)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2366)

Agenda Item Title

Budget Amendments

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Number 20190066

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of February 2019, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10541-553000	Dues and Subscriptions	$ 2,000	
10541-516000	Repairs & Maintenance	$ 1,500	
10541-511010	Data Transmission		$ 1,500
10541-531000	Gas		$ 2,000
		$ 3,500	$ 3,500

Explanation: Fire Services (10541) - Transfer budgeted funds for HVAC repairs at the Waterlilly Fire Station and for annual membership to the NC State Firemans' Association.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 4_General Meeting (Budget Amendments)

Number 20190067

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of February 2019, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10460-532000	Supplies	$ 2,000	
10460-592000	Projects		$ 2,000
		$ 2,000	$ 2,000

Explanation: Public Works (10460) - Transfer budgeted funds for increase in costs of office supplies.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 4_General Meeting (Budget Amendments)

Number 20190068

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of February 2019, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
61818-545000	Contracted Services		$ 1,000
61818-553000	Dues & Subscriptions	$ 1,000	
		$ 1,000	$ 1,000

Explanation: Mainland Water (61818) - Increase dues and subscriptions for additional operator's license permit fees.

Net Budget Effect: Mainland Water (61) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 4_General Meeting (Budget Amendments)

Number 20190069

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of February 2019, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
61818-590000	Capital Outlay	$ 8,000	
61818-590003	Fire Hydrants		$ 8,000
		$ 8,000	$ 8,000

Explanation: Mainland Water (61818) - Transfer budget funds to upgrade the meter reading software for Hot Rods.

Net Budget Effect: Mainland Water (61) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 4_General Meeting (Budget Amendments)

Number 20190070

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of February 2019, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10490-590003	Capital Outlay - Court/Jail	$ 50,000	
10460-502000	Salaries		$ 14,000
10460-505000	FICA		$ 1,000
10460-506000	Insurance		$ 31,000
10460-507000	Retirement		$ 4,000
		$ 50,000	$ 50,000

Explanation: Public Works (10460); Facility Fees (10490) - Transfer funds for two HVAC replacements in the Judical building which will be funded with lapsed Public Works salaries.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

_____
Clerk to the Board

Attachment: BudAmends-Feb 4_General Meeting (Budget Amendments)

Number 20190071

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of February 2019, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10640-503500	Temporary Services	$ 2,000	
10640-502100	Salaries - Overtime		$ 2,000
		$ 2,000	$ 2,000

Explanation: Cooperative Extension (10640) - Transfer funds from Overtime to Temporary Services for 4-H Camp start up in May and June.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 4_General Meeting (Budget Amendments)

Number 20190072

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of February 2019, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10510-590000	Capital Outlay	$ 51,500	
10340-450420	Beach Parking Permits		$ 38,000
10380-481000	Investment Earnings		$ 13,500
		$ 51,500	$ 51,500

Explanation: Sheriff (10510) - Increase appropriations for an additional vehicle beach patrol that will be funded through the beach parking permit fees and water rescue equipment.

Net Budget Effect: Operating Fund (10) - Increased by $51,500.

Minute Book # _____, Page # _____

Journal # _____

_____
Clerk to the Board

Attachment: BudAmends-Feb 4_General Meeting (Budget Amendments)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2371)

Agenda Item Title

Amendment to Contract to Audit Accounts

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

LGC-205 Amended **AMENDMENT TO CONTRACT TO AUDIT ACCOUNTS** Rev. 10/2018

Whereas	Primary Government Unit: Currituck County
and	Discretely Presented Component Unit (DPCU) (if applicable):
and	Auditor: Carr, Riggs & Ingram LLC

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for Fiscal Year Ending: 06/30/18 and originally due on Audit Report Due Date: 10/31/18

hereby agree that it is now necessary that the contract be modified as follows.

☑ Modification to due date:

☐ Modification to fee:

Original due date	Modified due date
10/31/18	01/31/19
Original fee	**Modified fee**

EXPLANATION OF MODIFIED CONTRACT TERMS

Please provide an explanation for the modification of terms. If the amendment is submitted to extend the due date, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years.

The auditor was impacted by Hurricane Florence that hit the New Bern, NC area on September 13, 2018 and led to slight delays in starting the scheduled field work. In addition, the County finance officer had a family medical issue and was out of work for a short period of time. The County finance office has been short staffed due to employees being out on extended medical leave. In addition, the partner in charge of the audit had a death in his immediate family and was out of work for a short period of time. As all of these circumstances were unforeseen, we do not expect this to be a continuing issue to complete the audit timely in future years.

By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

Attachment: 2019-02-04_Audit Contract Amendment (Contract Amendment-Audit)

LGC-205 Amended **AMENDMENT TO CONTRACT TO AUDIT ACCOUNTS** Rev. 10/2018

SIGNATURE PAGE

AUDIT FIRM

Audit Firm Carr, Riggs & Ingram LLC	
Authorized Firm Representative (typed or printed) Chris Burton, CPA	Signature Chris Burton CPA
Date 1/28/19	Email Address cburton@cricpa.com

GOVERNMENTAL UNIT

Governmental Unit Currituck County	
Date Primary Government Unit Governing Board Approved Audit Contract (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
Mayor/Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT

(Pre-audit certificate not required for charter schools or hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer Sandra Hill	Signature
Date of Pre-Audit Certificate	Email Address sandra.hill@currituckcountync.gov

Attachment: 2019-02-04_Audit Contract Amendment (Contract Amendment-Audit)

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU	
Date DPCU Governing Board Approved Audit Contract (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT

(Pre-audit certificate not required for charter schools or hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address

Attachment: 2019-02-04_Audit Contract Amendment (Contract Amendment-Audit)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2373)

Agenda Item Title

Designation of Applicant Agent-FEMA Grant

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management

Organization Name (hereafter named Organization): County of Currituck	Disaster Number: FMA 2018
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): North Carolina Department of Public Safety	
Applicant's Fiscal Year (FY) Start: Month: July Day: 1	
Applicant's Federal Employer's Identification Number: 56 - 6000292	
Applicant's Federal Information Processing Standards (FIPS) Number: 37 - 053 -	

PRIMARY AGENT		SECONDARY AGENT	
Agent's Name	Daniel F. Scanlon, II	Agent's Name	Donald "Ike" McRee, Jr.
Organization	County of Currituck	Organization	County of Currituck
Official Position	County Manager	Official Position	County Attorney
Mailing Address	153 Courthouse Road, Suite 204	Mailing Address	153 Courthouse Road, Suite 210
City ,State, Zip	Currituck, NC 27929	City ,State, Zip	Currituck, NC 27929
Daytime Telephone	(252) 232-2075	Daytime Telephone	(252) 232-0300
Facsimile Number	(252) 232-3551	Facsimile Number	(252) 232-3551
Pager or Cellular Number	(252) 232-2216	Pager or Cellular Number	(252) 232-2216

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and **the assurances printed on the reverse side hereof**. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this _____ day of _____, 20__.

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title	Name
Name and Title	Official Position
Name and Title	Daytime Telephone

CERTIFICATION

I, _____, (Name) duly appointed and _____ (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of _____ (Organization) on the _____ day of _____, 20__.

Date: _____ **Signature:** _____

Rev. 06/02

Attachment: 2019-02-04-Designation of Applicant Agent-FEMA Grant-EM (Designation of Applicant Agent-FEMA Grant)

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.

3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.

4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.

5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.

6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.

7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.

10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.

11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.

14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.

15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.

16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.

18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.

19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.

20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.

21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.

23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.

24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.

Attachment: 2019-02-04-Designation of Applicant Agent-FEMA Grant-EM (Designation of Applicant Agent-FEMA Grant)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2369)

Agenda Item Title

Petition for Road Addition to State Maintenance-Moyock Crossing

Brief Description of Agenda Item:

Request for road additions to State Maintenance for Moyock Crossing

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Attachment: Moyock Crossing-GIS Map-SNIP (Road Addition-Moyock Crossing)

North Carolina Department of Transportation
Division of Highways
Petition for Road Addition

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Crossing Avenue, First View Way, Hidden View Loop
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Moyock Crossing Length (miles): 1.08 total

Number of occupied homes having street frontage: 60 Located (miles): .09

miles N ☐ S ☒ E ☒ W ☐ (Check one) of the intersection of Route 1222 (SR, NC, US) and Route 1542 (SR, NC, US).

We, the undersigned, being property owners and/or developers of Moyock Crossing in Currituck County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: David M. Gianascoli, Gees Group of NC, Inc. Phone Number: 757-340-7355

Street Address: 600 Lynnhaven Pkwy., Suite 200, Virginia Beach, VA 23452

Mailing Address: (Same)

PROPERTY OWNERS

Name	Mailing Address	Telephone

Gees Group of NC, Inc. (the Developer) owns Lots 1,2,5, 21, 39-43, 68,69,72-76. The other 60 lots have been sold and houses constructed on them. Petitioner believes all 60 are occopied as principal residences

Form SR-1 (3/2006; Rev 1/2010)

Attachment: Moyock Crossing-Road Addition Petition (Road Addition-Moyock Crossing)

INSTRUCTIONS FOR COMPLETING PETITION:

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach two (2) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block

☐ Rural Road ☐ Subdivision platted prior to October 1, 1975 ☐ Subdivision platted after September 30, 1975

REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-or-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

ROAD NAME	HOMES	LENGTH	ROAD NAME	HOMES	LENGTH
Crossing Avenue	8	0.44 miles			
First View Way	26	0.37 miles			
Hidden View Loop	26	0.27 miles			

Form SR-1 (3/2006; Rev 1/2010)

Attachment: Moyock Crossing-Road Addition Petition (Road Addition-Moyock Crossing)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2370)

Agenda Item Title

Petition for Road Addition to State Maintenance-Herring Street, Corolla

Brief Description of Agenda Item:

Request for road additions to State Maintenance for Herring Street, Corolla

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

North Carolina Department of Transportation
Division of Highways
Petition for Road Addition

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Herring Street
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Villas at Corolla Bay Length (miles): .17

Number of occupied homes having street frontage: 57 Located (miles): 1.0

miles N ☐ S ☒ E ☐ W ☐ of the intersection of Route NC 12 and Route 1409 .
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Villas at Corolla Bay in Currituck County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Carlos Gomez Phone Number: 252-261-4151

Street Address: 4425 N. Croatan Hwy Kitty Hawk, NC 27949

Mailing Address: PO Box 1129 Kitty Hawk, NC 27949

PROPERTY OWNERS

Name	Mailing Address	Telephone

Attachment: Road Addition-Herring st NCDOT SR1 (Road Addition-Herring Street)

Form SR-1 (3/2006; Rev 1/2010)

INSTRUCTIONS FOR COMPLETING PETITION:
1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach two (2) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block
☐ Rural Road ☐ Subdivision platted prior to October 1, 1975 ☐ Subdivision platted after September 30, 1975

REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-or-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

ROAD NAME	HOMES	LENGTH	ROAD NAME	HOMES	LENGTH

Attachment: Road Addition-Herring st NCDOT SR1 (Road Addition-Herring Street)

Currituck County GIS Online Mapping



Communities
- Aydlett
- Barco
- Coinjock
- Corolla
- Currituck
- Gibbs Woods
- Grandy
- Harbinger
- Jarvisburg
- Knotts Island
- Maple
- Moyock
- Point Harbor
- Poplar Branch
- Powells Point
- Shawboro
- Sligo
- Waterlily

County Boundary
- State
- County

Streets

Major Streets
- Arterial_Principal
- Arterial_Major
- Collector_Major

Parcels

Currituck County

Aerial Photography (2016
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Currituck County GIS
(252)232-2034
www.co.currituck.nc.us/Geographic-Information-Services.cfm

This map should be used for general reference purposes only. Currituck County assumes no legal liability for the information shown on this map.

Attachment: Road Addition-Herring St Map (Road Addition-Herring Street)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 2365)

Agenda Item Title

TDA-Budget Amendments

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Number TDA2019018

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of February 2019 , passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
15447-545001	Beach Services	$ 92,000	
15320-415000	Occupancy Tax		$ 92,000
		$ 92,000	$ 92,000

Explanation: Occupancy Tax - Tourism Related (15447) - Increase appropriations for first year of five year contract for ocean rescue services.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by $92,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 4_TDA (Tourism Development Authority-Budget Amendments)

Number TDA2019019

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of February 2019 , passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

Account Number	Account Description	Debit: Decrease Revenue or Increase Expense	Credit: Increase Revenue or Decrease Expense
15447-590000	Capital Outlay	$ 6,000	
15447-514500	Training & Education	$ 9,800	
15447-545000	Contract Services	$ 2,160	
15320-415000	Occupancy Tax		$ 17,960
		$ 17,960	$ 17,960

Explanation: Occupancy Tax - Tourism Related (15447) - Increase appropriation to purchase business license module for MUNIS to track and accept online payments for Occupancy Tax collections. The program cost and set-up are $15,800 and annual recurring cost is $2,160.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by $17,960.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 4_TDA (Tourism Development Authority-Budget Amendments)