



CURRITUCK COUNTY NORTH CAROLINA

October 18, 2021

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 4:30 PM Capital Projects and Finance Review

The Board of Commissioners met in a Work Session at 4:30 PM in the Historic Courthouse Conference Room, 153 Courthouse Road, Currituck, North Carolina, for a review of the County budget and Capital Projects from Finance Director, Sandra Hill. Chairman Payment and Commissioners Mary Etheridge, Selina Jarvis, Kevin McCord and Bob White were present at the start of the Work Session. Commissioner Paul Beaumont arrived at 4:50 PM and Commissioner J. Owen Etheridge arrived at 5:10 PM.

Interim County Manager/County Attorney, Ike McRee, opened the Work Session and introduced the budgetary review as a way for the Board to consider, re-organize and re-prioritize the County's capital projects to meet the needs of a growing population while maintaining consistent levels of service to citizens.

Finance Director, Sandra Hill, used a powerpoint and began with a review of the make-up of the General Fund. Several budgetary terms were defined for Commissioners and differences between the County's Cash Balance and Fund Balance were explained. Multi-year capital funds and projects funded through General Fund and Occupancy Tax were presented. Mr. McRee reviewed budgetary numbers for Moyock Elementary and Moyock Middle school expansion projects. After discussion of the Design Bid process for school projects, Commissioner Beaumont asked that staff determine the fixed price premium percentage that was included in the bid.

Ms. Hill reviewed capital projects that are currently funded in the budget and those that are not yet funded. Use of American Recovery Plan Act (ARPA) funds and restrictions were relayed. Commissioners specifically discussed plans to renovate and upgrade solid waste sites and the Moyock Sewer Plant Expansion. Mr. McRee said there would be a work session to discuss Moyock Wastewater. Commissioners discussed costs for Communications upgrades and suggested the County look into other service providers. In addition, Commissioners directed staff to look into soliciting bids for health insurance providers and to continue to provide information to employees to encourage use of the Wellness Clinic at the Health Department. Commissioners asked that quarterly budget reports and Monthly Economic Financial Indicator reports be provided to Commissioners going forward.

Discussion concluded and Commissioner Jarvis moved to adjourn. Commissioner White seconded the motion. The motion carried, 7-0, and the Work Session was adjourned.

6:00 PM CALL TO ORDER

The Board of Commissioners met at 6:00 PM in the Historic Courthouse Board Meeting Room, 153 Courthouse Road, Currituck, North Carolina, for a Regular Meeting.

Attendee Name	Title	Status	Arrived
Michael H. Payment	Chairman	Present	
Paul M. Beaumont	Vice Chairman	Present	
J. Owen Etheridge	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Selina S. Jarvis	Commissioner	Present	
Kevin E. McCord	Commissioner	Present	
Bob White	Commissioner	Present	

Chairman Payment called the meeting to order and announced the earlier Work Session on Finance and Capital Projects.

A) Invocation & Pledge of Allegiance

Commissioner Jarvis offered the Invocation and led the Pledge of Allegiance.

B) Approval of Agenda

Commissioner White moved for approval of the agenda. Commissioner Beaumont seconded the motion. The motion carried, 7-0, and the agenda was approved.

Approved agenda:

Work Session

4:30 PM Capital Projects and Finance Review

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance

B) Approval of Agenda

Public Comment

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

Commissioner's Report

County Manager/County Attorney

Reports**Public Hearings**

- A) **PB 90-07 Pine Island PUD Phase 5B:** Request for Amended Sketch Plan/Special Use Permit to allow an additional unit of density within Phase 5B by designating a small commercial area within the vicinity of the approved cabana.
- B) **PB 87-56 Monteray Shores PUD Parcel 10:** Request for Amended Sketch Plan/Special Use Permit to add 36 residential dwelling units, reduce open space by 4.01 acres and reallocate existing commercial designation on Parcel 10.

New Business

- A) **Board Appointments**
1. Fire and EMS Advisory Board
 2. Whalehead Stormwater Drainage Service District Advisory
- B) **Consent Agenda**
1. Budget Amendments
 2. Job Description Revisions-Various
 3. Salary Classification Chart-Revised
 4. Approval Of Minutes-October 4, 2021

Adjourn**Special Meeting-Tourism Development Authority**

TDA Budget Amendments

Adjourn Special Meeting

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	Paul M. Beaumont, Vice Chairman
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, 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.

Chairman Payment opened the Public Comment period.

Cameron Lowe, Currituck Cooperative Extension Director, provided a brief report on Currituck County Cooperative Extension and highlighted staff's development and delivery of on-line programming during the Covid-19 shutdown. Ms. Lowe discussed Cooperative Extension's recent Currituck Farm Festival event, which provided an opportunity to thank farmers and educate the public on the importance of agriculture in the County. She introduced Small Farms Specialist, Cyndi Knudson, who will be housed in Currituck County and will work with small and new farmers in Northeastern North Carolina. Ms. Knudson provided her background in agriculture and said she will use her experience and skills to help others in the area.

No others were signed up nor wished to speak and the Public Comment period was closed.

COMMISSIONER'S REPORT

Commissioner McCord provided information on the County's upcoming Christmas Parade, December 3, 2021, at 7:00 PM at the Currituck Cooperative Extension Center in Barco. He played in a golf tournament at Eagle Creek over the weekend to raise money for the Currituck County High School baseball team. He said speed limit signage will be installed at school zones later in the week. He said there will be a benefit for the family whose daughter was recently killed crossing the highway. Halloween Trunk or Treat events in the County were announced.

Commissioner Beaumont encouraged citizens to participate in their government by serving on a County Advisory Board. He announced openings on the Veterans Advisory Board and others and provided information on how to apply.

Chairman Payment also encouraged citizens to apply for Advisory Boards, and announced he is looking for a new member to serve on the Planning Board. He asked for continued support of the County's local fire departments.

Commissioner White reported information he received at a symposium recently attended at Elizabeth City State University. He reported on the Kitty Hawk Wind project, which will be based 27 miles off of the Corolla coastline, and the possible impacts as the project progresses. He reported on programs and assistance available through North Carolina Works for both job seekers and employers. He discussed the North Carolina Department of Transportation's need to secure additional funding so they can continue with state road maintenance projects. He said the Mid-Currituck Bridge project, however, will continue to move forward due to the way it is funded. He discussed using a regional message for Tourism promotion, and said the future looks bright for Northeastern North Carolina.

Commissioner Mary Etheridge reported attending the recent Health and Wellness event at the Senior Center and thanked Senior Center staff and all who participated. She announced the start of Operation Santa, a program administered by the Department of Social Services to assist children, the elderly and the disabled over the holidays. She encouraged citizens to participate and to contact the Department of Social Services for more information.

Commissioner Jarvis attended the recent meeting of the Juvenile Crime Prevention Council where Stephanie Benton, Resource Coordinator for Beloved Haven, discussed the alarming rise in human sex trafficking in our region. Commissioner Jarvis said North Carolina ranks

eleventh in the nation and encouraged people to go to BelovedHaven.org for information or assistance. She announced the College of the Albemarle's 60th year of enrollment for students.

COUNTY MANAGER/COUNTY ATTORNEY REPORTS

Interim County Manager/County Attorney, Ike McRee, reported his attendance at the Senior Center's Health and Fitness Day. He noted the good programming and resources put together by Director, Stacy Joseph, and Senior Center staff. He said design plans for the new dune walkovers in Whalehead included additional items such as showers, fountains, and portable toilets that were not in the original plans. When asked if they wish to include any of the additional items, Commissioners suggested they receive alternate bids to include showers only. Mr. McRee did relay maintenance concerns expressed by Public Works.

The discussion prompted Commissioner J. Owen Etheridge to report issues with paper towels being wet and thrown on the walls and ceiling of the new Shingle Landing Park restroom facility. Commissioners suggested replacing the paper towels with hand dryers.

PUBLIC HEARINGS

A. PB 90-07 Pine Island PUD Phase 5B:

APPLICATION SUMMARY	
Property Owner: Turnpike Properties, LLC 1100C S. Stratford Road, Suite 300 Winston Salem, NC 27103	Applicant: Same
Case Number: PB 90-07	Application Type: Amended Sketch Plan/Special Use Permit
Parcel Identification Number: 0128-000-002H-0000 (Phase 5B)	Existing Use: Planned Unit Development
2006 Land Use Plan Classification: Full Service	Parcel Size (Acres): 366.22 acres (Overall PUD) 18.2 acres (Subject Parcel)
Number of Units: 304 units (Overall PUD) 24 units (Subject Parcel)	Project Density (Approx.): .87 units per acre (Overall PUD) 1.32 units per acre (Subject Parcel)
Required Open Space: 128.18 acres (35%) (Overall PUD) 3.64 acres (20%) (Subject Parcel)	Provided Open Space: 137.72 acres (37.6%) (Overall PUD) 6.77 acres (26.9%) (Subject Parcel)

SURROUNDING PARCELS		
	Land Use	Zoning
North	Hotel	SFO with PUD Overlay
South	Single Family Dwellings	SFO with PUD Overlay
East	Atlantic Ocean	N/A
West	National Audubon Society Property	SFO with PUD Overlay

Application Summary

In September 2019, the Board approved an amended sketch plan/special use permit for Phase 5B (Lot 4R) of Pine Island PUD to be developed as 23 single-family dwelling lots. The applicant subsequently submitted for and received preliminary plat/special use permit approval and construction drawing approval for a 23 lot subdivision. The applicant requests a change to the amended sketch plan/special use permit for Phase 5B to allow construction of an upper story dwelling unit over the proposed cabana/storage area located in open space.

An upper story dwelling unit is an additional unit of density and is not permitted in open space nor in areas designated as residential in a PUD. Therefore, the applicant is requesting this amendment to remove the a portion of the cabana, proposed dwelling unit and associated site improvements from open space and to designate the area as commercial to allow for construction of one upper story dwelling unit.

If approved, the applicant will be required to amend the preliminary plat/special use permit prior to construction of the upper story dwelling unit.

Community Meeting

A community meeting was held on July 15, 2021, a summary is provided in the agenda packet.

INFRASTRUCTURE

Water	Southern Outer Banks Water System (SOBWS)
Sewer	Pine Island Currituck, LLC (PICLLC) Wastewater

STAFF REVIEW

Technical Review Committee

The Technical Review Committee (TRC) reviewed the application and provided the following comments:

1. The application complies with all applicable review standards of the UDO.
2. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
 - a. The subdivision plan will be reviewed when preliminary plat application is submitted.
3. Side setbacks shall be a minimum of 15' on the proposed lots.
4. The ownership of the open space parcel(s) shall be in accordance with Section 7.1.3.E. of the UDO. The proposed upper story dwelling unit is proposed on an open space parcel.
5. The preliminary plat/special use permit shall be amended prior to construction of the upper story dwelling unit.

2006 Land Use Plan

The 2006 Land Use Plan classifies this site as Full Service within the Corolla subarea. The Full Service designation allows for a greater diversity of housing types. The policy emphasis for the

Corolla subarea is to allow for predominantly medium density residential development (2 to 3 units per acre) with minimal commercial development arranged in clusters. An overall density of no more than 3 units per acre should apply to PUDs, the prevailing development form in the Corolla area.

The following policies of the plan may apply to the proposed request:

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. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
2. 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.

SPECIAL USE PERMIT REVIEW STANDARDS

Following an evidentiary hearing, the board shall decide if the application is in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.6.D, Special Use Permit Review Standards.

Special Use Permit Review Standards

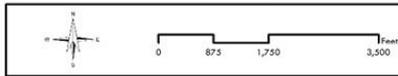
A special use permit shall be approved on a finding that the applicant demonstrates the proposed use will:

1. Not endanger the public health or safety.
2. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
3. Be in conformity with the Land Use Plan or other officially adopted plan.
4. Not exceed the county's ability to provide adequate public facilities, including but not limited to, schools, fire and rescue, law enforcement, and other county facilities.

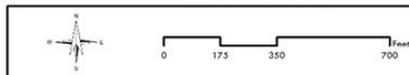
Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

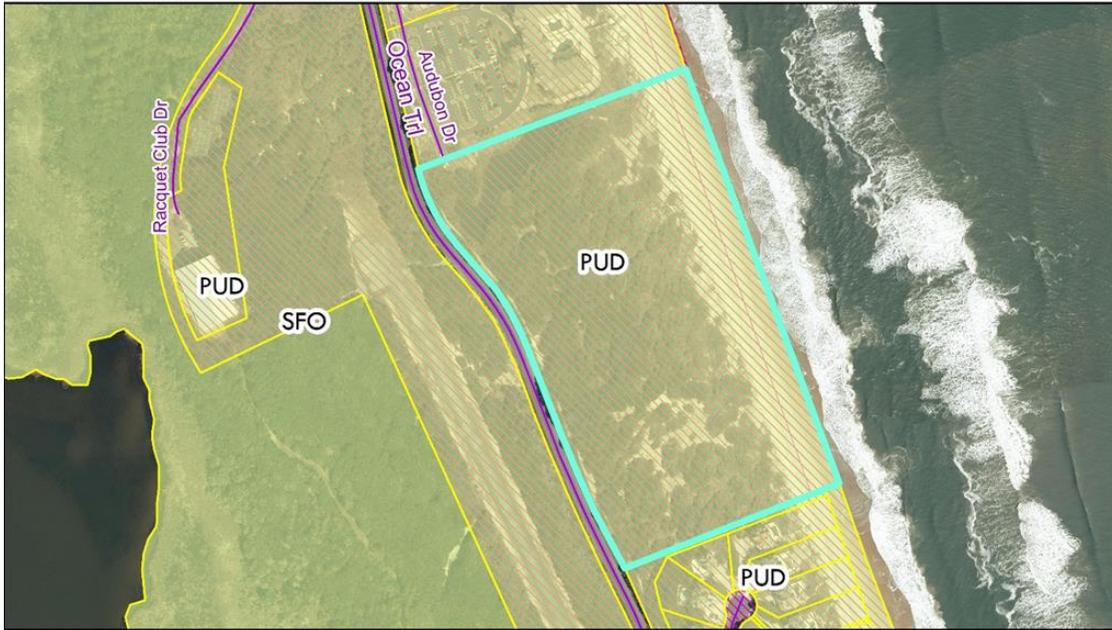


PB 90-07 Pine Island PUD, Phase 5B
Amended Sketch Plan/Special Use Permit
Context Map



PB 90-07 Pine Island PUD, Phase 5B
Amended Sketch Plan/Special Use Permit
2020 Aerial Photography





PB 90-07 Pine Island PUD, Phase 5B
Amended Sketch Plan/Special Use Permit
Official Zoning Map



PB 90-07 Pine Island PUD, Phase 5B
Amended Sketch Plan/Special Use Permit
2006 Land Use Plan Classification



Parties to speak were sworn in and Senior Planner, Jennie Turner, reviewed the request for the Board. She presented information on the new staff report which includes staff comments rather than a recommendation. Ms. Turner used a powerpoint to display maps and plats of the area to review the location, zoning and current uses of the site and surrounding parcels. Ms. Turner explained the required Board approval due to the addition of an upper story dwelling unit on an open space parcel. Relevant county policies,

Technical Review Committee comments, and review standards were presented. Ms. Turner responded to questions from the Board.

Attorney for the applicant, John Morrison, reviewed the proposed change and its purpose. He explained the cabana will remain as is, with only the second floor interior being converted to a two bedroom dwelling unit.

Mr. Morrison questioned Rolf Blizzard, Managing Director of Turnpike Properties. Mr. Blizzard said the conversion will house a maintenance and construction manager for the community. He confirmed the appearance and footprint of the building will not change. He said adequate facilities are present and that no objections were voiced at community meetings. He responded to questions posed by Commissioners. When asked, Mr. Blizzard clarified all staff requests as stated were agreed to.

Mr. Morrison questioned Licensed Real Estate Appraiser, Greg Bourne, who provided his background and experience in real estate appraisals. Mr. Bourne was tendered as an expert witness and expressed his opinion that there would be no adverse impacts to the subject property or adjacent properties. He discussed the process used for his analysis and presented his findings. There were no questions from the Board.

Mr. Morrison questioned Michael Strader, Jr., Professional Engineer with Quible and Associates, who was tendered as an expert witness following presentation of his background and experience. Mr. Strader said he is the Engineer of Record for the project. He testified the project will be compliant with the County's Land Use Plan and meets the other findings of fact. The Board had no questions.

Chairman Payment opened the Public Hearing. No one was signed up nor wished to speak and the Public Hearing was closed.

Commissioner White moved to approve PB 90-07, Pine Island PUD-Phase 5B amended sketch plan/special use permit because the applicant has demonstrated the proposed use meets the review standards of the UDO. The TRC Review Comments provided in the staff report on page 6 shall become conditions of approval. The use will not endanger the public health or safety; the use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located; the use will be in conformity with the Land Use Plan, specifically 2006 Land Use Plan policy HN1, HN3, CD8 and ES1; and, the use will not exceed the county's ability to provide adequate public facilities.

Commissioner J. Owen Etheridge seconded the motion. The motion carried, 7-0.

Chairman Payment called for a brief recess at 7:01 PM. The meeting reconvened at 7:08 PM.

RESULT: MOTION PASSED-ITEM APPROVED [UNANIMOUS]
MOVER: Bob White, Commissioner
SECONDER: J. Owen Etheridge, Commissioner
AYES: Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

B. PB 87-56 Monterey Shores PUD Parcel 10:

APPLICATION SUMMARY		
Property Owner: Richard C. Willis Outer Banks Ventures, LLC PO Box 549 Corolla, NC 27927	Applicant: Richard C. Willis Outer Banks Ventures, LLC PO Box 549 Corolla, NC 27927	
Case Number: PB 87-56	Application Type: Amended Sketch Plan/Special Use Permit	
Parcel Identification Number: 0116-000-0010-0000	Existing Use: Planned Unit Development (PUD)	
2006 Land Use Plan Classification: Full Service & Conservation	Parcel Size (Acres): 36.19 (Subject Parcel) 355.309 (Overall PUD)	
Request: Amend Sketch Plan/Special Use Permit	Zoning: SFO with PUD Overlay	
Number of Units: 36 units (Subject Parcel) 747 units (Overall PUD)	Project Density: 1.324 dwelling units per acre excluding CAMA wetlands (Subject Parcel) 2.395 dwelling units per acre (Overall PUD)	
Required Open Space: 123.358 acres (35%) (Overall PUD)	Provided Open Space: 130.343 acres (36.67%) (Overall PUD)	
Maximum Commercial Area: 36.222 ac. 10.19% Previously approved	Proposed Commercial Area: 36.222 ac. 10.19% No change requested	
SURROUNDING PARCELS		
	Land Use	Zoning
North	Monterey Shores Open Space	Monterey Shores PUD SFO with PUD Overlay
South	Timbuck II Shops	Buck Island PUD SFO with PUD Overlay
East	Monterey Shores WWTP/ Corolla Adventure Golf & Bumper Cars/Seaside Farm Market/Coffee Shop	SFO with PUD Overlay

APPLICATION SUMMARY

West	Currituck Sound	N/A
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Application Summary

The applicant, Outer Banks Ventures, Inc. is requesting an amended sketch plan/special use permit related to a 36.194-acre subject property located in the Monterey Shores Planned Unit Development (PUD). The Monterey Shores Sketch Plan designates 34.986-acres as open space, 1.208-acres as commercial and zero (0) units of residential density. The property consists of 8.24-acres of upland area (excluding the pond).

The amended sketch plan request proposes:

- an additional 36 units of residential density.
- a reduction of open space area by 4.01 acres.
- relocation of existing 1.208 acres of commercial area.

The Monterey Shores Amended Sketch Plan identifies the open space area on the subject parcel as “utility open space”. The NC General Assembly repealed the requirement for reserved “green area” related to coastal waste treatment disposal on May 1, 2020. Carolina Water Service, Inc. of North Carolina operates the Monterey Shores Wastewater Treatment Plant and has provided a letter dated June 24, 2021, stating that the property proposed for development is not needed for utility use. The need for designated “utility open space” appears to be resolved; however, this request does include a reduction in open space for the Monterey Shores PUD. The proposed resultant open space meets the minimum 35% required per the Bulk and Dimensional Standards of Section 1.8. Transitional Provisions of the UDO which addresses Approved Planned Unit Development District Overlay and Sketch Plans.

The proposed development includes a total of thirty-six (36) residential dwelling units: five (5) single-family dwelling lots, twenty-five (25) townhome lots and six (6) upper story dwelling units. A ten (10) slip boat basin is proposed for use by residents and visitors to the site. Subdivision of the property will require preliminary plat/special use permit applications for review by the Board of Commissioners. A conceptual development plan and preliminary architectural renderings have been provided by the applicant to illustrate the proposed uses and project layout. A site-specific development plan is not approved for this property or part of this submittal. Approvals for any proposed development on the tract must be submitted to the county, follow the appropriate review process for the type of use proposed, and be approved by the appropriate authority.

The applicant proposes construction of three retail buildings over the existing pond with two (2) upper story dwelling units in each building. A boardwalk connection is proposed from the retail buildings to a proposed restaurant and outdoor entertainment deck. Parking is provided adjacent to the retail buildings and the restaurant area.

A recreation/paddle boat rental storefront/storage building is proposed adjacent to the pond with docks over the pond. Parking is provided adjacent to the building.

An elevated boardwalk over the wetlands with a ten (10) slip boat basin in Currituck Sound is proposed to be connected to the outdoor entertainment deck. Prior to construction of this feature, CAMA review and permitting are required.

Outdoor entertainment and outdoor recreation require special use permits in PUDs. Prior to establishing outdoor recreation and outdoor entertainment uses including the proposed boat

basin, paddle boat rentals, and the outdoor entertainment venue, the owner must submit applications for special use permits for review by the BOC.

The existing pond is proposed to be expanded for stormwater management. The county holds a perpetual right and easement to convey and discharge groundwater associated with the Whalehead Watershed Improvement District into the pond, and for a subsurface conveyance pipe. It is of great interest and concern of the county to ensure that the easements are not negatively impacted by any development over or augmentation of the existing pond.

The applicant is proposing access on Malia Drive as well as an entrance through the NCDOT owned property where Seaside Farm Market is located. Approval for access through the NCDOT property has not been provided by the applicant. Adequate traffic flow and management as well as impacts to adjacent properties should be considered.

The request provides corrections to previously approved sketch plans for Monterey Shores to show existing approvals more accurately with respect to residential density, open space, and commercial allocation. The applicant has provided deed and plat research and has referenced prior approved sketch plans in an effort to provide an update to the Monterey Shores Amended Sketch Plan that reflects past approvals and current conditions. In reviewing the Amended Sketch Plan, staff has acknowledged that lots and areas previously recorded are acceptable for use in revised calculations.

Updates to the Amended Sketch Plan were provided upon the request of staff in consultation with the county attorney due to inconsistencies found in prior approved Amended Sketch Plans, including the omission of 57 dwelling units at Villas at Corolla Bay.

A community meeting was held on May 24, 2021. The applicant and engineer were present along with county staff. A community meeting summary provided by the applicant is included in the agenda packet. Following the community meeting and review of this application, staff determined that a Land Use Plan Amendment was necessary. The applicant submitted a request for a Land Use Plan Amendment that was approved by the BOC at the October 4, 2021, meeting.

INFRASTRUCTURE

Water	Southern Outer Banks Water System (SOBWS)
Sewer	Carolina Water Service (Private)

REVIEW AND COMMENT

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee provides the following review comments regarding the proposed Amended Sketch Plan/Special Use Permit:

1. The Land Use Plan amendment approved by the BOC on October 4, 2021, shall be certified by the State per G.S. 113A-110 prior to this special use permit becoming valid.
2. A site-specific development plan is not approved for this property. Approvals for any proposed development on the tract must be submitted to the county, follow the

- appropriate review process for the type of use proposed, and be approved by the appropriate authority.
3. Per Section 1.8.6.B.2 of the UDO, special use permits for outdoor recreation/entertainment uses (ten (10) slip boat basin by UDO definition is an outdoor recreation use, paddle boat rentals, outdoor entertainment venue) are required in PUDs. This amended sketch plan/special use permit request may result in relocation of permissible commercial development area; however, to establish outdoor recreation/entertainment uses, additional special use permit applications will be required.
 4. Major site plan and/or preliminary plat/special use permit approval (as applicable) is required prior to commencement of development.
 5. Multi-family design standards, Non-residential design standards, or Shopping Center design standards apply to development per the UDO.
 6. Proposed access and configuration through the NCDOT owned parcel(s) shall be approved by NCDOT or Turnpike Authority as appropriate and by County Staff through the Preliminary Plat/Special Use Permit or Major Site Plan review process.
 7. Proposed changes to pond configuration shall not negatively impact the county's easement or purpose for the easement recorded in the Currituck County Register of Deeds Office on Deed Book 1135, Page 302. A note shall be added to the plans to reflect the county's perpetual right and easement to convey and discharge groundwater associated with the Whalehead Watershed Improvement District into the pond shown and more particularly described on that plat recorded at Plat Cabinet K, Slide 50 of the Currituck County Registry.
 8. Walkways and piers for private property owner use may not be constructed in open space set-asides.
 9. Required open space areas including active open space will be evaluated during review of subsequent application submittals.

2006 Land Use Plan

A Future Land Use Map amendment was approved by the BOC on October 4, 2021, designating 12.22 acres of the site as Full-Service Area. The proposed development is in area designated as Full-Service as amended on October 4, 2021. Prior to the Future Land Use Map amendment becoming effective, the amended plan must be submitted to the Division of Coastal Management for certification. The elevated boardwalk over the wetlands is proposed in area designated as Conservation.

The 2006 Land Use Plan classifies this site as Full Service and Conservation within the Corolla subarea. The Full-Service designation allows for a greater diversity of housing types. The policy emphasis for the Corolla subarea is to allow for predominantly medium density residential development (2 to 3 units per acre) with minimal commercial development arranged in clusters. An overall density of no more than 3 units per acre should apply to PUDs, the prevailing development form in the Corolla area. Strip commercial development is to be avoided for both aesthetic reasons and traffic movement considerations. Development and redevelopment should be capable of being supported by the area's infrastructure and services – particularly drinking water, sewage treatment, road capacity, parking areas, and required fire suppression capabilities.

The following policies of the plan may apply to the proposed request:

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. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited-Service areas identified on the Future Land Use Map.
2. 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.

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. Similarly, businesses may be located adjoining (and therefore convenient to) an existing residential area, when such businesses can be shown to satisfy design considerations similar to a newly planned, pedestrian-scaled, mixed use development.

POLICY CD9: Businesses shall be encouraged to coordinate their SITE DESIGNS with other nearby businesses. Design factors should include, at a minimum, shared or connected parking and access, convenient pedestrian and vehicular movement, and consistent sign standards.

POLICY OB1: Currituck County supports the provision of INFRASTRUCTURE (e.g., potable water) AND SERVICES (e.g., law enforcement officers) adequate to meet basic quality of life and public health and safety requirements of residents on the Outer Banks, while at the same not stimulating inappropriate intensive development in environmentally fragile, hazardous barrier island areas.

POLICY OB2: So as to minimize COMMERCIAL STRIP DEVELOPMENT and maximize the traffic moving capability of NC 12, Currituck County shall encourage commercial development to cluster at appropriate locations rather than dispersing along NC 12.

POLICY ES1: New development shall be permitted to locate only in areas with SUITABLE SOIL and where ADEQUATE INFRASTRUCTURE is available. For existing development located on poor soils, and where sewage treatment upgrades are necessary, engineering solutions may be supported, provided that environmental concerns are fully addressed.

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. Currituck County supports the efforts of the U.S. Army Corps of Engineers in protecting such wetlands through the Section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.

POLICY ES3: COASTAL WETLANDS shall be conserved for the valuable functions they perform in protecting water quality and in providing critical habitat for the propagation and survival of important plant and animal species. CAMA use standards and policies for coastal wetlands shall be supported. Uses approved for location in a coastal wetland must be water dependent (i.e., utility easements, bridges, docks and piers) and be developed so as to minimize adverse impacts.

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 PA2: The County supports MANY FORMS OF "ACCESS" to the water, including scenic outlooks and boardwalks, boat ramps, marinas and docks, fishing piers, canoe and kayak launches, and other means of access. Whenever possible, such facilities shall be designed to accommodate the needs of handicapped individuals.

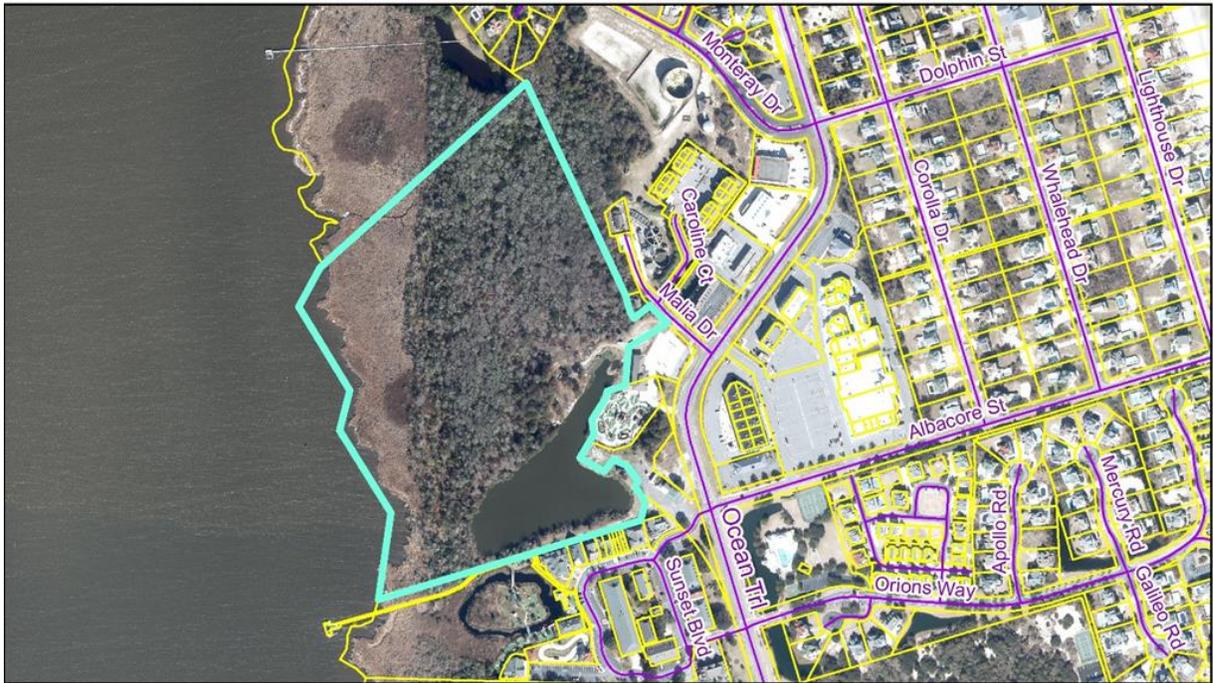
SPECIAL USE PERMIT REVIEW STANDARDS

Following an evidentiary hearing, the board shall decide if the application is in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.6.D, Special Use Permit Review Standards.

Special Use Permit Review Standards

A special use permit shall be approved on a finding that the applicant demonstrates the proposed use will:

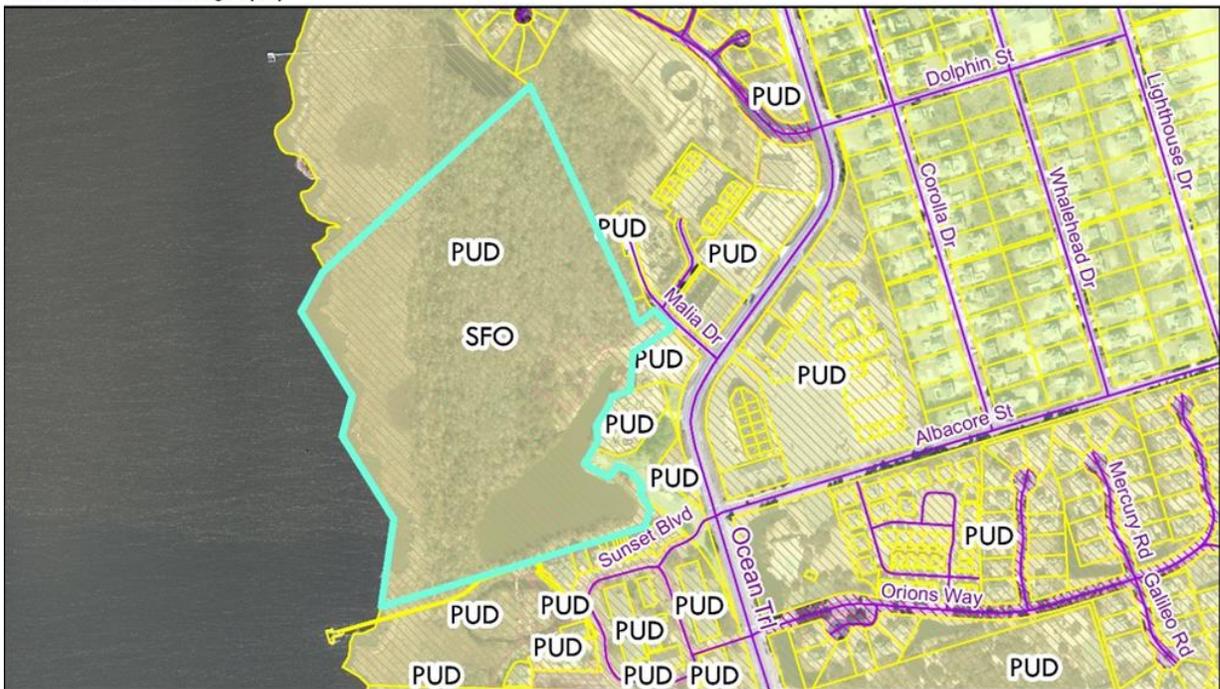
1. Not endanger the public health or safety.
2. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
3. Be in conformity with the Land Use Plan or other officially adopted plan.
4. Not exceed the county's ability to provide adequate public facilities, including but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.



PB 87-56 Monterey Shores PUD (Parcel 10)
Amended Sketch Plan/Special Use Permit
2020 Aerial Photography



Currituck County
Development Services
Department



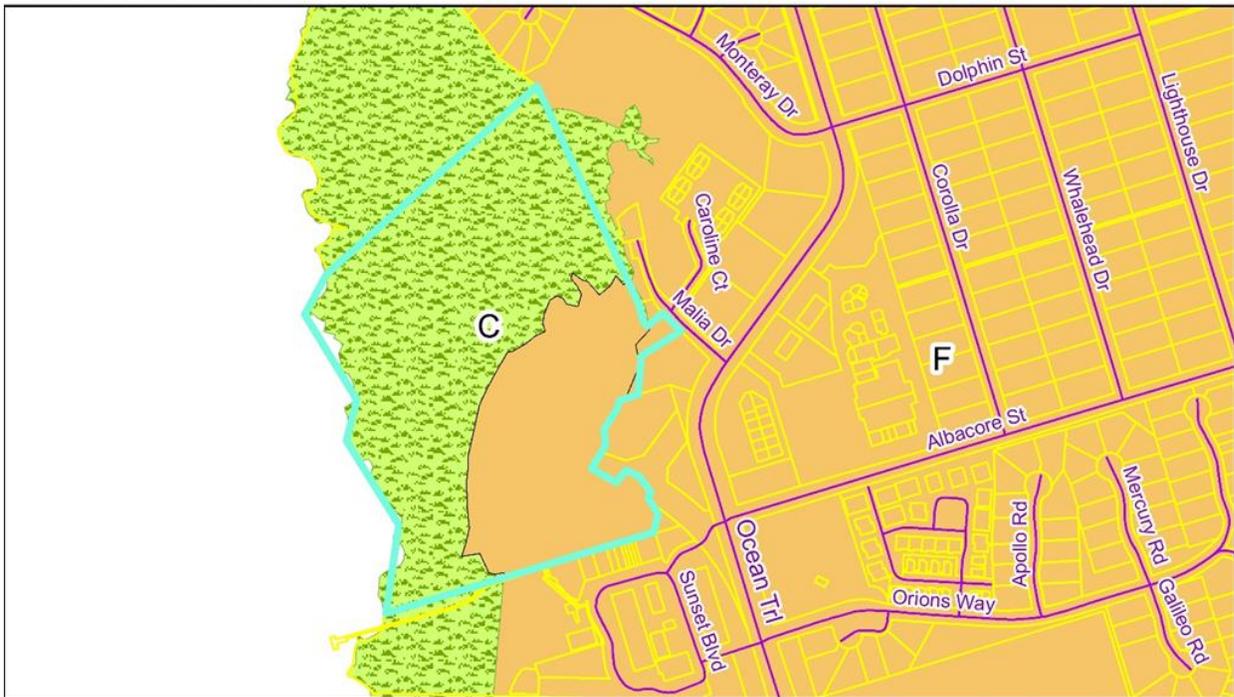
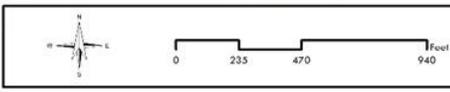
PB 87-56 Monterey Shores PUD (Parcel 10)
Amended Sketch Plan/Special Use Permit
Official Zoning Map



Currituck County
Development Services
Department



PB 87-56 Monterey Shores PUD (Parcel 10)
Amended Sketch Plan/Special Use Permit
Land Use Plan Classification



PB 87-56 Monterey Shores PUD (Parcel 10)
Amended Sketch Plan/Special Use Permit
2006 Land Use Plan (AMD 10/4/2021)



Parties were sworn and Senior Planner, Jennie Turner, presented the request to Commissioners. A powerpoint was used to display the site location on the overhead.

Zoning and uses of the site and surrounding parcels were reviewed. She reviewed the requirements for utility open space and recalled the Land Use Plan amendment adopted for the parcel at the October 4th Board of Commissioners meeting. A summary of the request with changes and the revised sketch plan were reviewed.

Ms. Turner responded to questions relative to access, and Commissioners considered whether the request is premature. She said they have not received any notification that access to the parcel has been granted. Commissioner White commented that no cluster mailboxes were shown on the plat and Ms. Turner said mailboxes would likely be referenced by inspections for inclusion in the final plat.

Applicable Residential and Commercial policies in the Land Use Plan, Technical Review Committee comments, and review standards were presented.

Attorney, John Morrison, clarified with Ms. Turner that if approved tonight it does not allow construction to commence.

Mr. Morrison questioned Mark Bissell, Professional Engineer, who provided his background and experience and was tendered as an expert witness. Mr. Bissell used a powerpoint and detailed the plan for the proposed development. He clarified there will be boat slips for use by renters, owners, and restaurant patrons. He discussed the outdoor entertainment venue, and parking availability. He provided comments and Land Use Plan Policies to support approval relative to the required findings of fact and said the plan is consistent with the future Land Use Plan.

Mr. Bissell confirmed stormwater modeling will be performed at final plat. He reported on Seaside Market and the lack of definition at the site for parking and delivery and believes the situation can be improved by delineating parking spaces, turnaround, drive aisle, and loading areas. He reported discussion with DOT regarding the right of way.

Mr. Bissell confirmed that without DOT and CAMA approvals the project will not be able to move forward. He said he is comfortable with the conditions as presented.

Mr. Morrison questioned Steven Craddock, Licensed Real Estate Appraiser, who provided his background and experience and was tendered as an expert witness. Mr. Morrison distributed Mr. Craddock's report of his assessment of the project and Mr. Craddock surmised that the project would not injure the value of adjoining or abutting properties and would be in harmony in the area in which it is located. Mr. Craddock provided a summary of his assessment of the subject property and the Corolla area for the Board.

Andrew Topp, of VHP Engineering, provided his education, background and experience in traffic engineering and was tendered as an expert witness. He discussed the process for performing a traffic impact analysis over the course of several days. Mr. Topp said he has assessed the project and provided an opinion that the development would not have any adverse impact on traffic in the area.

Mr. Morrison questioned Abel Harmon, Wetland delineation and sediment control for Army Corps of Engineers provided his experience in the field and he was tendered as

an expert witness. Mr. Harmon confirmed he assessed the development site, and he provided a summary of the process used to make findings related to erosion and sediment runoff. He provided information on erosion and noted that the project would not destabilize the shoreline due to distance.

Chairman Payment opened the Public Hearing.

Thomas Wright is the adjacent property owner next to the DOT right-of-way and voiced concerns about the existing traffic issues at the location. He said he doesn't understand the findings of the traffic impact study knowing that there have been problems in the area for years.

Marsha Hornstein owns a shop in the same complex as Mr. Wright. She said they pay \$750 a month to have extra parking at TimBuck II. She expressed her concern with parking at the location and discussed issues with flooding of the underground parking during rain events. She has no problem with the project and suggested that there will not be enough parking for all who want to use it.

No others were signed up nor wished to speak and the Public Hearing was closed.

Mr. Morrison said the Board is not waiving the necessary approvals from DOT and CAMA and suggested the Board will revisit the item during the rest of the process.

Commissioner White moved to approve PB 87-56, Monteray Shores (Parcel 10) amended sketch plan/special use permit because the applicant has demonstrated the proposed use meets the review standards of the UDO. The TRC Review Comments provided in the staff report shall become conditions of approval. The PUD Overview and Summary of Uses shall be updated to clearly illustrate open space areas and commercial areas consistent with the area summary provided. The use will not endanger the public health or safety; the use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located; the use will be in conformity with the Land Use Plan policies HN1, HN3, CD8, ES1, OB1, OB2, and PA1. The use will not exceed the county's ability to provide adequate public facilities.

White/Selina

7-0

Recess 8:34 PM Reconvene 8:43 PM

RESULT:	MOTION PASSED-ITEM APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	Selina S. Jarvis, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

NEW BUSINESS

A) Board Appointments**1. Fire and EMS Advisory Board**

Commissioner J. Owen Etheridge moved to nominate George Thiess to the Fire and EMS Advisory, as recommended by the Moyock Volunteer Fire Department. Commissioner McCord seconded the motion. The motion carried, 7-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	J. Owen Etheridge, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

2. Whalehead Stormwater Drainage Service District Advisory

Commissioner White nominated George Mears to serve on the Whalehead Stormwater Drainage Service District Advisory. Chairman Payment seconded the motion. The motion carried, 7-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	Michael H. Payment, Chairman
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

B) Consent Agenda

Commissioner Jarvis moved for approval of the Consent Agenda. Commissioner J. Owen Etheridge seconded the motion. The motion carried, 7-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Selina S. Jarvis, Commissioner
SECONDER:	J. Owen Etheridge, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

1. Budget Amendments

		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
10441-532000	Supplies	\$	8,000		
10441-506000	Insurance Expense			\$	3,000
10441-590000	Capital Outlay			\$	5,000
		<u>\$ 8,000</u>		<u>\$ 8,000</u>	
Explanation:	Information Technology (10441) - Transfer budgeted funds and reclassify equipment purchases that did not fall above the capital threshold to equip the IT department for additional staff.				
Net Budget Effect:	Operating Fund (10) - No change.				
		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
10510-532000	Supplies	\$	6,400		
10380-483510	Sheriff Donations			\$	6,400
		<u>\$ 6,400</u>		<u>\$ 6,400</u>	
Explanation:	Sheriff (10510) - Increase appropriations to record donation from Albemarle Regional Health Services for Overdose Prevention.				
Net Budget Effect:	Operating Fund (10) - Increased by \$6,400.				

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10460-557100	Software License Fee	\$ 400	
10530-561000	Professional Services	\$ 1,000	
10960-531000	Fuel	\$ 25,000	
10320-411000	Article 39 Sales Tax		\$ 26,400
12541-554007	Insurance - Carova Beach VFD	\$ 3,535	
12390-499900	Appropriated Fund Balance		\$ 3,535
210541-554006	Insurance - Corolla	\$ 4,000	
210541-506000	Health Insurance		\$ 4,000
26535-557100	Software License Fee	\$ 314	
26535-588000	Contingency		\$ 314
61818-511010	Data Transmission	\$ 1,055	
61818-516000	Repairs & Maintenance	\$ 5,000	
61818-506000	Insurance Expense		\$ 2,500
61818-533600	System Supplies		\$ 3,555
67878-557100	Software License Fee	\$ 300	
67878-506000	Health Insurance Expense		\$ 300
		<u>\$ 40,604</u>	<u>\$ 40,604</u>
Explanation:	Various Departments - Increase appropriations due to rising costs of vehicle fuel, software license fees and volunteer fire department building insurances; increase in professional services for new hire background checks; and departmental transfers in Mainland Water for operations.		
Net Budget Effect:	Operating Fund (10) - Increased by \$26,400.		
	Fire Services Fund (12) - Increased by \$3,535.		
	Corolla Fire Services (210) - No change.		
	Emergency Telephone System Fund (26) - No change.		
	Mainland Water Fund (61) - No change.		
	Mainland Sewer Fund (67) - No change.		

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-516200	Vehicle Maintenance	\$ 15,000	
10510-506000	Insurance Expense		\$ 15,000
		\$ 15,000	\$ 15,000
Explanation:	Sheriff (10510) - Transfer budgeted funds for increased costs of vehicle maintenance and for tire replacements.		
Net Budget Effect:	Operating Fund (10) - No change.		

2. Job Description Revisions-Variou

3. Salary Classification Chart-Revised

4) Approval Of Minutes-October 4, 2021

1. Minutes from 10-04-2021

ADJOURN

Motion to Adjourn Meeting

The Board had no further business and Commissioner Beaumont moved to adjourn. Commissioner McCord seconded the motion and the motion carried, 7-0. The regular meeting of the Board of Commissioners adjourned at 8:45 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, Vice Chairman
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

SPECIAL MEETING-TOURISM DEVELOPMENT AUTHORITY

The Board of Commissioners held a Special Meeting following adjournment of the 6:00 PM Regular Meeting to sit as the Tourism Development Authority. The Special Meeting was held in the Historic Courthouse Board Meeting Room, 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering Budget Amendments.

TDA Budget Amendments

Following a brief review, Commissioner White moved for approval. Commissioner Beaumont seconded the motion. The motion carried, 7-0, and the Budget Amendments were approved.

		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
15447-545002	Historic Preservation	\$	300		
15447-516000	Repairs & Maintenance			\$	300
		\$	300	\$	300
Explanation: Tourism Related Expenditures (15447) - Transfer budgeted funds for APG Stabilization Notice for the Historic Jail.					
Net Budget Effect: Occupancy Tax Fund (15) - No change.					
		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
15448-554000	Insurance	\$	9,080		
15448-503500	Temporary Services			\$	9,080
		\$	9,080	\$	9,080
Explanation: Tourism - Historic Corolla Park (15448) - Transfer budgeted funds for flood insurance for the Maritime Museum.					
Net Budget Effect: Occupancy Tax Fund (15) - No change.					
		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
15442-557100	Software License Fee	\$	2,000		
15442-506000	Insurance Expense			\$	2,000
		\$	2,000	\$	2,000
Explanation: Tourism Promotions (15442) - Transfer budgeted funds for increased software license fees.					
Net Budget Effect: Occupancy Tax Fund (15) - No change.					

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bob White, Commissioner
SECONDER: Paul M. Beaumont, Vice Chairman
AYES: Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

ADJOURN SPECIAL MEETING

With no further business, Commissioner Beaumont moved to adjourn. Commissioner White seconded the motion. The motion passed, 7-0, and the meeting of the Tourism Development Authority adjourned at 8:47 PM.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Paul M. Beaumont, Vice Chairman
SECONDER: Bob White, Commissioner
AYES: Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 3258)

Agenda Item Title: 4:30 PM Capital Projects and Finance Review

Submitted By: Leeann Walton – County Manager

Presenter of Item:

Board Action: Discussion

Brief Description of Agenda Item:

Reason for Request:

Potential Budget Affect:

Is this item regulated by plan, regulation or statute? No

Manager Recommendation:



Currituck County Agenda Item Summary Sheet

Agenda ID Number – 3259

Agenda Item Title: PB 90-07 Pine Island PUD Phase 5B:

Submitted By: Jennie Turner – Planning & Community Development

Item Type: Quasi-Judicial

Presenter of Item: Jennie Turner

Board Action: Action

Brief Description of Agenda Item:

Request for Amended Sketch Plan/Special Use Permit to allow an additional unit of density within Phase 5B by designating a small commercial area within the vicinity of the approved cabana.

Planning Board Recommendation:

Staff Recommendation: Application Reviewed

TRC Recommendation: Application Reviewed



**STAFF REPORT
PB 90-07 PINE ISLAND PUD
(PHASE 5B)
AMENDED SKETCH PLAN/
SPECIAL USE PERMIT
BOARD OF COMMISSIONERS
OCTOBER 18, 2021**

Attachment: 1A Staff Report (PB 90-07 Pine Island PUD Phase 5B)

APPLICATION SUMMARY	
Property Owner: Turnpike Properties, LLC 1100C S. Stratford Road, Suite 300 Winston Salem, NC 27103	Applicant: Same
Case Number: PB 90-07	Application Type: Amended Sketch Plan/Special Use Permit
Parcel Identification Number: 0128-000-002H-0000 (Phase 5B)	Existing Use: Planned Unit Development
2006 Land Use Plan Classification: Full Service	Parcel Size (Acres): 366.22 acres (Overall PUD) 18.2 acres (Subject Parcel)
Number of Units: 304 units (Overall PUD) 24 units (Subject Parcel)	Project Density (Approx.): .87 units per acre (Overall PUD) 1.32 units per acre (Subject Parcel)
Required Open Space: 128.18 acres (35%) (Overall PUD) 3.64 acres (20%) (Subject Parcel)	Provided Open Space: 137.72 acres (37.6%) (Overall PUD) 6.77 acres (26.9%) (Subject Parcel)

SURROUNDING PARCELS		
	Land Use	Zoning
North	Hotel	SFO with PUD Overlay
South	Single Family Dwellings	SFO with PUD Overlay
East	Atlantic Ocean	N/A
West	National Audubon Society Property	SFO with PUD Overlay

STAFF ANALYSIS

Application Summary

In September 2019, the Board approved an amended sketch plan/special use permit for Phase 5B (Lot 4R) of Pine Island PUD to be developed as 23 single-family dwelling lots. The applicant subsequently submitted for and received preliminary plat/special use permit approval and construction drawing approval for a 23 lot subdivision. The applicant requests a change to the amended sketch plan/special use permit for Phase 5B to allow construction of an upper story dwelling unit over the proposed cabana/storage area located in open space.

An upper story dwelling unit is an additional unit of density and is not permitted in open space nor in areas designated as residential in a PUD. Therefore, the applicant is requesting this amendment to

remove the a portion of the cabana, proposed dwelling unit and associated site improvements from open space and to designate the area as commercial to allow for construction of one upper story dwelling unit.

If approved, the applicant will be required to amend the preliminary plat/special use permit prior to construction of the upper story dwelling unit.

Community Meeting

A community meeting was held on July 15, 2021, a summary is provided in the agenda packet.

INFRASTRUCTURE

Water	Southern Outer Banks Water System (SOBWS)
Sewer	Pine Island Currituck, LLC (PICLLC) Wastewater

STAFF REVIEW

Technical Review Committee

The Technical Review Committee (TRC) reviewed the application and provided the following comments:

1. The application complies with all applicable review standards of the UDO.
2. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
 - a. The subdivision plan will be reviewed when preliminary plat application is submitted.
3. Side setbacks shall be a minimum of 15’ on the proposed lots.
4. The ownership of the open space parcel(s) shall be in accordance with Section 7.1.3.E. of the UDO. The proposed upper story dwelling unit is proposed on an open space parcel.
5. The preliminary plat/special use permit shall be amended prior to construction of the upper story dwelling unit.

2006 Land Use Plan

The 2006 Land Use Plan classifies this site as Full Service within the Corolla subarea. The Full Service designation allows for a greater diversity of housing types. The policy emphasis for the Corolla subarea is to allow for predominantly medium density residential development (2 to 3 units per acre) with minimal commercial development arranged in clusters. An overall density of no more than 3 units per acre should apply to PUDs, the prevailing development form in the Corolla area.

The following policies of the plan may apply to the proposed request:

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. Projects within areas designated as Limited Service would be

permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
2. 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.

SPECIAL USE PERMIT REVIEW STANDARDS

Following an evidentiary hearing, the board shall decide if the application is in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.6.D, Special Use Permit Review Standards.

Special Use Permit Review Standards

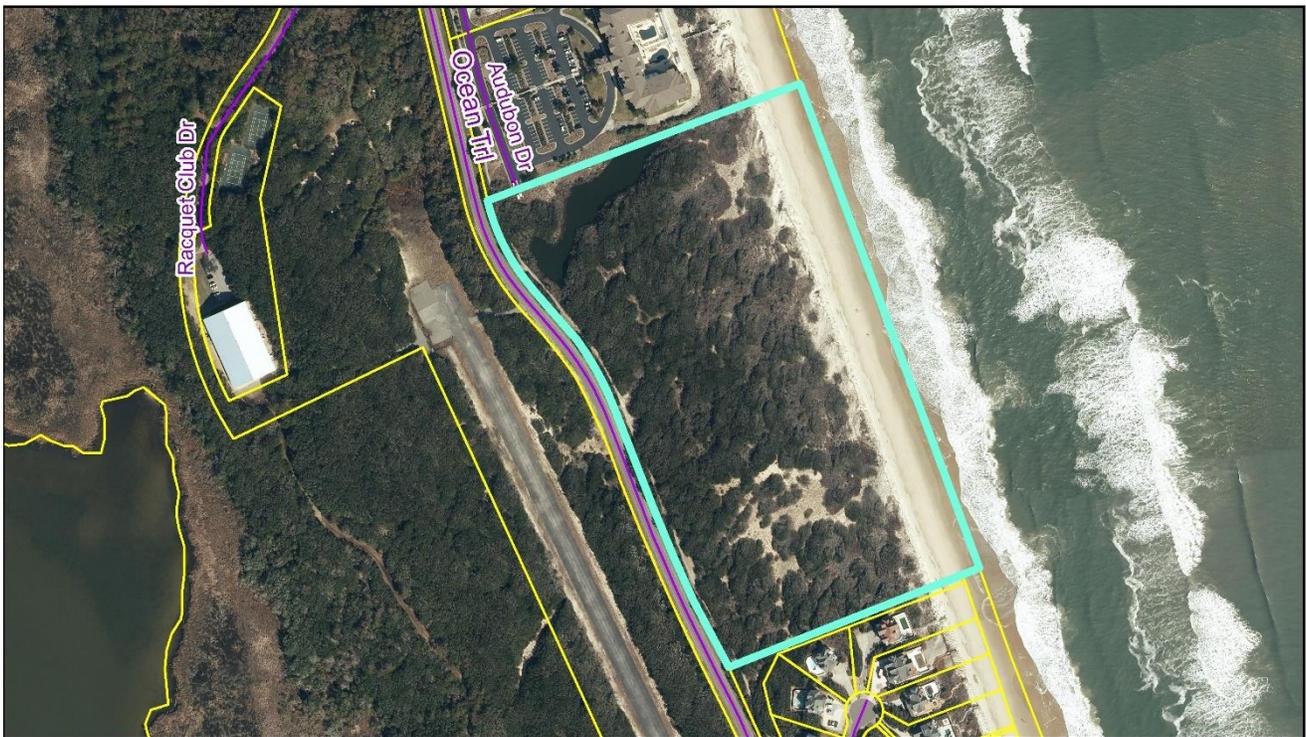
A special use permit shall be approved on a finding that the applicant demonstrates the proposed use will:

1. Not endanger the public health or safety.
2. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
3. Be in conformity with the Land Use Plan or other officially adopted plan.
4. Not exceed the county's ability to provide adequate public facilities, including but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

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

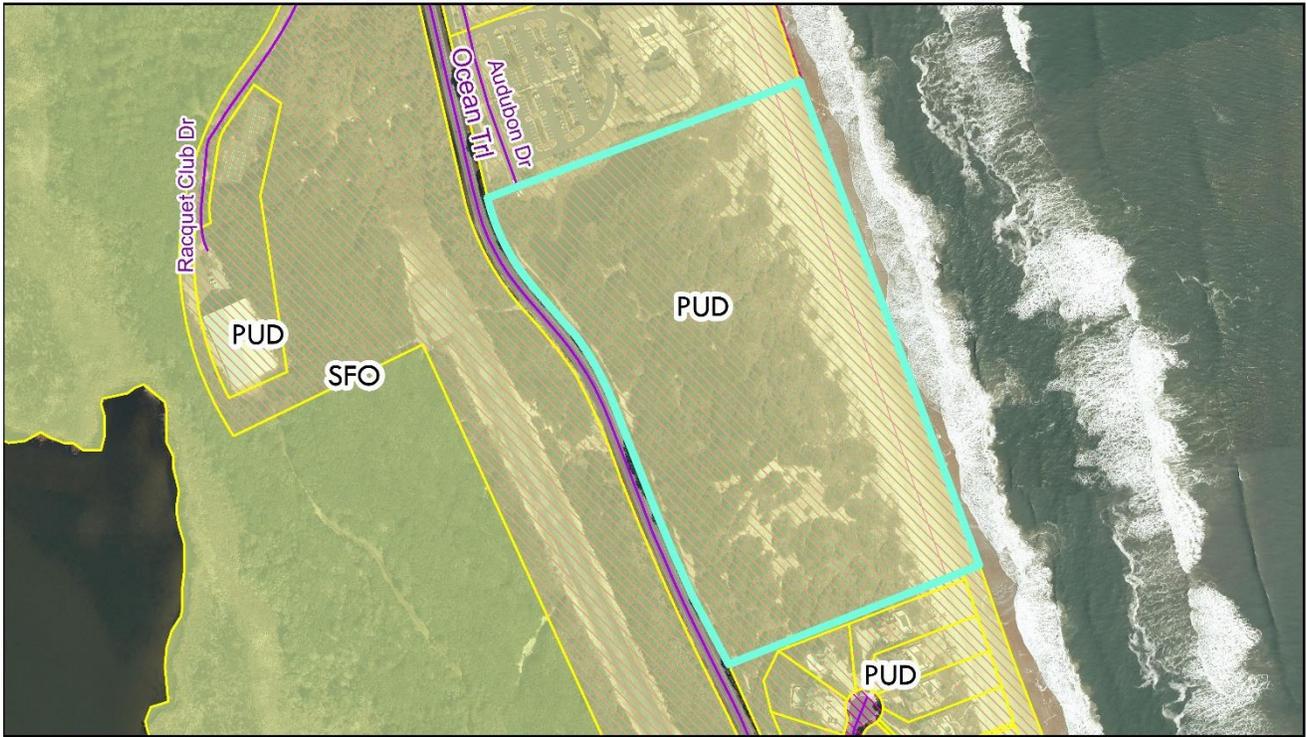


PB 90-07 Pine Island PUD, Phase 5B
 Amended Sketch Plan/Special Use Permit
 Context Map



PB 90-07 Pine Island PUD, Phase 5B
 Amended Sketch Plan/Special Use Permit
 2020 Aerial Photography

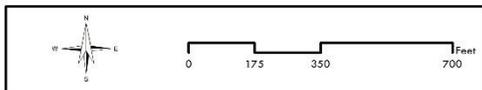




PB 90-07 Pine Island PUD, Phase 5B
Amended Sketch Plan/Special Use Permit
Official Zoning Map



PB 90-07 Pine Island PUD, Phase 5B
Amended Sketch Plan/Special Use Permit
2006 Land Use Plan Classification



Attachment: 1A Staff Report (PB 90-07 Pine Island PUD Phase 5B)



Major Subdivision Application

OFFICIAL USE ONLY:

Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information

APPLICANT:

Name: TURNPIKE PROPERTIES, LLC
 Address: 4400 SILAS CREEK PKWY, SUITE 302
WINSTON SALEM, NC 27104
 Telephone: (336) 722-2236
 E-Mail Address: rblizzard1@me.com

PROPERTY OWNER:

Name: TURNPIKE PROPERTIES, LLC
 Address: 4400 SILAS CREEK PKWY, SUITE 302
WINSTON SALEM, NC 27104
 Telephone: (336) 722-2236
 E-Mail Address: rblizzard1@me.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: SAME

Request

Physical Street Address: 331 AUDUBON DRIVE, COROLLA

Parcel Identification Number(s): 0128000002H0000

Subdivision Name: PINE ISLAND PUD (PINE ISLAND LIMITED)

Number of Lots or Units: 304

Phase: 5B

TYPE OF SUBMITTAL

- Conservation and Development Plan
- Amended Sketch Plan/Use Permit
- Preliminary Plat (or amended)
 - Type I OR Type II
- Construction Drawings (or amended)
- Final Plat (or amended)

TYPE OF SUBDIVISION

- Traditional Development
- Conservation Subdivision
- Planned Unit Development
- Planned Development

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

Property Owner(s)/Applicant*

7/20/21
 Date

***NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.**

Community Meeting, if applicable

Date Meeting Held: July 15, 2021 at 4pm Meeting Location: Corolla Library

Use Permit Review Standards, if applicable

PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat

Purpose of Use Permit and Project Narrative (please provide on additional paper if needed):
This Use Permit is being submitted to amend the existing Pine Island PUD to allow for an additional unit of density within Phase 5B by designating a small commercial area within the vicinity of the approved cabana. This would allow an upper story dwelling unit within the cabana and increases the permitted density from 303 to 304 units.

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

- A. The use will not endanger the public health or safety. The proposed use will not materially endanger the public health or safety and conforms to adjacent land uses. The proposed upper story dwelling unit would reside within previously approved conditioned storage space within the cabana, above the lower level storage/bath.
B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located. The proposed use will not injure the values of adjoining or abutting properties and will compliment the adjoining existing uses. The proposed mixed-use commercial area consisting of the upper story dwelling unit would reside in the cabana adjacent to the hotel property.
C. The use will be in conformity with the Land Use Plan or other officially adopted plan. The proposed use is in general conformance with the County's Land Use Plan, current UDO, and the latest approved sketch plan. The proposed uses are allowed and encouraged within PUDs, open space, density, and commercial area percentages are compliant with the UDO.
D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. The proposed use will not exceed the County's ability to provide adequate public facilities. Utility services have already been approved and permitted for the site, capacity is available, and stormwater management already provided to handle approved runoff.

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

[Signature]
Property Owner(s)/Applicant*

7/20/21
Date

*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Attachment: 1B pine-island-app-21aug11 (PB 90-07 Pine Island PUD Phase 5B)

Quible

Quible & Associates, P.C.

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SINCE 1959

P.O. Drawer 870
Kitty Hawk, NC 27949
Phone: 252-491-8147
Fax: 252-491-8146
web: quible.com

August 25, 2021

Ms. Jennie Turner
Currituck County Planning and Community Development
P.O. Box 73
Currituck, NC 27927

Re: **Amended Sketch Plan/Use Permit for Pine Island PUD 5B (PB 90-07)**
Parcel Identification No. 0128000002H0000
Corolla, Currituck County, North Carolina

Dear Ms. Turner:

Thank you for your review comments received from the August 11, 2021 TRC meeting for the above referenced project. On behalf of Turnpike Properties, LLC, Quible & Associates, P.C. hereby submit for your review the following documentation for the Pine Island PUD Amended Sketch Plan/Use Permit.

- Two (2) Full-Size (24"x36") Copies of Revised Amended Sketch Plans
- Two (2) Full-Size (18"x24") Copies of Revised Phase 5B Amended Preliminary Plats
- Two (2) Full-Size (24"x36") Copies of Revised Amenity Site Plans
- One (1) 8.5"x11" Copy of the Revised Amended Sketch Plan
- One (1) 8.5"x11" Copy of the Revised Phase 5B Amended Preliminary Plat
- One (1) 8.5"x11" Copy of the Revised Amenity Site Plan
- One (1) PDF copy of revised Amended Sketch Plans, Amended Preliminary Plat, Amended Amenity Site Plan, and documents.

Please find our responses to your review comments below. A copy of the TRC review comments is enclosed for your reference.

Planning, Jennie Turner:

1. Please acknowledge that the cabana amenity structure consists of lower-level, recreational beach amenity storage (surfboards, boogie boards, beach chairs, umbrellas, paddle boards, etc) and facilities and a proposed upper-level dwelling unit for property and community development and management. Please refer to the enclosed revised amended sketch plan sheet 4 of 5, the revised amended preliminary plat sheet 3 of 3, and the revised amenity site plan for notes clarifying the use of the cabana amenity.
2. The entire cabana amenity structure and the associated OS#1 parcel area will remain under the developer/manager's ownership. The parcel will include the on-site facilities, parking, drive, commercial designated area, and open space area. There is no plan or intention to convey any property area to the Property Owner's Association.

Currituck County Inspections and Fire, Bill Newns

1. Acknowledged. It is our understanding that the previously reviewed and approved Amenity Site Plan addresses the fire and inspections notes. Please acknowledge that additional details have been added to the enclosed amended amenity site plan for clarity.

Attachment: 1-P90096-P12073 2021-08-26 Transmittal Ltr to County (PB 90-07 Pine Island PUD Phase 5B)

Amended Sketch Plan/Use Permit for Pine Island PUD (PB 90-07)
August 25, 2021

NC DEQ – Division of Coastal Management, Charlan Owens:

1. No comments.

Southern Outer Banks Water, Benjie Carawan/Jim Williams:

1. No comments.

Currituck County GIS, Harry Lee:

1. Acknowledged. Please refer to the enclosed revised amended preliminary plat sheet 1 of 3 for updated address list.

Albemarle Regional Health Services, Joe Hobbs:

1. Acknowledged. PICCWWTP, LLC has wastewater allocation for the development and has secured proper DWR Permits.

Currituck County Economic Development, Larry Lombardi:

1. No comment.

Currituck County Parks and Recreation, Jason Weeks:

1. No comment.

US Army Corps of Engineers, Anthony Scarbraugh:

1. Acknowledged, no impacts to jurisdictional waters or wetlands are proposed.

Please review the enclosed documentation and provide a supportive Staff Analysis for the next applicable Board of Commissioners agenda, if appropriate. Please do not hesitate to contact me at 252.491.8147 or mstrader@quible.com if you have any questions, comments or requests for additional information.

Sincerely,

Quible & Associates, P.C.



Michael W. Strader, Jr., P.E.

encl.: as stated

cc: Rolf Blizzard, Turnpike Properties, LLC

P.O. Drawer 870 • Kitty Hawk, NC 27949
Telephone (252) 491-8147 • Fax (252) 491-8146


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: Michael W. Strader Jr., P.E.
 Director of Engineering
 Quible & Associates, P.C.

From: Jennie Turner, Senior Planner

Date: August 11, 2021

Re: PB 90-07 Pine Island PUD Phase 5B – Amended Sketch Plan/Special Use Permit

Planning, Jennie Turner 252-232-6031
Reviewed

1. Please update use from cabana to more accurate description of proposed uses on plans.
2. How will the upper story dwelling unit building, access, and parking be owned and recorded? Will it be a separate parcel?

Currituck County Inspections and Fire, Bill Newns, 252-232-6023

Approved

Fire notes

- Cluster mailbox units must be accessible (accessible route, reach ranges)
- Accessible routes must be provided to all amenities such as pools, boardwalks, piers, docks, and other amenities within the development. Plans must be designed to the 2018 NC Building Code design loads and structures must meet ADA requirements.
- Curb cuts at vehicular traffic areas and pedestrian crossings must be ADA compliant and have detectable warning devices installed.

Inspections notes

- Maintain 20' width for streets, 13'6" clear height.
- Provide "no street parking" signage at street entrances, cul de sacs, private alleys (where alley is part of fire access) provide "no parking signage at fire hydrants".
- Mark fire hydrant's locations in the center of road/street with blue reflectors.
- Dwellings greater than 4800 sq. ft. and/or greater than 2 stories will be calculated using the ISO commercial method.
- Dwellings 4800 sq. ft. and no greater than 2 stories may use setbacks as indicated in the ISO method to determine Needed Fire Flow.

NC DEQ-Division of Coastal Management, Charlan Owens 252-264-3901

No comment

**Southern Outer Banks Water, Benjie Carawan/Jim Williams, 252-453-2620 Will Rumsey
252-232-6065**

Approved
No Comment

Currituck County GIS, Harry Lee 252-232-2034

Reviewed
The cabana building downstairs will be addressed as 331-A Audubon Dr. The upstairs dwelling in the cabana building will be addressed as 331-B Audubon Dr. Lot # 1 will be 331 Audubon Dr. This is unavoidable as there already exists a 333 Audubon Dr (Hotel) and a 305 Audubon Dr. This could cause confusion after development.

Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Reviewed
*NOTE: PROPOSED PROJECT WASTEWATER ADDITION NEEDS TO BE APPROVED BY THE NC DEPT. OF WATER QUALITY (WASHINGTON REGIONAL OFFICE) AT 252-946-6481

Currituck County Economic Development, Larry Lombardi, 252-232-6015

Reviewed
No Comment

Currituck County Parks and Recreation, Jason Weeks, 252-232-3007

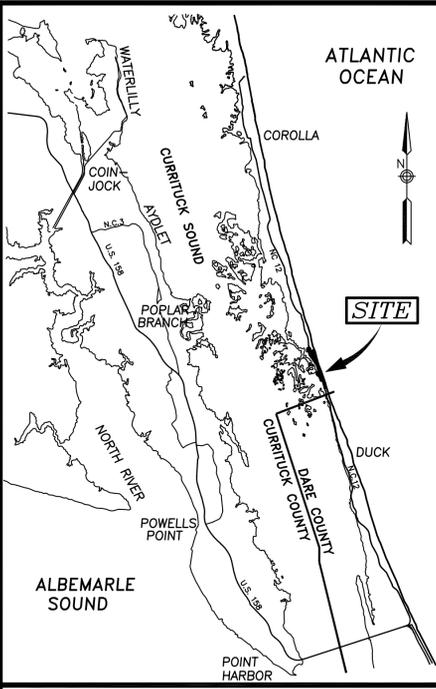
No Comment

US Army Corps of Engineers, Anthony Scarbraugh, 910-251-4619

Reviewed
Any impacts to jurisdictional waters or wetlands of the US require prior approval from the US Army Corps of Engineers.

The following items are necessary for resubmittal:

- 2 - 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.



PINE ISLAND, P.U.D.

POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

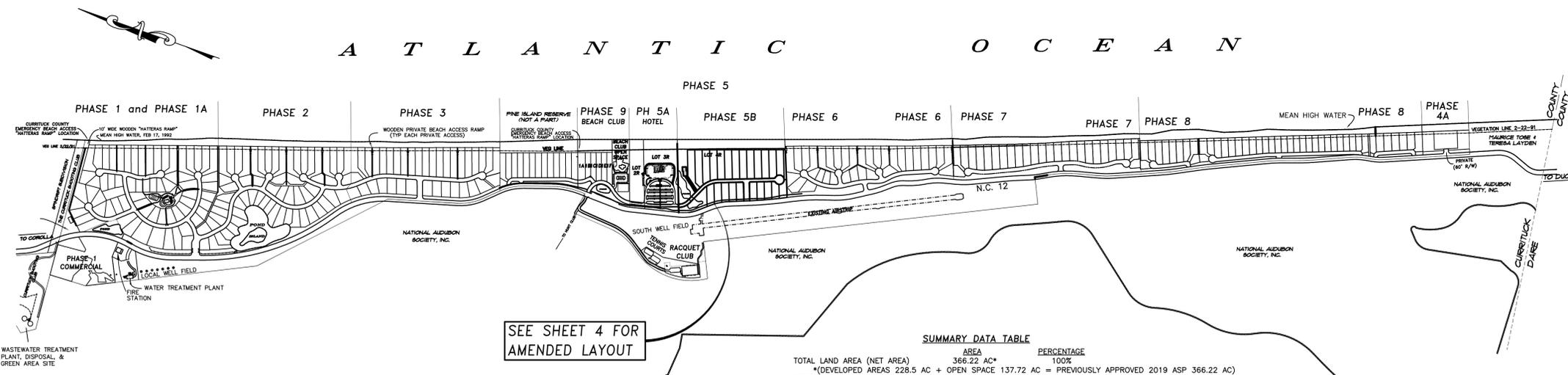
AUGUST 25, 2021

AMENDED SKETCH PLAN

(PHASE 5B)

GENERAL NOTES:

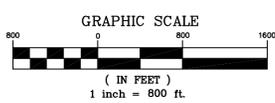
- OWNERS: PINE ISLAND PROPERTIES LLC (LOT 4R)
PI BEACH CLUB, LLC (LOT 1R)
PI DINER, LLC (LOT 2R)
PI OPEN SPACE, LLC (RACQUET CLUB)
TURNPIKE PROPERTIES, LLC (PH 1 COMMERCIAL)
4400 SILAS CREEK PKWY, SUITE 302
WINSTON SALEM, N.C. 27104
(336) 722-2236
- ENGINEER: QUILBE & ASSOCIATES, P.C.
P.O. DRAWER 870
KITTY HAWK, N.C. 27949
(252) 261-3300
- RECORDED REFERENCE: DB 1092, PG 439 & DB 1088, PG 369 & 371
- TOTAL PROJECT AREA: GROSS AREA 385.38 AC
AREA OF N.C.12 19.16 AC
NET AREA 366.22 AC
- DENSITY: 06/90 APPROVED DENSITY 350 UNITS/366.22 AC. = 0.96 UNITS/AC.
11/91 APPROVED DENSITY 350 UNITS/366.22 AC. = 0.96 UNITS/AC.
07/6/92 APPROVED DENSITY 350 UNITS/366.22 AC. = 0.92 UNITS/AC.
12/20/93 APPROVED DENSITY 336 UNITS/366.22 AC. = 0.92 UNITS/AC.
07/18/94 APPROVED DENSITY 285 UNITS/366.22 AC. = 0.78 UNITS/AC.
08/07/95 APPROVED DENSITY 266 UNITS/366.22 AC. = 0.73 UNITS/AC.
08/19/96 APPROVED DENSITY 273 UNITS/366.22 AC. = 0.75 UNITS/AC.
05/30/06 APPROVED DENSITY 273 UNITS/366.22 AC. = 0.83 UNITS/AC.
06/14 APPROVED DENSITY 340 UNITS/366.22 AC. = 1.02 UNITS/AC.
06/19 APPROVED DENSITY 303 UNITS/366.22 AC. = 0.83 UNITS/AC.
06/21 PROPOSED DENSITY 303 UNITS/366.22 AC. = 0.87 UNITS/AC.
- CURRENT DENSITY (LESS COMMERCIAL ACREAGE):
303 SFD LOTS / [366.22 TOTAL AC. - 18.47 AC. OF COMMERCIAL] = 0.87 UNITS/AC
- PROPOSED DENSITY (LESS COMMERCIAL ACREAGE):
303 SFD LOTS + 1 DWELLING UNIT / [366.22 TOTAL AC. - 18.7 AC. OF COMMERCIAL] = 0.87 UNITS/AC
- SITE ZONING: P.U.D. PLANNED UNIT DEVELOPMENT - (SFO/LB)
APPROVED BY CURRITUCK COUNTY
- NFIP ZONE: ZONE VARIES: SHADED X, "AE" 9, "AE" 8, "AE" 7, "AE" 6, "AE" 5
"VE" 15, "VE" 14, & "VE" 12; SUBJECT TO CHANGE BY FEMA
- ALL PLANNING AND DEVELOPMENT WORK MUST BE IN ACCORDANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ZONING ORDINANCES.
- ALL BUILDING CONSTRUCTION MUST BE DONE IN ACCORDANCE WITH THE NORTH CAROLINA STATE BUILDING CODES, LATEST REVISIONS.
- BIKE, JOGGING, AND GOLF CART PATH WILL BE PROVIDED THROUGHOUT DEVELOPMENT EITHER AS A PORTION OF THE INTERIOR ROADWAY SYSTEM OR ADJACENT TO THE ROADWAYS.
- CAMA SETBACKS ARE BASED ON THE CAMA REGULATIONS IN EFFECT AT THE TIME THE SUBDIVISION PHASE RECEIVED FINAL APPROVAL FROM CURRITUCK COUNTY. NODENR, DCM AND ALL PHASES ARE SUBJECT TO THE CAMA RULES IN EFFECT AT THE TIME OF CAMA PERMIT APPLICATION.
- PURPOSE: TO AMEND THE EXISTING PINE ISLAND PUD PHASE 5B TO ALLOCATE COMMERCIAL AREA AROUND THE CABANA TO ESTABLISH AN UPPER STORY DWELLING UNIT. OPEN SPACE SET-ASIDE PROVIDED EXCEEDS THE 20% MINIMUM REQUIRED FOR MIXED-USE DEVELOPMENT. PLEASE ACKNOWLEDGE THAT LOT 2R CONTINUES TO BE DESIGNATED AS COMMERCIAL AREA AND COUNTED TOWARDS RESIDENTIAL UNIT DENSITY. OPEN SPACE AND DENSITY CONTINUE TO MEET PUD REQUIREMENTS.



SEE SHEET 4 FOR AMENDED LAYOUT

SUMMARY DATA TABLE

DEVELOPMENT AREAS:	AREA	PERCENTAGE
TOTAL LAND AREA (NET AREA)	366.22 AC*	100%
*(DEVELOPED AREAS 228.5 AC + OPEN SPACE 137.72 AC = PREVIOUSLY APPROVED 2019 ASP 366.22 AC)		
PUBLIC BEACH ACCESS	±1.6 AC	
STREETS (INCL. N.C. 12)	±45.04 AC	
RACQUET CLUB (INCLUDED IN OPEN SPACE CALCULATIONS)	±4.6 AC	
AIRSTRIps	±3.61 AC	
LOTS 1A-1F - 6 S.F. LOTS	±3.19 AC	
BEACH CLUB (INCLUDED IN OPEN SPACE CALCULATIONS)	±3.19 AC	
LOT 2R - COMMERCIAL	±3.19 AC	(ALSO COUNTED AS A UNIT TOWARD RESIDENTIAL DENSITY)
LOT 3R - COMMERCIAL (HOTEL)	±7.83 AC	
LOT 4R - (23 SFD LOTS + DU)	±18.2 AC	
PHASE 1 COMMERCIAL	±7.45 AC	
273 SINGLE FAMILY LOTS	±135.9 AC	
FIRE STATION	±0.75 AC	
TOTAL OPEN SPACE	±137.72 AC	±37.6%
OPEN SPACE CALCULATIONS:		
PASSIVE/ACTIVE RECREATION	±128.57 AC	±93.36% OF TOTAL OPEN SPACE
REMAINING OPEN SPACE	±9.15 AC	±6.64% OF TOTAL OPEN SPACE
TOTAL COMMERCIAL	±18.7 AC	
LOT 2R - COMMERCIAL	±3.19 AC	
(FORMERLY DINER/NOW SFD - ALSO COUNTED AS A UNIT TOWARD RESIDENTIAL DENSITY)		
LOT 3R - COMMERCIAL (HOTEL)	±7.83 AC	
PHASE 1 COMMERCIAL	±7.45 AC	
PHASE 4R COMMERCIAL	±0.23 AC	
DENSITY:		
303 SINGLE FAMILY LOTS + 1 DWELLING UNIT / [366.22 TOTAL AC. - 18.7 AC. OF COMMERCIAL] = 0.87 UNITS/AC.		



SHEET INDEX

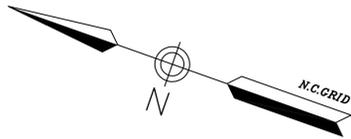
SHEET NO.	DESCRIPTION
1	COVER and SUMMARY DATA TABLE
2	PHASES 8, 4A
3	PHASES 6 & 7
4	PHASES 5 & 9
5	PHASES 1,2,3, & 1A

DEVELOPER:

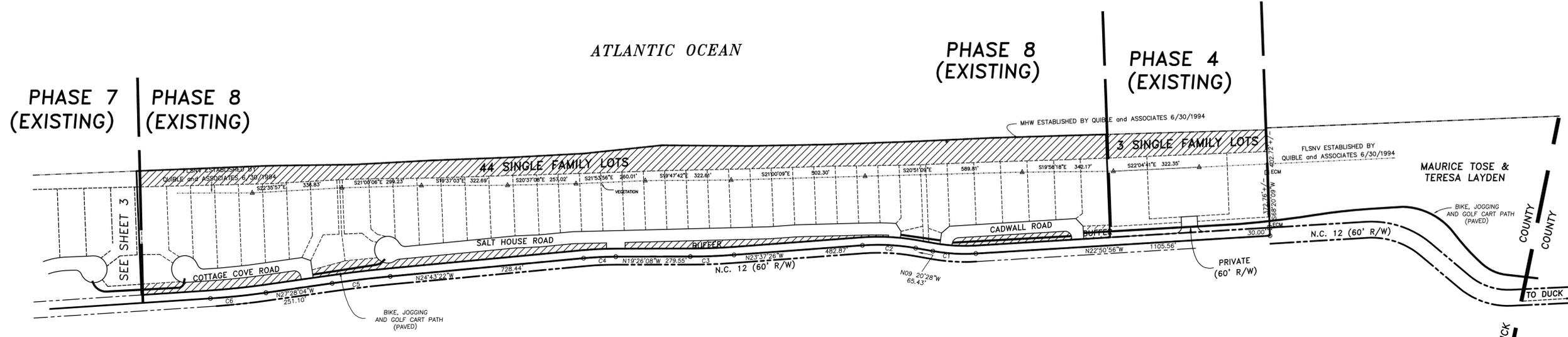
TURNPIKE PROPERTIES, LLC
4400 SILAS CREEK PKWY, SUITE 302
WINSTON SALEM, N.C. 27104

Quible & Associates, P.C.
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 ENVIRONMENTAL SCIENCES * SURVEYING**
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 8486 CARATOKE HWY. POWELLS POINT, NC 27966
 Phone: (252) 491-8147 Fax: (252) 491-8146
 90 CHURCH STREET, SUITE B BLACK MOUNTAIN, NC 28711
 Phone: (828) 793-0398 Fax: (828) 491-8146
 administrator@quible.com admin@quible.com

ISSUE DATE: 08/25/21 REVISIONS AS NOTED ON EACH SHEET



CAMA SETBACKS ARE BASED ON THE CAMA REGULATIONS IN EFFECT AT THE TIME THE SUBDIVISION PHASE RECEIVED FINAL APPROVAL FROM CURRITUCK COUNTY, NCDENR, DCM AND ALL PHASES ARE SUBJECT TO THE CAMA RULES IN EFFECT AT THE TIME OF CAMA PERMIT APPLICATION.



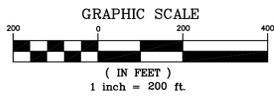
CURVE #	RADIUS	DELTA	LENGTH	TANGENT	CHORD	BEARING
C1	687.55'	13 30'28"	162.09'	81.42'	161.72'	N16-05-42.0W
C2	805.09'	14 16'58"	200.69'	100.87'	200.16'	N16-28-57.1W
C3	2246.69'	4 11'19"	164.25'	82.19'	164.21'	N21-31-47.1W
C4	1312.12'	5 17'14"	121.08'	60.58'	121.04'	N22-04-45.1W
C5	4583.56'	2 44'42"	219.60'	109.82'	219.58'	N26-05-43.2W
C6	2750.20'	4 21'38"	209.31'	104.71'	209.26'	N23-17-12.4W

NATIONAL AUDUBON SOCIETY, INC.

NATIONAL AUDUBON SOCIETY, INC.

- PHASE 4 & 8 NOTES:**
1. PHASE 4A CONSISTS OF 3 (THREE) SINGLE FAMILY LOTS
 2. PHASE 8 TO CONSISTS OF 44 SINGLE FAMILY LOTS

LEGEND
 DENOTES OPEN SPACE



NC License# C-0208
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 80 CHURCH STREET, SUITE 11
 WASHINGTON, NC 27878
 Phone: (888) 793-0398
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 www.quible.com

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NO.	DATE	REVISIONS
4	12/08/93	PHASE 4 AMENDMENT
5	07/09/94	PHASES 1A, 4A, 4B AND 8 AMENDMENT
6	07/02/94	METES & BOUNDS (VEGETATION LINE)
7	07/10/95	PHASE 7 and 8 AMENDMENT
8	03/23/98	PRE AND RESCUE AMENDMENT
9	08/02/99	RELOCATE PHASE 4A ENTRANCE
10	06/30/06	UPDATE ADJONER ADDRESSES

PHASES 4 & 8

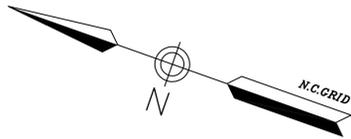
AMENDED SKETCH PLAN

PINE ISLAND P.U.D.

POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

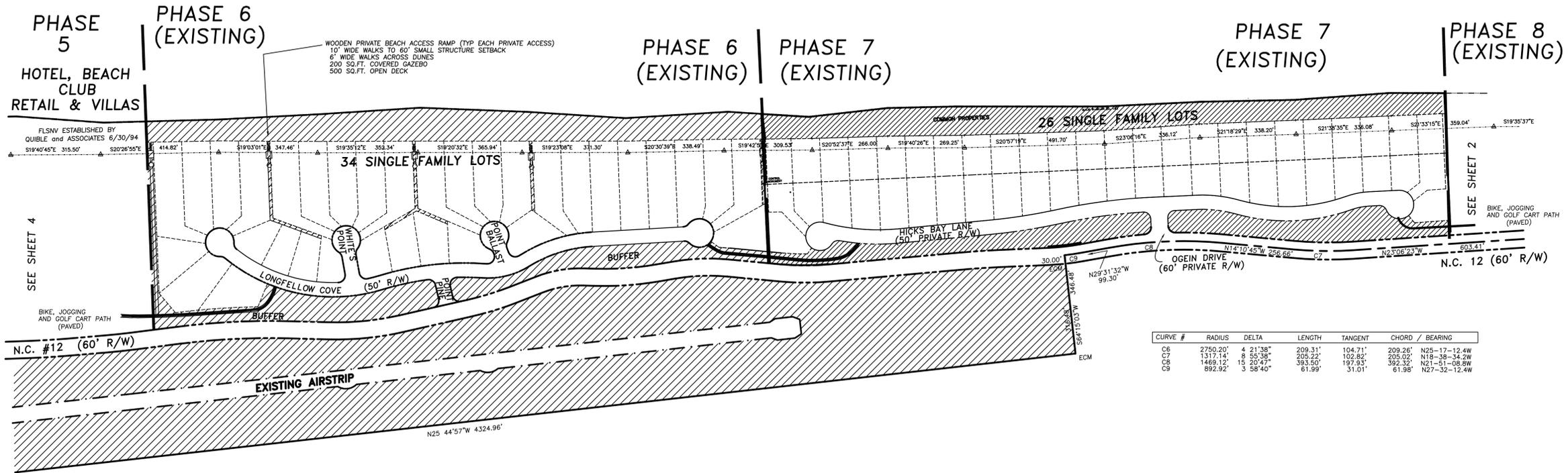
COMMISSION NO.	P90096
DESIGNED BY	OTHERS
DRAWN BY	DN/SB/MH
CHECKED BY	SCB/MWS
ISSUE DATE	11/06/91

SHEET NO.
2
 OF 5 SHEETS



CAMA SETBACKS ARE BASED ON THE CAMA REGULATIONS IN EFFECT AT THE TIME THE SUBDIVISION PHASE RECEIVED FINAL APPROVAL FROM CURRITUCK COUNTY, NCDENR, DCM AND ALL PHASES ARE SUBJECT TO THE CAMA RULES IN EFFECT AT THE TIME OF CAMA PERMIT APPLICATION.

ATLANTIC OCEAN

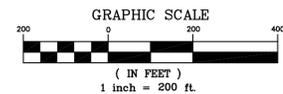


CURVE #	RADIUS	DELTA	LENGTH	TANGENT	CHORD / BEARING
C6	2750.20'	4 21'38"	209.31'	104.71'	209.26' N25-17-12.4W
C7	1317.14'	8 55'38"	205.22'	102.82'	205.02' N18-38-34.2W
C8	1469.12'	15 20'47"	393.50'	197.93'	392.32' N21-51-08.8W
C9	892.92'	3 58'40"	61.99'	31.01'	61.98' N27-32-12.4W

LEGEND
[Hatched box symbol] DENOTES OPEN SPACE

PHASE 7 & 6 NOTES:
1. PHASE 7 TO CONSISTS OF 26 SINGLE FAMILY LOTS
2. PHASE 6 TO CONSISTS OF 34 SINGLE FAMILY LOTS

NATIONAL AUDUBON SOCIETY, INC.



Quible & Associates, P.C.
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www.quible.com

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CERTIFICATION

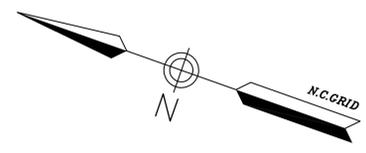
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NO.	DATE	REVISIONS
4	09/25/92	STORMWATER MANAGEMENT PLAN NOTES
5	12/08/93	PHASE 4 AMENDMENT
6	06/21/94	PHASES 6 & 7 AMENDMENT
7	07/06/94	PHASES 1A-A, 4B AND 6 AMENDMENT
8	07/06/94	MEETS & BOUNDS (VEGETATION LINE)
9	07/10/96	PHASE 7 and 8 AMENDMENT
10	03/23/98	FIRE AND RESCUE AMENDMENT

PHASES 6 & 7
AMENDED SKETCH PLAN
PINE ISLAND P.U.D.
NORTH CAROLINA
CURRITUCK COUNTY
POPLAR BRANCH TOWNSHIP

COMMISSION NO. **P90096**
DESIGNED BY **OTHERS**
DRAWN BY **DN/SB/MH**
CHECKED BY **SCB/MWS**
ISSUE DATE **11/06/91**

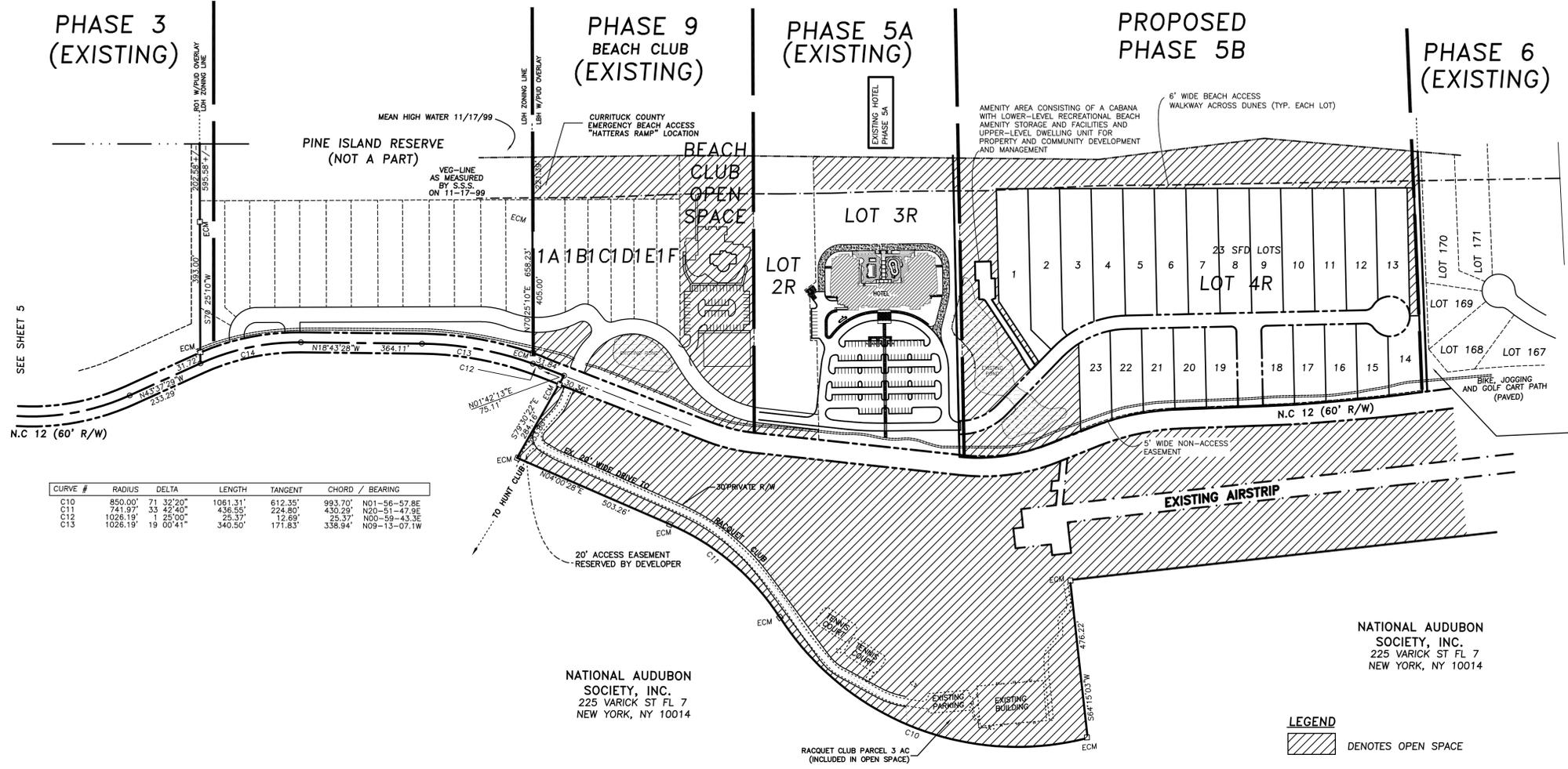
SHEET NO.
3
OF 5 SHEETS



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ATLANTIC OCEAN

PHASE 5

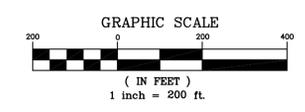


CURVE #	RADIUS	DELTA	LENGTH	TANGENT	CHORD	BEARING
C10	850.00'	71 32'20"	1081.31'	612.35'	993.70'	N01-56-57.8E
C11	741.97'	33 42'49"	436.55'	224.80'	430.29'	N20-51-47.9E
C12	1026.19'	1 25'00"	25.37'	12.69'	25.37'	N00-59-43.3E
C13	1026.19'	19 00'41"	340.50'	171.83'	338.94'	N09-13-07.1W

PARCEL WEST OF N.C. 12 NOTES:

1. PARCEL ON WEST SIDE OF N.C. 12 WHICH CONTAINS THE EXISTING AIRSTRIP, 20' WIDE DRIVE TO RACQUET CLUB, EXISTING RACQUET CLUB, EXISTING PARKING, OUTDOOR TENNIS COURTS AND THE CONTINUOUS PROPERTY AND ARE PART OF THE OPEN SPACE OR COMMON AREA.
2. DEVELOPER RESERVES A 20' PERPETUAL EASEMENT FOR ACCESS TO AND FROM HUNT CLUB

LEGEND
[Hatched Box] DENOTES OPEN SPACE



LOT 171
JT ANDERSON FAMILY LLC
12150 TAC CT.
MANASSAS, VA 20109

LOT 170
DANIEL S. PLACHA
LAURA C. PLACHA
103 CEDARBROOK CT.
OAKDALE, PA 15071

LOT 169
WILLIAM H. KUEHNLE
LINDA B. BRIDGEMAN
529 S LEE ST
ALEXANDRIA, VA 22314

LOT 168
ROBERT H. RICHARDSON
LAURA R. RICHARDSON
10029 INKPEN PL
ELLICOTT CITY, MD 21042

LOT 167
KATHLEEN J. PAGE TRUST
7406 WINDY HILL COURT
MCLEAN, VA 22102

OPEN SPACE
PINE ISLAND POA, INC.
C/O SEASIDE MANAGEMENT
P.O. BOX 1465
KITTY HAWK, NC 27949

NC License# C-0208
SINCE 1959
Quible & Associates, P.C.
ENGINEERING • CONSULTING • PLANNING
ENVIRONMENTAL SCIENCES • SURVEYING**
8466 CAROLINE HWY. SUITE 100
90 CHURCH STREET, SUITE B
DURHAM, NC 27704
Phone: (858) 91-8147
Fax: (858) 91-8147
www.quible.com

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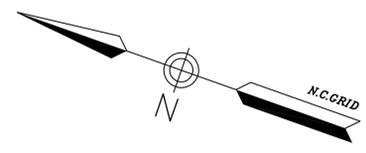
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SALES OR LAND CONVEYANCES.

NO.	DATE	REVISIONS
9	05/05/06	RECOMBINATION OF COMMERCIAL PROPERTY
10	05/30/06	REVISE PER 5/17/06 TECHNICAL REVIEW MEETING
11	06/28/14	REVISED PHASE B & RACQUET CLUB
12	06/11/19	REVISED PHASE 9B
13	06/26/19	REVISED PER TRC REVIEW COMMENTS
14	07/22/21	REVISED PER CABANA COMMERCIAL ADDITION
15	08/25/21	CLARIFICATION OF CABANA USE

PHASES 5 & 9
AMENDED SKETCH PLAN
PINE ISLAND P.U.D.
NORTH CAROLINA
CURRITUCK COUNTY
POPLAR BRANCH TOWNSHIP

COMMISSION NO.	P90096
DESIGNED BY	OTHERS
DRAWN BY	DN/SB/MH
CHECKED BY	SCB/MWS
ISSUE DATE	11/06/91

SHEET NO.
4
OF 5 SHEETS



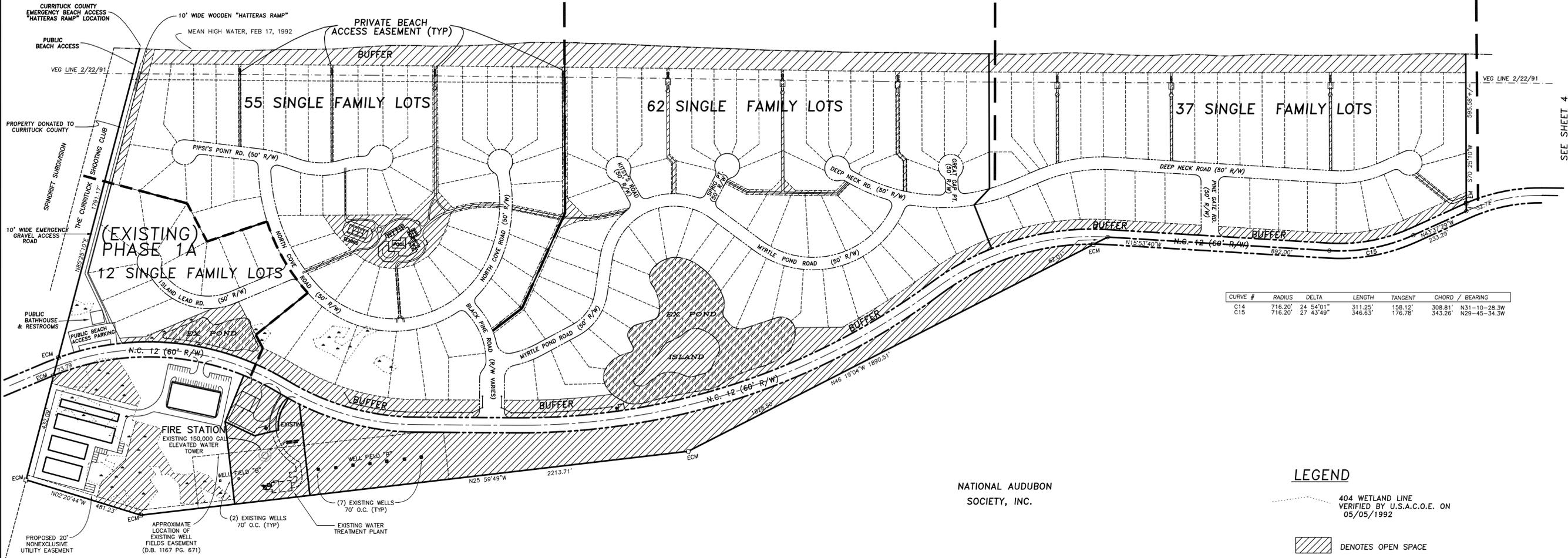
CAMA SETBACKS ARE BASED ON THE CAMA REGULATIONS IN EFFECT AT THE TIME THE SUBDIVISION PHASE RECEIVED FINAL APPROVAL FROM CURRITUCK COUNTY, NCDENR, DCM AND ALL PHASES ARE SUBJECT TO THE CAMA RULES IN EFFECT AT THE TIME OF CAMA PERMIT APPLICATION.

ATLANTIC OCEAN

PHASE 1 (EXISTING)

PHASE 2 (EXISTING)

PHASE 3 (EXISTING)

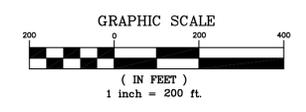


CURVE #	RADIUS	DELTA	LENGTH	TANGENT	CHORD	BEARING
C14	716.20'	24 54'01"	311.25'	158.12'	308.81'	N31-10-28.3W
C15	716.20'	27 43'49"	346.63'	176.78'	343.26'	N29-45-34.3W

LEGEND
 404 WETLAND LINE VERIFIED BY U.S.A.C.O.E. ON 05/05/1992
 DENOTES OPEN SPACE

EXISTING PHASE 1, 2, & 3 NOTES:

1. PHASE 1 CONSISTS OF 55 SINGLE FAMILY LOTS
2. PHASE 2 CONSISTS OF 62 SINGLE FAMILY LOTS
3. PHASE 3 CONSISTS OF 37 SINGLE FAMILY LOTS
4. PHASE 1A CONSISTS OF 12 SINGLE FAMILY LOTS



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 Fax: (919) 881-1428
 email: info@quible.com

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NO.	DATE	REVISIONS
7	07/10/95	PHASE 7 and 8 AMENDMENT
8	03/23/98	FIRE AND RESCUE AMENDMENT
9	06/29/14	ADD PH 1 COMMERCIAL AREA
10	08/03/2016	EXPAND PH 1 COMMERCIAL AREA
11	8/22/2016	REVISE PH 1 COMMERCIAL AREA PER TRC COMMENTS
12	8/22/2016	REVISE EASEMENTS PER TRC COMMENTS
13	9/19/2016	REVISE ACCESS PER OWNER

PHASES 1, 2, 3 & 1A
AMENDED SKETCH PLAN
PINE ISLAND P.U.D.
 POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

COMMISSION NO.	P90096
DESIGNED BY	OTHERS
DRAWN BY	DN/SB/MH
CHECKED BY	SCB/MWS
ISSUE DATE	11/06/91

SHEET NO.
5
 OF 5 SHEETS

PINE ISLAND PUD, PHASE 5B

ADDRESS ASSIGNMENT: LOWER LEVEL CABANA = 331-A AUDUBON DR. UPPER LEVEL CABANA = 331-B AUDUBON DR. LOT 1 = 331 AUDUBON DR. LOT 2 = 329 AUDUBON DR. LOT 3 = 327 AUDUBON DR. LOT 4 = 325 AUDUBON DR. LOT 5 = 323 AUDUBON DR. LOT 6 = 321 AUDUBON DR. LOT 7 = 319 AUDUBON DR. LOT 8 = 317 AUDUBON DR. LOT 9 = 315 AUDUBON DR. LOT 10 = 313 AUDUBON DR.	LOT 11 = 311 AUDUBON DR. LOT 12 = 309 AUDUBON DR. LOT 13 = 307 AUDUBON DR. LOT 14 = 306 AUDUBON DR. LOT 15 = 308 AUDUBON DR. LOT 16 = 310 AUDUBON DR. LOT 17 = 312 AUDUBON DR. LOT 18 = 314 AUDUBON DR. LOT 19 = 318 AUDUBON DR. LOT 20 = 320 AUDUBON DR. LOT 21 = 322 AUDUBON DR. LOT 22 = 324 AUDUBON DR. LOT 23 = 326 AUDUBON DR.
--	--

OWNERSHIP & DEDICATION CERTIFICATE

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF CURRITUCK COUNTY, THAT I HEREBY FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAN AS STREETS, UTILITIES, ALLEYS, WALKS, RECREATION AND PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY OR HOME OWNERS ASSOCIATION. ALL PROPERTY SHOWN ON THIS PLAN AS DEDICATED FOR PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH USE IS APPROVED BY THE APPROPRIATE PUBLIC AUTHORITY IN THE PUBLIC INTEREST.

OWNER _____ DATE _____

NOTARY CERTIFICATE

I, _____, A NOTARY PUBLIC OF _____ COUNTY NORTH CAROLINA, DO HEREBY CERTIFY THAT _____ PERSONALLY APPEARED BEFORE ME THIS DATE AND ACKNOWLEDGE THE DUE EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____ 2019.

NOTARY PUBLIC _____ DATE _____

PRIVATE STREETS OWNER CERTIFICATE

I HEREBY CERTIFY THAT THE PRIVATE STREETS SHOWN ON THIS PLAN ARE INTENDED FOR PRIVATE USE AND WILL REMAIN UNDER THE CONTROL, MAINTENANCE AND RESPONSIBILITY OF THE DEVELOPER AND/OR A HOMEOWNER'S ASSOCIATION AND ACKNOWLEDGE THAT SOME PUBLIC SERVICES MAY NOT BE PROVIDED DUE TO THE PRIVATE NATURE OF THE ROAD.

OWNER _____ DATE _____

APPROVAL CERTIFICATE

I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAN IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND, THEREFORE, THIS PLAN HAS BEEN APPROVED BY THE CURRITUCK COUNTY ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE OFFICE OF THE CURRITUCK COUNTY REGISTER OF DEEDS WITHIN NINETY (90) DAYS OF THE DATE BELOW.

ADMINISTRATOR _____ DATE _____

ENVIRONMENTAL CONCERN CERTIFICATE

THIS SUBDIVISION (OR PORTIONS THEREOF) IS LOCATED WITHIN AN AREA OF ENVIRONMENTAL CONCERN

LOCAL PERMIT OFFICER _____ DATE _____

REVIEW OFFICER'S CERTIFICATE

STATE OF NORTH CAROLINA
COUNTY OF CURRITUCK

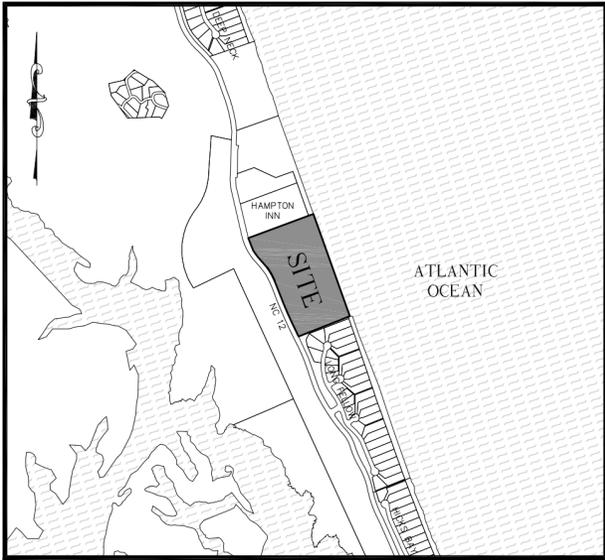
I, _____, REVIEW OFFICER OF CURRITUCK COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

IMPROVEMENTS CERTIFICATE

I HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY QUIBLE & ASSOCIATES, P.C., AND SAID IMPROVEMENTS COMPLY WITH CURRITUCK COUNTY SPECIFICATIONS.

REGISTERED ENGINEER _____ DATE _____



VICINITY MAP (Pine Island)
1"=1,500'

PRIVATE ACCESS DISCLOSURE STATEMENT

PRIVATE ACCESS STREETS DO NOT MEET THE NCDOT'S MINIMUM STANDARDS FOR ASSUMPTION OF MAINTENANCE. CURRITUCK COUNTY DOES NOT CONSTRUCT OR MAINTAIN STREETS. FURTHER SUBDIVISION OF ANY LOT SHOWN ON THIS PLAN MAY BE PROHIBITED BY THE CURRITUCK COUNTY UDO UNLESS THE PRIVATE ACCESS STREET IS IMPROVED CONSISTENT WITH MINIMUM NCDOT STANDARDS.

EASEMENT ESTABLISHMENT STATEMENT

A 10 FOOT EASEMENT FOR UTILITIES AND DRAINAGE ALONG REAR AND SIDE PROPERTY LINES AND A 15 FOOT EASEMENT ALONG THE FRONT PROPERTY LINE IS HEREBY ESTABLISHED.

ALL SIDEWALK AREAS ARE HEREBY ESTABLISHED AS PEDESTRIAN EASEMENTS.

FLOODWAY/FLOODPLAIN STATEMENT

USE OF LAND WITHIN A FLOODWAY OR FLOODPLAIN IS SUBSTANTIALLY RESTRICTED BY CHAPTER 7 OF THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.

PUBLIC DEDICATION OF RECREATION AND PARK AREA STATEMENT

A PAYMENT-IN-LIEU OF RECREATION AND PARK AREA DEDICATION HAS BEEN PROVIDED IN ACCORDANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE. PAYMENTS-IN-LIEU RECEIVED BY THE COUNTY SHALL BE USED ONLY FOR THE ACQUISITION OR DEVELOPMENT OF RECREATION AND PARK AREAS, AND OPEN SPACE SITES CONSISTENT WITH THE REQUIREMENTS OF NORTH CAROLINA GENERAL STATUTES SECTION 153A-331.

STORMWATER STATEMENT

NO MORE THAN 45% OF LOTS 1-23 SHALL BE COVERED BY IMPERVIOUS STRUCTURES AND MATERIALS, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK, STONE, SLATE, OR SIMILAR MATERIAL, NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH THE STORMWATER PERMIT NUMBER ISSUED BY THE STATE OF NORTH CAROLINA. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SWALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRIVEWAY CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON. THE LOT COVERAGE ALLOWANCE PROVIDED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE MAY BE DIFFERENT THAN THE NC STATE STORMWATER PERMIT. THE MOST RESTRICTIVE LOT COVERAGE SHALL APPLY.

SURVEYOR'S CERTIFICATE

I, JOHN M. HURDLE, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (SEE NOTES); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS DASHED LINES AND ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN (SEE NOTES); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 41-30 AS AMENDED.

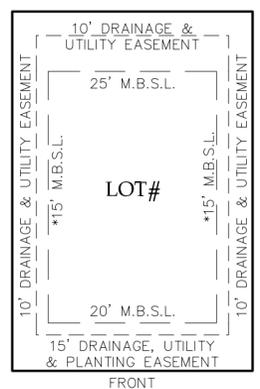
THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION AND SEAL THIS _____ DAY OF _____, 2020, A.D.

JOHN M. HURDLE, PLS. NC L-5204

- NOTES:**
- PROPERTY OWNER / APPLICANT: PINE ISLAND PROPERTIES LLC, 100 SOUTH STRATFORD RD, SUITE 300 WINSTON SALEM, NC 27103
 - PROPERTY IDENTIFICATION: PID: 0128000002H0000 PIN: 9942-TT-0603
 - RECORDED REFERENCE: D.B. 1071, PG. 310, PG. "J", SL 118
 - PROPERTY ZONED: LIMITED BUSINESS (LB) W/UD OVERLAY
 - TOTAL AREA = 1,095,671.41 SQ. FT. (25.15 AC)
OPEN SPACE = 245,094.81 SQ. FT. (6.77 AC) OR 26.9%
COMMERCIAL = 10,133 SQ. FT. (0.23 AC)
LOT AREA = 708,178.02 SQ. FT. (16.26 AC)
ROW = 82,260.42 SQ. FT. (1.89 AC)
 - PROPOSED 23 LOT SUBDIVISION WITH UPPER STORY DWELLING UNIT LOCATED WITHIN COMMERCIAL AREA DESIGNATION.
 - BOUNDARY AND TOPOGRAPHIC DATA SHOWN ON THIS PLAN ARE BASED ON SURVEY BY QUIBLE & ASSOCIATES, P.C., DATED 10/22/12.
 - PROPERTY LOCATED IN FIRM ZONES "VE" (11) & "X" PANEL#: 3120944200K DATED 12/21/08. (SUBJECT TO CHANGE BY FEMA)
 - VERTICAL DATUM NAVD 88, BASED UPON RAPID STATIC GPS POST PROCESSED IN OPUS AND NGS MONUMENT "RUN".
 - THIS PLAN SUBJECT TO ANY FACTS, INCLUDING BUILDING SETBACK RESTRICTIONS, EASEMENTS, COVENANTS, ETC., THAT MAY BE REVEALED BY A FULL AND ACCURATE TITLE SEARCH.
 - HORIZONTAL DATUM IS NAD83 (2011), DERIVED FROM NGS MONUMENT "RUN".
 - THERE ARE NO JURISDICTIONAL WETLANDS OR WATERS ON THE SUBJECT PROPERTY.
 - SOIL TYPES: NEWHAN FINE SAND (N6C), BEACHES-NEWHAN ASSOCIATION (BN) (SOILS BOUNDARY SHOWN IS APPROXIMATE).

- LEGEND**
- EXISTING ASPHALT PAVEMENT
 - EXISTING IRON ROD
 - EXISTING TELEPHONE
 - EXISTING CABLE
 - EXISTING TRANSFORMER
 - EXISTING FIRE HYDRANT
 - EXISTING WATER VALVE
 - EXISTING CONTOUR
 - FIRM ZONE BOUNDARY
 - EXISTING STORMWATER PIPE
 - EXISTING WATERLINE
 - EXISTING FORCEMAIN
 - EXISTING TELEPHONE
 - EXISTING CABLE
 - EXISTING FIBER OPTIC
 - TOTAL DISTANCE
 - PROPOSED SANITARY MANHOLE/PUMP STATION
 - PROPOSED WATERLINE
 - PROPOSED SANITARY SEWER



TYPICAL LOT SETBACKS & EASEMENTS
*CORNER LOTS SHALL HAVE 20' SIDE M.B.S.L.

NC License#: C-0208
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AMENDED PRELIMINARY PLAT 1 OF 3

LOT 4R

PINE ISLAND PUD, PHASE 5B

POPULAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

COMMISSION NO.	P12073
DRAWN BY	CMS/JMH
CHECKED BY	JMH
SCALE	1"=80'
ISSUE DATE	08/25/21

NC License#: C-0208
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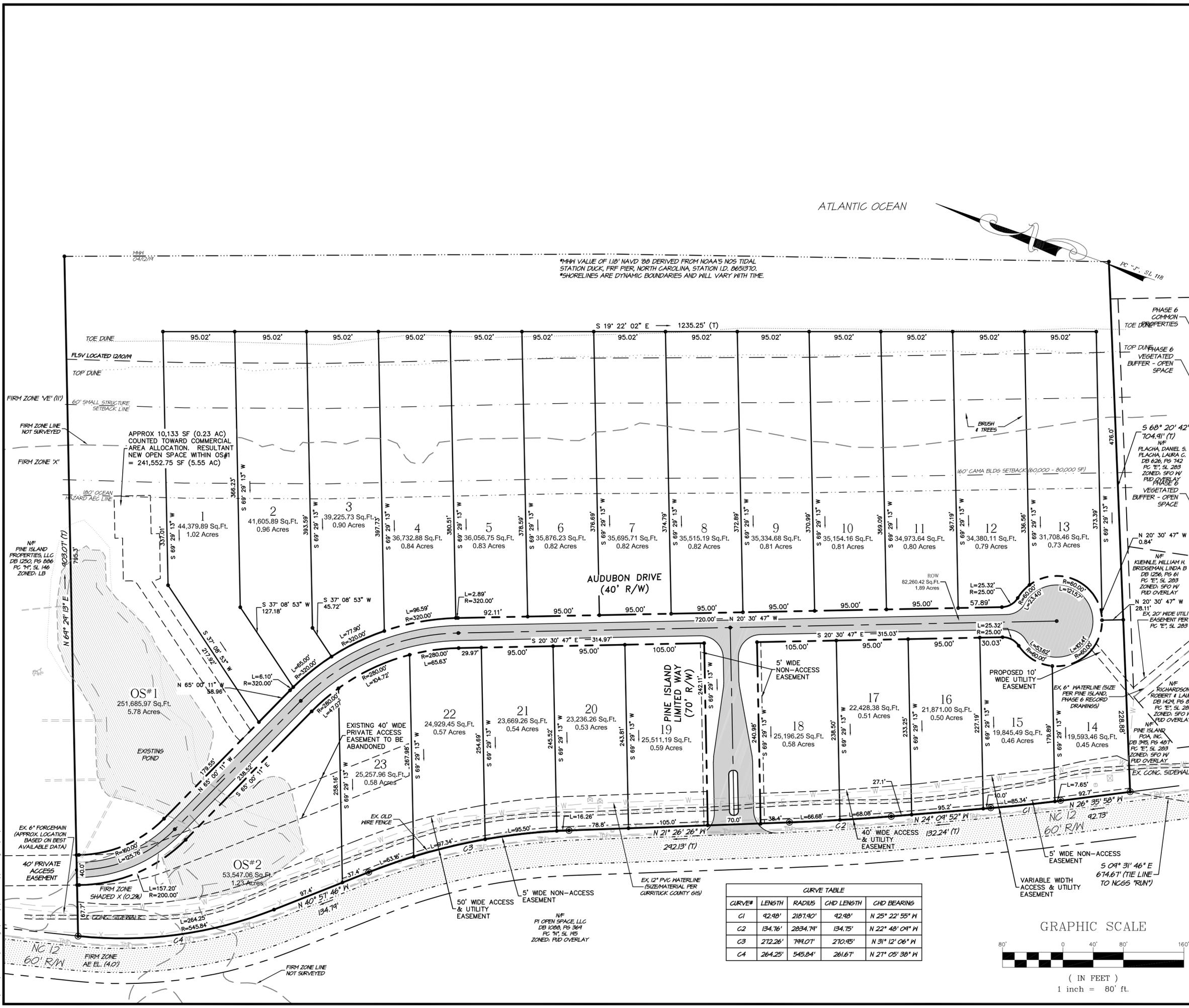
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AMENDED PRELIMINARY PLAT 2 OF 3

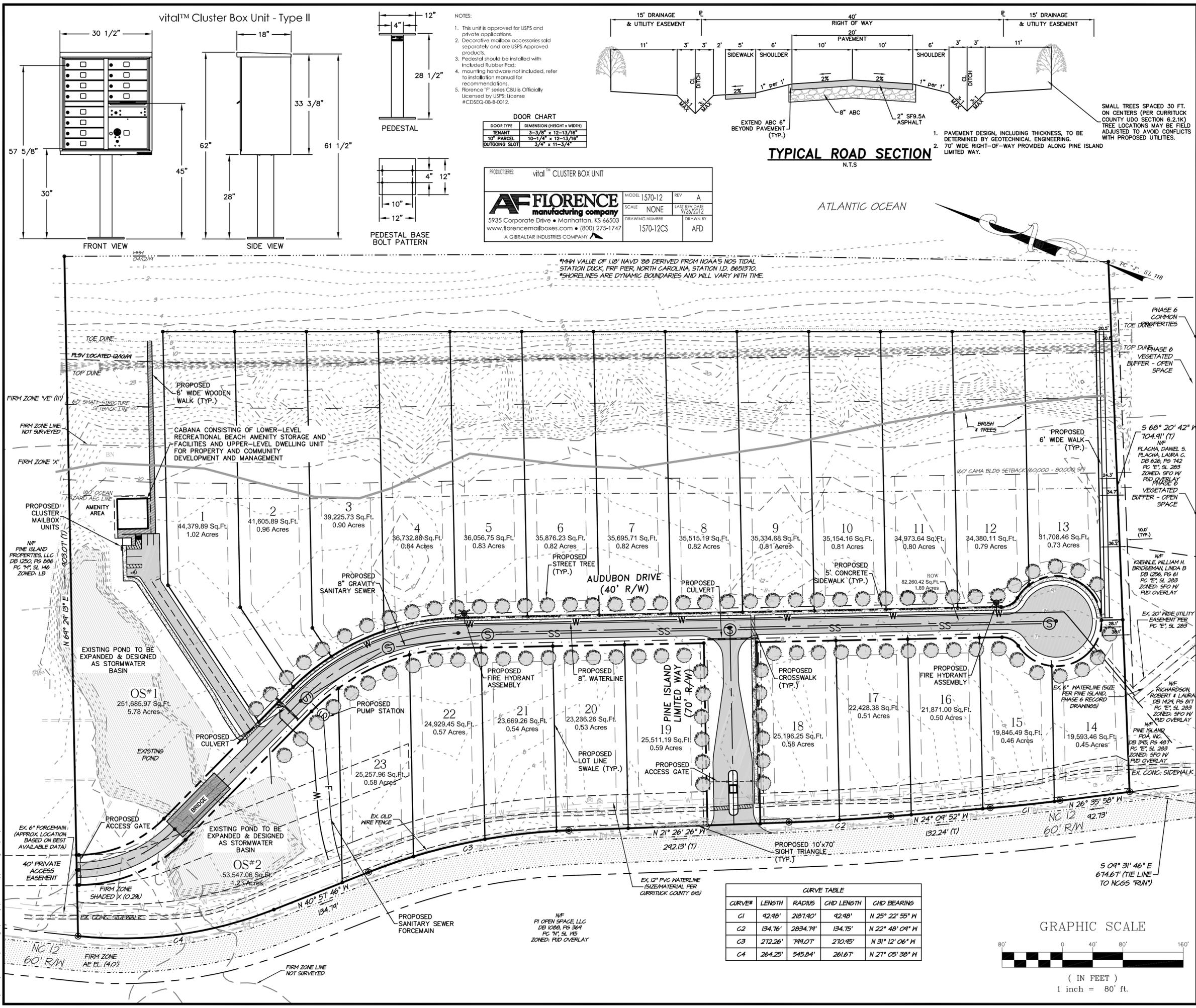
LOT 4R
PINE ISLAND PUD, PHASE 5B
 POPLAR BRANCH TOWNSHIP
 CURRITUCK COUNTY
 NORTH CAROLINA

COMMISSION NO.
P12073
 DRAWN BY
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 CHECKED BY
JMH
 SCALE
1"=80'
 ISSUE DATE
08/25/21

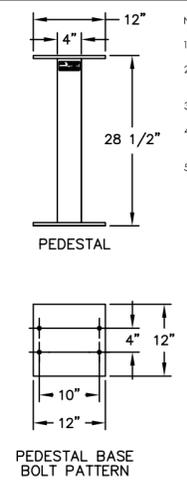
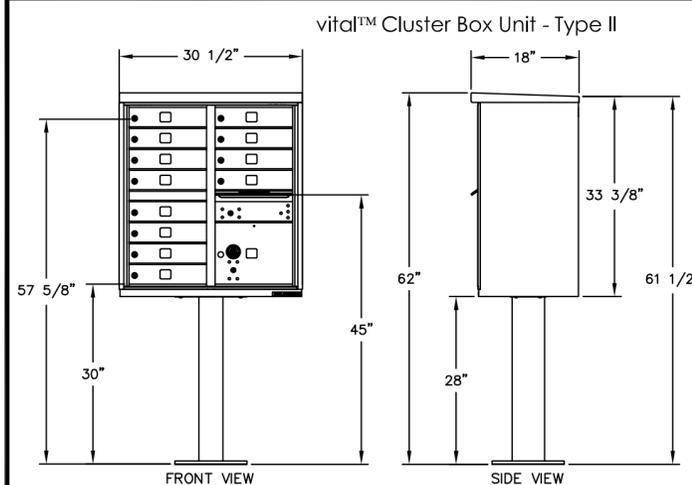


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Attachment: 4-P12073-pplat-2021-08-25 (PB 90-07 Pine Island PUD Phase 5B)



G:\2012\12\12073\Drawings\Survey\12073-plat.dwg 8/25/2021 11:09 AM Mastroder



- NOTES:**
- This unit is approved for USPS and private applications.
 - Decorative mailbox accessories sold separately and are USPS Approved products.
 - Pedestal should be installed with Included Rubber Pad.
 - Mounting hardware not included, refer to installation manual for recommendations.
 - Florence "T" series CBU is Officially Licensed by USPS License #CDSEQ-08-8-0012.

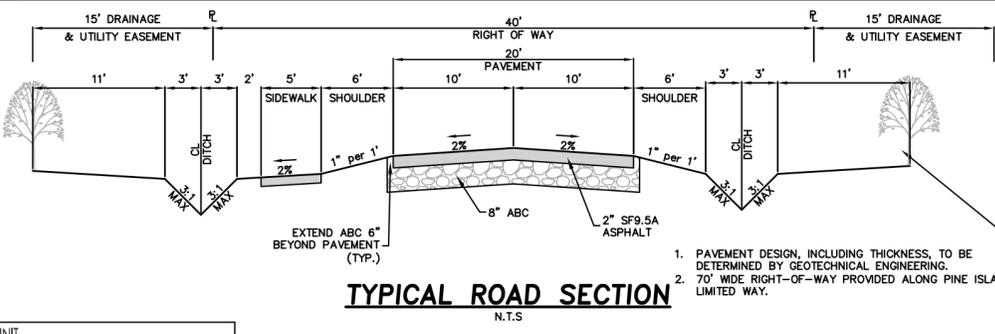
DOOR CHART

DOOR TYPE	DIMENSION (HEIGHT x WIDTH)
TENANT	3'-3/8" x 12'-13/16"
10' PARCEL	10'-1/4" x 12'-13/16"
OUTGOING SLOT	3/4" x 11'-3/4"

AF FLORENCE manufacturing company
 5935 Corporate Drive • Manhattan, KS 66503
 www.florencemailboxes.com • (800) 275-1747
 A GIBRALTAR INDUSTRIES COMPANY

PRODUCT SERIES: vital™ CLUSTER BOX UNIT

MODEL	1570-12	REV	A
SCALE	NONE	LAST REV DATE	9/24/2019
DRAWING NUMBER	1570-12CS	DRAWN BY	AFD



- PAVEMENT DESIGN, INCLUDING THICKNESS, TO BE DETERMINED BY GEOTECHNICAL ENGINEERING.
- 70' WIDE RIGHT-OF-WAY PROVIDED ALONG PINE ISLAND LIMITED WAY.

NC License#: C-0208
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 administrator@quible.com

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AMENDED PRELIMINARY PLAT 3 OF 3

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AMENDED PRELIMINARY PLAT 3 OF 3

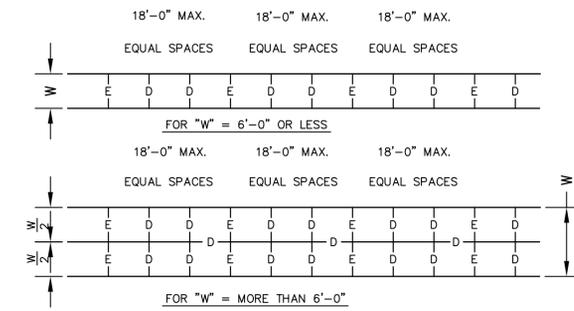
LOT 4R
PINE ISLAND PUD, PHASE 5B
 POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

COMMISSION NO. P12073
DRAWN BY CMS/JMH
CHECKED BY JMH
SCALE 1"=80'
ISSUE DATE 08/25/21

Attachment: 4-P12073-plat-2021-08-25 (PB 90-07 Pine Island PUD Phase 5B)

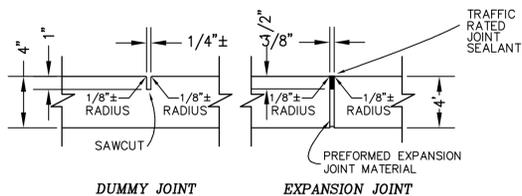
GENERAL NOTES

- 1. PROPERTY OWNER / APPLICANT: PINE ISLAND PROPERTIES LLC
2. PROPERTY IDENTIFICATION: PID: 012800002H0000
3. RECORDED REFERENCE: D.B. 1071, PG. 310, PC "J", SL 118
4. PROPERTY ZONED: LIMITED BUSINESS (LB) W/PUD OVERLAY
5. PARCEL AREA: 251,685.97 sq.ft. / 5.78 acres
6. PROPOSED AMENITY AREA TO SERVE A 23 LOT SUBDIVISION, INCLUDING CABANA WITH UPPER STORY DWELLING UNIT FOR PROPERTY AND COMMUNITY DEVELOPMENT AND MANAGEMENT AND LOWER LEVEL RECREATIONAL BEACH AMENITY STORAGE AND FACILITIES.
7. BOUNDARY AND TOPOGRAPHIC DATA SHOWN ON THIS PLAN ARE BASED ON SURVEY BY QUILBE & ASSOCIATES, P.C., DATED 10/22/12.
8. PROPERTY LOCATED IN FIRM ZONES "VE" (11') & "X"
9. VERTICAL DATUM NAVD 88, BASED UPON RAPID STATIC GPS POST PROCESSED IN OPUS AND NGS MONUMENT "RUN".
10. THIS PLAN SUBJECT TO ANY FACTS, INCLUDING BUILDING SETBACK RESTRICTIONS, EASEMENTS, COVENANTS, ETC., THAT MAY BE REVEALED BY A FULL AND ACCURATE TITLE SEARCH.
11. HORIZONTAL DATUM IS NAD83 (2011), DERIVED FROM NGS MONUMENT "RUN".
12. THERE ARE NO JURISDICTIONAL WETLANDS OR WATERS ON THE SUBJECT PROPERTY.
13. SOIL TYPES: NEWHAN FINE SAND (Nc), BEACHES-NEWHAN ASSOCIATION (BN) (SOILS BOUNDARY SHOWN IS APPROXIMATE).
14. MAXIMUM BUILDING HEIGHT = 35'
15. BUILDING CONSTRUCTION SHALL COMPLY WITH ALL ASPECTS OF THE NORTH CAROLINA BUILDING AND FIRE CODE.
16. PROPOSED COVERAGE: CABANA = 1,600.0 SF, MAIL BOX = 12.0 SF, PARKING & DRIVE = 7,156.7 SF, WALK = 1,577.8 SF, TOTAL = 10,347.5 SF (4.1%)



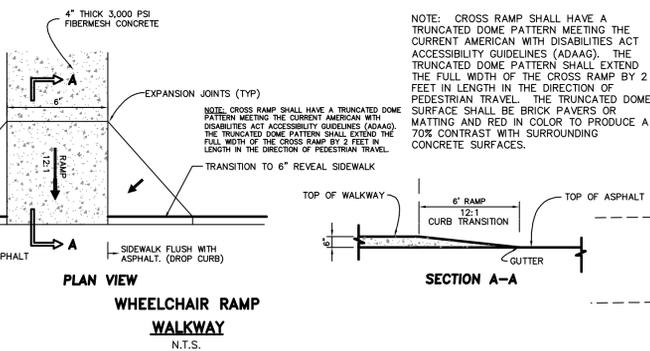
NOTES:
-EXCEPT WHERE SHOWN IN THE PLAN, ALL NEW CONC. WALKS SHALL HAVE JOINTS SPACED AS SHOWN IN THESE DETAILS.
-AN EXPANSION JOINT SHALL BE USED TO SEPARATE THE NEW CONC. WALK FROM OTHER NEW OR EXISTING CONCRETE CONSTRUCTION.
-SEE ALSO ARCHITECTURAL PLANS SHEET A1.4

JOINT PATTERN

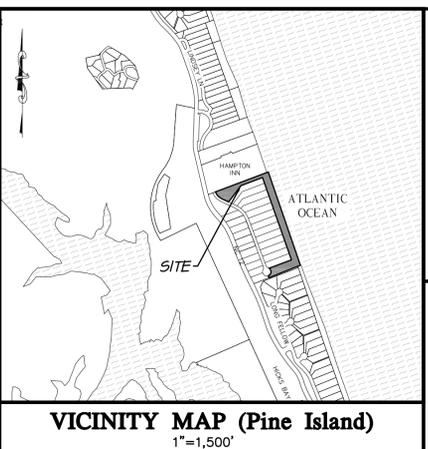
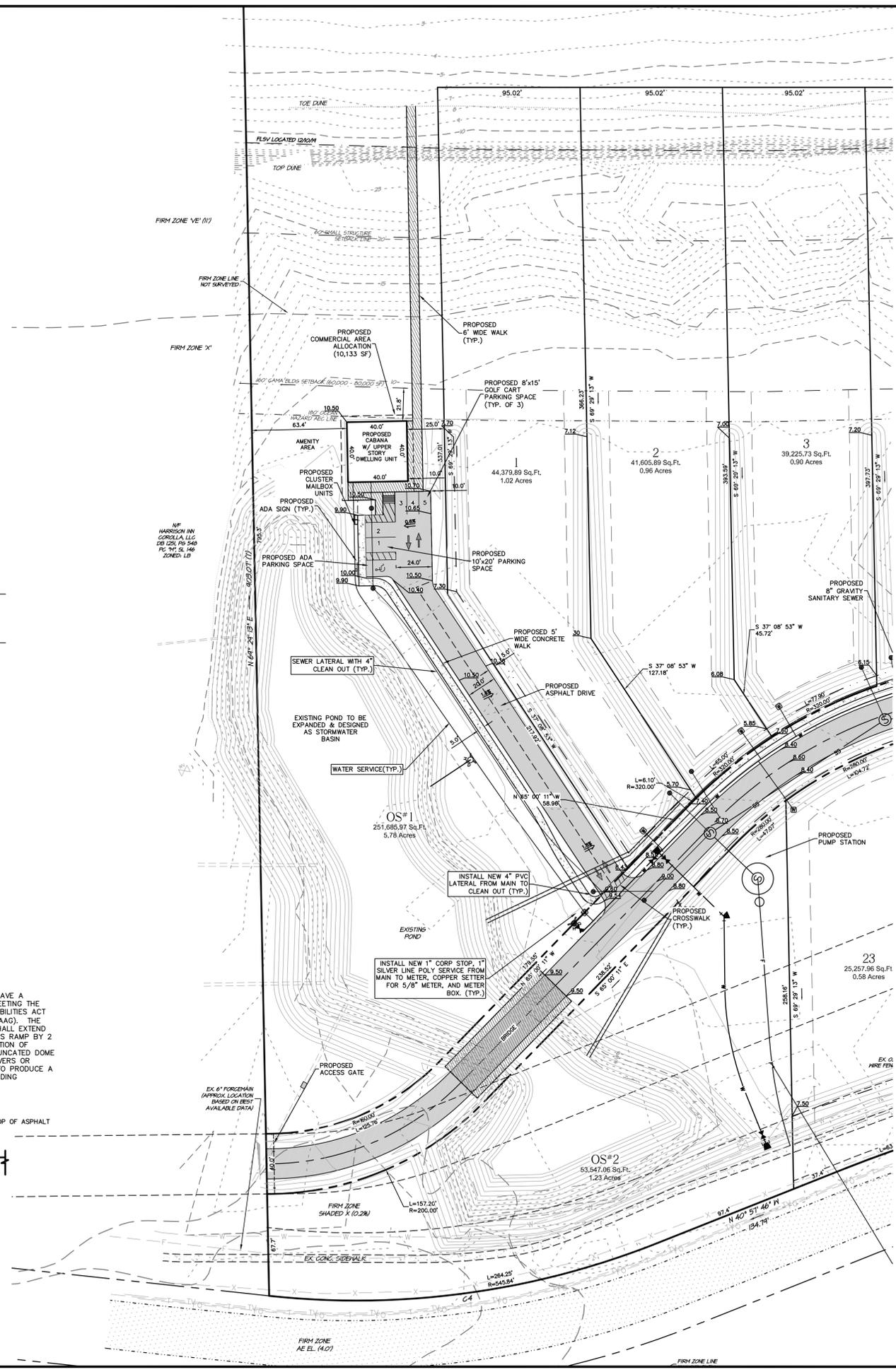


JOINT DETAIL SIDEWALK JOINTS

N.T.S.



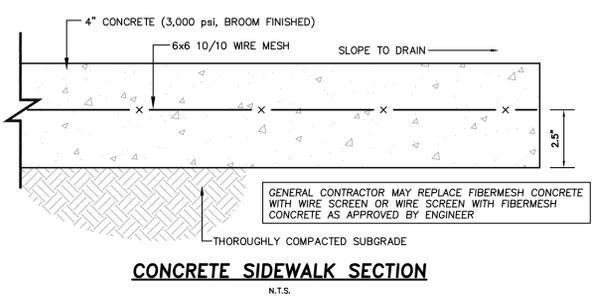
NOTE: THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED.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



VICINITY MAP (Pine Island) 1"=1,500'

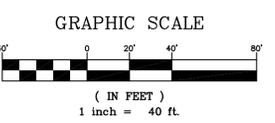
LEGEND

- EXISTING ASPHALT PAVEMENT
PROPOSED RIP RAP
PROPOSED ASPHALT
EX. IRON ROD
EX. DRILL HOLE
EX. MAG NAIL
EX. UTILITY POLE
EX. FIRE HYDRANT
EX. WATER VALVE
EX. SEWER MANHOLE
EX. WATER METER
EX. ELECTRICAL CONNECTION
EX. EXTERIOR LIGHT
EX. LIGHT POLE
EX. TREES/SHRUBS
PROPOSED STORM PIPE
PROPOSED WATERLINE
PROPOSED SANITARY SEWER
PROPOSED TREES/SHRUBS

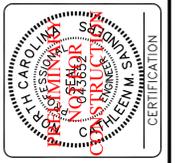


CONCRETE SIDEWALK SECTION N.T.S.

PRELIMINARY NOT FOR CONSTRUCTION



Quilbe & Associates, P.C. ENGINEERING • CONSULTING • PLANNING ENVIRONMENTAL SCIENCES • SURVEYING
SINCE 1959
Phone: (252) 261-1280
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E-Mail: admin@quilbe.com



REVISIONS
NO. DATE
1 7/22/21 REVISE TO INCLUDE COMMERCIAL AREA
2 8/25/21 CLARIFY CABANA USE

Table with columns for NO., DATE, and description of revisions.

AMENDED AMENITY SITE PLAN
LOT 4R
PINE ISLAND PUD, PHASE 5B
NORTH CAROLINA
CURRITUCK COUNTY
POPLAR BRANCH TOWNSHIP

COMMISSION NO. P12073
DESIGNED BY: CMS
DRAWN BY: CMS
CHECKED BY: MWS
ISSUE DATE: 12/17/20
SHEET NO. 1 OF 1 SHEETS



Quible & Associates, P.C.

ENGINEERING • ENVIRONMENTAL SCIENCES • PLANNING • SURVEYING
SINCE 1959

P.O. Drawer 870
Kitty Hawk, NC 27949
Phone: 252-491-8147
Fax: 252-491-8146
web: quible.com

July 22, 2021

Ms. Jennie Turner
Currituck County Planning and Community Development
P.O. Box 73
Currituck, NC 27927

RE: Community Meeting Report
Use Permit Application and Amended Sketch Plan for Pine Island PUD
Parcel ID No. 0128000002H0000
Corolla, Currituck County, NC

Ms. Turner,

A community meeting for the proposed Use Permit Application and Amended Sketch Plan of the above referenced parcel within Pine Island PUD was held on Thursday, July 15, 2021 at 4:00 p.m. in the Corolla Library. The meeting was conducted by Quible & Associates, P.C. (Quible) on behalf of Turnpike Properties, LLC, with representatives from Turnpike Properties, LLC, Currituck County, and Pine Island property owners in attendance.

Purpose

The purpose of the meeting was to inform the community in the vicinity of the subject parcel of the intent to amend the sketch plan and use permit to allow for an upper story dwelling unit within the previously approved cabana located within the northern amenity area. It was explained that commercial area would be designated to encompass the commercial footprint and supporting improvements, and that an additional unit of density would be proposed. The proposed change would increase the PUD residential density from 303 to 304 units, increase the PUD commercial development area from 18.47 acres to 18.7 acres, and PUD open space would change from 37.67% to 37.6%.

Meeting synopsis

The community meeting presentation documents were set up within the meeting area of the Corolla Library by 3:30pm. The Corolla Library was open to the public and attendees began arriving at approximately 3:45 pm. Prior to beginning the community meeting, an "Open House" viewing of the Amended Sketch Plan, Amended Preliminary Plat, and Amended Amenity Site Plan, along with the Use Permit Application, surrounding property owner notification letters, County Use Permit Review Procedures, and County Application Submittal Schedule were available to the public. The exhibits were mounted on a poster board and placed on an easel for ease of viewing.

As attendees arrived, they were asked to provide their contact information on the sign-in sheet at the check in table and were advised to please utilize the provided comment sheets to remit comments. Attendees were also advised that comments could be received by Quible &

Associates, P.C. either by email or telephone, and Rolf Blizzard, with Turnpike Properties, LLC, offered his contact information to address questions or concerns.

At 4:00 pm a presentation of the proposed amendment to the uses and minor change to the cabana within the amenity area was provided by Quible & Associates. A copy of the agenda was distributed to everyone in attendance and the sign-in sheet was routed throughout the room. The presentation setting was as casual as possible and loosely followed the Agenda (Exhibit 1), to allow for a comfortable atmosphere allowing the community to ask questions throughout the meeting.

Quible & Associates (Michael W. Strader, Jr., P.E.) introduced the Owner Representative (Rolf Blizzard with Turnpike Properties, LLC), and the County Representative (Jennie Turner) and began with a brief discussion about the County procedures for reviewing and approving the proposed project and purpose for the community meeting and the proposed development.

The parcel proposed for use permit amendments, density, open space and commercial area reallocation were described and identified on the exhibits. The proposed amended sketch plan and use permit application were described as in compliance with the current Currituck County UDO PUD requirements and in keeping with the surrounding neighborhoods and County Land Use Plan.

Throughout the presentation, the floor was open for questions and comments from the audience. Comments and questions received during the meeting were as follows:

1. A question was raised about why the cabana needed to be designated as commercial for an upper story dwelling unit. It was explained that although an upper story dwelling unit is within the residential use classification, the County UDO describes in Section 1.8.6(2)(b) that land designated for commercial (or multi-family) development shall be limited to the allowable uses for the PD-O district listed in Table 4.1.1.B, Summary Use Table. Upper story dwelling is allowed within the PD-O district with a Master Plan within Table 4.1.1.B. Alternatively, an upper story dwelling is not listed as an allowable use within Table 4.1.1.A. under the SFO district which would be the Summary Use Table for land designated for residential development. Therefore, in order to propose an upper story dwelling within the PUD, the land must be designated for commercial development.
2. A question was asked about whether the upper story dwelling would be sold or rented. It was explained that the cabana would remain within the amenity area parcel and would not be sold. It was further explained that the upper story dwelling was not intended to be rented, Airbnb, VRBO, etc. It was clarified that the upper story dwelling is intended to be used by a property caretaker or manager. A reminder that the developer's intent is to build 2 or 3 houses (however many that the single GC can properly handle) and that the developer intends to monitor construction periodically by staying within the unit. It was further explained that other properties that the developer has previously utilized for accommodations have since been sold.
3. A follow-up question that arose after the explanation above was what would happen with the upper story dwelling unit after the development was built out. The developer explained that after the approximate 10-year development plan, the unit could be utilized by the property maintenance or a property manager. The developer explained

- that the intent is to retain ownership of the development and lots and manage the properties.
4. A question arose about what is within the approved cabana. It was explained that the currently approved cabana building permit has lower-level storage and restroom facilities and upper story conditioned storage. It was further explained that the lower level contains amenities for the Pine Island Limited community including facilities, and beach equipment storage for the non-oceanfront lots. The intent is that the proposed oceanfront houses will have beach equipment storage.
 5. A question was asked about why the proposed commercial designation encompassed more than just the rectangular structure itself. It was explained that the County requires the supporting improvements of the commercial use be included within the commercial area designation. It was clarified using the Amended Amenity Area Site Plan exhibit that the proposed commercial area not only included the cabana structure, but a 4' offset area, the parking area, sidewalk, 10' width access, and grassed strip in between up to the right-of-way.
 6. Getting off topic a bit, there were some questions about the proposed size of the homes and associated number of bedrooms of the 23 lots previously approved during ASP and preliminary plat. The developer explained that while the current market would dictate, he has been planning for approximate 12-bedroom oceanfront homes and approximately 8-bedroom non-oceanfront homes. Although the development team was currently considering a 10-bedroom footprint for the first lot. However, when compared with Pine Island Reserve and Pine Island Club (Phase 9) to the north of the Hampton Inn, the Pine Island Limited (Phase 5B) development would have less bedrooms. In addition, it was stated that the subject development has increased side yard setbacks of 15' providing for more separation between structures.
 7. A question was asked about whether the new homes would be within the PIPOA. The developer explained that no, this development was exclusive and will not be a part of the PIPOA.
 8. There were some questions about timing and what happens next with this proposal. It was discussed that the intent is to submit the application requesting to amend the sketch plan and use permit by the July 22nd submittal deadline which would put the item on track for the October 18th Board of Commissioners agenda. It was also stated that an amendment to the previously approved preliminary plat would need to be submitted, reviewed, and approved by the County. We stated that while we are uncertain of when that amended preliminary plat can be submitted, we are clear that no action may be taken until the new ASP/Use Permit is approved. It was then stated that there are already Permits and Approvals in place to allow for final platting of the previously approved development and associated lots, the only item or use that cannot be constructed at this time is the upper story dwelling unit; but the cabana itself with upper story conditioned space may continue.
 9. In addition to the above, it was explained that the developer intends to phase the final plat(s) where the initial phase would be limited to the main entrance and headed northward; there remains uncertainty about how many and which lots may be platted within Phase 1 pending feedback from Planning Staff regarding open space area platting. Finally, it was stated that once the ASP/Use Permit and amended preliminary plat are approved, then an application requesting to amend the current cabana building permit would be submitted to allow for the upper story dwelling unit.

Community Meeting Report
Use Permit Application and Amended Sketch Plan for Pine Island PUD
Parcel ID No. 0128000002H0000
July 22, 2021

Upon the conclusion of the discussions, attendees were again reminded that any further questions or comments not addressed at the meeting can be forwarded to Quible & Associates and the meeting was adjourned. There did not seem to be any opposition or adversity to the application, but rather inquisitiveness. No written comments were received.

Copies of all handouts, exhibits, and other documents available at the meeting are provided in attachments to this document.

Please do not hesitate to contact me at (252) 491-8147 or mstrader@quible.com should you have any questions and/or concerns.

Sincerely,
Quible & Associates, P.C.



Michael W. Strader, Jr., P.E.

cc: Rolf Blizzard, Turnpike Properties, LLC

Attachment: Pages from 4-P12073-90096 Community Meeting Report (PB 90-07 Pine Island PUD Phase 5B)

P.O. Drawer 870 • Kitty Hawk, NC 27949
Telephone (252) 291-8147 • Fax (252) 491-8147



Currituck County Agenda Item Summary Sheet

Agenda ID Number – 3260

Agenda Item Title: PB 87-56 Monteray Shores PUD Parcel 10:

Submitted By: Jennie Turner – Planning & Community Development

Item Type: Quasi-Judicial

Presenter of Item: Jennie Turner

Board Action: Action

Brief Description of Agenda Item:

Request for Amended Sketch Plan/Special Use Permit to add 36 residential dwelling units, reduce open space by 4.01 acres and reallocate existing commercial designation on Parcel 10.

Planning Board Recommendation:

Staff Recommendation: Application Reviewed

TRC Recommendation: Application Reviewed



STAFF REPORT
PB 87-56 MONTERAY SHORES PUD
(PARCEL 10)
**AMENDED SKETCH PLAN/
 SPECIAL USE PERMIT**
BOARD OF COMMISSIONERS
OCTOBER 18, 2021

Attachment: 1 Staff Report - Monterey Shores Amended Sketch Plan (PB 87-56 Monterey Shores PUD Parcel 10)

APPLICATION SUMMARY		
Property Owner: Richard C. Willis Outer Banks Ventures, LLC PO Box 549 Corolla, NC 27927	Applicant: Richard C. Willis Outer Banks Ventures, LLC PO Box 549 Corolla, NC 27927	
Case Number: PB 87-56	Application Type: Amended Sketch Plan/Special Use Permit	
Parcel Identification Number: 0116-000-0010-0000	Existing Use: Planned Unit Development (PUD)	
2006 Land Use Plan Classification: Full Service & Conservation	Parcel Size (Acres): 36.19 (Subject Parcel) 355.309 (Overall PUD)	
Request: Amend Sketch Plan/Special Use Permit	Zoning: SFO with PUD Overlay	
Number of Units: 36 units (Subject Parcel) 747 units (Overall PUD)	Project Density: 1.324 dwelling units per acre excluding CAMA wetlands (Subject Parcel) 2.395 dwelling units per acre (Overall PUD)	
Required Open Space: 123.358 acres (35%) (Overall PUD)	Provided Open Space: 130.343 acres (36.67%) (Overall PUD)	
Maximum Commercial Area: 36.222 ac. 10.19% Previously approved	Proposed Commercial Area: 36.222 ac. 10.19% No change requested	
SURROUNDING PARCELS		
	Land Use	Zoning
North	Monteray Shores Open Space	Monteray Shores PUD SFO with PUD Overlay
South	Timbuck II Shops	Buck Island PUD SFO with PUD Overlay
East	Monteray Shores WWTP/ Corolla Adventure Golf & Bumper Cars/Seaside Farm Market/Coffee Shop	SFO with PUD Overlay
West	Currituck Sound	N/A

STAFF ANALYSIS

Application Summary

The applicant, Outer Banks Ventures, Inc. is requesting an amended sketch plan/special use permit related to a 36.194-acre subject property located in the Monterey Shores Planned Unit Development (PUD). The Monterey Shores Sketch Plan designates 34.986-acres as open space, 1.208-acres as commercial and zero (0) units of residential density. The property consists of 8.24-acres of upland area (excluding the pond).

The amended sketch plan request proposes:

- an additional 36 units of residential density.
- a reduction of open space area by 4.01 acres.
- relocation of existing 1.208 acres of commercial area.

The Monterey Shores Amended Sketch Plan identifies the open space area on the subject parcel as “utility open space”. The NC General Assembly repealed the requirement for reserved “green area” related to coastal waste treatment disposal on May 1, 2020. Carolina Water Service, Inc. of North Carolina operates the Monterey Shores Wastewater Treatment Plant and has provided a letter dated June 24, 2021, stating that the property proposed for development is not needed for utility use. The need for designated “utility open space” appears to be resolved; however, this request does include a reduction in open space for the Monterey Shores PUD. The proposed resultant open space meets the minimum 35% required per the Bulk and Dimensional Standards of Section 1.8. Transitional Provisions of the UDO which addresses Approved Planned Unit Development District Overlay and Sketch Plans.

The proposed development includes a total of thirty-six (36) residential dwelling units: five (5) single-family dwelling lots, twenty-five (25) townhome lots and six (6) upper story dwelling units. A ten (10) slip boat basin is proposed for use by residents and visitors to the site. Subdivision of the property will require preliminary plat/special use permit applications for review by the Board of Commissioners. A conceptual development plan and preliminary architectural renderings have been provided by the applicant to illustrate the proposed uses and project layout. A site-specific development plan is not approved for this property or part of this submittal. Approvals for any proposed development on the tract must be submitted to the county, follow the appropriate review process for the type of use proposed, and be approved by the appropriate authority.

The applicant proposes construction of three retail buildings over the existing pond with two (2) upper story dwelling units in each building. A boardwalk connection is proposed from the retail buildings to a proposed restaurant and outdoor entertainment deck. Parking is provided adjacent to the retail buildings and the restaurant area.

A recreation/paddle boat rental storefront/storage building is proposed adjacent to the pond with docks over the pond. Parking is provided adjacent to the building.

An elevated boardwalk over the wetlands with a ten (10) slip boat basin in Currituck Sound is proposed to be connected to the outdoor entertainment deck. Prior to construction of this feature, CAMA review and permitting are required.

Outdoor entertainment and outdoor recreation require special use permits in PUDs. Prior to establishing outdoor recreation and outdoor entertainment uses including the proposed boat basin, paddle boat rentals, and the outdoor entertainment venue, the owner must submit applications for special use permits for review by the BOC.

The existing pond is proposed to be expanded for stormwater management. The county holds a perpetual right and easement to convey and discharge groundwater associated with the Whalehead Watershed Improvement District into the pond, and for a subsurface conveyance pipe. It is of great interest and concern of the county to ensure that the easements are not negatively impacted by any development over or augmentation of the existing pond.

The applicant is proposing access on Malia Drive as well as an entrance through the NCDOT owned property where Seaside Farm Market is located. Approval for access through the NCDOT property has not been provided by the applicant. Adequate traffic flow and management as well as impacts to adjacent properties should be considered.

The request provides corrections to previously approved sketch plans for Monterey Shores to show existing approvals more accurately with respect to residential density, open space, and commercial allocation. The applicant has provided deed and plat research and has referenced prior approved sketch plans in an effort to provide an update to the Monterey Shores Amended Sketch Plan that reflects past approvals and current conditions. In reviewing the Amended Sketch Plan, staff has acknowledged that lots and areas previously recorded are acceptable for use in revised calculations.

Updates to the Amended Sketch Plan were provided upon the request of staff in consultation with the county attorney due to inconsistencies found in prior approved Amended Sketch Plans, including the omission of 57 dwelling units at Villas at Corolla Bay.

COMMUNITY MEETING

A community meeting was held on May 24, 2021. The applicant and engineer were present along with county staff. A community meeting summary provided by the applicant is included in the agenda packet. Following the community meeting and review of this application, staff determined that a Land Use Plan Amendment was necessary. The applicant submitted a request for a Land Use Plan Amendment that was approved by the BOC at the October 4, 2021, meeting.

INFRASTRUCTURE

Water	Southern Outer Banks Water System (SOBWS)
Sewer	Carolina Water Service (Private)

REVIEW AND COMMENT

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee provides the following review comments regarding the proposed Amended Sketch Plan/Special Use Permit:

1. The Land Use Plan amendment approved by the BOC on October 4, 2021, shall be certified by the State per G.S. 113A-110 prior to this special use permit becoming valid.
2. A site-specific development plan is not approved for this property. Approvals for any proposed development on the tract must be submitted to the county, follow the appropriate review process for the type of use proposed, and be approved by the appropriate authority.
3. Per Section 1.8.6.B.2 of the UDO, special use permits for outdoor recreation/entertainment uses (ten (10) slip boat basin by UDO definition is an outdoor recreation use, paddle boat rentals, outdoor entertainment venue) are required in PUDs. This amended sketch plan/special use permit request may result in relocation of permissible commercial development area; however, to establish outdoor recreation/entertainment uses, additional special use permit applications will be required.

4. Major site plan and/or preliminary plat/special use permit approval (as applicable) is required prior to commencement of development.
5. Multi-family design standards, Non-residential design standards, or Shopping Center design standards apply to development per the UDO.
6. Proposed access and configuration through the NCDOT owned parcel(s) shall be approved by NCDOT or Turnpike Authority as appropriate and by County Staff through the Preliminary Plat/Special Use Permit or Major Site Plan review process.
7. Proposed changes to pond configuration shall not negatively impact the county's easement or purpose for the easement recorded in the Currituck County Register of Deeds Office on Deed Book 1135, Page 302. A note shall be added to the plans to reflect the county's perpetual right and easement to convey and discharge groundwater associated with the Whalehead Watershed Improvement District into the pond shown and more particularly described on that plat recorded at Plat Cabinet K, Slide 50 of the Currituck County Registry.
8. Walkways and piers for private property owner use may not be constructed in open space set-asides.
9. Required open space areas including active open space will be evaluated during review of subsequent application submittals.

2006 Land Use Plan

A Future Land Use Map amendment was approved by the BOC on October 4, 2021, designating 12.22 acres of the site as Full-Service Area. The proposed development is in area designated as Full-Service as amended on October 4, 2021. Prior to the Future Land Use Map amendment becoming effective, the amended plan must be submitted to the Division of Coastal Management for certification. The elevated boardwalk over the wetlands is proposed in area designated as Conservation.

The 2006 Land Use Plan classifies this site as Full Service and Conservation within the Corolla subarea. The Full-Service designation allows for a greater diversity of housing types. The policy emphasis for the Corolla subarea is to allow for predominantly medium density residential development (2 to 3 units per acre) with minimal commercial development arranged in clusters. An overall density of no more than 3 units per acre should apply to PUDs, the prevailing development form in the Corolla area. Strip commercial development is to be avoided for both aesthetic reasons and traffic movement considerations. Development and redevelopment should be capable of being supported by the area's infrastructure and services – particularly drinking water, sewage treatment, road capacity, parking areas, and required fire suppression capabilities.

The following policies of the plan may apply to the proposed request:

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. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited-Service areas identified on the Future Land Use Map.
2. 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.

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. Similarly, businesses may be located adjoining (and therefore convenient to) an existing residential area, when such businesses can be shown to satisfy design considerations similar to a newly planned, pedestrian-scaled, mixed use development.

POLICY CD9: Businesses shall be encouraged to coordinate their SITE DESIGNS with other nearby businesses. Design factors should include, at a minimum, shared or connected parking and access, convenient pedestrian and vehicular movement, and consistent sign standards.

POLICY OB1: Currituck County supports the provision of INFRASTRUCTURE (e.g., potable water) AND SERVICES (e.g., law enforcement officers) adequate to meet basic quality of life and public health and safety requirements of residents on the Outer Banks, while at the same not stimulating inappropriate intensive development in environmentally fragile, hazardous barrier island areas.

POLICY OB2: So as to minimize COMMERCIAL STRIP DEVELOPMENT and maximize the traffic moving capability of NC 12, Currituck County shall encourage commercial development to cluster at appropriate locations rather than dispersing along NC 12.

POLICY ES1: New development shall be permitted to locate only in areas with SUITABLE SOIL and where ADEQUATE INFRASTRUCTURE is available. For existing development located on poor soils, and where sewage treatment upgrades are necessary, engineering solutions may be supported, provided that environmental concerns are fully addressed.

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. Currituck County supports the efforts of the U.S. Army Corps of Engineers in protecting such wetlands through the Section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.

POLICY ES3: COASTAL WETLANDS shall be conserved for the valuable functions they perform in protecting water quality and in providing critical habitat for the propagation and survival of important plant and animal species. CAMA use standards and policies for coastal wetlands shall be supported. Uses approved for location in a coastal wetland must be water dependent (i.e., utility easements, bridges, docks and piers) and be developed so as to minimize adverse impacts.

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 PA2: The County supports MANY FORMS OF "ACCESS" to the water, including scenic outlooks and boardwalks, boat ramps, marinas and docks, fishing piers, canoe and kayak launches, and other means of access. Whenever possible, such facilities shall be designed to accommodate the needs of handicapped individuals.

SPECIAL USE PERMIT REVIEW STANDARDS

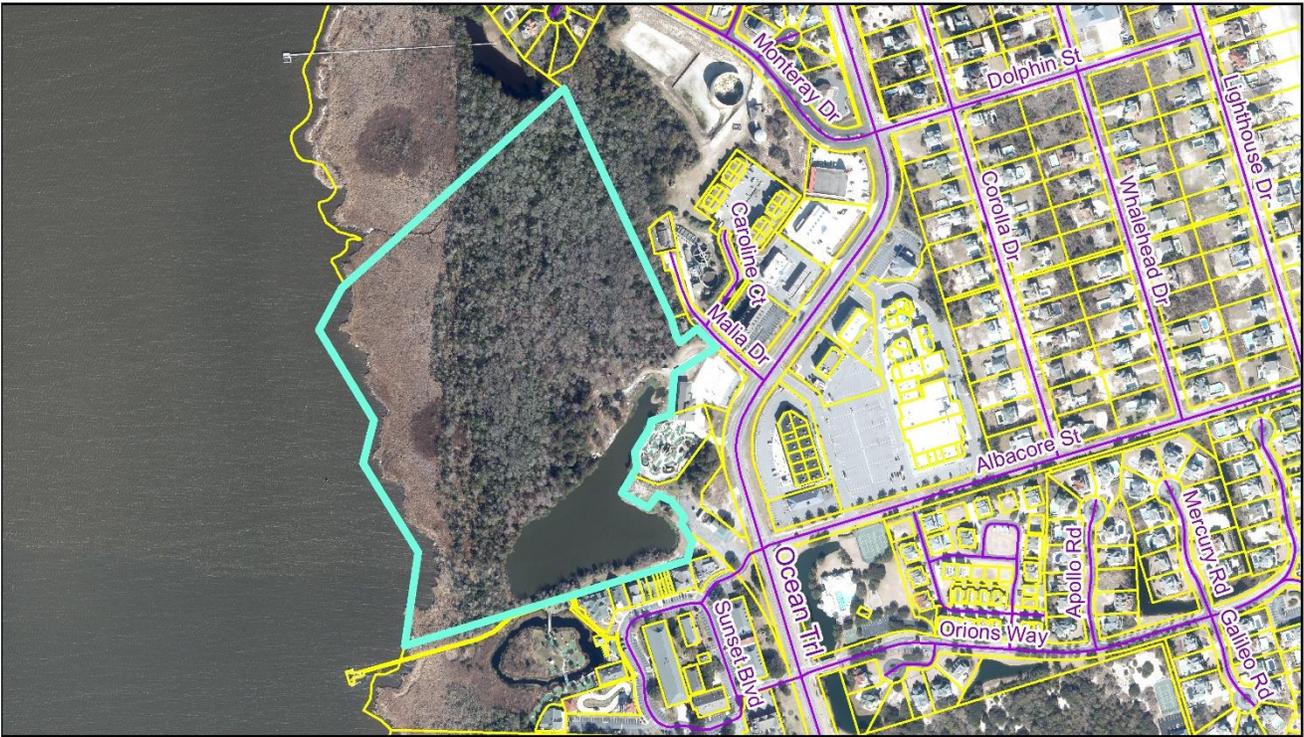
Following an evidentiary hearing, the board shall decide if the application is in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.6.D, Special Use Permit Review Standards.

Special Use Permit Review Standards

A special use permit shall be approved on a finding that the applicant demonstrates the proposed use will:

1. Not endanger the public health or safety.
2. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
3. Be in conformity with the Land Use Plan or other officially adopted plan.
4. Not exceed the county's ability to provide adequate public facilities, including but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

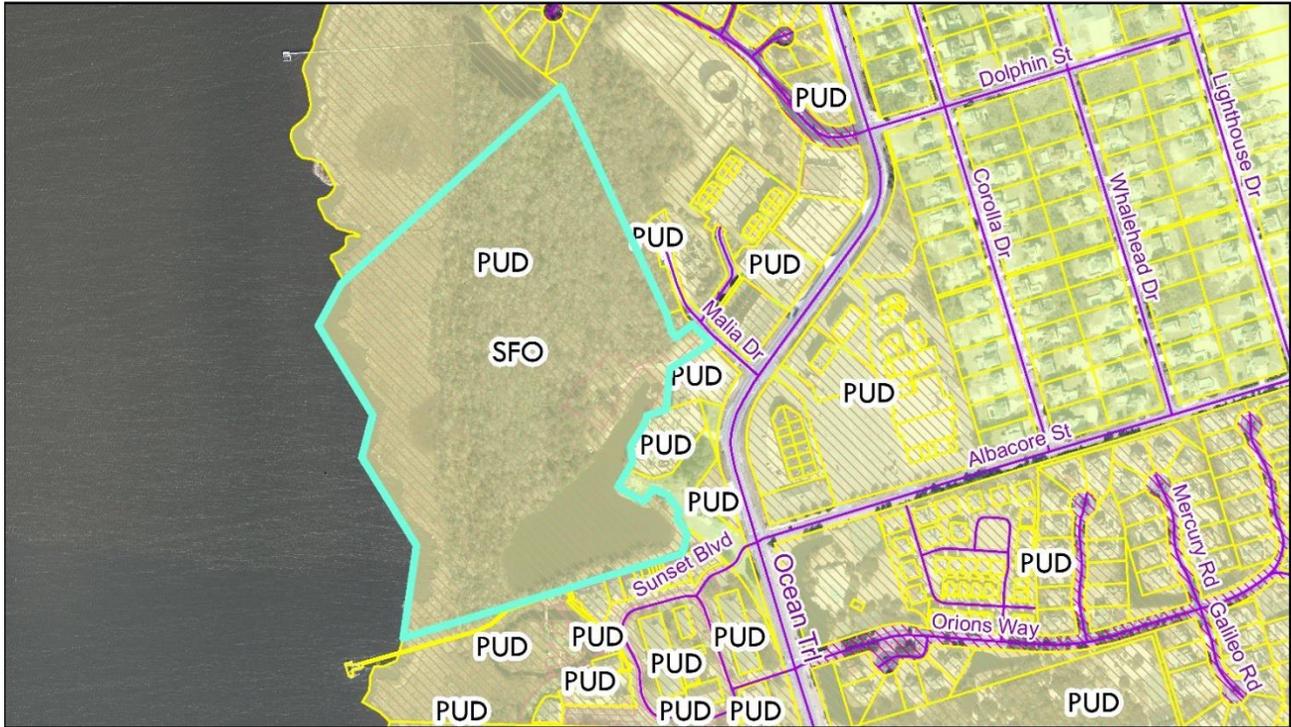
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm



PB 87-56 Monterey Shores PUD (Parcel 10)
 Amended Sketch Plan/Special Use Permit
 2020 Aerial Photography



Currituck County
 Development Services
 Department

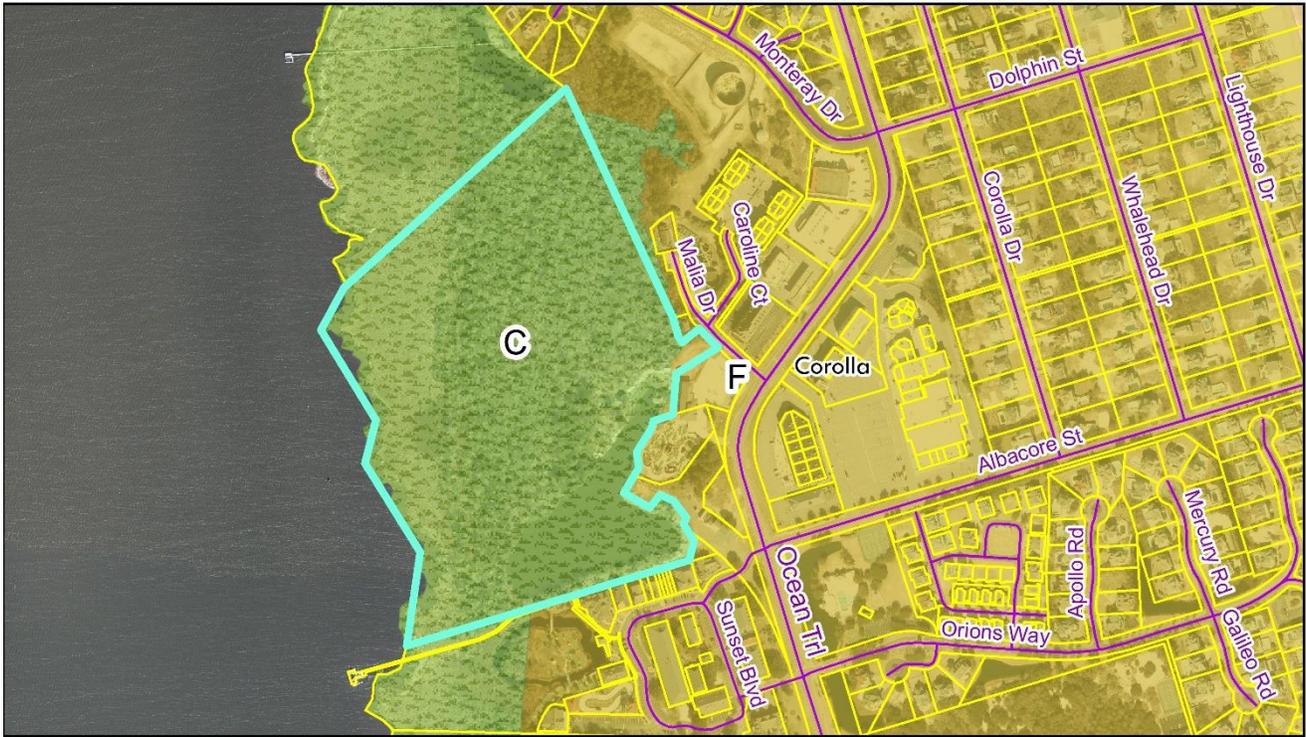


PB 87-56 Monterey Shores PUD (Parcel 10)
 Amended Sketch Plan/Special Use Permit
 Official Zoning Map



Currituck County
 Development Services
 Department

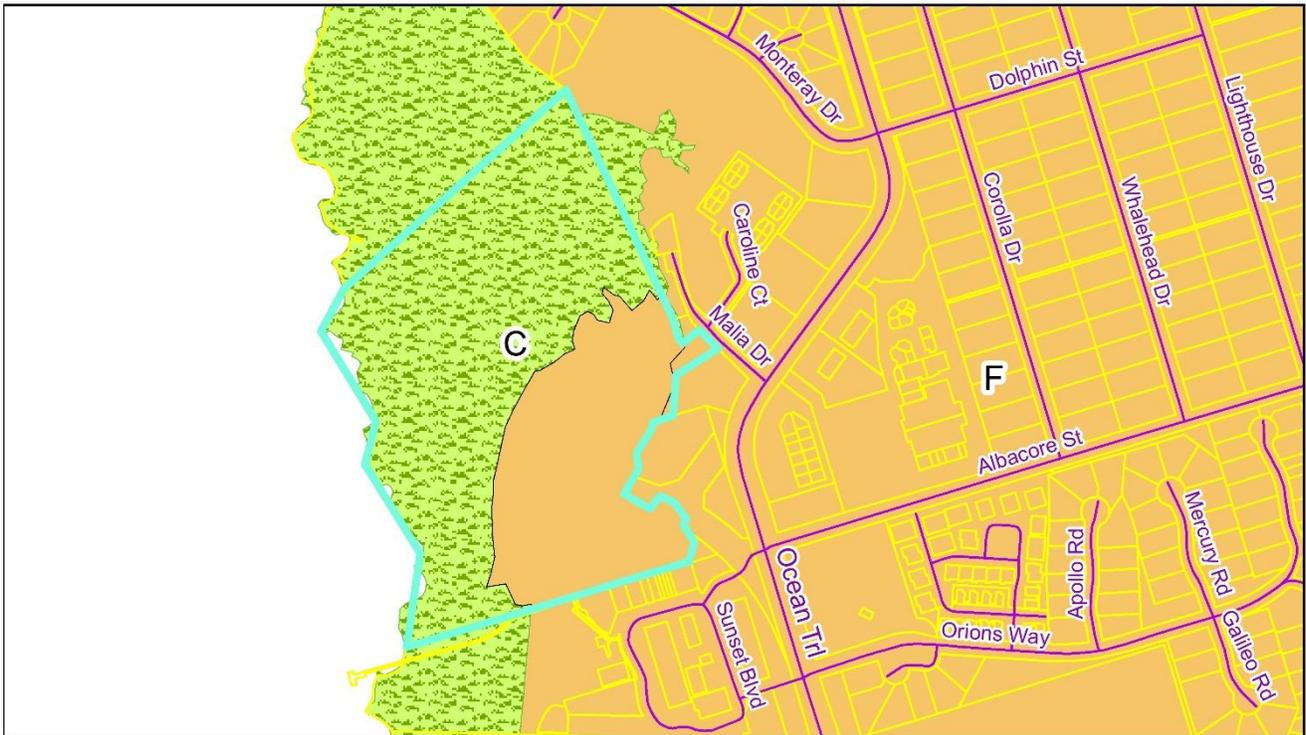
Attachment: 1 Staff Report - Monterey Shores Amended Sketch Plan (PB 87-56 Monterey Shores PUD Parcel 10)



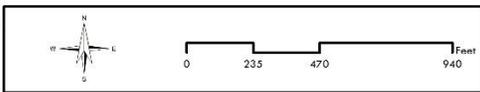
PB 87-56 Monterey Shores PUD (Parcel 10)
Amended Sketch Plan/Special Use Permit
Land Use Plan Classification



Currituck County
Development Services
Department



PB 87-56 Monterey Shores PUD (Parcel 10)
Amended Sketch Plan/Special Use Permit
2006 Land Use Plan (AMD 10/4/2021)



Currituck County
Development Services
Department

FLUM change to be sent to NC Division of Coastal Management for review and certification prior to becoming effective.



Major Subdivision Application

OFFICIAL USE ONLY:

Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information**APPLICANT:**

Name: Outer Banks Ventures, Inc.
 Address: PO Box 549
 Corolla, NC 27927

PROPERTY OWNER:

Name: Same
 Address: _____

Telephone: 252-453-4198

Telephone: _____

E-Mail Address: rcwillis@outerbanksventures.com

E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Request

Physical Street Address: Malia Drive

Parcel Identification Number(s): 0116-0000-0100-000

Subdivision Name: Monterey Shores, PUD

Number of Lots or Units: 36

Phase: 10

TYPE OF SUBMITTAL

- Conservation and Development Plan
- Amended Sketch Plan/Use Permit
- Preliminary Plat (or amended)
 - Type I OR Type II
- Construction Drawings (or amended)
- Final Plat (or amended)

TYPE OF SUBDIVISION

- Traditional Development
- Conservation Subdivision
- Planned Unit Development
- Planned Development

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


 Property Owner(s)/Applicant*

5/24/21
 Date

***NOTE:** Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Community Meeting, if applicable

Date Meeting Held: _____ Meeting Location: _____

Attachment: 2 signed application w attachment (PB 87-56 Monterey Shores PUD Parcel 10)

Use Permit Review Standards, if applicable

PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat

Purpose of Use Permit and Project Narrative (please provide on additional paper if needed): _____

Please refer to Attachment "A"

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

A. The use will not endanger the public health or safety.

Please refer to Attachment "A"

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

Please refer to Attachment "A"

C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

Please refer to Attachment "A"

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Please refer to Attachment "A"

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

Property Owner(s)/Applicant*

Date

*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

5/24/21

Attachment: 2 signed application w attachment (PB 87-56 Monterey Shores PUD Parcel 10)

ATTACHMENT "A"
to USE PERMIT REVIEW STANDARDS

Purpose of the Use Permit and Project Narrative

The purpose of Amended Sketch Plan/Use Permit Application is to reallocate the existing 1.177 acres of commercial zoning within the Phase 10 parcel to support appropriate commercial uses in a configuration that better fits the land, and to allocate approximately 3 acres of upland that is suitable for residential development to future residential use. Five single family lots and 25 townhome lots are proposed on the 36 acre tract. Also, 6 upper story dwellings are proposed above 3 small commercial buildings. A Preliminary Site Plan and Preliminary Architectural Renderings are provided to illustrate the proposed uses. Boat docks are also being proposed for the use of residents and visitors to the site.

A. The Use will not endanger the public health or safety.

Transportation, potable water, wastewater and stormwater management will be addressed in accordance with the following paragraphs:

1. **Transportation:** The existing commercial entrance that is served by the existing traffic signal at Albacore Street utilized to access the commercial uses, and the existing Malia Drive will be used for access to the residential uses. Pedestrian connectivity is also being provided between uses within the development, with external connections being made to the existing pedestrian walkway at Maia and Ocean Trail, and to the existing crosswalk at NC 12 by the farm market, which provides access to the beach via Albacore Street. NCDOT has provided a preliminary opinion that the proposed transportation improvements appear to be appropriate for this development. More detailed plans and permit applications will be prepared at the next stage of the development approval process.

Appropriate access has been made for emergency service vehicles.

2. **Potable Water:** Water will be supplied by Currituck County via existing water mains located on NC 12, Malia Drive and the NCDOR right-of-way that provides access from Sunset Blvd. Fire protection will be provided in accordance with the NC Fire Code, applicable ISO Standards, and the Unified Development Ordinance.
3. **Wastewater:** Advanced wastewater treatment will be provided by the adjacent Monterey Shores Wastewater Treatment Facility, which has capacity to serve the proposed development and is regulated by NCDEQ and the NC Utilities Commission.
4. **Stormwater Management:** Stormwater will be collected and filtered through vegetative swales and then will flow into the existing 4+ acre pond on site, which will attenuate the flow and then slow-release stormwater to the adjacent wetlands, which will provide additional filtration.

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

1. Adjacent properties are commercial to the east and to the south, where new commercial uses are proposed. Adjacent properties to the northeast are a combination utility and multi-family development. Adjacent property to the north is open space, and to the west is the Currituck Sound. The nearest single family dwelling to the north is more than one-quarter mile from any proposed commercial use.
2. Community compatibility standards will be adhered to. The Architectural design and materials will be done in the local vernacular and will be attractive and compatible with existing residential and commercial buildings. Landscaping and buffering are also being provided in accordance with the UDO standards,
3. The proposed land uses are suitable and complimentary to the development and use of adjacent and nearby properties, and will not affect the existing use or usability of adjacent or nearby properties.

C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

1. During a public hearing on PB 87-56 Monterey Shores, Commercial Parcel 6 on July 6, 2009 where the existing commercial allocation was approved, both the county staff and the Board of Commissioners made the following determination regarding Land Use Plan consistency:

- “a. The 2006 Land Use Plan classifies this site as Conservation area within the Corolla subarea and the proposed use is in keeping with the policies of the plan, some of which are:
- i. Policy ES2 states “NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the groundwater table, and providing critical habitat for many plant and animal species. Currituck County supports the efforts of the U.S. Army Corp of Engineers in protecting such wetlands the section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.

The proposed subdivision does not contain any wetlands.

- ii. Policy OB1 states “Currituck County supports the provision of infrastructure and services adequate to meet basic quality of life and public health and safety requirements of residents of the Outer Banks”

The proposed subdivision has been designed with adequate water and sewer extensions.”

The approved commercial use area is simply being relocated/reconfigured on the site to land that is similar in nature but oriented in a way that allows a better site plan.

No additional commercial allocation is being requested.

2. The property is located within the existing PUD, where the proposed density still keeps the PUD well below the allowable 3 dwelling units per acre.
3. A draft Future Land Use Map has been prepared in connection with the Land Use Plan amendment that is in progress and classifies all of the upland area on this tract as “G3 - Mixed Use Center and Corridors”, which anticipates mixed use development at densities of up to 3 units per acre (one unit per acre is being proposed).
4. Other policies from the 2006 Land Use Plan that support this development proposal include the following:
 - a. 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.
 - b. POLICY PA2: The County supports MANY FORMS OF “ACCESS” to the water, including scenic outlooks and boardwalks, boat ramps, marinas and docks, fishing piers, canoe and kayak launches, and other means of access. Whenever possible, such facilities shall be designed to accommodate the needs of handicapped individuals.
 - c. Policy CD2: Commercial and office development of greater than a neighborhood scale shall be encouraged to cluster in COMMERCIAL OR MIXED-USE CENTERS to curtail the proliferation of strip development, and minimize traffic generation.
 - d. POLICY ES4: In approving new developments, Currituck County shall support the retention or creation of a vegetated buffer area along ESTUARINE SHORELINES as a simple, effective and low-cost means of preventing pollutants from entering estuarine waters.
 - e. 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.

- f. POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:
1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
 2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

The proposed development appears to support both of these development policies.

- g. POLICY PR8: New mixed use developments, office and business parks, and other non-residential areas shall be encouraged to include WALKWAYS WITHIN THE DEVELOPMENT.

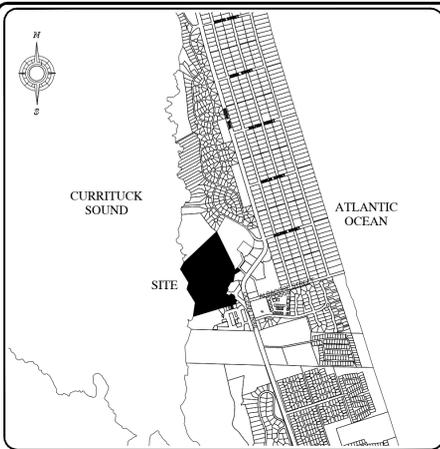
This development provides walkways between uses and connects them to adjacent pedestrian pathways.

5. In addition to Policy OB1, cited above, the following special policy applicable to the Outer Banks is supported:

Policy OB2: So as to minimize COMMERCIAL STRIP DEVELOPMENT and maximize the traffic moving capability of NC 12, Currituck County shall encourage commercial development to cluster at appropriate locations rather than dispersing along NC 12.

- D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.**

The proposed uses are not expected to have an adverse impact on schools, fire and rescue, law enforcement or other county facilities. Dwellings are expected to be seasonal rentals without school aged children. The commercial development will have adequate fire protection and fire access, and the type of development is not expected to have an impact on law enforcement.



VICINITY MAP
SCALE: 1" = 1000'

- GENERAL NOTES:**
- PROJECT NAME: MONTERAY SOUND SHORE
 - OWNER/APPLICANT: OUTER BANKS VENTURES, INC.
P.O. BOX 549
COROLLA, NC 27927
 - PROPERTY DATA:
PARCEL ID#: 0116-0000-0100-0000
PRIMARY ADDRESS: MALIA DRIVE, COROLLA, NC
RECORDED REFERENCES: D.B. 1161, PG. 734, P.C. K, SL. 49
PROPERTY ZONING: SFO-PUD
 - F.I.R.M. DATA:
ZONES X, AE (3') AND SHADED X PER F.E.M.A. F.I.R.M. MAP NUMBER 3721803200 K, EFFECTIVE DATE DECEMBER 21, 2018. USE OF LAND WITHIN A FLOODWAY OR FLOOD PLAIN IS SUBSTANTIALLY RESTRICTED BY CHAPTER 7 OF THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.
 - THIS DRAWING REFERENCES:
A DRAWING ENTITLED "WATER DEPTH SURVEY/CAMA FEASE" PREPARED BY QUILBE AND ASSOCIATES

AMENDED SKETCH PLANS FOR MONTERAY SHORES P.U.D.

AMENDMENT FOR DEVELOPMENT OF PHASE 10 POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

Sheet Number	Sheet Title
1	COVER SHEET, DEVELOPMENT NOTES & SITE LOCATION
2	EXISTING CONDITIONS & SITE FEATURES PLAN
3	P.U.D. OVERVIEW & SUMMARY OF USES
4	OVERALL SITE PLAN
5	DETAIL SITE PLAN
6	LAND USE ALLOCATION PLAN

LEGEND	
	ROADWAY CENTERLINE
	RIGHT-OF-WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY LINE
	EXISTING DITCH CENTERLINE
	EXISTING/PROP DITCH TOP OF BANK
	EXISTING WETLANDS
	EXISTING 404 BOUNDARY
	30' UNDISTURBED BUFFER (COUNTY)
	EXISTING GRADE CONTOUR
	PROPOSED GRADE CONTOUR
	EXISTING CULVERT
	PROPOSED CULVERT
	PROPOSED SIDEWALK

PROJECT: OUTER BANKS VENTURES
POPLAR BRANCH TOWNSHIP
CURRITUCK COUNTY
NORTH CAROLINA

COVER SHEET, DEVELOPMENT
NOTES & SITE LOCATION

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DATE: 05/27/21 SCALE: N/A

DESIGNED: BPG CHECKED: MSB

DRAWN: KFW APPROVED: BPG

PRELIMINARY
DO NOT USE FOR
CONSTRUCTION

SHEET: **1** OF **6**

CAD FILE: 459600AS1

PROJECT NO: 4596

Bissell Professional Group
Firm License # C-958
P.O. Box 1068
10000 Highway 101
Corolla, North Carolina 27949
Phone: (252) 281-1700
Fax: (252) 281-1700

BISSSELL
PROFESSIONAL GROUP
Engineers, Planners, Surveyors
and Environmental Specialists

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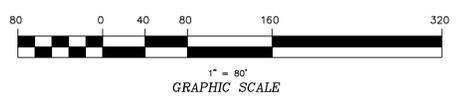
LINE TABLE

LINE	LENGTH	BEARING
L1	57.93'	N37° 34' 20"E
L2	54.23'	S65° 23' 21"E
L3	72.84'	S36° 53' 44"E
L4	24.88'	S24° 21' 21"W
L5	71.75'	S32° 28' 53"E
L6	69.81'	S14° 36' 25"W

SOILS LEGEND

SOILS LINE	SOILS
CoB	COROLLA FINE SAND
CrB	COROLLA-DUCKSTON COMPLEX
Cu	CURRITUCK MUCKY PEAT
NhC	NEWHAN-COROLLA COMPLEX
Os	OSIER FINE SAND
W	WATER

SCS - SOIL SURVEY OF CURRITUCK COUNTY
SEE NOTES SHEET XX FOR SOILS DESCRIPTIONS



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and Environmental Specialists

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10257 W. 29th
Corona 27949
TEL: (336) 794-3399
FAX: (336) 281-1790

EXISTING CONDITIONS & SITE FEATURES PLAN

OUTER BANKS VENTURES NORTH CAROLINA
POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY

AMENDED SKETCH PLAN

THIS DRAWING IS THE SOIL SURVEY OF CURRITUCK COUNTY, NORTH CAROLINA. THE REPRESENTATIONS IN THIS DRAWING ARE BASED ON THE FIELD SURVEY AND LABORATORY ANALYSIS. THE REPRESENTATIONS IN THIS DRAWING ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF BISSSELL PROFESSIONAL GROUP, INC. COPYRIGHT 2005.

NO.	DATE	REVISIONS DESCRIPTION

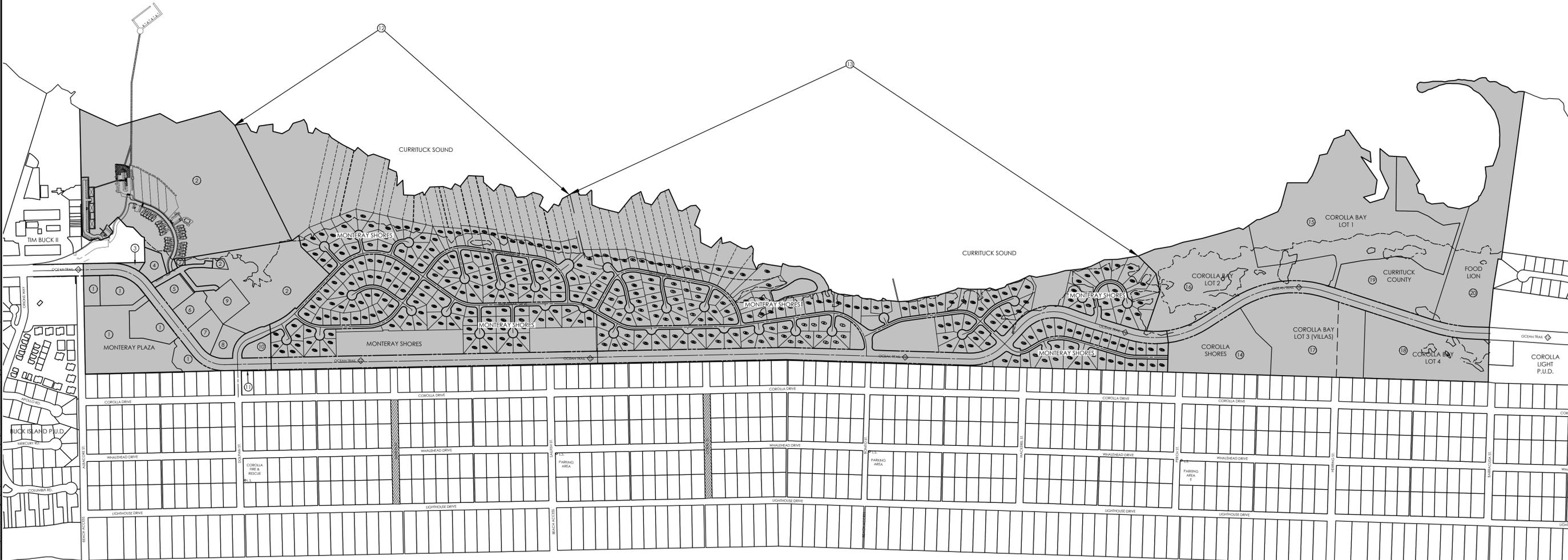
DATE: 05/27/21 SCALE: 1"=80'
 DESIGNED: BPG CHECKED: MSB
 DRAWN: KFW APPROVED: BPG
 SHEET: 2 OF 6
 CAD FILE: 459600AS1
 PROJECT NO: 4596

Attachment: 3-9-22-21_4596-AmendedSketch (PB 87-56 Monterey Shores PUD Parcel 10)

Map Reference	Designation	Total Area	CAMA Wetlands	Net Area for Development	Commercial	Residential	Open Space	References	Notes; Comments
1.	South of Phase 2: Monterey Plaza	69,630	9.0	60.63	21,736	52 Units	46,858	"P.C. D., SL. 322"	Original Commercial Tract
2.	Parcels 7, 8, 9, & 10	48,721	9.0	39,721	1,433	-	46,744	"P.C.K., SL. 49-51"	"Acreage includes 0.549AC R/W for Malia Drive, (R/W Ac. On plot is incorrect); parcel 10 commercial area from 11/20/09 and 1/22/14 A.S.P.'s; CAMA area unconfirmed."(2021 A.S.P.) Parcel 9 area corrected based on Parcel 5 condo Plat.
	• Parcel 7	0.220 (1)	-	0.220	0.220	-	-	-	-
	• Parcel 8	0.119 (1)	-	0.119	-	-	0.119	-	-
	• Parcel 9	11,639 (1)	-	11,639	-	-	11,639	-	-
	• Parcel 10	36,194 (1)	9.0	27,194	1,208	-	34,986	-	Parcel 10 commercial per last several A.S.P.'s.
3.	NCDOT Residential	0.165	-	0.165	-	-	-	"D.B. 984, P. 113"	-
4.	Church Parcel 5	0.918	-	0.918	0.918	1 Unit	-	"P.C. G, SL. 205"	Now mini-golf parcel
5.	Commercial Lot 4	0.976	-	0.976	-	1 Unit	-	"P.C. G, SL. 90"	-
6.	Commercial Parcel 3	1.114	-	1.114	1.114	-	-	"P.C. G, SL. 176"	-
7.	Commercial Area 1	1.056	-	1.056	1.056	2 Units	-	"P.C. E, SL. 136"	-
8.	Commercial Area 2	0.995	-	0.995	0.995	-	-	"P.C. E, SL. 137"	-
9.	Monterey Pines (Parcel 5)	2.093	-	2.093	1,712	48 Units	0.045 (UTILITY STRIP)	"P.C. G, SL. 135"; "P.C. I, SL. 133"	"Common areas & amenity areas are not credited as open space; Caroline Court R/W acreage overlaps 0.047 Ac. with Malia Dr. R/W (corrected in table); Parcel 5 area also corrected per Condo Plat.
10.	Bank Parcel	0.778	-	0.778	0.778	-	-	"P.C. D, L.S. 158"	-
11.	5' Buffer (across from bank)	0.029	-	0.029	-	-	0.029	Not shown on separate plat	Computed from plat
12.	Phase 2:	93.008	9.4	83.608	-	184 Lots	36.542	"P.C. D, SL. 20-27"; "P.C. D, SL. 54-61"	34.04 Ac. Open space on plot excludes 2.525 Ac. Well site (was originally included in PH. 1 open space calc.)
13.	Phase 1:	103,843	3.39	100,453	200 Lots	19,294	-	"P.C. B, SL. 366-371; 377"	"43.15 Ac. Open space on plot: Ac. Shown in table is net of 16.08 Ac. WW site included in "South of Phase 2" in table and 2.30 Ac. Well (actually 2.525 Ac. Included in Phase 2). Other open space areas (9 parcels) total 19,294 Ac."
	Phase 3:	88,828	3,875	84,953	14,46	218	31,699	"1.35 Ac. Disappeared from Corolla Bay when recombination plan was filed (P.C. J, SL. 126-127); and 0.1 Ac. Difference in Food Lion plats. 218 residential allocated to Phase 3 on A. S. P. dated approved on 3/15/20 and on 1/22/14 A. S. P."	-
14.	Corolla Shores	7.24	-	7.24	-	19 Lots	-	"P.C. N, SL. 133"	Excludes any reduction due to NCDOT taking.
15.	Corolla Bay 1-4	57,418	3,875	53,543	-	-	-	"P.C. I, SL. 32-35"; "P.C. J, SL. 126-127"	"CAMA wetlands shown on P.C.Q., SL. 9-11"
	• Section1 (Lot 1)	20,590* (2)	3,875	16,715	-	30 Lots	9,511	"P.C. J, SL. 198-200"	0.179 Ac. of land area was lost in recombination of Lots 1 & 2 (did not supersede)
	• 1A (Lot 1) (Included in Lot 1)	-	-	-	-	6 Lots	-	"P.C. P., SL. 71"	0.018 Ac. Open space from Section 1 omitted from plat
16.	Section2 (Lot 2)	12,634* (2)	- (3)	-	-	10 Lots	3,504	"P.C. O., SL. 9-11"	"Acreage includes NCDOT R/W acquired (6.47Ac.) and 1.16 Ac. Lost compared to P.C. J, SL. 126-127"
17.	Lot 3 (Villas)	12,848 *(2)	- (3)	-	3,007	83 Units (57+26)	-	"P.C. L., SL. 173-175; P.C. L, SL. 171-179, P.C. M, SL. 160-163"	Commercial for Lots 3 & 4 shown as 8.36 Ac. on approved plans. Computes as 8.95 Ac.
	• Lot 3 (Residential)(Included)	- (3)	-	-	-	-	-	"P.C. I, SL. 32-35"	Open space and residential allocation per amended sketch plans for P.U.D (3/15/2010 & 1/22/2014);
18.	Lot 4 (Undev.)	10,00 *(2)	- (3)	-	5,353	127	4,057	"P.C. H, SL. 221"	Open space per amended sketch plans for P.U.D. (3/15/2010 & 1/22/2014)
19.	Currituck County	10.07	- (3)	10.07	-	-	2,809	"P.C. G, SL. 356"	"Commercial & open space allocations are from 1/22/2014 ASP (recorded plat shows 14.0 Ac. +/-, A.S.P. shows 14.1 Ac.; 14.1 used in development calcs."
20.	Corolla Shores V (Food Lion)	14.1	- (3)	14.1	6.1	-	8	-	711 total does not consider any loss of lots in Corolla Shores due to N.C.D.O.T. taking.
TOTALS:		355,309	25,665	329,644	36,222	711	134,353		

FOOTNOTES:
 (1) *Included in 48,721 Ac. Totals for Parcels 7, 8, 9 & 10.
 (2) Included in 57,418 Ac. Totals for Corolla Bay 1-4.
 (3) No CAMA wetland data provided on plots.
 (4) *43.35 Ac. CAMA in 2006 A.S.P., but not identified by plat."

	EXISTING	THIS MODIFICATION	PROPOSED AFTER MODIFICATION	Notes
Total area in P.U.D.	355,309 Ac.	-	355,309 Ac.	Computed from record maps
CAMA Wetlands	43.38 Ac.	-	43.38 Ac.	(From 2006 A.S.P.-unconfirmed)
Net Development Area	311,929 Ac.	-	311,929 Ac.	
Commercial Area	36,222 Ac.	-	36,222 Ac.	From 2010 & 2014 A.S.P.'s
Commercial %	10.195 %	-	10.195 %	
Residential Units	711	36 Units	747	
Residential Density	2,279/Ac.	-	2,395/Ac.	Based on Net Area
Open Space Area	134,353 Ac.	4.01 Ac.	130,343 Ac.	Computed from record maps
Open Space %	37.81 %	-	36.67 %	



ATLANTIC OCEAN

400 0 200 400 800 1600

1" = 400'
GRAPHIC SCALE

ATLANTIC OCEAN

NO.	DATE	DESCRIPTION	BY	CHKD.
1	8/22/21			

DATE: 5/27/21 SCALE: 1" = 400'
 PREPARED: BPG CHECKED: MSB
 DRAWN: KFW APPROVED: BPG

SHEET: 3 OF 6
 CAD FILE: 459600PUD1
 PROJECT NO: 4596

Bissell Professional Group
 Firm License # C-858
 P.O. Box 1068
 1000 Highway 101
 Corolla, North Carolina 27949
 Phone: (252) 761-3000
 Fax: (252) 761-1760

BISSELL
 PROFESSIONAL GROUP
 Engineers, Planners, Surveyors
 and Environmental Specialists

P.U.D. OVERVIEW & SUMMARY OF USES

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MONTERAY SHORES P.U.D.
 CURRITUCK COUNTY
 NORTH CAROLINA

POPULAR BRANCH TOWNSHIP

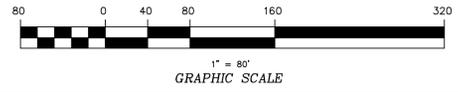
AMENDED SKETCH PLAN

Attachment: 3-9-22-21_4596-AmendedSketch (PB 87-56 Monterey Shores PUD Parcel 10)

Packet Pg. 70



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Engineers, Planners, Surveyors
and Environmental Specialists

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Firm License # C-958
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10000 Highway 101
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Phone: (252) 794-3000
Fax: (252) 281-1790

OVERALL MIXED USE SITE PLAN

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OUTER BANKS VENTURES
NORTH CAROLINA

POPULAR BRANCH TOWNSHIP CURRITUCK COUNTY

DEVELOPMENT OVERVIEW

NO.	DATE	DESCRIPTION	BY	CHECKED
1	6/22/21	ISSUE COMMENTS	MSB	MSB
2	7/29/21	UPDATE LOT LINE & DOORS	KFW	MSB
3	8/26/21	UPDATE LOT LINE & DOORS	KFW	MSB

DATE: 05/27/21 SCALE: 1"=80'

DESIGNED: BPG CHECKED: MSB

DRAWN: KFW APPROVED: BPG

SHEET: 4 OF 6

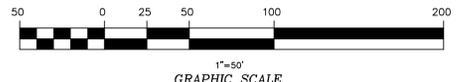
CAD FILE: 4596000A1

PROJECT NO: 4596

PRELIMINARY
DO NOT USE FOR
CONSTRUCTION



SITE DATA	
TOTAL AREA:	36.194 AC.
CAMA WETLANDS:	9.0 AC.±
NET AREA:	27.19 AC.±
AREA OF R/W & ROADWAY EASEMENTS:	1.03 AC.±
AREA OF LOTS (SINGLE FAMILY & TOWNHOMES):	2.98 AC.±
AREA OF COMMERCIAL DEVELOPMENT:	1,208 AC.±
AREA TO BE REMOVED FROM UTILITY OPEN SPACE:	4.01 AC.±
USE OF EXISTING COMMERCIAL AREA:	1,208 AC.±
DEVELOPMENT SUMMARY	
COMMERCIAL BUILDINGS:	8,002 S.F.±
RESTAURANT:	4,502 S.F.±
OUTDOOR ENTERTAINMENT VENUE:	7,626 S.F.±
PARKING REQUIREMENT	
GENERAL COMMERCIAL:	7,500 S.F. @ 1/300 S.F. = 25 SPACES
RESTAURANT:	4,502 S.F./150 S.F. = 30 SPACES
OUTDOOR ENTERTAINMENT VENUE:	7,626 S.F./250 = 31 SPACES
UPPER STORY DWELLINGS:	0.5/UNIT X 6 = 3 SPACES
PADDLE BOAT RENTALS:	1 SPACE/SLIP OR MOORING = 6 SPACES
10 BOAT DOCKS:	1 SPACE/SLIP OR MOORING = 10 SPACES
TOTAL SPACES REQUIRED:	105 SPACES
TOTAL SPACES PROVIDED:	108 SPACES
FLOOR AREA RATIO	
12,562 S.F./1,184,396 S.F. (NET OF CAMA) = 0.0106	



BISSELL
PROFESSIONAL GROUP
Engineers, Planners, Surveyors
and Environmental Specialists

Bissell Professional Group
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2000 Carolina 27149
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FAX (252) 761-1790

**MIXED USE DEVELOPMENT
LAYOUT & CONCEPTUAL PLAN**

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OUTER BANKS VENTURES

POPULAR BRANCH TOWNSHIP
CURRITUCK COUNTY
NORTH CAROLINA

LUP AMENDMENT

PROJECT NO. 4596

DATE: 5/27/21

DESIGNED: BPG

DRAWN: KFW

SHEET: 5 OF 6

CAD FILE: 459600AS1

PROJECT NO: 4596

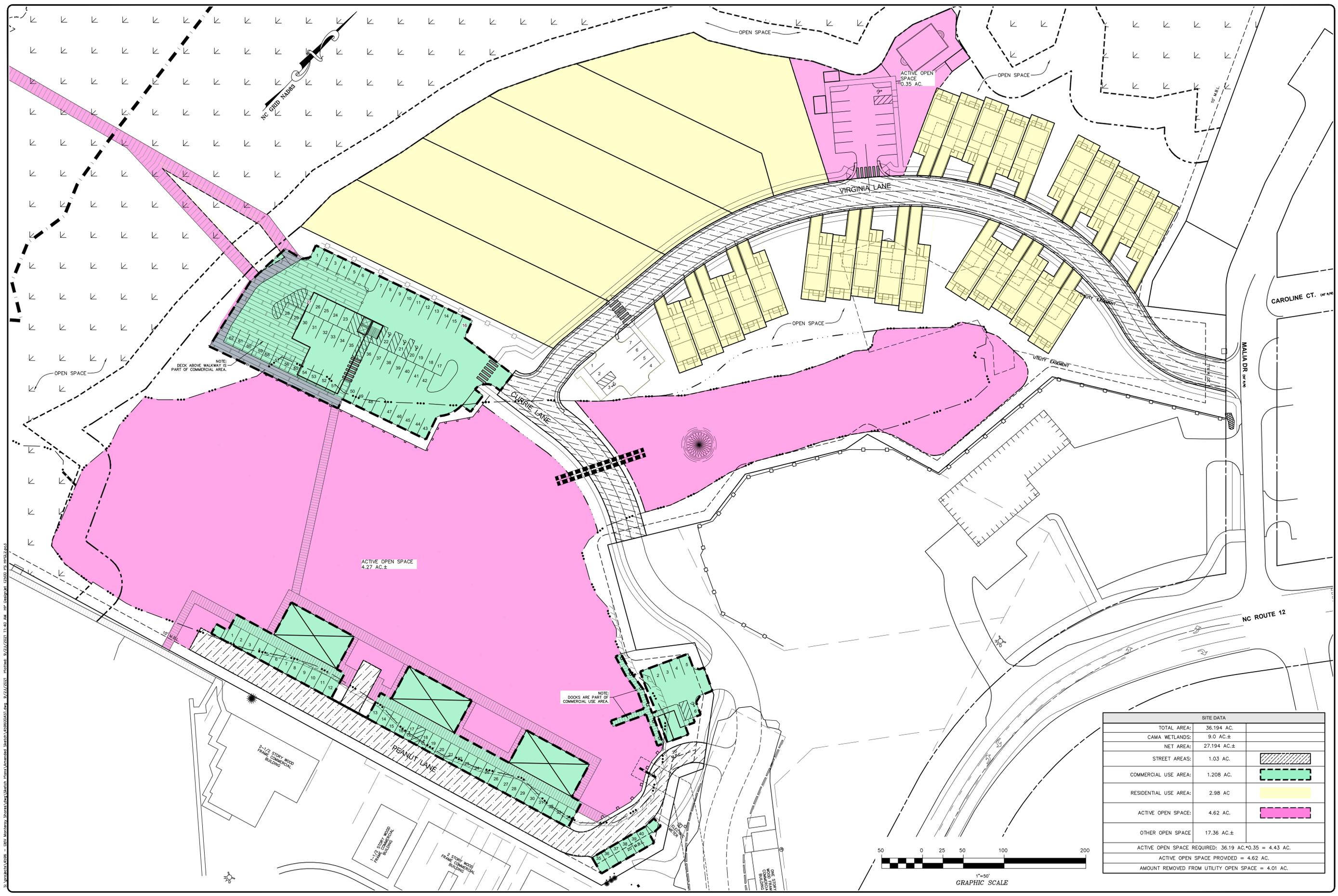
SCALE: 1"=50'

CHECKED: MSB

APPROVED: BPG

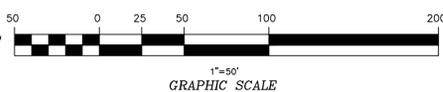
NO.	DATE	DESCRIPTION	BY
1	5/27/21	ISSUE FOR PERMIT	KFW
2	7/22/21	REVISION: SEE LINE & DODGES	KFW
3	8/22/21	REVISION: SEE LINE & DODGES	KFW
4	8/22/21	REVISION: SEE LINE & DODGES	KFW

PRELIMINARY
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S:\Projects\4596 - 017 Monterey Shores\Map\Map\Amended Sketch\Map\Amended Sketch.dwg 9/23/2020 11:40 AM HP H:\Map\4596.dwg 9/23/2020 11:40 AM HP

SITE DATA	
TOTAL AREA:	36.194 AC.
CAMA WETLANDS:	9.0 AC.±
NET AREA:	27.194 AC.±
STREET AREAS:	1.03 AC.
COMMERCIAL USE AREA:	1.208 AC.
RESIDENTIAL USE AREA:	2.98 AC.
ACTIVE OPEN SPACE:	4.62 AC.
OTHER OPEN SPACE:	17.36 AC.±
ACTIVE OPEN SPACE REQUIRED: 36.19 AC. * 0.35 = 4.43 AC.	
ACTIVE OPEN SPACE PROVIDED = 4.62 AC.	
AMOUNT REMOVED FROM UTILITY OPEN SPACE = 4.01 AC.	



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 (919) 286-3200
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BISSELL
 PROFESSIONAL GROUP

Engineers, Planners, Surveyors
 and Environmental Specialists

PROJECT:
 OUTER BANKS VENTURES
 POPLAR BRANCH TOWNSHIP
 CURRITUCK COUNTY
 NORTH CAROLINA

LAND USE
 ALLOCATION PLAN

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AMENDED SKETCH PLAN

NO.	DATE	DESCRIPTION	BY	CHKD.
1	8/28/21	ADD COMMENTS	KFW	MSB
2	8/28/21	ADD COMMENTS	KFW	MSB
3	8/28/21	ADD COMMENTS	KFW	MSB

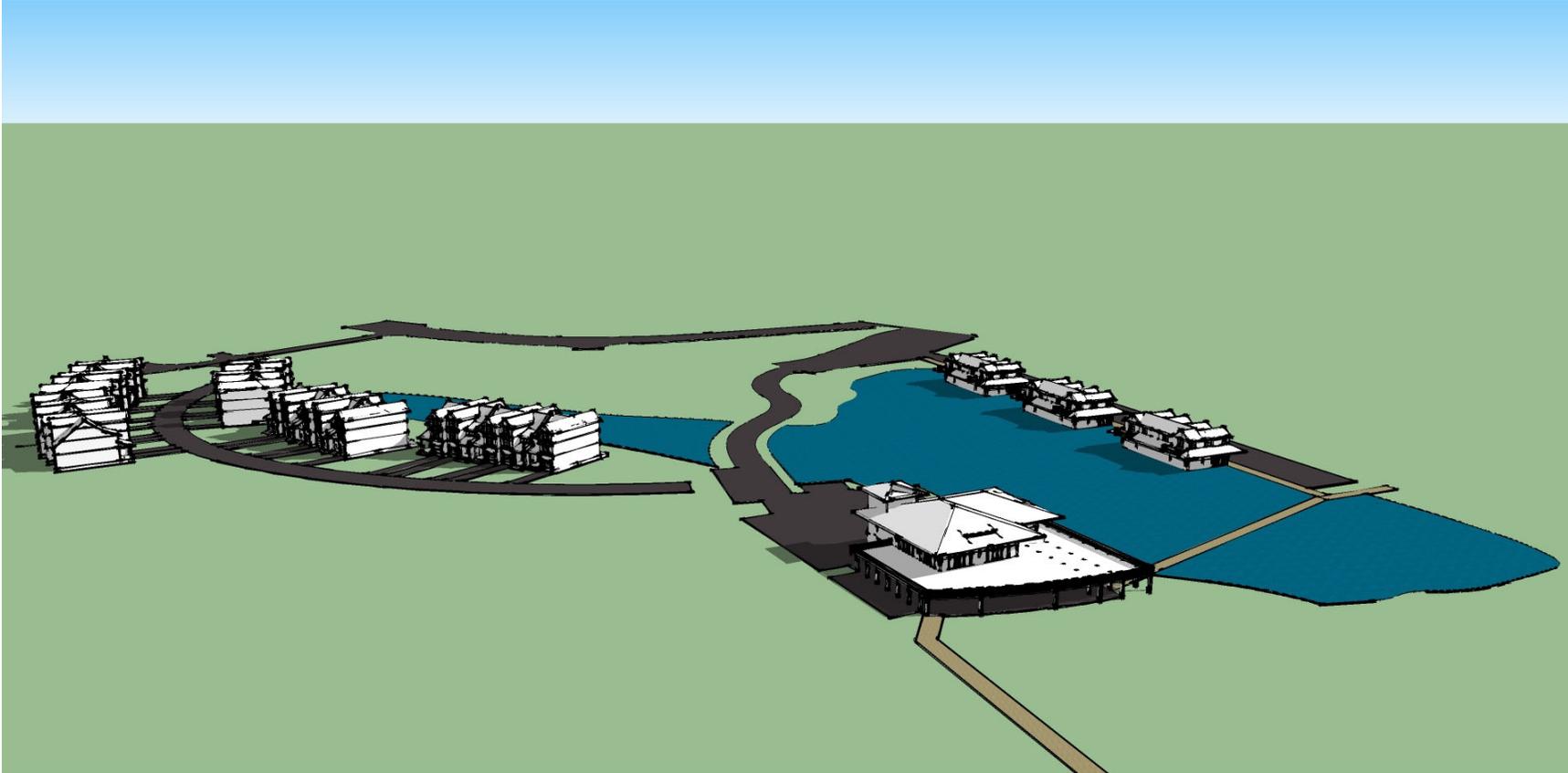
DATE: 03/24/20
 DESIGNED: BPG
 DRAWN: KFW
 SHEET: 6 OF 6

SCALE: 1"=50'
 CHECKED: MSB
 APPROVED: BPG
 PROJECT NO: 459600AS1
 SHEET NO: 4596

PRELIMINARY
 DO NOT USE FOR
 CONSTRUCTION

Attachment: 3-9-22-21_4596-AmendedSketch (PB 87-56 Monterey Shores PUD Parcel 10)

Packet Pg. 73



Sound Shore

May 27, 2021

cahoon+kasten

A R C H I T E C T S



Attachment: 4 Shore Sound Preliminary Architecturals (PB 87-56 Monterey Shores PUD Parcel 10)

Sound Shore
May 27, 2021

cahoon+kasten
ARCHITECTS



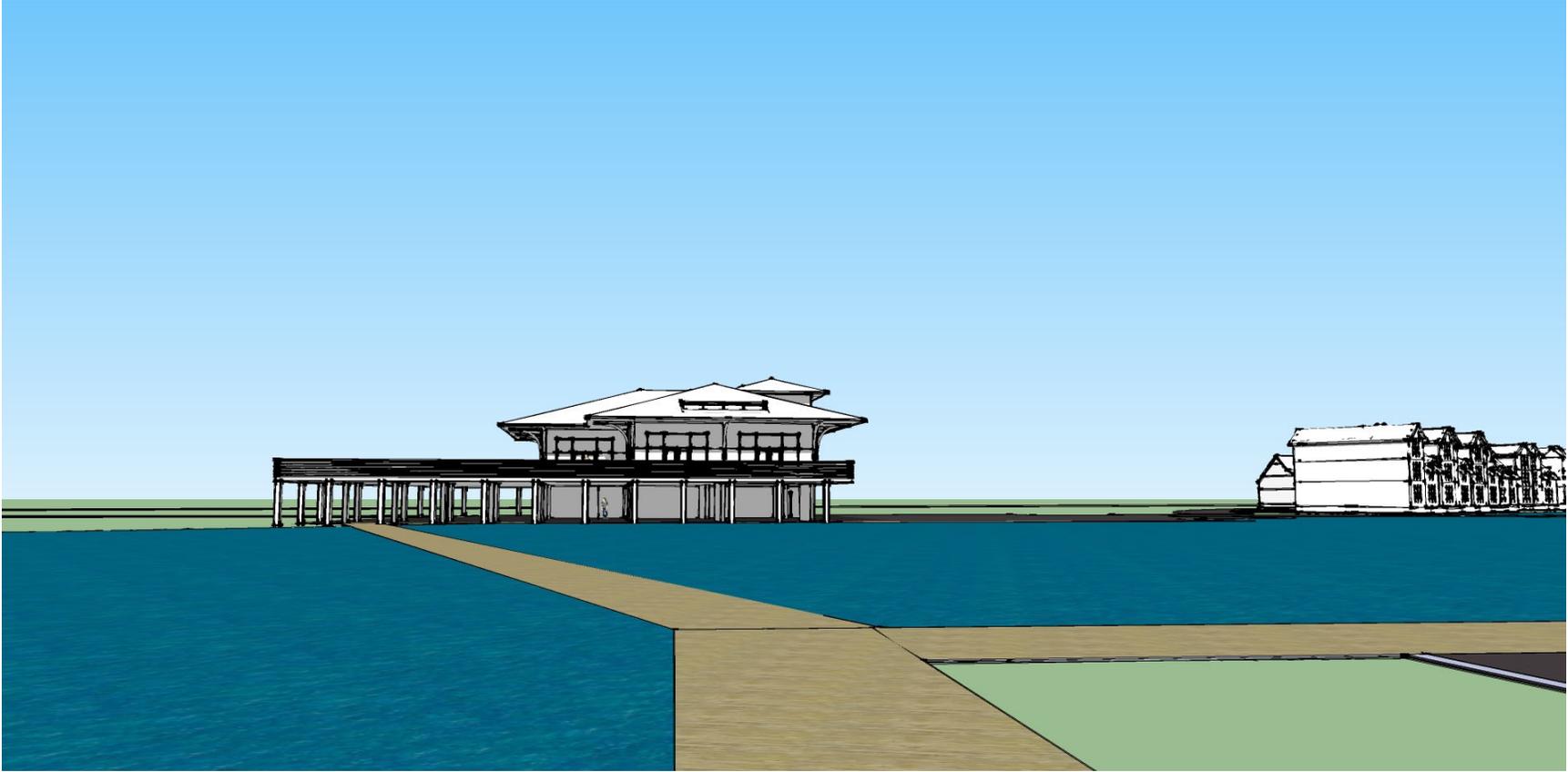
Attachment: 4 Shore Sound Preliminary Architecturals (PB 87-56 Monterey Shores PUD Parcel 10)

Sound Shore

May 27, 2021

cahoon+kasten

A R C H I T E C T S



Attachment: 4 Shore Sound Preliminary Architecturals (PB 87-56 Monterey Shores PUD Parcel 10)

Sound Shore

May 27, 2021

cahoon+kasten

A R C H I T E C T S



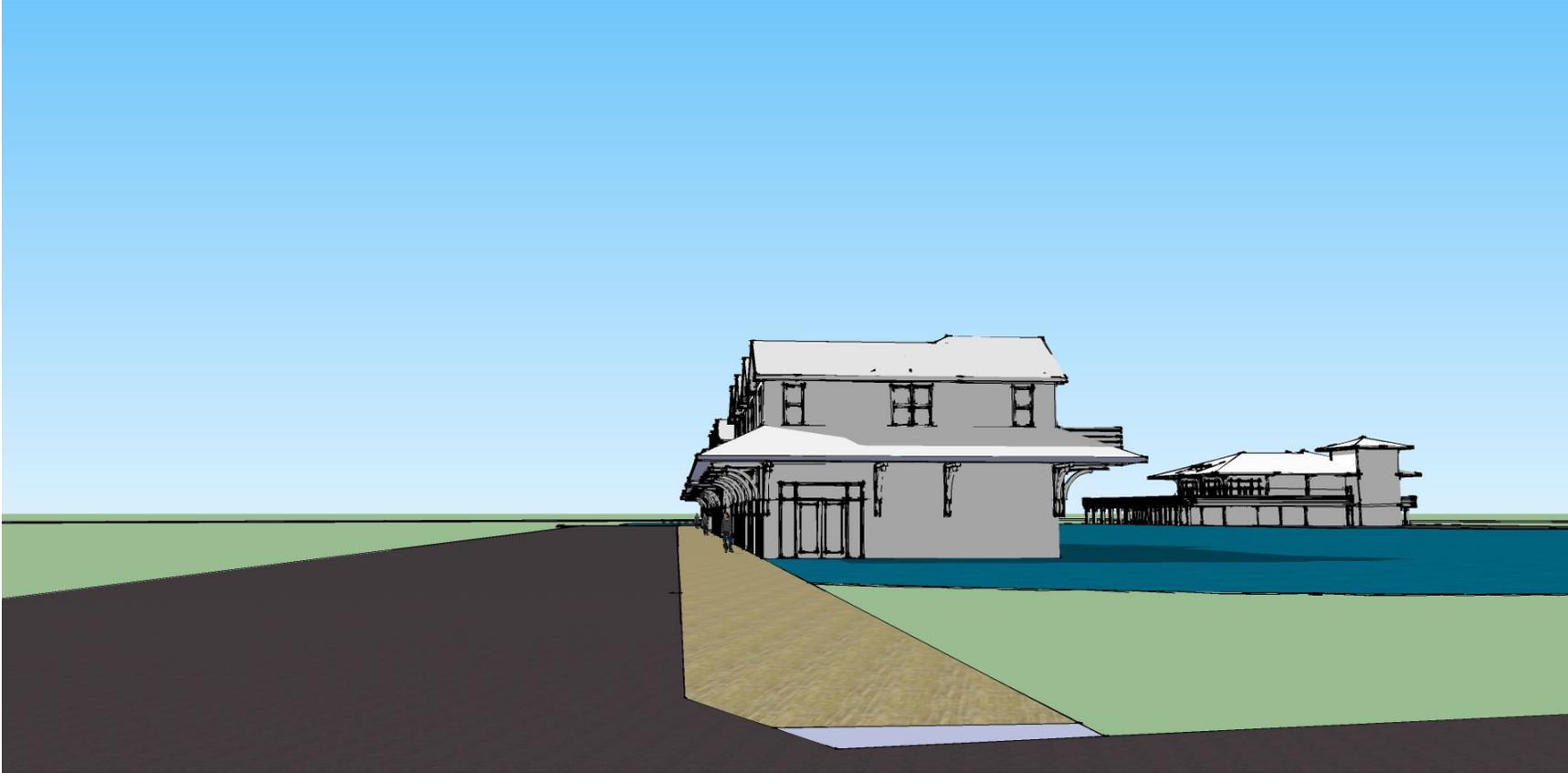
Attachment: 4 Shore Sound Preliminary Architecturals (PB 87-56 Monterey Shores PUD Parcel 10)

Sound Shore

May 27, 2021

cahoon+kasten

A R C H I T E C T S



Attachment: 4 Shore Sound Preliminary Architecturals (PB 87-56 Monterey Shores PUD Parcel 10)

Sound Shore

May 27, 2021

cahoon+kasten

A R C H I T E C T S



May 14, 2021

RE: Sketch Plan/Use Permit Amendment for Monterey Shores, PUD.

Dear Community Members,

The purpose of this letter is to bring you some news about a new development that we look forward to starting soon at Monterey Shores. We are in the conceptual stages of planning a new mixed use development on the 36 acre tract owned by Outer Banks Ventures known as Parcel 10-R, located off Malia Drive behind Corolla Adventure Golf, just north of TimBuck II, and would like to invite you to join us for a community meeting on Monday, May 24, 2021 at 6:00pm at the site, off Malia Drive across from Monterey Plaza in Corolla.

The purpose of this meeting is to personally introduce ourselves and to dialogue with you, the community residents, about our vision for this property. We are interested in obtaining community feedback while we are in the planning stage for this development. Your inquiries, concerns, and ideas are a priority to us, as it is our desire to make an effort to incorporate them into the site plan for this development.

The proposal will involve a combination of attached and detached dwellings, along with a restaurant and other commercial uses. There will also be an area developed for off-shore boat slips.

Please mark the date and time in your calendar and join us. We look forward to this opportunity to hear from you and to get your input on how we can make this development one that we are all proud to be a part of.

Respectfully,
BISSELL PROFESSIONAL GROUP

A handwritten signature in blue ink, appearing to read "Mark S. Bissell", with a long horizontal line extending to the right.

Mark S. Bissell, P.E.

Cc: Currituck Planning and Community Development
Attn: Ms. Laurie LoCicero, AICP

4596 Monterey Shores, PUD
Amended Sketch Plan/Use Permit

Community Meeting Minutes

Monday, May 24, 2021

Scheduled Time/Place: 6:00 pm, on site off Malia Drive, Corolla, NC

Meeting Began at 6:00 pm

Attendees: Richard Willis, Representing the Developer
Jennie Turner and Larry Lambardi, Representing Currituck County
Mark Bissell, Representing the Engineering Firm
Nearby Community Residents(please refer to the attached sign-in sheet)

Summary:

An outline of the meeting presentation is attached. The residents were provided an overview of the review and approval process for this type of project, and were provided a description of the main elements of the development plan. A map showing the context of the site as well as the preliminary development plan were presented. It was explained that the development plan was preliminary and that many steps in the approval process were yet to come and that the plan would be refined as we go. It was explained that we are no longer proposing a hotel and conference center and shopping center, and have scaled the development way back to a restaurant with entertainment venue, 3 small commercial buildings with upper-story dwelling units, 5 single family lots and 25 townhomes.

The following comments and concerns were expressed by the Community members, and responses that were given are shown next to each comment below.

Comments from the Community	How Addressed
What size homes will be constructed?	The five lots are set up for 8 bedroom houses
We don't like large houses. They put up tents for events and cause parking problems.	The intent is for the restaurant/outdoor entertainment venue to be used for events.
Where will visitors park for these events.	It is intended they park at the restaurant.
What size townhomes?	They will be 3 story with a garage and have about a 1200 sq.ft. footprint.
How many bedrooms?	There will be at least 3 bedrooms per townhome.
What is the occupancy?	Based on 3 bedrooms occupancy would be 6 people.
How will stormwater be handled?	There will be vegetative swales to the four acre pond which will be used to attenuate run-off, additional filtration will then occur between the pond and the wetlands.
How will wastewater be handled?	There is capacity in the Monterey Shores wastewater treatment facility.
How will traffic be handled? Will there be a TIA?	Malia Drive will be used for the residential traffic only. The commercial traffic will go past the farm market to the existing traffic light. NCDOT has preliminarily indicated they are tentatively planning with

Attachment: 5 Community Meeting (PB 87-56 Monterey Shores PUD Parcel 10)

	the plan. It does not appear there is enough traffic to warrant a TIA.
How will people get to the beach?	Walk ways are being provided to NC 12 along Malia Drive and also thru the development to the existing crosswalk at Albacore Street.
Regarding the marina, how large will it be?	Only 10 boat slips are being proposed initially (this will not actually be categorized as a marina).
How deep is the water?	At least 4 feet in the area where the boat docks are proposed.
The wind blows the water out of the sound and it makes it hard to navigate.	We are limiting the initial development to 10 slips and will then see if it is practical to expand.
Marinas pollute the water.	Only boat docks are being provided with no gas, a separate application will be made to CAMA who will coordinate the review of all environmental agencies and concerns.
What about the conservation land use plan classification?	Answered by staff: the land use plan automatically updates with a plan amendment (the county is subsequently looking into the procedure for modifying the land use plan).
There is too much development in Corolla already, what is the benefit?	A new sound front restaurant and venue appear to be needed and beneficial.
There are already too many people.	You moved here, others may want to move here also.
What about the farm market? Will it stay?	The development will not impact the farm market.
What about parking at the farm market?	It is proposed that parking be better defined with a new paved drive aisle thru the parking area, that will be in accordance with the original approved plan.
Based on the parking plan you can only get 6 paddle boats in and it will be hard to make money.	No response.
There is insufficient parking at TimBuck II and probably here.	We are providing parking in accordance with the UDO and a few extra spaces for the upper-story dwellings.
There's no parking for visitors to the townhomes.	We will look into adding some.
Will it be a part of the Monterey Shores Association?	Probably not, it will have its own mini-association.
What about water access?	There is no access for boat here or in the vicinity.
Who will get to use the boat docks?	Residents and visitors. Maybe visitors from the mainland can come over and dock there and utilize the restaurant.
What about noise from the outdoor venue?	We expect low key entertainment similar to that at the Blue Point in Duck.
What kind of shops are proposed?	It's uncertain at this time, probably retail and maybe some food service.
Employee housing is needed.	It is intended that the upper story dwellings serve that purpose.

The main part of the meeting ended at approximately 7:15 PM; with several of the community members staying to look at the site plan and further discuss the details of the development after the regular meeting had adjourned, until about 7:40 PM.

Monterey Shores Phase 10 Community Meeting

Outline of Presentation

May 24, 2021

A. Housekeeping –

- Please sign-in
- A record of the Community meeting will be provided to Currituck County. (pros and cons raised/ attempts to address any concerns)

B. What is the Request?

- First step in the approval process – for sketch plan amendment

C. The Process:

- Initial Master Plan Design
- Pre-Application conference with staff
- Community meeting (now)
- TRC review
- BOC hearing/action

Then:

- Preliminary Plat application & approval process (SF & MF Lots)
- Major site plan review & approval process for commercial/mixed use
- Construction drawing preparation
- State Permit applications & County construction approvals
- Construction
- As-Built certifications
- Final plat application

The process is expected to take at least half a year before any commercial, and a year before any residential construction begins

D. Setting (refer to 36 acre map)

- TImBuck II to South
- Monterey Pines & WWTP to North
- Monterey Shopping Center to East
- Currituck Sound to West

E. The Plan:

- Elevated Restaurant – accessed via causeway across pond
- Outdoor seating/entertainment venue
- Boat docks
- Five SF Lots – 12-15000 SF+
- 25 Townhomes
- Small commercial with upper story dwellings (6)

F. Comments/Concerns

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Monterey Shores, PUD

May 24, 2021
6:00PM

NAME	ADDRESS	TELEPHONE	E-MAIL
Gary Richer	608 Tide Arch	540-207-3195	Gary.Richer@gmail.com
Geri Adams	790 Crown Pt Cir	457-676-6990	vadokny@yahoo.com
Ronald's Bernard Kawetz	843 Azure St.	610-657-0964	b.kawetz@outlook.com
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SHARLENE + DORIS GUN	814 OCEAN TRAIL	252-453-9977	SHARLENE@earthlink.net
JEFF REEBSTA	1066 Ocean Trail	258-207-2046	jeff@earthlink.net
	1066 Ocean View	252-564-4424	DRK SURFMAN@live.com
Ann + Mark Adams	1140 Morris Dr.	703-795-8934	annadams74@gmail.com
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John Connor	"	"	john.a.connor@gmail.com
Kary Elberg Sider	911 Whalerhead Dr	410-562-1870	msider@comcast.net
PATRICK RUBENS	16884 Kelpers Ln	252-267-9459	pat@coral-1.com
Tom Stevenson	Number #	252-222-1225	tom.stevenson@earthlink.net
Al + Barb MARZETTI	609 Sea Oats Ct	703-470-6219	marzetti@msn.com
Lynne Fellman	477 Shore side Ct	703-470-6219	LynneFellman@gmail.com
Michael Liggan	"	703-470-6313	MLIGGAN@gmail.com

Monterey Shores, PUD

May 24, 2021

6:00PM

NAME	ADDRESS	TELEPHONE	E-MAIL
Michael Barnes	841 Rosewood Ct. Carrolla Ave 27987	(757) 288-6167 (757) 345-8068	little51@yahoo.com
Lois Little	885 Amber Ct	914-271-4011	bencivenga@hotmail.com
Ellen, Joe Bencivenga	1121 Austin St Carrolla, NC	703-657-9582	barbarduffyhetteman.com legmail.com
Barbara Hefferman	850 Seastape Ct Carrolla, NC	703-258-2798	agould@did6@gmail.com
Tim + Annette Gould	831 Monterey Dr Carrolla, NC	301-418-5587	ps209flem@aol.com
Phil + Susan Fleming	870 DEWITT'S SANDS CARROLLA	757-412-8481	thecrones@gmail.com
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Marcy Regan	904 N Harbor Vw Carrolla	757-323-4494	mellisa-d-2001@yahoo.com
Melissa Cooper	863 Driftwing Sands Dr Carrolla, NC	301-237-8951	LARRY@DMSBL.COM
LARRY COMBARDI	857 Capri Crescent	(804) 382-6494	trothers@cox.net
Jim + Danette Trotter	Currituck Gwath	252-232-6031	Jennie.Turner@currituckco.nh.gov XXXXXXXXXXXXXXXXXXXX@currituckco.nh.gov
Jennie Turner			
Israel Golson			
Michael Zohar	Kitty Hawk	252-599-7247	Michael.Zohar83@gmail.com
Mr. Paul	Carrolla	252-453-2455	info@Carrolla-light.com
Mike Hassen	1026 Mirage St Carrolla	484 433 3088	mikehassen@verizon.net



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: Rick Willis, Outer Banks Ventures, Inc.

From: Jennie Turner, Planner II

Date: June 10, 2021

Re: PB 87-56 Monterey Shores, Phase 10 – Amended Sketch Plan/Use Permit

The following comments have been received for the June 9, 2021 TRC meeting. In order to be scheduled for the August 16, 2021 Board of Commissioners meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on June 24, 2021. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed

1. Corrections are needed on the amended sketch plan to accurately reflect BOC approved density, commercial areas, and open space.
2. The proposed commercial summary appears to include an increase of 1.177 acres.
3. Per the Land Use Plan:

The Land Classification Map or Future Land Use Plan Map is to be supported and complemented by zoning, subdivision regulations, infrastructure investments and other local growth management tools; these local tools should be consistent with the classification system as much as possible. Although general areas are outlined on the Land Classification Map, it must be remembered that land classification is in and of itself a policy and is not, in the strict sense of the term, a regulatory mechanism. Rather as with the balance of the Land Use Plan should be used as a guide in adopting implementation ordinances and evaluating subdivision, land development, and rezoning requests.

4. Most of the subject parcel is designated conservation on the 2006 Land Use Plan Future Land Use Map. The following is the LUP language regarding this land classification:

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. The Conservation class should be applied to areas that should not be developed at all (preserved), or if developed, done so in a very limited manner characterized by careful planning and cautious attention to the conservation of environmental features. Infrastructure and services, public or private,

should not be provided in these areas as a catalyst that could stimulate development. The Conservation class includes:

1. *Areas of Environmental Concern, as defined in 15A NCAC 7H (e.g. coastal wetlands, estuarine and coastal shorelines, estuarine waters, public trust waters, etc.)*
2. *Freshwater wetland areas under the jurisdiction of the US Army Corps of Engineers' 404 Wetlands Permit Program and as generally identified by the National Wetlands Inventory of the U.S. Fish and Wildlife Service.*
3. *Certain critical wildlife habitat areas as may be designated by the State Natural Heritage Program and approved by the County Commissioners for inclusion in this class. (e.g. Great Marsh on Knotts Island, Currituck Banks/Swan Island Natural Area, Currituck Banks Corolla Natural Area, Pine Island/Currituck Club Natural Area, Northwest River Marsh Game Land, and many other marsh areas on the mainland.)*
4. *Other similar lands, environmentally significant because of their natural role in the integrity of the coastal region and which include, but are not limited to: bottom land hardwoods, pocosins, and swamp forests containing significant productive, natural, scenic, cultural or recreational resources, and as may be approved by the County Commissioners for inclusion in this class.*

Due to the low-lying nature of much of Currituck County, and the prevalence of wetlands in the County, the Conservation class is the most extensive of the four land classes. Oftentimes, the scattered, widespread nature of such areas (e.g. 404 wetlands) precludes their mapping except at a very generalized level of detail. In such instances, the standards of the Conservation class shall be applied in accordance with the site specific information made available during special studies and/or the land development process.

As stated above, 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.

5. Per Section 1.8.6.B.2 of the UDO a special use permit for outdoor recreation/entertainment uses (marina, paddle boat rental, outdoor entertainment venue) in PUDs. This amended sketch plan/special use permit request may result in relocation of permissible commercial development area; however, to establish outdoor recreation/entertainment uses, special use permit applications will be required.
6. Major site plan and/or preliminary plat/special use permit approval is required prior to development of the project.
7. Multi-family design standards, Non-residential design standards, or Shopping Center design standards apply.
8. Attachment "A" Transportation narrative describes a connection to a crosswalk that is left blank.
9. Is the adjacent NCDOT owned parcel dedicated as a right-of-way. Please provide detail on the right to access through this parcel.
10. Provide information on wastewater availability.

11. In attachment "A" a comment is made regarding existing commercial located in Full Service, the commercial area proposed for relocation combines a request for 6 units of density. The additional 30 units of density are proposed in the conservation area, not in the full-service area. Please clarify the statement that the existing commercial is in full service. It does not appear to be in Full Service on the 2006 map.
12. Please clarify statement that the Currituck planning staff and BOC has determined that no additional commercial allocation is being requested.
13. The county has an easement over the pond.
14. Clearly show land use plan classifications on amended sketch plan page 6 of 6.
15. Areas proposed for commercial designation should include any required supporting features (ex: drive aisles, fire truck turnarounds, paddle boat rental docks, outdoor entertainment decking). All commercial activities must be located within areas designated as commercial on the sketch plan.
16. Has the existing open space including reserve utility open space and green space been recorded and/or dedicated? Provide update on status of green space and reserve utility open space.
17. The amended sketch plan page 3 of 6 is not legible. Please provide clear a clear copy of the plan.
18. Provide approved wetland delineation for CAMA and Army Corps wetlands.
19. Marinas are defined by the UDO as "Any publicly or privately owned dock, basin or wet boat storage facility constructed to accommodate more than ten boats and providing any of the following services: permanent or transient docking spaces, dry storage, fueling facilities, haul out facilities and repair service. Excluded from this definition are boat ramp facilities allowing access only, temporary docking and none of the preceding services. Marinas for ten boats or less shall be classified as privately owned outdoor recreation facilities." The following specific standards of the UDO apply to marinas.

Marinas

Marinas shall be certified as a "clean marina" as part of the North Carolina Clean Marina Program, and shall comply with the following standards:

(a) Location

- (i)** Marinas shall be located in areas where there is a high rate of water "turnover" (the time required for tidal action or water flow to replace water of a boat basin with new water from another source).
- (ii)** Marinas in upland areas shall be encouraged.
- (iii)** Marina access channels shall be designed to maximize circulation and avoid dead-end spots.
- (iv)** Proposals for marina development shall be accompanied by a modeling study indicating expected flushing, where applicable.

(b) Design

- (i)** Marinas shall be planned in such a manner as to minimize the risk of water pollution.
- (ii)** Marina designs must incorporate facilities for the proper handling of sewage, waste, and refuse.

- (iii) Marinas shall minimize alteration of existing shoreline configurations and disturbance of vital habitat areas.
- (c) **Dredging**
 - (i) Dredging operations shall not occur during critical periods of fish migration and breeding.
 - (ii) The method of dredging shall be chosen that will have the least environmental impact, and all dredged materials shall be placed in a manner so as not to pollute surrounding areas.

Currituck County Building Inspections & Fire, Bill Newns 252-232-6023

Reviewed

- Needed Fire Flow for construction is determined by the ISO method.
- No new construction can occur that creates a Needed Fire Flow greater than the available fire flow on site.
- A fire hydrant must be within 400' of all exterior portions of the structure. 600' if the structure has NFPA 13 sprinkler system installed.
- Fences/barriers must not impede the fire hydrant minimum distance to site.
- Fire hydrants must be placed so they are not used to stretch hose across Caratoke Highway and Shortcut Rd. to service site.
- Gates/entrances to sites must be 20' clear width for apparatus access.
- 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.
- Fire apparatus must not have to back up on an access road greater than 150' without a turnaround as indicated, the backing of 150' should be measured in a straight line.
- Fire apparatus access must be at least 20' wide 13' 6" in height. Maximum slope shall not exceed 10%.
- All portions of the fire apparatus access must be capable of 75,000lbs under all weather conditions.
- FDC connection must be a minimum of 25' away from structure and within 100' of fire hydrant.
- FDC's must have signage in 4" letters (red sign with white letters)
- FDC's 6" minimum Stortz connection or 2-2.5" National Standard Thread.
- Knox Box provided on buildings (Coordinate location with the local VFD)
- VFD Fire Chief request two dry hydrants ne located in the ponds.
- Mark fire hydrants locations in the center of road/street with blue reflectors.
- According to NC General Statute parking is not allowed within 15' of a fire hydrant. (FDC included)
- Provide "no parking" signage at fire access lanes provide "no parking signage at fire hydrants".

Inspection notes

Appendix B for building plans at permit application for commercial structures.

Residential Notes

Town homes must have lot lines in order to use residential code.

- Cluster mailbox units must be accessible (accessible route, reach ranges)
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- Curb cuts at vehicular traffic areas and pedestrian crossings must be ADA compliant and have detectable warning devices installed.

Soil engineering may be required.

- Compaction testing will be required for slabs and thickened footing areas that exceed 24" of fill. Fill material shall be free of vegetation and foreign material. The fill shall be compacted to ensure uniform support of the slab, and except where approved, the fill depths shall not exceed 24 inches for clean sand or gravel and 8 inches (203 mm) for earth.

Currituck County Soil & Stormwater, Dylan Lloyd 252-232-3360

Approved with Corrections

- 1) Stabilize outfall from pond at entrance to swale that drains west to Currituck Sound.
- 2) Is old pipe (possibly damaged) at entrance to townhome development to be removed?
- 3) Please explain 'Line of Potential Pond Augmentation' near open space / townhome cluster.

Currituck County Water, Dave Spence/Will Rumsey, 252-232-6060

Reviewed

Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Reviewed

Notes: Need Approval from NCDEQ Concerning Wastewater Capacity Letter Approval for proposed development and restaurant.

Consult with Health Department concerning proposed new restaurant/bar at 252-232-6603.

US Army Corps of Engineers, Anthony Scarbraugh 919-251-4619

Reviewed

Any impacts to jurisdictional waters or wetlands of the US require prior approval from the US Army Corps of Engineers.

Currituck County GIS, Harry Lee 252-232-2034

Reviewed

THE PARCEL ID NUMBER ON THE APPLICATION IS INCORRECT. IT SHOULD BE 0116-000-0010-0000.

PLEASE PROPOSED NAMES FOR THE PROPOSED STREETS.

NC DEQ- Division of Coastal Management, Charlan Owens 252-264-3901

Reviewed

- Indicate CAMA jurisdictional lines on the plans. Indicate the CAMA Coastal Wetlands AEC lines and Section 404 wetland lines on the plans. Note: If the navigable waters of the pond connect to the Currituck Sound, then the pond and its shoreline will also be designated Areas of Environmental Concern (AEC).

- At minimum, based on the information provided, the boardwalk and boating facility and any wetland fill within an AEC will require a CAMA Major Permit. Please contact Robert Corbett, DCM Field Representative, for further information. He can be reached at 252-264-3901.

- Note: The County's Land Use Plan is the Currituck County 2006 Land Use Plan certified by the CRC on May 18, 2007 as amended through July 2, 2019.

<https://files.nc.gov/ncdeq/Coastal%20Management/documents/PDF/Land%20Use%20Plans/Currituck2006LUPwithMAPSCAMACert7-2-19.pdf>

- The property is primarily designated as "Conservation Areas" with some "Full Service Areas" on the County's Future Land Use Map. "Conservation Areas" are described on Pages 11-1 and 11-2 and "Full Service Areas" are described on Page 11-3. Work with the County to determine consistency/inconsistency of the proposal with the "Conservation Areas" designation on the

County's Future Land Use Map. If inconsistent, work with the County to determine an appropriate Future Land Use Map LUP amendment proposal.

The following items are necessary for resubmittal:

- 2 - Full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

A special use permit hearing is an evidentiary hearing where the Board of Commissioners must make a Quasi-Judicial Decision.

- An evidentiary hearing will be held for the Board of Commissioners to gather competent, material and substantial evidence to establish the facts of the case.
- All testimony is made under oath.
- The applicant or opposing parties shall establish written findings of fact and conclusions of law.
- Parties with standing may participate fully in the evidentiary hearing, including presenting evidence, cross-examining witnesses, objecting to evidence, and making legal arguments.
- Non-parties may present competent, material, and substantial evidence that is not repetitive.

Typical Use Permit (Quasi-Judicial) Hearing at BOC

- Swearing in of witnesses/speakers
- Presentation by County Staff on Application
- Required Presentation by Applicant or Authorized Agent (20-25 minutes)
 - Applicant to Present Findings of Fact
- Public Comment Period (typically 3 minutes each)
- Applicant Rebuttal (typically 5 minutes)
- BOC Deliberation & Decision



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: Rick Willis, Outer Banks Ventures, Inc.

From: Jennie Turner, Planner II

Date: June 10, 2021 [6-24-21 Response to TRC Comments](#)

Re: PB 87-56 Monterey Shores, Phase 10 – Amended Sketch Plan/Use Permit

The following comments have been received for the June 9, 2021 TRC meeting. In order to be scheduled for the August 16, 2021 Board of Commissioners meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on June 24, 2021. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed

1. Corrections are needed on the amended sketch plan to accurately reflect BOC approved density, commercial areas, and open space. [We have reviewed previous sketch plans, case analyses and information provided by the Currituck Planning & Development staff, and have updated the calculations based on that review.](#)
2. The proposed commercial summary appears to include an increase of 1.177 acres. [This has been updated as described in #1 above.](#)
3. Per the Land Use Plan:

The Land Classification Map or Future Land Use Plan Map is to be supported and complemented by zoning, subdivision regulations, infrastructure investments and other local growth management tools; these local tools should be consistent with the classification system as much as possible. Although general areas are outlined on the Land Classification Map, it must be remembered that land classification is in and of itself a policy and is not, in the strict sense of the term, a regulatory mechanism. Rather as with the balance of the Land Use Plan should be used as a guide in adopting implementation ordinances and evaluating subdivision, land development, and rezoning requests. [From our review, it appears that the proposed development is supported by the policies of the Land Use Plan regarding the Corolla subarea and the PUD.](#)

4. Most of the subject parcel is designated conservation on the 2006 Land Use Plan Future Land Use Map. The following is the LUP language regarding this land classification:
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. The Conservation class should be applied to areas that should not be developed at all (preserved), or if developed, done so in a very limited manner characterized by careful planning and cautious attention to the conservation of environmental features. Infrastructure and services, public or private, should not be provided in these areas as a catalyst that could stimulate development. The Conservation class includes:

- 1. Areas of Environmental Concern, as defined in 15A NCAC 7H (e.g. coastal wetlands, estuarine and coastal shorelines, estuarine waters, public trust waters, etc.)*
- 2. Freshwater wetland areas under the jurisdiction of the US Army Corps of Engineers' 404 Wetlands Permit Program and as generally identified by the National Wetlands Inventory of the U.S. Fish and Wildlife Service.*
- 3. Certain critical wildlife habitat areas as may be designated by the State Natural Heritage Program and approved by the County Commissioners for inclusion in this class. (e.g. Great Marsh on Knotts Island, Currituck Banks/Swan Island Natural Area, Currituck Banks Corolla Natural Area, Pine Island/Currituck Club Natural Area, Northwest River Marsh Game Land, and many other marsh areas on the mainland.)*
- 4. Other similar lands, environmentally significant because of their natural role in the integrity of the coastal region and which include, but are not limited to: bottom land hardwoods, pocosins, and swamp forests containing significant productive, natural, scenic, cultural or recreational resources, and as may be approved by the County Commissioners for inclusion in this class.*

Due to the low-lying nature of much of Currituck County, and the prevalence of wetlands in the County, the Conservation class is the most extensive of the four land classes. Oftentimes, the scattered, widespread nature of such areas (e.g. 404 wetlands) precludes their mapping except at a very generalized level of detail. In such instances, the standards of the Conservation class shall be applied in accordance with the site specific information made available during special studies and/or the land development process.

As stated above, 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.

We have reviewed the Land Use Plan policies and prior related sketch plan amendments, and believe that this proposal is consistent with both:

- The upland portion of the land, which is the portion that is being proposed for development, appears to have been improperly mapped in 2006, as the upland portion does not have Conservation land characteristics as spelled out in the LUP (It is not a coastal wetland or an AEC; it is not subject to COE jurisdiction; it has not been identified as a critical wildlife habitat, it is not a bottomland or*

pocosin or swamp forest; and the land does have central water & sewer available.

- During a public hearing on July 6, 2009 where the existing commercial allocation to this site was approved, both the county staff and the Board of Commissioners determined that the proposed commercial use of this site is in keeping with the policies of the LUP.
- The LUP suggests a residential density in conservation areas of one unit per 3 acres; however, the PUD ordinance that regulated the Monterey Shores PUD approval does not relate residential density to the LUP land classification, but instead calls for 3 dwelling units per acre based on all of the land, net of CAMA wetlands, which would allow approximately 81 units on this parcel (approximately 27 acres net of CAMA wetlands). Only 36 units of residential density are being requested.
- Also, the Corolla Subarea of the 2006 Land Use Plan states in part, “the policy emphasis of this plan is to allow for predominantly medium density residential development (2 to 3 units per acre)... An overall density of no more than 3 units per acre should also apply to PUD’s, the prevailing development form in the Corolla area.”
- The proposed use is in keeping with many policies of the Land Use Plan, some of which are:
 - i. Policy ES2 states “NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the groundwater table, and providing critical habitat for many plant and animal species. Currituck County supports the efforts of the U.S. Army Corp of Engineers in protecting such wetlands the section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.

The proposed residential development does not contain any wetlands.

- ii. Policy OB1 states “Currituck County supports the provision of infrastructure and services adequate to meet basic quality of life and public health and safety requirements of residents of the Outer Banks”.

The proposed subdivision has adequate water and sewer services available.

- iii. 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.
- iv. POLICY PA2: The County supports MANY FORMS OF “ACCESS” to the water, including scenic outlooks and boardwalks, boat ramps, marinas and docks, fishing piers, canoe and kayak launches, and other means of access. Whenever possible, such facilities shall be designed to accommodate the needs of handicapped individuals.
- v. POLICY ES4: In approving new developments, Currituck County shall support the retention or creation of a vegetated buffer area along ESTUARINE SHORELINES as a simple, effective and low-cost means of preventing pollutants from entering estuarine waters.
- vi. 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.
- vii. POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:
 1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
 2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

The proposed development appears to support both of these development policies, except for the lack of a full service designation with regard to the 2nd policy, which this land should technically have.

We therefore believe that the BOC has the discretionary authority to make a finding that this development is consistent with the 2006 LUP without the need to adopt an amendment to the LUP.

5. Per Section 1.8.6.B.2 of the UDO a special use permit for outdoor recreation/entertainment uses (marina, paddle boat rental, outdoor entertainment venue) in PUDs. This amended sketch plan/special use permit request may result in relocation of permissible commercial development area; however, to establish outdoor recreation/entertainment uses, special use permit applications will be required. It has now been stated that this will need to be a new SUP process beginning with a new pre-application conference and another community meeting, so that application will need to occur subsequent to the current application.
6. Major site plan and/or preliminary plat/special use permit approval is required prior to development of the project. We understand this to be the procedure.
7. Multi-family design standards, Non-residential design standards, or Shopping Center design standards apply. This is acknowledged and will be addressed at the preliminary plat/major site plan stage of the approval process.
8. Attachment "A" Transportation narrative describes a connection to a crosswalk that is left blank. The narrative describes a pedestrian connection to Albacore Street.
9. Is the adjacent NCDOT owned parcel dedicated as a right-of-way. Please provide detail on the right to access through this parcel. The land was acquired with right-of-way funds for the purpose of providing public access, and access is not restricted as to the subject property. NCDOT has subsequently recorded a letter that removes some previously recorded restrictions, attached. Actual driveway permits and/or encroachment agreements will be provided at the preliminary plat/site plan stage of the approval process.
10. Provide information on wastewater availability.
A letter allocating wastewater capacity has been provided by Carolina Water Service and is attached.
11. In attachment "A" a comment is made regarding existing commercial located in Full Service, the commercial area proposed for relocation combines a request for 6 units of density. The additional 30 units of density are proposed in the conservation area, not in the full-service area. Please clarify the statement that the existing commercial is in full service. It does not appear to be in Full Service on the 2006 map. The existing Future Land Use Map actually shows only about 0.34 acres of Full Service, even though 1.177 acres was previously approved for commercial development here.
12. Please clarify statement that the Currituck planning staff and BOC has determined that no additional commercial allocation is being requested. The application states that the staff and BOC determined in 2009 that the proposed commercial use of the 1.177 acres is in keeping with the policies of the LUP.
13. The county has an easement over the pond. The easement is shown and labeled on the site development plan.
14. Clearly show land use plan classifications on amended sketch plan page 6 of 6. The plan and land use designations have been updated and made easier to distinguish between classifications. The tabulation has also been updated.

15. Areas proposed for commercial designation should include any required supporting features (ex: drive aisles, fire truck turnarounds, paddle boat rental docks, outdoor entertainment decking). All commercial activities must be located within areas designated as commercial on the sketch plan. The updated designations are shown consistent with previous County policy established on the adjacent Buck Island development, a PUD which was development at about the same time as Monterey Shores under the same UDO provisions. The County Commissioners have previously determined, by approving the adjacent TimBuck II development plan, that it is advantageous to Currituck County to exclude private rights of way serving this type of development from the commercial use classification, and this development proposal is consistent with that policy.
16. Has the existing open space including reserve utility open space and green space been recorded and/or dedicated? Provide update on status of green space and reserve utility open space. Carolina Water Service has affirmed that the land is not needed for utility use, and has provided a letter to that effect, which is attached. The NC general assembly repealed the requirement for "green area" in 2020. A copy of the rule change is also attached.
17. The amended sketch plan page 3 of 6 is not legible. Please provide clear a clear copy of the plan. An effort has been made to make the plan as legible as possible.
18. Provide approved wetland delineation for CAMA and Army Corps wetlands. We have an approved COE wetland delineation, and a copy is attached; at this time we have only a partial CAMA delineation. However, in reviewing the policy that was in effect at the time of original PUD approval, the requirement was: "Net acreage shall be determined by on site evaluation by technical staff, eliminating all areas designated by CAMA as wetlands. Sketch plan Approval shall be based upon a general inspection of such factors. Preliminary [plat] approval shall require net and gross acreages to be shown by actual survey based upon CAMA designated wetland parameters." Identical language was present in the UDO up to the adoption of the current UDO; I have not found language in the current UDO that modifies this, so it appears that we only need an approximation at this stage of the approval, which is provided on the base map. Net acreage was estimated by extrapolating the delineated CAMA line to the northern property boundary.
19. Marinas are defined by the UDO as "Any publicly or privately owned dock, basin or wet boat storage facility constructed to accommodate more than ten boats and providing any of the following services: permanent or transient docking spaces, dry storage, fueling facilities, haul out facilities and repair service. Excluded from this definition are boat ramp facilities allowing access only, temporary docking and none of the preceding services. Marinas for ten boats or less shall be classified as privately owned outdoor recreation facilities." The following specific standards of the UDO apply to marinas.

Marinas

Marinas shall be certified as a "clean marina" as part of the North Carolina Clean Marina Program, and shall comply with the following standards:

(a) Location

- (i)** Marinas shall be located in areas where there is a high rate of water "turnover" (the time required for tidal action or water flow to

replace water of a boat basin with new water from another source).

- (ii) Marinas in upland areas shall be encouraged.
 - (iii) Marina access channels shall be designed to maximize circulation and avoid dead-end spots.
 - (iv) Proposals for marina development shall be accompanied by a modeling study indicating expected flushing, where applicable.
- (b) Design**
- (i) Marinas shall be planned in such a manner as to minimize the risk of water pollution.
 - (ii) Marina designs must incorporate facilities for the proper handling of sewage, waste, and refuse.
 - (iii) Marinas shall minimize alteration of existing shoreline configurations and disturbance of vital habitat areas.
- (c) Dredging**
- (i) Dredging operations shall not occur during critical periods of fish migration and breeding.
 - (ii) The method of dredging shall be chosen that will have the least environmental impact, and all dredged materials shall be placed in a manner so as not to pollute surrounding areas.

We are not proposing a marina, but only a 10-slip boat basin which is exempt from these provisions.

Currituck County Building Inspections & Fire, Bill Newns 252-232-6023

Reviewed

- Needed Fire Flow for construction is determined by the ISO method.
- No new construction can occur that creates a Needed Fire Flow greater than the available fire flow on site.
- A fire hydrant must be within 400' of all exterior portions of the structure. 600' if the structure has NFPA 13 sprinkler system installed.
- Fences/barriers must not impede the fire hydrant minimum distance to site.
- Fire hydrants must be placed so they are not used to stretch hose across Caratoke Highway and Shortcut Rd. to service site.

- Gates/entrances to sites must be 20' clear width for apparatus access.
- 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.
- Fire apparatus must not have to back up on an access road greater than 150' without a turnaround as indicated, the backing of 150' should be measured in a straight line.
- Fire apparatus access must be at least 20' wide 13' 6" in height. Maximum slope shall not exceed 10%.
- All portions of the fire apparatus access must be capable of 75,000lbs under all weather conditions.
- FDC connection must be a minimum of 25' away from structure and within 100' of fire hydrant.
- FDC's must have signage in 4" letters (red sign with white letters)
- FDC's 6" minimum Stortz connection or 2-2.5" National Standard Thread.
- Knox Box provided on buildings (Coordinate location with the local VFD)
- VFD Fire Chief request two dry hydrants ne located in the ponds.
- Mark fire hydrants locations in the center of road/street with blue reflectors.
- According to NC General Statute parking is not allowed within 15' of a fire hydrant. (FDC included)
- Provide "no parking" signage at fire access lanes provide "no parking signage at fire hydrants".

Inspection notes

Appendix B for building plans at permit application for commercial structures.

Residential Notes

Town homes must have lot lines in order to use residential code.

- Cluster mailbox units must be accessible (accessible route, reach ranges)
- Accessible routes must be provided to all amenities such as pools, boardwalks, piers, docks, and other amenities within the development. Plans must be designed to the 2018 NC Building Code design loads and structures must meet ADA requirements.
- Curb cuts at vehicular traffic areas and pedestrian crossings must be ADA compliant and have detectable warning devices installed.

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These requirements are acknowledged and will be addressed with final design and construction.

Currituck County Soil & Stormwater, Dylan Lloyd 252-232-3360

Approved with Corrections

- 1) Stabilize outfall from pond at entrance to swale that drains west to Currituck Sound.
The contractor that installed the pipe is responsible for completing the stabilization, which should be completed soon.
- 2) Is old pipe (possibly damaged) at entrance to townhome development to be removed?
The pipe situation is being studied by the entities that are served by that drainage system. This developer is cooperating with the group, but the repair is the responsibility of the beneficiaries.
- 3) Please explain 'Line of Potential Pond Augmentation' near open space / townhome cluster. The pond is proposed to be enlarged where so indicated.

Currituck County Water, DaveSpence/Will Rumsey, 252-232-6060

Reviewed

Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Reviewed

Notes: Need Approval from NCDEQ Concerning Wastewater Capacity Letter Approval for proposed development and restaurant. This is required in connection with the preliminary plat or commercial site plan approval and will be provided at the next stage of the development approval process.

Consult with Health Department concerning proposed new restaurant/bar at 252-232-6603. The Architect will consult with the Health Department during the design of the restaurant.

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Reviewed

Any impacts to jurisdictional waters or wetlands of the US require prior approval from the US Army Corps of Engineers. Approvals will be sought as required once the design has been finalized.

Currituck County GIS, Harry Lee 252-232-2034

Reviewed

THE PARCEL ID NUMBER ON THE APPLICATION IS INCORRECT. IT SHOULD BE 0116-000-0010-0000. The parcel ID has been updated.

PLEASE PROPOSED NAMES FOR THE PROPOSED STREETS. Street names have been selected and approved, and have been added to the plan.

NC DEQ- Division of Coastal Management, Charlan Owens 252-264-3901

Reviewed

- Indicate CAMA jurisdictional lines on the plans. Indicate the CAMA Coastal Wetlands AEC lines and Section 404 wetland lines on the plans. Note: If the navigable waters of the pond connect to the Currituck Sound, then the pond and its shoreline will also be designated Areas of Environmental Concern (AEC). Navigable waters do not connect to the sound. A partial CAMA delineation was completed previously in cooperation with Ron Renaldi, and is shown on the drawings. The line has been extrapolated to the northern boundary on this preliminary plan, but CAMA will again be consulted to approve the remainder of the line at the next stage of the approval process.

- At minimum, based on the information provided, the boardwalk and boating facility and any wetland fill within an AEC will require a CAMA Major Permit. Please contact Robert Corbett, DCM Field Representative, for further information. He can be reached at 252-264-3901. No wetland fill within an AEC is proposed, but CAMA will be consulted regarding the boardwalk and boating facility.

- Note: The County's Land Use Plan is the Currituck County 2006 Land Use Plan certified by the CRC on May 18, 2007 as amended through July 2, 2019.

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- The property is primarily designated as "Conservation Areas" with some "Full Service Areas" on the County's Future Land Use Map. "Conservation Areas" are described on Pages 11-1 and 11-2 and "Full Service Areas" are described on Page 11-3. Work with the County to determine consistency/inconsistency of the proposal with the "Conservation Areas" designation on the County's Future Land Use Map. If inconsistent, work with the County to determine an appropriate Future Land Use Map LUP amendment proposal. We are studying this issue and will work through it with the County.

Additionally, a letter is attached from John Morrison, who is helping to resolve some of these questions and some additional issues that arose after these TRC comments were provided.

The following items are necessary for resubmittal:

- 2 - Full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

A special use permit hearing is an evidentiary hearing where the Board of Commissioners must make a Quasi-Judicial Decision.

- An evidentiary hearing will be held for the Board of Commissioners to gather competent, material and substantial evidence to establish the facts of the case.
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- Public Comment Period (typically 3 minutes each)
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- BOC Deliberation & Decision

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June 24, 2021

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Please Respond To:
Moyock

Ms. Jennie Turner, Planner II
Currituck County Department of Planning
and Community Development
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929

In re: Outer Banks Ventures, Inc.

Dear Jennie:

I am pleased to advise I have been retained by Outer Banks Ventures, Inc., in regard to obtaining approval of its Amended Sketch Plan/Use Permit – PB 87-56 Monterey Shores, Phase 10. In this regard, I look forward to working with you, your staff, and Ike.

Although most of the matters under consideration are technical and beyond my area of expertise and therefore better left to the competence of Bissell and Associates, I have been directed to three legal issues under consideration. The first is infringement upon the area designated as “Utility Open Space” on a recorded plat. The second is whether the proposed use would be violative of a conservation designation. Finally, the necessity, or not, for a separate application to amend the existing Land Use Plan. I will now address each in turn.

It is my understanding Ike appropriately raised concerns as to any intrusion into what is designated on a plat recorded in 2007 simply entitled “Utility Open Space.” Significantly, as I am informed, this plat was prepared for Carolina Water Service. I believe it was Ike’s concern individual property owners in the subdivision could contest any construction in this designated land. After discussion with my clients and some research, and assuming I have a correct understanding of the facts, I do not believe they would be successful. Although there are numerous Appellate decisions regarding vested rights of property owners in platted streets, roads, parks, trails, beaches, and the like, that is not the situation here. I perceive it to be an easement contingent in nature. That is to say, if utilities are needed to serve the property, they could be so located. It is a specified “utility easement” only. It is my understanding when the previous project was originally approved and platted, it was in anticipation of water and sewage utilities. Subsequently, those needs have been otherwise addressed by the public utility company. Accordingly, the need for this easement no longer exists. There is a legal doctrine regarding the extinction of easements known as *Cessation of Purposes of Easement*. This is well-explained by Professor Webster in his highly regarded text *Real Estate Law in North Carolina*. In Section 15.28 of that text, he explains:

Attachment: BB John Morrison Letter to Jennie Turner 6 24 2021 (PB 87-56 Monterey Shores PUD Parcel 10)

Ms. Jennie Turner, Planner II
 June 24, 2021
 Page 2

If the particular purpose for which an easement is created is fulfilled, or otherwise ceases to exist, the easement also ceases. This is a corollary to the rule that an easement holder's right to use the property is a right to use it only for the purpose for which the easement is created. (Emphasis added)

Is that not the situation here? In any event, litigation could only be instituted by a property owner within the subdivision that the utility open space was being denied to the property owner. It seems it would be incumbent on the plaintiff to prove a utility was needed. Again, it is my understanding no such utilities are now required.

Also, I believe it worthy of note the designation is highly generalized: "Utility Open Space."

The most thorough definition I could find of "utility" is as follows:

All privately, publically, or cooperatively owned lines, facilities, and systems for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste and other similar commodities, including non-transportational fire and police communication systems which directly or indirectly serve the public.

Although I believe the only utility contemplated at the time of plat recordation was water and waste, even in the most expansive definition of utility, none of the items occurring above are needed, or will ever be located in the subject space. Thus, the "Utility Open Space" no longer exists.

I also note in the 2008 UDO which was in effect at the time of my client's purchase in 2009, Section 10.4.8 therein entitled "Utility Open Space Reservation" explains:

Every residential development containing more than 20 lots or dwelling units served by septic tanks shall reserve an area in addition to the open space required herein suitable in terms of the size, location, soil type, topography, and other relevant factors to accommodate a community sewage treatment facility if one becomes necessary in the future. (Emphasis added)

Ms. Jennie Turner, Planner II
June 24, 2021
Page 3

Thus, even by the County's UDO, it is apparent a reserved utility open space is only applicable "if one becomes necessary." That necessity has now been met by other accommodations.

Next, as to this project somehow being violative of the conservation classification, it is my understanding the property was improperly mapped in 2006 as the upland portion of the property does not have a coastal wetland or area of environmental concern, is not subject to Corps of Engineers' jurisdiction, is not a critical wildlife habitat nor a bottomland or pocosin, or swamp forest, and does have central water and sewer available. Further, I believe the future land use plan under consideration will follow the Corps of Engineers' wetland delineation which is the more proper delineation.

Additionally, a similar project under the existing UDO was addressed by the Planning Staff and the Board of Commissioners at the Board's July 6, 2009, session. This was a project of Mr. DeGabrielle's entitled "PB 87-56 Monterey Shores, Commercial Parcel 6." Mr. DeGabriel's property was also classified as a conservation area. However, both staff and Board recommended approval finding the proposed use "is in keeping with the policies of the Plan." I am enclosing a copy of the same for your review. It would appear the Board has already made a decision that this land and the intended use is consistent with the conservation classification. I am not aware a contrary decision has been made. Although, I clearly understand one Board cannot necessarily bind another, as the matter stands now, there has been no contrary decision and the previous classification should stand unless the Board wishes to change it. Would not that be a decision for the Board rather than staff? Also legally problematic would be to treat similarly situated applicants differently. I would urge this is somewhat similar, though not on all fours, with *res judicata* in civil litigation. This matter has already been decided as to this land. (Please see Paragraph 6 on Page 5 of the Planning Staff's Case Analysis and Paragraph A on Page 5 of the July 6, 2009, Board of Commissioners' meeting.)

In conclusion, my client urges there is no necessity for an application to amend the existing Land Use Plan. As with Mr. DeGabrielle, the Board could find it is consistent, or even though it is not consistent, the Board chooses to allow this project to go forward for reasons it would state. We accept the sincerity of your review and your opinions to the contrary. We would prefer, at this stage, to go forward for Board review even with the opposition of staff.

Ms. Jennie Turner, Planner II
June 24, 2021
Page 4

Thank you for your kind consideration. I am sure you will share this with Ike. Please anticipate my every cooperation with you going forward.

Warmest personal regards,



JOHN S. MORRISON

JSM:lg

**PLANNING STAFF CASE ANALYSIS
FOR THE BOARD OF COMMISSIONERS**

Attachment: BB John Morrison Letter to Jennie Turner 6 24 2021 (PB 87-56 Monterey Shores PUD Parcel 10)

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
DATE: July 6, 2009
PB 87-56 Monterey Shores PUD**

ITEM: PB 87-56 Monterey Shores, Preliminary Plat/Special Use Permit, for a 1 lot commercial subdivision within an existing Planned Unit Development.

LOCATION: At the intersection of Malia Dr. and Caroline Ct.

TAX ID: Tax Map 116, Parcel 10 (Open Space)

ZONING PUD Overlay - General Business

PRESENT USE: Vacant

OWNERS: Robert R. Degabrielle
6400 SW Gator Trl.
Palm City, FL 34990

ENGINEER: Coastal Engineering and Surveying Inc.
P.O. Box 1129
W. Kitty Hawk Rd.
Kitty Hawk, NC 27949

**LAND USE/ZONING OF SURROUNDING PROPERTY:
SURROUNDING PROPERTY:**

	Land Use	Zoning
NORTH:	Open Space	RO1
SOUTH	Open Space	RO1
EAST:	Future Corolla Worship Center Site – Tim Buck II	RO1 / GB
WEST:	Open Space	RO1

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as a **Conservation Area** within the **Corolla** subarea.

SIZE OF SITE: Proposed Parcel 6 – 1.030 acres plus .1 acres for an access road.

NUMBER OF UNITS: N/A

- PROJECT DENSITY:** N/A (no proposed development at this time), An additional SUP will be required for any future development and this SUP is for the subdivision only.
- STREETS:** There are no streets proposed. Access road construction details will be required at the time of development.
- UTILITIES:** Carolina Water Service, Inc. will accommodate the water and sanitary sewer needs of the proposed parcel
- OPEN SPACE:** Residual Open Space for Moteray Shores PUD
131.502 acres or 36.98%

I. NARRATIVE OF REQUEST:

- The applicant is seeking preliminary plat/SUP approval for a single lot commercial subdivision within Monterey Shores planned unit development. This subdivision will require the construction of a new access road at the time of development. The property is located west of the Corolla Worship Center Site and the access road will begin at the intersection of Malia Dr. and Caroline Ct.
- In September of 2008 the TRC reviewed the preliminary plat and recommended approval. The application could not move forward at that time due to failure to obtain wastewater authorization from Carolina Water Service. Wastewater authorization has since been received and the developer wishes to proceed.
- The Army Corp of Engineers has indicated the site is free of any 404 wetlands.
- The Division of Water Quality has approved a reduction in the available green area for the PUD and the reconfiguration is shown on the Waste Water Treatment Plant Green Space Map GS-1 prepared by Robert G. Burgin, Jr., Inc.

II. UNRESOLVED TRC COMMENTS:

- Since the project was previously approved by the TRC, the new application has been reviewed by the core review team (CRT), and all have recommended approval for the subdivision only. Subsequent review will be required at the time of development in association with a new special use permit.

III. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve the SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. COMPLETENESS OF THE APPLICATION

Suggested Findings:

a. The application is complete.

2. THE PROPOSED USE IS AMONG THOSE LISTED IN THE TABLE OF PERMISSIBLE USES AS A SPECIAL USE INDICATED WITH AN "S"

Suggested Findings:

a. The proposed use is permissible with a Special Use Permit

3. THE CONDITIONS PROPOSED MEET OR EXCEED THE MINIMUM REQUIREMENTS OF THIS ORDINANCE.

Suggested Findings:

a. The conditions proposed meet the minimum requirements of this ordinance.

4. THE SPECIAL USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY:

Suggested Findings:

a. The proposed subdivision should have little to no impact on public health or safety. Adequate water and sewer infrastructure has been proposed.

5. THE SPECIAL USE WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING PROPERTY AND WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS LOCATED

Suggested Findings:

a. The subdivision is proposed within a General Business area of an existing PUD and is allowed by the UDO with a special use permit.

b. The parcel is currently within an existing Planned Unit Development with and should be in harmony with the surrounding area.



6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

a. The 2006 Land Use Plan classifies this site as Conservation area within the Corolla subarea and the proposed use is in keeping with the policies of the plan, some of which are:

- i. Policy ES2 states " NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the groundwater table, and providing critical habitat for many plant and animal species. Currituck County supports the efforts of the U.S. Army Corp of Engineers in protecting such wetlands the section 404 permit program of the Clean Water Act, as well as Section 401

- water quality certifications by the State of North Carolina. The proposed subdivision does not contain any wetlands.
- ii. Policy OB1 states “Currituck County supports the provision of infrastructure and services adequate to meet basic quality of life and public health and safety requirements of residents of the Outer Banks” The proposed subdivision has been designed with adequate water and sewer extensions.
7. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).
- Suggested Findings:**
- a. The county should have adequate public facilities to service this subdivision.

IV. STAFF RECOMMENDATION

Since the submittal appears to meet all of the requirements for preliminary plat/SUP approval, **staff recommends approval** of this plat/SUP with the following suggestions.

- Given that the property is located in a conservation area, staff recommends implementation of low impact development (LID) techniques for any development on the lot.

V. PLANNING BOARD RECOMMENDATION

Ms. Robbins motioned to **recommend approval** with staff recommendations and the following condition:

- An inventory of the trees be done before the site is cleared for the preliminary plat/special use permit for a one lot commercial subdivision within an existing Planned Unit Development.

Ms. Wilson seconded the motion. Motion carried unanimously.

**JULY 6, 2009
BOARD OF COMMISSIONERS' MEETING**

Attachment: BB John Morrison Letter to Jennie Turner 6 24 2021 (PB 87-56 Monterey Shores PUD Parcel 10)

July 6, 2009, BOC Meeting

2

- Item 11 **Appointment to Senior Citizen Advisory Board**
- Item 12 **Appointments to Game Commission**
- Item 13 **Consent Agenda:**
1. Resolution Surplus Property
 2. Moyock Welcome Center - Change Order #1 - RPC Contracting, Inc.
 3. Mainland Water System - Change Order #1 - 12" Water Line Improvements - Sanford Contractors, Inc.
 4. Approval of June 15, 2009, Minutes
- Item 14 Commissioner's Report
- Item 15 County Manager's Report
- Item 16 **Closed Session:**
1. According to 143-318.11(5) to discuss acquisition of real property, Waterside Villages

Adjourn

Public Comment

Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.

Chairman Etheridge opened the public comment period.

Terry King, Knotts Island, commented on the Volunteer Fire Department contracts and that Fire Departments are independent state incorporated businesses that contract with the county.

Maureen O'Shea, President of LCVFD, reviewed what ISO rating was and that her department will meet on July 16 to vote on signing the fire contract.

There being no further comments, Chairman Etheridge closed the public comment period.

Presentation on the 2010 Census

Akilah Ensley, reviewed the importance of Census data. The US Constitution requires a national census once every 10 years.

The Board thanked Ms. Ensley for her presentation.

Public Hearing and Action PB 87-56 Monterey Shores, Commercial Parcel 6: Preliminary Plat/Special Use Permit for a one lot commercial subdivision within an existing Planned Unit Development located at the intersection of Malia Drive and Caroline Court, Tax Map 116, Parcel 10 (Open Space), Poplar Branch Township.

Sworn Testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

Attachment: BB John Morrison Letter to Jennie Turner 6 24 2021 (PB 87-56 Monterey Shores PUD Parcel 10)

ITEM: PB 87-56 Monterey Shores, Preliminary Plat/Special Use Permit, for a 1 lot commercial subdivision within an existing Planned Unit Development.

LOCATION: At the intersection of Malia Dr. and Caroline Ct.

TAX ID: Tax Map 116, Parcel 10 (Open Space)

ZONING PUD Overlay - General Business

PRESENT USE: Vacant

OWNERS: Robert R. Degabrielle
6400 SW Gator Trl.
Palm City, FL 34990

ENGINEER: Coastal Engineering and Surveying Inc.
P.O. Box 1129
W. Kitty Hawk Rd.
Kitty Hawk, NC 27949

**LAND USE/ZONING OF SURROUNDING PROPERTY:
SURROUNDING PROPERTY:**

	Land Use	Zoning
NORTH:	Open Space	RO1
SOUTH:	Open Space	RO1
EAST:	Future Corolla Worship Center Site - Tim Buck II	RO1 / GB
WEST:	Open Space	RO1

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as a **Conservation Area** within the **Corolla** subarea.

SIZE OF SITE: Proposed Parcel 6 - 1.030 acres plus .1 acres for an access road.

NUMBER OF UNITS: N/A

PROJECT DENSITY: N/A (no proposed development at this time), An additional SUP will be required for any future development and this SUP is for the subdivision only.

STREETS: There are no streets proposed. Access road construction details will be required at the time of development.

UTILITIES: Carolina Water Service, Inc. will accommodate the water and sanitary sewer needs of the proposed parcel

OPEN SPACE: Residual Open Space for Monterey Shores PUD
131.502 acres or 36.98%

I. NARRATIVE OF REQUEST:

- The applicant is seeking preliminary plat/SUP approval for a single lot commercial subdivision within Monterey Shores planned unit development. This subdivision will require the construction of a new access road at the time of development. The property is located west of the Corolla Worship Center Site and the access road will begin at the intersection of Malia Dr. and Caroline Ct.
- In September of 2008 the TRC reviewed the preliminary plat and recommended approval. The application could not move forward at

that time due to failure to obtain wastewater authorization from Carolina Water Service. Wastewater authorization has since been received and the developer wishes to proceed.

- The Army Corp of Engineers has indicated the site is free of any 404 wetlands.
- The Division of Water Quality has approved a reduction in the available green area for the PUD and the reconfiguration is shown on the Waste Water Treatment Plant Green Space Map GS-1 prepared by Robert G. Burgin, Jr., Inc.

II. UNRESOLVED TRC COMMENTS:

- Since the project was previously approved by the TRC, the new application has been reviewed by the core review team (CRT), and all have recommended approval for the subdivision only. Subsequent review will be required at the time of development in association with a new special use permit.

III. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve the SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. COMPLETENESS OF THE APPLICATION
Suggested Findings:
 - a. The application is complete.
2. THE PROPOSED USE IS AMONG THOSE LISTED IN THE TABLE OF PERMISSIBLE USES AS A SPECIAL USE INDICATED WITH AN "S"
Suggested Findings:
 - a. The proposed use is permissible with a Special Use Permit
3. THE CONDITIONS PROPOSED MEET OR EXCEED THE MINIMUM REQUIREMENTS OF THIS ORDINANCE.
Suggested Findings:
 - a. The conditions proposed meet the minimum requirements of this ordinance.
4. THE SPECIAL USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY:
Suggested Findings:
 - a. The proposed subdivision should have little to no impact on public health or safety. Adequate water and sewer infrastructure has been proposed.
5. THE SPECIAL USE WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING PROPERTY AND WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS LOCATED
Suggested Findings:
 - a. The subdivision is proposed within a General Business area of an existing PUD and is allowed by the UDO with a special use permit.
 - b. The parcel is currently within an existing Planned Unit Development with and should be in harmony with the surrounding area.
6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.
Suggested Findings:

- * a. The 2006 Land Use Plan classifies this site as Conservation area within the Corolla subarea and the proposed use is in keeping with the policies of the plan, some of which are:
 - i. Policy ES2 states "NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the groundwater table, and providing critical habitat for many plant and animal species. Currituck County supports the efforts of the U.S. Army Corp of Engineers in protecting such wetlands the section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina. The proposed subdivision does not contain any wetlands.
 - ii. Policy OB1 states "Currituck County supports the provision of infrastructure and services adequate to meet basic quality of life and public health and safety requirements of residents of the Outer Banks" The proposed subdivision has been designed with adequate water and sewer extensions.
- 7. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

 - a. The county should have adequate public facilities to service this subdivision.

IV. STAFF RECOMMENDATION

Since the submittal appears to meet all of the requirements for preliminary plat/SUP approval, staff recommends approval of this plat/SUP with the following suggestions.

- Given that the property is located in a conservation area, staff recommends implementation of low impact development (LID) techniques for any development on the lot.

V. PLANNING BOARD RECOMMENDATION

Ms. Robbins motioned to recommend approval with staff recommendations and the following condition:

- An inventory of the trees be done before the site is cleared for the preliminary plat/special use permit for a one lot commercial subdivision within an existing Planned Unit Development.

Ms. Wilson seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (June 9, 2009)

Mr. Kovacs asked if the land is vegetative.

Mr. Gomez stated it has trees, but mostly overgrown.

Mr. Kovacs asked if there are any wetlands on the property.

Mr. Gomez stated no.

Mr. Kovacs stated he would like to see as many trees preserved as possible.

Mr. Woody stated an inventory of the trees could be done before the site is cleared.

ACTION

July 6, 2009, BOC Meeting

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Ms. Robbins motioned to recommend approval with staff recommendations and a inventory of the trees be done before the site is cleared for the preliminary plat/special use permit for a one lot commercial subdivision within an existing Planned Unit Development. Ms. Wilson seconded the motion. Motion carried unanimously.

Chairman Etheridge opened the public hearing. There being no comments, Chairman Etheridge closed the public hearing.

Commissioner Aydlett moved to approve with findings of fact, staff and Planning Board recommendations. Commissioner O'Neal seconded the motion. Motion carried.

Public Hearing and Action PB 09-20 South Ridge Variance:
 Variance request from Currituck County Unified Development Ordinance section, Chapter 8, Parking and Driveways, to allow on street parking. The property is located at 120 Survey Road, adjacent to Eagle Creek subdivision, Tax Map 15, Parcel 83, Moyock Township.

Sworn Testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

ITEM: PB 09-20 South Ridge, Planned Unit Development, variance request to allow on-street, parallel parking.

LOCATION: 120 Survey Road, adjacent to Eagle Creek subdivision, Moyock Township.

TAX ID: 0015-000-0083-0000

ZONING DISTRICT: Residential (R) with Planned Unit Development Overlay.
 Residential (PUD Overlay): 68.67 acres
 LBH (PUD Overlay): 5.67 acres*
 *Rezoning/Sketch Plan approved December 3, 2007

PRESENT USE: Farmland

OWNERS: William B. Plitt and Linda P. Yendall
 5621 North 9th Road
 Arlington, VA 22205

APPLICANT: Chip Friedman
 3500 Virginia Beach Boulevard, Suite 528
 Virginia Beach, VA 23452

ENGINEER: Bissell Professional Group
 3512 North Croatan Highway
 PO Box 1068
 Kitty Hawk, NC 27949

NARRATIVE:

Chip Friedman has requested a variance from the Unified Development Ordinance (UDO) to allow on-street parking within a planned unit development. The proposed on-street parking spaces are provided around the pocket park located in the rear of the development. Providing on-street parking instead of a parking lot would increase green space and reduce impervious areas.

Attachment: BB John Morrison Letter to Jennie Turner 6 24 2021 (PB 87-56 Monterey Shores PUD Parcel 10)


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: Rick Willis, Outer Banks Ventures, Inc.

From: Jennie Turner, Planner II

Date: July 15, 2021 – **Response to TRC Resubmittal**
Re: PB 87-56 Monterey Shores, Phase 10 – Amended Sketch Plan/Use Permit

The following comments have been received for the July 14, 2021 TRC meeting. In order to be scheduled for the September 20, 2021 Board of Commissioners meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on July 22, 2021. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed

1. Planning staff and the county attorney are still reviewing the letter from Twiford Law Firm provided with the resubmittal. Staff response to the letter is forthcoming.
2. Please provide detailed information on the basis for the updated Amended Sketch Plan calculations. What information was used? We need to make sure the numbers are accurate. When we met on June 3, 2021, we discussed the updates required for the PUD. We noted that we will accept recorded plats for determining total land area, open space, and commercial allocations.
3. Please describe how you have shown the county's easement over the pond.
4. Areas proposed for commercial designation should include any required supporting features (ex: drive aisles, paddle boat rental docks, decking, parking lot islands). All commercial activities must be located within areas designated as commercial on the sketch plan.
5. The amended sketch plan page 3 of 6 is still not legible. Let's discuss how to resolve this.

NC DEQ- Division of Coastal Management, Charlan Owens 252-264-3901

Reviewed

- Note: Previous comments from June 2021 still apply.

- Note: Concerning consistency with the LUP, while local governments use the LUP as a guide for local decision making, often weighing supporting and non-supporting policies, to the extent that the LUP can be used as the basis to deny a CAMA Permit it is used by DCM as a regulatory document. LUP consistency determinations for CAMA permitting are made by DCM based on the definitive and/or regulatory wording of LUP policies, including the Future Land Use Map and its designation descriptions. There is no variance process for denial of a CAMA Permit based on the LUP; either an LUP amendment is submitted or a project is modified to be consistent with the LUP. Local zoning is not administered by DCM for CAMA permitting. Board

of Commissioners' discretionary authority, while used in local decision-making, is not used in CAMA permit decisions.

References have been made in the application materials regarding density specific to the PUD. For LUP consistency in CAMA permitting, the density calculation is specific to those areas in "Full Service Areas" and those areas in "Conservation Areas" as described in the LUP.

DCM provides Currituck Technical Review Committee comments so that potential permitting issues can be addressed in the early stages of project development. Specific to the LUP, DCM's LUP Consistency Determinations are made in response to CAMA Major Permit applications which are most often submitted in the later stages of a project. The timing of an LUP amendment, if needed for CAMA permit approval, is up to the applicant and/or the County.

Regarding simultaneous action of an LUP amendment as referenced in the application materials, a local action to amend the LUP may be simultaneous with local rezoning, but an amendment to the CAMA LUP is not complete until it is state certified. The local public hearing to amend the CAMA LUP must meet specific noticing requirements in order for the amendment to be eligible for state certification. Guidance on this process is on file with the County.

Currituck County Building Inspections & Fire, Bill Newns 252-232-6023

Approved
No further comments

Currituck County Water, DaveSpence/Will Rumsey, 252-232-6060

Reviewed
No comments till project is further along.

Currituck County GIS, Harry Lee 252-232-2034

Approved

Currituck County Economic Development, Larry Lombardi, 252-232-6015

Reviewed

Concerned with the ingress/egress flow of traffic at Sunset Blvd and Highway 12 which can negatively impacting existing businesses located at TimBuck II and Seaside Market.

The following items are necessary for resubmittal:

- 2 - Full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.


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: Rick Willis, Outer Banks Ventures, Inc.

From: Jennie Turner, Planner II

Date: REVISED JULY 16, 2021– Response to TRC Resubmittal

Re: PB 87-56 Monterey Shores, Phase 10 – Amended Sketch Plan/Use Permit

The following comments have been received for the July 14, 2021 TRC meeting. In order to be scheduled for the September 20, 2021 Board of Commissioners meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on July 22, 2021. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed – Comments Revised July 16, 2021

1. Please provide detailed information on the basis for the updated Amended Sketch Plan calculations. What information was used? We need to make sure the numbers are accurate. When we met on June 3, 2021, we discussed the updates required for the PUD. We noted that we will accept recorded plats for determining total land area, open space, and commercial allocations.
2. Please describe how you have shown the county's easement over the pond. *It is critical to the county that any proposed changes to the existing pond will not adversely affect the existing easement (including pond level rise) the county holds over the pond and stormwater pipe for the ground water that is directed to the pond.*
3. Areas proposed for commercial designation should include any required supporting features (ex: drive aisles, paddle boat rental docks, decking, parking lot islands). All commercial activities must be located within areas designated as commercial on the sketch plan.
4. The amended sketch plan page 3 of 6 is still not legible. Let's discuss how to resolve this.

July 16, 2021 - Additional Planning Comments:

Please consider the following staff concerns, these concerns are intended to give the applicant the best path forward for project approval and to protect the applicant from future permitting issues, an LUP amendment on the front end of this process can help with future permitting issues.

An amendment to the LUP is necessary for the BOC to make a finding through an evidentiary hearing that the project is consistent with the LUP as it relates to additional density in areas designated as conservation.

It is staff's understanding that only a legislative decision can update a Future Land Use Map. Although this ASP/UP request is related to the entire Monterey Shores PUD and the UDO

allows a maximum density of 3 units per acre based on the Transitional Provisions; changes to the ASP are also required to be consistent with the 4 findings of fact required prior to issuance of a use permit. Consistency with an ordinance provision does not necessarily guarantee consistency with the Land Use Plan Classification.

Most of the PUD is already platted and built, this Amended Sketch Plan request specifically pertains to the subject parcel. The subject parcel has mostly conservation designation. It does not appear that proposed multi-family development would be consistent with the conservation classification of the LUP that references low-density residential development. Prior to any development on the site the project will require additional approvals such as preliminary plat/use permit for any proposed subdivision and use permits for outdoor entertainment and outdoor recreation uses. The conservation classification issue is even deeper than the density issue. With respect to the proposed commercial uses proposed, LUP classification includes the following language: "*With the exception of agricultural related uses, nonresidential uses should not be encouraged.*" Depending on the proposed commercial uses, it appears that it will continue to be very difficult to make an LUP consistency finding in the conservation classification.

The preliminary plat/use permit for the commercial subdivision lot that was approved on July 6, 2009 (referenced in Twiford Law letter) did not amend the conservation designation. It included a condition of implementation of LID techniques on the lot. The staff report presented to the board states that an additional SUP will be required for any future development and the SUP issued was for the subdivision only. Also, the area of the proposed commercial areas does not conform to the area previously approved for the subdivision lot.

Regarding CAMA permits/approvals: CAMA AECs are dynamic. In the event the pond was to breach, most of the proposed project/development could require Major Permits. Without the full-service designation, permits for construction may not be issued by DCM.

It appears a change to the definitive upland portion of the property on the Land Use Map can be supported by staff. This change should be made prior to any BOC evidentiary hearing on this property.

In response to the letter from Twiford Law Firm; Mr. McRee was not commenting on the September 11, 2001, K-49 plat. He was questioning what was represented for the subject property on the Monterey Shores PUD plats that went to record in late 1980s/1990s, how the subject property was designated on the plat and whether any persons purchased property relying on said plat. There is also concern whether Carolina Water Service has an interest or easement in the Utility Open Space designation on the subject property for current or future use. What is Carolina Water Services position regarding removing the utility open space designation?

NC DEQ- Division of Coastal Management, Charlan Owens 252-264-3901

Reviewed

- Note: Previous comments from June 2021 still apply.
- Note: Concerning consistency with the LUP, while local governments use the LUP as a guide for local decision making, often weighing supporting and non-supporting policies, to the extent that the LUP can be used as the basis to deny a CAMA Permit it is used by DCM as a

regulatory document. LUP consistency determinations for CAMA permitting are made by DCM based on the definitive and/or regulatory wording of LUP policies, including the Future Land Use Map and its designation descriptions. There is no variance process for denial of a CAMA Permit based on the LUP; either an LUP amendment is submitted or a project is modified to be consistent with the LUP. Local zoning is not administered by DCM for CAMA permitting. Board of Commissioners' discretionary authority, while used in local decision-making, is not used in CAMA permit decisions.

References have been made in the application materials regarding density specific to the PUD. For LUP consistency in CAMA permitting, the density calculation is specific to those areas in "Full Service Areas" and those areas in "Conservation Areas" as described in the LUP.

DCM provides Currituck Technical Review Committee comments so that potential permitting issues can be addressed in the early stages of project development. Specific to the LUP, DCM's LUP Consistency Determinations are made in response to CAMA Major Permit applications which are most often submitted in the later stages of a project. The timing of an LUP amendment, if needed for CAMA permit approval, is up to the applicant and/or the County.

Regarding simultaneous action of an LUP amendment as referenced in the application materials, a local action to amend the LUP may be simultaneous with local rezoning, but an amendment to the CAMA LUP is not complete until it is state certified. The local public hearing to amend the CAMA LUP must meet specific noticing requirements in order for the amendment to be eligible for state certification. Guidance on this process is on file with the County.

Currituck County Building Inspections & Fire, Bill Newns 252-232-6023

Approved
No further comments

Currituck County Water, DaveSpence/Will Rumsey, 252-232-6060

Reviewed
No comments till project is further along.

Currituck County GIS, Harry Lee 252-232-2034

Approved

Currituck County Economic Development, Larry Lombardi, 252-232-6015

Reviewed

Concerned with the ingress/egress flow of traffic at Sunset Blvd and Highway 12 which can negatively impacting existing businesses located at TimBuck II and Seaside Market.

The following items are necessary for resubmittal:

- 2 - Full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.



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: Rick Willis, Outer Banks Ventures, Inc.

From: Jennie Turner, Planner II

Date: July 15, 2021 – **Response to TRC Resubmittal 8-26-21 Response is provided below.**

Re: PB 87-56 Monterey Shores, Phase 10 – Amended Sketch Plan/Use Permit

The following comments have been received for the July 14, 2021 TRC meeting. In order to be scheduled for the September 20, 2021 Board of Commissioners meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on July 22, 2021. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed

1. Planning staff and the county attorney are still reviewing the letter from Twiford Law Firm provided with the resubmittal. Staff response to the letter is forthcoming.
We have no additional comments with the current response.
2. Please provide detailed information on the basis for the updated Amended Sketch Plan calculations. What information was used? We need to make sure the numbers are accurate. When we met on June 3, 2021, we discussed the updates required for the PUD. We noted that we will accept recorded plats for determining total land area, open space, and commercial allocations.
We have performed a thorough review of the recorded plats from 1988 to date, and developed a tabulation of acreages for the total PUD, the open space areas, the commercial allocations and the residential densities, and are providing the results as a separate document. There is also a tabulation included on page 3 of the drawing set. The development tables on the other drawing sheets have been updated consistent with these findings. We would be pleased to meet with you to explain the results of this research in detail.
3. Please describe how you have shown the county's easement over the pond.
The easement is shown on sheets 2-6 consistent with legal documents provided by Currituck County, and has been labeled on sheet 5.
4. Areas proposed for commercial designation should include any required supporting features (ex: drive aisles, paddle boat rental docks, decking, parking lot islands). All commercial activities must be located within areas designated as commercial on the sketch plan.
The parking lot islands, paddle boat docks and entertainment decks have been included in the updated use area designations and calculations. The drive aisles are in 24' rights-

of-way and are excluded from commercial use areas, consistent with the adjacent TimBuck II development.

5. The amended sketch plan page 3 of 6 is still not legible. Let's discuss how to resolve this.

We have developed a new sheet 3 that solves this problem.

NC DEQ- Division of Coastal Management, Charlan Owens 252-264-3901

Reviewed

- Note: Previous comments from June 2021 still apply.

- Note: Concerning consistency with the LUP, while local governments use the LUP as a guide for local decision making, often weighing supporting and non-supporting policies, to the extent that the LUP can be used as the basis to deny a CAMA Permit it is used by DCM as a regulatory document. LUP consistency determinations for CAMA permitting are made by DCM based on the definitive and/or regulatory wording of LUP policies, including the Future Land Use Map and its designation descriptions. There is no variance process for denial of a CAMA Permit based on the LUP; either an LUP amendment is submitted or a project is modified to be consistent with the LUP. Local zoning is not administered by DCM for CAMA permitting. Board of Commissioners' discretionary authority, while used in local decision-making, is not used in CAMA permit decisions.

References have been made in the application materials regarding density specific to the PUD. For LUP consistency in CAMA permitting, the density calculation is specific to those areas in "Full Service Areas" and those areas in "Conservation Areas" as described in the LUP.

DCM provides Currituck Technical Review Committee comments so that potential permitting issues can be addressed in the early stages of project development. Specific to the LUP, DCM's LUP Consistency Determinations are made in response to CAMA Major Permit applications which are most often submitted in the later stages of a project. The timing of an LUP amendment, if needed for CAMA permit approval, is up to the applicant and/or the County.

Regarding simultaneous action of an LUP amendment as referenced in the application materials, a local action to amend the LUP may be simultaneous with local rezoning, but an amendment to the CAMA LUP is not complete until it is state certified. The local public hearing to amend the CAMA LUP must meet specific noticing requirements in order for the amendment to be eligible for state certification. Guidance on this process is on file with the County.

A separate application to amend the Land Use Plan has been filed and is under review.

Currituck County Building Inspections & Fire, Bill Newns 252-232-6023

Approved

No further comments

Currituck County Water, DaveSpence/Will Rumsey, 252-232-6060

Reviewed

No comments till project is further along.

Currituck County GIS, Harry Lee 252-232-2034

Monteray Shores Phase 10
Amended Sketch Plan/Special Use Permit
Page 2 of 3

Approved

Currituck County Economic Development, Larry Lombardi, 252-232-6015

Reviewed

Concerned with the ingress/egress flow of traffic at Sunset Blvd and Highway 12 which can negatively impacting existing businesses located at TimBuck II and Seaside Market.

The final design and permitting of the roadway connection will be done with input and agreement from NCDOT and Bill Grandy of Seaside Market.

The following items are necessary for resubmittal:

- 2 - Full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

Attachment: E 8-26-21 TRC Response (PB 87-56 Monterey Shores PUD Parcel 10)


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 S. Bissell, PE, Bissell Professional Group
Rick Willis, Outer Banks Ventures, Inc.

From: Jennie Turner, Senior Planner

Date: September 9, 2021– Response to 8.26.2021 TRC Resubmittal

Re: PB 87-56 Monterey Shores, Phase 10 – Amended Sketch Plan/Use Permit

The following comments have been received at the September 8, 2021 TRC meeting. In order to be scheduled for the October 18, 2021 Board of Commissioners meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on September 23, 2021. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031
Reviewed

1. Thank you for assembling and organizing documents and plats to update the Amended Sketch Plan/Special Use Permit for Monterey Shores PUD. Staff requests a meeting to review the information prior to the resubmittal date.
2. Please describe how you have shown the county's easement over the pond. *It is critical to the county that any proposed changes to the existing pond will not adversely affect the existing easement (including pond level rise) the county holds over the pond and stormwater pipe for the ground water that is directed to the pond.*
It does not appear that the easement is shown over the pond as referenced in Deed Book 1135, Page 302 "(i) a perpetual right and easement to convey and discharge groundwater associated with the Whalehead Watershed Improvement District into the pond shown and more particularly described on that plat recorded at Plat Cabinet K, Slide 50 of the Currituck County Registry"
Please note the easement includes the pond.
3. Areas proposed for commercial designation should include any required supporting features (ex: drive aisles, paddle boat rental docks, decking, parking lot islands). All commercial activities must be located within areas designated as commercial on the sketch plan.
According to the UDO, upper story dwelling units in PUDs are required to be in areas designated commercial, this includes required supporting features.
4. Please provide additional information related to the proposed access through adjacent NCDOT owned parcel(s). How will the driveway/road connect? Please provide a response from NCDOT.

NC DEQ- Division of Coastal Management, Charlan Owens 252-264-3901

No Comment

Currituck County Building Inspections & Fire, Bill Newns 252-232-6023

Approved
No further comments

Currituck County Water, DaveSpence/Will Rumsey, 252-232-6060

Reviewed
Will need to see utility plans.

Currituck County GIS, Harry Lee 252-232-2034

Reviewed

Currituck Soil and Stormwater (Dylan Lloyd, 252-232-3360)

Approved

Currituck County Economic Development, Larry Lombardi, 252-232-6015

Reviewed

Currituck County Parks & Recreation, Jason Weeks, 252-232-3007

Approved

The following items are necessary for resubmittal:

- 2 - Full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.



September 23, 2021

Ms. Jennie Turner
 Senior Planner
 Currituck County Dept. of
 Planning and Community Development
 153 Courthouse Road, Ste. 110
 Currituck, NC 27929

Re: PB87-56 Monterey Shores Phase 10 Amended Sketch Plan/Use Permit TRC Response

Dear Jennie,

We are responding to additional TRC comments dated September 9, 2021 as follows:

1. Based on the meeting that was held in your office last week, we have updated the development tabulation sheet that was prepared that summarizes the current status of all of the development areas, commercial and residential allocations and open space areas for the entire P.U.D. Final adjustments to the tabulation including the 57 villas units that were inadvertently omitted from the last several sketch plan amendments, adjusting the acreage between Monterey Pines and Parcel 9 to account for the dumpster area that was added to Monterey Pines, and clarifying that the unit total does not consider any loss of lots in Corolla Shores due to the NCDOT taking, which needs to be handled by that developer.

I believe that the tabulation now accurately reflects the current status of all development in all phases of the P.U.D.. This tabulation has been used to update the summary of proposed changes to the development data that are being proposed with the current amendment on Page 3 of the plan set.

2. We have reviewed the county's easement as recorded in Deed Book 1135, page 302, along with the plat that was recorded in Plat Cabinet K, slide 50 at the Currituck County registry and believe that the easement as shown on the amended sketch plan accurately mirrors the recorded documents. It is not anticipated that any proposed changes to the existing pond will have any adverse affect whatsoever on the County's utilization of the pond for groundwater disposal.
3. As discussed, the parking spaces that are associated with the upper-story dwelling units are now designated as commercial on the land use allocation plan (sheet 6).
4. Regarding the proposed access through the adjacent NCDOT right-of-way parcel, a tentative plan has been added showing how the drive aisle and parking area through the Seaside Market will be formalized to approximately match the site plan for that facility that was approved in the late 1990's. While we don't yet have a written agreement with NCDOT, NCDOT has received the development plan concept and has offered to amend the existing lease agreement for the

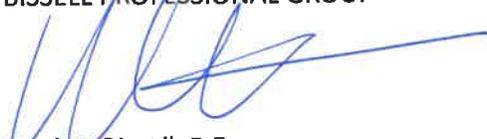
Seaside Market to include the use of this right-of-way for the new development. We are in the process of amending that agreement, and expect to have it in place prior to a request for site plan or Special Use Permit approval at the next stages of the approval process.

We are submitting two full size copies of revised plans, one 8.5 x 11 copy of revised plans, and a .pdf digital copy of revised documents and plans.

We look forward to reviewing this request with the County Commissioners at their meeting on October 18, 2021.

Thank you for your assistance in working through these issues.

Sincerely yours,
BISSELL PROFESSIONAL GROUP



Mark S. Bissell, P.E.

Cc: Mr. Richard Willis

**U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT**

Action Id. SAW-2017-01236 County: Currituck U.S.G.S. Quad: Mossey Island

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner/Applicant: Outer Banks Ventures, Inc.
C/O Richard Willis
Address: Post Office Box 549
Corolla, North Carolina 27927
Telephone Number: 252-261-1760 A

Size (acres)	<u>36.1 Acres</u>	Nearest Town	<u>Corolla</u>
Nearest Waterway	<u>Sanders Bay</u>	River Basin	<u>Currituck Sound</u>
USGS HUC	<u>03010205</u>	Coordinates	Latitude: <u>36.327407 N</u> Longitude: <u>-75.819538 W</u>

Location description: Property is located at Parcel 10 Monterey Shores P.U.D, off Malia Drive and Ocean Trail Highway, adjacent to a man-made pond and the Currituck Sound, near Sanders Bay, in Corolla, Currituck County, North Carolina. NC Parcel No. 9935-63-4485. Deed Book 1161. Page 734.

Indicate Which of the Following Apply:

A. Preliminary Determination

- There are waters, including wetlands, on the above described project area, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The waters, including wetlands, have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.
- There are wetlands on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). However, since the waters, including wetlands, have not been properly delineated, this preliminary jurisdiction determination may not be used in the permit evaluation process. Without a verified wetland delineation, this preliminary determination is merely an effective presumption of CWA/RHA jurisdiction over all of the waters, including wetlands, at the project area, which is not sufficiently accurate and reliable to support an enforceable permit decision. We recommend that you have the waters of the U.S. on your property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

B. Approved Determination

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

There are waters of the U.S., including wetlands, on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- We recommend you have the waters of the U.S. on your property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

SAW-2017-01236 Outer Banks Ventures, Inc.

The waters of the U.S., including wetlands, on your project area have been delineated and the delineation has been verified by the Corps. If you wish to have the delineation surveyed, the Corps can review and verify the survey upon completion. Once verified, this survey will provide an accurate depiction of all areas subject to CWA and/or RHA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.

- AW**
- The waters of the U.S., including wetlands, have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on April 23, 2020. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are no waters of the U.S., to include wetlands, present on the above described property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- AW**
- The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Elizabeth City, NC 252-264-3901 to determine their requirements.

Placement of dredged or fill material within waters of the US, including wetlands, without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). Placement of dredged or fill material, construction or placement of structures, or work within navigable waters of the United States without a Department of the Army permit may constitute a violation of Sections 9 and/or 10 of the Rivers and Harbors Act (33 USC § 401 and/or 403). If you have any questions regarding this determination and/or the Corps regulatory program, please contact Raleigh W. Bland, SPWS at (910) 251-4564 or Raleigh.w.bland@usace.army.mil.

C. Basis For Determination: This site meets all of the required wetland criteria as described in the 1987 Corps Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Interim Regional Supplement (Supplement) to the 1987 Wetland Delineation Manual. The waters and wetlands are part of a broad continuum of wetlands connected to the Currituck Sound.

D. Remarks: A Department of the Army Permit is required for any work on this property in jurisdictional waters or wetlands.

E. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)

This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Jason Steele, Review Officer
60 Forsyth Street SW, Room 10M15
Atlanta, Georgia 30303-8801

SAW-2017-01236 Outer Banks Ventures, Inc.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by June 23, 2020.

****It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.****

Corps Regulatory Official:

Robert W. Bland, SPWS

Date: April 23, 2020 Expiration Date: April 23, 2025

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Copy Furnished: CESAW/RG-W/Bland

Attachment: JD with map (PB 87-56 Monterey Shores PUD Parcel 10)

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Outer Banks Ventures, Inc.	File Number: SAW 2017-01236	Date: April 23, 2020
Attached is:		See Section below
<input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)		B
<input type="checkbox"/> PERMIT DENIAL		C
<input checked="" type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION		D
<input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

Attachment: JD with map (PB 87-56 Monterey Shores PUD Parcel 10)

SAW-2017-01236 Outer Banks Ventures, Inc.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

**District Engineer, Wilmington Regulatory Division,
Attn: Raleigh W. Bland, PWS
2407 West 5th Street
Washington, North Carolina 27889
910-252-4558**

If you only have questions regarding the appeal process you may also contact:

**Mr. Jason Steele, Administrative Appeal Review Officer
CESAD-PDO
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 10M15
Atlanta, Georgia 30303-8801
Phone: (404) 562-5137**

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

<p>Signature of appellant or agent.</p>	<p>Date:</p>	<p>Telephone number:</p>
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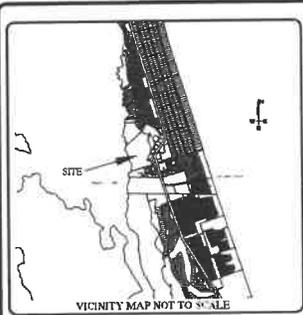
For appeals on Initial Proffered Permits send this form to:

**District Engineer, Wilmington Regulatory Division, Raleigh W. Bland, PWS, 2407 West 5th Street
Washington, North Carolina 27889**

For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele,
Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801
Phone: (404) 562-5137**

Attachment: JD with map (PB 87-56 Monterey Shores PUD Parcel 10)



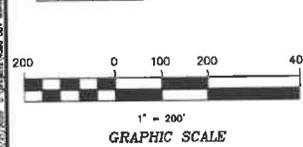
SURVEY LEGEND

FOUN: EXISTING CONCRETE MONUMENT
 SCD: SET CONCRETE MONUMENT
 SRI: SET IRON ROD
 ER: EXISTING IRON ROD
 EIP: EXISTING IRON PIPE
 CP: CALCULATED POINT
 M.S.L: MAXIMUM BUILDING LIMIT
 N.T.S: NOT TO SCALE
 P.C: PLAT CORNER
 D.A: DEED BOOK
 S: SIDE
 SF: SQUARE FEET
 AC: ACRES



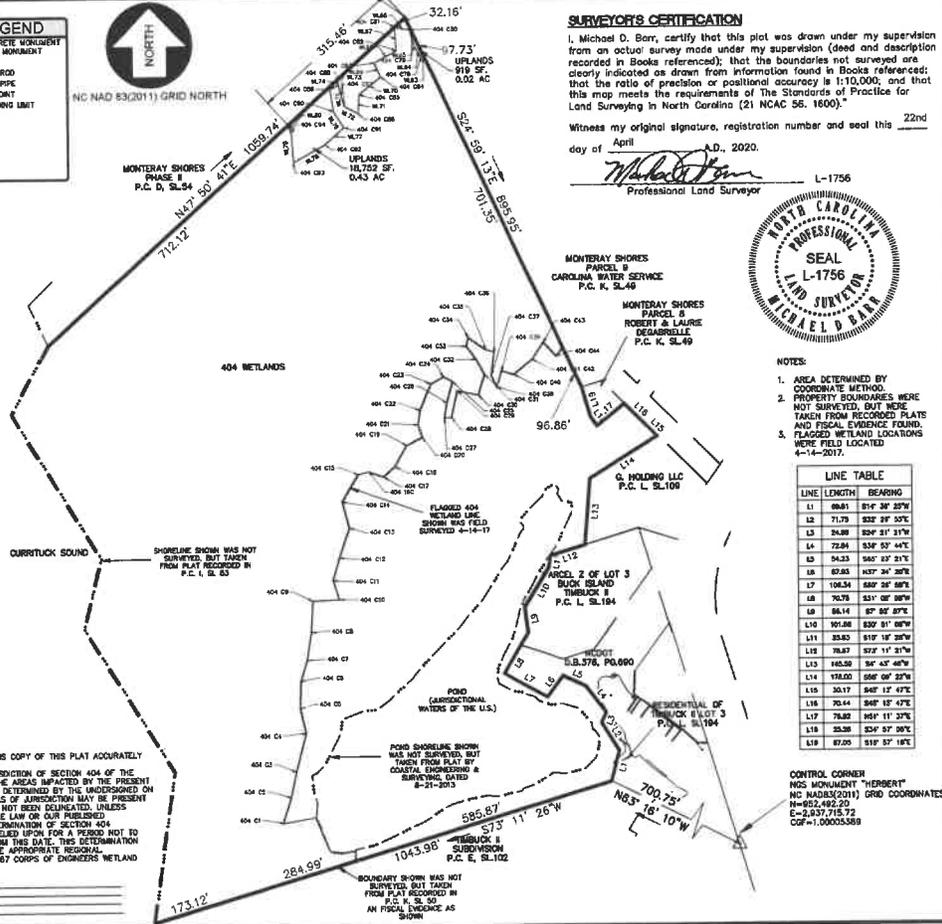
WETLAND LINE TABLE

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
W101	16.39	N17° 30' 40"E	W106	16.71	S77° 18' 17"E
W102	17.10	N17° 30' 40"E	W107	16.70	S87° 32' 40"E
W103	16.64	N17° 41' 18"E	W108	29.08	S27° 02' 34"E
W104	16.77	N17° 40' 57"E	W109	27.01	N17° 50' 34"E
W105	17.10	N17° 30' 40"E	W110	27.08	S17° 43' 47"E
W106	17.10	N17° 30' 40"E	W111	16.78	N17° 43' 25"E
W107	16.77	N17° 40' 57"E	W112	16.43	S27° 02' 34"E
W108	16.80	N17° 41' 18"E	W113	16.37	S47° 50' 18"E
W109	16.87	N17° 40' 57"E	W114	26.03	N27° 04' 31"E
W110	16.77	N17° 40' 57"E	W115	17.07	N47° 42' 05"E
W111	16.77	N17° 40' 57"E	W116	26.01	N17° 12' 17"E
W112	16.80	N17° 41' 18"E	W117	26.06	N17° 10' 09"E
W113	16.87	N17° 40' 57"E	W118	23.02	N47° 05' 05"E
W114	16.77	N17° 40' 57"E	W119	16.80	S27° 32' 37"E
W115	16.77	N17° 40' 57"E	W120	16.43	S67° 28' 41"E
W116	16.80	N17° 41' 18"E	W121	16.80	S27° 32' 37"E
W117	16.87	N17° 40' 57"E	W122	16.73	S27° 02' 34"E
W118	16.77	N17° 40' 57"E	W123	16.78	S27° 02' 34"E
W119	16.77	N17° 40' 57"E	W124	16.78	S27° 02' 34"E
W120	16.77	N17° 40' 57"E	W125	16.78	S27° 02' 34"E
W121	16.77	N17° 40' 57"E	W126	16.78	S27° 02' 34"E
W122	16.77	N17° 40' 57"E	W127	16.78	S27° 02' 34"E
W123	16.77	N17° 40' 57"E	W128	16.78	S27° 02' 34"E
W124	16.77	N17° 40' 57"E	W129	16.78	S27° 02' 34"E
W125	16.77	N17° 40' 57"E	W130	16.78	S27° 02' 34"E
W126	16.77	N17° 40' 57"E	W131	16.78	S27° 02' 34"E
W127	16.77	N17° 40' 57"E	W132	16.78	S27° 02' 34"E
W128	16.77	N17° 40' 57"E	W133	16.78	S27° 02' 34"E
W129	16.77	N17° 40' 57"E	W134	16.78	S27° 02' 34"E
W130	16.77	N17° 40' 57"E	W135	16.78	S27° 02' 34"E
W131	16.77	N17° 40' 57"E	W136	16.78	S27° 02' 34"E
W132	16.77	N17° 40' 57"E	W137	16.78	S27° 02' 34"E
W133	16.77	N17° 40' 57"E	W138	16.78	S27° 02' 34"E
W134	16.77	N17° 40' 57"E	W139	16.78	S27° 02' 34"E
W135	16.77	N17° 40' 57"E	W140	16.78	S27° 02' 34"E
W136	16.77	N17° 40' 57"E	W141	16.78	S27° 02' 34"E
W137	16.77	N17° 40' 57"E	W142	16.78	S27° 02' 34"E
W138	16.77	N17° 40' 57"E	W143	16.78	S27° 02' 34"E
W139	16.77	N17° 40' 57"E	W144	16.78	S27° 02' 34"E
W140	16.77	N17° 40' 57"E	W145	16.78	S27° 02' 34"E
W141	16.77	N17° 40' 57"E	W146	16.78	S27° 02' 34"E
W142	16.77	N17° 40' 57"E	W147	16.78	S27° 02' 34"E
W143	16.77	N17° 40' 57"E	W148	16.78	S27° 02' 34"E
W144	16.77	N17° 40' 57"E	W149	16.78	S27° 02' 34"E
W145	16.77	N17° 40' 57"E	W150	16.78	S27° 02' 34"E



THIS CERTIFIES THAT THIS COPY OF THIS PLAT ACCURATELY DEDUCES THE BOUNDARY OF THE JURISDICTION OF SECTION 404 OF THE CLEAN WATER ACT IN THE AREAS IMPACTED BY THE PRESENT PROPOSED ACTIVITY, AS DETERMINED BY THE UNDERGROUND ON THIS DATE. OTHER AREAS OF JURISDICTION MAY BE PRESENT ON THE SITE BUT HAVE NOT BEEN DELINEATED, UNLESS THERE IS CHANGE IN THE LAW OR OUR PUBLISHED REGULATIONS. THE DETERMINATION OF SECTION 404 JURISDICTION MAY BE RELIED UPON FOR A PERIOD NOT TO EXCEED FIVE YEARS FROM THIS DATE. THIS DETERMINATION WAS MADE UTILIZING THE APPROPRIATE REGIONAL SUPPLEMENT TO THE 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL.

REGULATORY OFFICIAL
 TITLE _____
 DATE _____
 USAGE ACTION ID _____



SURVEYOR'S CERTIFICATION
 I, Michael D. Barr, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed and description recorded in Books referenced); that the boundaries not surveyed are clearly indicated as drawn from information found in Books referenced; that the ratio of precision or positional accuracy is 1:10,000, and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600)."

Witness my original signature, registration number and seal this 22nd day of April, A.D., 2020.

Michael D. Barr
 L-1756
 Professional Land Surveyor



- NOTES:
1. AREA DETERMINED BY COORDINATE METHOD.
 2. PROPERTY BOUNDARIES WERE NOT SURVEYED, BUT WERE TAKEN FROM RECORDED PLATS AND FISCAL EVIDENCE FOUND.
 3. FLAGGED WETLAND LOCATIONS WERE FIELD LOCATED 4-14-2017.

LINE TABLE

LINE	LENGTH	BEARING
L1	66.41	S17° 28' 25"E
L2	71.75	S27° 28' 25"E
L3	76.89	S27° 21' 21"E
L4	72.94	S37° 52' 41"E
L5	16.23	S67° 22' 21"E
L6	67.43	N37° 24' 20"E
L7	106.34	S67° 08' 08"E
L8	70.78	S31° 02' 08"E
L9	66.14	S7° 02' 07"E
L10	107.28	S27° 31' 07"E
L11	35.83	S17° 18' 20"E
L12	78.87	S27° 11' 21"E
L13	145.50	S6° 45' 48"E
L14	178.00	S66° 09' 22"E
L15	35.17	S47° 17' 47"E
L16	24.41	S47° 17' 47"E
L17	75.82	N57° 11' 27"E
L18	33.38	S34° 57' 08"E
L19	87.00	S17° 57' 18"E

CONTROL CORNER
 WAS MONUMENT "HERBERT"
 NC NAD83(2011) GRID COORDINATES
 N=952,492.20
 E=2,537,715.12
 CGF=1.00005389

REVISIONS

NO.	DATE	BY	REVISION
1	04-19-17	MSB	1"=200'
2		MSB	
3		BPC	

DATE: 04-19-17 SCALE: 1"=200'

DRAWN BY: MSB
 CHECKED BY: BPC

SHEET: 1 OF 1
 459600M.1
 PROJECT: 4596

OUTER BANKS VENTURES, INC.
 PARCEL 10 MONTEREY SHORES P.U.D.
 404 WETLANDS

Attachment: JD with map (PB 87-56 Monterey Shores PUD Parcel 10)



PAT McCrory
Governor

NICHOLAS J. TENNYSON
Secretary

August 5, 2016

Denise A. Hall
Register of Deeds
Currituck County
153 Courthouse Road, Suite 600
Currituck, NC 27929

Dear Ms. Hall,

House Bill 959 was signed into law July 11, 2016. Section 17(a) of the bill rescinds all transportation corridor official maps filed or amended to date. A list highlighting the affected map(s) in your jurisdiction is enclosed for your reference. This letter serves as official notification in compliance with Section 17(b) of HB 959.

Section 17(a) of HB 959 further states that all restrictions imposed under Article 2E of the North Carolina General Statutes, "Transportation Corridor Official Map Act," are no longer applicable to properties located within corridors designated under the rescinded maps. This would include the prohibitions on issuance of building permits and subdivisions of property stipulated in NCGS 136-44.51(a).

As a result of the rescission of all previously filed maps, property owners cease to be eligible for the tax reductions provided for under NCGS 105-277.9 (unimproved property) and NCGS 105-277.9A(a) (improved property).

Please update your internal records and procedures as necessary to comply with the provisions of Section 17(a) of HB 959. Please contact Mr. Ray McIntyre at 919-707-4634 or rmcintyre@ncdot.gov with any questions.

Sincerely,

Patrick Norman, PE
Director of Planning and Programming

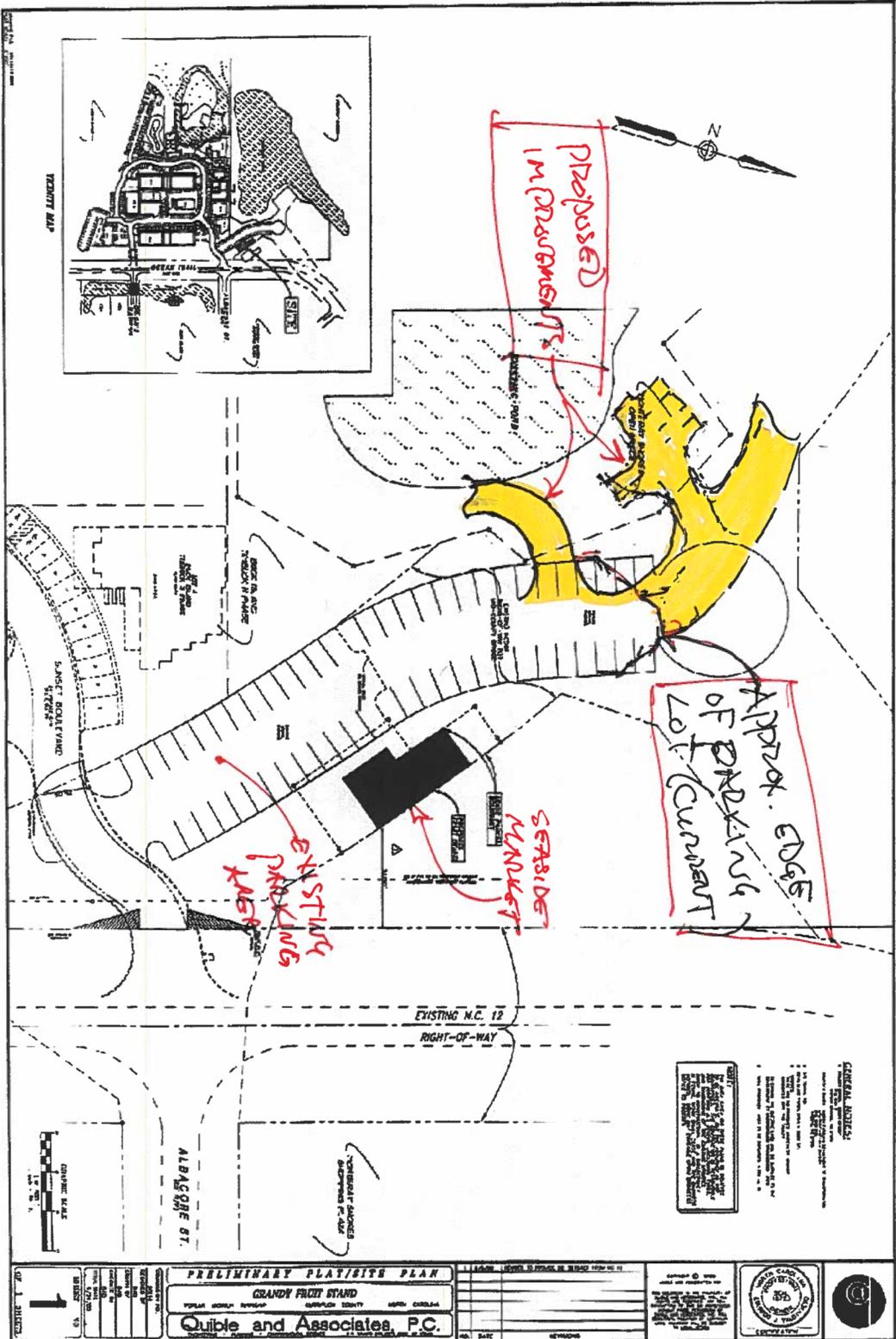
Enclosure

cc: Nicholas J. Tennyson, Secretary of Transportation
Malcolm Fearing, Board of Transportation
Jerry Jennings, PE, Division Engineer
Carr McLamb, NCDOT General Counsel

Nothing ComparesSM

State of North Carolina | Department of Transportation | Division of Planning and Programming
1 South Wilmington Street | 1534 Mail Service Center | Raleigh, NC 27699-1534
919-707-4610 T

TIP PROJECT NO.	COUNTY	DESCRIPTION	DATE OF ADOPTION BY BOT	RECORD REGISTER OF DEEDS
R-2576	CURRITUCK	MID CURRITUCK BRIDGE (SOUTH OF COROLLA ON NC 12)	7/8/1992	7/15/1992



Attachment: NCDOT Parcel - Access Sketch (PB 87-56 Monterey Shores PUD Parcel 10)

Unofficial Document

Unofficial Document

Unofficial Document

ALBACORE STREET - 60' R/W

OCEAN TRAIL - N.C.D.

TIMBUCK II
SUBDIVISION
P.C. "E", SL. 102

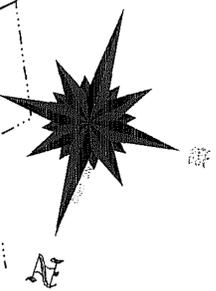
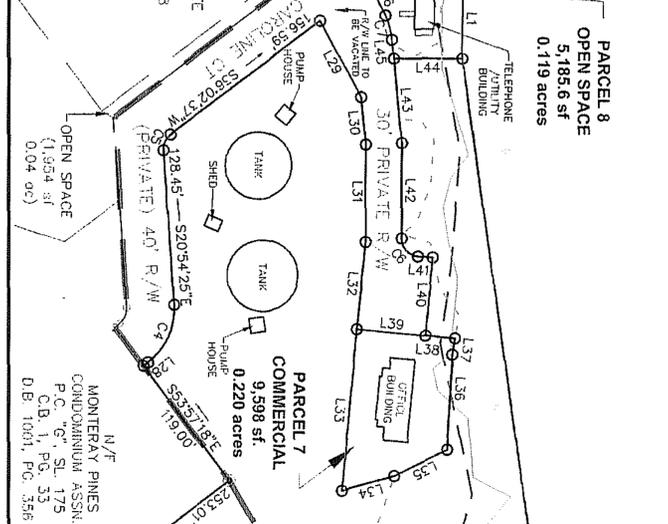
CURRITUCK SOUND

CURVE TABLE

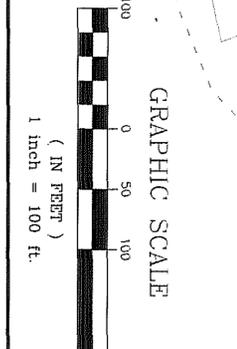
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	185.43	466.24	184.21	N50°33'48"W
C2	36.53	65.00	36.06	S23°04'02"E
C3	38.31	189.48	38.23	S44°57'41"E
C4	54.67	53.00	52.45	S07°54'08"W
C5	14.91	15.00	14.30	N07°34'03"E
C6	22.19	15.00	20.22	N59°13'25"W
C7	20.93	62.56	20.83	S32°03'28"E
C8	27.14	100.00	27.05	N52°32'44"E
C9	78.54	50.00	70.71	S73°14'31"W
C10	37.97	147.34	37.86	N53°25'32"E
C11	37.35	25.03	34.12	S75°00'31"W

LINE TABLE

LINE	LENGTH	BEARING
L1	67.05	S15°57'18"E
L2	25.28	S44°57'06"E
L3	76.92	N51°11'37"E
L4	70.44	S45°13'47"E
L5	30.17	S45°13'47"E
L6	78.87	S73°14'21"W
L7	25.83	S10°18'28"W
L8	101.58	S30°51'08"W
L9	56.14	S07°52'57"E
L10	32.69	S31°44'41"W
L11	70.75	S31°08'08"W
L12	106.34	S60°26'58"E
L13	57.93	N37°24'20"E
L14	54.23	S55°23'21"E
L15	72.84	S36°53'44"E
L16	24.88	S24°21'21"W
L17	71.75	S32°26'53"E
L18	69.81	S14°36'25"W
L19	89.52	N53°18'11"W
L20	95.56	N62°15'20"E
L21	64.46	N28°02'44"E
L22	108.07	N28°02'44"E
L23	70.28	N28°02'44"E
L24	82.73	S28°02'44"W
L25	14.99	N28°02'37"E
L26	40.00	N61°57'37"W
L27	15.00	S53°57'18"E
L28	5.04	N36°02'37"E
L29	43.36	S45°13'47"E
L30	39.39	S22°16'59"E
L31	80.80	S16°50'38"E
L32	72.76	S11°02'41"E
L33	133.90	N11°36'13"W
L34	45.22	S57°48'02"W
L35	49.02	S46°55'41"W
L36	78.78	S13°30'14"E
L37	13.70	S07°36'18"E
L38	24.78	N78°23'47"E
L39	57.70	N78°23'47"E
L40	65.00	N11°36'13"W
L41	12.47	S78°23'47"W
L42	79.08	N16°50'38"W
L43	70.31	N22°16'59"W
L44	56.97	S73°22'12"W
L45	15.71	N22°16'59"W
L46	29.94	N45°13'47"W
L47	147.62	S58°34'30"W
L48	22.41	S28°14'31"W
L49	50.00	S28°14'31"W
L50	101.00	S61°45'29"E
L51	110.57	N28°14'31"E
L52	29.88	S75°34'25"E
L53	27.89	S48°27'45"E
L54	84.80	S51°11'37"W
L55	88.98	S58°35'58"W
L56	17.12	S46°27'45"E
L57	20.91	S24°33'44"W
L58	40.72	N38°49'02"W
L59	45.14	S79°22'32"E



- LEGEND:
- N.C.G.S. MONUMENT
 - EXISTING CONCRETE MONUMENT
 - SET IRON ROD
 - EXISTING IRON ROD
 - EXISTING R/W DISC
 - CALCULATED POINT
 - (7) — TOTAL DISTANCE
 - BOUNDARY LINE
 - 404 WETLAND
 - SHORELINE
 - RIGHT-OF-WAY (R/W)
 - THE LINE



P.L.D. # 0116-000-003X-0000
 P.C. "E", SL. 53
 D.B. 990, PG. 704
 404 WETLANDS AREA
 1,576,604 sf
 36.194 acres

MONTERAY SHORES
PHASE II
P.C. "D", SL. 54-61

MONTERAY SHORES
OWNERS ASSN.
D.B. 343, PG. 323

MONTERAY SHORES P.U.D. W.W.T.P.
CAROLINA WATER SERVICE
 POPLAR BRANCH TWP. CURRITUCK COUNTY NORTH CAROLINA
 Amended **FINAL PLAT**

REVISIONS

NO.	DATE	DESCRIPTION	BY

Coastal
 ENGINEERING & SURVEYING, INC.
 P.O. Box 1139
 934 W. 11th Hwy. Ed.
 City View, P.O. 27949
 (252)-261-4151
 (252)-261-1333
 Civil - Structural
 Site Development

K 150

BOOK 1135 PAGE 0302

NORTH CAROLINA EXCISE STAMPS

ATTACHED AND CANCELLED \$ 40.00

Tax Collector Certification That No Delinquent Taxes
Are Due. Date 9/15/10 By W. Certification
expires Jan. 6th of the year following certification date.



Doc ID: 002254930004 Type: CRP
Recorded: 09/15/2010 at 10:50:43 AM
Fee Amt: \$268.00 Page 1 of 4
Excise Tax: \$40.00
Currituck County, NC
Charlene Y Dowdy Register of Deeds

247

TRANSFER TAX AMOUNT 200.00 W
DATE/COLLECTOR 9-14-2010 AKS

BK 1135 PG 302-305

Prepared by: Donald I. McRee, Jr., Attorney
Return to: P.O. Box 39, Currituck, North Carolina 27929

STATE OF NORTH CAROLINA

DEED OF EASEMENT

COUNTY OF CURRITUCK

THIS DEED OF EASEMENT made this 31st day of AUGUST, 2010, by and between ROBERT R. DEGABRIELLE and wife, LAURIE T. DEGABRIELLE, (the "Grantors"), and COUNTY OF CURRITUCK, NORTH CAROLINA, a body corporate and politic existing pursuant to the laws of the State of North Carolina, whose mailing address is P.O. Box 39, Currituck, NC 27929, (the "Grantee"):

WITNESSETH:

THAT WHEREAS, Grantors are the owners of all of that certain lot or parcel of land as set forth in those deeds recorded in Book 990, Page 704 of the Currituck County Registry;

AND WHEREAS Grantee has requested Grantors' conveyance of an easement for the purpose of the installation and maintenance of a subsurface pipe for the conveyance of ground water and groundwater discharge into the pond located on the above referenced property and the Grantors have agreed to the easement;

NOW, THEREFORE, for and consideration of the sum of ten and no/hundreds dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby give, grant and convey unto the Grantee, (i) a perpetual right and easement to convey and discharge groundwater associated with the Whalehead Watershed Improvement District into the pond shown and more particularly described on that plat recorded at Plat Cabinet K, Slide 50 of the Currituck County Registry and (ii) a perpetual right and easement 20 feet in width to construct and maintain, over upon and across the property

Official Document

Attachment: Recorded Easement - County Deed Book 1135 Page 302 (PB 87-56 Monterey Shores PUD Parcel 10)

of the Grantors a subsurface pipe for the conveyance and discharge of groundwater from the force main associated with the Whalehead Watershed Improvement District into the pond located on the property of the Grantors described as follows:

That area in, upon, across and into the property of the Grantors lying within the lines delineated as "20' Utility Easement" as shown on a map or plat prepared by Barnette Integrated Land Development, entitled in part "Currituck County, 20' Utility Encroachment NCDOT And Parcel 10, Monterey Shores, PUD, Corolla, Poplar Branch Township, Currituck County, North Carolina", dated November 4, 2009 and attached hereto as Exhibit A, said area being more particularly described as follows:

Beginning at a point, said point being located the following calls and distances from a PK Nail at the intersection of Ocean Trail (NC 12) and Albacore Street: From said PK Nail South 74 deg 54 min 27 sec West 42.49 feet, North 17 deg 00 min 50 sec West 20.17 feet, South 65 deg 27 min 58 sec West 88.67 feet, along a curve to the left, said curve having a radius of 851.47 feet for an arc length of 184.66 feet on a cord of 184.30 feet cord bearing a North 52 deg 40 min 46 sec West to a point, South 24 deg 21 min 21 sec West 12.13 feet to the point and place of beginning, said point and place of beginning being on the eastern edge of Parcel 10 Monterey Shores PUD; from said point and place of beginning turning and running South 32 deg 26 min 53 sec East 20.76 feet to a point; thence turning and running South 73 deg 08 min 23 sec West 48.41 feet; thence turning and running North 16 deg 51 min 37 sec West 20.00 feet to a point; thence turning and running North 73 deg 08 min 23 sec East 54.96 feet to the point and place of beginning.

TO HAVE AND TO HOLD the above described easement unto the Grantee, its successors and assigns forever, but subject to the following limitations:

- (a) The easement shall be solely for the use of the conveyance and discharge of ground water.
- (b) The maximum discharge rate from the force main associated with the Whalehead Watershed Improvement District shall not exceed 3,500 gallons per minute.
- (c) The amount of discharge from the force main associated with the Whalehead Watershed Improvement District may not raise the pond level in excess of 2.3 feet beyond normal pond height.
- (d) Grantee shall be responsible for, and shall indemnify and hold Grantors, their successors and assigns harmless from all claims for costs, damages and injuries associated with or related to the cleanup of any sedimentation and/or "hazardous material" (as the term is defined in any and all applicable Federal or State environmental laws or regulations) located within the pond which are caused by, result from or are related to conveyance of ground water from the force main associated with the Whalehead Watershed Improvement District into the pond.

UNOFFICIAL DOCUMENT

Attachment: Recorded Easement - County Deed Book 1135 Page 302 (PB 87-56 Monterey Shores PUD Parcel 10)

The Grantors covenant that they are seized of said premises in fee simple and that they have the right to grant this easement for the purposes set forth herein, that Grantors will warrant and defend title to said property thus conveyed against the lawful claims of all person whosoever except as to those exceptions stated herein. Title to the property hereinabove described is subject to easements, restrictions, rights of way and other matters of record.

IN TESTIMONY WHEREOF the party of the Grantors have duly executed and sealed this document and deed, this the day and year first above written.

Robert R. DeGabrielle (SEAL)
Robert R. DeGabrielle

Laurie T. DeGabrielle (SEAL)
Laurie T. DeGabrielle

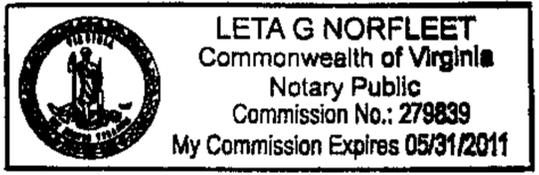
STATE OF Virginia
CITY/COUNTY OF Bath

I, Leta G Norfleet, a Notary Public for the State and City/County aforesaid, hereby certify that Robert R. DeGabrielle and wife, Laurie T. DeGabrielle personally came before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal this the 31st day of August, 2010.

(SEAL/STAMP)

Notary Public: Leta G Norfleet
Printed Name: Leta G NORFLEET
My Commission Expires: May 31 2011

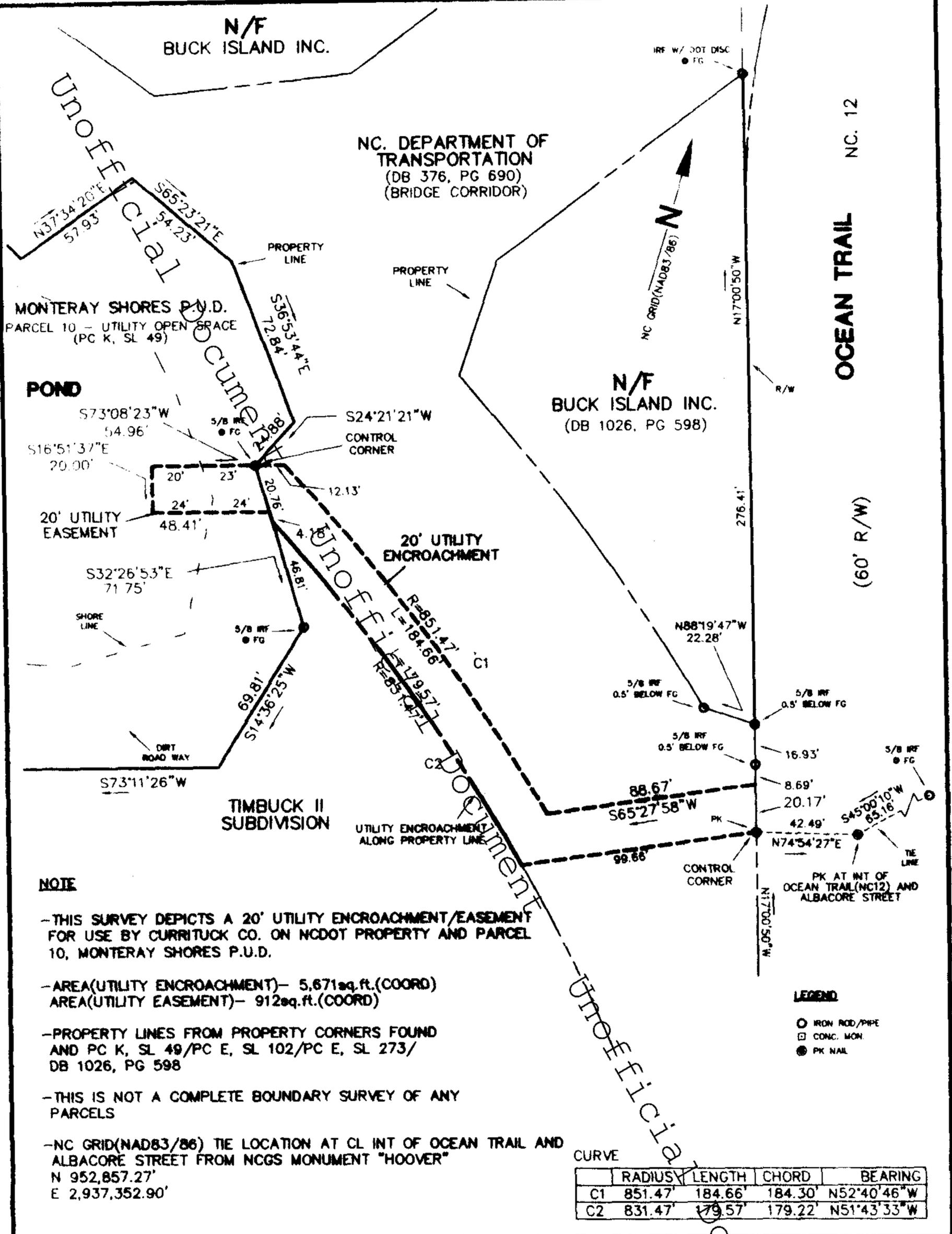


UNOFFICIAL Document

UNOFFICIAL Document

UNOFFICIAL Document

Attachment: Recorded Easement - County Deed Book 1135 Page 302 (PB 87-56 Monterey Shores PUD Parcel 10)



NOTE

- THIS SURVEY DEPICTS A 20' UTILITY ENCROACHMENT/EASEMENT FOR USE BY CURRITUCK CO. ON NCDOT PROPERTY AND PARCEL 10, MONTERAY SHORES P.U.D.
- AREA(UTILITY ENCROACHMENT)- 5,671sq.ft.(COORD)
AREA(UTILITY EASEMENT)- 912sq.ft.(COORD)
- PROPERTY LINES FROM PROPERTY CORNERS FOUND AND PC K, SL 49/PC E, SL 102/PC E, SL 273/ DB 1026, PG 598
- THIS IS NOT A COMPLETE BOUNDARY SURVEY OF ANY PARCELS
- NC GRID(NAD83/86) TIE LOCATION AT CL INT OF OCEAN TRAIL AND ALBACORE STREET FROM NCGS MONUMENT "HOOVER"
N 952,857.27'
E 2,937,352.90'

LEGEND

- IRON ROD/PIPE
- CONC. MON.
- PK NAIL

I, MARTIN BARNETTE CERTIFY THAT UNDER MY SUPERVISION THIS PLAT WAS DRAWN FROM AN ACTUAL FIELD LAND SURVEY AND THAT THE RATIO OF PRECISION AS CALCULATED IS 1/500. I AM A LICENSED SURVEYOR IN THE STATE OF NORTH CAROLINA AND I AM REGISTERED WITH THE BOARD OF SURVEYING AND MAPPING UNDER NO. 37. I WITNESS MY ORIGINAL SIGNATURE AND REGISTRATION NO. AND SEAL THIS DATE OF 11/4/9.

MARTIN BARNETTE 37

THE SURVEYED PROPERTY IS SUBJECT TO ZONING AND/OR OTHER REGULATORY RESTRICTIONS THAT MAY DETERMINE THE PERMITTED BOUNDING LINES. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.

SURVEY FOR:

CURRITUCK COUNTY

20' UTILITY ENCROACHMENT

NCDOT AND PARCEL 10, MONTERAY SHORES PUD

AS REC: DB 376, PG 690/PC K, SL 49

COROLLA POPLAR BRANCH TWSP. CURRITUCK CO. N. CAROLINA

SCALE 1"=50' FILE NO. 2976 CADD FILE 2976J DATE 11/4/9

B. I. L. D.

BARNETTE INTEGRATED LAND DEVELOPMENT

POB 7159 KDH, NC 27948 (252)441-5154

This map is not a certified survey & has not been reviewed by a local government agency for compliance with any applicable land development regulations.

Attachment: Recorded Easement - County Deed Book 1135 Page 302 (PB 97-56 Monterey Shores PUD Parcel 10)

*Temporary Adoption Eff. November 8, 1996;
Temporary Adoption Eff. May 8, 1997;
Eff. August 1, 1998;
Repealed Eff. September 1, 2006.*

15A NCAC 02H .0226 INNOVATIVE ANIMAL WASTE OPERATION PERMITS FOR SWINE OPERATIONS

*History Note: Authority G.S. 143-215.1; 143-215.10C; Clean Water Responsibility And Environmentally Sound Policy Act, S.L. 1997 c. 458;
Temporary Adoption Eff. August 21, 1998;
Temporary Adoption Expired May 11, 1999.*

**15A NCAC 02H .0227 SYSTEM-WIDE COLLECTION SYSTEM PERMITTING
(See 15A NCAC 02T .0400)**

*History Note: Authority G.S. 143-215.1(a); 143-215.3(a),(d); NC Clean Water Act of 1999; S.L. 1999 c. 329;
Temporary Adoption Eff. March 1, 2000;
Eff. April 1, 2001;
Repealed Eff. September 1, 2006.*

SECTION .0300 - SEPTIC TANK SYSTEMS

- 15A NCAC 02H .0301 SCOPE**
- 15A NCAC 02H .0302 TECHNICAL GUIDE FOR EVALUATION OF SOIL ABSORPTION SITES**
- 15A NCAC 02H .0303 INTERPRETATION AND TECHNICAL ASSISTANCE**
- 15A NCAC 02H .0304 TABLE NO. I**
- 15A NCAC 02H .0305 TABLE NO. II**
- 15A NCAC 02H .0306 APPLICABILITY: VIOLATIONS**

*History Note: Authority G.S. 130A-160; 130A-335; 143-215.1; 143-215.6;
Eff. February 1, 1976;
Amended Eff. July 1, 1988; February 1, 1986;
Repealed Eff. April 1, 1994.*

SECTION .0400 - COASTAL WASTE TREATMENT DISPOSAL

- 15A NCAC 02H .0401 STATEMENT OF POLICY**
- 15A NCAC 02H .0402 APPLICABILITY**
- 15A NCAC 02H .0403 DEFINITION OF COASTAL AREAS**
- 15A NCAC 02H .0404 FACILITY LOCATION AND DESIGN**
- 15A NCAC 02H .0405 PRIVATELY OWNED INSTALLATIONS**
- 15A NCAC 02H .0406 PUBLICLY OWNED SEWERAGE FACILITIES**
- 15A NCAC 02H .0407 EXCEPTIONS FROM REQUIREMENTS**

*History Note: Authority G.S. 143-211; 143-214.2(c); 143-215; 143-215.1(a); 143-215.1(b)(1); 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. November 1, 1986; April 1, 1983; September 13, 1981; May 11, 1980;
Repealed Eff. May 1, 2020.*

15A NCAC 02H .0408 DISPOSAL OF STORMWATER

*History Note: Authority G.S. 143-214.1; 143-215.3(a)(1);
Eff. November 1, 1986;
Repealed Eff. January 1, 1988.*

Attachment: Repeal of 02H .0400 (PB 87-56 Monterey Shores PUD Parcel 10)

Proposed Street Name Review and Addition to Master Street List Form

To Be Completed By Applicant

Subdivision Name: Monteray Shores
 Subdivision Type: Planned Unit Development
 Applicant: Outer Banks Ventures, Inc.
 Address: PO Box 459
Corolla, NC 27927

Phone: 252-453-4198 Fax: _____

Proposed Street Name(s):

<u>Virginia Lane</u>	<input checked="" type="checkbox"/>	_____
<u>Currie Lane</u>	<input checked="" type="checkbox"/>	_____
<u>XXXXXX</u>	<input type="checkbox"/>	_____
<u>Peanut Lane</u>	<input checked="" type="checkbox"/>	_____

Alternate Street Name(s): *Please provide at least one (1) alternate street name*

To Be Completed By County Staff

Proposed street names with a check mark have been approved. Proposed street names with an X mark have been denied.

Reviewed By: Harry P. Lee Date: 6/24/21

Add the following data to the Master Street List:

Street Name: _____
 Address Range: _____
 F&R #: _____
 Community: _____
 ZIP: _____
 Location: _____

 Plat Approval Date: _____
 Plat Approved By: _____

Attachment: Street Names (PB 87-56 Monterey Shores PUD Parcel 10)



Carolina Water Service of North Carolina™

June 24, 2021

Re: Monterey Shores Phase Ten, OBV
Corolla, Currituck County NC
Sanitary Sewer Utility

To Whom It May Concern:

Carolina Water Service, Inc. of North Carolina (CWSNC) provides sanitary sewer utility service to Monterey Shores and adjacent developments including the above referenced property and project.

The wastewater treatment facility site is adequate to meet the needs of the “phase ten” buildout, and the property proposed for development is not needed for utility use.

Should you have questions, please contact me at 252-269-2540 or dana.hill@carolinawaterservicenc.com.

Respectfully,

Dana Hill
Director of Operations

4944 Parkway Plaza Boulevard, Suite 375 • Charlotte, North Carolina 28217
(800) 525-7990 • cwsnc@carolinawaterservicenc.com • www.carolinawaterservicenc.com



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 3261)

Agenda Item Title: Fire and EMS Advisory Board

Submitted By: Leeann Walton – County Manager

Presenter of Item:

Board Action: Action

Brief Description of Agenda Item:

George Thiess, Moyock Fire Department Deputy Chief, is being submitted for your consideration to replace Mike Hurt on the FEAB. DC Thiess, if approved, will serve as Fire Services Representative to fill an unexpired term ending May, 2023.

Potential Budget Affect: N/A

Is this item regulated by plan, regulation or statute? No

Manager Recommendation:

FIRE AND EMS ADVISORY BOARD
2 Year Term

Incumbent	District Served	New Appointee	Nominated by	Date of Appointment	End of Term
Fire Services Representative Ryland Poyner	Consensus			6/21/2021	1st Full 5/31/2023
Fire Services Representative Michael D. Hurt	Consensus	Replacement Requested		6/21/2021	1st Full 5/31/2023
Citizen Representative William Bailey	Consensus			9/8/2020	2nd-2 Year Term 5/31/2022
Commissioner* Paul Beaumont	Consensus			12/5/2016	BOC Member
Corolla Fire District Rep Tim Bostaph	Consensus			2/17/2020	Init. 5/31/2022
KI Fire District Rep Ed Yamiolkowski	Consensus			2/17/2020	Init. 5/31/2022
Fire/EMS Chief Ralph "Chip" Melton	Consensus				Fire/EMS Chief Ordinance Req

*Commissioner term expiration extended to December to correlate with election cycles.

Fire/EMS Chief serves as required by ordinance

Commissioner Beaumont serves on this Board

Attachment: Fire EMS Advisory Appt Form (Board Appt-FEAB)



Moyock Fire Department

108 Fire Station Ct.
Moyock, NC 27958



William Bailey
Chair, Currituck County Fire-EMS Advisory Board
153 Courthouse Rd.
Currituck, NC 27929

Mr. Bailey,

As most are aware, there has been a change in leadership at the Moyock Fire Department. Mike Lane has recently been named the new Moyock Fire Department Chief.

Mike Hurt was removed from his position by the Board of Directors per Moyock Fire Department bylaws. Mike Hurt is the current representee on the FEAB. With this change, the Moyock Fire Department would like to respectfully request an official change in representation of membership on the FEAB. We feel it is in the best interest of all parties involved so the FEAB can continue to do its good work within Currituck County.

We would like to nominate Current Deputy Chief George Thiess to replace Mike Hurt. Deputy Chief Thiess brings over 10 years of firefighter experience to the group and is currently employed by the United States Navy.

We would like to thank Mike Hurt for everything he has done for the department and the county and greatly appreciate the service he gave.

If you have any questions, please feel free to reach out!

Sincerely,

Mike Lane
Fire Chief
Moyock Fire Department
Mikelane310@yahoo.com
252-435-4605

Attachment: FEAB Appt Recommendation (Board Appt-FEAB)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 3262)

Agenda Item Title: Whalehead Stormwater Drainage Service District Advisory

Submitted By: Leeann Walton – County Manager

Presenter of Item:

Board Action: Action

Brief Description of Agenda Item:

Nominee George Mears, as recommended by outgoing Chairman, Lee Foreman, to fill his vacancy on the stormwater advisory. If approved by consensus, Mr. Mears will begin serving in January, 2022, for a full, two-year term expiring January, 2024.

Potential Budget Affect: N/A

Is this item regulated by plan, regulation or statute? No

Manager Recommendation:

**WHALEHEAD STORMWATER DRAINAGE SERVICE DISTRICT ADVISORY BOARD
2 Year Terms**

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
					1st Term January 2023
Larry Queen	Consensus			June 21, 2021	
					2nd Term January 2022
Lee Foreman	Consensus	Requesting Replacement		June 21, 2021	
					2nd Term January 2022
Jim Pruden	Consensus			June 21, 2021	
					3rd Term January 2023
John J. McTear	Consensus			June 21, 2021	
					3rd Term January 2023
Sid Wilson	Consensus			June 21, 2021	

Attachment: Whalehead Drainage Advisory Board Appointment Form (Board Appt-Whalehead

WHALEHEAD PROPERTY OWNERS' ASSOCIATION

Corolla, North Carolina

October 2, 2021

Chairman Michael H. Payment
Currituck County Board of Commissioners
Currituck, North Carolina 27929

Re: Self Nomination to Relieve the current Chairman of the Whalehead Drainage District Citizens' Advisory Board

Dear Chairman Payment:

The term of the current Chairman of the Whalehead Drainage District Advisory Board, Lee Foreman, is expiring soon and he recently asked me to consider self-nominating myself to replace himself on the County Whalehead Drainage District Advisory Board subject to the County's approval because his term was ending and he agreed to accept the nomination as the next President of the Whalehead Property Owners' Association, a role he has held in the past and will likely be assuming in a couple of weeks pending acceptance of the proposed WPOA Officer slate by the WPOA Membership on October 9, 2021. Lee will be replacing myself as the current President.

I was the first Chairman of this citizen advisory board when it was created some 12 years ago and I served in that position until term limits were imposed about five years later. At the time I was a hydrogeologist and Environmental Engineer with the US Army Corps of Engineers but I retired from the Corps in 2018. I have an undergrad in carbonate geology and geophysics from the University of Wisconsin and a Masters in Environmental Engineering from Old Dominion. While I currently live in Suffolk, Virginia, my wife and I have owned land at 1008 Corolla Drive in Whalehead since 1998 and we completed construction of our home there in early 2002.

I was a Navy pilot from 1972-1994, three years of which I flew into hurricanes with teams of scientists for Naval Oceanographic Office and helped train the first two NOAA aircrews as NOAA was taking over this mission from the Navy. I then spent another 23 years as a hydrogeologist and a project manager both in the private sector (URS Greiner-Woodward Clyde) and Federal sector with the Norfolk District of the USACE, where I was the project manager for both the design and construction phases of NASA Wallops Island Launch Test Range's defensive 4.5 mile beach which, two years later, protected Wallops Island from a direct hit by Hurricane Sandy.

I enjoyed the years I spent working on the County's Advisory Board and especially enjoyed working with the County's very professional County Engineer, Eric Weatherly.

Very respectfully,



George Mears ME, MBA, CDR USN (ret)
President, WPOA
Whalehead Property Owners' Association
757 621-8239/ ghmeas@gmail.com



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 3263)

Agenda Item Title: Budget Amendments

Submitted By: Leeann Walton – County Manager

Presenter of Item:

Board Action: Action

Brief Description of Agenda Item:

Budget amendments, various.

Potential Budget Affect: See individual amendments for department and net effects.

Is this item regulated by plan, regulation or statute? No

Manager Recommendation:

Number 20220028

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th of October 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2022.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10441-532000	Supplies	\$ 8,000	
10441-506000	Insurance Expense		\$ 3,000
10441-590000	Capital Outlay		\$ 5,000
		<u>\$ 8,000</u>	<u>\$ 8,000</u>

Explanation: Information Technology (10441) - Transfer budgeted funds and reclassify equipment purchases that did not fall above the capital threshold to equip the IT department for additional staff.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Oct 18_General Meeting (Budget Amendments)

Number 20220029

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th of October 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2022.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10510-532000	Supplies	\$	6,400		
10380-483510	Sheriff Donations			\$	6,400
		<u>\$ 6,400</u>		<u>\$ 6,400</u>	

Explanation: Sheriff (10510) - Increase appropriations to record donation from Albemarle Regional Health Services for Overdose Prevention.

Net Budget Effect: Operating Fund (10) - Increased by \$6,400.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Oct 18_General Meeting (Budget Amendments)

Number 20220030

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th of October 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2022.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10460-557100	Software License Fee	\$	400		
10530-561000	Professional Services	\$	1,000		
10960-531000	Fuel	\$	25,000		
10320-411000	Article 39 Sales Tax			\$	26,400
12541-554007	Insurance - Carova Beach VFD	\$	3,535		
12390-499900	Appropriated Fund Balance			\$	3,535
210541-554006	Insurance - Corolla	\$	4,000		
210541-506000	Health Insurance			\$	4,000
26535-557100	Software License Fee	\$	314		
26535-588000	Contingency			\$	314
61818-511010	Data Transmission	\$	1,055		
61818-516000	Repairs & Maintenance	\$	5,000		
61818-506000	Insurance Expense			\$	2,500
61818-533600	System Supplies			\$	3,555
67878-557100	Software License Fee	\$	300		
67878-506000	Health Insurance Expense			\$	300
		<u>\$</u>	<u>40,604</u>	<u>\$</u>	<u>40,604</u>

Explanation: Various Departments - Increase appropriations due to rising costs of vehicle fuel, software license fees and volunteer fire department building insurances; increase in professional services for new hire background checks; and departmental transfers in Mainland Water for operations.

Net Budget Effect: Operating Fund (10) - Increased by \$26,400.
Fire Services Fund (12) - Increased by \$3,535.
Corolla Fire Services (210) - No change.
Emergency Telephone System Fund (26) - No change.
Mainland Water Fund (61) - No change.
Mainland Sewer Fund (67) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Oct 18_General Meeting (Budget Amendments)

Number 20220030

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th of October 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2022.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-516200	Vehicle Maintenance	\$ 15,000	
10510-506000	Insurance Expense		\$ 15,000
		<u>\$ 15,000</u>	<u>\$ 15,000</u>

Explanation: Sheriff (10510) - Transfer budgeted funds for increased costs of vehicle maintenance and for tire replacements.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Oct 18_General Meeting (Budget Amendments)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 3256)

Agenda Item Title: Job Description Revisions-Variou

Submitted By: Leeann Walton – County Manager

Presenter of Item:

Board Action: Action

Brief Description of Agenda Item:

Revisions to job descriptions to update duties and requirements for various departments to correlate with Phase III Salary Study. See attachments.

Potential Budget Affect: N/A

Is this item regulated by plan, regulation or statute? No

Manager Recommendation:



CURRITUCK COUNTY JOB DESCRIPTION

JOB TITLE: ECONOMIC DEVELOPMENT DIRECTOR ECONOMIC DEVELOPMENT DEPARTMENT

GENERAL STATEMENT OF JOB

A key member of the County Manager's Executive Leadership Team with responsibility for planning, directing, managing, and supervising the day-to-day operations of the Economic Development department. Operating within broad general policy guidelines and in alignment with the County Manager, the Director exercises substantial latitude and discretion to achieve effective and efficient utilization of resources to manage the department.

Under limited supervision, performs complex professional administrative work in directing economic and industrial development within the County. Work involves promoting the retention, and expansion of existing industries in the County and the establishment of new industries. Assists new and existing industry and businesses in obtaining infrastructure support, grant funding and manpower; promoting attributes of the area; and maintaining a database of County resources. Work also involves developing marketing materials to promote the County. Coordinates the economic development activities with various local, regional, and State and Federal officials and agencies. Assists and advises County officials in matters pertaining to industrial expansion, including preparing reports and other records for presentation to the County ~~Economic Development Board~~ and County Commissioners. Lobbies elected State and Federal officials on behalf of the County. Performs administrative functions and coordinates activities with various local and state organizations and professionals; landowners; and outside consultants. Reports to the County Manager.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

Develops programs to attract new industry and business to the County; receives inquiries from business representatives, manufacturers, site selectors, residents and others interested in establishing or expanding operations in County, and provides information relating to suitability of County for expressed needs; assists industrial realtors in providing information about the County to their clients; arranges and/or conducts tours of County facilities and real estate available for industrial use; serve on Emergency Management team during County crisis periods.

Assists existing industries and businesses in the County with problems and concerns pertaining to infrastructure, zoning, support, and manpower availability, contacting County, state, and federal agencies to provide available assistance as appropriate.

Evaluates the financial condition of new and existing industries to determine funding and other resource needs for preparing an economic development activity report for County Board of Commissioners, County Manager, ~~and the Economic Development Board.~~

Collects demographic, geographical, and economic data about the County; investigates labor supply, transportation, utilities, machinery, financing, and other requirements for establishment of new and existing industry; photographs available sites and/or facilities; prepares and continually

ECONOMIC DEVELOPMENT DIRECTOR

updates technical reports, news blog, brochures, news releases; etc., used in publicizing the advantages of locating in the County.

Makes recommendations to the Board of County Commissioners concerning capital improvements for the County, and expansion and attraction for business and industry; recommends obtaining options on land as possible industrial/commercial sites, as appropriate.

Provides recommendations to the Manager, ~~Airport Manager~~, and Board of Commissioners regarding airport planning and development issues; negotiates to purchase land for airport expansion projects; serves as the Economic Development liaison to the Division of Aviation, Aeronautic Council, and the FAA; negotiates for economic development grants with the Division of Aviation; lobbies elected officials of the State and Federal government for funding and other aviation issues; manages airport construction projects with an economic development impact; receives and responds to airport business inquiries from the Airport Manager; ~~develops and manages related operating budget~~; prepares and presents to support airport activities ~~reports to the Authority, DOT-AV, and Aeronautic Council~~; solicits input, drafts and presents amendments for rules and regulations for approval; responds to any public inquiries, concerns or issues.

Performs planning duties with respect to transportation and infrastructure needs; contacts landowners to determine and discuss potential development sites; utilizes computerized tools to draw building and utility lines on site maps for clients.

Serves as coordinator for, or participant in, community and regional economic development committees and workforce development, providing input and advice based on expertise and/or observations; participates in activities of such groups as appropriate to promote interests of the County.

Confers with representatives of County and non-County firms and explains the advantages of locating new or expanded facilities in the County; advises Economic Development Partnership North Carolina and the Department of Commerce of the County's available resources.

Attends seminars, conferences, workshops, classes, lectures, etc., as appropriate, to enhance and maintain knowledge of trends and developments in the field of industrial, commercial development and promotion; reviews professional journals, attends association and professional meetings, and otherwise maintains contacts with industrial and business professionals to facilitate exchange of information.

Develops budget proposals for economic development programs and administers approved budgets. Receives and responds to inquiries concerning planning, zoning, and permit procedures.

Develops budget proposals for Economic Development programs and administers allocated funds, ensuring proper development, maintenance and submission of accounting records and reports.

ADDITIONAL JOB FUNCTION

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster. Performs other related work as required.

ECONOMIC DEVELOPMENT DIRECTOR

MINIMUM TRAINING AND EXPERIENCE

Bachelor's degree in economics, business administration, public administration, finance or a directly related field and 6 to 9 years of increasingly responsible experience in business, planning, industrial development planning, marketing, real estate, or a directly related field; or any equivalent combination of training and experience which provides the required knowledge, skills, and abilities.

SPECIAL REQUIREMENT

Possession of a valid North Carolina driver's license.

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate a variety of machinery and equipment, including computers, typewriters, copiers, calculators, facsimile machines, cameras, etc. Must be physically able to operate a motor vehicle. Requires the ability to exert up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are more than those for sedentary work. Light Work usually requires walking or standing to a significant degree. However, if the use of arm and/or leg controls requires exertion of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural, or composite characteristics (whether similar or divergent from obvious standards) of data, people or things.

Interpersonal Communication: Requires the ability to speak and/or signal people to convey or exchange information. Includes giving instructions, assignments or directions to clients and supporting personnel.

Language Ability: Requires the ability to read a variety of reports, correspondence, real property appraisals and assessments, deeds, surveys, permits, etc. Requires the ability to prepare a variety of correspondence, reports, forms, budgets, studies, assessments, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak before groups of people with poise, voice control and confidence.

Intelligence: Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

ECONOMIC DEVELOPMENT DIRECTOR

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages, including accounting, engineering, legal, and marketing terminology.

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide; calculate decimals and percentages; interpret graphs; compute discount, interest, profit and loss, ratio, and proportion, etc.; perform calculations involving variables, formulas, square roots, and polynomials.

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width, and shape.

Motor Coordination: Requires the ability to coordinate hands and eyes rapidly and accurately in using office equipment.

Manual Dexterity: Requires the ability to handle a variety of items, such as keyboards, control knobs, toggle switches, levers, etc. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination: Requires the ability to differentiate between colors and shades of color.

Interpersonal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress.

Physical Communication: Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via telephone.

KNOWLEDGE, SKILLS AND ABILITIES

Thorough knowledge of County zoning codes and ordinances.

Considerable knowledge of the methods and techniques used in business solicitation and industrial promotion.

Considerable knowledge of the available resources of the County.

Considerable knowledge of the resources available to assist industries at the county, state, and federal levels.

Considerable knowledge of general management and business organization principles and practices.

Considerable knowledge of the local and regional travel and tourism industry.

Considerable knowledge of County geography and the placement of housing developments and subdivisions.

Considerable knowledge of ethical guidelines applicable to the position as outlined by professional standards and/or federal, state, and local laws, rules, and regulations.

ECONOMIC DEVELOPMENT DIRECTOR

Ability to use common office machines, including popular computer-driven word processing, spreadsheet, and file maintenance programs.

Ability to interpret blueprints, diagrams, specifications, codes and building regulations.

Ability to exercise considerable independent judgment and discretion in establishing, applying, and interpreting policies and procedures.

Ability to analyze and interpret financial statements from new and existing companies.

Ability to gather, analyze and interpret industrial and economic data and to make sound recommendations based on the information.

Ability to develop effective promotional material for the County.

Ability to effectively express ideas orally and in writing.

Ability to make oral presentations before large groups of people.

Ability to work in a consulting capacity and exercise leadership in contact with a variety of public, industrial, and business officials at various levels of authority and influence.

Ability to exercise tact, courtesy, and firmness in contact with contractors, property owners and the public.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

ED: 10/18/2021 04/07 (REV BOC)



CURRITUCK COUNTY JOB DESCRIPTION

JOB TITLE: EMERGENCY MANAGEMENT AND COMMUNICATIONS DIRECTOR EMERGENCY SERVICES DEPARTMENT

GENERAL STATEMENT OF JOB

Under limited supervision, performs highly responsible administrative and supervisory work directing and overseeing various aspects of the County emergency management services and central communications. Work involves coordination with federal, state, and local government partners and private agencies to mitigate, prepare, respond to and recover from large scale events; developing, implementing, evaluating and maintaining county Emergency Management and Communications related plans, policies and procedures; oversee public education programs related to the departments; and oversee yearly department budget preparations, and other finance activities including contract preparation. Responds to emergency calls as needed to assist in coordinating the activities of various agencies and secure needed resources. ~~Work involves coordinating various County programs with other governmental and private agencies involved with emergency response and management; developing, implementing and evaluating emergency response and evacuation plans, including public education programs; and overseeing budgeting, accounts payable, purchasing and other financial activities. Responds to major emergency response scenes to coordinate the activities of various agencies and to ensure availability of necessary equipment, supplies and manpower; supervises and coordinates with the fire marshal for fire inspections and investigations. Reports to the County Manager.~~

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

~~Plans, & Develops, maintains, and oversees implementation of County-wide plans and procedures for multiple responses to natural or man-made disasters and large scale county public events, coordinating capabilities and responsibilities of involved agencies emergency communications, volunteer fire and ambulance departments; coordinates County personnel and Department staff for emergency operations, acting as liaison to various governmental and non-governmental agencies to ensure understanding of proper roles and responsibilities of officials; assists organizations such as schools, county departments and other facilities in coordination with emergency response agencies and developing individualized response plans; develops tests of disaster plans; submits written plans to overseeing state and federal agencies, as appropriate.~~

~~Reviews, updates, and implements standard operating procedures; reviews and analyzes quality improvement reports.~~

~~Develops and conducts tests of disaster and emergency response plans, evaluating effectiveness of plans and programs and making recommendations for alteration of plans, and/or need for~~

EMERGENCY MANAGEMENT AND COMMUNICATIONS DIRECTOR

~~additional planning, equipment, staff, etc.; develops long-range plans for expansion of emergency response capabilities and services.~~

Ensures proper and timely communication of pertinent information to various government officials and agencies, utilities companies, schools, and the general public of potential or imminent danger from inclement weather or other natural or man-made emergencies, as situations allow; responds to ~~and assumes command of~~ major emergency response operations, coordinating activities of various responding agencies and ensuring availability of necessary equipment and manpower.

~~Provides input and assistance on fire prevention programming and related issues; provides direction on policy for the Fire Marshal; supervises related daily operations; assists in resolving related conflicts; reviews and approves budget at the department level; reviews subdivision plans; responds to fire scenes that require investigations.~~

Develops and oversees implementation of education programs to inform public of proper response to emergency situations and various services of County emergency management programs.

Administers or makes recommendations for routine personnel matters affecting subordinates, including recruiting, interviewing, hiring, training, assigning, scheduling, granting leave, appraising, and disciplining, etc., submitting such records and reports as required by County management.

~~Advises subordinate and volunteer personnel of changes in federal, state, and local laws governing emergency services; ensures that emergency services personnel receive orientation and training required for assigned positions; establishes, interprets and enforces standard operating procedures for the various programs.~~

Schedules, supervises, and directs telecommunications staff engaged in answering telephone and radio calls for emergency and non-emergency assistance; ensures adherence to established laws, regulations, policies, and procedures and assists subordinates in handling non-routine calls or solutions.

~~Supervises and participates~~ in operation of a computer terminal connected with the Department of Criminal Investigation (DCI) and NCIC System.

Prepares emergency management and communications operating and capital outlay budget proposals for submission to County Manager and administers approved budgets; reviews invoices and approves payments; oversees maintenance of equipment and supply inventories; prepares bid specifications for non-routine purchase of equipment and supplies.

~~Manages the E-911 system; operates Computerized Aided Dispatch terminals and 911 database and operated communications console; implements and manages the wireless 911 system; plans for future equipment and operating needs.~~

Utilizes computerized data entry equipment and various word processing or file maintenance programs to enter, store and/or retrieve information as requested or otherwise necessary; selects data from varied sources and summarizes information for standard reports.

Prepares and submits various reports as required by local, state, and federal governments; oversees filing and maintenance of reports, records, and other documents as required by federal, state, and local laws and regulations.

EMERGENCY MANAGEMENT AND COMMUNICATIONS DIRECTOR

~~Oversees~~ Coordinates with Communication Supervisor to maintain maintenance of County Communication equipment, coordinating repair through outside services vendors as necessary ~~and maintains security of recordings as necessary.~~

Oversees the county facilities access system and issuance of county identification cards.

Works with Fire-EMS and Sheriff's Office in managing the public safety radio system to include ordering portable and mobile radios, coordinating maintenance with radio vendor, radio template updates and radio programming.

Prepares grant applications and documentation for awarded grants.

Maintain equipment issued to emergency management.

ADDITIONAL JOB FUNCTIONS

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Performs other related work as necessary.

MINIMUM TRAINING AND EXPERIENCE

Bachelor's degree in public administration, business administration, or a related field with a minimum of five years of experience in communications, EMS, fire and/or emergency management, including administrative and program planning; or any equivalent combination of training and experience which provides the required knowledge, skills, and abilities.

SPECIAL REQUIREMENTS

~~Possession of a valid North Carolina CDL and DCI certification.~~ **MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED**

TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate a variety of machinery and equipment, including computers, typewriters, copiers, calculators, facsimile machines, self-contained breathing apparatus, cameras, two-way radios, etc. Requires the ability to exert up to 100 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects. Requires the ability to maintain body equilibrium when bending, stooping, crouching, climbing, reaching and/or stretching arms, legs, or other parts of body, and to physically maneuver over and/or upon varying terrain, surfaces, or physical structures. Physical demand requirements are those for Heavy Work.

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural, or composite characteristics (whether similar or divergent from obvious standards) of data, people, or things.

Interpersonal Communication: Requires the ability to speak and/or signal people to convey or exchange information. Includes giving instructions, assignments, or directions to subordinates or assistants.

EMERGENCY MANAGEMENT AND COMMUNICATIONS DIRECTOR

Language Ability: Requires the ability to read a variety of reports, correspondence, charts, forms, invoices, personnel records, etc. Requires the ability to prepare correspondence, reports, budgets, purchase orders, forms, charts, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak to people with poise, voice control and confidence.

Intelligence: Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages, including chemical, legal, and medical terminology.

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide; calculate decimals and percentages.

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width, and shape.

Motor Coordination: Requires the ability to coordinate hands and eyes rapidly and accurately in using office and emergency response equipment.

Manual Dexterity: Requires the ability to handle a variety of items, such as keyboards, control knobs, toggle switches, levers, etc. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination: Requires the ability to differentiate between colors and shades of color.

Interpersonal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress and in emergency situations.

Physical Communication: Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via telephone and two-way radio.

KNOWLEDGE, SKILLS AND ABILITIES

Thorough knowledge of the practices, procedures, standards, and regulations regarding emergency management coordination at the local government level.

Thorough knowledge of the ethical guidelines applicable to the position as outlined by professional organizations and/or federal, state, and local laws, rules, and regulations.

Thorough knowledge of fire safety laws, rules, regulations, and state and County fire codes.

Thorough knowledge of the standard practices, procedures and methods involved in fire inspection, prevention, and safety.

Thorough knowledge of firefighting equipment, methods, and techniques

Considerable knowledge of the operation, licensing, and maintenance of two-way radio communication systems.

EMERGENCY MANAGEMENT AND COMMUNICATIONS DIRECTOR

Considerable knowledge of the geographical layout of the County and all political subdivisions.

Considerable knowledge of fire training practices, techniques, and fire prevention methods.

Considerable knowledge of modern investigative methods and techniques used to determine the cause of fires.

Considerable knowledge of the financing sources and programs available through state and federal funding agencies for local fire departments, and of the requirements and standards for obtaining and retaining state and federally funded programs.

Emergency communications and response planning and management, fire prevention and suppression and fire services administration.

General knowledge of building, electrical and plumbing codes applicable to fire inspections work.

General knowledge of the geographic layout of the County, including street locations and water distribution systems.

General knowledge of the principles of supervision, organization, and administration.

Working knowledge of fire sprinkler systems, standpipe systems, stationary fire pumps, fire hydrant systems and fire wells.

Ability to use common office machines, including popular computer-driven word processing, spreadsheet, and file maintenance programs.

Ability to react promptly and effectively in a disaster situation.

Ability to plan and coordinate efficient and effective emergency response efforts during natural and man-made disasters.

Ability to supervise the work of subordinate personnel.

Ability to maintain moderately complex records and to prepare and submit reports from them.

Ability to work in a consulting capacity with fire and rescue department personnel, volunteers, public officials, law enforcement agencies and the general public.

Ability to effectively express ideas orally and in writing.

Ability to make oral presentations before large groups of people.

Ability to exercise tact, courtesy, and firmness in frequent contact with representatives of governmental agencies, civic groups, and the general public.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

ED: 10/18/2021 (REV BOC)



CURRITUCK COUNTY JOB DESCRIPTION

**JOB TITLE: INFORMATION TECHNOLOGY SERVICES DIRECTOR
INFORMATION TECHNOLOGY SERVICES**

GENERAL STATEMENT OF JOB

Under general supervision, this position is responsible for the administration, planning and direction of the activities of the Information Technology Services department. Set the strategic goals for the ITS department and aligns those goals with the county-wide goals set forth by the governing body. Provides leadership, guidance and supervision over assigned personnel. Reports to the County Manager.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

~~Align the goals of the IT department with those of the governing body to ensure enterprise-wide successful projects.~~

~~Establishes priorities and reviews schedules to ensure that schedules are met.~~

~~Evaluates and makes recommendations on the selection of new hardware and software.~~

~~Prepares technology related budget estimates for all departments and controls expenditures.~~

~~Directs and supervises all department personnel and resources; assigns, supervises, evaluates, disciplines, and promotes personnel.~~

~~Reviews major new system work for adequacy of concept and design.~~

~~Reviews specifications for equipment and supplies.~~

~~Serves as technical advisor on automation to the County Manager and other departments.~~

~~Researches new technologies and determines feasibility.~~

~~Interfaces with other department heads, outside vendors, County IT staff, and other community groups.~~

~~Negotiates contracts for IT software, equipment, and professional services.~~

~~Oversees configuration of servers, firewalls, e-mail and telephone systems.~~

~~Designs network and cabling systems for new construction and renovation projects.~~

~~Reads manuals, literature and brochures and attends classes to stay abreast of the latest trends and developments in the computer industry.~~

Align the strategic plan for the IT department with the governing body to ensure interoperability.

Attachment: IT Director October 18 2021 (Job Description Revisions-Various)

INFORMATION TECHNOLOGY SERVICES DIRECTOR

Establish schedules for metric priorities and reviews to ensure requirements.

Evaluates and determines the selection of new hardware and software to accommodate present and future requirements.

Develops a multiyear budget while determining project requirements to control expenditures within multiple departments constraints.

Oversees IT department personnel; Delegate assignments, evaluate, promote, and discipline employees.

Analyze present and future systems to the highest security standards applicable.

Regulates specifications for infrastructure needs such as server, workstation, and other hardware.

Assist the County Manager and other departments with proficient technical support. Directing and determine the configuration of (but not limited to) servers, networks, firewalls, cloud environments, virtualization environments, e-mail, and telephone systems. Including critical infrastructures such as; (e.g. 911 CAD workstations, Utilities, Emergency Response Systems, etc).

Coordinates with Federal and State agencies to ensure critical systems and infrastructure meet availability, security, and retention standards.

Develops and implements an organization wide strategic information technology security policy for defensive and proactive operations.

Serves as point of contact for the IT department. Communicates with Federal and State entities, vendors, community groups and county staff.

Negotiates monetary and laborious contracts for IT software, equipment, and professional services.

Directs contractors and oversees projects to ensure specifications.

Maintain a knowledge base of the computer industry for latest trends and development by continuing education and provided resources.

ADDITIONAL JOB FUNCTIONS

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Performs other related work as required.

MINIMUM TRAINING AND EXPERIENCE

Graduation from a four year college with a A Master's degree in computer science, business administration or related field from an appropriately accredited institution; and at least six years of progressively responsible computer systems experience, three of which are at the supervisory level and possess a CGCIO (Certified Government Chief Information Officer) certification. An equivalent combination of education and experience may be considered.

INFORMATION TECHNOLOGY SERVICES DIRECTOR

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate a variety of computers and their peripheral equipment; hand tools, such as screwdrivers, pliers, soldering irons, and electronic test instruments; as well as common office machines such as typewriters, telephones, etc. Must be able to exert up to 50 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects. Physical demands are in excess of those for Sedentary work. Light Work usually involves walking or standing for periods of time.

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural, or compositional characteristics (whether similar to or divergent from obvious standards) of data, people or things.

Interpersonal Communication: Requires the ability of speaking and/or signaling people to convey or exchange information. Includes giving instructions, assignments and/or directions to subordinates or assistants.

Language Ability: Requires the ability to read a variety of reports and records, invoices, purchase orders, budgets, blue prints and engineering schematics, etc. Requires the ability to prepare a variety of correspondence, reports, forms, charts, requests for bids and bid specifications, purchase orders, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction and style. Requires the ability to speak to people with poise, voice control and confidence.

Intelligence: Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatical form; and to deal with several abstract and concrete variables.

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages including computer and electrical terminology.

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract totals; to multiply and divide; and to determine percentages and decimals; understand and apply the theories of algebra.

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width and shape.

Motor Coordination: Requires the ability to coordinate hands and eyes rapidly and accurately in using computer equipment.

Manual Dexterity: Requires the ability to handle a variety of office equipment, control knobs, switches, etc. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination: Requires the ability to differentiate between colors and shades of color.

Interpersonal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under minimal levels of stress when confronted with persons acting under stress.

Physical Communication: Requires the ability to talk and/or hear: (talking: expressing or exchanging ideas by means of spoken words; hearing: perceiving nature of sounds by ear).

INFORMATION TECHNOLOGY SERVICES DIRECTOR**KNOWLEDGE, SKILLS AND ABILITIES**

Thorough knowledge of the capabilities of various kinds of servers, computers and software products.

Knowledge of management and supervisory principles and practices.

Knowledge of principles and practices used in the automation of business processes.

Thorough knowledge of County policies and procedures affecting operations and personnel.

Ability to prepare and administer a budget.

Ability to communicate ideas effectively in both oral and written form.

Ability to plan, direct, and coordinate the work of subordinates.

Ability to detect and correct system failures and report programming failures.

Ability to exercise independent judgment in directing the work of subordinates and in making technical decisions.

Ability to follow complex oral and written instructions.

Ability to explain computer program functions and operating procedures.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

Skill in the operation of computers and other standard office equipment.

Skill in planning, organization, and decision making.

Skill in the supervision of personnel.

Skill in public speaking and public relations.

Skill in oral and written communication.

ED: 10/18/2021 (REV BOC)



CURRITUCK COUNTY JOB DESCRIPTION

JOB TITLE: Public Works Operations Manager

PUBLIC WORKS DIVISION

GENERAL STATEMENT OF JOB

Under limited supervision, performs complex duties supervising and exercising direct administrative and management responsibilities for the Solid Waste Divisions and County Public Works, as well as Mosquito Control, and Public Beach Facilities. Work involves preparing and administering departmental budgets, administering and managing contractual services, significant accountability for planning, program development and implementation, and supervising and evaluating employees within the departments in accordance with federal, state and local environmental laws and regulations. Work involves extensive public contact with general public, contractors, County, State, and Federal officials, and County Departments. Work requires considerable independent judgment. Individual in this capacity is on call 24 hours per day, 7 days per week. This position is classified as essential personnel and must maintain duty assignment in adverse conditions. Reports to the Public Works Director.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

Plans, supervises, coordinates and implements the management of the County's Public Works Division, Solid Waste/Recycling, Mosquito Control, Public Beach Facilities with Contract Administration and Capital Improvements pertaining to the aforementioned programs; identifies, negotiates and selects organizations to provide services to the County.

Ensures coordination of activities with other departments, governmental jurisdictions and agencies.

Participates in contract negotiation, monitors contractors for performance, costs, and approves payment upon acceptance of services.

Meets with Facility Managers to obtain information about facility issues.

Reviews construction drawings for new facilities.

Acts as a liaison between other departments.

Develops implements and manages annual budgets for Public Works, Solid Waste/Recycling, Public Beach Facilities, Court Facilities and Mosquito Control.

Develops implements and manages a Facility Improvement Plan to guide budgetary decisions.

Works with the County's Safety Officer and implements safety training to staff.

Prioritize daily workload and assign proper resources to accomplish tasks.

Monitors Division activities to determine problems and needs, and recommends solutions.

Maintains current knowledge of legislative trends and developments in the industry for application to regulatory compliant solid waste operations.

Oversees transfer station operation and contract to ensure compliance with NC DENR.

Enforces the Solid Waste Ordinance.

Interviews applicants and makes recommendation for hiring. Review work of subordinates through reports, periodic conferences, results of directives and annual evaluations.

Reviews and formulates bid specifications and requests for proposals.

Oversees and administers contracted services operations and ensures compliance with contract specifications.

Conducts or directs the completion of special projects as assigned

Develops solid waste collection and recycling programs, applies for grant funding, implements programs as funding is secured.

Promotes and ensures proper employee training and compliance with County safety program and departmental safety procedures; ensures that all equipment, materials and work conditions are adequately maintained to prevent accidents.

Prepares schedule for the public works department and community service workers; verifies and authorizes time sheets.

Answers telephones, receiving inquiries and providing information or referring callers to appropriate personnel; records and relays messages, as appropriate.

Duties may also expose the employees to human body fluids and thus the work is subject to the OSHA requirements on blood borne pathogens. Must follow rules, methods and safe handling in connections with blood borne pathogens.

ADDITIONAL JOB FUNCTIONS

Attends meetings of department heads, and Albemarle Regional Solid Waste Authority meetings.

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Performs other related work as required.

CUSTOMER SERVICE

This is a front-line position for providing excellent customer service to members of the general public and other County employees. Personal contact occurs with the employees of the unit, employees of other departments in the County, citizens and customers of the department. Service is provided in person, by telephone contact and electronic means.

SUPERVISION

Direct supervision over employees in the Public Works Department. Includes assigning, directing, evaluating and reviewing work of subordinate employees. Responsibilities include providing on-the-job training; evaluating job performance; recommending selection of new staff members, promotions, status changes, and discipline; and planning, scheduling, and coordinating work operations.

MINIMUM TRAINING AND EXPERIENCE

Bachelor's degree in business administration, planning or related field, and three to five years of experience in management, preferably related to public works; or any equivalent combination of training, education and experience which provides the required skills, knowledge and abilities. Must possess a valid North Carolina driver's license.

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate a variety of machinery and equipment, including computers, typewriters, calculators, copiers, facsimile machines, dictation recorders, etc. Requires the ability to exert up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are in excess of those for sedentary work. Light Work usually requires walking or standing to a significant degree. However, if the use of arm and/or leg controls requires exertion of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural, or composite characteristics (whether similar to or divergent from obvious standards) or data, people or things.

Interpersonal Communications: Requires the ability to speak and/or signal people to convey or exchange information. Includes receiving assignments and/or directions from superiors.

Language Ability: Requires the ability to read a variety of reports, correspondence, invoices, checks, forms, procedural manuals, etc. Requires the ability to prepare a variety of correspondence, reports, forms, charts, etc. Must be able to speak to people with poise, voice control and confidence.

Intelligence: Requires the ability to apply rational systems to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists; to interpret a variety of instructions furnished in written, oral, diagrammatic, or schedule form.

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages.

Attachment: Public Works Operation Manager 10 18 2021 (Job Description Revisions-Various)

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide.

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width and shape.

Motor Coordination: Requires the ability to coordinate hands and eyes rapidly and accurately in using automated office equipment.

Manual Dexterity: Requires the ability to handle a variety of items, such as keyboards, control knobs, toggle switches, etc. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination: Requires the ability to differentiate between colors and shades of color.

Personal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress.

Physical Communication: Requires the ability to talk and/or hear: (talking - expressing or exchanging ideas by means of spoken words; hearing - perceiving nature of sounds by ear). Requires the ability to communicate via telephone.

KNOWLEDGE, SKILLS AND ABILITIES

Thorough knowledge of modern techniques and methods used in the development and operation of Public Works and Solid Waste programs.

Thorough knowledge of federal, state and local laws, rules, regulations and ordinances.

Knowledge of the equipment, materials and engineering used in the construction, maintenance and repair of buildings, grounds.

Considerable knowledge of Solid Waste operations and programs.

Considerable knowledge of governmental budgeting, personnel, and purchasing practices.

Considerable knowledge of the current literature, trends, and developments of County operations within various departments.

Considerable knowledge of the principles and practices used in public speaking and making presentations.

General knowledge of the application of information technology to the work of the department.

Ability to prepare complex and detailed records and reports.

Ability to deal tactfully and courteously with business and industrial officials and the general public.

Ability to promote and educate the public with concerns.

Ability to express ideas effectively both orally and in writing.

Ability to establish and maintain effective working relationships with County officials, other public officials, County employees, contractors, and the public as necessitated by work assignments.

Ability to supervise employees in a manner conducive to full performance and high morale.

Considerable knowledge of modern office practices and procedures.

Considerable knowledge of arithmetic, grammar, spelling, and vocabulary.

Skill in the operation of common office machines, including popular computer-driven word processing, spreadsheet and file maintenance programs.

Ability to develop and modify work procedures, methods and processes to improve efficiency.

Ability to take a teamwork approach to the job by cooperating with others, offering to help others when needed, and considering larger organization or team goals rather than individual concerns. Includes the ability to build a constructive team spirit where team members are committed to the goals and objectives of the team.

ED: ~~10/04/2022~~ 10/18/2021 (REV BOC)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 3257)

Agenda Item Title: Salary Classification Chart-Revised

Submitted By: Leeann Walton – County Manager

Presenter of Item:

Board Action: Action

Brief Description of Agenda Item:

Classification title changes based upon revisions to job descriptions, previously approved:

Grade 62: Airport Director (was Manager) Change 10 4 2021

Grade 73: Assistant County Engineer (was Assistant Public Services Director/Assistant CE)
Change 9 7 2021

Grade 92: County Engineer (was Public Services Director/CE) Change 9 7 2021

Potential Budget Affect: N/A

Is this item regulated by plan, regulation or statute? No

Manager Recommendation:

CURRITUCK COUNTY
 CLASSIFICATION BY SALARY GRADE
 FOR THE FISCAL YEAR ENDING JUNE 30, 2023

SALARY GRADE	SALARY RANGE	CLASSIFICATION
50	\$24,775 - \$33,959	Custodian
50.5	\$26,180 - \$36,548	Senior Center Site Manager
51	\$26,786 - \$36,775	Maintenance Helper Park Attendant Rural Attendant
52	\$28,796 - \$39,629	Accounting Clerk I Aging Senior Services Admin. Supervisor Animal Care Technician Community Social Services Assistant DSS DCI CP/Clerk Deputy Register of Deeds Library Assistant I Permit Officer I Recreation Assistant Secretary I Tax Clerk I

Attachment: Revised Classification Chart 10-4-21 (Salary Classification Chart-Revised)

53	\$30,808 - \$42,407	Line Maintenance Mechanic Helper Library Assistant II Maintenance/Repair Worker Meter Reader EMT Basic/Firefighter Lineman - Airport Processing Assistant IV Public Information Assistant IV Tax Clerk II Utilities Customer Service Representative Visitor Relations Coordinator
53.5	\$31,388 - \$43,467	Detention Officer
54	\$32,818 - \$45,220	4H Program Assistant Accounting Clerk II Animal Control Officer Assistant Register of Deeds District Administrator F&C Sciences Associate Income Maintenance Caseworker I Library Associate I Permit Officer II Telecommunicator Trainee
54.5	\$33,438 - \$46,350	Intake Officer

55	\$34,830 - \$48,038	Accounting Clerk III Administrative Assistant I Line Maintenance Mechanic Park Superintendent Processing Assistant V Public Information Assistant V Receptionist/IT Administrative Assistant Telecommunicator I Tourism Promo & Event Coordinator Utilities Customer Service Supervisor
55.5	\$35,491 - \$49,239	Deputy Director of Elections Rural Center Manager Shelter Manager
56	\$36,843 - \$50,856	Deputy Tax Collector Deputy Trainee EMT/Intermediate Evidence Technician Income Maintenance Caseworker II Maintenance/Repair Worker HVAC Maintenance/Repair Worker/Electrician Permit Officer III Sales & Marketing Associate Social Worker I Telecommunicator II Visitor Relations Specialist Wastewater ORC Trainee Water Plant Operator Trainee

56.5	\$38,257 - \$53,698	Sergeant Detention Officer
57	\$38,852 - \$53,669	Administrative Assistant II Athletic Grounds Manager Building Inspector I Code Enforcement Officer Deputy Sheriff I Human Resources Assistant Recreation Specialist Rural Center Director Support Technician Visitor Center Supervisor Wastewater Operator Water Plant Operator Water Plant Operator/Lab Technician
58	\$40,863 - \$56,486	Deputy Sheriff II Firefighter/EMT Basic Income Maintenance Caseworker III Income Maintenance Investigator II Library Associate II Planning Technician Training Officer

59	\$42,874 - \$59,302	Accounting Technician Accounting & Payroll Technician Building Inspector II probationary/FQ Inspect I ** E Body Deputy Sheriff III Development Technician Detective I EMT Paramedic/Firefighter Permit Coordinator Planner I Public Relations Coordinator Tax Appraiser Visitor Center Supervisor
60	\$44,887 - \$62,119	*Administrative Officer I Corporal - Sheriff Cross Connection ORC Deputy Emergency Management Coordinator Deputy III - School Res Officer EMS Training Officer Fire Training Officer/Recruitment Coordinator *Income Maintenance Supervisor II *Lieutenant Detention Officer Fire Marshal

		Lieutenant - EMS Risk Manager Social Worker II Stormwater Technician Water Distribution Supervisor Trainee
60.5	\$45,747 - \$63,672	*Communications Supervisor Firefighter EMT/Advanced Maritime Museum Manager
61	\$46,898 - \$64,936	Building Inspector III probationary/FQ BI II Creative Director Detective II GIS Specialist IT Coordinator Paralegal Planner II Marketing Director Video Production Specialist Wastewater Supervisor ORC Water Distribution Supervisor Web/AV Specialist

62	\$48,909 - \$67,751	*Airport Director *Contract Purchasing Agent Fiscal and Budget Assistant *Operations Manager - PW/Solid Waste Sergeant Site Manager/Curator Soil & Stormwater Manager Social Worker III Social Worker Invest/Assess Treatment
63	\$50,918 - \$70,566	*Aging Senior Services Director *Animal Services and Control Director Building Inspector III FQ *Director of Elections Engineering Technician Firefighter EMT/Paramedic Maintenance Supervisor *Social Work Supervisor II *Water Treatment Plant Supervisor
64	\$52,931 - \$73,383	*Accountant Fire Lieutenant *Jail Superintendent Senior Planner

65	\$55,373 - \$76,803	*Assistant to County Manager *Captain - EMS *Fire and EMT Captain *Project Coordinator *Public Information Officer
66	\$56,954 - \$79,016	*Public Utilities Superintendent *Social Worker Supervisor III *Wastewater Superintendent *Water Superintendent
67	\$58,962 - \$81,828	*Chief Building Inspector *Emergency Management Director *Lieutenant - Sheriff *Recreation Director *Social Work Program Manager
68	\$60,973 - \$84,644	*Administrative Assistant/Clerk to the Board *Human Resources Director *Public Works Director *Tax Administrator
69	\$62,984 - \$87,461	*GIS Coordinator
70	\$65,056 - \$90,362	

71	\$67,006 - \$93,092	*Captain- Sheriff *Chief Deputy - Fire/EMS *IT Director *Tourism Director
72	\$69,019 - \$95,910	*Assistant Planning Director
73	\$71,028 - \$98,723	*Assistant County Engineer *Chief Deputy - Sheriff *Economic Development Director
74	\$73,041 - \$101,541	
75	\$75,050 - \$104,356	*Chief of EMS
76	\$77,063 - \$107,173	*Director of Social Services *Public Utilities Director
77	\$79,072 - \$109,987	
78	\$81,085 - \$112,805	*Assistant Finance Director
79	\$83,096 - \$115,621	
80	\$84,860 - \$118,091	
81	\$86,981 - \$131,724	

Attachment: Revised Classification Chart 10-4-21 (Salary Classification Chart-Revised)

82	\$89,156 - \$135,017	
83	\$91,385 - \$138,393	*Assistant County Manager *Planning Director
84	\$93,670 - \$141,852	
85	\$96,011 - \$145,399	
86	\$98,412 - \$149,034	
87	\$100,725 - \$152,537	
88	\$100,724 - \$154,050	*Senior Planning Director *Development Services Director
89	\$104,267 - \$157,901	
90	\$106,873 - \$161,848	
91	\$109,545 - \$165,895	
92	\$111,867 - \$169,410	*Finance Director *County Engineer
93	\$114,663 - \$173,645	
94	\$117,530 - \$177,986	

Attachment: Revised Classification Chart 10-4-21 (Salary Classification Chart-Revised)

95	\$120,468 - \$182,436	
96	\$123,480 - \$186,997	
97	\$126,567 - \$191,672	
98	\$129,731 - \$196,463	
99	\$132,974 - \$201,375	
100	\$136,298 - \$206,409	
101	\$139,706 - \$211,570	
102	\$143,199 - \$216,859	
103	\$146,779 - \$222,280	
104	\$150,448 - \$227,837	
105	\$154,209 - \$233,533	
106	\$158,064 - \$239,372	
107	\$162,016 - \$245,356	
108	\$166,066 - \$251,490	

Attachment: Revised Classification Chart 10-4-21 (Salary Classification Chart-Revised)

109	\$170,218 - \$257,777	
110	\$174,474 - \$264,221	
111	\$178,825 - \$270,811	*Attorney

* indicates exempt status

Board determined

*County Manager's salary

Board determined

*Sheriff's salary

Board determined

*Register of Deeds' salary

Board determined

*Attorney's salary

** E Body Grade is Dependent upon State Certification Level



**CURRITUCK COUNTY
NORTH CAROLINA**

October 4, 2021
Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 5:00 PM Campgrounds

The Board of Commissioners met at 5:00 PM in a work session to finalize language pertaining to Campgrounds as a use in Currituck County. The Work Session was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

Laurie LoCicero, Planning Director, summarized the allowable methods and camping units agreed to by the Board of Commissioners at prior work sessions. Following review of proposed text amendment language for new campgrounds, the Board reconsidered a 50 acre minimum parcel size for new campgrounds. Commissioner White suggested campgrounds be allowed in Light Industrial (LI) or Heavy Industrial (HI) zoning so smaller parcels and higher density could be possible. Following discussion and consideration of the lack of LI or HI zoning along the corridor, the Board chose not to modify the 50 acre minimum parcel size at this time. Modifications to proposed setback options of 100' or 50' with additional screening were considered, but no changes were made.

Conversation with Jeff Simms, Senior Director of State Relations and Program Advocacy for the National Association of RV Parks and Campgrounds, were relayed to the Board. Mr. Simms prefers using density to regulate campground size and voiced concern with both the 50 acre minimum parcel size and buffer requirements. He gave no guidance relative to employee housing and Commissioner White, who just returned from a camping vacation, noticed each facility contained one residential dwelling unit while seasonal staff utilized campers for housing. Following discussion, Commissioners revised language to allow one residential dwelling to be occupied by an owner or year-round, full-time staff. After discussing on-site storage areas, Commissioners set a five-acre maximum for storage with internal screening requirements.

The text amendment for new campgrounds will move through the Planning process and Planning staff will work with the Interim County Manager/County Attorney to revise language as needed for non-conforming campgrounds. The Work Session concluded at 5:27 PM.

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 a regular meeting.

Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)

Attendee Name	Title	Status	Arrived
Michael H. Payment	Chairman	Present	
Paul M. Beaumont	Vice Chairman	Absent	
J. Owen Etheridge	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Selina S. Jarvis	Commissioner	Present	
Kevin E. McCord	Commissioner	Present	
Bob White	Commissioner	Present	

Chairman Payment called the meeting to order and announced the earlier work session.

A) Invocation & Pledge of Allegiance

Developer, Sam Miller, was in attendance and volunteered to offer the Invocation and lead the Pledge of Allegiance.

B) Approval of Agenda

Commissioner Mary Etheridge made a motion to amend the agenda and requested Public Hearing items PB 21-15, Windswept Pines, Phase 3, and PB 21-17, Hugh S. Miller, be moved to the next meeting to allow time for Commissioners to receive financial reports from the County and updated student numbers from the Board of Education. Commissioner Jarvis seconded the motion. The motion failed due to a 3-3 tie vote. Commissioners Mary Etheridge, Selina Jarvis, and Bob White voted in favor of the amendment. Chairman Payment and Commissioners J. Owen Etheridge and Kevin McCord were opposed.

Commissioner Bob White moved for approval of the agenda as originally presented. Commissioner McCord seconded the motion. The motion carried, 5-1, with Commissioner Mary Etheridge opposed.

Approved agenda:

Work Session

5:00 PM Campgrounds

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance

B) Approval of Agenda

Public Comment

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

Commissioner's Report**County Manager/County Attorney****Reports****Administrative****Reports**

- A) **Presentation of Donation to Currituck Kids**

- B) **NC Forest Service Annual Report Presentation-Aaron Bishop, Currituck Ranger, and Will Rose, Assistant County Ranger**

Public Hearings

- A) **PB 21-19 Outer Banks Ventures, Inc. LUP Amendment:** Request to amend the FutureLand Use Classification Map from Conservation to Full Service designation on property located at the southern end of Monterey Shores Planned Unit Development adjacent to Malia Drive in Corolla.

- B) **PB 21-15 Windswept Pines, Phase 3:** Allied Properties, LLC requests conditional zoning of 15.55-acres from C-MXR (Conditional- Mixed Residential) to C-MXR, AldenRun in Windswept Pines development in Moyock Township.

- C) **PB 21-17 Hugh S. Miller, IV:** Request for Conventional Rezoning of 162.5 acres from Agriculture (AG) and General Business (GB) to Single-Family Residential-Mainland (SFM), leaving 2.5 acres GB. The property is located in Barco, Tax Map 70, Parcels 37through 40, Crawford Township.

- D) **PB 21-16 Currituck County Housekeeping Text Amendment:** Request to amend the Currituck County Unified Development Ordinance Chapter 2 to correct a reference related to Minor Subdivisions, Chapter 4 to correct terminology from "use permit" to "special use permit" and Chapter 6 to correct a General Statute reference for consistency with the G.S. 160D update.

New Business

- A) **Consent Agenda**
 - 1. Budget Amendments
 - 2. Consideration of a Resolution Authorizing Design-Build Construction Delivery Method for New Elementary School in Moyock Township

3. Job Description Revisions-Airport, Public Works
4. Consideration of Support for Albemarle Regional Broadband Expansion Project
5. Approval Of Minutes-September 20, 2021

Adjourn

RESULT:	APPROVED [5 TO 1]
MOVER:	Bob White, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Michael H. Payment, Chairman, J. Owen Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
NAYS:	Mary "Kitty" Etheridge, Commissioner
ABSENT:	Paul M. Beaumont, Vice Chairman

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.

Chairman Payment opened the Public Comment period.

County Resident Glenn Hines, of the North Carolina homes Certification Board, addressed regulations for on-site wastewater systems and rules related to the 18" water table separation. He said no lot is immune to this restriction, and the County's fill requirement in the Unified Development Ordinance conflicts with these rules. He said fill placement is the responsibility of Albemarle Regional Health Services.

Tameron Kugler, Currituck County Travel and Tourism Director, announced the Travel and Tourism Department won three Destination Marketing Awards at the North Carolina Travel Industry Association Conference. The County competed in the large market budget category and received the Gold for group marketing, with five sister counties for the African American Experience of Northeastern North Carolina; a Platinum for Leisure Marketing for Simply Corolla, NC; and the Best in Show out of 80 entries. Ms. Kugler acknowledged Tourism staff and thanked the Board of Commissioners for their support. Commissioners thanked Ms. Kugler and Tourism staff for their efforts.

No others were signed up nor wished to speak and the Public Comment period was closed.

COMMISSIONER'S REPORT

Commissioner Jarvis commended William Nelson, Airport Manager, and staff for putting on Aviation Day, an event recently held at the Currituck County Airport.

- 1. Modify the dress code to allow staff to pay to wear jeans on Friday to raise funds for Operation Santa Claus.**

Commissioner Mary Etheridge thanked Cooperative Extension staff for putting on a Farm Heritage Day event and recognized farmers for their work in Currituck County.

She said she and Department of Social Services Director, Samantha Hurd, have been discussing ways to encourage County staff to participate in the Operation Santa program and proposed that the County allow employees to pay \$2.00 to wear jeans each Friday beginning October 8, 2021 through December 10, 2021. The Board agreed, and Commissioner Mary Etheridge made an official motion to suspend the County dress code and to allow jeans during the stated timeframe at a cost of \$2. The motion was seconded by Commissioner Jarvis and carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Selina S. Jarvis, Commissioner
AYES:	Michael H. Payment, Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
ABSENT:	Paul M. Beaumont, Vice Chairman

COMMISSIONER'S REPORT, CONTINUED

Chairman White responded to Public Comments about Wild Horse tours on the off-road, made at the previous Board of Commissioners meeting and addressed social media comments that his ownership of a tour business is a conflict of interest while serving as Commissioner. He discussed the diverse knowledge brought to the Board by the members and their involvement in a variety of businesses and industry in the County. He recalled Board member requests for recusal from voting when conflicts of interest be present.

Chairman Payment acknowledged the absence of Vice-Chairman Beaumont. He discussed recent brush and structure fires in the county this fire season and encouraged citizens to have their chimneys inspected and cleaned. He asked for continued support of local volunteer fire departments and first responders.

Commissioner McCord announced he, Chairman Payment, Commissioner J. Owen Etheridge, Interim County Manager/County Attorney Ike McRee, and Sheriff Beickert attended the swearing-in ceremony for Ray Matusko, Currituck County Clerk of Court, who was elected President of the North Carolina Conference of Clerks of Superior Court. He recognized William Nelson, Airport Manager, for his efforts putting together Aviation Day at the airport. The Moyock Volunteer Fire Department was recognized for hosting the Community Day event. He touched on business owners and conflicts of interest and reported stats on speeding tickets issued in the school zone. Information was provided on the upcoming Covid Booster Shot clinic and the Currituck County Christmas Parade.

Commissioner J. Owen Etheridge recognized Mr. Matusko as the first from Currituck to serve as President of the Clerk of Court's Conference. He noted the many children who had the opportunity to take flights on Aviation Day. He reported on Cooperative Extension's Farm Heritage Day and Community Day at Moyock Volunteer Fire Department. He expressed his thanks for the medical advances being made in recognition of Breast Cancer Awareness Month.

COUNTY MANAGER/COUNTY ATTORNEY REPORTS

Interim County Manager/County Attorney, Ike McRee, updated Commissioners on the status of the Letendre lawsuit after their appeal was dismissed by the Court of Appeals. He said the Knotts Island playground installation has begun and is expected to be completed in two to three weeks. He said William Nelson, Airport Manager, is doing a great job bringing aircraft into the Currituck County Regional Airport, and said fuel sales this year to date are at 105,000 gallons, almost doubling sales of around 68,000 gallons annually since 2016.

ADMINISTRATIVE REPORTS

A. Presentation of Donation to Currituck Kids

Chairman Payment, who serves on the Executive Board of Currituck Kids, accepted a donation on their behalf as presented by Commissioner J. Owen Etheridge, who won the award from a vendor, Boomerang Design, while attending the North Carolina Association of County Commissioners Conference. Chairman Payment provided information on the Currituck Kids organization and thanked Commissioner Etheridge for the donation.

B. NC Forest Service Annual Report Presentation-Aaron Bishop, Currituck Ranger, and Will Rose, Assistant County Ranger

Aaron Bishop, Currituck County Ranger, and Will Rose, Assistant County Ranger, presented the North Carolina Forest Service Annual Report. A Powerpoint was used to review services, resources, and duties of the department, which include forest management and protection, education, training and emergency response. Statistics noted there are 4,300 fires per year in North Carolina, with the majority caused by debris burning. Commissioners thanked Mr. Bishop and Mr. Rose for their efforts and support in the county.

Chairman Payment called a brief recess at 6:53 PM. The meeting reconvened at 7:00 PM.

PUBLIC HEARINGS

A. PB 21-19 Outer Banks Ventures, Inc. LUP Amendment:

APPLICATION SUMMARY	
Property Owner: Richard C. Willis Outer Banks Ventures, Inc. PO Box 549 Corolla, NC 27927	Applicant: Richard C. Willis Outer Banks Ventures, Inc. PO Box 549 Corolla, NC 27927
Case Number: PB 21-19	Application Type: Future Land Use Plan Map Amendment
Parcel Identification Number: 0116-000-0010-0000	Existing Use: Pond/Vacant/Utility Open Space for Monterey Shores PUD
Land Use Plan Classification: Full Service and Conservation	Proposed Land Use Plan Classification: Full Service and Conservation
Parcel Size (Acres): 36.19	Current Zoning: SFO with PUD Overlay, Monterey Shores PUD
Request: Amend future land use plan classification map from Conservation to Full Service to allow for mixed-use development.	

NARRATIVE & STAFF ANALYSIS

Outer Banks Ventures, Inc. is requesting a Future Land Use Plan Map amendment from Conservation to Full Service. The property is in the Monterey Shores PUD and is adjacent to the Timbuck II Shopping Village, Corolla Adventure Golf & Bumper Cars, Monterey Shores commercial area, Monterey Pines Condominiums, and the Monterey Shores Wastewater Treatment Plant.

The site is 36.19 acres, 0.40 acres are designated Full Service and 35.79 acres are designated Conservation. This request will result in 12.22 acres designated Full Service and 23.57 acres designated Conservation. The request is based on a recently approved US Army Corps of Engineers wetland delineation. This request designates the upland portion of the site as Full Service and the wetland area will remain as Conservation. The requested amendment will allow the owner to request Monterey Shores Amended Sketch Plan/Special Use Permit approval of mixed-use development including residential density on the Full Service designated portion of the site.

The property is in the Corolla subarea of the 2006 Land Use Plan. The policy emphasis in this subarea is to allow for predominately medium density residential development (2-3 units per acre) with minimal commercial development arranged in clusters. An overall density of no more than 3 units per acre should also apply to PUDs. Strip commercial development is to be avoided for both aesthetic reasons and traffic movement considerations. Development and redevelopment should be capable of being supported by the area's infrastructure and services – particularly drinking water, sewage treatment, road capacity, parking areas, and required fire suppression capabilities.

Staff finds this request acceptable since it is in line with the draft update to the 2006 Land Use Plan/Map, *Imagine Currituck*. Full Service designation and commercial development is located to the south along the property line, adjacent to the area requested for changed designation. Water and sewer are available to the site, and the property is close to NC12, a major arterial street. The existing pond will be incorporated into the Full Service area and will be a design and stormwater feature for future development. The applicant has provided a certified wetland delineation dated April 23, 2020. The 404 wetlands area will remain designated Conservation. Given these reasons, the requested change to the 2006 Future Land Use Plan Map is appropriate.

Should the LUP Map amendment be approved, the application must be reviewed and approved by the Division of Coastal Management.

APPLICANT'S STATEMENTS OF JUSTIFICATION FOR REQUEST**THE FOLLOWING RESPONSES WERE PROVIDED BY THE APPLICANT:**

1. Will the proposed amendment support uses that are suitable in the view of the use and development of adjacent and nearby properties?
 - o *Yes. The land that is proposed to be reclassified is adjacent to existing commercial development and to the Full Service Land Classification along its entire southern and eastern boundaries. The land is located adjacent to and will become part of an existing commercial and mixed-use hub in Corolla.*
2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties?
 - o *No. Adjacent properties are commercial condominiums and a wastewater utility. The amendment will provide for additional compatible commercial and mixed-use development.*
3. Will the proposed amendment support uses that could result in an excessive or burdensome use of existing public facilities such as streets, schools, transportation facilities, or utilities?
 - o *No. Existing streets will be looped through the development and will be able to accommodate traffic; no impacts on schools are anticipated; pedestrian*

connections will be made to enhance connectivity, and existing utilities have capacity to serve the site.

4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan and any other applicable long range plans?
 - *The following policies are supported by this amendment:*
 - *The Corolla Subarea states in part, “the policy emphasis of this plan is to allow for predominantly medium density residential development (2 to 3 units per acre)*
 - *An overall density of no more than 3 units per acres should also apply in PUDs, the prevailing development form in the Corolla Area.*
 - *The property is within the developable part of an existing PUD.*
 - The full service use of this land will be in keeping with the following policies of the Land Use Plan:
 - **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. Currituck County supports the efforts of the U.S. Army Corps of Engineers in protecting such wetlands through the Section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.
 - *Applicant Comment: The land that is being considered does not contain any wetlands.*
 - **POLICY OB1: CURRITUCK COUNTY SUPPORTS THE PROVISION OF INFRASTRUCTURE** (e.g. potable water) AND **SERVICES** (e.g. law enforcement officers) adequate to meet basic quality of life and public health and safety requirements of residents on the Outer Banks, while at the same not stimulating inappropriate intensive development in environmentally fragile, hazardous barrier island areas.
 - *Applicant Comment: The land is adjacent to and has access to adequate water and sewer facilities.*
 - **POLICY PA1: PUBLIC ACCESS TO THE SOUND AND OCEAN WATERS OF CURRITUCK COUNTY** is essential to the quality of life of residents and visitors, as well as the economy of the area. The County supports the establishment of **ADDITIONAL PUBLIC AND PRIVATE ACCESS** opportunities to the waters of Currituck County.
 - *Applicant Comment: The development that is proposed will provide an opportunity for access to the sound.*
 - **POLICY PA2: THE COUNTY SUPPORTS MANY FORMS OF “ACCESS” TO THE WATER**, including scenic outlooks and boardwalks, boat ramps, marinas and docks, fishing piers, canoe and kayak launches, and other means of access. Whenever possible, such facilities shall be designed to accommodate the needs of handicapped individuals.
 - *Applicant Comment: Development of the land is proposed to include boat docks.*
 - **POLICY HN1: CURRITUCK COUNTY SHALL ENCOURAGE DEVELOPMENT TO OCCUR AT DENSITIES APPROPRIATE FOR THE LOCATION. LOCATION AND DENSITY FACTORS** shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services.

- *Applicant Comment: The site is environmentally suitable, has adequate sewage capacity and transportation facilities available, and is adjacent to existing urban development.*
- POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:
 1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
 2. 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.
 - *Applicant Comment: The proposed development appears to support both of these development policies, except for the lack of a full service designation with regard to the 2nd policy, which this land should technically have based on the land suitability analysis.*
- 5. Are there any existing or changing conditions affecting the use or development of the property which justifies either approval or disapproval of the request?
 - Yes. A new wetland map indicates that the portion of the site that is proposed for classification as full service is not wetlands and is suitable for development.
- 6. Is there a public need for additional land space to be classified to this request?
 - There is a need in Corolla for additional restaurant, housing, entertainment and recreational opportunities which can be made available as a result of the approval.
- 7. How does this request relate to the land suitability analysis found in the Land Use Plan? Are there factors that have changed since the suitability analysis was completed?
 - *The land is not a wetland, most of the land is not in a flood hazard area, it has not been classified as a storm-surge area, does have soils that are suitable for development, and is adjacent to existing water and sewer lines. The original analysis in the 2006 LUP appears to be a high-level analysis that did not focus on this particular land.*
- Statement of how the Land Use Plan amendment otherwise advances public health, safety, and general welfare:
 - *The site is suitable for development in terms of soils, drainage, transportation, utilities, and compatibility with adjacent developments. Public health, safety, and welfare can be advanced through careful planning and design.*

SURROUNDING PARCELS

	Land Use	LUP Classification
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North	Monteray Shores Open Space	Conservation
South	Timbuck II Shopping Village	Full Service & Conservation
East	Monteray Shores WWTP/ Corolla Adventure Golf & Bumper Cars/Seaside Farm Market/Coffee Shop	Full Service & Conservation
West	Currituck Sound	N/A

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

Staff recommends approval because:

- The Future Land Use Map in the Draft 2006 Land Use Plan Update, *Imagine Currituck*, shows this area as G3, Mixed Use Center & Corridors which is a similar designation to Full Service.
- The policy emphasis for the Corolla subarea is to allow for predominately medium density residential development with minimal commercial development arranged in clusters. The requested change will allow for commercial or mixed-use development in an existing commercial center in Corolla. The area contains commercial development for Buck Island PUD (Timbuck II Shopping Village) as well as the Monteray Shores PUD (Monteray Plaza Shopping Center) and it abuts the existing Monteray Shores WWTP to the northeast.

Planning Board Recommendation

On September 14, 2021, the Planning Board recommended denial of the requested text amendment with a 3-3 vote. The request is **denied** as it did not receive approval by a majority vote as stated in the Currituck County Planning Board Rules of Procedure.

Motion

Ms. Krause moved to deny PB 21-19 Outer Banks Ventures Land Use Plan Amendment because the request is not consistent with the Land Use Plan because:

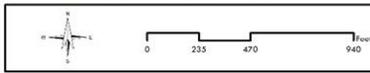
The area is designated Conservation on the Future Land Use Map and the requested amendment will allow more intense development in an area outside of existing Full Service designation.

Mr. Doll seconded the motion which resulted in a tie vote with Vice-Chairman Owens, Chairman Ballance, and Mr. Hurley voting nay. The request is **denied** as it did not receive approval by a majority vote as stated in the Currituck County Planning Board Rules of Procedure.

Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)



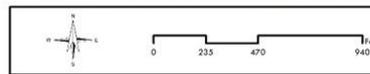
PB 21-19 Outer Banks Ventures
Land Use Plan Amendment
2020 Aerial Photography



Currituck County
Development Services
Department



PB 21-19 Outer Banks Ventures
Land Use Plan Amendment
Official Zoning Map



Currituck County
Development Services
Department

Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)



PB 21-19 Outer Banks Ventures
Land Use Plan Amendment
2006 LUP Classification



Senior Planner, Jennie Turner, reviewed the Land Use Plan amendment request for Commissioners. A powerpoint was used to display the location within the Monterey Shores Planned Unit Development (PUD). Site maps were used to review current Land Use designations and proposed changes. Ms. Turner reviewed the background and purpose for the request, and it was noted that the Future Land Use Map Classifications would have a similar designation to what the applicant is requesting. Review standards and consistency statements were presented. Staff recommends approval of the request. A 3-3 tie vote at the Planning Board results in a recommendation for denial. Planning Board concerns include the development proposed, traffic, stormwater and environment.

Ms. Turner responded to questions about the status of the Land Use Plan update.

John Morrison, Attorney with Twiford Law Firm, addressed the Board as representative for the applicant, Outer Banks Ventures, LLC. He clarified the Imagine Currituck Land Use Plan would allow the development without the need for an amendment. He discussed the adjoining easement, current designation and requested designation, which is for a portion to become full-service. He described the proposed construction plan with clustered housing to maximize open space and described adjacent commercial use. He said wetlands will remain in Conservation with no development. He reviewed a history of the area and presented reasons to support approval of the request. Mr. Morrison responded to Board questions about the proposal. He confirmed no applications have been made to state agencies for building purposes and the applicant is only requesting the Land Use Plan amendment at this time.

Chairman Payment opened the Public Hearing. No one was signed up nor wished to speak and the Public Hearing was closed.

Commissioner White moved to approve PB 21-19, Outer Banks Ventures Land Use Plan Amendment, because the request is consistent with the 2006 Land Use Plan, and

it meets the Imagine Currituck proposed Land Use Plan, specifically the G-3 zoning for density. The policy emphasis for the Corolla Subarea is to allow for predominately medium density residential development with minimal commercial development arranged in clusters. The requested change may allow for potential commercial or mixed-use development in an existing commercial center in Corolla. Full service designation and commercial development are located to the south, water and sewer are available, the property is in close proximity to North Carolina Highway 12, and an Army Corps certified wetland delineation indicates that the area proposed for full service designation does not contain wetland areas.

Commissioner J. Owen Etheridge seconded the motion. The motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	J. Owen Etheridge, Commissioner
AYES:	Michael H. Payment, Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
ABSENT:	Paul M. Beaumont, Vice Chairman

B. PB 21-15 Windswept Pines, Phase 3:

APPLICATION SUMMARY	
Property Owner: Allied Properties, LLC 417-D Caratoke Highway Moyock, NC 27958	Applicant: Allied Properties, LLC 417-D Caratoke Highway Moyock, NC 27958
Case Number: 21-15	Application Type: Conditional Rezoning
Parcel Identification Number: 0009-000-006A-0000	Existing Use: Undeveloped acreage within a residential subdivision
Land Use Plan Classification: Rural	Parcel Size (Acres): 15.55-acres includes 1.48-acre parcel split by the railroad right of way
Moyock Small Area Plan Classification: Full Service	Zoning History: A and GB (1989) C-MXR (2015) (2018)
Current Zoning: C-MXR	Proposed Zoning: C-MXR
Request: The request is to establish Windswept Pines Phase 3 - 14 residential lots and associated infrastructure in an undeveloped area of the subdivision.	

HISTORY

A conditional zoning of this property was approved in 2015 that established the Conditional Mixed Residential (C-MXR) district known as Windswept Pines development. The 2015 approved development plan created 59 lots (including an existing parcel recombined to provide an entrance to Baxter Lane), 1.48-acres of commercial area, and area for a possible future development phase. The future development phase did not have a conceptual design layout that included pedestrian and vehicular circulation plans, drainage facilities or patterns, additional open space, or approximate location of jurisdictional wetlands. Since the 2015 conditional

zoning approval, the applicant has designed, developed, and built out Windswept Pines, Phases 1 and 2. This application is for Phase 3 of the development.

The property in question is zoned C-MXR and at the time of the conditional zoning was identified as future development area with no identified lot or road layout. On November 5, 2018, the Board of Commissioners approved a conditional zoning amending the conditions and project area of the original approval to provide additional stormwater ponds for Phase 2 of the development.

A second amendment to the C-MXR was submitted in 2019 to add Phase 3 which included 14 residential lots. The Board of Commissioners voted to deny the request by a recorded vote of six to one at their October 21, 2019 meeting because:

- The request is inconsistent with the 2006 Land Use Plan Policy PP2 in that it exceeds the County's ability to provide adequate public facilities, particularly school capacity. The proposed development, located in the Moyock Elementary School District, increases the number of projected students by three (based on the Student Generation Rate Study prepared by Tischler and Associates, Inc (2004)). The Average Daily Membership (ADM) for Moyock Elementary School for August 2019 exceeds the actual school capacity adopted by the Currituck County Board of Education.

NARRATIVE

The North Carolina General Statutes (NCGS 160D-703) allows owners of individual parcels to apply for modification of the conditions provided the modification would not result in other properties failing to meet the terms of the conditional zoning.

The application is being resubmitted following the denial by the Board of Commissioners, as allowed per Section 2.3.16 of the UDO which allows the applicant to submit the same application upon waiting one year after the date of the denial (October 19, 2019).

This conditional zoning request for PIN 0009000006A0000 includes proposed phase 3 for 14 residential lots and proposed Phase 4 for the commercial tract located between Caratoke Highway and the railroad. There are no modifications proposed for the commercial tract. The road extension and access for this phase provides interconnectivity to adjacent lands to the north and east.

The development summary of the proposed phases is shown below:

Phase 3:

Total Area:	15.55-acres
Number of Lots:	14 residential lots
Open Space:	7.51-acres proposed, (4.67-acres required)

Phase 4:

Commercial Parcel:	1.48-acres with a 2,500 square foot building
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The development summary of the Windswept Pines development is shown below:

Total Area:	66.87-acre development tract
Residential Lots:	73 lots (including the existing McCrary parcel)
Commercial Lot:	1 parcel with a 2,500 square foot building

Open Space:

Proposed:	24.57-acres (residential) + 0.15-acres (commercial) = 24.72-acres total
Required:	19.62 acres required (residential) + 0.148-acres commercial = 19.77-acres total

COMMUNITY MEETING

The community meeting was held on May 25, 2021 at 6:00 pm at the Eagle Creek Outdoor Pavilion. The engineer reviewed the proposed development plan and the approval process.

The comments received at the meeting included the association turn-over of the common areas, planned drainage improvements, maintenance of the subdivision and drainage infrastructure in the existing phases of Windswept Pines, and proposed developments in the vicinity. A summary of the community meeting is provided in this agenda packet.

APPLICANT PROPOSED ZONING CONDITIONS

1. **USE: SUBDIVISION**
2. **ALL LOTS TO BE GREATER THAN OR EQUAL TO 20,000 SQUARE-FEET.**
3. **THE PROJECT ENGINEER WILL MODEL STORMWATER TO 100-YEAR STORM EVENT AND STORMWATER WILL BE MANAGED FROM THAT 100-YEAR STORM.**
4. **THE APPLICANT WILL WORK WITH SOIL AND WATER CONSERVATION DEPARTMENT TO EXPLORE IMPROVING THE DRAINAGE OUTLET TO THE EAST OF THE DEVELOPMENT.**
5. **ALL RESIDENTIAL DEVELOPMENT WILL BE SINGLE-FAMILY AND WILL CONFORM TO SAMPLE BUILDING ELEVATIONS PROVIDED.**

SURROUNDING PARCELS

	Land Use	Zoning
North	Residential/Woodland/Farmland/ Sand Mine	GB/AG
South	Residential/Business	GB/AG
East	Farmland	AG
West	Cemetery/Farmland Residential	GB/C-MXR

LAND USE PLAN

The 2006 Land Use Plan classifies this site as Rural within the Moyock subarea. The policy emphasis for the Moyock subarea is managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. 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. The proposed development plan may be considered consistent with the Moyock subarea emphasis, but this consideration does not change the 2006 Land Use Plan land use classification of the subject property. This signifies a discrepancy with the UDO dimensional standards for the MXR district. * **The following land use plan policies are relevant to the request:**

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 proximity of the site to existing and planned urban services.
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**Prior zoning map amendments (2015 and 2018) adopted by the BOC placed emphasis on the Moyock Small Area plan future land use map classifying this property as Full Service. A zoning map amendment, PB 18-23 effective May 6, 2019, placed emphasis on the CAMA Land Use Plan. The decision emphasizes the 2006 Land Use Plan as the controlling document and the relation to the UDO dimensional standards for the MXR district signifies a discrepancy between the two plans and requires a Land Use Plan map amendment.*

MOYOCK SMALL AREA PLAN

The Moyock Small Area Plan identifies this site as Full Service. Full-Service designations are focal points in the community where high amounts of activity occur. Typical densities in Full-Service designations range from 1.5 – 3 units per acre depending on surround land uses.

Policy FLU1	Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or bulk step downs, or other architectural and site planning measures that encourage harmony.
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Technical Review Committee Comments

The Technical Review Committee reviewed this conditional zoning request and identified the following comments:

1. Adopted Plan Consistency:
 - a. The 2006 Land Use Plan identifies this property as Rural within the Moyock subarea. The policy's emphasis for the Moyock subarea is managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. 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.
 - b. The Moyock Small Area Plan identifies this site as Full-Service. This designation identifies areas where there will be significant public investment in infrastructure, and thus can support higher density of development.
 - c. The UDO dimensional standards in the MXR zoning district provide the maximum gross density of 2 units per acre in the Full-Service area and 1 unit per acre in the Limited-Service Area. The UDO does not provide density allocation for property in the Rural land use classification. The MXR zoning district purpose provides more intense development density and uses than the areas typically identified as the Rural land use classification.
 - d. Prior zoning map amendments, including the amendments in 2015 and 2018, placed emphasis on the Moyock Small Area plan allowing for the full-service development density of 2 units per acre. However, a zoning map amendment, PB 18-23 with an effective date of May 6, 2019, placed emphasis on the 2006 Land Use Plan as the approved CAMA plan. That decision, if applied to this property, would not meet the county UDO since this area is identified as Rural with no development density allocated.
 - i. Windswept Pines, as approved, has a development gross density of 0.88 dwelling units per acre (66.8 acres – including 1.48 acres commercial lot).
 - ii. The total gross development density for phases 1-3 is 1.09 dwelling units per acre.
 - e. Based on the 2019 decision, an amendment to the 2006 Land Use Plan land use map (Rural to Full-Service) is necessary for this increase in development density to be allowed under the UDO.
2. Smaller lots in the Moyock area, including Windswept Pines, generally meet the minimum off-street parking requirements, but some property owners are parking on the street. On-street parking is not permitted for this development. The applicant has agreed to installation of "No Parking" signage. The Board may wish to consider an agreed upon condition to address the parking issues.
3. Conditional zonings are legislative decisions of the board and not controlled by any one factor. In determining whether to adopt or deny a proposed request, the board may consider the standards in UDO, Section 2.4.3.C. One of the factors is whether the proposed development is adequately serviced by public facilities.
 - a. The Moyock Elementary School is currently over capacity*. This is a conditional zoning application and conditions that are agreed upon by the applicant and the

county can be placed on the project to address timing of development and the completion of the proposed expansion of the Moyock Elementary School. Timing conditions could include phasing or the submittal of application (preliminary plat/special use permit, construction drawings, or final plat).

****According to an email from the former county manager (June 7, 2021 and June 22, 2021), the contract for Moyock Elementary School expansion was executed by both parties with a substantial completion date of August 1, 2023. The expansion should increase the capacity of Moyock Elementary School to 750 students (529 current capacity).***

ADEQUATE PUBLIC FACILITIES – SCHOOLS ¹		
School	2021-2022 Actual Capacity ²	Committed Capacity ³
Moyock Elementary	116%	122%
Shawboro Elementary	99%	
Central Elementary	91%	
Griggs Elementary	61%	102%
Jarvisburg Elementary	91%	
Knotts Island Elementary	37%	37%
Moyock Middle	95%	91%
Currituck Middle	62%	
Currituck High	80%	99%
JP Knapp Early College	89%	

¹Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

²Capacity percentages are based on 2021-2022 school year classroom standards and May 2021 ADM

³Capacity percentages are based on the 2021-2022 school year classroom standards and May 2021 ADM

4. Conditional zonings are not exempt from a spot zoning challenge. Given the size of this request the Board must be assured that all factors defining reasonable spot zoning are considered in their hearing and decision.

Technical Review Committee Recommendation

Provided adequate public facilities are available to serve the proposed development, the Technical Review Committee recommends approval of the conditional zoning application subject to the following conditions (must be agreed upon by the county and the applicant):

1. The 2006 Land Use Plan future land use map must be amended to identify the property as Full-Service as part of the motion for approval.
2. “No Parking” signage shall be installed in Phase 3 at locations suggested by the Fire Official (RECOMMENDED).

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.

The conditional zoning request is consistent with and amends the 2006 Land Use Plan by designating this property as Full-Service on the future land use map because the amendment recognizes and implements the Full-Service designation of the Moyock Small Area Plan adopted by the Board of Commissioners.

The request is reasonable and in keeping with the changed conditions acknowledged by the Moyock Small Area Plan and addresses the demonstrated community need of providing a Full-Service area that offers both residential and commercial uses in the development.

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:

1. Use: Subdivision
2. All lots to be greater than or equal to 20,000 square-feet.
3. The project engineer will model stormwater to 100-year storm event and stormwater will be managed from that 100-year storm.
4. The applicant will work with Soil and Water Conservation Department to explore improving the drainage outlet to the east of the development.
5. All residential development will be single-family and will conform to sample building elevations provided.

Technical Review Committee recommended condition that must be agreed upon by the applicant and the county:

1. "No Parking" signage shall be installed in Phase 3 at locations suggested by the Fire Official (RECOMMENDED).

Planning Board Recommendation

On August 10, 2021, the Planning Board recommended approval of the conditional zoning application subject to conditions with a 5-0 vote.

Motion

Mr. Doll moved to **approve PB 21-15** because the request is consistent with and amends the 2006 Land Use Plan by designating this property as Full Service on the future land use map because:

- o The amendment recognizes and implements the Full-Service designation of the Moyock Small Area Plan adopted by the Board of Commissioners.
- o The proposed gross density allocation of Phase 3 is 0.90 dwelling units per acre is in keeping with the Full-Services designation of the Moyock Small Area Plan. The designation identifies areas where there will be significant public investment in infrastructure and can support higher density of development.
- o MSAP Policy FLU1 promotes compatibility between new development and existing development to avoid adverse impacts to the existing community.

And the request is reasonable and in keeping with:

- o Changed conditions acknowledged by the Moyock Small Area Plan, and
- o Addresses the demonstrated community need of providing a Full-Service area plan that offers both residential and commercial uses in the development.

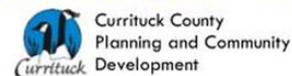
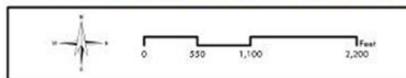
Conditions of Approval:

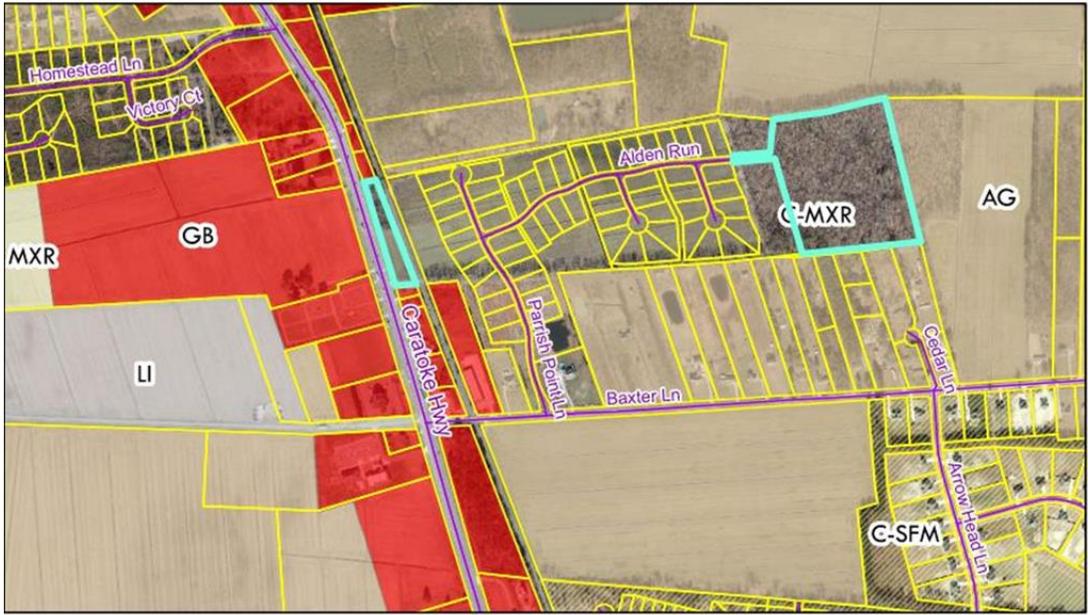
1. Use: Subdivision
2. All lots to be greater than or equal to 20,000 square feet.
3. The project engineer will model stormwater to 100-year storm event and stormwater will be managed from that 100-year storm.
4. The applicant will work with Soil and Water Conservation Department to explore improving the drainage outlet to the east of the development.
5. All residential development will be single family and will conform to sample building elevations provided.
6. "No Parking" signage shall be installed in Phase 3 at locations suggested by the fire Official.

Mr. Bass seconded the motion and the motion carried unanimously.

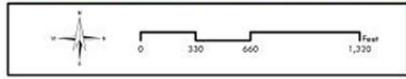


PB 21-15 Windswept Pines
Conditional Zoning
Aerial

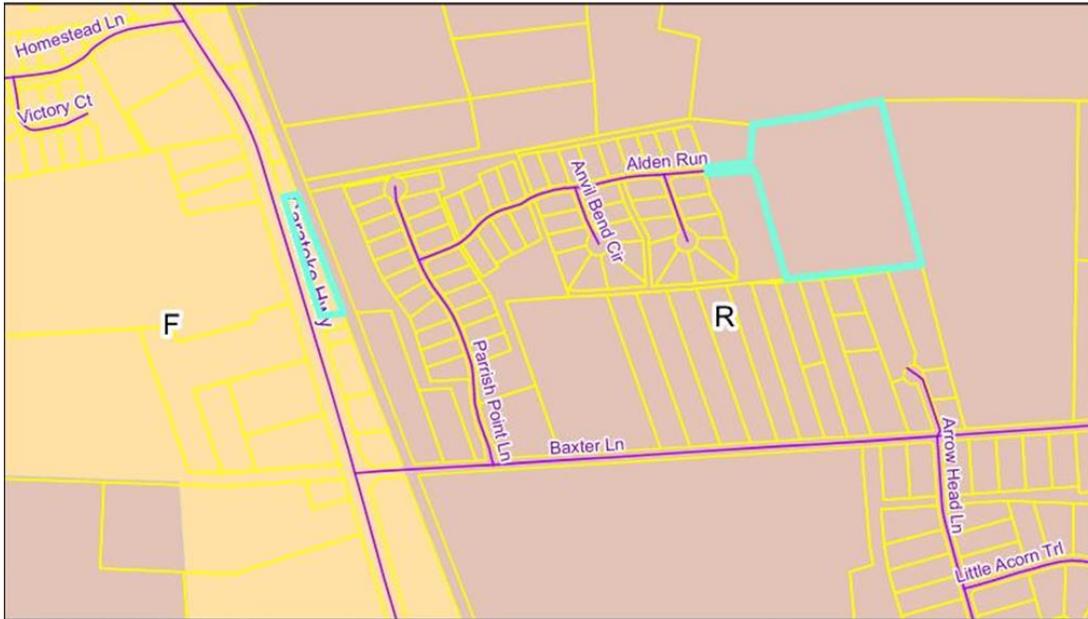




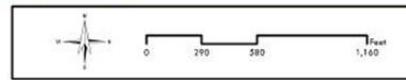
PB 21-15 Windswept Pines
Conditional Zoning
Zoning



Currituck County
Planning and Community
Development



PB 21-15 Windswept Pines
2006 Land Use Plan



Currituck County
Planning and Community
Development

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Donna Voliva, Assistant Planning Director, reviewed the request for Commissioners. She used the overhead to show existing parcels in the development and presented the history of the development which included phased construction. She said the current parcel was included in the conditional zoning but had no conceptual development plan. She displayed the proposed site plan consisting of 14 lots, expanded stormwater pond, and a commercial site. Zoning conditions, drainage improvements and comments from the community meeting and the Technical Review Committee (TRC) were presented. Ms. Voliva explained a Land Use Plan map amendment would be needed if approved. Supporting policies in the Land Use Plan (LUP) and Moyock Small Area Plan (MSAP) were reviewed.

Ms. Voliva responded to Board questions during presentation related to drainage and the fire official's request for signage prohibiting on-street parking. Interim County Manager/County Attorney, Ike McRee, explained the county's authority to regulate private streets only at the request of the owner of the streets.

Concerns with adequate public facilities prompted a request for Superintendent Dr. Matt Lutz, who was in attendance, to provide current school capacity numbers to the Board. Concerned with school capacities, Commissioner Jarvis asked what the timeline was for the buildout of Phase I and II of the subdivision. Ms. Voliva said she would research and provide the information when determined.

Ms. Voliva said the Technical Review Committee (TRC) recommended approval with the condition that no parking signage be installed at locations suggested by fire officials. The Planning Board also recommended approval of the request. She said if approved the LUP would be amended to identify the area as full service. Consistency statements were reviewed.

Mark Bissell, Engineer for the applicant, addressed the Board and reviewed the original

undeveloped plat followed by the parcel with 14 lots delineated. Housing styles, drainage, and proposed improvements were presented. Conditions were reviewed, all of which were agreed to by the parties. Soil and Stormwater Technician, Dylan Lloyd, discussed the existing drainage, new ditching to be installed, and right of way agreements that have been secured for ditch clearing. Mr. Bissell responded to questions posed by Board members related to a timeline for construction. Mr. Bissell said it would be three to four months before the item would be back before the Board for the Use Permit.

Chairman Payment opened the Public Hearing.

Bertrille Bright Lomax of Chesapeake, Virginia, said she is partners with Jamie Jarvis and owns the adjacent property, which is farmed. She said she has not received any notification related to a drainage plan for that part of the land. Ms. Lomax voiced concerns with the ability to grow hemp at the location, as hemp does not like water, and she wanted to make sure the county is aware of what they plan to do on the adjacent parcel.

Justin Old, Applicant, said he expects to be back before the Board in February or March if the item is approved.

No others were signed up nor wished to speak and the Public Hearing was closed.

Ms. Voliva returned to provide the timeline for the approvals and Phase I and II construction for Windswept Pines. She said the Conditional Zoning was approved in 2015. The first home was built in 2018 and the last home was constructed in 2020.

Discussion concluded and Commissioner Mary Etheridge moved to table the item until the November 15, 2021 Board Meeting to allow Commissioners to meet with the Board of Education to address Adequate Public Facilities. Commissioner Jarvis seconded the motion. The motion failed, 4-2. Chairman Payment and Commissioners J. Owen Etheridge, McCord, and White voted against the motion.

Commissioner J. Owen Etheridge hereby adopted by Resolution and moved for approval of PB 21-15 because the request is consistent with and amends the 2006 Land Use Plan (LUP) by designating this property as Full Service on the future land use map because:

- The amendment recognizes and implements the Full-Service designation of the Moyock Small Area Plan (MSAP) adopted by the Board of Commissioners
- The proposed gross density allocation of Phase 3 is 0.90 dwelling units per acre is in keeping with the Full-Services designation of the MSAP. The designation identifies areas where there will be significant public investment in infrastructure and can support higher density of development.
- MSAP Policy FLU1 promotes compatibility between new development and existing development to avoid adverse impacts to the existing community and addresses drainage issues.

The request is reasonable and in keeping with changed conditions acknowledged by the

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MSAP and addresses the demonstrated community need of providing a Full-Service area that offers both residential and commercial uses in the development.

The applicant does not propose any changes to the zoning conditions of approval:

1. Use: Subdivision
2. All lots to be greater than or equal to 20,000 square feet.
3. The project engineer will model stormwater to a 100-year storm event and stormwater will be managed from that 100-year storm.
4. The applicant will work with Soil and Water Conservation Department to explore improving the drainage outlet to the east of the development.
5. All residential development will be single family and will conform to sample building elevations provided.
6. "No Parking" signage shall be installed in Phase 3 at locations suggested by the fire office.

Motion is based on unanimous Planning Board and Technical Review Committee recommendations for approval; an added condition to include drainage improvements at the Northern end of Baxter Lane.

Commissioner McCord seconded the motion.

Commissioner Jarvis said she doesn't believe the Board has all of the information at this time and should not rush a decision. Commissioner J. Owen Etheridge suggested conditions and Adequate Public Facilities can be considered when the applicant returns for a Use Permit. Discussion concluded and the motion carried, 5-1, with Commissioner Mary Etheridge opposed.

Chairman Payment called a brief recess at 8:43 PM. The meeting reconvened at 8:51 PM.

RESULT:	APPROVED [5 TO 1]
MOVER:	J. Owen Etheridge, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Michael H. Payment, Chairman, J. Owen Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
NAYS:	Mary "Kitty" Etheridge, Commissioner
ABSENT:	Paul M. Beaumont, Vice Chairman

C. PB 21-17 Hugh S. Miller, IV:

APPLICATION SUMMARY	
Property Owner: Hugh S. Miller, IV 111 Currituck Commercial Drive, Suite B Moyock, NC 27958	Applicant: Hugh S. Miller, IV 111 Currituck Commercial Drive, Suite B Moyock, NC 27958
Case Number: PB 21-17	Application Type: Zoning Map Amendment
Parcel Identification Number: 0070-000-0037-0000 0070-000-0038-0000	Existing Use: Cultivated farmland

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APPLICATION SUMMARY

0070-000-0039-0000 0070-000-0040-0000	
Land Use Plan Classification: Full Service and Conservation	Parcel Size (Acres): 164.85 +/- (Application)
Land Use Plan Subarea: Barco-Coinjock-Airport	
Current Zoning: Agricultural (AG) and General Business (GB)	Zoning History: A-40 (1974); A and GB (1989); AG and GB (2013)
Request: Request for a conventional (not conditional) rezoning	Proposed Zoning: SFM (162.5 acres with 2.5 acres remaining GB)

Narrative

The applicant is requesting a conventional rezoning of approximately 165 acres from Agricultural (AG) and General Business (GB) to Single-Family Residential-Mainland with approximately 2.5 acres remaining GB. The applicant is submitting the application to be allowed to develop the property with all uses that are allowed in the SFM and GB zoning districts that would be determined at a later date.

A list of all uses allowed in SFM and GB zoning districts is included at the end of this report for reference.

Community Meeting

A community meeting was held June 23, 2021, at Currituck BBQ, Coinjock. There were four people in attendance including the applicant and county representative. The attendees discussed that their family had owned these lands for over 200 years and while they were sorry to see it being developed and hoped it would remain farmland, they did understand.

SURROUNDING PARCELS

	Land Use	Zoning
North	Cultivated Farmland, Single-Family Dwelling, Middle and High Schools	AG and GB
South	Cultivated Farmland, Single-Family Dwelling, Sand Mine	AG and GB
East	Coinjock Bay	Unzoned
West	Single-family Dwellings, Automobile Repair/Sales	AG and GB

LAND USE PLAN

The 2006 Land Use Plan (LUP) classifies this site as Full Service and Conservation within the Barco-Coinjock-Airport subarea. While the Barco-Coinjock-Airport subarea is, at present, quite sparsely developed (approximately 1 unit per acre), it has many of the ingredients in place to become a significant community center for the mainland. 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, and fire and rescue facilities. The Conservation class is to provide for the long-term management and protection of significant, limited, or irreplaceable areas. Property management is needed to conserve the natural, cultural, recreational, scenic, or biologically productive values of these areas. The following policy is relevant to the zoning map amendment request:

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 ES3	COASTAL WETLANDS shall be conserved for the valuable functions they perform in protecting water quality and in providing critical habitat for the propagation and survival of important plant and animal species.
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 HN3	Currituck County shall especially encourage OPEN SPACE DEVELOPMENTS and COMPACT, MIXED-USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES with the objective of avoiding traditional urban sprawl.
Policy CD1	NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS should be encouraged to locate where a collector or secondary street intersects with a street of equal or greater size. Appropriately designated, small-scale businesses may also be near other neighborhood serving facilities such as schools and parks.

In North Carolina, it is illegal to impose conditions on rezonings to conventional zoning districts; therefore, this conventional zoning map amendment is a legislative decision of the Board of Commissioners and is not controlled by any one factor. For example, the applicant has stated that they will develop approximately 80 lots and will retain the trees in the Conservation/wetland area; however, these items cannot legally be made conditions with the request.

For reference, Section 2.4.3.C of the UDO advises that an amendment to the Official Zoning Map is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny a proposed map amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed amendment:

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;
2. Is in conflict with any provision of this Ordinance, or the County Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
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;
6. Adversely impacts nearby lands;

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- 7. Would result in a logical and orderly development pattern;
- 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;
- 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);
- 10. Would not result in significantly adverse impacts on the land values in the surrounding area; and,
- 11. Would not conflict with the public interest, and is in harmony with the purposes and intent of this Ordinance.

RECOMMENDATION
PLANNING STAFF

Beginning in 2007, conditional zoning has been a tool to help guide development to align with the community values and character recognized in officially adopted plans. Conditional zoning applications are generally preferred because it allows the applicant to impose conditions or restrictions to the property that are mutually agreed upon by the Board to more appropriately address the impacts expected to be generated by the development. It provides predictability in the rezoning application to ensure that the development and use will conform to the county's adopted plans (2006 Land Use Plan) including LUP Policy HN1, HN 3, ES2, ES3, CD1, CD4, and CD5. This request does not allow for conditions to be placed that would ensure that the result of development of these parcels will be compatible development.

A conventional rezoning application is only required to meet the minimum standards of the UDO. The purpose of the Single-Family Residential-Mainland (SFM) zoning district is to accommodate low density residential neighborhoods and supporting uses on mainland Currituck County. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity, interrupt scenic vistas from Caratoke Highway, or place undue stress on the county's education infrastructure. The General Business (GB) zoning district is to accommodate a wide variety of residential and nonresidential uses on lots bounding major roadways. Without conditions, potential conflicts may occur with uses permitted in the GB and SFM zoning districts (as shown on the list at the end of this report). Possible examples of this include: parking lot; bar, night club, and lounge; pawn shop in the GB district and silviculture/clear-cutting in the SFM area. The USACE Clean Water Act does not prohibit the cutting of vegetation/trees above the ground surface. There is significant tree cover in the Conservation area.

The conditional zoning process can tailor a permitted use in such a way as to accommodate the property owner's interest, community values, and neighborhood character. It can also address impacts that may be associated with the particular property and intended land use. Since the adoption of the 2013 UDO, conventional rezoning approvals included properties that are downzoned to a less intense zoning district, properties that contain bifurcated districts, and one property adjoining the same district on all sides.

This conventional rezoning request results in a substantial density increase for the property. Assumptions for below approximate maximum lot count comparison calculation:

- 159.85 acres (estimate only – GIS used to simplify measurements)
- 10% acreage reduction to account for infrastructure (15.985 ac)
- No dwellings in GB (approx. 5 acres)

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- Potential wetlands are not factored into these estimates other than the assumption that delineated wetlands will be placed in open space.
- Suitable soils for septic systems
- NOTE: These numbers are merely rough estimates as true lot counts can only be rendered by a design professional with all known factors provided in a master plan.

AG (Existing) Conservation Subdivision Required	52 lots	62 lots
	Minimum lot size 30,000 sf	Minimum lot size 30,000 sf
	50% open space (79.92 ac)	60% open space (95.91 ac)
	Max Density: .33 u/ac	Max Density: .4 u/ac
SFM (Requested)	98 Traditional Subdivision lots	104 Conservation Subdivision
	40,000 sf minimum lot size	25,000 sf minimum lot size
	30% open space (47.96 acres)	40% open space (63.94 acres)
	Max Density: n/a	Max Density: 1 u/ac in Full Service (75.57 ac) + .33 u/ac in Conservation Area (89.28 ac)

Without a master plan, as required with a conditional zoning request, it is not possible to verify 2006 Land Use Plan consistency for the following:

- LUP POLICY HN1: Encourages development to occur at DENSITIES APPROPRIATE FOR THE LOCATION. Without a master plan, it is not possible to determine if the development's density is compatible with the surrounding developments.
- POLICY HN3: Currituck County shall especially encourage OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space.
- POLICY CD4: HIGHWAY ORIENTED COMMERCIAL USES should be clustered along segments of highways and contain land uses which are mutually compatible and reinforcing in use and design; they should be designed in such a way as to minimize signage, access points, and to prevent unsightly, dysfunctional STRIP DEVELOPMENT.

The LUP further describes highway oriented commercial uses that are more intended along major highways and do not encroach within or immediately adjoining existing residential areas (LUP Policy CD4 and CD5). The request does not provide assurances that all the allowed uses in the GB zoning district would be consistent with the goals, objectives, and policies of the officially adopted plans. The property is located near single-family dwellings and Currituck High and Middle Schools.

Without a master plan, it is not possible to verify consistency with the zoning map amendment review standards of the UDO. For example:

- Is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of this UDO;
- Is in conflict with any provision of the UDO 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;
- Would result in a logical and orderly development pattern; and,

- 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.

There are also school capacity concerns since the May 2021 report shows that Committed Capacity for Moyock/Shawboro/Central Elementary schools is at 122% and the high schools are at 99% committed capacity. Pending verification from the school system, it is staff's understanding that school enrollment for the 2021-2022 school year is higher than projection in some of these schools.

To provide assurances that address the 2006 LUP compatibility policies, staff recommends the applicant submit a conditional zoning application with a plan that is more conceptual in nature. The conceptual plan could provide desired flexibility for the applicant with assurances that the application maintains the community values and consistency with the officially adopted plans.

Also, the Board may determine that the location, size of the property, and general district allowable uses are consistent with LUP and compatibility can adequately be addressed through the site plan and subdivision review process and requirements of the UDO.

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

RECOMMENDATION

PLANNING BOARD

On September 14, 2021 the Planning Board recommended approval (5-1) of the conventional rezoning request as presented.

STAFF NOTES AFTER PLANNING BOARD MEETING

At the Planning Board meeting, staff was asked what type of conditions the BOC could place on the development if this was a conditional rezoning request. Without seeing a conceptual plan of the subdivision, it is not possible to determine conditions necessary for compatibility with the neighborhood, Land Use Plan, and other officially adopted plans, but below are examples of conditions that the Board would typically find relevant in reviewing an application of this type:

- Require a Conservation Subdivision and preservation the wetland area (LUP Policies ES2, ES3)
- Provide water access to all lots in the development (LUP Policies PA1, PA2)
- No clear-cutting of the stand of trees located at the rear of the property in wetlands (LUP Policies ES2, ES3)
- Remove the allowance for potentially incompatible uses in the GB zone (i.e. parking lot; bar, night club, and lounge; pawn shop) (UDO Section 1.3 General Purpose and Intent; Section 3.4.1.F Residential Base Zoning Districts, General Purposes; LUP – Purpose of the Plan)
- Increase landscaping buffers to mitigate the impacts of the development on surrounding properties or Caratoke Highway.
- Set a minimum lot size that is more compatible with surrounding lots (LUP Policies HN1, HN 3)
- Set the maximum number of lots appropriate for the location (LUP Policies HN1, HN3)

- Establish a phasing plan based on milestones for competition of County facilities. (SF4, PP2)

Also, the developer stated that he did not want to conditionally zone the property because of concern that small changes to the plan would result in 'having to go back through the process,' meaning requiring the Board to approve minor modifications to the conditions or the approved plan. There were discrepancies presented as to what a minor change is. UDO Section 2.4.4.I, Minor Modifications from Approved Conceptual Development Plan, calls out what a minor modification is that can be approved by the Director. It is a change that does not materially affect the basic configuration of the approved conceptual development plan. "Subsequent plans and permits for development within a conditional zoning district may include minor modifications from the approved conceptual development plan, provided such modifications are limited to changes addressing technical consideration that could not reasonably be anticipated during the conditional zoning classification process, or any other change that has no material effect on the character of the approved development. Changes in the following shall constitute minor modifications that may be approved by the Director:

- Driveway locations
- Structure floor plan revisions
- Minor shifts in building size or location
- Facility design modifications for amenities and the like."

It is important to note that the above list is not an exclusive list of what constitutes a minor modification, but rather examples of minor modifications. Each modification would be reviewed on a case-by-case basis by the Director to determine if it fits the definition of a minor change. The developer offered examples of changes that forced him to go back an amend plans on projects. Particularly correcting a ROW mapping error for the Sound Woods subdivision. In fact, this was not a conditional zoning issue, as correcting the mapping error changed the shape of lots and the plat had to be accurate for the lots to be legally sellable. The lots had to be mapped as they existed for the deeds to be accurately prepared.

The developer also pointed out very specific items that would require him to go back through the process, such as relocating where a water line comes into the property. That level of detail is not generally provided on a conceptual plan provided as part of a conditional zoning request, and if it was, that most likely does not materially affect the basic configuration of the approved conceptual development plan and could be approved as a minor modification by the Director. The same logic applies to the example of reshaping a drainage pond.

USE COMPARISON	
Uses Allowed in SFM	Uses Allowed in GB
Agriculture/Horticulture; Equestrian Facility; Silviculture; Dwelling (manufactured, single-family detached, duplex) Family care home; Community center/ cultural facility; Library; Museum; Child care center; Elementary and middle school; Government office; Religious institution; Arboretum or botanical garden; Community garden, Park, public or private; Law enforcement, fire, or EMS facility; Telecommunications antenna	Agriculture/Horticulture; Agri-education; Agri-entertainment Agribusiness; Equestrian facility; Farmer's and roadside market; Nursery; Agricultural research facility; Distribution hub for agricultural and agronomic products; Silviculture Dwelling (live/work, manufactured, single-family detached, upper story) Dormitory; Family care home; Rooming or boarding house Community Services Day Care Educational Facilities Government Facilities Health Care Facilities

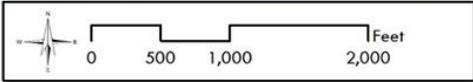
Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)

USE COMPARISON	
<p>collection on tower or building; Minor utility; Athletic facility; Bed and breakfast inn;</p>	<p>Assisted living facility; Auditorium, conference, and convention center; Club or lodge; Halfway house (u); Nursing home; Religious institution Arboretum or botanical garden; Community garden; Park Police, fire, or EMS facility Airport (u); Helicopter landing facility (u) Passenger terminal (surface transportation) Telecommunications antenna and tower (u); Utility, minor/ major (u); Animal Care Eating Establishments Offices Parking lot Recreational/Entertainment, Indoor Arena, amphitheater, or stadium(u); Athletic facility; Golf driving range; Marina; Outdoor tour operator (u); Outdoor Recreation Artisan food and beverage producer; Bar, nightclub, or cocktail lounge; Convenience store; Drug store or pharmacy; Entertainment establishment; Financial institution; Funeral home; Grocery store; Laundromat; Pawn shop (u); Personal services establishment; Repair establishment; Retail sales establishment; Shopping center (u); Winery Boat and marine rental, sales, and service Vehicle sales and service, light Visitor Accommodations Contractor service Crabshedding; Research and development Public convenience center/transfer station (u)</p>

Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)



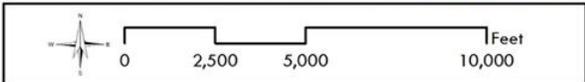
PB 21-17 Hugh S. Miller
Rezoning
2020 Aerial Photography



Currituck County
Planning and
Community Development



PB 21-17 Hugh S. Miller
Rezoning
Context Map

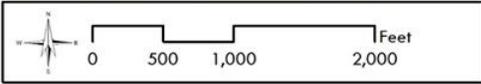


Currituck County
Planning and
Community Development

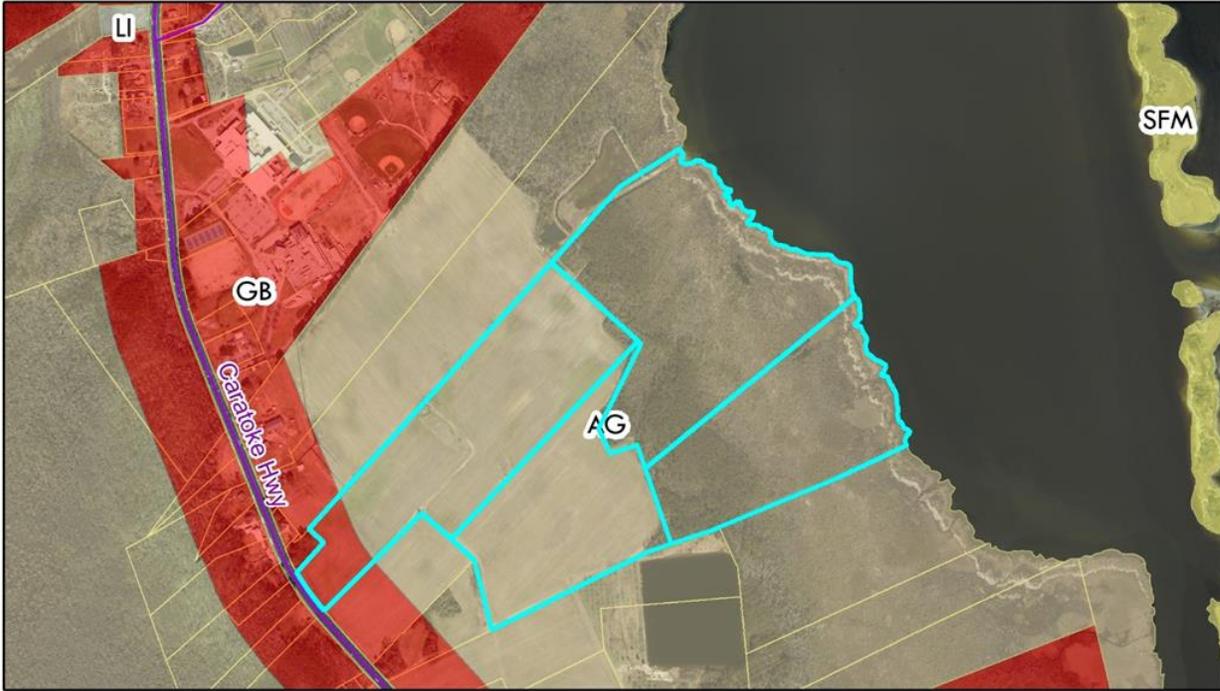
Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)



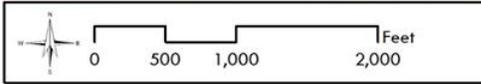
PB 21-17 Hugh S. Miller
Rezoning
LUP Classification



Currituck County
Planning and
Community Development



PB 21-17 Hugh S. Miller
Rezoning
Zoning



Currituck County
Planning and
Community Development

Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)

To correct an error in the agenda packet, Senior Planner, Tammy Glave, explained Mr. Miller has a contract to purchase the property but doesn't own the property at this time. Ms. Glave used the overhead to review the site location, surrounding parcels and zoning, Land

Use Plan designations and wetland delineation. Areas to be rezoned were highlighted on the map. Ms. Glave presented the straight rezoning request which would allow all of the uses permitted in the single-family mainland. The density comparison was reviewed to show how the property could be developed without the rezoning approval. Concerns presented by Ms. Glave included school capacities and the possible uses allowed on the property. Staff recommended the applicant resubmit for conditional zoning. Planning Board recommended approval, 5-1, and Planning Board discussion was summarized.

Applicant, Sam Miller, addressed the Board and presented reasons for requesting a straight rezoning rather than conditional. He said straight General Business exists up and down the corridor, and he is asking for a reduction in the General Business that currently exists. He addressed existing wetlands on the property and their ability to be used for stormwater management. He said density calculations netted approximately 80 lots on the site. He said no concerns have been raised by the community, and the land is very suitable for the proposed use. Mr. Miller said there is no need for Conditional zoning, which can add four months to the development process.

Chairman Payment asked what the benefit of conventional rezoning is versus conditional, and Mr. Miller said a straight rezoning saves both time and money.

Commissioner Jarvis addressed buffering, and noted it can protect property values in the future for all concerned even though adjacent parcels are currently vacant.

Uses on the site were clarified and the number of housing units that would be able to be built for Agricultural zoning versus Single Family Mainland were presented. Mr. Miller provided a copy of the wetlands delineation letter for Board review. Ms. Glave said minimum standards of the Unified Development Ordinance would have to be met for a conventional rezoning. Mr. Miller said the Laurel Woods subdivision he developed was a straight rezoning. Ms. Glave explained the straight rezoning was the only option at that time, as conditional rezoning was not part of the UDO in 2006.

Commissioner J. Owen Etheridge said conditional zoning was added to address General Business, and Ms. Glave recollected Residential was also to be addressed. Commissioner Jarvis discussed protections offered by Conditional Zoning for adjoining parcels and potential buyers in the subdivision. Interim County Manager/County Attorney, Ike McRee, reviewed some of the allowable conditions that can be considered for a straight rezoning at Use Permit.

Chairman Payment opened the Public Hearing. No one was signed up nor wished to speak and the Public Hearing was closed.

Chairman Payment moved to deny PB 21-17: Hugh S. Miller IV Rezoning, because the application is inconsistent with the following policies of the Land Use Plan:

- LUP Policy HN1
- Policy HN3
- Policy CD4

The request is not reasonable and not in the public interest because without a master plan as submitted with a conditional rezoning request, it is not possible to verify consistency with zoning map amendment review standards of the UDO, including:

- Is consistent with the goals, objectives and policies of the LUP, other applicable county-adopted plans, and the purposes of this UDO;
- Is in conflict with any provision of the UDO 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;
- Would result in a logical and orderly development pattern; and,
- 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.
- There are school capacity concerns with Moyock/Shawboro/Central Elementary schools at 122% Committed Capacity;
- Conditions should be agreed upon to protect and conserve the wetlands for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff;
- Without conditions, potential conflicts may occur with uses permitted in the GB and SFM zoning districts. Possible examples of this include: Parking lot, bar, nightclub and lounge, pawn shop in the GB district and Silviculture/clear-cutting in the SFM area. The USACE Clean Water Act does not prohibit the cutting of vegetation/trees above the ground surface. There is significant tree cover in the Conservation area.
- The conventional rezoning request results in a substantial density increase for the property, above which is allowed in the current AG zoning district, in a sparsely developed area (approximately one unit per acre) of the County.

Commissioner Mary Etheridge seconded the motion. The motion carried, 4-2, with Commissioners J. Owen Etheridge and McCord opposed.

RESULT:	MOTION PASSED-ITEM DENIED [4 TO 2]
MOVER:	Michael H. Payment, Chairman
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Michael H. Payment, Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Bob White, Commissioner
NAYS:	J. Owen Etheridge, Commissioner, Kevin E. McCord, Commissioner
ABSENT:	Paul M. Beaumont, Vice Chairman

D. PB 21-16 Currituck County Housekeeping Text Amendment:

To: Board of Commissioners

From: Planning Staff

Date: September 20, 2021

Subject: PB 21-16 Currituck County – Housekeeping Amendment

The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to revise miscellaneous sections of the Unified Development Ordinance (UDO) as it relates to:

- Item 1 Corrects a UDO Section reference related to review of Minor Subdivisions.

- Item 2 Corrects “use permit” to “special use permit” for consistency with G.S. 160D update.
- Item 3 Corrects G.S. reference for consistency with G.S. 160D update.

Text Amendment Review Standards

The advisability of amending the text of the UDO is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed text amendment:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan and other applicable county-adopted plans;
2. Is not in conflict with any provision of this Ordinance or the County Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the county;
6. Would result in a logical and orderly development pattern; and
7. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Staff Recommendation

Staff recommends approval of the request as submitted and suggests the following Consistency Statement:

The requested zoning text amendment is consistent with the 2006 Land Use Plan including:

POLICY HN8: To protect the County’s tax base and to ensure the long-term viability of the County’s neighborhoods and housing stock, the County will continue to enforce appropriate CONSTRUCTION AND SITE DEVELOPMENT STANDARDS for residential developments.

and it is required by the changes to G.S. 160-D, the modernization of the entire body of state laws on local planning and development regulation.

Planning Board Recommendation

On September 14, 2021, the Planning Board recommended approval of the requested text amendment with a 6-0 vote.

Motion

Mr. Doll moved to approve PB 21-16 because the request is consistent with POLICY HN8 of the 2006 Land Use Plan.

And it is required by the recent changes to G.S. 160-D.

Vice-Chairman Owens seconded the motion and the motion carried unanimously 6-0.



Amendment to the Unified Development Ordinance, Chapter 2. Administration, Chapter 4. Use Standards and Chapter 6. Subdivision and Infrastructure Standards.

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

Item 1: That Chapter 2, Section 2.4.8.D. is amended by removing the following strike-through language and adding the underlined language:

Minor Subdivision

- (1) **Procedure**
- (a) **Pre-Application Conference**
Not applicable.
- (b) **Community Meeting**
Not Applicable.
- (c) **Application Submittal and Acceptance**
Applicable (see Section 2.3.4). Applications shall include a final plat prepared in accordance with the applicable standards in Section 2.4.8.E.8 ~~.5-b~~, Final Plat Review Standards.
Applications for a family subdivision shall include an attestation that the purpose for the subdivision is solely for the conveyance of lots to family members, and that conveyance of a lot in a family subdivision to a non-family member is a violation of this Ordinance.
- (d) **Staff Review and Action**
Applicable (see Section 2.3.5). The Director shall decide an application for a minor subdivision in accordance with Section 2.3.5.D, Applications Subject to Decision by Director or Technical Review Committee, and Section 2.4.8.D.2, Minor Subdivision Review Standards.
- (e) **Public Hearing Scheduling and Public Notification**
Not applicable.
- (f) **Public Hearing Procedures**
Not applicable.
- (g) **Advisory Body Review and Recommendation**
Not applicable.
- (h) **Decision-Making Body Review and Decision**
Not applicable.
- (2) **Minor Subdivision Review Standards**
- (a) **General Standards**
A minor subdivision shall be approved on a finding that:

It complies with all applicable standards in Chapter 6: Subdivision and Infrastructure Standards, the applicable standards for a final plat in Section 2.4.8.E.8 .5-B; and all other applicable standards in this Ordinance;

Item 2: That Chapter 4, Section 4.2.3.D. is amended by adding the following underlined language:
Religious Institutions

Religious institutions shall comply with the following standards:
Religious institutions in the SFM, SFO, and SFI districts that include a school or sanctuary with a capacity of 800 persons or more shall obtain a special use permit in accordance with Section 2.4.6, Special Use Permit.

Item 3: That Chapter 6, Section 6.2.5. is amended by removing the following strike-through language and adding the underlined language:

Use of Funds
Payments-in-lieu received in accordance with this subsection shall be used for transportation construction consistent with the requirements of the North Carolina General Statutes Section 160D-804 ~~153A-331~~.

Item 3: Statement of Consistency

Item 4: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 2021.

Jennie Turner, Senior Planner, reviewed the text amendment for Commissioners which will make corrections to the minor subdivisions and 160D reference language. Review standards and consistency statements were reviewed and both staff and Planning Board recommended approval of the request.

Chairman Payment opened the Public Hearing. No one was signed up nor wished to speak and the Public Hearing was closed.

Commissioner Jarvis moved to approve PB 21-16, Currituck County Housekeeping Text Amendment, because the request is consistent with Policy HN8 of the 2006 Land Use Plan, and it is required by the recent changes to G.S. 160-D. Commissioner White seconded the motion. The motion carried, 6-0.

Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)

RESULT: APPROVED [UNANIMOUS]
MOVER: Selina S. Jarvis, Commissioner
SECONDER: Bob White, Commissioner
AYES: Michael H. Payment, Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
ABSENT: Paul M. Beaumont, Vice Chairman

NEW BUSINESS

A) Consent Agenda

Commissioner Mary Etheridge moved for approval of the Consent Agenda. Commissioner White seconded the motion. The motion carried, 6-0, and the Consent Agenda was approved.

RESULT: APPROVED [UNANIMOUS]
MOVER: Mary "Kitty" Etheridge, Commissioner
SECONDER: Bob White, Commissioner
AYES: Michael H. Payment, Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
ABSENT: Paul M. Beaumont, Vice Chairman

1. Budget Amendments

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
220548-590000	Capital Outlay	\$ 16,295	
220548-540000	Worker's Comp		\$ 415
220548-506000	Health Insurance Expense		\$ 8,700
220548-502000	Salaries		\$ 7,180
		\$ 16,295	\$ 16,295
Explanation:	Knotts Island Fire District (220548) - Transfer budgeted funds for emergency repairs to the fires suppression and water tank at the Knotts Island Fire Department.		
Net Budget Effect:	Knotts Island Fire District Fund (220) - No change.		

		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
10796-532001	Educational Supplies			\$	250
10796-536000	Uniforms	\$	250		
		\$	250	\$	250

Explanation: Currituck County Rural Center (10796) - Transfer budgeted funds for increased uniform costs.

Net Budget Effect: Operating Fund (10) - No change.

		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
10511-554000	Insurance & Bonds	\$	85		
10511-506000	Health Insurance			\$	85
		\$	85	\$	85

Explanation: Detention Center (10511) - Transfer budgeted funds for increased insurance cost.

Net Budget Effect: Operating Fund (10) - No change.

		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
10750-511010	Data Transmission			\$	3,650
10750-516000	Repairs & Maintenance	\$	3,650		
		\$	3,650	\$	3,650

Explanation: Social Services Administration (10750) - Transfer budgeted funds to increase repair budget to cover cost of office space improvements to include plumbing encasement, drywall patch/repair, flooring replacement, removal of cabinets/countertop. The data plans for computerized tablets will not be needed until FY 2023 due to postponing NCFAS implementation. These funds will be utilized for a portion of this repair work.

Net Budget Effect: Operating Fund (10) - No change.

Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)

		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
10660-532000	Supplies	\$	4,900		
10460-592000	Courthouse Projects			\$	4,900
		\$	4,900	\$	4,900
Explanation:	Community Development - Planning (10660) - Transfer budgeted funds from Courthouse Projects that was originally budgeted for a partition in one of the Planning Offices to Supplies to purchase office furnishings. This will enable the Planning department to better utilize office space.				
Net Budget Effect:	Operating Fund (10) - No change.				
		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
67878-553000	DUES & SUBSCRIPTIONS	\$	15,000		
67878-590000	CAPITAL OUTLAY	\$	154,539		
67878-502000	SALARIES			\$	5,000
67878-506000	HEALTH INSURANCE			\$	2,500
67878-514000	TRAVEL			\$	2,500
67878-514500	TRAINING & EDUCATION			\$	2,500
67878-540000	WORKERS COMPENSATION			\$	67
67390-499900	APPROPRIATED FUND BALANCE			\$	156,972
		\$	169,539	\$	169,539
Explanation:	Mainland Sewer (67878) - To carry-forward capital funds and to transfer funds for increased dues and subscriptions for the Mainland Sewer Fund.				
Net Budget Effect:	Mainland Sewer Fund (67) - Increased by \$156,972.				

2. Consideration of a Resolution Authorizing Design-Build Construction Delivery Method for New Elementary School in Moyock Township

COUNTY OF CURRITUCK

RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AUTHORIZING DESIGN-BUILD CONSTRUCTION DELIVERY METHOD FOR THE CONSTRUCTION OF A NEW ELEMENTARY SCHOOL IN MOYOCK TOWNSHIP

WHEREAS, pursuant to N.C. Gen. Stat. § 143A-128.1A, a county may

Communication: Minutes from 10-04-2021 (Approval Of Minutes-October 4, 2021)

utilize the design-build delivery method for construction contracts; and,

WHEREAS, in order to utilize the design-build delivery method, the governmental entity is to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for this project; and,

WHEREAS, the criteria proposed and its application to the construction of a new elementary school on Tulls Creek Road in Moyock Township is the following:

Criteria 1 - *The extent to which the County can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications for a design-builder.* Through the Engineering Department and Legal Department, the County has professional personnel with the experience and qualifications needed to thoroughly define the project requirements prior to issuance of a Request for Qualifications for design-builders.

Criteria 2 - *The time constraints for the delivery of the project.* Due to rapid population growth in the Moyock area and the requirement to provide adequate public facilities, the need for additional student capacity within Currituck County Schools' Moyock attendance zone is urgent. The Board of Commissioners has resolved that this project should be completed in the most time-effective and efficient manner available. The design-build delivery method will allow for the project to be completed expeditiously.

Criteria 3 - *The ability to ensure that a quality project can be delivered.* Within the Engineering Department, the County has adequate professional and experienced personnel to ensure that the Design-Build firm will provide a quality project within budget constraints established by the Board.

Criteria 4 - *The capability of the County to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method of project delivery.* Within the Engineering Department and Legal Department, the County has professional and experienced personnel that are knowledgeable of design-build projects. Criteria 5 - *A good-faith effort to comply with N.C. Gen. Stat. § 143-128.2, N.C. Gen. Stat. § 143-128.4, and to recruit and select small business entities.* The County complies with N.C. Gen. Stat. § 143- 128.2 and N.C. Gen. Stat. § 143- 128.4. The County will require contractors to comply with the Historically Underutilized Businesses (HUB) goals set by the Board of Commissioners.

Criteria 6 - *The criteria utilized by the County, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified.* The design-build delivery method provides a one team approach, which leads to lower costs and shorter project timeline. Project time constraints and the opportunity for the general contractor to provide valuable project cost feedback to the designer during the design process

make the design-build option more appealing than the traditional construction delivery methods.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners adopt these written criteria and determine that the design-build delivery method is approved for utilization for the construction of a new elementary school on Tulls Creek Road in Moyock Township. Further, this Resolution shall be effective on and after the 4th day of October 2021.

ADOPTED this, the 4th day October 2021.

3. Job Description Revisions-Airport, Public Works

4. Consideration of Support for Albemarle Regional Broadband Expansion Project

5) Approval Of Minutes-September 20, 2021

1. Minutes for September 20, 2021

ADJOURN

Motion to Adjourn Meeting

There was no further business and Commissioner Jarvis moved to adjourn. Commissioner McCord seconded the motion. The motion carried, 6-0, and the meeting of the Board of Commissioners adjourned at 9:59 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Selina S. Jarvis, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Michael H. Payment, Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
ABSENT:	Paul M. Beaumont, Vice Chairman



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 3255)

Agenda Item Title: TDA Budget Amendments

Submitted By: Leeann Walton – County Manager

Presenter of Item:

Board Action: Action

Brief Description of Agenda Item:

Budget amendments to include funds to cover flood insurance for Maritime Museum, Corolla.

Potential Budget Affect: See individual amendments for net effects.

Is this item regulated by plan, regulation or statute? No

Manager Recommendation:

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 18th day of October 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2022.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
15447-545002	Historic Preservation	\$	300		
15447-516000	Repairs & Maintenance			\$	300
		<u>\$</u>	<u>300</u>	<u>\$</u>	<u>300</u>

Explanation: Tourism Related Expenditures (15447) - Transfer budgeted funds for APG Stabilization Notice for the Historic Jail.

Net Budget Effect: Occupancy Tax Fund (15) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Oct 18_TDA (TDA Special Meeting-Budget Amendments)

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 18th day of October 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2022.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
15448-554000	Insurance	\$	9,080		
15448-503500	Temporary Services			\$	9,080
		<u>\$</u>	<u>9,080</u>	<u>\$</u>	<u>9,080</u>

Explanation: Tourism - Historic Corolla Park (15448) - Transfer budgeted funds for flood insurance for the Maritime Museum.

Net Budget Effect: Occupancy Tax Fund (15) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Oct 18_TDA (TDA Special Meeting-Budget Amendments)

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 18th day of October 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2022.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
15442-557100	Software License Fee	\$	2,000		
15442-506000	Insurance Expense			\$	2,000
		<u>\$</u>	<u>2,000</u>	<u>\$</u>	<u>2,000</u>

Explanation: Tourism Promotions (15442) - Transfer budgeted funds for increased software license fees.

Net Budget Effect: Occupancy Tax Fund (15) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Oct 18_TDA (TDA Special Meeting-Budget Amendments)